

Venezuela - Human Rights Scorecard ¹

Venezuela, officially called the Bolivarian Republic of Venezuela, is a country on the northern coast of South America. Venezuela's territory covers around 916,445km² with an estimated population around 30 million.²

Official language: Spanish

Ethnic groups: 51.6% Mestizo; 43.6% White; 2.9% Black; 1.2% Others; 0.7% Afrodescendant

Government: Federal presidential constitutional republic

- President: Nicolás Maduro
- Vice President: Jorge Arreaza
- President of the National Assembly: Diosdado Cabello

Death penalty: Abolitionist

Population: 30,206,307

Life expectancy: 73.94 years

Under-5 mortality: 15.7 per 1000

Adult literacy: 95.2 percent



Section 1: Respect for the Integrity of the Person

Respect for the integrity of the individual is the most fundamental of human rights groupings. It guarantees protection of the person to ensure the right to life, and freedom from torture. It also prevents arbitrary detention, and disappearances, and ensures the right to a free and fair trial when accused.

Freedom from arbitrary or unlawful deprivation of life



Largely disrespected ³

Though the government did not admit to any unlawful killings, NGOs reported 8,813 extrajudicial killings at the hands of federal, state, or municipal security forces. 97% of these were dismissed and those that were not either resulted in light sentences or overturned convictions.

Freedom from disappearance



Respected ⁴

There are no reports of politically motivated disappearances in Venezuela.

Freedom from torture and other cruel, inhuman or degrading treatment or punishment



Largely disrespected ⁵

While the Venezuelan constitution and various laws prohibit the use of torture, there were many credible reports of abuse and torture by security forces. Many of these reports followed widespread protests in the aftermath of presidential elections.

Freedom from arbitrary arrest or detention



Largely disrespected ⁶

Though the law prohibits arbitrary detention, NGOs reported 195 cases following protests in April 2013. Pre-trial detention is also a serious problem, with only 1/3 of all Venezuelan prisoners serving actual sentences. Only 17% of trials conclude or reach sentencing at all.

Freedom from denial of fair public trial



Largely disrespected ⁷

There are many reports that the judicial branch of government is not independent and is subject to corruption and political influence. Trial procedures are less than ideal, with defendants often unable to access government-held evidence and a severe shortage of public defenders.

Freedom from arbitrary interference with privacy, family, home or correspondence



Largely disrespected ⁸

The government often violates personal privacy laws. Security forces frequently search private residences without a search warrant, seize private property without due process, and interfere in personal communication.

Section 2: Respect for Civil Liberties

Civil liberties are a basic category of internationally recognized human rights. They include the freedoms of expression, assembly, association, education, and religion. These are inalienable rights which should not be breached by government, and should ensure the rights of all, including women and minority groups.

Freedom of speech and press (*Reporters Without Borders Press Freedom Index*)⁹



Score: 40.61, Rank: 137 / 179 – Highly controlled, limited or intimidated¹⁰

Strong government retribution for political dissidents has resulted in widespread self-censorship in Venezuela. For example, insulting the president is punishable by 6 to 30 months in prison under the law. Various laws allow the government to have extensive control over media outlets.

Freedom from academic censorship



Largely disrespected¹¹

The Venezuelan government imposes some restrictions on academic freedom. Academics and students allege that the government under-allocated the budgets of opposition-oriented institutions. Government supporters sometimes interrupt classes and campus events.

Freedom of peaceful assembly and association



Largely disrespected¹²

The government does not respect citizens' rights to peaceful assembly or association. Some forms of peaceful protest carry harsh penalties in accordance with a 2005 penal code revision. Security forces routinely used tear gas, water hoses, and rubber bullets to disperse protestors.

Freedom of religion



Partially respected¹³

Religious freedom is generally protected in Venezuela. However, religious groups that criticize the government are subject to intimidation.

Protection of refugees and stateless persons



Respected¹⁴

The Venezuelan government generally cooperates with UNHCR and other organizations in providing protection to refugees.

Overall protection of civil liberties (*FreedomHouse Civil Liberties Index*)^{15 16}



5 / 7 – Partly free¹⁷

The government often curtails freedom of expression, freedom of assembly, and freedom of association. The judiciary is heavily politicized and security forces often operate with impunity. Property rights are affected by the government's penchant for nationalization and price controls.

Section 3: Respect for Political Rights

Political rights ensure all members of society are able to influence the political process. The assessment of political rights includes an examination of the electoral process and the selection of representatives, the political empowerment of the general public, the tolerance of dissent, the accountability of government, etc..

Overall protection of political rights (*FreedomHouse Political Rights Index*)¹⁸



5 / 7 – Partly free¹⁹

Though elections in Venezuela are relatively free, political campaigning heavily favours government-backed candidates. Opposition sympathizers run the risk of both legal and physical attacks. The government plays a major role in the economy and corruption is widespread.

Section 4: Corruption and Lack of Transparency in Government

The civil, political, economic and social rights exercised within a country are often modulated by the degree of transparency and freedom from corruption. Various international metrics assess transparency and corruption, including the OECD anti-bribery convention, the Bribe Payers Index, and the Open Budget Index.

Transparency and freedom from corruption (*Transparency International Corruption Perceptions Index*)²⁰



Score: 19%, Rank: 161 / 175 – Extremely corrupt²¹

There is widespread corruption in Venezuela and despite anti-corruption laws, high-level officials are rarely prosecuted. Public access to information is often disrespected.

Section 5: Governmental Response to Criticism

This section deals specifically with the response heads of state have to civil society or international human rights reports.

Governmental attitudes vis-à-vis independent investigations of alleged human rights violations



Largely disrespected²²

Though human rights organizations and NGOs generally operated freely within the country, the government was rarely responsive to their criticisms or recommendations.

Section 6: Discrimination and Societal Abuses

Legal and social discriminatory practices related to sex, race, creed or sexual orientation, are violations of human rights. Countries with strong civil liberty traditions should have a fair legal system that ensures the rule of law, allows free economic activity, and ensures equality of opportunity for all.

Rights of women (World Economic Forum Gender Gap Index)²³



Score: 68.5%, Rank: 86 / 142 – Very unequal rights²⁴

Women are granted relatively equal rights under the law, though this is not always upheld in practice. Violence against women continues to be a serious and underreported problem in Venezuela. Women are also largely underrepresented in government.

Rights of Children (KidsRights Index Overall Score)²⁵



Score: 74.6%, Rank: 52 / 165 – Protected²⁶

Though children's rights are generally well respected, child abuse remains a problem but is rarely reported. Venezuela also has approximately 10,000 children living on the street, often in urban areas such as Caracas.

Rights of persons with disabilities



Largely disrespected²⁷

Venezuelan law prohibits discrimination against persons with disabilities, but it is poorly enforced and the government makes little effort to implement initiatives or reduce societal stigma.

Rights of national/racial/ethnic minorities (e.g. discrimination, Islamophobia, anti-Semitism etc.)



Partially respected²⁸

The constitution prohibits discrimination on the basis of race and this was largely respected. However, indigenous peoples continue to be marginalized, with many living in remote areas lacking access to basic services. Government-linked media occasionally publish anti-Semitic items.

Freedom from abuse and discrimination based on sexual orientation or gender identity



Largely disrespected^{29 30}

Court rulings prevent discrimination on the basis of sexual orientation or gender identity, but this is rarely enforced. The LGBT community faces widespread societal discrimination and transgendered or transsexual individuals are frequently denied government recognition.

Section 7: Workers' Rights

Workers' rights are a group of legal rights relating to labour relations between workers and their employers. At their core are things like the ability to negotiate pay, benefits, terms of employment, and safe working conditions. These rights often devolve from the right to unionize and access to collective bargaining.

Rights to freedom of association and to collective bargaining



Largely disrespected³¹

While the law allows for all private and public sector employees to engage in collective bargaining, the government often uses legal and administrative mechanisms to limit unions' effectiveness. There have also been reports of violent suppression of strikes and workers' protests.

Freedom from forced or compulsory labour



Respected³²

Venezuelan law prohibits forced or compulsory labour and this is generally well enforced. There are some isolated incidents of forced labour, often in the informal economic sector, but these are not very common.

Freedom from forced labour for children, and a minimum age of employment



Respected³³

Venezuelan law maintains a minimum age of employment and prohibits forced labour for children. These laws are well enforced and the government provides education programs for vulnerable children. Some problems remain in urban centers, where there are many street children.

Right to acceptable conditions of work



Largely disrespected³⁴

Under the law, Venezuelan workers are entitled to fair and safe working conditions. However, these are poorly enforced by the state and there is no public information regarding how many inspectors are employed to monitor conditions. Unsafe job sites often remain open.

Right to employment



7.6% - Reasonable unemployment³⁵

The unemployment rate in Venezuela is reasonably low and continues to drop.

¹ A hybrid human rights and freedoms model, leveraging both legal principles and intuitive classifications, has been used for this human rights assessment. The CJPME Foundation has sought to integrate as many independent sources and metrics into its summary analysis as possible. In many cases, for qualitative material pertaining to the respect for a particular right in a country, the CJPME Foundation has drawn on material from Human Rights Watch and the US State Department country reports. Human Rights Watch (HRW) publishes a World Report which assesses the respect for human rights in each country. HRW uses a methodology of local reporting and interviewing, combined with research and analysis to assess the level of respect of human rights. The U.S State Department keeps an updated publication on the state of human rights internationally. Their system of research and accountability draws from the research of official US State Department officials, as well as local civil-society and international human rights organizations.

² Commonly-known information on the country is drawn from various Internet sources, including Google country pages, and Amnesty International.

³ "Country Reports on Human Rights Practices for 2013 Venezuela." U.S Department of State. Accessed March 4, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

⁴ Ibid. U.S Department of State. For purposes of the present analysis, a "disappearance" is different than simple arbitrary detention because a "disappearance" is considered permanent.

⁵ Ibid. U.S Department of State.

⁶ Ibid. U.S Department of State.

⁷ Ibid. U.S Department of State.

⁸ Ibid. U.S Department of State.

⁹ The Press Freedom Index published by Reporters Without Borders ranks the level of freedom of information in 179 countries. This is determined through the polling of local NGOs and freedom of expression civil society organizations across the globe. This index is also determined by local correspondents and follow-up work done on reports of infringement to press freedom where ever it takes place. Their methodology looks at six different indicators: 1) Media pluralism, 2) Media independence, 3) Media atmosphere and self-censorship, 4) the Law around media, 5) Media transparency, and 6) Media infrastructure. The score from these six indicators is combined with a rating for the violence against journalists in the country to create an overall score. The CJPME Foundation classifies the Press Freedom Index as follows: 0 – 14.99 (25 countries), Largely free, diverse and independent; 15 – 24.99 (29 countries), Mostly free, diverse and independent; 25 – 29.99 (32 countries), Partially free, diverse and independent; 30 – 39.99 (49 countries), Partially controlled, limited or intimidated; 40 & higher (42 countries), Highly controlled, limited or intimidated.

¹⁰ "World Press Freedom Index." Reporters Without Borders: For Freedom of Information. Accessed March 5, 2015. <http://index.rsf.org/#/>

¹¹ "Country Reports on Human Rights Practices for 2013 Venezuela." U.S Department of State. Accessed March 11, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

¹² Ibid. U.S. Department of State.

¹³ "International Religious Freedom Report for 2013 Venezuela." U.S. Department of State. Accessed March 11, 2015.

<http://www.state.gov/j/drl/rls/irf/religiousfreedom/index.htm#wrapper>

¹⁴ "Country Reports on Human Rights Practices for 2013 Venezuela." U.S Department of State. Accessed March 11, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

¹⁵ Freedom House is an internationally recognized NGO based in the U.S which documents and rates the quality of democratic practice in a given country. Freedom House splits its grading system between the two areas of civil and political rights in a country. On each scale, the Freedom House rating is 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free).

¹⁶ Freedom House's Civil Liberties index measures things such as a) freedom of expression and belief, b) associational and organizational rights, c) the rule of law, and d) personal autonomy and individual rights. Freedom House rates countries as 1-2.5 (free), 3-5.5 (partly free) and 6-7 (not free). Accessed Dec. 9, 2014

<https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F>

¹⁷ "Venezuela." Freedom in the World 2014: Venezuela. Accessed March 11, 2015. [https://www.freedomhouse.org/report/freedom-](https://www.freedomhouse.org/report/freedom-world/2015/venezuela#.VQCSAWTF-lx)

<world/2015/venezuela#.VQCSAWTF-lx>

¹⁸ See footnote about the Freedom House organization above. The Freedom House Political Rights assessment looks at a) the electoral process, b) political pluralism and participation, and c) the functioning of government. Accessed Dec. 9, 2014 [https://www.freedomhouse.org/report/freedom-world-](https://www.freedomhouse.org/report/freedom-world-2014/methodology#.VldwWzHF98F)

<2014/methodology#.VldwWzHF98F>

¹⁹ "Venezuela." Freedom in the World 2014: Venezuela. Accessed March 11, 2015. [https://www.freedomhouse.org/report/freedom-](https://www.freedomhouse.org/report/freedom-world/2015/venezuela#.VQCSAWTF-lx)

<world/2015/venezuela#.VQCSAWTF-lx>

²⁰ Transparency International (TI) publishes a "Corruption Perceptions Index" annually, which is based on independent research and polling. The main categories of corruption are broken down within the index to provide particulars on issues including things such as perceptions of corruption, control of corruption, and financial

secret. A country receives a score on 100; the higher the score, the less corrupt the society. The CJPME foundation has classified them into categories as follows: 80-100 (11 countries): Very limited corruption; 60-79 (27 countries): Limited corruption; 40-59 (41 countries): Some corruption; 20-39 (80 countries): Highly corrupt; 0-19 (15 countries): Extremely corrupt

²¹ "Venezuela." Corruption by Country. Accessed March 12, 2015. <http://www.transparency.org/country#VEN>.

²² "Country Reports on Human Rights Practices for 2013 Venezuela." U.S Department of State. Accessed March 12, 2015. <http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

²³ This metric is based on the World Economic Forum's Gender Gap Index. 0.00 denotes inequality between the sexes, and 1.00 denotes fully equality between the sexes. This index looks at four subdomains: economic participation and opportunity; educational attainment; health and survival; and political empowerment. Each country is given a percentage score; the higher the percentage, the better the protections. The CJPME Foundation classed the percentages as follows: 80-100% (5 countries): Almost equal rights; 70-79% (60 countries): Somewhat unequal rights; 0-69% (77 countries): Very unequal rights

²⁴ "Venezuela." World Economic Forum. Accessed March 12, 2015. <http://reports.weforum.org/global-gender-gap-report-2014/economies/#economy=VEN>

²⁵ This metric is based on the KidsRights Index Overall Score. This index has five subdomains: life expectancy and maternal mortality; health; education; protection; and child rights environment. Each country is given a percentage score; the higher the percentage, the better the protections. KidsRights classes the countries according to these percentages, and the CJPME Foundation has given each class a term as follows: 70-100% (77 countries): Protected; 60-70% (29 countries): Somewhat protected; 45-50% (33 countries): Slightly vulnerable; 30-45% (12 countries): Highly vulnerable; Lower than 30% (11 countries): Extremely vulnerable

²⁶ "The KidsRights Index: Overall Score." The KidsRights Index. Accessed March 12, 2015. <http://www.kidsrightsindex.org/Index/Overallscore.aspx>

²⁷ "Country Reports on Human Rights Practices for 2013 Venezuela." U.S Department of State. Accessed March 12, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

²⁸ Ibid. U.S Department of State.

²⁹ "ILGA World Map." International Lesbian Gay and Intersex Association. Accessed March 12, 2015. <http://ilga.org/>. See also Ibid. U.S Department of State.

³⁰ ILGA, the International, Lesbian, Gay, Bisexual, Trans and Intersex Association, was founded in 1978 on the principle of highlighting state sponsored homophobia where it exists around the world. ILGA annually publishes a map with an accompanying report on sexual and gender based harassment, which focuses on both the legal and non-legal acts of state sponsored discrimination.

³¹ "Country Reports on Human Rights Practices for 2013 Venezuela." U.S Department of State. Accessed March 12, 2015.

<http://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/#wrapper>.

³² Ibid. U.S Department of State.

³³ Ibid. U.S Department of State.

³⁴ Ibid. U.S Department of State. See also a well-done Wikipedia comparison of wage, income and work week metrics across countries at

http://en.wikipedia.org/wiki/List_of_minimum_wages_by_country

³⁵ "Global Employment Trends." International Labour Organization. Accessed March 12, 2015. http://www.ilo.org/global/research/global-reports/global-employment-trends/2014/WCMS_233936/lang--en/index.htm.