

FREEDOM OF
EXPRESSION
AND DEMOCRATIC
CRISIS

Introduction

During the 2024 presidential elections, Venezuela experienced a period marked by repression and state censorship. More than 2,000 people were arbitrarily detained, many through temporary arrests without judicial authorization, with the aim of creating an atmosphere of fear and self-censorship. These mechanisms were part of an official strategy to inhibit citizen participation, journalistic work, and the exercise of fundamental rights during the elections.

Election periods represent a critical juncture in which freedom of expression and the work of a free press are essential to guaranteeing transparency, access to information, accountability, and political and social participation. The documented irregularities in the presidential elections and the restrictions imposed on the opposition months before the elections revealed a strategy by the Venezuelan government to control the media environment, journalistic work, and the flow of information. Repression of freedom of expression and the stifling of civic space became key instruments for halting any attempt at democratic debate, thus curtailing the possibility of a free, legitimate, transparent, and informed electoral process.

In an environment marked by significant democratic setbacks, including the lack of independence of the electoral body, control of information also meant control of the results. The day after the elections, the National Electoral Council (in Spanish, Consejo Nacional Electoral, CNE) officially declared Nicolás Maduro's reelection without publishing the tally sheets. Nevertheless, despite restrictions on civil liberties and interference in the electoral process, the Venezuelan opposition managed to present evidence that its candidate, Edmundo González, had won the presidential election with 67% of the vote.¹

Through this report, ARTICLE 19 Brazil and South America seeks to present, from different

perspectives, the human rights violations that occurred in the context of the presidential elections of July 28, 2024, including the pre- and post-election periods. The report is organized into four chapters:

- The first chapter analyzes the Venezuelan electoral system, highlighting the events that took place during the political contest and the elements that distorted legitimate competition. In this context, the chapter examines the tactics of surveillance and digital censorship, the use of technologies and other mechanisms to control the flow of information, and the role of social media.
- The second chapter addresses, through a historical perspective, the situation of the media in the country, characterized by the closure of independent media, state censorship, and the harassment of journalists.
- The third chapter analyzes restrictions on freedom of association and the right to protest, including the persecution of civil organizations, human rights defenders, and the use of the legal apparatus to criminalize dissenting voices.
- Finally, the fourth chapter provides a regional perspective on the situation in Venezuela, with an emphasis on the political and humanitarian dynamics that converge in this process of democratic deterioration that our continent is going through.

ARTICLE 19 Brazil and South America reiterates that freedom of expression is essential for the functioning of any democracy and is especially relevant in electoral contexts. The violations documented in this



report not only reflect the deterioration and lack of independence of state institutions in Venezuela, but also underscore the urgent need for a coordinated approach at the regional and international levels to safeguard human rights and restore fundamental freedoms in the country.

In that regard, we emphasize that, although there are divergent narratives about the election results, it is undeniable that a series of human rights violations occurred, laying the groundwork for preventing the verification of the results of the official electoral process and significantly affecting its legitimacy.





Technology, information and political participation in the Venezuelan electoral process

This chapter reviews and analyzes the Venezuelan electoral system in operation during the 2024 presidential elections, including the seven vote verification stages, the paper trail, and the implemented audit system. The detailed analysis of the technical design seeks to locate vulnerabilities to electoral integrity in Venezuela, distinguishing between potential technical limitations of its automated voting system and political or institutional factors that may have affected transparency and public trust in the process.

This chapter also seeks to describe and analyze other factors that impacted electoral integrity, such as voter and candidate registration processes, equal access to the media, and human rights violations in digital environments, including surveillance, website blocking, and government-sponsored disinformation campaigns. Finally, the chapter also highlights digital resistance strategies employed by citizens and the role of social media.

Electoral administration

The Constitution of the Bolivarian Republic of Venezuela, approved in 1999, introduced the Electoral Branch and gave it constitutional status, designating the National Electoral Council (CNE) as its governing body. According to the Constitution, the CNE should be composed of five members not affiliated with political organizations, but this mandate has been virtually ignored since its inception.

Regarding its composition: three of the rectors must be nominated by civil society, one by the law and political science schools of the national universities, and one by the Citizen Power (comprised of the Public Prosecutor's Office, the Comptroller General's Office, and the Ombudsman's Office, respectively *Fiscalía*, *Contraloría* and *Defensoría del Pueblo*). The three members nominated by civil society have six alternates each, and the rectors appointed by the universities and by the Citizen Power each have two alternates.

The electoral authorities are appointed for a seven-year term through a process led by the National Assembly and will be elected separately: the three nominated by civil society at the beginning of each term of the National Assembly, and the other two halfway through this term.

The members of the CNE at the time of the elections assumed their positions in August 2023, following the early and inexplicable resignation of the previous CNE board, whose term had five years remaining. The resignation of the full CNE board initially lacked the support of two board members, Roberto Picón and Enrique Márquez, who were subsequently forced to resign. The appointment of the new authorities increased distrust in the electoral body, as it was perceived as an appendage of the executive branch. The most controversial appointment was that of President Elvis Amoroso, who had been responsible for disqualifying numerous opposition leaders while serving as Comptroller General of the Republic.

Article 294 of the Constitution establishes that: “The organs of the Electoral Power are governed by the principles of organic independence, functional and budgetary autonomy, non-partisanship of electoral bodies, impartiality and citizen participation; decentralization of electoral administration and transparency of the voting process and vote counting.” The actions of the CNE during the 2024 presidential election process were in open contradiction with these mandates.

Additionally, the right to vote for Venezuelan migrants was not guaranteed, the nomination of candidates was not conducted under equal conditions for all participants, and the electoral body’s information and outreach campaign was virtually nonexistent. Regarding oversight and monitoring, post-election audits were suspended without justification.

Electoral system

The president of the Republic is directly elected by a majority vote in a single round (relative majority system) for a six-year term, according to Article 7 of the Organic Law of Electoral Processes (*Ley Orgánica de Procesos Electorales*, LOPRE). Limits on presidential reelection were abolished by a constitutional amendment in 2007, although a recall

referendum can be held halfway through the presidential term. There is a date for the presidential inauguration, which takes place on January 10 of the first year of the constitutional term, but not for the holding of elections.

The early elections—which have become customary in recent years—break with the established democratic tradition in the country, according to which elections were held on the Sunday of the first half of December of the year immediately preceding the end of the corresponding constitutional term. This used to allow the electoral authority sufficient time to organize the elections.

Electronic voting in Venezuela

To date, the voting system in Venezuela is automated and can be audited at all stages. The first major milestone related to the use of electoral technology in the country occurred in 2004, when the first national election with automated voting and counting was held. Subsequently, in 2012, the voting machines incorporated a biometric voter authentication device called the Voter Authentication System (*Sistema de Autenticación del Elector*, SAE).

This voting system, considered by many to be one of the most advanced in the world at the time it was implemented, was subject to various audits since 2005, through which electoral technicians and independent experts verified that it worked correctly, was reliable, preserved the secrecy of the vote, and did not alter the will of the voter.²

However, it was not without controversy. In 2017, Smartmatic, the company in charge of electronic voting, denounced that the CNE reported voter turnout results different from those reflected in its electronic system for the election of the National Constituent Assembly.³ This led to a break in relations with the technology platform provider and the hiring of Ex-Clé, an Argentine company with close ties to high-ranking government officials.⁴

On March 7, 2020, a fire damaged the warehouse where the country’s electoral technology was stored. According to electoral authorities, 49,408 voting machines, 400 electronic ballots, 22,434 power inverters, 49,323 SAE units, 582 computers belonging to the Civil Registry, and other equipment were destroyed.⁵

Following the disaster, new electoral hardware and software were designed, but no clear public information was provided about them; the supplier and state investment are unknown, while it was indicated that the equipment could come from China and the software development would have been carried out by Venezuelan technicians, with the collaboration of the Argentine company Ex-Clé.⁶

Despite this lack of transparency, in 2021 the Electoral Authority authorized a comprehensive audit by a group of academics, mostly PhDs in computer science, which improved the perception of the automated voting system among political actors and the electorate. The thorough reviews allowed the experts to reach the unanimous conclusion that the software was secure and reliable, dispelling suspicions of fraud. The technical commission had a diverse and balanced composition, which added to its credibility. Emilio Hernández, PhD in computer science from the University of Southampton (England) and retired professor at Simón Bolívar University, maintained that the system was robust and solid, fulfilling the objectives of a perfect vote count and ensuring the reliability of the ballot.⁷

That same year, the CNE incorporated a QR code into the tally sheets, which simplified and made the counting and verification of votes more transparent.

However, the secrecy surrounding the electoral technology and the lack of basic conditions were the reasons cited by a large sector of the opposition for abstaining from the 2020 legislative elections. According to the CNE, only 30.5% of registered voters participated in the election – a percentage that coincided with the statistical estimates of the Venezuelan Electoral Observatory (*Observatorio Electoral Venezolano*, OEV) and contrasted with the 74% participation recorded in the previous parliamentary elections.⁸

Electronic voting security

The main feature of the automated voting system “is the adoption of advanced data security techniques at multiple levels, from the voting machine, through the transmission media and up to the Totalization System,” according to engineers Miguel Cañas and Mario Torre, members of the Technical Monitoring

Group, a multidisciplinary team that participated in all the technical audits of more than 11 national elections.⁹

One of the main strengths of Venezuela’s automated voting system is its traceability. In other words, the voting machine not only records each vote electronically in its internal memory, but also prints a physical record of the options selected by the voters. The goal is that, before being deposited in tamper-proof receptacles, the printed ballots are verified by the voters. In theory, this guarantees that these physical records accurately reflect the choices made by each voter, making it more difficult and discouraging attempts at electoral fraud through electronic manipulation of the system, as well as contributing to the detection of malfunctions.¹⁰

This architecture is called Voter-Verified Paper Audit Trail (VVPAT), meaning that electronically generated election results can be audited by counting the paper ballots. In addition to providing greater security, VVPAT systems also maximize other important electoral and democratic requirements, such as transparency and verifiability.¹¹

In Venezuela, at the close of voting, the machine automatically prints a tally sheet with the results (known as the “counting sheet” or “election sheet”). Subsequently, voters can participate in audits conducted at randomly selected polling stations, where the ballots are counted and compared with the results printed on the tally sheet, in a process known as “citizen verification” or “closing audit.” Historically, citizen verification has substantially contributed to voter confidence in the automated electoral system.¹²

The selection of polling station officials is done by lottery, in accordance with the 54.4% allocation stipulated by the CNE. This process must be public, with no limitations other than those related to the physical capacity of the venue.

A couple of days after the elections, the CNE must publish the results on its website, tally sheet by tally sheet, and party witnesses can compare the published information with the copies of the tally sheets they received.

The paper trail is one of the seven vote verification steps provided by the system:

1. The physical ballot, which is printed on special paper, with watermarks and security ink, and identified through a non-sequential code, to safeguard the secrecy of the vote.

2. The fixed (internal) memory of each machine.
3. The removable (external) memory of each machine.
4. The tally sheet from the polling station.
5. The electronic vote transmitted to the tallying centers.
6. The electronic record transmitted to the totalization centers.
7. The tally sheet.

The comprehensive authentication system, implemented in 2012, was a significant advancement in voter security. This device includes a fingerprint reader and a keypad where an operator enters the voter's identification number, and the voter places their fingerprint. With this information, the voting machine—which contains only the data of voters assigned to that polling station, including their fingerprints—can authenticate the person and allow them to vote, mitigating the possibility of identity theft.

The CNE constantly updates the voter fingerprint database, which is populated not only from records obtained when individuals provide their fingerprints at voter registration and update points, but also from information provided by the Administrative Service for Identification, Migration and Foreigners (*Servicio Administrativo de Identificación, Migración y Extranjería*, SAIME) and the national identity card database. For the 2024 presidential elections, CNE board member Aimé Nogal stated that only 2.5% of voters did not have their fingerprints registered in the national database.¹³ Of the fingerprints that were stored, 50.18% were of excellent quality; 16.48% very good; 19.92% good; 12.17% fair; and 1.24% poor, according to the Electoral Data audit report of June 25, 2024.¹⁴

Regarding the secrecy of the vote, the voting machine is configured to store voter data and votes randomly, preventing anyone from knowing who voted for whom. Additionally, the vote is securely encrypted using a shared key (by the political parties and the National Electoral Council) throughout election day, so that no one, except for the voting machine's internal specialized programs, can automatically decrypt the votes and other events after the closing routine is executed.

The electronic system is designed to guarantee the unidirectional transmission of results, which is carried out through a completely isolated network, controlled by Venezuelan state telecommunications companies, making any hacking attempt virtually impossible.

The unfolding of the 2024 presidential election process

Prior to the 2024 presidential election, held on July 28, the CNE conducted audits of the country's electronic voting system. While some issues were identified at certain stages,¹⁵ the overall assessment by experts was that the voting system does not allow for widespread voter identity theft or large-scale electoral fraud.¹⁶ According to the Carter Center, representatives of political parties and civil society expressed a high level of confidence in the electronic voting system, a confidence that resulted from a comprehensive set of pre-election audit procedures conducted by the CNE in a transparent and effective manner.¹⁷

Despite the relatively favorable conclusions of the audits, the events that occurred from July 28 onwards confirmed that the main vulnerabilities of the process were not so much in the technology itself, but in its implementation and in the political environment in which it was developed.

On election day, incidents such as clashes and protests near some polling stations, delays or disruptions in the voting process, voter intimidation and coercion, and the denial of copies of the tally sheets to opposition party observers were reported. However, the election day generally proceeded without major incidents.¹⁸ The main events that would compromise the credibility of the election results began after the polls closed.

Shortly after midnight on July 29, the CNE made its first announcement of results, declaring an irreversible victory for Maduro with 51.2% of the vote, followed by Edmundo González with 44.2%, supposedly based on 80% of the polling station results received. However, it did not provide the results broken down by polling station, claiming that its website had suffered a cyberattack. It also stated that the CNE's data transmission system had been the target of a cyberattack that caused delays in transmitting the results. Other authorities, including Attorney

General Tarek William Saab, claimed that an attack had originated from Macedonia del Norte with the alleged objective of falsifying the voting records. No further details were provided about these alleged attacks, and both experts and observers considered them implausible.

On August 2, the CNE made a second announcement confirming Maduro as the winner with 51.9% of the vote, followed by González with 43.1%. The agency stated that these results were based on 96.8% of the polling station tally sheets received, but, once again, only published the total figures, without the breakdown by polling station or the respective tally sheets.¹⁹

The National Electoral Council's (CNE) failure to publish the results broken down by polling station and voting table—an obligation it has yet to fulfill—is unprecedented in the country's recent electoral history. Meanwhile, the opposition was disseminating information on a website.²⁰ A large database of tally sheets collected from polling stations and subsequently digitized was compiled. These sheets were obtained by party representatives, observers, and citizens in an initiative that required months of preparation and the participation of thousands of volunteers.²¹ According to these results, representing approximately 82% of the total tally sheets, Edmundo González obtained 67.1% of the votes, compared to Maduro's 30.4%.

In absolute terms, and according to calculations released by the opposition, González would have obtained 7,156,462 votes and Nicolás Maduro, 3,241,461, with an estimated turnout of 60%. The difference between the two amounts to 3,915,001 votes. In the 18.3% of polling stations without available tally sheets, 3,576,544 voters are registered, a figure lower than the gap between the votes for both candidates.²²

The technical team of the Unitary Platform (*Plataforma Unitaria*) specified that, for the process of collecting, transporting and scanning the tally sheets, it trained some 100,000 people and adapted 128 processing and collection centers scattered throughout the national territory.²³

The Venezuelan government claimed that the tally sheets published by the opposition had been falsified, without providing any evidence. However, studies conducted by academic experts²⁴ and others, including the Carter Center and the Colombian Electoral Observation Mission (*Misión de Observación Electoral de Colombia*),²⁵ concluded that the tally sheets were authentic.

The analyzed records presented the required security characteristics, such as being printed on CNE security paper, bearing the signatures of the members of the polling station and the witnesses of the political parties, and containing security *hashes and digital signatures*.

The report prepared by electoral technicians from the Unified Platform²⁶ also explains why the digitized voting records were authentic. The first characteristic they mention is the alphanumeric code, or HASH-1, which appears in the header of each record and contains data associated with the polling station, the voting table, the date and time of printing, and the printing machine. The HASH-1 code is a unique identifier that distinguishes each machine.

Each record also includes a summary of votes cast by the polling station, the boxes with the signatures of the polling station members and electoral witnesses present at the time of closing the polling station, along with their identification data, and the unique QR code along with an hmac-sha256 code that represents the digital signature of the result.

It is also important to note that the Electoral Authority didn't conduct the three planned post-election audits either, without explaining the reasons for their suspension, demonstrating that the structural problem in terms of electoral integrity is political, not technical. These audits are:

- The Telecommunications System Audit, Phase 2, scheduled for July 29, 2024 (the day after the elections);
- The Citizen Verification Audit (*Auditoría de Verificación Ciudadana*), Phase 2, scheduled for August 2;
- The Electoral Data Audit (*Auditoría de Datos Electorales*, ADES), Phase 2, scheduled for August 5 to 8.

Given the allegations of transmission problems on election day and the CNE claim of a cyberattack as justification for not publishing the detailed results, the telecommunications audit would have been essential to guarantee the transparency of the process and rule out possible external interference. Similarly, in response to accusations of falsified results, the second phase of the citizen verification audit would have been key to comparing the results stored in the voting machine memory with those recorded in the

central system, as well as with the original tally sheets and the VVPAT paper receipts held by the State.

The lack of transparency in the publication of election results by the National Electoral Council deprived Venezuelans of verifying that the will that had been expressed through suffrage was respected, undermining the legitimacy of the presidential election and, of course, confidence in the Electoral Authority.

On the other hand, the decision not to publish the election results also highlighted the robustness of the automated voting system, since the security elements of the tally sheets, which were explained above, prevented the forging of different voting reports diverging from the information contained in the tally sheets issued by the voting machines on July 28.

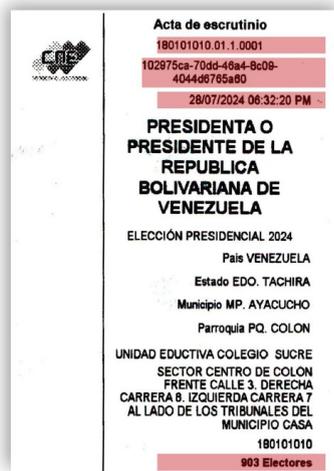
Electoral Registry: right to vote violated

The Electoral Registry (*Registro Electoral*, RE) is the mechanism that allows citizens to exercise their right to vote, essential for the exercise of freedom of expression in a democracy.

By ensuring that citizens over 18 years of age are registered, the State guarantees their participation in the election of their representatives (not only as voters, but also as candidates, poll workers, etc.). However, recurring obstacles prevented Venezuelans living abroad and young people residing in the country from voting.

Venezuelans abroad faced excessive and arbitrary legal requirements to register and update their data, prompting a statement from the Inter-American Commission on Human Rights, which stated: “Considering those without residence visas ineligible to vote represents a way of criminalizing migration because, in practice, it equates those who left the country with people convicted of crimes.”²⁷

Of the five million Venezuelans eligible to vote abroad, only 1.4% (69,211 people) were able to participate due to numerous obstacles imposed by Venezuelan authorities.²⁸ The organizations *Alerta Venezuela*, *Espacio Público*, and *Voto Joven* concluded that “by arbitrarily depriving Venezuelans abroad of their right to vote, the Venezuelan State simultaneously infringed upon the rights to freedom of opinion and political participation of approximately 25% of the Venezuelan electorate.”²⁹



Código que define estado, municipio, parroquia, centro de votación, número de mesa, libro y tomo del acta.

Código HASH-1 que identifica de manera única al acta y a la máquina que la imprimió, y que también se asocia a la papeleta impresa de cada voto que emitió esa máquina.



Fecha y hora de impresión del acta.

Cantidad de electores habilitados para votar en esta mesa.

Resumen de votos		
Votos	0	Cero, Cero, Cero, Cero
Votos válidos	0	Cero, Cero, Cero, Cero
Votos parciales	0	Cero, Cero, Cero, Cero
Votos nulos	0	Cero, Cero, Cero, Cero
Votos nulos	0	Cero, Cero, Cero, Cero
Opciones válidas	0	Cero, Cero, Cero, Cero
Opciones nulas	0	Cero, Cero, Cero, Cero
Opciones nulas	0	Cero, Cero, Cero, Cero

Resumen de votos válidos, nulos, parciales y vacíos.

Observaciones:

Se levanta la presente acta la cual firman en señal de conformidad.
Miembros de la mesa electoral



Firmas digitales de cada miembro y testigo presentes en la mesa electoral. Además de estas, se incluye la firma del operador de CNE (Operador del Sistema Integrado, OSI).

Código QR único, que al escanearse, muestra un texto plano con los resultados de esta mesa de votación, separado por comas, en el mismo orden en que están listados por partidos más arriba.



Código hmac-sha256 es una serie alfanumérica única e irrepetible que se construye una vez cerrada la votación, a partir de los datos del QR. Refleja los códigos de centro y mesa, y los resultados detallados por partido.

Regarding the young population, Venezuelan organizations estimate that nearly three million people of voting age were not registered in the Electoral Registry,³⁰ although the number of new registrants for the 2024 elections was significantly lower.³¹

Candidacies: right to be elected

The right to stand for election is itself a form of freedom of expression, as it allows citizens to express their desire to participate in political life. The effective implementation of the right to stand for elected office ensures that voters can freely choose their candidates.

However, the opposition was prevented from doing so as a result of multiple actions involving different branches of government. First, the Attorney General's Office announced a criminal investigation against the organizers of the primaries (internal elections), the mechanism used by the opposition's *Plataforma Unitaria* to choose its presidential candidate, alleging identity theft and usurpation of the functions of the Electoral Authority. Then, the Electoral Chamber of the Supreme Court of Justice (*Tribunal Supremo de Justicia*, TSJ) suspended the primary results that declared María Corina Machado the winner, a leader who had been disqualified by the Comptroller General of the Republic when she competed in the opposition's internal elections.

Political rights can only be suspended by a final judicial ruling, according to Article 42 of the Venezuelan Constitution. Despite this constitutional provision, the TSJ granted the Comptroller General of the Republic the power to politically disqualify individuals "without any further procedure,"³² thereby stripping Machado and other candidates of their right to participate without proof of any crime having been committed and violating their right to due process.

In response to Machado's disqualification, the opposition nominated a university professor, Corina Yoris, as her replacement. However, the CNE automated nomination system rejected Yoris's candidacy for no apparent reason or justification. Ultimately, the Electoral Authority granted an extension for nominations, admitting retired diplomat Edmundo González Urrutia, who passed the imposed "screening" process.

González Urrutia was an unknown figure to Venezuelans until then; he had only agreed to register his name to keep the Democratic Unity Roundtable's ballot active while the opposition coalition chose its final candidate. However, the primary winner, María Corina Machado, managed to endorse the former ambassador when it became clear that he would be the opposition candidate.

It should be noted that, from January to July 2024, 19 elected opposition leaders and officials had been disqualified, including 12 sitting mayors. Additionally, the Supreme Court intervened in the affairs of at least 11 political parties³³ associated with the main opposition groups, suspending and replacing members of their boards of directors.

The CNE also excluded 14 national parties from the electoral race: *Movimiento al Socialismo* (MAS), *Unión y Progreso*, *Compromiso País* (Compa), *Partido Unión y Entendimiento* (Puente), *Unidad Política Popular 89* (UPP89), *Liberal Prociudadanos* (LPC), *Nueva Visión Para mi País* (Nuvipa), *Activistas Democráticos Electorales y Alternativos* (Adelante), *Encuentro Ciudadano*, *Generación Independiente* (Gente), *Suma País*, *La Fuerza del Cambio* (FDC), *Unión y Cambio* (Única) y *Convergencia*.³⁴

To reach this decision, the National Electoral Council (CNE) based its decision on the percentage of votes obtained by each party in the 2020 parliamentary elections and the 2021 regional and municipal elections, as well as on administrative requirements that it claimed they had failed to meet. Although this criterion was not met in all cases, the vice president of the Movement for Socialism (MAS), María Verdeal, asserted that her organization met the percentages established by law, but its registration was still invalidated.

The tight time between the announcement and the date set for the presidential elections left no possibility for political organizations that did not reach the required percentage of votes to collect the necessary signatures to renew their list of registered members and participate in the presidential elections.

Despite the above, the CNE facilitated the formation of six parties: *Futuro*, *Derecha Democrática Popular*, *Partido Verde*, *Enamórate*, *Alianza Política Renovación Esperanza* (Arepa) and *Confederación Nacional Democrática* (Conde) without offering information on the process of validating the signatures and other requirements required for the constitution of these political organizations, thus defining a new ecosystem of political parties for the elections.

Nor were there conditions in place for self-initiated nominations and groups of voters to be submitted; the rules associated with these initiatives were published late, affecting the rights contemplated in articles 62 and 67 of the Constitution, which guarantee citizens the right to participate freely in public affairs, to associate for political purposes and to participate in electoral processes through the mechanism of self-initiative.

Finally, in the 2024 presidential elections, 10 candidates, all men, registered, backed by 37 political organizations. The two main contenders were the incumbent president, Nicolás Maduro, of the United Socialist Party of Venezuela (*Partido Socialista Unido de Venezuela*, PSUV), supported by 13 parties that made up the Great Patriotic Pole Simón Bolívar (*Gran Polo Patriótico Simón Bolívar*) coalition; and Edmundo González Urrutia, of the Unitary Platform (*Plataforma Unitaria*), representing the main opposition coalition with the support of three political parties on the ballot.

Election campaign: no guarantees or balance

Election campaigns are the quintessential time for public debate. Freedom of expression guarantees that candidates, parties, and citizens can express their opinions, proposals, and criticisms. This synergy is crucial for voters to make informed decisions.

For the 2024 presidential elections, the candidates had only 21 days to present their program, an insufficient amount of time especially when there was a marked imbalance in access to public and private media in favor of the ruling party.

The CNE was an absent referee during the campaign: there was not the slightest effort to ensure a balance in the representation of the various political forces in public media. Furthermore, throughout the election year, radio stations continued to be shut down, and cases of persecution and detention of journalists persisted.

Regarding censorship and self-censorship in private media, the elections took place in a climate of general restriction that had a significant impact on the communication and media landscape. According to the guidelines of the National Telecommunications Commission (*Comisión Nacional*

de Telecomunicaciones, Conatel), there were explicit prohibitions against mentioning or interviewing María Corina Machado. Her image was censored on broadcast media, though not on digital platforms. The campaign unfolded with voices silenced, not only those of the political leadership but also those of broad sectors of the population, whose desires for change were completely ignored. Conatel reportedly exerted direct pressure to prevent these voices from being broadcast.

On the other hand, disinformation intensified. The Venezuelan government's power in the digital sphere grew stronger after the 2023 opposition primaries, which influenced the development of the 2024 presidential process.

According to a study conducted by the Disinformation Observatory of the Complutense University of Madrid, which aimed to classify the different tactics and strategies of information manipulation used to influence public opinion and political processes, the incidents analyzed revealed five major narratives promoted for political purposes around the primaries of October 22, 2023:

1. To shock the population by portraying the opposition primary as an event that catalyzes violence.
2. To discourage Venezuelan opposition voters from participating in elections by generating distrust and anxiety about the process.
3. Exaggerating the divisions within the opposition to portray it as a coalition incapable of carrying out a process in a unified manner.
4. Foreignizing the opposition: portraying it as subservient to the interests of the United States or a puppet of this country, its Western allies, or its large corporations.
5. To falsely link the primary school to fraud.

On the ground, campaign activities were also not conducted under equal conditions. According to the Venezuelan Electoral Observatory, six out of ten of the organization's observers reported that opposition candidate Edmundo González Urrutia was deliberately impeded from moving freely or holding public events. In 52% of cases, security forces were responsible for the impediments, while 45% were attributed to civilian groups acting outside the law, known

as *colectivos*. Only 11% of observers indicated that other opposition candidates faced similar restrictions, and 6% recorded obstacles preventing Maduro and his allies from carrying out their political activities.³⁵

Media outlets such as Caracas Chronicles documented the blocking of roads and access routes as one of the most frequent aggressions that the presidential candidate of the Unitary Platform and his main ally, María Corina Machado, had to overcome.³⁶

Similarly, various civil society organizations issued a statement to the United Nations High Commissioner for Human Rights, Volker Türk, denouncing the obstruction of free movement in several states, including Apure, Amazonas, Cojedes, Falcón, Mérida, Miranda, and Táchira. They documented road closures, checkpoints, and tolls implemented by security forces and the Bolivarian National Guard, as well as the felling of trees and damage to roads in Táchira to restrict transit in remote areas.³⁷

Political reprisals extended to anyone who provided services to opposition candidate González Urrutia. According to figures from the organization *Laboratorio de Paz*, a total of 22 establishments were closed or inspected for offering lodging or food services to members of the *Comando Con Venezuela* in the states of Lara, Miranda, Falcón, Zulia, Aragua, Guárico, Delta Amacuro, Cojedes, Mérida, Táchira, Anzoátegui, and Trujillo. Furthermore, the NGO *Foro Penal* recorded 149 arbitrary arrests for political reasons from January 2024 until the last day of the campaign, 135 of which were connected to the electoral campaign of the main opposition candidate.

Regarding the use of public resources to favor Maduro's candidacy, 68% of the 674 observers from the Venezuelan Electoral Observatory reported the participation of state and municipal officials in campaign events, a violation of Article 145 of the Constitution, which establishes that public officials are at the service of the State and not of any particular faction. Furthermore, nearly 80% of the observers indicated having witnessed propaganda in favor of the candidate seeking reelection during the inauguration of public works projects, public events with unions, graduations, and housing handovers.³⁸ The NGO *Transparencia Venezuela* also documented complaints related to the use of public resources in the electoral context.³⁹

According to the principal rector of the CNE, Aimé Nogal, 896 electoral prosecutors were deployed to document violations of campaign regulations throughout the national territory and, additionally, a special room with 24 national prosecutors

was activated; however, the Electoral Authority never made public the results of that monitoring.

Not surprisingly, the European Union's Election Observation Mission (EOM), which visited the country in 2021, recommended "strengthening the CNE's sanctioning powers by introducing a system of control and sanctions, ranging from reprimands to the imposition of progressive penalties, especially regarding the use of state resources in campaigns."

Election observation

Election observers play a crucial role in gathering and disseminating information about the electoral process. Restricting their ability to observe limits the flow of information, which in turn negatively impacts freedom of expression and participation in public affairs.

For the 2024 presidential elections, the accredited national electoral observation organizations were: Electoral Observation Network Assembly of Education (*Red Observación Electoral Asamblea de Educación*, ROAE), *Proyecto Social*, Venezuelan Association of Jurists (*Asociación Venezolana de Juristas*) and International Center for Higher Studies (*Centro Internacional de Estudios Superiores*, CIES).

The Carter Center was the only independent, long-term international observer mission invited by the national government and accredited by the CNE, as Venezuela withdrew its invitation to the European Union's electoral observation mission. In addition, the UN deployed a four-member panel of experts to monitor the process.

The CNE and the Ministry of Foreign Affairs invited more than 900 people representing over 100 countries, including China, Russia, Cuba, Turkey, Iran, and countries from Latin America and the African Union, to observe the election. Their observation activities were organized by the CNE.

Judicialization of the election

On July 31, Nicolás Maduro filed an appeal for protection before the Supreme Court, an action that

was questioned by organizations such as *Acceso a la Justicia*, which pointed out that it was a “contradiction” that the candidate who had been declared the winner would use a legal instrument used by citizens who believe that their constitutional rights have been violated.⁴⁰

The appeal devolved into a process of “certifying the results,” through an expert assessment carried out by the magistrates of the Electoral Chamber of the Supreme Court of Justice, who usurped the functions of the National Electoral Council. The alleged verification of the results began on August 5th without any explanation of the methodology to be followed, without clarifying who the experts in charge of the process were, and excluding witnesses from the opposition parties.

Finally, the Supreme Court of Justice ratified Maduro’s victory through ruling number 031 of August 22, 2024. Two former opposition candidates, Enrique Márquez and Antonio Ecarri, separately requested the Judiciary to annul this ruling, but both requests were denied by the highest court, which considered the matter *res judicata*.

Márquez was arrested on January 7, 2025, without the right to defense and without the authorities clarifying the crimes he was accused of or the conditions of confinement in which he finds himself, and, until September 2025, he continued to be deprived of his liberty.⁴¹

The massive repression and the deployment of a surveillance and control apparatus unleashed after the elections created an atmosphere of fear and self-censorship in the country. People are afraid to express their opinions for fear of being arrested, leading to self-censorship. This fear extends to journalists, activists, human rights defenders, and ordinary citizens, silencing dissenting voices. As a result, public debate on the election results was severely restricted.

Online restrictions and digital surveillance in the electoral context

The potential cyberattacks related to the last presidential election were not limited to alleged attempts to tamper with the election results or the CNE website crash, which would have prevented the publication of the results broken down by polling station

and their respective tally sheets, as previously reported. In fact, the internet has been the target of direct attacks such as harassment through social media and the hacking of email and social media accounts.⁴² The blockages, initially targeting blogs and forums, later expanded to news websites and those of civil society organizations, including distributed denial-of-service (DDoS) attacks.

As for infrastructure, an essential element for quality internet access, it deteriorated significantly until it became practically non-operational. The dismantling of public infrastructure and the economic crisis widened the gap between Venezuelans who could access services from private internet providers and those who could not.⁴³

Approximately 79% of Venezuelans have occasional internet access via mobile phone, while national internet penetration reaches only 61% of the population.⁴⁴ DataReportal, a platform that tracks the use of digital devices and services worldwide, estimated the number of social media users in Venezuela at 15 million, based on the potential audience over eighteen years of age that can be reached through ads. The latest report showed that Facebook was the platform with the greatest reach as of January 2024, with 14.05 million users. This was followed by TikTok (12.35 million), Instagram (8.15 million), Messenger (5.20 million), LinkedIn (4.90 million), and X (2.31 million), also according to the Atlantic Council’s report, *Venezuela: A Playbook for Digital Repression*.⁴⁵

During the electoral process, social media and messaging platforms became the main channels for accessing news in Venezuela.

WhatsApp has become the primary channel for political news for 7.7% of the population and has transformed into a space for debating public issues.⁴⁶ In the most remote areas of the country, people reported learning about calls for political change mainly through this messaging application. The communication component was voluntary and spontaneous, with citizens particularly active in disseminating information. It was also observed that Venezuelans abroad shared information with their families within the country, aware of the lack of visibility of political actors involved in the movement for change.

In other words, WhatsApp was an important tool for building citizen networks in the electoral context, even though it is also a channel frequently used to spread disinformation. Furthermore, President Nicolás Maduro’s subsequent statements, in which he hinted at the possibility of blocking the application in Venezuela, reflect the government’s loss

of control over a communication space that has slipped from its grasp. In August, Maduro denounced WhatsApp, claiming that the application was being used to threaten the government and urging citizens to stop using it.

In other areas of the digital ecosystem, where the government maintained greater control, surveillance and censorship measures intensified. *Ve Sin Filtro*—a program created by the digital rights NGO *Conexión Segura y Libre*—concluded that “the country experienced an unprecedented wave of digital censorship” from the start of the election campaign on July 4, 2024, through the elections on July 28, and extending until the inauguration on January 10, 2025. During that period, it documented a total of 79 blocked websites and DNS servers.⁴⁷ *Ve Sin Filtro* also recorded 270 cases demonstrating the use of technology to monitor, persecute, and expose opponents or those perceived as such.⁴⁸

In other words, the state’s potential for censorship and surveillance intensified, so that in 2024 there was an escalation in blocking capabilities, both in the number of sites affected and the methods used. Websites had been blocked in Venezuela for the past 15 years, including independent media outlets, but in 2024, blocking was also recorded of sites belonging to fact-checking organizations and platforms considered part of the basic internet infrastructure, such as Cloudfront, a CDN server that facilitates faster access to content and websites.⁴⁹ These blocks affected millions of sites, temporarily preventing access to services such as Disney Plus, HBO Max, Mercado Libre, and Binance, among others. When the authorities realized the magnitude of the impact, they reversed the measure, although this demonstrated an increase in digital censorship capabilities.⁵⁰

Following the July 28 elections, Freedom House reported that when opposition vote counts indicated a defeat for Nicolás Maduro to former diplomat Edmundo González Urrutia, the government intensified censorship. According to the organization, authorities blocked platforms such as Signal and X, as well as several media outlets and civil society organizations, as part of a strategy aimed at suppressing protests, isolating opposition leaders from their supporters, and limiting access to independent information about the results and state repression.⁵¹

The digital observatory Probox established that, after the elections of July 28, the ruling party changed its approach: social networks, formerly propaganda tools, became targets of a massive

criminalization campaign, using these platforms to persecute dissent.⁵²

In August 2024, the government promoted the use of VenApp—a platform created in 2022 to manage complaints related to public services—for denouncing opposition citizens. It is estimated that more than 200 people were detained following complaints filed through the app. Journalists and activists called for VenApp to be reported and for the Google Play and Apple app stores to be alerted about its use in persecuting dissent. This action led Apple and Google to suspend the app’s availability for download and updates from their stores.

On July 31, VenApp was removed from the Google Play and Apple app stores. At that time, the free and uncontrolled distribution of the VenApp APK file began, allowing the application to run on Android devices. This file was shared on various forums, according to Probox.⁵³

Digital resistance strategies

The presidential elections held on July 28, 2024, in Venezuela demonstrated the advance of digital authoritarianism in the country, with serious consequences for freedom of expression, the right to information and citizen participation; and profound damage to electoral integrity.

On the other hand, technology was also used as a tool of resistance against the advance of authoritarianism. The architecture of the electronic voting system allowed to strengthen democracy through the collection of electoral data and the opening of the tally sheets in an unprecedented exercise in transparency. This strategy gave rise to initiatives relevant to democratic strengthening; in addition to the opposition’s work to carry out a parallel tally based on the tally sheets, the Macedonia del Norte web project, developed by Giuseppe Gangi, also stands out.

This is an independent project aimed at facilitating access to the official records of the 2024 Venezuelan presidential elections. It was created by software engineer Giuseppe Gangi, who left the country in 2016. Gangi compiled dozens of videos showing that the vote counts carried out by poll workers and election observers at the end of the day on July 28th match the data published on the website *Resultados Con Venezuela*,⁵⁴ run by Edmundo

González Urrutia's campaign team. The website's name is ironic, given that one of the theories mentioned by the government to justify the lack of transparency in the release of the election results was an alleged cyberattack originating from North Macedonia, a country in Europe.⁵⁵

The use of artificial intelligence to create avatars of journalists who can report without risk of arbitrary arrest or criminalization is another positive experience in Venezuela, embodied in the virtual news program *Operación Retuit* ("Operation Retweet"). This initiative, driven by the independent alliances *Venezuela Vota* and *La Hora de Venezuela*, allows for the dissemination of verified news from independent media outlets while protecting the identity of those inside the country. It arose in response to the information blockade imposed by the Nicolás Maduro government, including the blocking of social media and threats to messaging platforms, and is based on the collaborative work of dozens of journalists and citizens.⁵⁶

In summary, faced with the consolidation of an increasingly hostile and dangerous environment for the exercise of freedom of expression in Venezuela, the experts consulted for the preparation of this chapter shared various reflections and strategies:

- To recognize journalism and the production of verified information as acts of civil resistance, maintaining and strengthening social organizations and independent media to sustain citizen expression in the face of attempts at hegemony by power.
- Given such severe levels of censorship, it is essential to promote widespread awareness and ensure that the internet in general, as well as the Information and Communication Technology (ICT) systems used by the population, become more difficult to block.
- To strengthen citizen engagement and the building of community networks, taking advantage of the fact that Venezuelan society has a strong instinct to build community and that it is a highly digitalized country, characteristics that allow it to resist surveillance and the dismantling strategies of authoritarian systems.
- To mobilize peacefully beyond voting, overcoming the fear imposed by authoritarian systems, and to foster citizen ingenuity and creativity to take advantage of electoral opportunities even in adverse conditions, as demonstrated by the 2024 elections, which showed that a government with widespread popular rejection can be defeated electorally.

Repression of press freedom during the electoral context in 2023 and 2024

The democratic crisis that Venezuela is still experiencing is also reflected in the precarious media ecosystem that operates in the country and which is aggravated by a deep economic crisis that makes wages precarious and makes it difficult to sustain the media.

This precarity is also the result of the staging of a restrictive legal framework that has been built up over years to enable the transition to an authoritarian communication model and that consists of the use of regulatory bodies to sanction and close critical media, the proliferation of government media dedicated to propaganda and the systematic persecution of the independent press.

As a timeline, these are some of the measures that modified and affected the media and information ecosystem in Venezuela, both off-line and digital:

2005: The reform of the Penal Code, published in Official Gazette No. 5,763 on March 16, 2005, further eroded the content and guarantee of the right to freedom of expression and information. It also ratified and intensified the penalties for contempt or defamation of public officials; increased the discretion of judges to decide whether conduct or expression falls under the respective criminal offense; and accentuated discrimination by differentiating

between public officials and private citizens, thus limiting citizen oversight of public administration.⁵⁷

2007: The non-renewal of the concession to the private company Radio Caracas Televisión (RCTV), whose editorial line was opposed to the government, captured international attention and raised concerns about the state of freedom of expression in Venezuela.

2010: Government officials and public servants, such as President Hugo Chávez and Attorney General Luisa Ortega, began to allude to the need to regulate free internet use.⁵⁸ Manuel Villalba, president of the National Assembly's Science, Technology, and Media Commission in 2010, stated that anonymous individuals on social media were "seeking to incite street protests" and "to wage a counterrevolution" through defamation and rumors against the national government, as documented by *Espacio Público*.⁵⁹

That same year, the reform of the Law of Social Responsibility in Radio, Television and Electronic Media (*Ley de Responsabilidad Social en Radio, Televisión y Medios Electrónicos*) was approved, which "imposes restrictions on freedom of expression and access to information in Venezuela and has served to initiate judicial or administrative processes against those who disseminate information

contrary to government interests,” according to the Inter-American Commission on Human Rights.⁶⁰

2013: By presidential decree, the creation of the Strategic Center for Security and Protection of the Homeland (*Centro Estratégico de Seguridad y Protección de la Patria*, Cesppa) was ordered, with the power to restrict information of interest associated with “internal and external enemy activity”.⁶¹

Between 2014 and 2017: thirteen people were arrested for expressing critical opinions or disseminating information that was inconvenient for the government on Twitter.⁶²

2016: The National Telecommunications Commission (Conatel) once again raised the need to regulate social networks, proposing a discussion of regulations and reform of existing legislation, following the censorship of international channels *CNN en Español*, *Todo Noticias* and *El Tiempo*; under the argument that networks are “a tool complicit in terrorist actions”.

2017: The Law Against Hate, Intolerance and Violence (*Ley Contra el Odio, la Intolerancia y la Violencia*) came into force, which has been used to criminalize media workers and the general public for exercising their right to freedom of expression, opinion and demonstration.

2024: In August, Decree No. was published Law 4,975 establishes the National Cybersecurity Council as a permanent advisory body under the presidency, focused on preventing the illegal use of information technologies. Its functions include the constant monitoring of cyber incidents and the ability to request information from public and private entities. This measure comes amidst a context of persecution of online expression and official statements that criminalize the legitimate use of digital platforms.^{63 64}

2024: Libertador Simón Bolívar Organic Law Against the Blockade (*Ley Orgánica Libertador Simón Bolívar contra el Bloqueo*) was passed, which includes fines equivalent to hundreds of thousands of euros and long prison sentences for addressing or presenting content that questions the authorities or public powers. In the case of digital platforms, their license to operate in the country may also be revoked or denied.^{65, 66}

That same year, the Law on Oversight, Regulation, Action and Financing of Non-Governmental Organizations and Non-Profit Social Organizations (*Ley de Fiscalización, Regularización, Actuación y Financiamiento de las Organizaciones No Gubernamentales y Organizaciones Sociales Sin Fines de Lucro*) was approved, whose articles serve

as the foundation for disproportionately and massively sanctioning and outlawing NGOs.⁶⁷

This context has contributed to the closure of more than 400 media outlets, including print, radio, television, and digital platforms, over the past two decades.⁶⁸ A controlled media environment can significantly bias public perception, limiting scrutiny of the electoral process and favoring the interests of the ruling regime.

Restrictions on freedom of expression in 2023

The structural crisis that was present in the country for the past few decades has led to a fluctuation between periods of intense social and political conflict and cycles of apparent demobilization, which is not synonymous with less repression, but rather reflects the partial success of documented practices of intimidation and suppression aimed at fostering self-censorship. According to records from local organizations, 2023 saw a similar pace of restrictions on freedom of expression to that of a decade prior.⁶⁹

For instance, between 2017⁷⁰ and 2019,⁷¹ the country went through one of the most conflictive periods in its recent contemporary history, when levels of repression never before seen on the continent were recorded, along with a humanitarian emergency that contributed to more than 7 million people leaving the country.⁷²

In 2023, the main categories of violations against journalists included obstruction of coverage, arbitrary arrests, and the closure of radio stations.⁷³ The diversity of tactics employed suggests a systematic effort by the government to control information and limit the work of the independent press in the electoral context.^{74 75}

Among the specific cases of censorship this year, organizations documented, for example, the prohibition of journalists from covering news at a hospital in Maturín, Monagas state, in eastern Venezuela,⁷⁶ and at the El Palito refinery in Carabobo state during an oil spill.⁷⁷ They also documented the arbitrary detention of Yrasema Malavé,⁷⁸ a citizen who reported the disappearance of her daughter in a journalistic interview.

According to the local registry, there was an increase in restrictions during the electoral contexts

of that year, which included the opposition primary elections and the consultative referendum on the Essequibo region.^{79, 80} Restrictions were imposed on coverage, including limitations by Conatel⁸¹ and the prohibition of access to polling centers,⁸² in addition to the arrest of a correspondent from *Diario de Los Andes*.⁸³

Between August 22 and October 20, 2023, nine journalists and more than 30 media outlets were affected by censorship, self-censorship, restrictions on access to information, and dismissals for reporting reasons during their coverage of the primary campaign, according to data from the Press and Society Institute of Venezuela (*Instituto Prensa y Sociedad Venezuela*, IPYS).⁸⁴ This event, held without the intervention of the National Electoral Council, was organized by the opposition to select a single candidate to challenge the national government in the following year's presidential elections. The process, as well as its organizers, who were part of the National Primary Commission, were subjected to harassment and verbal attacks through state-run media.

On September 6, 2023, for example, Diosdado Cabello, then a member of parliament and vice president of the United Socialist Party of Venezuela (PSUV), now Minister of the Interior, Justice, and Peace, questioned the primary elections on his TV show, "Con el mazo dando" ("hitting with the mallet"). The following day, the website of the National Primary Commission was blocked by the country's main internet providers, including the state-owned company Compañía Anónima Nacional de Teléfonos de Venezuela (CANTV).⁸⁵

On October 20, 2023, two days before the primaries, regional and national officials from the National Telecommunications Commission (Conatel) informed directors and owners of radio and television stations that they were "not required" to cover the event because it was not "official" as it lacked the backing of the National Electoral Council. In other cases, it was explicitly stated that they "should not cover the primaries."⁸⁶

Coverage of the primaries in traditional media—that is, radio and television stations, which at that time comprised 54% of the national media landscape—⁸⁷ was almost nonexistent. As a result of calls from Conatel, national media outlets suspended their coverage. The few that decided to continue their informative labor were subjected to restrictions on at least ten occasions in eight states across the country.⁸⁸

During the year, approximately 12 radio stations were shut down across the country, including Éxtasis 97.7 FM,⁸⁹ Mariana 100.7 FM,⁹⁰ and Radio Caracas.⁹¹ Radio stations were a recurring target as a mean of limiting access to diverse information.

Pre-election scenario in 2024

The 2024 data suggests a continuation and even intensification of the trends observed in 2023, especially in terms of arrests and the use of legal frameworks to restrict press freedom.

The emphasis on intimidation and the use of legal tools denotes a deliberate strategy to create a climate of fear. As political and electoral tensions intensified, the government increased these efforts to control the narrative, suppress critical voices, and criminalize the search for and dissemination of information of public interest.

The tactics employed in the months leading up to July 28, 2024, included mandatory radio and television broadcasts, the closure of media outlets, internet blocking, censorship, and arbitrary arrests of journalists. Violations of the right to freedom of expression increased, particularly against sectors considered to be in political opposition. Media outlets and journalists covering opposition leader María Corina Machado and candidate Edmundo González were victims of reprisals.

On June 8, Conatel shut down radio station La Vernácula 88.3 FM, which had been operating since 2008 in the city of Zaraza, Guárico state. Officials also confiscated the station's transmission equipment. According to testimonies, the measure was taken in retaliation for expressing opinions and reporting on Machado's visit to the state.⁹²

Specific tactics used to restrict journalistic work before the elections, between January and July 2024, include:

- Extensive mandatory national broadcasts: the average increased from 34 hours per year (2022 and 2023) to 39 in just those 6 months.
- Radio station closures: 17 registered.⁹³
- Blocking internet sites targeting news media.⁹⁴

- Direct censorship of media content.
- Delay or non-publication of electoral documents.

These actions significantly impacted the information available to the public during the election period. Access to diverse and pluralistic information, crucial for informed decision-making, was limited. Coverage of opposition voices and activities was reduced. Access to digital media, a key source of independent news, was hampered. Furthermore, the ability to scrutinize the electoral process diminished due to the delay or non-publication of information.

Intensification of violations of press freedom during the election period

Cases documented during 2024 indicate that intimidation was the most frequent violation recorded. This included obstruction of coverage, restrictions on access to certain spaces, and arrests for searching for or disseminating content. Regulatory changes also imposed severe restrictions on freedom of expression.

Following the elections, there was a significant increase in the arrests of journalists and media professionals, who were detained for longer periods and, in several cases, faced criminal proceedings while in prison. The arbitrary detention of 24 journalists was documented, most of them after the elections.⁹⁵

In all cases, a pattern of formal incommunicado detention, restriction or prohibition of regular visits — at least during the first 45 days —, denial of the right to a reliable defense, and limitations on access to case files and information about judicial proceedings was repeated.

The public defenders, appointed in several cases by court order, denied access to the case files; in others, this restriction was maintained without any explanation. The charges against the defendants were only made public through statements from the prosecution, sometimes disseminated through unofficial channels.

The most frequent charges were incitement to hatred and terrorism.⁹⁶

One of the cases was that of photojournalist Deysi Peña, arrested on August 3, 2024, by officers of the Miranda State Police, from the Criminal

Investigation Service. Peña had been covering street events days earlier, during the post-election protests in the Carrizal municipality of Miranda state.

According to Venezuelan law, if the Public Prosecutor's Office does not file charges within the first 45 days, the person must be released immediately. However, in most cases, there wasn't even a preliminary hearing during that period. Approximately two months after the arrests, some hearings were held, such as Peña's case, which took place only on October 22nd, when she was sent to trial without having legal representation of her choosing or receiving regular visits from her family, including her minor children.⁹⁷ Her eldest daughter, aged 17, reported that she told her younger siblings that their "mom went on a trip, that her phone fell into a water bucket and was damaged, and that she would call at any moment."⁹⁸

Peña experienced health complications due to pre-existing conditions that worsened because of the poor sanitary and structural conditions of the facility where she was being held. Consequently, she had to be urgently transferred to a health center.⁹⁹ She was released on December 11, 2024, under precautionary measures, and the criminal proceedings continue.

In August, Decree No. 4,975 of the Presidency of the Republic was published in the Official Gazette, establishing the National Cybersecurity Council. This council will operate permanently as an advisory body under the authority of the Head of State, "focused on preventing the illegal use of information and communication technologies."¹⁰⁰ Among its main functions is the establishment of a constant monitoring network for cyber incidents, "with the aim of preventing, mitigating, and managing cybercrimes more effectively. The council may also request information from both public and private entities." This initiative arises in a context of continued persecution of online expression, as well as numerous statements by government leaders criminalizing the legitimate use of internet-based platforms for disseminating, searching for, and publishing information.¹⁰¹

For its part, the Libertador Simón Bolívar Organic Law Against the Blockade, enacted in November 2024, stipulates fines equivalent to hundreds of thousands of euros and lengthy prison sentences for addressing or publishing content that questions the authorities or public powers. In the case of broadcast media, electronic media, social networks, and print media, the fine could be equivalent to between one hundred thousand and one

million times the exchange rate of the highest-value currency (dollars or euros) published by the Central Bank of Venezuela. In the case of digital platforms, their operating license in the country may also be revoked or denied.¹⁰²

The closure of media outlets, predominantly radio stations, continued. Twenty-one stations ceased operations in 2024, most following administrative sanctions from the National Telecommunications Commission. On February 23, the stations Senda 96.1 FM, Mágica 93.3 FM, and Clásicos 93.9 FM, which operated in Ciudad Ojeda, Lagunillas municipality, Zulia state, were ordered to close. According to the National Union of Press Workers (*Sindicato Nacional de Trabajadores de la Prensa*, SNTP), as reported by X, a Conatel commission visiting the state ordered the stations to cease broadcasting “after a technical administrative review.”¹⁰³

Between 2017 and 2022, Conatel was the main responsible for restrictions on freedom of expression against broadcasters, intervening in at least 60% of the cases. Officials from the regulatory body arrive at media outlets’ headquarters under the pretext of routine inspections and then proceed to confiscate transmission equipment without prior notification, thus violating due process.¹⁰⁴

As Conatel, other political and state actors participate in the perpetration of these violations:

- National Telecommunications Commission (Conatel): Plays a key role in media censorship, closing radio stations and blocking websites.
- Security forces: The National Guard, the Bolivarian National Intelligence Service, and the General Directorate of Military Counterintelligence –respectively Guardia Nacional, Servicio Bolivariano de Inteligencia Nacional (SEBIN) y Dirección General de Contrainteligencia Militar (DGCIM)—¹⁰⁵are directly involved in harassment, detentions, and violence against journalists.
- Judicial power: Including the Supreme Court of Justice, used to legitimize actions against journalists and disqualify opposition candidates.
- Pro-government armed civilian groups: Implicated in attacks and intimidation.

- Senior government officials, including the president, have used stigmatizing rhetoric against the independent press.

Comparing the trends observed in 2024 with those of 2023 reveals the persistence and intensification of a systematic pattern of control over the information ecosystem. Intimidation remains a central tactic, accompanied by an increase in arbitrary arrests of journalists, the closure of media outlets, and the imposition of increasingly restrictive legal frameworks. These actions reveal a strategy aimed at discouraging critical reporting and consolidating a climate of fear that inhibits the practice of independent journalism.

The instrumental use of regulations, the creation of new oversight bodies, and the stigmatizing rhetoric against the independent press create an adverse environment for freedom of expression and the public’s right to be informed. Taken together, the documented facts reflect a sustained erosion of democratic guarantees and a deliberate effort to restrict media pluralism and accountability in Venezuela.

Impact of the restrictions: fear, exile and self-censorship

Restrictions on journalistic practice must be interpreted in the Venezuelan political context as symptoms of a broader pattern of repression of dissent and democratic backsliding. The government has consistently sought to control the narrative and silence critical voices. The correlation between the timing and intensity of these violations with key political events, particularly elections, demonstrates a deliberate political strategy by the government to maintain its grip on power through information control and the suppression of the opposition.

In a context where the legitimacy of the government and the electoral process is questioned, controlling the media becomes a crucial tool for maintaining authority. By silencing critical voices and promoting its own narrative, the regime attempts to consolidate its power and prevent any real challenge.

The political motivations behind these violations include:

- **Information control:** Limiting the dissemination of narratives critical of the government.
- **Intimidation:** Inducing self-censorship in journalists and media outlets.
- **Undermining the opposition:** Discrediting opposition voices and movements.
- **Creating a climate of fear and self-censorship:** Discouraging coverage of sensitive topics such as corruption or human rights abuses.
- **Projecting stability:** Showing an image of control during politically sensitive periods, such as elections.

The impact of these violations on the quality of democracy and the right to information in Venezuela is significant. Transparency and accountability are severely restricted, violating citizens' fundamental right to access information and form their own opinions. Informed participation in the political process, including elections, is obstructed, contributing to a climate of propaganda that makes it difficult to discern the credibility of information. Public trust in both the government and the media is eroded.

Human rights violations have serious consequences for the physical and psychological safety of journalists. Risks include physical assault, arbitrary detention, threats, and harassment, also affecting social and political leaders and human rights defenders.

The psychological impact includes fear, anxiety, and trauma due to the constant threat of reprisals. According to anonymized testimonies in various public reports, journalists indicated they were forced into internal displacement or to leave the country for their safety.¹⁰⁶ Dozens of journalists were exposed through doxing on "Wanted" lists circulating on social media in the days and weeks following the elections, promoted by pro-government groups to facilitate their arbitrary arrests. Sensitive personal data, such as photos of their faces, workplaces, and even home addresses, were widely disseminated.¹⁰⁷ Another group of journalists outside Venezuela were also affected by threats against their families within the country.¹⁰⁸

The ability of the media to operate freely and fulfill its informational role is seriously compromised. On the one hand, closures, censorship, and financial pressures have significantly restricted their scope of action. Added to this is the lack of resources and the

hostile environment, which have led to high levels of self-censorship and hindered the publication of critical or public interest content. As a result, investigative journalism has become increasingly difficult and risky, directly affecting the quality and depth of public debate. In this context, the national media landscape is increasingly dominated by state-controlled or pro-government media outlets, severely limiting pluralism and the diversity of voices.

Journalism adopted measures to try to preserve itself: articles omitted their authors; street-level political reporting is avoided, or political topics are sidestepped—especially those related to the opposition; sources were silent in an attempt to protect themselves; news programming was cut or suspended; and the practice of journalism was even temporarily abandoned.¹⁰⁹

Restricting press freedom not only violates society's right to be informed but also limits its ability to actively participate in public debate. Consequently, access to diverse perspectives and information is reduced, hindering the formation of critical opinions and informed decision-making. In turn, the public's ability to demand accountability and monitor government actions is increasingly restricted. As a result, public debate and critical thinking are progressively stifled, fueling a climate of fear and distrust that discourages free expression and civic participation. Ultimately, this situation generates skepticism and despair regarding the validity of democratic freedoms and the future of pluralism in the country.

Human rights violations against protesters and human rights defenders in Venezuela.

In this context, Venezuelan civil society and the population have relentlessly documented and denounced human rights violations, as well as demanded the restoration and guarantee of their rights. The result has been a hostile environment for human rights defenders, organizations,¹¹⁰ and protesters, who have been exposed to criminalization and prosecution for their actions and demands.

For its part, the State has been establishing a policy of criminalization and repression of criticism dating back to 2002 and which instrumentalizes the national legal framework, relying on the Doctrine of National Security (*Doctrina de la Seguridad Nacional*)¹¹¹ and the thesis of the “internal enemy”.¹¹²

This policy has progressively curtailed and restricted civic and democratic space,^{113, 114} and as a consequence, over the years there has been an increase in violations and limitations on the rights of association, assembly, demonstration, expression, opinion and defense of human right.¹¹⁵

This situation is aggravated by the government’s sustained ignorance of the State’s international obligations to protect human rights defenders,¹¹⁶ and by the fact that there is no national body,

mechanism, or legislation that provides protection, promotes, and publicly recognizes the work of human rights defenders.

In this complex context, the very defense of rights is increasingly hampered. The years 2023 and 2024 were no exception, and as will be discussed in this chapter, serious violations occurred.

Situation of the right to protest during 2023 and 2024

The right to protest in Venezuela, protected by the rights of association, freedom of expression, and peaceful assembly, has been tireless and sustained throughout these years of democratic decline. For years, the Venezuelan people have been demanding their rights and challenging the State through marches, road blockades, rallies, vigils, *pancartazos* and *cacerolazos*,¹¹⁷ among other forms of social protest. Women have been actively involved in over 90% of these demonstrations.¹¹⁸ The authorities’ response,

in the vast majority of cases, has been criminalization and repression.

Between 2023 and 2024, the situation was no different. In 2023, the Venezuelan Observatory of Social Conflict (*Observatorio Venezolano de Conflictividad Social*, OVCS) documented 6,956 citizen demonstrations, of which 20% (1,373 protests) were related to civil and political rights (*derechos civiles y políticos*, DCP).¹¹⁹ According to the OVCS, these demonstrations centered around the activation of the Permanent Electoral Registry and demands for transparency in the electoral process.¹²⁰ The following year, in 2024, the organization documented 5,226 citizen demonstrations nationwide—52% of which were related to DCP, calling for guarantees of the right to political participation.¹²¹

The State's response to citizens' demands during this period continued to demonstrate the repressive policies of criminalization and social control that have been established in Venezuela for several years and which are most pronounced when it comes to demands for civil and political rights.¹²² This policy has been extensively documented and denounced by both national organizations and international human rights protection mechanisms.¹²³

The stigmatization of protesters as a starting point for repression

Since 2010, the OVCS has documented the evolution of the criminalization of protest and the demand for rights, and how the State has maintained a stigmatizing discourse as the key for discrediting and prosecuting those who mobilize, labeling protesters as wanting to “destabilize the country.”¹²⁴ This discourse has led to the categorization of protesters as a “terrorist group or network,” which the State applies to civil society actors, including activists, human rights defenders, and protesters.¹²⁵

In recent years, there has been an escalation in the use of this label, coinciding with a deepening of civic and democratic space. Civil society is increasingly viewed as an enemy of the state and, consequently, continues to be the target of state violence. Indeed, there have been documented cases of attacks against human rights defenders in which the authorities fail to investigate the incidents and, on the contrary, have become complicit in the acts

of aggression, justifying their actions by claiming that these individuals are “enemies of the nation seeking to destabilize the country and incite foreign intervention.”¹²⁶

Mechanisms of repression in the electoral context

According to OVCS documentation, of the total protests registered in 2023, 118 were met with excessive use of force and criminalization, resulting in 15 arrests and 1 injury. In 2024, a total of 226 protests were repressed nationwide, resulting in 25 deaths and over 2,200 arrests. On this occasion, state violence was primarily concentrated in working-class and impoverished areas.¹²⁷

Following the election, between July 29 and 30, the OVCS registered 915 citizen protests nationwide, 138 of which were repressed. In at least 119 of these protests, the presence of armed civilians, known as “Colectivos,” was reported.¹²⁸ According to the organization, this increased the levels of violence and intimidation against protesters, resulting in more than 2,000 arrests in the post-election period.

A report published by the Venezuelan Program for Education and Action in Human Rights (*Programa Venezolano de Educación Acción en Derechos Humanos*, Provea) details how the post-election protests were characterized by a violent response from the State, beginning with the stigmatization of the protesters. This resulted in the repression of the protests through the disproportionate and indiscriminate use of force, and the use by security forces of “lethal or potentially lethal ammunition to control the protesters.” Provea also denounced that the authorities “did not provide any guarantees that citizens could express themselves in environments free from threats and violence from third parties.”¹²⁹

Among the repressive patterns recorded against protesters in the context of the electoral situation are: (i) arbitrary arrests, including of minors;¹³⁰ (ii) excessive and disproportionate use of force affecting the life and integrity of people; (iii) enforced disappearances, including short-term ones; judicial persecution and harassment, violations of due process; (iv) restrictions and criminalization of the exercise of freedom of assembly through the use of restrictive

legislation associated with hate crimes, organized crime and financing of terrorism.¹³¹

International organizations condemned the increase in institutional violence during the 2024 electoral context and characterized the events as “state terrorism,”¹³² also highlighting the joint action between state security agencies – such as the Bolivarian National Police (*Policía Nacional Bolivariana*, PNB) and its special groups or forces, state or municipal police, and the Bolivarian National Guard (*Guardia Nacional Bolivariana*); intelligence agencies and the use of so-called “social intelligence,” where individuals and armed civilians, who are part of the structures of the Popular System for Peace (*Sistema Popular para la Paz*, SP3),¹³³ participated in the abuses that occurred.

One of the triggers and aggravating factors of the repressive wave was the activation of the so-called “Bolivarian Fury Plan” (*Plan Furia Bolivariana*).¹³⁴ A plan of social control and persecution of opponents, encouraged by President Nicolás Maduro in defense of Chavismo, which culminated in coordinated attacks on dissidents and opposition campaign headquarters. Within this framework, Operation “Tun Tun” was carried out.¹³⁵ These operations were carried out by state security agencies, who went to protesters’ homes and arrested them — which is where the name “Tun Tun,” meaning ‘knock-knock’ in Spanish, comes from.¹³⁶ They relied on citizen denunciation and reporting of any suspicious activity to the authorities.

Simultaneously, the national government activated the VenApp, which allowed for the anonymous reporting of individuals who participated in the protests or made any civic expression related to the situation. Although the app was removed from app stores following a massive number of complaints,¹³⁷ it led to the arrest of over 200 people.

These events, which involved joint action between security forces and civilians (armed and unarmed), had a profound impact on the country’s political and social dynamics, affecting not only social structures, but also the rights to political participation, association, the demand for rights, and the possibility of expressing a citizen’s opinion or demand.¹³⁸

Finally, according to Provea’s analysis, repression in rural areas was far more arbitrary than in the capital region of Caracas. Furthermore, living conditions in these areas are more precarious,¹³⁹ leading to greater fear among the population of speaking out and reporting abuses and injustices. In this regard, the organization indicates that the total number of

detainees may be higher than the official figure, as many people in rural areas were unwilling to share their experiences or file complaints.¹⁴⁰

Post-election climate of fear

During 2024, an election year, this repressive pattern, which included injuries and arbitrary arrests, continued, while new expressions of state repression and violence were also recorded, including the use of technology for surveillance and control.¹⁴¹ In this regard, the United Nations High Commissioner for Human Rights warned that, within the context of post-election violence, “continued arbitrary arrests and the disproportionate use of force fuel a climate of fear.”¹⁴²

This climate of terror has had a profound impact on the lives of Venezuelan families, not only during the electoral period but also in the aftermath. Operation “Tun Tun” and the actions of the “Bolivarian Fury” have prompted people to review and “clean” the information on their phones and electronic devices due to the militarization of the city and the constant presence of police checkpoints on the streets, known locally as *alcabalas*.

Since August 2024, it has been recorded how, arbitrarily and without regard for the law, mobile devices are checked and if information related to the elections, messages mocking or criticizing the government and the election result is obtained, people have been detained, intimidated or subjected to paying sums of money as “ransom” in exchange for their release.¹⁴³

Despite state violence, protests continued in the final months of 2024. Following calls to action from the main opposition leader, María Corina Machado, the population continued to participate and demand the restoration of political rights. According to the Venezuelan Observatory of Social Conflict (OVCS), the demonstrations took the form of vigils, rallies, and short marches, “adapting to safer contexts to avoid reprisals.”¹⁴⁴

Situation of human rights defenders during 2023 and 2024

Beyond street repression, during 2023 and 2024, the criminalization and persecution of social and union leaders and human rights defenders continued, as part of a pattern of harassment, persecution, and criminalization against those who demand, defend, or promote rights.¹⁴⁵ According to OVCS records, during these two years the human rights movement and civil society mobilized nationwide to denounce arbitrary detentions and legal proceedings against organizations and individuals who defend human rights and carry out humanitarian actions, to demand the cessation of restrictive legislation, and for other reasons.^{146,147}

The organization Center for Defenders and Justice (*Centro para los Defensores y la Justicia*) documented a total of 1,503 attacks or security incidents during these two years: 524 during 2023 and 979 during 2024, showing an 87% increase in the number of attacks during the election year.¹⁴⁸

Despite the recommendations, warnings, and appeals made by international human rights protection bodies regarding the importance and necessity of providing protection to human rights defenders, including guaranteeing their ability to carry out their work safely in the electoral context, the State employed sophisticated and selective repressive methods to instill fear and neutralize the activities of those who promote, defend, and demand rights.¹⁴⁹

Threats, harassment and intimidation as weapons of fear and silencing

During 2024, threats, harassment, intimidation, and the use of criminal prosecution as a mechanism to criminalize civil society in Venezuela increased, fueled by a growing sense of fear used to neutralize and inhibit those who defend, demand, and promote rights in the country.¹⁵⁰ The rise in attacks and violations of personal integrity and freedom is particularly concerning: according to documentation from the Center for Defenders and Justice, of the 979 attacks recorded, 343 (35%) occurred in the months

following the elections.¹⁵¹ This demonstrates a tightening of controls and obstacles to freedom of association, expression, and the right to defend, with an increase in the number of detentions of human rights defenders and the implementation of new restrictive measures against their rights, such as the cancellation of passports.¹⁵²

The patterns of intimidation and aggression documented in the context of the repression of human rights defenders have a dual purpose: on the one hand, to affect the integrity of the person and on the other hand, to frighten them so that they cannot carry out their work.¹⁵³

The documented aggression trends include acts of stigmatization, intimidation, harassment, digital attacks, threats, arbitrary arrests, judicialization, and other impacts on life and integrity.¹⁵⁴

The primary form of attack during 2023 and 2024 was stigmatization, which was systematic and widespread.¹⁵⁵ Smear and public shaming campaigns were constantly launched against organizations and their directors, as well as against independent defenders and activists, publicly accusing them of being traitors, destabilizing agents, internal enemies, interventionists, fascists, and terrorists, among other stigmas.¹⁵⁶

The smear campaigns are disseminated through the social media accounts of government officials, journalists, and figures affiliated with the government, as well as through the National System of Public Media (*Sistema Nacional de Medios Públicos*) and online news portals.¹⁵⁷ In many cases, the stigmatizing rhetoric was accompanied by threats and was intended to intimidate civil society and discourage it from acting.¹⁵⁸

The systematic nature of the stigmatization and the narrative that the State seeks to impose on human rights organizations do not represent isolated events, but are the basis for the materialization of other patterns of attack such as intimidation, harassment or even the initiation of investigation and judicial processes.¹⁵⁹

During this period, arbitrary arrests, short-term disappearances, torture, and acts of intimidation and harassment against human rights defenders were documented.¹⁶⁰ The most concerning case remains that of Rocío San Miguel, who, as of the closing date of this report in September 2025, remains in detention after being arrested on February 9, 2024.¹⁶¹ Similarly, following the elections, the arbitrary arrest of human rights defenders, their subjection to criminal proceedings,¹⁶² and the use of

enforced disappearance, including short-term disappearances, continued.¹⁶³

With regard to acts of intimidation and harassment, violent actions were documented, such as graffiti with threatening messages on the headquarters of organizations. Reports were filed of intimidation through physical and digital surveillance of human rights defenders, the presence of security forces at events organized by human rights organizations, and the public display of photographs or information about human rights defenders accompanied by stigmatizing messages or threats, among other tactics.

It is important to note that the threats and stigmatization against women human rights defenders were laden with misogynistic, sexist, and *machista* content, questioning their moral integrity as women, as well as threats of sexual violence. At airports, both upon departure and arrival in the country, human rights defenders were subjected to surveillance, thorough baggage checks, interrogations, mobile device inspections, monitoring, and photographing for the purpose of intimidation, as well as arbitrary passport cancellations.

Regarding digital attacks, there were recorded hacking and phishing attempts against institutional or personal accounts of organizations and human rights defenders, as well as the blocking of organizations' websites.¹⁶⁴

The increased criminalization and persecution of human rights defenders and organizations, within the context of the institutional violence that characterized this period, significantly intensified the fear of carrying out documentation, denunciation, or activism activities. As a consequence of this climate of repression, numerous defenders and organizations chose to reduce their public visibility, adopt practices of self-censorship, or, in some cases, leave the country due to the imminent risk of arrest or reprisals.

In this regard, the organization *Alerta Venezuela* reported that following the arrest of human rights defender Rocío San Miguel in February 2024, members of various organizations, including leadership, began migrating from the country for fear of becoming victims themselves. After the elections, the organization recorded an increase in the movement of human rights defenders from Venezuela to Colombia. Among the reasons cited were fear of becoming victims of state violence or having been subjected to aggression or persecution.¹⁶⁵

According to the organization, the departure from the country was due to three concurrent factors:

(i) the systematic criminalization of the human rights movement; (ii) the restrictions on civic and democratic space that prevent them from continuing their work safely in the country; (iii) the difficulties in accessing sources of financing due to the approval of the Law on Oversight, Regulation, Action and Financing of Non-Governmental Organizations and Non-Profit Social Organizations and the closure of agencies dedicated to financing human rights-related projects.¹⁶⁶ This last factor has also led to organizations finding themselves needing to close their operations.¹⁶⁷

Thus, in the two years under analysis, violence was a constant, serving not only as an exemplary message, but as a key element to strengthen the policy of criminalization.¹⁶⁸

Use of the justice system to pursue the enforcement of rights

International protection organizations have documented the role of the justice system in repression,¹⁶⁹ which, both through action and omission, has been responsible for or complicit in the commission of human rights violations.

In the context of the arbitrary arrests that occurred during the elections, the criminal justice system was once again used as a repressive and persecutory mechanism. Both protesters and human rights defenders were victims of these violations for demanding, promoting, or defending their rights.

The restrictive legal framework established in the country¹⁷⁰ is used to criminalize protest and the defense of human rights, and people who exercise these rights are prosecuted and accused of the alleged commission of crimes such as criminal association, conspiracy, treason, terrorism, among others, established in the Organic Law Against Organized Crime and Financing of Terrorism, the Constitutional Law Against Hatred, for Peaceful Coexistence and Tolerance – respectively *Ley Orgánica Contra la Delincuencia Organizada y Financiamiento al terrorismo*, *la Ley Constitucional contra el Odio, por la Convivencia Pacífica y la Tolerancia* – and the Venezuelan Penal Code.

Protection organizations and mechanisms have also extensively documented due process irregularities.¹⁷¹ For example, (i) hearings are unjustifiably

postponed by the courts as a form of judicial harassment; (ii) the imposition of public defenders; (iii) denial of access to court records for both family members and lawyers; (iv) a lack of impartiality and independence on the part of the public defenders and the prosecution; (v) the use of courts with special jurisdiction over terrorism to prosecute;¹⁷² among others.

In addition, violations of the rights of detainees have been reported, such as lack of attention to complaints of mistreatment or torture in detention centers; lack of access to medical treatment in the places where they are detained; lack of specialized care for people from vulnerable groups such as children and adolescents and people with disabilities; health and food problems; and the prohibition of visits.¹⁷³

Provea denounced that there was a total disregard for the right to due process of the protesters and people detained in the electoral context, since they were forced to have public defense without any possibility of appointing a lawyer of their trust; there was a prohibition on access to files in the prosecutor's offices of the Public Ministry; the enforced disappearance of short duration became common during these detentions.¹⁷⁴

Use of the legal framework to criminalize the rights of association, assembly and demonstration

The legislative power continued to be used to deepen a regulatory framework that restricted rights.

Between 2023 and 2024, the defense, advocacy, and promotion of human rights were severely criminalized.¹⁷⁵ Documentation, denunciation, support, demand, and advocacy actions were hampered by the measures used by the State to restrict civic and democratic space in the country.¹⁷⁶

During 2023, the State made progress with the discussion and approval of the draft Law on Oversight, Regulation, Action and Financing of Non-Governmental and Related Organizations, and the draft Law on International Cooperation – the latter has been attempted to be approved on several occasions.¹⁷⁷

In 2024, three new bills were enacted, adding to the already extensive regulatory framework

designed to restrict and limit fundamental rights, including freedom of association, expression, demonstration, assembly, and the right to defend human rights. Together, these instruments reinforce and refine the legal structure that underpins and legitimizes the suppression of the human rights movement and the systematic control of civic activity in the country.¹⁷⁸

A bill against fascism, neo-fascism, and similar expressions (*Proyecto de Ley contra el Fascismo, el Neofascismo y Expresiones Similares*) was introduced,¹⁷⁹ characterized by extremely broad conceptual language that is susceptible to discretionary interpretation because it does not offer a clear and precise definition of fascism. In this regard, the human rights movement is concerned that this law will be approved, given its broad scope as a criminal law and because high-ranking state officials have publicly accused non-governmental organizations of promoting fascism and violence in Venezuela.¹⁸⁰

The Law on Oversight, Regulation, Action and Financing of Non-Governmental and Related Organizations was also approved,¹⁸¹ despite recommendations from international human rights bodies urging the State not to approve this law because it is contrary to the rights to freedom of association and assembly.¹⁸²

The reasons given for approving this legislation are related to the official narrative that NGOs operate outside the law and are terrorists seeking to destabilize the government.¹⁸³ The text is punitive, allowing for state intervention in the independent management of these organizations, and includes provisions for penalizing those who refuse to register with the National Registry of Non-Governmental Organizations, making their access to legal status contingent upon this requirement.¹⁸⁴ Furthermore, like other similar laws, its ambiguity could lead to discretionary application and interpretation of its content.

For their part, human rights and humanitarian organizations face difficulties accessing legal services due to the high costs of professional fees, as well as the fees charged by registries and notaries, irregularities in the processes within these agencies, and a ban issued by the Vice Presidency of the Republic that prevents the registration of minutes, documents, and the creation of non-governmental organizations.¹⁸⁵ Added to this are the difficulties civil society currently faces in accessing funding, which have led to the closure of organizations, staff

reductions, and the cessation of activities, among other consequences.¹⁸⁶

The aforementioned approval of the Organic Law Libertador Simón Bolívar Against the Imperialist Blockade and in Defense of the Bolivarian Republic of Venezuela also had significant impacts on the persecution of civil society organizations, protesters, and human rights defenders. This law can be applied to non-governmental organizations or human rights defenders, since the official narrative is that those who are part of the human rights movement are interventionist and destabilizing agents.¹⁸⁷

The regional and international impact of the crisis in Venezuela

The political, democratic, and institutional crisis in Venezuela is one of the most dramatic in the region. Over the past twenty-five years, the hemisphere has witnessed how Venezuela's civic space and media ecosystem, along with freedom of expression, have been stifled by the actions of a government historically aligned with other authoritarian regimes.¹⁸⁸

This crisis reached new levels after the presidential elections of July 28, 2024, which resulted in a victory for incumbent President Nicolás Maduro, who has been in power for over ten years. The elections, marred by a lack of transparency and guarantees, were strongly criticized by the international community, civil society, and citizens.¹⁸⁹

The Carter Center, one of the few independent international organizations that conducted an observation exercise, concluded that the process did not meet international standards and parameters for electoral integrity.¹⁹⁰ This was despite the fact that in October 2023, the government, along with the political opposition, had signed the "Partial Agreement on the Promotion of Political Rights and Electoral Guarantees for All Venezuelans" (*Acuerdo parcial sobre la promoción de derechos políticos y garantías electorales para todos los venezolanos*, also known as Barbados Agreement), as a commitment to hold peaceful and fair elections with electoral observation.¹⁹¹

Governments in the region also spoke out on the matter. Gabriel Boric, the president of Chile, was the first to demand the release of the tally sheets and full transparency, which even led the Chilean government to withdraw its ambassador from Caracas in protest against the lack of transparency.¹⁹² Furthermore, the governments of Colombia and Brazil, led by Gustavo Petro and Luis Inácio Lula da Silva, also expressed their concern and demanded that the voting records be revealed. They then proposed plans for a transitional government to address the critical political situation in Venezuela.¹⁹³

For its part, the Venezuelan government's reaction to the protests was one of the most violent and severe waves of repression since Chavismo came to power in 1999.¹⁹⁴

For many analysts, the peak of repression described throughout this report is the result of twenty-five years of authoritarian practices, which have resulted in media suffocation, with more than 400 media outlets closed, constant blocking of digital media, verification platforms and complete control of the electromagnetic spectrum by the executive branch.¹⁹⁵

Thus, the crisis involves different levels, impacts, and methods. According to the Independent International Fact-Finding Mission on Venezuela, in its report published in September 2023, government repression uses a combination of serious human

rights violations and more sophisticated methods, such as the use of the legal system to coordinate arrests and silence dissenting voices.¹⁹⁶ Similarly, the Inter-American Commission on Human Rights (IACHR), in its most recent report, characterizes the situation in Venezuela as a clear example of state terrorism, in which the state apparatus is geared toward generating terror and repression against its citizens.¹⁹⁷

This entire process unfolds alongside the rise of authoritarian governments, organized crime, and mass migration, which pose a serious challenge to the region in terms of human rights. Therefore, the Venezuelan crisis cannot be understood without analyzing its effects on other countries, as well as its interaction with other human rights structures and regimes in the hemisphere. This is evidenced by the implementation of restrictive models, the weakening of civil society at the regional level, and the promotion of opacity in an interconnected region.

Regional resonance in anti-democratic practices

Among the common practices of authoritarianism in the region is a trend present in Venezuela: a relationship with the media characterized by constant attacks and stigmatizing statements against the press. Some have called this phenomenon “communicational hegemony,”¹⁹⁸ in which the government, through its actions, has divided the media spectrum into supporters and opponents of its administration.

The Bukele government in El Salvador exemplifies this, due to its constant attacks on the press and media.¹⁹⁹ The same can be said of the governments of Jair Messias Bolsonaro in Brazil, Javier Milei in Argentina, and Donald Trump in the United States. Between 2019 and 2022, Jair Bolsonaro established an environment of significant erosion of freedom of expression and transparency in Brazil. According to ARTICLE 19, Bolsonaro’s rise to power marked a sharp decline in freedom of expression indicators, with a 28% drop in the three years following his inauguration.²⁰⁰ Meanwhile, Milei has established an increasingly anti-democratic and authoritarian context, characterized by setbacks in fundamental freedoms such as freedom of expression, assembly, and association. The Center for Legal and Social Studies

(*Centro de Estudios Legales y Sociales*, CELS) warns that his systematic use of emergency decrees has weakened access to essential rights and strengthened state power without parliamentary oversight.²⁰¹ Amnesty International Argentina, for its part, points to a violent confrontation against those who disagree with the government, as well as the use of hate speech – a characteristic element of authoritarian practices to silence dissenting voices.²⁰²

Even in governments that still align themselves, to a greater or lesser degree, with democratic practices, similar phenomena began to be perceived, which demonstrates a constant importation of authoritarian patterns and disrespect for human rights, as in the government of López Obrador,²⁰³ in Mexico (2018-2024).

Thus, the actions of the Venezuelan government have parallels with others in the region, where there is a normalization of this hostile attitude toward freedom of expression and civic space. These include the repression of critical voices and social protest, the potential disregard for the popular will, and the denunciation of international human rights treaties, among others.²⁰⁴

The case of Venezuela is prominent when considering its level of influence in Latin America and the Caribbean. Venezuela is a country with an extensive maritime border and the world’s largest oil reserves.²⁰⁵ The eyes of international and regional actors are constantly on the country, so any restrictive measures have an immediate effect. Unlike its counterparts such as Nicaragua or Cuba, its role in the international arena continues to translate into political power in the region, a relatively large economy, and influence over several countries in both Latin America and the Caribbean.²⁰⁶

The weakening of the Inter-American Human Rights System

In that same vein, on a regional scale and in its relationship with the Inter-American system, the Venezuelan government’s position of ignoring and even attacking the Inter-American Commission on Human Rights (IACHR) continues to set a negative precedent for the region.

Since 2013, Venezuela has denounced the Inter-American Convention on Human Rights, and

in 2017, the Charter of the Organization of American States (OAS), leaving the country without accredited representation before the Inter-American System.²⁰⁷ While the IACHR has continued its reports, granted precautionary measures related to Venezuela, and held hearings, the fact remains that the State no longer appears at these hearings. What once seemed to be the isolated actions of one government now finds parallels in others, which, rhetorically, distance themselves from the positions of Chavismo.

Other countries in the region have made efforts to weaken the IACHR and undermine its independence.²⁰⁸

The Anti-NGO Law: a model that is expanding in the region

In recent years, Amnesty International has documented around the world the processing and approval of nearly forty laws that impose obstacles at all stages of the existence of non-governmental organizations (NGOs).²⁰⁹

Popularly known as Anti-NGO Laws or Foreign Agents Laws (*Leyes de Agentes Extranjeros*), these are legal tools that seek to impose greater control and surveillance over these types of organizations, which in many countries are vital for the maintenance, promotion and safeguarding of human rights and democracy.

On several occasions, the UN Human Rights Council has stressed the importance of protecting the ability of civil society organizations to raise funds and ensure their operations, emphasizing that restrictions aimed at preventing this constitute interference with Article 22 of the International Covenant on Civil and Political Rights.²¹⁰ According to an Amnesty International report, by 2019 at least fifty countries had passed such laws,²¹¹ indicating that the trend has not abated, with Venezuela being one of the most recent examples.

The Law on Oversight, Regulation, Operation, and Financing of Non-Governmental and Non-Profit Social Organizations, approved in December 2024, is not the first to impose severe control over the actions of voices critical of the government. In Venezuela, there exists an entire legal framework, designed and implemented to restrict the political rights of association and expression.

One of the first examples is the reform to the Organic Law of Communications (*Ley Orgánica de Comunicaciones*) in 2010, which, together with the Law of Social Responsibility in Radio and Television (*Ley de Responsabilidad Social en Radio y Televisión*) of 2004, endowed the National Telecommunications Commission (Conatel) with restrictive powers over the entire radio spectrum of the country, which has resulted in the closure of more than 285 stations in the last twenty years.²¹²

In more recent years, specifically in 2017, the government passed the Law Against Hatred (*La Ley Contra el Odio*), Article 20 of which stipulates penalties of up to twenty years for anyone the government deems to promote or incite hatred.²¹³ This law has been consistently used to justify the arrest of journalists and dissenting voices.²¹⁴ Recent examples include the Simón Bolívar Law of November 2024 and the Law Against Fascism, Neofascism, and Similar Expressions, which passed its first reading and, in Article 23, allows the government to arrest anyone who expresses what it considers fascist ideology.²¹⁵

However, while the NGO Oversight Law is not the first to restrict civic space, it can be considered the first to explicitly demonstrate its alignment with trends observed in the rest of the region. In addition to Venezuela, countries such as Guatemala, Honduras, El Salvador, Nicaragua, Cuba, and Bolivia have very similar laws.²¹⁶ This reveals a restrictive legislative system that thrives regardless of political origin and has a domino effect, even at a global level.

Furthermore, the effects of the Oversight Law, beyond functioning as part of a model that is becoming increasingly entrenched in the region, have significant implications for the exodus of Venezuelan civil society to other countries, especially Colombia. Articles 12 and 13 of this law establish administrative interference and constant government oversight of the registration of organizations,²¹⁷ while Articles 18 and 26 establish obligations to provide periodic updates of information, such as financial statements and sources of funding.²¹⁸

The law stipulates severe penalties in Articles 28 and 30, ranging from hefty fines to the dissolution of organizations that fail to comply.²¹⁹ This has created widespread uncertainty and led to the suspension of activities by some organizations that had been working in the country for several years, such as *Transparencia Venezuela*.²²⁰ This situation seriously jeopardizes the human resources dedicated to protecting freedom of expression in the country. According to the National Union of Press Workers

(*Sindicato Nacional de Trabajadores de la Prensa, SNTP*), in 2018 more than 1,300 journalists had left the country due to censorship and a lack of opportunities.²²¹ Similarly, IPYS,²²² in its 2024 report “Journalists in Exile,” surveyed 185 journalists who had left Venezuela, 85.63% of whom cited restrictions on the practice of journalism as their primary reason for leaving.²²³ Teams like *Armando Info*, a renowned investigative news outlet, have been operating outside of Venezuela for several years. Not to mention emblematic cases like those of Roberto Deniz, Luz Mely Reyes, Melanio Escobar, or Sebastiana Barráez, which exemplify how the regime has expelled important dissenting voices from its territory. The law’s effect has made the journalistic work even more complex.

3. Exile and its effects on access to information

According to the UN Refugee Agency (UNHCR), Venezuela’s multidimensional crisis has resulted in the migration of more than 7 million Venezuelans, 25% of the population, making it one of the world’s most severe displacement crises.²²⁴ Of these, 6.5 million have found refuge in Latin American and Caribbean countries, but only about 4 million have any form of residency permit.²²⁵

This has an immediate effect on neighboring countries like Colombia, which are reception centers but nevertheless present serious difficulties for Venezuelan migrants and exiles due to obstacles, insecurity, and legal uncertainty. Colombia has historically been a country closed to migration. According to data from the Ministry of Foreign Affairs, there are approximately 61,000 asylum applications in Colombia, 97% of which are from Venezuelans; however, less than 5% of these applications are successful.²²⁶

Similarly, this opens up a scenario in which many organizations may find themselves needing to move their operational centers abroad. This poses a challenge that affects other countries as well, since there is no coordinated or large-scale response from regional civil society or journalism to address the arrival of this flow and profile of people. Likewise, international cooperation does not appear to be prepared for this either.²²⁷

This situation is very similar to that experienced by Nicaraguan civil society, which now sees almost all of its journalism operating from exile, especially from neighboring Costa Rica.²²⁸

Exile, coupled with media stifling, brings with it another risk and impact of the crisis: restrictions on access to information. According to IPYS, approximately seven million people live in what they call information deserts; that is, large areas where citizens do not have access to locally produced information.²²⁹ For its part, the NGO *Espacio Público* has pointed to the scarcity of information in at least thirteen Venezuelan states, where there are no independent media outlets.²³⁰

Following this same logic, the arbitrary cancellation of passports restricts the free movement of journalists and media workers and instills fear in the general public. According to a report on passport cancellations published by IPYS, at least forty human rights defenders with social leadership roles, journalists, and their families were victims of this practice after the elections.²³¹

Addressing these shared challenges presents a significant obstacle, especially given the increasingly limited capacity of human rights monitoring organizations and independent media in Venezuela. The most significant impact of this strategy lies in the weakening of civil society in the region, as a lack of awareness of what is happening in Venezuela can facilitate the actions of actors intent on violating human rights.

In an interconnected region, what happens in one country regarding restrictions on political rights inevitably affects the others. In a scenario where authoritarian models converge and reinforce each other, sharing practices and narratives, the cumulative effect is the progressive deterioration of society and the press, as well as the sustained weakening of the promotion of human rights and the regional media ecosystem.

Conclusions

The 2024 presidential elections were held in a context of systematic violations of civil and political rights, international sanctions, an economic crisis, and an estimated seven million Venezuelan emigration. The electoral process was further hampered by the lack of independence of the branches of government and the erosion of the rule of law.²³²

To date, Nicolás Maduro's declaration as the winner of the 2024 presidential elections continues to lack democratic legitimacy. The electoral process, marked by opacity and state actions to suppress fundamental rights, deepened the country's political, humanitarian, and democratic crisis.

Throughout the 2023-2024 period, encompassing the pre- and post-election periods, the government succeeded in institutionalizing mechanisms it had used in the past, such as arrests and disappearances, and the use of the state apparatus to stigmatize critical voices. All of this was achieved through the establishment of a legal framework that legitimizes censorship and repression.

During the election period, journalists, human rights defenders, and civil society organizations documented numerous cases of direct and indirect censorship against media outlets and journalists. These actions further decimated the country's media ecosystem, including the closure of broadcasters, raids on media outlets, judicial harassment, and physical and digital attacks.

This was compounded by the lack of transparency and accountability of the electoral body, and the massive and deliberate use of information campaigns that deepened the information crisis and distorted the public debate, by state actors and those affiliated with the government.

Citizen demonstrations demanding respect for democratic rights were brutally repressed, accompanied by arbitrary arrests, criminalization of

social leaders, and systematic surveillance of activists and journalists.

The application of surveillance technologies without accountability mechanisms or adequate judicial oversight, and the use of platforms like VenApp for citizen reporting, have contributed to spreading an environment of fear, self-censorship and persecution, even within families and communities themselves.

This context has forced hundreds of journalists, activists, and citizens to leave the country, seeking protection from political persecution, threats, and reprisals for exercising fundamental rights such as freedom of expression and freedom of association. The Venezuelan exile—particularly of those who perform essential functions for accountability and the defense of human rights—is yet another expression of the crisis of freedoms in the country.

It is worth noting that prior to the electoral event, several international mediation efforts took place that led to the signing of the Barbados Agreement on October 17, 2023,²³³ which provided incentives for the opposition to return to electoral competition with the commitment that the government would offer equitable conditions in the same, a pact that was subsequently breached.

The Venezuelan case, however, is not isolated from a regional, and perhaps global, trend in the face of the rise of political extremism: authoritarian practices, the misuse of force, the control and restriction of the information system, and the silencing of dissenting voices through repression, persecution, and censorship are consolidating as the main challenges to human rights in the Americas. In a region as unequal as this one, which has experienced long periods of authoritarian and militarized governments, it is urgent that the protection of freedom of expression be strengthened as a key agenda item for the (re)construction and deepening of

democracies in the pursuit of guaranteeing human rights and social justice.

ARTICLE 19 Brazil and South America makes an urgent appeal to the Venezuelan State, to international human rights systems and to other States in the region to take concrete and coordinated measures to guarantee respect for and protection of fundamental rights, both within the country and for those who have had to flee to preserve their life and integrity.

Recommendations

To the Venezuelan State:

1. To restore the independence of the Venezuelan electoral body by encouraging active transparency practices and access to relevant information in the electoral context.

2. To fully guarantee freedom of expression and the practice of independent journalism, and to dismantle the punitive legal framework used to criminalize critical discourse.

3. To establish a legal framework to protect the right of access to information and refrain from practices that limit the flow of information, such as harassment of media, information blockades, censorship of digital media, intervention in broadcasters and restriction of digital content.

4. To adopt a rights-based public policy to combat information disorder, and refrain from spreading false information from institutions and public officials.

5. To cease the repression of protests and guarantee the right of assembly and association, in accordance with international human rights standards.

6. To investigate all allegations of violations of fundamental rights committed against protesters in the post-election period.

7. To protect human rights defenders, including urgent measures for prevention, protection and redress against attacks or threats.

8. To restrict the use of digital surveillance technologies by establishing clear legal frameworks, independent oversight mechanisms, and effective guarantees for privacy protection.

9. To guarantee the voluntary, safe and dignified return of people in exile, ceasing all forms

of criminalization for political reasons and creating conditions for their full reintegration into public and professional life.

To regional and international human rights systems:

1. To strengthen protection mechanisms for people forcibly displaced by political persecution, promoting coordinated responses among multilateral organizations.

To other States in the region:

1. To recognize the democratic crisis in Venezuela, and seek concerted solutions for a return to institutional channels.

2. To adopt international reception and protection policies for journalists, human rights defenders and citizens, including the recognition of asylum and other forms of protection.

3. To support Venezuelan civil society organizations in Venezuela and in exile, creating options for access to financing, spaces for advocacy and guarantees to continue their work in defense of human rights.



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