

Forum: Human Rights Council - HRC

Issue: The Human Rights Concerns Regarding Political Detentions in Venezuela

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Introduction

Over the past decade, Venezuela has been plagued by arbitrary detentions, systemic repression, and an erosion of democratic principles. Political detentions in particular have emerged as a key instrument of the Venezuelan government to suppress dissent, silence critics, and consolidate power, raising alarm among international bodies and human rights organizations.

The crisis stems from a combination of political instability, economic collapse, and the dismantling of democratic institutions. The government's reliance on detention as a tool of control has severely impacted not only political activists but also journalists, human rights defenders, and ordinary citizens accused of opposition. Many detainees face inhumane conditions, including torture and lack of medical care, while being denied access to fair trials. This suppression has created an atmosphere of fear and mistrust, further deepening the nation's political divide.

The urgency of addressing this issue cannot be overstated. Political detentions in Venezuela not only violate basic human rights but also hinder efforts to restore democracy and stability in the region. The international community must act decisively to ensure accountability, provide support for victims, and facilitate meaningful reforms that uphold the rule of law. This report will provide an overview of the crisis, its historical context, key issues, and potential pathways for resolution.

Definition of Key Terms

Arbitrary Detentions -

Arbitrary detention occurs when individuals are arrested or imprisoned without legal justification, often bypassing due process. In Venezuela, government critics, opposition leaders, and journalists have been detained without clear charges or fair trials. The UN and human rights organizations have condemned these detentions as politically motivated.

Political Prisoner -

Political prisoners are individuals imprisoned for their political beliefs, activism, or criticism of the government. In Venezuela, opposition figures like Leopoldo López and Juan Requesens have been jailed under vague charges, such as inciting violence or conspiracy. Organizations like Amnesty International classify many of these detainees as victims of repression.

Torture and Ill-Treatment -

Many political detainees in Venezuela report being subjected to physical and psychological torture. Methods include beatings, electric shocks, sexual violence, and deprivation of food or medical care. The UN Fact-Finding Mission has documented widespread abuse by security forces against political opponents.

Enforced Disappearance -

Enforced disappearance refers to cases where individuals are taken into custody by state forces but are not officially acknowledged as being detained. Families often do not know their loved ones' whereabouts, and the government denies responsibility. The Venezuelan state has been accused of using this tactic to silence opposition figures.

Rule of Law -

The rule of law ensures that all individuals, including government officials, are accountable under a transparent legal system. In Venezuela, judicial institutions are heavily influenced by the executive branch, weakening checks and balances. This lack of independence has led to politically motivated rulings and suppression of opposition members.

Due Process -

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Judicial Independence -

Judicial independence means that courts should operate without interference from the executive or legislative branches. In Venezuela, the judiciary is controlled by government loyalists, leading to rulings that favor the regime. Many judges have been dismissed or persecuted for ruling against the government.

International Sanctions -

International sanctions are economic, diplomatic, or travel restrictions imposed by foreign countries in response to human rights abuses. The U.S., European Union, and Canada have placed sanctions on Venezuelan officials linked to political repression and corruption. While sanctions aim to pressure the government, they have also impacted Venezuela's economy and humanitarian situation.

History

The human rights crisis in Venezuela is deeply rooted in the country's political and economic instability, which has intensified over the past decade. Each major event has contributed to the erosion of civil liberties, the suppression of political opposition, and the rise in arbitrary detentions. Under President Nicolás Maduro, the government has increasingly relied on politically motivated arrests, torture, and forced disappearances to silence dissent and maintain control.

2014: The Beginning of Systematic Political Detentions -

The political unrest in Venezuela escalated in 2014, triggered by widespread protests against government corruption, economic mismanagement, hyperinflation, and the lack of basic services such as food, medicine, and electricity. These demonstrations, known as "La Salida" ("The Exit") protests, were met with violent crackdowns by Venezuelan security forces, particularly the Bolivarian National Guard (GNB) and the Bolivarian National Intelligence Service (SEBIN). Amnesty International and Human Rights Watch documented numerous cases of excessive use of force, arbitrary arrests, and inhumane treatment of detainees.

One of the most high-profile political detentions occurred on February 18, 2014, when opposition leader Leopoldo López, founder of the Popular Will (Voluntad Popular) party, was arrested and charged with inciting violence during the protests. He was sentenced to nearly 14 years in prison in a trial widely condemned as politically motivated. His arrest set a precedent for the Venezuelan government's strategy of targeting opposition figures through judicial persecution, known as "lawfare" (legal warfare).

By the end of 2014, Venezuelan authorities had arrested more than 3,300 protesters, many of whom faced accusations of terrorism, treason, and conspiracy. Reports emerged of detainees being tortured, including beatings, electric shocks, and sexual violence. This period entrenched fear among opposition groups and set the tone for future government repression.

2017: The Erosion of Democratic Institutions and Mass Arrests -

In March 2017, the Venezuelan Supreme Court, which was loyal to Maduro, attempted to dissolve the opposition-controlled National Assembly, sparking mass protests across the country. The government responded with a brutal crackdown, arresting thousands of demonstrators, activists, and journalists under charges of rebellion and terrorism.

A turning point came on July 30, 2017, when Maduro's government bypassed the National Assembly and established a Constituent Assembly with sweeping powers to rewrite the constitution. The move, widely criticized as unconstitutional, effectively eliminated legislative checks on Maduro's power and gave the government full control over the judiciary, military, and electoral system.

During this period, the United Nations Office of the High Commissioner for Human Rights (OHCHR) released reports detailing severe human rights abuses, including extrajudicial killings, enforced disappearances, and torture of political prisoners. Many detainees were held in El Helicoide, a notorious intelligence facility where reports of waterboarding, beatings, and prolonged solitary confinement surfaced. The establishment of the Constituent Assembly further polarized the country and gave the government unchecked power to suppress dissent.

2018–2019: International Recognition of Human Rights Abuses -

By 2018, the political crisis had deepened, with the government using political detentions as a tool of repression. One notable case was the arrest of opposition lawmaker Juan Requesens on August 7, 2018, after he was accused of plotting a drone attack against President Maduro. He was held incommunicado for months, with reports of forced confessions and torture emerging. His case became emblematic of the government's strategy to criminalize opposition figures without due process.

In January 2019, opposition leader Juan Guaidó declared himself interim president, challenging Maduro's legitimacy. This sparked a new wave of mass protests, which were once again met with severe repression. Security

forces detained more than 900 protesters in a single week in January 2019 alone, making it one of the largest crackdowns in Venezuela's history.

The International Criminal Court (ICC) began preliminary investigations into human rights violations in Venezuela in 2018, and by 2019, international pressure mounted, with the Organization of American States (OAS), the European Union, and the United Nations condemning political detentions and state-led violence.

2020 Elections: Further Consolidation of Power and Crackdown on Opposition -

The December 2020 parliamentary elections were widely denounced as fraudulent, with opposition leaders barred from participating, intimidated, or imprisoned. The elections resulted in Maduro's party securing control over all branches of government, effectively eliminating the opposition's role in policymaking.

During this period, the number of political prisoners surged, with activists, journalists, and even ordinary citizens being detained for criticizing the government. The Venezuelan human rights organization Foro Penal estimated that by 2020, there were more than 350 political prisoners, many of whom were subjected to torture, enforced disappearances, and inhumane conditions in detention centers.

2021–Present: International Legal Action and Continued Repression -

In November 2021, the International Criminal Court (ICC) formally opened an investigation into crimes against humanity in Venezuela, marking the first time the ICC pursued legal action against a Latin American government. The investigation focused on arbitrary detentions, torture, and extrajudicial killings committed by Venezuelan security forces.

Meanwhile, the Venezuelan government continued to target human rights activists and NGOs. On July 2, 2021, members of Fundaredes, a prominent human rights organization, were arrested and accused of terrorism and inciting hatred after exposing abuses committed by armed groups in Venezuela. Their detention demonstrated the government's willingness to silence not only political opponents but also independent organizations working to document human rights violations.

As of 2024, international human rights organizations continue to monitor and report on political detentions in Venezuela, while the government denies allegations of abuse and refuses to cooperate with

international investigations. Despite growing international pressure, arbitrary arrests, forced disappearances, and judicial persecution remain widespread, further entrenching Venezuela's status as an authoritarian regime.

Key Issues

Systematic Use of Arbitrary Detention -

Since 2014, arbitrary detention has been a cornerstone of the government's strategy to suppress opposition. Thousands of individuals have been detained without due process. According to the 2024 UN Fact-Finding Mission, detainees often endure torture, including beatings, electric shocks, and sexual violence, to extract confessions or intimidate others. This practice violates multiple international conventions, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

Lack of Judicial Independence -

The Venezuelan judiciary has been co-opted to serve the interests of the Maduro administration. Judges face pressure to issue rulings favorable to the government, undermining the rule of law. The US Department of State's 2023 report highlighted cases where judges expedited trials to convict opposition leaders or delayed proceedings indefinitely to prolong detention. This lack of independence erodes public trust in legal institutions and perpetuates the cycle of repression.

Targeting of Human Rights Defenders and Journalists -

Human rights defenders, journalists, and NGO workers are frequent targets of political detention. They are often accused of terrorism or espionage, charges that are rarely substantiated. Amnesty International's reports document numerous cases where activists faced harassment, arbitrary arrests, and even exile. The repression of independent media and civil society stifles dissent and restricts access to unbiased information.

Inhumane Conditions of Detention -

Detainees are often held in overcrowded facilities with inadequate access to food, water, and medical care. Reports from the OHCHR indicate that these conditions amount to cruel, inhuman, and degrading treatment, violating international norms. Such practices not only harm individuals but also serve as a deterrent to potential dissenters.

Major Parties Involved and Their Views

United Nations Human Rights Council (UNHRC) -

The UNHRC is a global body that investigates human rights violations and provides recommendations. It has issued multiple reports condemning the Venezuelan government's use of torture, arbitrary detention, and suppression of political opposition. The council also supports calls for international accountability mechanisms.

Inter-American Commission on Human Rights -

The IACHR is an autonomous body of the Organization of American States (OAS) that monitors human rights in the Americas. It has denounced the Venezuelan government's persecution of political activists and journalists. The IACHR also provides protective measures for victims of state violence.

Non-Governmental Organizations (Amnesty International, Human Rights Watch, etc.) -

International NGOs document human rights abuses and advocate for political prisoners in Venezuela. Amnesty International has published reports on the government's use of torture, while Human Rights Watch has highlighted violations of free speech and fair trials. These organizations also call for sanctions and international pressure against the Venezuelan government.

Bolivarian National Intelligence Service (SEBIN) -

SEBIN is Venezuela's intelligence agency, often accused of conducting politically motivated arrests and surveillance. It operates detention centers like El Helicoide, where many political prisoners report being tortured. SEBIN officers have been sanctioned by foreign governments for human rights abuses.

Colectivos -

Colectivos are pro-government civilian groups that act as paramilitary forces, often intimidating opposition members and protesters. They operate with the government's support and are accused of attacking journalists and activists. Their role in political repression has been widely condemned by human rights organizations.

United States of America -

The United States plays a significant role in the issue of political detentions in Venezuela due to its strong opposition to the government of Nicolás Maduro. The U.S. government has repeatedly condemned human rights abuses, including the arbitrary detention of political opponents, journalists, and activists. In response, the U.S. has imposed sanctions on Venezuelan officials, including members of the judiciary, military, and intelligence services accused of orchestrating political arrests. The U.S. has also provided asylum to Venezuelan political exiles and has

supported international efforts to hold the Maduro government accountable, such as through resolutions in the United Nations and the Organization of American States (OAS). However, the Venezuelan government accuses the U.S. of interfering in its internal affairs and claims that opposition figures are working with foreign governments to destabilize the country.

Colombia -

Colombia is another key country in this issue due to its geographic proximity and its role in hosting thousands of Venezuelan political refugees and exiles. Many opposition leaders, human rights activists, and journalists who have fled political persecution in Venezuela have sought asylum in Colombia. Additionally, the Colombian government has been a vocal critic of Maduro’s human rights violations and has supported international legal actions against Venezuela, including appeals to the International Criminal Court (ICC) for investigations into crimes against humanity. The relationship between the two countries has been tense, with Venezuela accusing Colombia of harboring opposition forces and planning regime-change operations. Despite occasional diplomatic efforts to ease tensions, the issue of political detentions remains a major point of conflict between the two nations.

Venezuela -

Venezuela is at the center of the issue, as the government of Nicolás Maduro has been widely accused of using political detentions to suppress opposition. The government arrests political activists, journalists, and opposition leaders under charges like conspiracy, treason, or inciting violence, often without evidence or fair trials. Institutions such as the Bolivarian National Intelligence Service (SEBIN) and the National Bolivarian Guard (GNB) have been linked to arbitrary detentions, torture, and enforced disappearances of political prisoners. The Maduro administration denies these accusations, claiming that those detained are criminals or terrorists attempting to destabilize the country. International organizations, including the United Nations Human Rights Council (UNHRC) and the International Criminal Court (ICC), have investigated these human rights violations, but the Venezuelan government largely rejects their findings, calling them foreign interference.

Timeline of Relevant Resolutions, Treaties and Events

| Date | Event |
|-------------------|--|
| February 12, 2014 | Venezuelan security forces and pro-government groups violently repressed protests against President Nicolás Maduro. Opposition leader Leopoldo López was arrested and sentenced to nearly 14 years in prison on charges of inciting violence, marking one of the most high-profile political detentions. |
| March 29, 2017 | Venezuela’s Supreme Court, which is controlled by Maduro’s allies, attempted to |

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| | strip the opposition-led National Assembly of its power. This decision led to mass protests, during which hundreds of political activists and opposition leaders were arbitrarily detained. |
| August 7, 2018 | Opposition lawmaker Juan Requesens was arrested and accused of plotting a drone attack against President Maduro. His arrest was widely condemned as politically motivated, and reports surfaced of him being tortured in detention. |
| July 4, 2019 | The United Nations Office of the High Commissioner for Human Rights (OHCHR) released a report detailing torture, enforced disappearances, and arbitrary detentions in Venezuela. The report, led by Michelle Bachelet, stated that Venezuelan security forces were systematically violating human rights, particularly against political prisoners. |
| July 2, 2021 | Three members of the Venezuelan human rights organization Fundaredes, including its director Javier Tarazona, were arbitrarily arrested by Venezuelan authorities. They were accused of terrorism and inciting hatred after exposing human rights abuses committed by armed groups operating in Venezuela. |
| November 3, 2021 | The International Criminal Court (ICC) announced an official investigation into crimes against humanity in Venezuela, including arbitrary detentions, torture, and persecution of political opponents. This was the first time the ICC opened a case against a Latin American country's sitting government. |

Evaluation of Previous Attempts to Resolve the Issue

Resolution 42/25 (2019) -

In response to widespread reports of human rights violations, the UNHRC established the Independent International Fact-Finding Mission on Venezuela. This mission was tasked with investigating the alleged human rights abuses in Venezuela, including arbitrary detentions, torture, and extrajudicial killings. The resolution authorized the collection of evidence, which would then be used in future international legal proceedings, including potential trials before the International Criminal Court (ICC).

The mission's findings, released periodically, have confirmed systematic violations, painting a grim picture of state-led repression in Venezuela. However, despite this, the Venezuelan government has persistently rejected the mission's conclusions, refusing to cooperate and instead labeling the process as a politically motivated attack. The Maduro regime has argued that the UNHRC's efforts are unjust and interfere with Venezuela's sovereignty. Consequently, this resistance has led to limited practical changes on the ground, as the government continues to engage in politically motivated detentions and other violations of civil liberties without facing significant consequences. Still, the UNHRC's work has raised international awareness and pressured the global community to take a stronger stance on the issue.

Preliminary Examination (2018) -

The ICC, an international court designed to prosecute individuals for crimes such as genocide, war crimes, and crimes against humanity, initiated a preliminary examination of the situation in Venezuela in 2018. This examination focused specifically on crimes against humanity, which included arbitrary detentions, torture, and extrajudicial killings perpetrated by Venezuelan security forces, particularly in response to anti-government protests.

In 2021, after significant international pressure and increasing evidence of systemic human rights violations, the ICC opened a full investigation into these abuses. The investigation aimed to gather sufficient evidence to bring charges against Venezuelan officials, including President Nicolás Maduro, for their role in perpetuating these violations. While this development represents a crucial step toward holding perpetrators accountable, the Venezuelan government has refused to cooperate, hindering the ICC's ability to conduct a thorough investigation. This lack of cooperation, along with the Venezuelan government's continuous denial of the accusations, has prevented meaningful legal action thus far. However, the investigation has provided valuable documentation of abuses, which could be used in future legal proceedings if there is a change in political dynamics.

Executive Orders (2015–2020) -

The U.S. government, under both President Barack Obama and Donald Trump, imposed a series of economic sanctions on Venezuela, targeting high-ranking Venezuelan officials, military figures, and government-linked businesses. These sanctions were aimed at individuals accused of human rights abuses, corruption, and undermining democratic processes. The sanctions included asset freezes, travel bans, and restrictions on business dealings with Venezuelan state-owned companies.

These sanctions have had a significant impact on the Venezuelan economy, which was already in freefall due to inflation, a collapse in oil prices, and governmental mismanagement. While the sanctions have succeeded in economically isolating the Maduro regime, they have also exacerbated the suffering of ordinary Venezuelans. With the country's economy deteriorating further, the sanctions have contributed to an increase in poverty, food scarcity, and medical shortages. This, in turn, has spurred more migration, with millions of Venezuelans fleeing the country to escape the dire conditions. While the sanctions have raised international awareness and served as a diplomatic tool to pressure Maduro, they have also made it harder to engage in constructive dialogue, and critics argue that they may have inadvertently worsened the human rights situation by undermining the economic stability of the entire population.

Council Decision (2017) -

The European Union imposed sanctions on Venezuelan officials starting in 2017, shortly after the Constituent Assembly was created. These measures targeted individuals responsible for violating human rights, suppressing opposition, and undermining democratic processes. Similar to the U.S. sanctions, the EU sanctions included travel bans and asset freezes. The EU also blocked trade agreements with Venezuela as part of their efforts to pressure the government into respecting human rights and engaging in a political dialogue with the opposition.

While these sanctions helped to isolate the Maduro government diplomatically, they also exacerbated the country's already precarious economic situation. Critics of the sanctions argue that they hurt the Venezuelan population as much as the government, if not more. Food shortages, hyperinflation, and the collapse of public services worsened, disproportionately affecting ordinary Venezuelans. On the other hand, the sanctions served to isolate the regime internationally, making it more difficult for Venezuela to maintain economic and diplomatic relationships, thus limiting its ability to secure international aid or loans. Though the EU's approach has been instrumental in maintaining pressure on Venezuela, its ability to change government behavior has been limited by the regime's defiance and lack of dialogue with international stakeholders.

Resolution 1080 (2019) -

The Organization of American States (OAS), a regional body that promotes political and economic cooperation across the Americas, has been deeply involved in addressing Venezuela's crisis. In 2019, the OAS passed Resolution 1080, which called for the restoration of democracy in Venezuela and for Venezuela's leadership to respect human rights and the rule of law. The resolution urged member states to take collective action, ranging from sanctions to diplomatic pressure, to address Venezuela's crisis.

However, the OAS has faced significant political divisions, particularly with Venezuela's allies, such as Bolivia and Nicaragua, who oppose the resolution. The government of Venezuela, led by Nicolás Maduro, has refused to recognize the legitimacy of the OAS, arguing that the organization is used as a tool of U.S. interventionism. The OAS has thus struggled to implement its recommendations due to a lack of consensus among member states and Venezuela's defiance. The OAS has not been able to take effective steps to reverse the political and human rights situation on the ground, and the Maduro government remains in power despite international condemnation. Nonetheless, the OAS' actions have been instrumental in drawing attention to the crisis and fostering international discussions on possible interventions.

Possible Solutions

Targeted Sanctions with Humanitarian Exemptions -

Sanctions remain a key tool for pressuring the Venezuelan government, but they must be designed to minimize harm to civilians. Clear humanitarian exemptions should be established to ensure uninterrupted access to food, medicine, and essential aid. These exemptions must be well-defined and effectively communicated to humanitarian organizations and financial institutions to prevent unnecessary disruptions. Additionally, a structured monitoring framework should be implemented, involving independent bodies such as UN agencies and humanitarian organizations, to assess the impact of sanctions and make adjustments as needed. Coordination with international partners is also essential to prevent circumvention by government officials while ensuring financial channels for humanitarian aid remain open. By maintaining a balance between economic pressure and humanitarian considerations, sanctions can remain an effective tool while safeguarding the well-being of the civilian population.

Strengthening Accountability and International Monitoring Mechanisms -

Ensuring accountability for human rights abuses in Venezuela requires a multifaceted approach that combines international legal action, domestic judicial reforms, and ongoing monitoring. Encouraging states to refer cases to the International Criminal Court (ICC) is a crucial step in holding perpetrators of crimes against humanity accountable. The ICC's involvement can serve as both a legal and symbolic deterrent, signaling that impunity will not be tolerated. Additionally, strengthening efforts to document human rights violations—through NGOs, independent investigators, and regional human rights bodies—can provide critical evidence for future prosecutions and historical records.

Beyond the ICC, establishing regional tribunals or truth commissions could serve as alternative avenues for justice, particularly in addressing mass human rights violations. These mechanisms can help bridge gaps in accountability when domestic courts are unwilling or unable to prosecute crimes. Truth commissions, in particular, can play a vital role in acknowledging victims' experiences, promoting reconciliation, and recommending institutional reforms to prevent future abuses. Furthermore, investing in domestic judicial capacity-building programs can empower Venezuela's legal institutions to uphold the rule of law independently, reducing long-term reliance on international mechanisms.

However, its success would depend on securing cooperation from regional organizations and member states to negotiate access and ensure impartiality. The involvement of institutions such as the Organization of American States (OAS) and the Inter-American Commission on Human Rights (IACHR) could enhance the credibility and effectiveness of monitoring efforts.

Strengthening Support for Civil Society -

A well-supported civil society is crucial for documenting human rights abuses and advocating for justice in Venezuela. International donors and organizations should increase funding to Venezuelan NGOs, enabling them to expand their capacity for monitoring violations, providing legal aid, and influencing policy. Beyond financial support, capacity-building programs on investigative journalism, legal documentation, and digital security can strengthen their effectiveness.

Establishing secure channels for reporting abuses, such as encrypted digital platforms and independent mechanisms through bodies like the UN and IACHR, is essential for protecting whistleblowers and victims. Additionally, international protection measures—including emergency visas, relocation programs, and legal assistance—should be expanded to safeguard human rights defenders from persecution. Diplomatic pressure on the Venezuelan government to respect civil society’s role is also necessary. Strengthening these efforts will empower Venezuelan organizations to continue their work, ensuring accountability and long-term democratic resilience.

Promoting Inclusive and Enforceable Dialogue -

A renewed emphasis on dialogue should prioritize inclusivity, ensuring that all stakeholders, including marginalized groups, have a voice in negotiations. Regional organizations such as the Organization of American States (OAS) and the Caribbean Community (CARICOM) can play a key role in facilitating discussions, with international guarantees to uphold and enforce any agreements reached.

To build trust among parties, confidence-building measures should be implemented, including the release of political prisoners, the restoration of electoral rights, and protections for civil society actors. These steps can create a foundation for broader democratic reforms and a more sustainable resolution to Venezuela’s political crisis.

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Appendix or Appendices

- I. **United Nations Human Rights Office (OHCHR)**
Website: www.ohchr.org
- II. **Human Rights Watch (HRW)**
Website: www.hrw.org
- III. **Amnesty International**
Website: www.amnesty.org
- IV. **Inter-American Commission on Human Rights (IACHR)**
Website: www.oas.org/en/iachr
- V. **Venezuelan Penal Forum (Foro Penal)**
Website: www.foropenal.com
- VI. **The Center for Justice and International Law (CEJIL)**
Website: www.cejil.org
- VII. **The Carter Center**
Website: www.cartercenter.org
- VIII. **Freedom House**
Website: www.freedomhouse.org
- IX. **The International Crisis Group**
Website: www.crisisgroup.org