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## Analysis of the Venezuelan crisis

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### ABSTRACT

*Hundreds Detained, Torture, Sexual Violence, Military Jurisdiction are the words that come to mind when one thinks of the Venezuelan Crisis. However, these are more than just words; these are strategies employed to legitimize actions undertaken by the Venezuelan Government and prosecute citizens and suppress protests. The foundation of the rising public protests was laid by rising inflation and shortages of medical and food supplies due to lack of government provision.*

**Keywords:** *Venezuelan Crisis, Violation of Human Rights, Hyperinflation, Suppression, Government, Shortage, Refugees, Health, Economy, Protests, Violence, Military Jurisdiction*

### 1. INTRODUCTION

Hundreds Detained. Torture. Sexual Violence. Military Jurisdiction are the words that come to mind when one thinks of the Venezuelan Crisis. However, these are more than just words; these are strategies employed to legitimize actions undertaken by the Venezuelan Government and prosecute citizens and suppress protests. The foundation of the rising public protests was laid by rising inflation and shortages of medical and food supplies due to lack of government provision. State of emergency remained intact. Political dialogues, a form of conflict resolution strategy, sparked between the Government and the opposition showcased limited or no progression in terms of advancement of the human rights issue. Health crisis continued to intensify, making its way to mortify the living standards of the nation. Increased number of people seeking asylum in other countries, increased chronic illness etc. substantiates this claim. This paper investigates the violation of human rights kindled by the Venezuelan Crisis that began in 2010.

### 2. METHODOLOGY

An extensive array of both primary and secondary sources has been harnessed to unravel multitudinous violations due to the Venezuelan Crisis. The primary research of the study involved interviewing Mr. Ashwani Parmar, head of global politics department at Pathways World School, Aravali. The secondary research consisted of reviewing numerous international online news articles, journals and informative videos.

### 3. ANALYSIS OF VIOLATION OF HUMAN RIGHTS

The orders by the Venezuelan National Telecommunications Commission led to the closure of 50+ radio station, regardless of the 2015 ruling by the Inter-American Court of Human Rights that declared these closures violated freedom of expression. Besides, the media outlets that remained were faced with threats of closure concerning the information given by the Office of the Special Rapporteur substantiating the freedom of expression of the Inter-American Commission on Human Rights (IACHR). The Government of standing as a threat to national security abducted freedom of Expression from the opposition leaders and anti-government protestors with accusations. Furthermore, the Venezuelan Government proclaimed the removal of multiple foreign news channels such as CNN, RCN and CARACOL from the national cable operator. Government with the means of intimidation by employing unidentified actors threatened journalists from a range of online news and research portals. For instance armando.info Venezuelan Official data sheds light on the facts and figures that reflect the horrendous actions undertaken by the Government that violate the most basic forms of human rights. The period between April and July consisted of mass protests for and against the Venezuelan Government, as the right to peaceful assembly was not guaranteed. By the information retrieved from the official data- more 120 people were killed, and over 1,177 were severely wounded. The list of victims was inclusive of demonstrators, members of the security forces and bystanders. The demonstration of protest against the actions of government leftover 5400 people behind bars, of which 822 were tried, 726 was subjected to military justice. The year 2016 ended with 216 people stuck in the pre-trial detention.

The Venezuelan Government re-launched its public security programme as Operation Humanist Liberation of the People. The programme shields the government actions that involve excessive use of force, from justifying itself. For example- The Bolivarian

National Police and the Bolivarian National Guard continued to use excessive and ethically unjustifiable force against the demonstrators of protest between April and July 2016. During the aforementioned period, a lucid upsurge in the deployment of military troops was witnessed to repress protests, that resulted in excessive exploitation of less-lethal forces and excessive use of lethal force which involved bombarding tear gas directly towards the protestors, shooting multiple rubber bullets, utilization of firearms, all of which put the protestors at the risk of severe harm or death.

According to the Attorney General's Office, a man names Jairo Johan Ortiz Bustamante was killed due to a gunshot injury during a protest in Miranda. Another man named Juan Pernaete was killed by the intense impact of a tear gas bomb that was exploded on his chest. During this time, the civil society organization Micondominio.com registered over 47 illegal raids on various homes across 11 states in Venezuela. These raids involved illicit use of force, threats and mass arbitrary arrests and were associated with the police and military operations against protests. The actions undertaken via the raid resulted in several indiscriminate effects in the form of harassments and intimidation. 47 illegal raids on a range of communities and homes marked this period across 11 states in the country. These actions were also accompanied by intimidation and harassment of residents during raids. The UN High Commissioner for Human Rights' report showcased the systematic and extensive use of force during the protests between April and July. The report also highlighted the difficulties faced by international organizations involved in accessing the country and victim's fears of reporting abuses.

Unlawful mechanisms facilitated over 22 cases of arbitrary detention for political reasons since 2014. These mechanisms incorporated the utilization of military justice, arrests without warrants and demonstration of ambiguous and discretionary criminal definitions that portrayed a pattern of actions that were undertaken to silence dissent. By the end of the 12th year, people were granted alternative measures for detention; The rest of the ten people have detained arbitrarily despite the order of the court to release them. The documented cases of arbitrary detained included those of MP Gilber Caro and activist Steyci Escalona, who represented the opposition party 'Popular Will'. The justification presented for their detention by the Government revolved around them being accused of conducting 'terrorist activities'. Despite consistent efforts and support by the people associated with the party, neither of them was brought to trial. Shackled due to the denial of access to lawyers and medical care, several cases of arbitrary detention remained undocumented.

One of most significant members of the Legislative Council of Barinas state, Wilmer Azuaje was arrested in May. According to the sources, during his detention, he was kept in a room handcuffed for long periods with obnoxious aroma. He was left incommunicado and was forced to live in conditions that reflect inhumane treatment. The Supreme Court of Justice ordered Wilmer's transfer to house arrest in July. However, his conditions of detention remained the same without any charges against him. Other cases of torture and ill treatment include arrests of protestors, beatings, sexual violence without any legal charges.

An apparent attempt was made to impede human rights work of the human right defenders and individuals who aim to put light on the importance of justice for human rights violation. A sense of intimidation was created amongst the human rights defenders by the state media and high-ranking government officials. Announcing their names and contact details publicly accusing their actions as 'acts of terrorism' did this. Furthermore, the lawyers were harassed and intimidated by the government authorities right before the trials in military courts who were defending people critical of the Government. For instance- In May, authorities raided the house of Ehisler Vásquez, a human rights defender in the city of Barquisimeto, Lara state. The Public Prosecutor's Office threatened to charge him with a crime. In the same month, in the same city, a group of unidentified actors raided the home of human rights advocates Yonaide Sánchez and Nelson Freitez.

The vulnerability of the justice system to become the subject of government intervention upsurged in cases that involved people critical of the Government or who supported the ideas that were against the interests of the authorities. The Bolivarian National Intelligence Service regardless of the decisions made by the courts, continued to detain people without any charges against them arbitrarily. For example- Despite the warrant issued for the release of two police officers from the Chacao municipality remained arbitrarily detained since June 2016. The case involved accusations against twelve other officers in the same criminal case who were arrested arbitrarily since June 2016 and released in December. In August, four opposition officials who were elected to public office were arrested, and five others had arrest warrants issued against them. The Supreme Court issued these in a proceeding not prescribed in the law. In total, 11 officials elected by popular vote were removed from their positions in irregular proceedings.

The Venezuelan Government announced its withdrawal from the Organisation of American States and ultimately from the authority of IACHR, as an endeavour to limit protection for victims of human rights violations in Venezuela. Implementation of decisions and rulings from international human rights monitoring mechanisms were still not implemented at the end of the year, concerning the investigation and punishment of those responsible for human rights violations. In November, Venezuela was visited by the UN Independent Expert on the promotion of a democratic and equitable international order. Venezuela also received a visit from the UN Special Rapporteur on the right to development and on the negative influences of unilateral coercive measures undertaken against exercising of human rights, were announced for 2018.

The Former Minister of Defence and detained government critic was unexpectedly removed from his cell at the National Centre for Military Proceedings in Ramo Verde, Caracas. Since he was held incommunicado and was denied access to his family and lawyers for more than a month, he remained disappeared for quite some time.

Victims of human rights violations were often subjected to lack of access to truth, justice, reparation and intimidation. In April, two officers of the Bolivarian National Guard were sentenced for killing a significant public figure in Carabobo state n 2014. A

considerable number of victims of murder, torture and other violations by state actors were yet to receive justice. Some reports highlighted the pressures faced by victims or their families for testifying and agreeing on the facts that could be utilized by the authorities for their gain and that could waive the responsibility of the state agents for the conduct of these violations.

Regardless of the reforms to the penitentiary system of Venezuela in 2011, prison conditions remained vehemently harsh. Factors that intensified the harshness were lack of medical care, food, drinking water, lack of hygiene, overcrowding and violence in prisons. Even the common disputes called out for the use of firearms. A majority of detainees resorted to hunger strikes to protest against the conditions of their detention. The deaths of 37 detainees at the Amazon Judicial Detention Centre in August during clashes, caused IACHR to express deep concern.

The report generated by the Documentation and Analysis Centre for Workers showcased the fact that the CPI was 60 times the minimum wage, reflecting a 2123% increase since November 2016. The Humanitarian Organisation Caritas Venezuela highlighted that 27.6% of children studied were at risk of malnutrition and 15.7% of the children suffered from mild to an acute case of malnutrition. The Venezuelan Government failed to discern the worsening and intensifying food shortage fuelled by the economic and social crises in the nation. The UN Food and Agricultural Organisation brought into light the fact that it lacked reliable and credible data on Venezuela and the critical economic situation that could lead to a greater scarcity of consumer goods such as food and medical supplies.

Post two years of no information to official data, in May the Ministry of Health published the weekly epidemiological bulletins from 2016. The data revealed shocking figures. It showcased a significant rise of 30.1% in the number of reported deaths of children under the age of one. This was a consequence that was triggered by neonatal sepsis, pneumonia and premature birth due to lack of medical supplies and hospitals.

The Ministry of Health bulletins implied a rise in instances of maternal mortality of 65.8% from 2015 to 2016. Lack of official data made it very difficult to monitor and supervise the rate of femicides and other crimes against women. However, according to the NGO Women's Metropolitan Institute, there were at least 48 femicides between January and May. 'Re-victimization' was suffered by women even after ten years of implementation of the Organic Law on Women's Right to Live a Life Free of Violence, it was reported that prosecutors, judges, police officers and other officials were rendered poorly equipped to protect the women's rights due to institutional violence. There were several other obstacles to proper implementation of the law, such as lack of official data to strategize on the development of public policies to prevent and eradicate violence against women.

The economic crisis fuelled limited access to contraception. According to an online survey conducted by the local NGO AVESA, about 72% of the respondents didn't have access to contraceptives during previous 12 months, and about 27% believed that they couldn't afford contraceptives from pharmacies.

A notable rise in the number of Venezuelans who sought asylum in Brazil, Costa Rica, the USA, Spain, Peru and Trinidad and Tobago, Colombia and Ecuador has been witnessed. With more than 1.5 million Venezuelans displaced in the region, with 4000 people are fleeing to neighbouring countries each and with 87% of the population living beyond the poverty line, UN discerns the dire need to answer the call for help. UN announced a \$10 Million commitment from the US government to support the work of the World Food Program. Besides, \$16 million contributions were made in April to support UN Refugee from neighbouring countries to support the cause of the UN. \$3.6 million has been sent to the WHO to meeting the needs of the most vulnerable part of the population in Venezuela.

#### **4. CONCLUSION**

The on-going political and socioeconomic crisis in Venezuela has been reflected through dramatic increase in diseases, crime rates, mortality rates, hyperinflation, food scarcity and rampant violation of fundamental human rights. The crisis has left an average Venezuelan vulnerable on all levels owing to more than a decade of slumping oil revenue and ineffective governance impeding government provision of adequate services. Harsh circumstances facilitated by the crisis has coerced over 5 million people to flee and has left them clinging on to poor living standards. Nevertheless, little donations and relief funds from various NGOs around the world have helped make circumstances a little better for the millions of refugees. Furthermore, to prevent another crisis as severe as the Venezuela's, nations must operate more via incentives rather than ideologies and appreciate the fiscal restraints to deter hyperinflation.

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