

Latest Human Rights Watch Report: Thirty Lies about Venezuela

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In the six pages that HRW dedicates to Venezuela in its [World Report 2014](#), released this week, it manages to tell at least 30 serious lies, distortions, and omissions. Pointing out these lies is important, because many people believe that HRW is a neutral authority on human rights, and the mainstream press publish articles and headlines based on HRW report conclusions. Here are some of the headlines in both English and Spanish (translated to English) that have come out of the 2014 report:

Global Post - [Venezuela intimidates opponents, media: HRW report](#) , PanAm Post - [Human Rights Watch: A black eye for Latin America](#) , AFP - [HRW criticises Venezuela in its annual report on human rights](#), El Economista - [HRW: Democracy in Venezuela is fictitious](#), El Universal - [Human Rights Watch report denounces persecution of media in Venezuela](#), El Siglo - [Human Rights Watch: Venezuela is an example of “fictitious democracies”](#), El Colombiano: [HRW describes Venezuela as a fictitious democracy](#) , NTN24 - [HRW warns that Venezuelan government applies “arbitrary” measures against media that is critical of its policies](#)

The headlines which talk about a “fictitious” or “feigned” democracy, are referring to the start of the report, where HRW put Venezuela, along with other countries, under the category of “abusive majoritarianism”. There, HRW provides a very limited definition of democracy; “periodic elections, the rule of law, and respect for the human rights of all” and argues that Venezuela has adopted “the form but not the substance of democracy”. HRW cites Diosdado Cabello not letting legislators who didn’t recognise democratically elected President Maduro speak in parliament – yet the punishment seems soft, considering the crime.

Below, I’ve grouped the lies and omissions according to HRW’s own subheadings in its chapter on Venezuela. Unlike with other countries such as the US, HRW omits all of Venezuela’s human rights achievements in its assessment, and in reality a range of other subheadings would be deserving, such as right to have access to housing, people’s right to be consulted about policy, right of the poorer people to be heard in the media, right to education, the right to health care, to land, and so on. Of course, nowhere in the report does HRW mention the economic crimes committed by the business sector against Venezuelans’ right to access affordable goods (hoarding, speculation, etc).

15 lies and distortions

Introduction

1. *"The Supreme Court and the National Electoral Council rejected appeals filed by the opposition candidate, Henrique Capriles Radonski, challenging the results [of the April 2013 presidential elections]".* - The CNE did meet with the opposition and they came to an agreement to do a manual recount of the remaining 46% of votes which hadn't already been revised on the day of the election. The entire recount was televised live. Given how incredibly flimsy Capriles' "evidence" was, the Supreme Court would have been ridiculing itself to do anything but reject his case.

2. *"Under the leadership of President Chavez and now President Maduro, the accumulation of power in the executive branch and the erosion of human rights guarantees have enabled the government to intimidate, censor, and prosecute its critics."* - HRW offers very little evidence to substantiate such accusations. The reality is the opposite; private media makes up the vast majority of the media, and freely criticises the government on a daily basis, to the point where it invents news and blames the national government for things it isn't even responsible for. Just last week here in Merida a few opposition students held a protest by burning tires on a main road. For a week, traffic to a key hospital was blocked, and the students had no placards stating the reason for their protest. The police closed off the roads around them to protect their right to protest.

3. *"In September 2013, the Venezuelan government's decision to withdraw from the American Convention on Human Rights took effect, leaving Venezuelans without access to the Inter-American Court on Human Rights, an international tribunal that has protected their rights for decades in a wide array of cases."* - The IACHR has not protected Venezuelans' rights. From 1969-1998, a repressive period of disappearances, political repression, and massacres such as those at Cantaura, Yumare, and the Caracazo, it only considered six cases, and of those only one was brought to the commission. In contrast, from 1999 to 2011 it ruled on and processed a total of 23 cases. It did not take any action after the coup attempt against democratically elected president Hugo Chavez in 2002.

Post-Election Violence

4. *"Security forces used excessive force and arbitrary detentions to disperse anti-government demonstrations after the April elections, according to local groups".* - Though it may have varied from region to region, unlike HRW, I was at those protests, and took photos of and interviewed opposition protesters in Merida - one of their strongholds. Despite threatening to take over and destroy the CNE and the PSUV head offices, with large piles of projectiles like rocks and shrapnel and Molotov cocktails, the police merely cordoned off those areas. They were not armed, and there were no injuries or arrests observed. The threats were not empty ones either, as seen by other destruction carried out by the opposition around the country. HRW also needs to specify what it means by "security forces", as the police system here is complicated and most police continue to be managed at a state level, but HRW implies that the national government is entirely responsible. Finally, merely attributing these claims to "local groups" is very vague. One might also say, HRW is a capitalist front, said local groups.

5. *"Official sources reported that nine individuals were killed at the time, although the circumstances in which the deaths occurred remain unclear. President Maduro and other high level officials have used the threat of criminal investigations as a political tool, attributing responsibility for all acts of violence during demonstrations to Capriles".* - Does HRW want an investigation or not? The violence occurred the day after the presidential

elections, and all of the victims and buildings destroyed were Chavista supporters or part of national programs. It was clearly political, why is it a problem to mention that, and why does it become a “threat” when Maduro talks about bringing murderers and those who set fire to public hospitals, to justice? A thorough investigation was conducted, and those who were responsible for the deaths were arrested.

Judicial Independence

6. *“The judiciary has largely ceased to function as an independent branch of government”*. – While it is true that there are serious problems in Venezuela’s court system: HRW doesn’t mention those: the delays and corruption. Instead, it argued the judiciary is not “independent” because it doesn’t always rule against the government, as HRW would like. If it is not independent, why were almost a hundred supposedly pro government workers in SAIME, SENIAT, the China-Venezuela bank, and so on, arrested last year for corruption?

Freedom of Media

7. *“Over the past decade, the government has expanded and abused its powers to regulate the media... fear of government reprisals has made self-censorship a problem”* – No it hasn’t. What the government has done, over the last four years or so, is pass legislation which limits media abuse: racism, extreme violence, and sensationalism that is so extreme it can be psychologically damaging. Those regulations apply equally to the private, public, and community media, but the reality is it is the private media which tends to be most abusive. Nevertheless, Conatel has emitted less than 10 fines over the last few years.

8. *“The government has taken aggressive steps to reduce the availability of media outlets that engage in critical programming.”* – HRW is not able to cite any examples to back up this statement. Instead, it refers to one case from years ago, RCTV, who’s license was not renewed after it played an active role in the 2002 coup.

9. *“In April 2013, Globovision was sold to government supporters... since then it has significantly reduced its critical programming”*. The owners of Globovision sold it to a group of Venezuelan investors headed by businessman Juan Domingo Cordero, who is not a government supporter. Since then, Globovision’s coverage is somewhat less extreme and sensationalist, but it is just as critical.

10. *“The government has also targeted other media outlets for arbitrary sanction and censorship”*. – The government has not censored any media. Today alone, for example, Tal Cual freely published these headlines: “The fiscal report is a time bomb”, “The government uses violence as an excuse to censor the media” , “Dance with death” (to refer to the government) and “The government tragicomedy”. El Nacional received a fine in August last year for using a three year old photo of naked corpses on its front cover, and that is it.

Human Rights Defenders

11. *“The Venezuelan government has sought to marginalise the country’s human rights defenders by repeatedly accusing them of seeking to undermine Venezuelan democracy with the support of the US government”*. – The lie here is “the country’s human rights defenders”. HRW is referring to a select few organisations such as itself and other individuals, who use human rights as a front for their right-wing political agenda. The government is completely within its right in pointing that out.

Abuses by Security Forces

This section is somewhat accurate, but lacks any causal analysis.

Prison Conditions

These criticisms are also somewhat legitimate, though the information is selective. For omissions, see below.

Labour Rights

12. *“Political discrimination against workers in state institutions remains a problem. In April 2013, Minister of Housing Ricardo Molina called on all ministry personnel who supported the opposition to resign, saying that he would fire anyone who criticised Maduro, Chavez, or the revolution”.* Though perhaps a bit extreme, HRW forgets to point out that Molina made that remark in the context of the opposition not recognising a democratically elected president. That there is political discrimination against workers is largely untrue, though may occur in isolated situations. It is no secret that most of the public education and health workers, for example, support the opposition.

13. *“The National Electoral Council (CNE), a public authority, continues to play an excessive role in union elections, violating international standards that guarantee workers the right to elect their representatives in full freedom”* - Actually, what the CNE provides to unions is logistical support: machinery that makes cross-country elections much easier. If there were concern about the CNE somehow influencing elections, the opposition would not have also used its logistical support for its primaries in February 2012.

Key International Actors

14. *“For years, Venezuela’s government has refused to authorise UN human rights experts to conduct fact-finding visits in the country”* - That’s why the UNESCO and the FAO have both recently praised Venezuela’s education and food development. The Office of the High Commissioner for Human Rights most recent [report](#) on Venezuela was made in September last year, it was about Venezuela’s elimination of racial discrimination.

15. *“In June 2013, Venezuela became the pro-tempore president of Mercosur... The Asuncion Protocol...states that “full respect of democratic institutions and the respect of human rights” are essential...By not addressing the absence of an independent judiciary in Venezuela, as well as the government’s efforts to undermine human rights protections, the other Mercosur member states have failed to uphold these commitments”* - See previous and subsequent comments on Venezuela’s judiciary and treatment of “human rights” protections.

15 omissions

The following very important facts on Venezuela’s human rights record were completely omitted from the report. Such omissions are as serious as lying.

Post-Election Violence

1. HRW conveniently doesn’t mention that the 15 “health centres” that were “vandalised” (ie they were set on fire on medical equipment was destroyed) were CDIs- Cuban-

Venezuelan run free health centres that have come to be a symbol of the Bolivarian revolution. HRW doesn't mention that opposition supporters attacked them, it lets readers believe that the government supported such violence.

2. HRW doesn't criticise the extremely undemocratic move by Capriles to not recognise the president whom the majority of voters chose in the April presidential elections. Their omission to do so amounts to tacit support of Capriles. That sort of context is also necessary when HRW criticises the fact that there were arrests following the elections: it's possible that some arrests were not justified, but given that the Bolivarian revolution has already suffered one (failed) coup, and the continent has suffered many successful and bloody ones, it is reasonable to arrest participants in that. Any other country would do the same.

3. HRW focuses on the post election violence, and blames the national government for it, rather than recognising the opposition's role. It purposefully omits to mention that while Capriles called for a "venting of rage", Maduro called on supporters to play music and dance in the street.

Judicial Independence

4. HRW criticises the imprisonment of "government critic" judge Afiuni, but omits to mention that she was arrested for illegally releasing a bank president who stole US\$27 million from state currency body, CADIVI. Does HRW advocate such judicial corruption? In June Afiuni was awarded conditional release.

5. There are, however, other cases of court inefficiency and bribery of judges, which HRW completely ignores, perhaps because the victims are mostly Bolivarian revolution supporters. Over the last year, many rural workers, commune members, trade unionists, and indigenous activists were murdered by hired killers, and though the killers are usually easy to identify, few have been arrested and prosecuted.

6. HRW criticises Venezuela for withdrawing from the IACHR, but omits to mention that that court is totally under the thumb of the US. It then hypocritically comments on Venezuela's so called "lack of judicial independence".

Freedom of Media

7. While in most countries, people who aren't rich don't have the right to run their own media, that right is being promoted in Venezuela, with the state materially and legally supporting over 500 community and alternative radios, television stations, and newspapers. That is an important development in media freedom, but HRW completely ignored it.

8. HRW states that, "*In November 2013, the broadcasting authority opened an administrative investigation against eight Internet providers for allowing web sites that published information on unofficial exchange rates*". HRW intentionally omits to point out that those sites were illegally publishing those figures, and that those figures have contributed to the three and four fold price increase of basic products. At no point does HRW criticise the role of business of deliberately making basic food and goods unaffordable for Venezuelans.

9. HRW also doesn't mention the almost one thousand free internet centres the government has set up, its promotion of freeware, and its distribution of laptops to school children: part of the government's efforts to make the right to information a reality.

Human Rights Defenders

10. HRW criticises the government for supposedly “marginalising” “human rights defenders” by investigating their sources of funding, but fails to mention the fact that the US does use such groups as a front for funding the undemocratic wing of the opposition. It fails to criticise this affront to Venezuela’s right to sovereignty.

11. Likewise, it doesn’t mention the important role played by the real human rights defenders in Venezuela: gender and sexuality activists and movements, indigenous and afro-descendants organisations, the Cuban doctors defending the right to free and quality health care, community activists, environmental movements, volunteer teachers, social mission workers, activist analysts who are constructively critical of the situation in the country, and so on. Many of these movements and workers receive financial, institutional, and/or legal support from the state, though there are improvements to be made there as well, such as legalising gay marriage, abortion, and so on.

Abuses by Security Forces

12. Here it is telling that HRW simply doesn’t mention Venezuela’s creation of the UNES, a university training police in human rights and preventative policing. While it is legitimate that HRW points out ongoing problems within the police forces, it doesn’t mention that such corruption has significantly decreased, nor that police political repression has been almost completely eliminated.

Prison Conditions

13. HRW rightly points out the ongoing problems of overcrowding and organised prisoner violence in prisons, but simply omits to mention anything the government is doing to improve prisoner rights, including letting those who have committed minor offences out during the day time to work or study, internal prison education and productive work programs, assistance on leaving prison, cultural workshops such as video production in prisons, and government meetings with prisoners.

Labour Rights

14. For HRW it seems labour rights are limited to the right of opposition supporters to work in governmental programs that they don’t agree with (a right they have). HRW omits to mention the Labour Law which came into effect in May last year, which beats most of the world in providing workers with rights to permanent work (contract labour is made illegal), to childcare in the workplace, to maternity leave and to paternity leave, shorter working hours, retirement pensions, and much much more.

15. HRW alleges that opposition workers were “threatened” with losing their jobs if they supported Capriles, but provides no evidence of that, nor mentions that of course voting is anonymous and such a threat could not be carried out, and neglects to mention that governor Capriles fired fire fighters in May last year for demanding pay they were owed, uniforms, and infrastructure improvements.

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