

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 The Directorate of Justice and Religion (DJR) which operates out of the Ministry of Interior, Justice, and Peace. The registration process requires that the petitioning group declare any property, identify religious authorities working, 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 regime of President Nicolas Maduro.

Venezuela and the Vatican maintain a concordat from 1964, that provides state funding for Roman Catholic run schools. An agreement with the Roman Catholic Episcopal Conference 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.

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

Freedom of religion or belief

Over the past quarter of a century, Venezuela has been governed under the two consecutive authoritarian regimes of presidents Hugo Chavez (1999-2013) and Nicolas Maduro (2013-present). Highly disputed elections took place in July 2024, with Maduro claiming victory despite strong evidence that he lost by a huge margin. The government’s tactics to consolidate its position, 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 for 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.

Rule of law and the right to a fair trial no longer exists in Venezuela. In a sample of 183 cases that could constitute crimes against humanity, the Independent International Expert Panel of the Organization of American States (OAS), found that only 12 trials were conducted.¹ In 52.5% of these cases, the State initiated no judicial process at all. 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 prefer to remain silent or, in extreme cases, emigrate.

There is a diverse and complex religious demographic in Venezuela. Numbers differ depending on the source, but a 2011 poll found that the population predominantly identifies as Christian, divided between Roman Catholics at around 71%; Protestant groups at about 17%; and around 8% identifying with no religion. Jews, Muslims, Bahai’s, Jehovah’s Witnesses and The Church of Jesus Christ of the Latter-Day Saints are also present. There is some crossover between racial or ethnic minorities and religion with many indigenous groups adhering to beliefs based in pre-Columbian religions or a mix of Christianity and pre-Columbian beliefs. Religious beliefs rooted in West Africa, generally referred to as Santeria, are also present, often in a syncretistic form overlapping with Roman Catholicism and/or with local folk religions. 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.

The governments of Chavez and Maduro have publicly claimed to uphold FoRB but have followed the Cuban model of cultivating relationships with some religious groups which publicly support the regime in return for preferential treatment. 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 supportive pastors, 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 May this year, Maduro announced the inclusion of 20,000 new pastors who would receive 495 bolivars monthly, equivalent to 14 US dollars, a not insignificant amount in extremely impoverished areas. On 15 June 2024, Maduro declared a “Day of Repentance in Christ and Day of Hope” involving a public ceremony asking God to forgive sin in general terms. The Maduro government has also been working to soften the relationship with the Roman Catholic Church, at least at the local level, working to gain the favour of parish priests. After long running government smear

¹ Comisión Interamericana de Derechos Humanos, ‘Venezuela debe combatir la impunidad por graves violaciones de derechos humanos’, 20 May 2024 <https://www.oas.org/es/cidh/jsForm/?File=/es/cidh/prensa/comunicados/2024/107.asp>

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.

More recently he launched programs such as 'Beautiful Venezuela Mission,' through which, as of February 2024, about 29,650 Roman Catholic and Protestant churches have been remodelled. Under Maduro the government has also strengthened or developed links with some other religious groups, including those with Afro-Venezuelan roots including the Federación Venezolana de Religiones Ancestrales Aganju Sola y Yanza and the Consejo Nacional Espiritista de Venezuela. Both organizations belong to the NIC created by Maduro and high-ranking government figures, including Maduro, have appeared at or participated in religious ceremonies organized by the two groups.

Religious groups have responded in different ways to the authoritarian regime. Independent religious groups in Venezuela are viewed with suspicion by a government that seeks to co-opt or counter their influence on the population. The Roman Catholic Church hierarchy, especially, has in many cases pointedly criticized 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 subject to intimidation tactics. This includes verbal and physical attacks, threats of arrest, and in some cases arbitrary detention. 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 in return for preferential treatment. 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 some, partly due to fear, have been less outspoken than some of their Roman Catholic counterparts.

Protestant groups not allied with the government experience 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 under the pretext that the property would be used to develop projects to support the unhoused population. The projects never materialized. 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 for the community. However, on 6 November 2010, then President Chavez issued a decree ordering the confiscation of the theatre – a building 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 Sevilla's pleas to the government to return the church's place of worship have been met with silence.

All religious leaders 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 who are viewed as unsupportive of the Maduro government. According to one religious leader, who spoke on condition of anonymity:

Over the past year I have received anonymous threats over the phone and at my front door. I have faced extensive surveillance, but up until now everything has just been intimidation: there have been a few exceptions, the church's pick-up truck was stolen, one of the church leader's homes was burgled, and my assistant was physically abused. In each of these cases, every time something happened to a member of my team, they sent messages to me claiming responsibility. They have never done anything to me, no one has put me in prison, but they always send messages telling me where I am, where my wife is, and what I am doing... it is clear that there are state security entities, at least at the regional level, involved in this.

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

Government figures regularly use inflammatory language publicly targeting religious leaders. In 2021 President Maduro called Roman Catholic bishops 'devils in cassocks' while his close ally, former Speaker of the Venezuelan National Assembly, Diosdado Cabello, declared that the Roman Catholic Church in Venezuela is a 'political party'. 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

2 Monitoreamos, 'Denuncian que Conatel ordenó cierre de cuatro emisoras cristianas en Cabimas, Zulia', 13 October 2022 <https://monitoreamos.com/venezuela/denuncian-que-conatel-ordeno-cierre-de-cuatro-emisoras-cristianas-en-cabimas-zulia>

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 in a supposed plot to bring down the Maduro government. These types of declarations in government-allied media are interpreted by religious leaders as labeling them and their communities as enemies of the Maduro regime and in effect giving a green light to proxies, including criminal groups, to target them.

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. One religious leader told CSW:

Those who offer forms of humanitarian aid are seen as a rival to the government in this regard. Religious organizations generally help people by providing food or medicine without discrimination and not in order to promote a political agenda... The government intends to be seen as the only benefactor and as an entity on which the population is dependent, so that they can gain political favor through votes or through support for the government's political acts. When a religious organization like a church starts something which the government sees as some form of competition, they hinder it. This can involve sending criminal groups or their own organized gangs against religious leaders, the expropriation of certain spaces, the expulsion of the church or ministry from the place they operate, or any other type of harassment.

Illegal armed and criminal groups

The encroachment of historically Colombian illegal armed groups into Venezuela - including right-wing paramilitary groups and left-wing guerrilla groups (the ELN and dissident FARC-EP groups, in particular) - has gone on for decades, but in recent years has grown considerably worse. The Maduro government has, particularly in recent years, given support to the ELN. In states where levels of organized crime are high and/or where there is a significant presence of illegal armed groups, the number and severity of FoRB violations is high. Criminal and illegal armed groups often view religious groups as threats to their influence or authority. In some areas along the border with Colombia where the ELN and break-away FARC factions continue to operate, Protestant leaders have reported that the groups have placed a ban on the construction of churches and prohibit members of the population from meeting in private homes for religious purposes (e.g. prayer groups or Bible studies). Religious

leaders are expected to turn over a proportion of donations given by members of the religious group to the armed groups. Religious groups in these areas are not permitted to appoint leaders, pastors, for example from outside the immediate community and in many cases, they are not even allowed to receive visits from co-religionists from other areas. 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.

Religious leaders have also told CSW that criminal groups engage in similar behaviors to that of the Colombian illegal armed groups. In February 2021, Restoration House, a church-led drug rehabilitation center in Merida, was attacked by armed men. Four male residents of Restoration House were beaten and tortured with crosses carved into their backs. The armed men also tore out pages of the men's Bibles and forced them to eat them. The religious elements of the attack led religious leaders to conclude that the organization had been targeted because of their faith, and in order to negatively impact the church's membership and income. Because of the severity of the attack as well as the willingness of the victims and religious leaders to speak publicly about what had happened, the case received significant attention in the national and international media. Despite this, no one was arrested for the crime. In most cases involving threats or attacks on religious organizations or leaders, the victims do not go public due to fear of even more severe repercussions.

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, and 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.
- 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 government of the United Kingdom:

- Advocate for amendments to Venezuela's constitution and legal frameworks to strengthen freedom of religion and belief, ensuring compliance with international obligations.
- Urge Venezuela to stop state-backed harassment and surveillance of religious leaders and ensure their freedom to operate independently.
- Advocate for protections for vulnerable religious communities, particularly minority groups like Jews, Protestants, and indigenous populations.
- Call for an end to the detention and harassment of religious and human rights defenders, ensuring their freedom to provide humanitarian aid.
- Support international efforts to stop illegal armed groups from controlling religious communities and exerting pressure on religious leaders, especially along the border regions.

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