

Legal framework

Constitutional protections for freedom of religion or belief (FoRB) are limited by the condition that the practice of any religion may not violate 'public morality, decency, or public disorder'. In 2017 the Constitutional Law against Hatred, for Peaceful Coexistence, and Tolerance (usually referred to as the Law Against Hatred) was adopted. Although the government has claimed that the purpose of the law is to combat hate-crimes, terminology has been criticised as overly general or undefined and open to abuse targeting political dissidents.

Religious groups are required to register with Vice Minister of Religious and Cult Affairs, attached to the Ministry of Interior, Justice and Peace. The registration process requires that the petitioning group declare any property, identify the individuals involved in leadership, provide its articles of incorporation, demonstrate in what way they will provide social services to the community, and produce a letter of support from neighbourhood 'community councils' aligned with the government of President Nicolas Maduro.

Articles 209, 210 and 212 of the Criminal Code, modified in 2005, criminalise expression interpreted as critical of the government and Article 211 allows the state to interfere in the internal affairs of churches, limiting their autonomy and freedom to govern according to their own principles.

The Law on the Oversight, Regularization, Operation, and Financing of Non-Governmental Organizations and Non-Profit Social Organizations, enacted on 15 November 2024, has raised significant concerns regarding its impact on FoRB. The legislation imposes severe restrictions on civil society organisations, including religious groups, affecting their autonomy, freedom of expression, and ability to operate independently. Religious organisations are prohibited from engaging in political activities or receiving funding from foreign sources without government approval, restricting their ability to address social and humanitarian issues.

In 2024 the Venezuelan government passed the Simón Bolívar Law Against the Imperialist Blockade and in Defence of the Bolivarian Republic of Venezuela, imposing severe restrictions on freedom of expression, political participation, and access to information under the banner of national sovereignty. Some articles directly threaten FoRB, including Article 7 which prohibits 'collaboration' with foreign organisations and could criminalise legitimate communication between religious leaders and human rights groups, and Article 21 which threatens religious media and communities with fines, shutdowns, or the loss of licenses if they oppose the government.

Venezuela and the Vatican maintain a concordat from 1964 that provides state funding for Roman Catholic run schools. An agreement with the Roman Catholic Bishops' Conference (CEV) and the state allows the teaching of Roman Catholicism in public schools in preparation for First Communion, but this is implemented inconsistently. Roman Catholic chaplains in the military are guaranteed under the

law; other religious groups do not enjoy the same privilege. The Roman Catholic Church and other religious groups are not permitted to visit political prisoners.

Venezuela is a party to the International Covenant on Civil and Political Rights (ICCPR).

Context

Over the past quarter of a century, Venezuela has been governed under the two successive authoritarian regimes. Highly disputed elections took place in July 2024, with incumbent Nicolas Maduro claiming victory despite strong evidence that he lost by a huge margin. Rule of law and the right to a fair trial no longer exist in Venezuela. This has established a culture of impunity leading to increased fear and reluctance to report crimes to local justice mechanisms. Religious leaders who are threatened and intimidated by the authorities often prefer to remain silent or, in extreme cases, emigrate.

The government strategy to entrench its power, in the context of rampant corruption and a collapsing economy, have included steady attacks on independent civil society, including human rights defenders, pro-democracy groups and members of the political opposition, who are routinely targeted with harassment, violence, arbitrary detention, and in some cases enforced disappearance. The general situation for groups that have historically suffered discrimination has grown worse under consecutive authoritarian governments. Indigenous groups have suffered serious human rights violations including massacres and forced displacement at the hands of the regime. Fundamental human rights including freedom of assembly, freedom of expression and freedom of conscience, all of which overlap significantly with FoRB are systematically and often egregiously violated.

In 2020 the Inter-Religious Social Forum of Venezuela (IRSFV) was established, bringing together the Roman Catholic Episcopal Conference, the Evangelical Council of Venezuela, and smaller and more vulnerable minorities including the Jewish community (which has been subjected to anti-Semitic rhetoric, harassment and abuse in Venezuela). In response to the creation of the IRSFV, the government created the National Interreligious Council (NIC), comprised of religious groups who support President Maduro.

Government programmes have been set up to benefit pro-Maduro religious groups including the 'Good Pastor Bonus,' launched in June 2023, which offers financial incentives to pastors that support the government, and the 'My Well-Equipped Church' plan, by which the government provides equipment and funds solely to select Protestant pastors and their churches, discriminating against other religious groups. In March 2024, in a large scale event with Protestant leaders, Maduro announced that May would be designated the 'Month of the Christian Family', promised to streamline legal matters and the registration process overseen by the Ministry for Internal Relations, Justice and Peace, and said that an agreement had been reached with mayors and

governors that meant that state and municipal taxes on Protestant groups would be reduced.

Three months later, on 15 June, Maduro declared a 'Day of Repentance in Christ and Day of Hope' involving a public ceremony asking God to forgive sin in general terms, and in January 2025 Maduro declared that an annual 'National March for Jesus Day' created and led by Protestant Christian groups would subsequently be held on the first Saturday of August.¹ The same month, Maduro signed an agreement with the Ministry for Penitentiary Services, allowing Protestant Christian pastors to carry out evangelisation campaigns in the nation's prisons. There have been reports that some prisoners have been forced to participate in Protestant Christian activities, with those who refuse threatened with punishment.

Maduro's government has also attempted to coopt Roman Catholic priests, at least at the local level, despite long running government campaigns targeting Roman Catholic leadership, the non-renewal of residence permits to religious personnel, and the promotion of a prayer 'Our Chávez' (replacing the 'Our Father' of the Christian Lord's Prayer) in the early years of Maduro's leadership. This co-optation attempt includes programmes such as 'Beautiful Venezuela Mission,' through which, as of October 2024, more than 52% of Roman Catholic churches and 3,565 Protestant churches have been remodelled.

The government has also strengthened or developed links with other religious groups, including those with Afro-Venezuelan roots such as the Federación Venezolana de Religiones Ancestrales Aganju Sola y Yanza and the Consejo Nacional Espiritista de Venezuela. Both organisations belong to the NIC created by Maduro, and high-ranking government figures, including Maduro, have appeared at or participated in religious ceremonies organised by the two groups.

Freedom of religion or belief

Religious leaders from all groups, including those who benefit from government programs and other forms of preferential treatment, are under constant surveillance. Government informants in congregations are common. There is a constant threat of possible violence, arbitrary detention, or the loss of specific rights. Religious leaders who say the 'wrong' thing, as interpreted by the government, are treated as traitors and sometimes attacked by the illegal armed groups supported by the regime.

Bolivarian National Intelligence Service (SEBIN) officers harass and threaten religious leaders viewed as unsupportive of the Maduro government. This strongly discourages pastors from preaching or speaking, even in informal meetings, on topics that could be sensitive for the government. Freedom of expression concerns extend beyond religious groups to associated media outlets. In October 2022 four

local Protestant Christian radio stations were shut down by the National Telecommunications Commission (Conatel) without any explanation or prior notice.²

Over the past two decades, Roman Catholic leaders have pointedly criticised the government, calling for rights to be respected and commenting on the humanitarian situation. In return, Roman Catholic leaders, including lay leaders, have been harassed and subjected to intimidation tactics. This includes verbal and physical attacks, threats of arrest, and in some cases arbitrary detention. In August 2024 Father Elvis Cabarcas from the Diocese of Machiques (Zulia) was arbitrarily detained by the Bolivarian National Guard while praying the rosary in a chapel during an opposition protest. He was taken away in a truck towed by the military to Detachment 114 and released hours later. In September 2024 the regime lashed out at the CEV after the bishops criticised the government for politicising the celebration of Christmas by moving festivities to 1 October. Diosdado Cabello, the regime's second-in-command, called the bishops a 'band of terrorists' in a TV broadcast. Two months later, Bishop Mario del Valle Moronta Rodríguez was declared persona non grata at military facilities and was banned from celebrating Mass and confirmations in military barracks after he spoke in defence of unjustly imprisoned young people during a homily.

Protestant denominations have been divided, as is typical in much of Latin America, and the government has played on those divisions. The Evangelical Christian Movement for Venezuela (MOCEV) and the National Religious Council publicly support the Maduro regime and receive preferential treatment in return. Protestant groups outside of the favoured circle, including the Evangelical Council of Venezuela (part of the UN-accredited World Evangelical Alliance) have been subject to intimidation and pressure tactics and have experienced discriminatory treatment and direct attacks on their leaders.

One long running case is that of Reverend Nelson Sevilla and the New Covenant Christian Orientation Centre Church in the Venezuelan capital of Caracas. On 12 August 2006 the local government confiscated land belonging to the church. In 2008, after the intervention of new mayor and a legal battle, Pastor Sevilla (who is also a member of the political opposition), was able to recover the property. However, on 6 November 2010 then President Chavez issued a decree ordering the confiscation of the theatre in which approximately 400 church members would regularly meet, and out of which 500 meals every day were provided to unhoused people. After confiscation, the building was put in the hands of then vice-president Maduro and later became the headquarters of a privately owned production and recording company. The church never received any compensation for the loss of their meeting place and Pastor

1 Several of the Protestant organisations involved withdrew from the initiative after the government endorsement.

2 Monitoreamos, 'Reports that Conatel ordered the closure of four Christian radio stations in Cabimas, Zulia', 13 October 2022 (Spanish) <https://monitoreamos.com/venezuela/denuncian-que-conatel-ordeno-cierre-de-cuatro-emisoras-cristianas-en-cabimas-zulia>

Sevilla's pleas to the government to return the church's place of worship have been met with silence.

In June 2024 Pastor Gricelia Josefina Solórzano Malpica was arrested and charged with terrorism, as well as embezzlement and conspiracy. Pastor Solórzano Malpica was previously an administrator in Apure's Legislative Council. She was transferred over 400km away from her home to a prison in Caracas, isolating her from her family and church, to pressure her into providing information on other government targets.

Government officials also have a history of antisemitic statements which have led to increased social hostility targeting members of the Jewish community. This has, in part, contributed to the departure of a significant proportion of the Jewish population, which has dropped from 25,000 in the 1990s to around 6,000 today. Declarations by government officials targeting religious groups or their leaders are also often mirrored in the government allied press. In 2020 and 2021 Maduro allied media published conspiracy theories linking 'Zionists' to COVID-19 as part of an alleged plot to bring down the government.

The provision of humanitarian aid and social programs by religious groups has been a particular flashpoint over the years and the government has increasingly attempted to restrict religious groups from providing aid, in some cases using violence to prevent them from doing so. In August 2021 religious groups were blocked from distributing aid to populations affected by flooding. Religious leaders told CSW that members of their congregations involved in social outreach programs or humanitarian work led by their religious groups are regularly followed and harassed by SEBIN officers, and some have reported being photographed in their homes. Religious organisations operate under serious administrative and judicial restrictions, such as revoked permits and heavy fines, limiting their operations. Religious leaders have been subjected to persecution, including threats, arbitrary arrests, and violence aimed at silencing dissent and block human rights reporting. Repression intensifies during elections, with the UN noting that the government's repressive machinery remains a constant threat.³

Illegal armed and criminal groups

The sacred sites of indigenous peoples, primarily in the Pemón, Warao and Yekuana communities located in the mining arc of Venezuela, and which play a central role in the communities' knowledge, beliefs and their relationship with nature, have come under threat from illegal mining. On 1 January 2024 Josiah Asa K'Okal,⁴ a Roman Catholic priest with the Missionaries of the Consolata since 1997, disappeared after leaving his home in Tucupita where he

worked with the Warao people. He had left home by bicycle that morning to carry out visits to individuals in his parish. His body was recovered the following day, hanging from a tree. While the authorities were quick to label the death of the priest, a well-known indigenous and human rights defender, a suicide, many of those close to him have unsuccessfully called for an independent investigation and autopsy, noting that in speaking out against the mass sterilisation of indigenous women and organised human trafficking of Warao women and children he had made powerful enemies.

The spread of historically Colombian illegal armed groups into Venezuela - including right-wing paramilitary groups and left-wing guerrilla groups - has taken place for decades, but in recent years has grown considerably worse with the Maduro government, who has provided a safe haven and support to the National Liberation Army (ELN) a left-wing guerrilla group. In some areas along the border with Colombia where the ELN and break-away factions from the Revolutionary Armed Forces of Colombia (FARC)⁵ continue to operate, Protestant leaders report that the groups have placed a ban on the construction of churches and prohibitions on meeting in private homes for religious purposes. Religious groups in these areas are not permitted to appoint leaders or pastors from outside the immediate community, and in many cases they are not allowed to receive visits from co-religionists from other areas. Religious leaders are expected to turn over a proportion of donations given by members of the religious group to the illegal or criminal armed groups. Religious leaders who refuse to cooperate or who simply try to remain neutral often receive threats to them or members of their family, and many have been forcibly displaced as a result.

Recommendations

To the government of Venezuela:

- Amend provisions for freedom of religion or belief and freedom of conscience in the constitution, and bring civil, administrative and penal law and regulations into line with both international law and the San José Pact.
- Reform the registration process to ensure that it is fair and transparent, including the elimination of an endorsement from neighbourhood councils and requirement for the provision of overly intrusive information.
- Guarantee freedom for religious leaders to carry out their work without harassment, threats or government pressure targeting them or their families and allow all religious groups to engage in social work and to hold peaceful public events free from interference and intimidation.

3 Comité des Familiares de Víctimas de los Sucesos (COFAVIC), 'Report on religious freedom 2001-2023', 13 May 2024 (Spanish) https://cofavic.org/cofavic_informe-sobre-libertad-religiosa-2001-2023/

4 Father K'Okal was originally from Kenya but eventually obtained Venezuelan citizenship.

5 FARC signed a peace agreement with the Colombian government in 2016, however, the group was not united behind the pact, leading to the splintering off of dissident groups which remain active.

- End the targeting of human rights defenders, including FoRB defenders, and their families by harassment, threats and imprisonment.
- Issue a standing invitation to all UN Special Procedures, ensuring they have unhindered access to all areas of the country and ensure that members of civil society, including religion or belief communities, can freely meet with these independent experts without reprisal.

To the United Nations and Member States:

- Urge Venezuela to guarantee the right to freedom of religion or belief for all in law and in practice, including for indigenous groups, in line with the International Covenant on Civil and Political Rights (ICCPR) to which the State is party.
- Urge the OHCHR and all relevant UN mechanisms, including the Special Procedures and Treaty Bodies, to include the right to FoRB in their reporting on Venezuela, addressing the specific vulnerabilities and violations faced by religion or belief communities, indigenous groups, and those seeking to defend them.
- Ensure that members of independent civil society can freely meet with UN experts and participate in UN meetings without fear of reprisal.
- Continue to support the UN Fact-Finding Mission on Venezuela, ensuring that it is fully resourced to fulfil its mandate.
- Urge the government of Venezuela, at every appropriate opportunity, to make the reforms highlighted in the recommendation section above 'To the government of Venezuela'.

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