

Contribution of Venezuelan civil society organizations to the thematic study on Elections and Enforced Disappearances of the Working Group on Enforced or Involuntary Disappearances

Prepared by the Red Electoral Ciudadana, formed by: Centro de Justicia y Paz ([Cepaz](#)), Observatorio Global de Comunicación y Democracia ([OGCD](#)) and [Voto Joven](#); subscribed by Asociación Civil Saber es Poder Venezuela ([AsoSaber](#)), [Laboratorio de Paz](#) and [Foro Penal](#).

This paper is a contribution to the upcoming thematic study of the Working Group on Enforced or Involuntary Disappearances on "Elections and Enforced Disappearances". Following the [guidelines](#) provided by the Group, this paper develops some of the questions presented around enforced disappearances as a form of political and electoral violence in the context of the 2024-2025 electoral biennium in Venezuela.

We request that the contents of this document be treated as confidential.

On enforced disappearance in Venezuelan legislation

The Venezuelan State **signed, but has not ratified**, the International Convention for the Protection of All Persons from Enforced Disappearance. However, it has included enforced disappearance as a criminal offense in the Venezuelan Penal Code.

The Venezuelan Penal Code defines forced disappearance as a punishable conduct; art, 181 establishes: *Any competent public official who, having knowledge of a detention, omits, delays or refuses to take measures to make it cease or to report it to the authority that should provide for the purpose shall be punished (...).*

It also establishes the responsibility of officials or authorities who collaborate in the forced disappearance: *The public authority, whether civilian or military, or any person in the service of the State who illegitimately deprives a person of his liberty, and refuses to acknowledge the detention or to provide information on the fate or situation of the disappeared person, preventing the exercise of his constitutional and legal rights and guarantees, shall be punished (...).* Likewise, it grants the character of a continuing crime to forced disappearance: *The crime established in this article shall be considered continuing as long as the fate or location of the victim is not established.*

Electoral context

During 2024 and 2025, Venezuela will experience an electoral biennium. In 2024, presidential elections will be held, and in 2025, all other popularly elected positions will be renewed, i.e., parliamentary and executive functions at the municipal, state and national levels. The electoral processes of these two years threaten the power of the ruling party, which has been in power for 25 years. These elections have the potential to initiate a process of democratic transition.

Venezuelan civil society organizations have documented that the **patterns** of persecution of dissidents [increase during electoral periods](#). It is understood that the motive is to discourage participation through increased repression and the use of "exemplary punishments". Even though the date of the presidential election scheduled for this year has not been announced, the escalation of repression that has been evidenced, including forced disappearances, indicates the beginning of the electoral period and the corresponding increase in persecution against dissidents.

The civic space monitor *Civicus*, in its [2023 report](#), downgraded Venezuela's rating to the most restrictive, categorizing it as a state with closed civic space. This frames all the actions carried out by the government in this electoral biennium.

The electoral context in Venezuela, especially when the presidency of the republic is in dispute, has had a constant cycle of increasing patterns of persecution for political reasons. To the constant process of criminalization, stigmatization and prosecution against people who dissent, publicly denounce or make claims for human rights are added the process of closing the civic space.

Human rights defenders are victims especially in electoral processes. In addition to political parties and their representatives, trade unionists, communicators, students, journalists, leaders, indigenous people, women, any person who carries out an activity, campaign, mobilization, accompaniment or promotion in and for the guarantee of their rights or carries out an activity of denunciation or vindication is considered an internal enemy and persecuted for political reasons.

The loss of social support and the search for permanence in power by the Venezuelan state has generated a more complex process of criminalization and judicialization; anyone who is not within the party or government structure and who defends rights is accused of conspiracy, treason and suspicion.

People who accompany the defense of the vote, electoral registration, people linked to unions, trade unionists, unions and people who accompany the defense of human rights are experiencing an increase in actions that violate their fundamental rights within the framework of the electoral process.

Since 2023, and now in the current election year 2024, all state decisions and actions are within the framework of the electoral contest, the permanence in power, to limit the denunciation and visibility and to diminish at any cost the political participation contrary to their interests of permanence. The security, investigation and irregular armed forces respond to the orders of the national executive and its need for control, surveillance and intimidation of social organization and participation in the electoral context.

It is in this context that since the year 2023 we see not only the beginning of a new cycle of persecution for political reasons but also the worrying increase of forced disappearance as a pattern for exemplary punishments, fear, violation of related rights, which also generate devastating consequences for the victims, their families, in some cases victims of forced disappearance, and their environment in general. Most of them under charges under the anti-terrorist law. Dissent, protest, defense of rights is today an action prone to make a person a victim of enforced disappearance.

As part of the context, it is important to highlight that there have been cases of persecution that, although not configured as forced disappearances, are worth highlighting as elements of the context of increased repression in the electoral period. We are talking about the arbitrary detention and forced interrogation experienced by representatives of Venezuelan electoral monitoring organizations between August and September 2023. In the same week, 3 members of different organizations linked to electoral monitoring and observation, whether accredited or not, were detained at the Simón Bolívar International Airport in Maiquetía by SEBIN officials. They were questioned about their activities and their links with other defenders, among them Rocío San Miguel. The International Federation for Human Rights [documented](#) one of the cases.

Enforced disappearances in Venezuela

According to CEPAZ, in the framework of the Bolivarian Fury plan, [at least 11 forced disappearances](#) have been reported¹ [with arbitrary detentions](#) of coordinators and campaign managers linked to the opposition leadership. For the Peace Laboratory, in the first two months of the year 2024, at least 13 cases have been counted at national level in the electoral context.

The following is a description of some of the most important cases:

Rocio San Miguel case:

On February 9, 2024, **human rights defender** Rocío San Miguel was arbitrarily detained at the Simón Bolívar International Airport in Maiquetía when she was about to take a flight abroad with her daughter. Her whereabouts were unknown for more than 120 hours. Two days after her arrest, 5 of her relatives were also detained and disappeared. Her lawyers filed a writ of *habeas corpus*.

After 72 hours, the Attorney General of the Republic alleged that the arrest of Rocío San Miguel was in response to an arrest warrant issued by the Public Prosecutor's Office, also linked to an alleged assassination conspiracy. He assured that Rocío had been presented before the courts, but this occurred in violation of her right to legitimate defense, since she was not allowed to appoint lawyers of her trust, who as of the date of sending this information, still do not have access to the file nor to her client. These irregularities are possible thanks to the [lack of independence of the judiciary](#) in Venezuela, which has been widely documented by both civil society and the [Fact-Finding Mission](#).

On February 12, her relatives were released with precautionary measures. On February 18, her daughter was able to see the defender at the SEBIN Helicoide headquarters, thus ending the disappearance. However, serious violations of due process continue. The organization Transparencia Venezuela has been in charge of generating a [history](#) of her case. Rocío San Miguel is a human rights defender, dedicated to the military area and **armed conflicts in the Venezuelan border**, she was **linked to the promotion of the informed vote** in the electoral process related to the **referendum on Guayana Esequiba** in 2023.

The disappearance of this defender and her family is part of an escalation in [gender-based political violence](#) that has been denounced by Venezuelan civil society organizations. In this regard, the European Union Electoral Observation Mission, which observed the 2021 elections, indicated: "[political participation] entails risks that women usually prefer to avoid, such as attacks on their reputation, their personal integrity and their family members", which negatively affect their participation.

¹ The cited article mentions 5 disappearances, but its publication date is prior to the disappearance of Rocío San Miguel and her 5 relatives. These 6 are in addition to the 5 mentioned by Cepaz.

On February 13, the Office of the United Nations High Commissioner for Human Rights issued a [statement on the X platform](#) (Twitter), indicating its concern about the San Miguel case and denouncing that his detention "could potentially qualify" as arbitrary detention. This pronouncement motivated the [temporary expulsion of](#) the team that the office had presentially in the field since 2019. In addition, the Attorney General threatened the human rights organizations that denounced the disappearance and promoted the #DondeEstáRocío campaign, indicating that [they "lie and commit crimes"](#) when they speak of "forced disappearance" and that there could be consequences for them.

Carlos Ramón Salazar case:

On February 5, 2024, the forced disappearance of former PDVSA worker Carlos Ramón Salazar Lares, 60 years old, was reported in Punta de Piedras, municipality of Tubores, Margarita Island. Carlos Ramón Salazar Lares, 60 years old, in the locality of Punta de Piedras, Tubores municipality, in Margarita Island, for having recorded a video of Alex Saab, while he was shopping in a store in a shopping center. A witness, who was robbed of his cell phone, stated that he was approached by individuals dressed in black.

His relatives requested through a video a proof of life to the Attorney General of the Republic Tarek Williams Saab, since he is under forced disappearance. They have had no response from public bodies such as the Public Prosecutor's Office and the Ombudsman's Office, nor from the police bodies of his whereabouts CONAS, SEBIN, etc.

"I am asking for help to find the whereabouts of my uncle Carlos, since we have gone to all the security entities on the island and they do not give us any answer. We have no faith that he is alive and well. I would like to know that he is alive and well. I would like to have something reliable to tell me that he is somewhere, I am not sure where he could be. I ask the Prosecutor's Office to please give us news of where my uncle Carlos is".

The lawyer Pedro Arevalo, in the state of Nueva Esparta, filed a habeas corpus before the Second Prosecutor's Office, in order to obtain a judicial response on his whereabouts. However, on 20.02.2024, after 15 days of his disappearance, his relatives reported him missing again. Unofficial sources had told them that he was detained by agents of the DGCIM and taken to the SEBIN of Nueva Esparta, but when they went to the place of detention and asked about his whereabouts, they were denied that he was there.

Case Víctor Venegas, trade unionist in the education sector and activist of Vente Venezuela.

On January 15, 2024, Víctor Venegas led a teachers' demonstration in Barinas, which was repeated in several states of Venezuela for the demands of economic and social rights, especially for a fair salary. On January 17, 2024, La Red de Derechos Humanos de Lara, denounced the arrest without a court order at the headquarters of the National Federation of Unions and Colleges of Education Workers of Venezuela (Fenatev) Minutes before Venegas recorded a video for social networks where he assured that he has done nothing wrong and that he has been fighting to defend the rights of workers. Also that he is in good health.

"When it is 11 o'clock in the morning, we have an attack by the police forces, they are breaking down the doors of Fenatev to take me away. I don't have any disease, they are going to

I ask the public opinion for solidarity, respect and I ask the teachers to go out in the streets to protest. I ask public opinion for solidarity, respect and I ask the teachers to take to the streets to protest, because this cannot be, this is a dictatorship" According to witnesses, it was an incursion carried out by alleged members of the SEBIN and police of Barinas, hooded and without identification, who were also beaten and computers and cellular phones were seized.

"It was horrible, many teachers began to shout, others tried to stop the hooded men from entering, they placed obstacles at the door to, from the inside, prevent them from entering, but the hooded men broke the locks and burst the doors, they looted everything, they took the computers, they stole our phones, they threatened us and we could not prevent them from taking our leader, Victor Venegas."

On the same 17.01.2024, Tarek William Saab issued a statement on the social network X, where he affirmed the arrest of Víctor Venegas, for an "alleged participation in a conspiracy and its link with the development of activities against the peace of the Republic".

Full press release: "The Public Prosecutor's Office informs the public opinion that due to the most recent conspiracy unveiled against the Venezuelan people, Víctor Venegas has been detained for prosecution before the competent authorities. This citizen is involved in the development of activities against the peace of the Republic and was part of a nucleus that intended to turn the state of Barinas into an epicenter of violent actions. Once the plan was unveiled, this group is in the process of being dismantled. The Public Prosecutor's Office continues working in defense of peaceful coexistence, the debate of ideas and the defense of democracy, always within the framework of the Constitution of the Republic".

However, he did not say where he was, nor which security force was in his custody. Nor had he been able to be contacted by his lawyers. After 48 hours, he was not presented to the court, and 5 days later, on January 22, workers, lawyers and relatives denounced that since January 17 there was no official information on Venegas: "it is not known if he has been presented before the criminal courts of the country and neither is it known exactly where he is being held"[1]. The organization Foro Penal reported that "In an attempt to safeguard the rights of the detainees, an amparo appeal was sought, but this was rejected". On January 24, 7 days later their whereabouts were still unknown.

Case of leaders of Vente Venezuela:

On January 23, 2024, Juan Freites, Luis Camacaro, Guillermo López, **three activists and regional campaign leaders of Vente Venezuela**, were arbitrarily detained and disappeared. Vente Venezuela is the party led by María Corina Machado, the candidate who won, with more than 92% of the votes, the primary election called by a sector of the opposition last October to determine the presidential candidacy. The leader has been arbitrarily disqualified from public office.

In the framework of the commemoration of the fall of the dictatorship of the 20th century, and within the framework of the call for the Bolivarian Rage The Peace Laboratory, in its report "Bolivarian Rage[2]" documented 5 cases of forced disappearance; Luis Camacaro. Regional coordinator of the Vente Venezuela party. Yaracuy State; 2. Tomás Sequera. Coordinator of

finances of the Vente Venezuela party in San Felipe. Yaracuy; 3 Juan Freites. Campaign Chief of María Corina Machado in La Guaira state; 4. Víctor M. Escalona, Vice President of Alianza Bravo Pueblo party, Bruzual municipality, Yaracuy state; and 5. Campaign Chief of Vente Venezuela in Trujillo state.

Víctor Escalona and Tomás Sequera, were victims of forced disappearance for a period of more than 24 hours, then they were released by agents of the Venezuelan state. However, Juan Freites, Luis Camacaro and Guillermo López, regional campaign coordinators of the Vente Venezuela party, were accused by the Venezuelan Public Ministry of allegedly participating in a conspiracy plot in which they were in charge of the logistics for a terrorist group that intended to assault several military barracks. Their whereabouts were unknown and on January 31 their lawyers filed a Habeas Corpus to protect their human rights, since their lawyers and relatives were totally unaware of "where they are, who is holding them, under what circumstances they are being detained": Their lawyer Omar Mora Tosta denounced: "We have gone through all the institutions, all the police precincts where they are supposed to be detained and they do not appear".

On January 31, a habeas corpus petition was filed to protect his human rights, which was later declared inadmissible by the authorities. His lawyers and relatives also filed complaints with the Ombudsman's Office and the Fundamental Rights Prosecutor's Office to inform these authorities, but they did not receive any response either. In turn, they went to the Second Court, with jurisdiction over terrorism, to obtain information, and there they were informed that they had not been presented in that court.

On February 16, almost a month after their disappearance, they were presented before the 2nd Court against Terrorism. Their lawyer Omar Mora reported^[3] that they were "almost the whole day waiting for the transfer of the accused to the court", who were taken handcuffed in the afternoon to the Palace of Justice in Caracas. When the authorities realized that he was present, they handcuffed them and left the place. Subsequently, the court informed that the hearing had been postponed for Tuesday, February 20. But after the defense left the site, they brought the defendants back to the courtroom and held a presentation hearing for them, at night, and with a public defender imposed.

Roberto Abdul case

On December 6, 2023, Roberto Abdul was arbitrarily detained by SEBIN officials and disappeared for more than 72 hours. His relatives and lawyers had no news of his whereabouts and physical condition. He was brought to court in a hearing held without his trusted lawyers. On December 20 he was released. Abdul was part of the team that supported the **electoral technical advice of the** Unitary Platform primaries and is director of Súmate, a Venezuelan organization dedicated to **electoral monitoring**.

Observations of the International Independent Fact-Finding Mission to the Bolivarian Republic of Venezuela (MIDH) on enforced disappearances in the country

The MIDH established in its 2023 report, that in the period between January 2020 and August 2023, [at least 14 short-term forced disappearances](#) had been carried out, and stated that such actions **are aimed at** silencing the real or perceived opposition. The MIDH reported the sophistication of the Venezuelan government's repressive mechanisms, which have migrated from harsh and generalized tactics, to soft and exemplary tactics, with a chilling effect. Mas warned that the repressive apparatus remains intact, and that the possibility of reactivating "hard" repression is permanently latent.

The MIDH report of 2022, deepened the investigation it had been conducting since 2020, when the violation of human rights was already established, determining that the crimes between 2014 and 2019 were committed in the context of a generalized attack against a civilian population, with knowledge of the attack. They were also committed in compliance with or in support of a state policy, understanding that the acts committed follow a line of repression to a more specific group of the population, unlike other periods in Venezuela's recent history.

Similarly, the aforementioned MIDH report states that these attacks were aimed at silencing, discouraging and suffocating the opposition to the government of Nicolás Maduro, including by attacking people who, by various means, demonstrated their disagreement with the government or were perceived as opposing it, even seeking to affect their relatives and friends who were attacked for being linked in some way with these attacked people.

They also detail that the information gathered indicates that there have been **concerted efforts to maintain power by** resorting to means that include the commission of crimes and violations against persons opposed to the Government or perceived as such. President Nicolás Maduro, assisted by high-level authorities, stand out as the main architects in the design, implementation and maintenance of a machinery at the service of the repression of dissidence.

With this, the MIDH framed and established that the violent actions of persecution and repression that it had documented were definitely part of a **systematic pattern of State political violence**.

In the review of the Fifth Periodic Report of the Venezuelan State to the Human Rights Committee, when questioned about the allegations of short-term forced disappearance, the Attorney General openly mocked the concept, indicating that it was an "invention" of the MIDH and the defense organizations that supported it.

Documentation of Venezuelan civil society

In 2020, the organization Foro Penal published the report [La desaparición forzada como herramienta de represión política en Venezuela \(Enforced disappearance as a tool of political repression in Venezuela\)](#), where it identified at least **724**

forced disappearances of political detainees in Venezuela between 2019-2020. In 2020, the year in which elections for the parliament (National Assembly) were held, **235 forced disappearances** were reported. For the period 2014-2018 Foro Penal recorded a total of 15,150 arbitrary detentions. For 2018, the year of the last presidential election, the organization reported that 525 detentions were made due to political causes, of which approximately 200 became enforced disappearances.

In the same report, Foro Penal identifies the security forces **responsible for carrying out detentions and forced disappearances**: i) the General Directorate of Military Counterintelligence (DGCIM); ii) the Bolivarian National Intelligence Service (SEBIN); and to a lesser extent, III) the Bolivarian National Police (PNB). Each of these security forces has a particular and well-documented pattern of action.

The cited report, as well as others by Human Rights Watch, OHCHR and MIDH, the longer a person remains forcibly disappeared, the more likely it is that he or she has been subjected to selective repression and torture. Understanding the functions of each security body, it can be assumed that the detentions carried out by the intelligence services (DGCIM, SEBIN) were planned and the victims identified in advance.

Notes:

1. <https://efectococuyo.com/la-humanidad/que-ha-pasado-luego-de-la-detencion-del-profesor-y-sindicalista-victor-venegas/>
2. <https://labpaz.org/reporte-furia-bolivariana-23-de-enero-2024/>
3. <https://www.youtube.com/watch?v=HbrdLAXm1As>

Other suggested links:

About the justice system in Venezuela

- <https://accesoalajusticia.org/justicia-medida-poder-viola-pacto-internacional-derechos-civil-political/>
- <https://accesoalajusticia.org/para-acnudh-reformas-legales-han-sido-insuficientes-para-solventar-fallas-justicia-venezolana/>

On the election of the current electoral arbitrator

- <https://accesoalajusticia.org/nuevo-cne-expres-con-menor-independencia/>