

## **Statement of the Venezuelan Network for the International Criminal Court (ICC)**

Mr. President, distinguished Representatives;

On behalf of the Venezuelan Network for the International Criminal Court (ICC), we urge the members of this honorable Assembly to integrate their support to the request presented on 27 September 2018 to the Prosecutor's Office of the ICC by six States Parties, in order to investigate the situation of Venezuela as of 12 February 2014 and to further progress in the process against those responsible for crimes against humanity that have occurred and are still occurring within the country.

In Venezuela, there is a State policy that has turned into a generalized or systematic attack against the dissident civil population. The country is experiencing a Complex Humanitarian Emergency that has led 5 million inhabitants to migrate forcibly, fleeing from hunger, disease and persecution. A large part of the civilian population is subject to starvation conditions. The action of claiming their rights or expressing their ideas on the street is considered a disloyal act to the revolution, and popular demonstrations are intentionally punished through disproportionate and non-differentiated use of force. At the beginning of the present year, 66 people have been killed in the context of demonstrations and 2,124 extrajudicial executions have taken place since then. From 2014 to the present, 15,045 people have been imprisoned for political reasons, 284 have been killed in the context of demonstrations, and over 8,200 have been extrajudicially executed.

There is no independence of the Judiciary that guarantees justice for the victims of these crimes and control policy is kept against the dissident civil population through murders, imprisonment, torture and other harmful actions. The entirety of the Judiciary system is submitted to this policy: judges are appointed and removed from their position without previous procedures, therefore, undermining the judicial career. The Prosecutor's Office criminalizes protests and judges second such position. The respect to the right to a natural judge is also disrespected, as civilians have been judged in military courts, which are unlawfully appointed by the Ministry of Defence. These problems have led the Inter American Commission on Human Rights and the UN High Commissioner for Human Rights to make a public statement against the existence of a Judiciary without guarantees of independence and impartiality.

The Venezuelan context shows the adequate conditions for the deepening and worsening of the crimes, such as the factual dissolution of the Legislative Power; the concentration of power in the Executive Branch; the politicization of the Armed Forces; the militarization of police forces and extensive institutional segments; alliances with armed civilians under civic-military actions, among other factors.

Finally, two facts that show the will of the de facto government of Nicolas Maduro to deepen the control state policy and the attack toward the “disloyal” or dissident civilian population must be highlighted.

First, the explicit support of Nicolas Maduro in a public event -broadcasted at a National level- to the FAES, an elite body of the Bolivarian National Police that was responsible for crimes that can be prosecuted before this Court, in spite of the recommendations expressed by the UN High Commissioner for Human Rights on the report dated 4 July this year. The document urged the dissolution of the FAES, investigation of their crimes and reparation to the victims. Second, the recent announcement of Nicolas Maduro in which 321,433 firearms are being handed to the members of the Bolivarian Militia, comprised of civilians that are part of the structure of the Armed Forces.

In December this year, the UN Human Rights Council decided to establish an International Independent Mission of Determination of Facts for Venezuela with the mandate of investigating the serious violations of human rights committed since 2014, in order to ensure the accountability of the authors.

The same way it happened with the situation in Myanmar, we hope the results of this mission are transmitted to the ICC and taken into consideration as part of probative evidence in the situation of Venezuela.

Due to the aforementioned reasons, it is necessary to highlight the crucial importance of moving forward the preliminary examination before the Prosecutor's Office of the ICC, currently in progress, toward the opening of an investigation on the situation in Venezuela. We Venezuelans believe in international justice, we believe in the ICC.

Thank you very much.

The Hague, December 2019