

## Human Rights Foundation

# FULL REPORT: Yon Goicoechea

## Dissident Student Leader Persecuted for Peaceful Protest Organization

November 20, 2007

Yon Goicoechea Lara is a 23-year-old Venezuelan law student at the Andres Bello Catholic University (UCAB).<sup>1</sup>

Goicoechea has demonstrated a commitment for public service and volunteers with several organizations: one that provides legal assistance for residents of poor neighborhoods, another that provides care for sick children, and a third that does social work inside prisons. He has been recognized nationally and internationally for his exceptional academic performance. He is among the first in his class and has held various important student government positions.<sup>2</sup>

On May 27, 2007, Goicoechea began his public opposition to what he considered were the human rights violations perpetuated by the Venezuelan government. Joined by friends and numerous other students, he took to the streets for a peaceful protest asking for the reinstatement of basic civil liberties. On that day, the protestors were focused on one case in particular: the shutdown of Radio Caracas Television (RCTV),<sup>3</sup> which was shut down after the government, in a decision arbitrarily taken by President Hugo Chávez, did not renew its broadcasting license earlier that year.

The student protests filled the streets of the country's most important cities.<sup>4</sup> Dozens of students were injured.<sup>5</sup> The situation warranted the support and attention of the Human Rights Foundation (HRF), at which point it wrote a letter to President Hugo Chávez expressing grave concern for the systematic human rights violations committed by state security officials. The letter also asked that Chávez assert his presidential power to order an immediate end to the hostilities that were occurring during the students' peaceful demonstrations.<sup>6</sup> The Venezuelan Roman Catholic Church hierarchy also publicly rejected the apparent criminalization of the right to protest on the streets.<sup>7</sup> The Inter-American Commission on Human Rights (IACHR) requested that the Venezuelan State guarantee the right to peaceful protest and also asked to be provided with an official list of the detained students, among other things.<sup>8</sup>

At this point, Goicoechea and the student movement began compiling reports and documentation of civil liberties violations and presenting them in the form of petitions to the different branches of the government of Venezuela.

### May 30, 2007: Yon Goicoechea's First Public Appearance at the People's Ombudsman Office

After a demonstration that was substantially hindered by the Caracas Metropolitan Police and by National Guard members, Goicoechea and his colleagues presented a document to the People's Ombudsman, Germán Mundaraín.

The completed document was signed by: Stalin González, President of the Federation of University Centers at the Central University of Venezuela (UCV); Carlos Julio Rojas, Secretary General of the Communication Student Representative Center at the Central University of Venezuela (UCV); Fabricio Briceño, University Advisor at the Central University of Venezuela (UCV); Eduardo Guaramato, law major at Santa Maria University (USM); Manuel Bolivar, Andrés Schloeter, and Alexander González, members of the University Council of Andres Bello Catholic University (UCAB); Daniel Arlic, Ana Teresa Yáñez, and Ana Marcela Schloeter, members of the students' council of the

Metropolitan University (UNIMET); Ronel Gagbo, communications major at Monte Avila University; Isabel Plaza, liberal studies major at Metropolitan University (UNIMET); Elisa Tótaró, communications major at Andres Bello Catholic University (UCAB); Eduardo Walls, vice-president of the law school's Student Representative Center at Andres Bello Catholic University (UCAB); Francisco Márquez, council member of the law school at Andres Bello Catholic University (UCAB) and Yon Goicoechea, Secretary General of the Council of Student Representatives at Andres Bello Catholic University (UCAB).

In it, they wrote:

We request from the government of the Bolivarian Republic of Venezuela that, in accordance with Articles 60 and 68 of the Bolivarian Constitution of Venezuela, it protect our right to protest peacefully and without weapons ... and that it command that police and military authorities abstain from using firearms and toxic substances when they confront our demonstrations. In the same vein, we ask that the national government stop using state-owned media to broadcast hate speech against us and make insinuations that our intentions are to destabilize the democratic institutions....<sup>9</sup>

Upon presenting the document, Goicoechea made the following statement to members of the press: "We have come to tell the ombudsman that there are 182 jailed students who were imprisoned because they were protesting on the streets in favor of Venezuelan democracy.... The students of Venezuela are standing up for the civil rights that have taken centuries to build ... the cry from the students is peaceful."<sup>10</sup> It was at this point that Goicoechea and the student movement garnered the attention of both the media and a broad cross-section of civil society. They found empathy in both opposition and government circles.<sup>11</sup>

### **June 1, 2007: Yon Goicoechea and the Student Movement before the National Assembly**

Exercising of the "right to petition" set forth in Article 51 of the Venezuelan Constitution, Goicoechea and his fellow students presented a written document before the National Legislature of Venezuela. In this document, the students asked for the right to speak during regular sessions to present their views regarding the shutdown of RCTV. The students also demanded that vice-president of the National Assembly Desiré Santos Amaral and parliamentarians Iris Varela and Luis Tascon publically apologize to the student body and to the other demonstrators for pejorative and hateful remarks made during plenary sessions of the National Assembly. The students described these remarks as discrediting "the legitimacy of the rallies and demonstrations, insulting and attacking the integrity of the Venezuelan students, and urging repudiation against them, as well urging hatred and confrontation among Venezuelans." Lastly, the students requested that the National Assembly become a "faithful guarantor of the rights of all the inhabitants of Caracas and all Venezuela, in accordance with the mandate that Article 197 of the Constitution imposes upon them."<sup>12</sup>

The students were granted the right to speak before the National Assembly on June 6, 2007. They initially appeared wearing red T-shirts, the color of the Chávez government. The students explained that this was done as a symbolic act to advocate for a country where people do not have to uniform themselves in a given color to have rights. After delivering their speech and listening to the argument of Alexandra Luzardo, a student representative who supports the government, they took off their red shirts, announced that they had stated their position, and would now withdraw. Goicoechea and the other student leaders delivered impromptu comments as they were leaving. This move was met with angry protest from Cilia Flores, the president of the National Assembly. Excerpts from the students' speech and comments delivered while exiting include:

- "We shall keep displaying the flag of RCTV until Channel 2's signal returns to its frequency."

- “The students are not socialists, we are social beings. We are not neo-liberal, we are free. We are not opposition, we are a proposition.”
- “We have attained a plural voice in the National Assembly.”
- “We do not fight for the interests of business groups or political groups.”
- “We promote the reinstatement of civil liberties.”
- “We promote national reconciliation.”
- “Do not criminalize the protests in advance.”
- “Respect should be given to those who have been persecuted and publically denigrated.”
- “The right to vote should be guaranteed.”
- “The youth is armed with conscience, courage, solidarity, optimism, and humility.”
- “We are on the streets, engaging in politics without the traditional politicians.”
- “Our street measures answer the threat to freedom of expression embodied by the RCTV shutdown.... They answer to the unlawful appropriation of RCTV’s broadcast equipment.”
- “We are convinced that all Venezuelans should be treated in the same way, without discrimination.”
- “We acknowledge the right of every Venezuelan to go to Miraflores [the Venezuelan presidential palace].”
- “We believe that all forms of international interference, be they from Nicaragua, the United States, or Cuba, must be rejected.”
- “We do not believe in authoritarianism nor the hegemony of minorities or of majorities.”
- “We reproach every form of government, past or present, which plots against the citizenry’s right to live.”
- “Allow us to express ourselves and protest freely.”
- “Take into account our proposals regarding the national interest because it is our generation that will face the consequences.”
- “Student initiative should not be insulted or treated with disdain.”
- “The right to self-determination is what makes man truly human”
- “We are waging a fight with no intention of destabilization nor coups plotting.”
- “We dream of a country where our voices will be heard without having to wear a uniform”
- “With nothing more to say, we withdraw... for now!” (“For now” is a notable phrase in the Venezuelan political lexicon that Hugo Chávez used during his remarks to the press after being captured following his failed attempt to overthrow the Venezuelan government in 1992.)
- “We are here for serious reasons. We did not come here to play or to make a political statement. We are students and we’ve come to lend our hand to the people of Venezuela, lend our hand to aid in national reconciliation. This is why, having spoken once, and having heard one speaker from the opposing side, we withdraw and make the motion toward taking this debate outside the halls of this Assembly and into the streets, into the universities, and into all spaces. Thank you.”<sup>13</sup>

The students intended the move to spark debates on university campuses nationwide. Goicoechea, given the circumstances, did not consider the assembly an adequate forum for a debate. He believed that the National Assembly was more of a political setup, since the parliamentarians who had treated them kindly in the recent past now insinuated that they were “lackeys,” “coup plotters,” and

“manipulated fools.” The students viewed this as a clear incitement of abuse and hatred made by high-level officials.<sup>14</sup>

According to *Globovisión*, “In the opinion of Cilia Flores, president of the National Assembly, the students censored themselves.” Flores claimed that walking out of the Assembly was a smokescreen tactic. They were given a chance to express their views and propose solutions, but their actions showed that they had nothing of substance to propose to the Venezuelan people.<sup>15</sup>

Outside the Legislative Palace, Goicoechea and his colleagues were harassed by a mob dressed in red. To avoid physical injury they were quickly escorted to a police truck and driven away from the area.<sup>16</sup>

**The Human Rights Foundation (HRF) considers the statement made by Cilia Flores, the president of the highest legislative body of the Venezuelan State, in violation of the right to equal treatment. HRF also declares its grave concern over the remarks discrediting the students’ speech. Given the influence and importance of her position, statements given by the president of the National Assembly should be exemplary, not incendiary.**

The President of the Republic, Hugo Chávez, was dismissive of Goicoechea and his colleagues’ withdrawal from the parliament. Later that day, the President made a live statement that was broadcast nationwide, announcing the formation of a “Council of Bolivarian Students.” The council would serve as a nationally recognized student movement in support of government policy. Chávez said that in time the group may be able to have its own financial institution—a bank—and its own law, called the “law of popular student power.”<sup>17</sup>

Chávez’s use of the national media to broadcast his message is yet another example of his abuse of power. His indiscriminate use of the national media has been widely criticized by various non-governmental organizations, who consider it a **violation of the principle of equal access and an improper use of the resources of the State.**<sup>18</sup>

### **June 5, 2007: Yon Goicoechea and the Student Movement before the Supreme Court**

On June 5, 2007, the students marched to the headquarters of the Supreme Court to submit a letter requesting their right to peaceful protest, as it constitutes a form of freedom of expression. They also asked to be guaranteed the right to participate in public matters, regardless of political affiliation, along with a request that the judge issue an injunction to protect the students during the demonstrations. All of their requests are supported by the Venezuelan Constitution.<sup>19</sup> This legal document was submitted at the Supreme Tribunal while student demonstrations were continuing to spread across some of the country’s largest cities. To date, the Venezuelan judiciary has yet to respond to the requests of the students.

### **June 7, 2007: Representatives of the Student Movement before the Attorney General’s Office**

Two members of the student movement led by Goicoechea—Fabricio Briceño, University Advisor at the Central University of Venezuela (UCV), and Aníbal Arismendi, Secretary of the Federation of Student Representative Centers—submitted a written request to the Attorney General, Isaías Rodríguez. In it, they asked that he immediately implement measures to ensure the protection of the students against “attacks from the police and from military authorities.” The document also requested that investigations be made into the *Vea* newspaper incident, in which a group of pro-Chávez students published a picture of the opposition with an accompanying article accusing those pictured

of having perpetrated a soft coup and urging the general population to “recognize” these students.<sup>20</sup> To date, the Attorney General’s Office has given no official reply to this request.

### **June 14, 2007: Yon Goicoechea and the Student Movement at the Caracas Plaza Gathering**

On June 14, 2007, Goicoechea and the Student Movement announced a mass gathering at the Plaza Caracas, west of the capital. Caracas Mayor Juan Barreto opposed the gathering, despite the law stipulating that there is an obligation by the Mayor to inform public authorities about protests or demonstrations taking place in their jurisdiction and that in response, those public authorities are required to provide the necessary safety guarantees.

When the students gathered at Andres Bello Catholic University, their announced starting place, they were forcefully detained by the police and the National Guard within the confines of the university and informed that they were forbidden from marching in the streets. After more than 5 hours of detention, the students conceded to change their planned route and walk on the public sidewalks instead. They were released to take this new route; however, when they began marching, the Metropolitan Police used a paralyzing gas on the crowd, injuring both Goicoechea and Stalin González. The use of toxic gases by state security officials is expressly prohibited by international agreements as well as by the Venezuelan Constitution (Article 68).<sup>21</sup> These acts were denounced on June 15, 2007 before the Public Ministry, but to date there has been no formal accusation of officials connected with the matter. This failure to investigate and establish responsibilities and sanctions constitutes negligence.

### **Yon Goicoechea and the Student Movement against Constitutional Reform**

Following the constitutional reform proposal made by President Chávez and the approval of this proposal by the National Assembly,<sup>22</sup> different sectors of the population expressed their observations and reservations about the reform.<sup>23</sup>

### **October 15, 2007: Yon Goicoechea and other student leaders at the Teresa Carreño Theatre, where most of the recent articles of the constitutional reform were being discussed**

New acts of violence against Goicoechea and other students such as Freddy Guevara occurred on October 15, 2007 in the Teresa Carreño theater in Caracas, where the last articles to be added to the proposed reform were being discussed. Members of the student movement attended this event in response to a public invitation. When they began to voice their concern over Article 337 of the proposed reform (which was to eliminate the right to due process and the right to information during states of emergency), a group of government loyalists began physically harassing Goicoechea and his colleagues, insulting them and calling Goicoechea a “son of coup-plotters,” among other things.

**HRF considers the proposed elimination of both the right to due process and the right to information during states of emergency to be an assault on the rule of law and an attack on liberty. This is also the opinion of several other international human rights organizations.<sup>24</sup>**

The students were removed from the theatre by government loyalists while parliamentarians stood and watched. Outside the theatre, the students continued to be harassed, along with reporters for the television news station Globovisión. Cilia Flores gave a speech denouncing the student movement as

a “fascist” group that wanted to impose itself over others through the use of force, saying, “They are the same ones that plotted the national strike, the disorder. They are the far right. It makes me sad that they use students. They are the same old ones.”<sup>25</sup>

Cilia Flores defined the students’ protests as an act of provocation and warned that the people had reacted the way they would react from now on: by rejecting the dissenting students with full force.<sup>26</sup>

**HRF considers Flores’s response a clear display of discrimination. This attitude violates the principle of equal treatment before the law and hinders the free exercise of civil and political rights by the dissenting students—in particular, the right of the students to express their dissent with public policy, and the right of the students to protest peacefully. The Venezuelan Constitution states that “Venezuela is a democratic and social state that defends the fundamental values of life, liberty, justice, equality, solidarity ... the preeminence of human rights, ethics, and political pluralism” (Article 2). The Constitution establishes that “the government of the Bolivarian Republic of Venezuela ... is and always will be democratic ... pluralist and of revocable representatives” (Article 6).**

### **Caracas Institute of Pedagogy, October 25, 2007: Yon Goicoechea’s participation at the Constitutional Forum and its Possible Effects on Freedom of Expression**

On October 25, 2007, a forum at the Caracas Institute of Pedagogy on the upcoming constitutional reform was sabotaged by a group of government partisans who attended the event to jeer at Goicoechea as he attempted to deliver his views from behind the lectern. The roundtable had been organized by the Teachers’ Association of Venezuela to discuss the proposed constitutional reforms and their possible effects on freedom of expression in the country. The level of verbal harassment and intimidation grew stronger as Goicoechea went on with his speech, attempting to talk over the frenzied crowd. Quickly, the aggression turned physical. Goicoechea remained on the far side of the podium, waiting for the crowd to calm down. Part of the crowd called for no violence, while the other part yelled out political slogans and threw plastic bottles at Goicoechea. Following the detonation of an explosive device, Goicoechea was escorted out of the precinct. During the dash to his car, he was chased and beaten by an angry crowd while a few others attempted to defend him. Goicoechea suffered a hematoma on his face and injuries to his nose. He was taken to the hospital for medical care.<sup>27</sup>

After receiving medical treatment, Goicoechea called a press conference in which he denounced the violence and “culture of death” that had spread across the nation and hindered the country’s development. He admonished pro-government students, saying, “As a proof of national reconciliation ... I call upon the students that physically attacked me today; I call upon those who hit us today, those who expelled us from a public institution that belongs to all Venezuelans, to all educators ... I call upon you to attend a debate on Tuesday at the [Andres Bello] Catholic University, and as a student leader of that university, I give my guarantee that what happened to me will not happen to you.”<sup>28</sup>

**HRF considers the Caracas Pedagogic Institute episode a threat to Venezuelan civil society and its ability to express dissent. Acts of violence have become frequent in recent months and could become even more frequent if the constitutional reform is approved.**

The case of two student deaths in the state of Zulia illustrates the elevated level of violence that reigns in Venezuela—violence which has been prompted by debate about the proposed Constitutional Reform, in which public institutions use excessive and abusive force as a countermeasure to student dissidence. At the University of Zulia (LUZ) in western Venezuela, 28-year-old Homero Romero and 23-year-old Flavia Carolina Araujo, a senior communications major and member of the opposition party Primero Justicia (Justice First) were killed by gunshot wounds. Though it has not been

determined if the shots came from government loyalists, this tragedy shows the environment of hostility that exists in Venezuela against people who express their dissent.<sup>29</sup>

### **November 1, 2007: A student commission submits a document to the directors of the National Electoral Council (CNE) requesting postponement of the referendum on constitutional reform**

On November 1, 2007, a student commission led by Goicoechea and Stalin González led a peaceful march that started at Central University of Venezuela and ended at the National Electoral Council. The student commission then submitted a document to the CNE directors. In it, they demanded respect for electoral rights and the postponement of the referendum. Goicoechea said to the press that “all Venezuelans have very deep and conclusive doubts about the electoral process.... We cannot allow our rights to be trampled on under the guise of reform.... The reform would violate democracy and the fundamental rights of Venezuelans who will go out to vote like innocent lambs.”<sup>30</sup>

The presentation of the document was followed by many violent clashes with police, injuring a number of people. According to Globovisión, “Because of the way the Metropolitan Police and the National Guard responded, several students suffered injuries, such as Henry Vivas of Central University of Venezuela, who lost two of his teeth as a result of a beating he took from police officers ... Robert Alvarado, a student at Santa Maria University, required ten stitches on his head because of wounds he sustained when a water cannon propelled him against a car fender. Several students were detained, though no official reports were ever filed.”<sup>31</sup>

Freddy Guevara, one of the student leaders, said that some students wanted to chain themselves inside the building to symbolize how members of the National Assembly “wanted Venezuelans to vote for a proposal they did not have the faintest idea about.” Guevara explained that this act was also a form of protest against patronizing treatment by public officials: “We are tired of being treated like children. We are tired of public officials saying, in front of the cameras, that they’ve received our pleas and requests, only to do nothing about it.” Stalin González, another student leader, rejected comments made by Minister of the Interior and Justice Pedro Carreño, who congratulated security officials for their “patriotic response” to the students and referred to the student protests themselves as “violent” and “fascist.”<sup>32</sup>

**HRF considers the incendiary and pejorative rhetoric used by Venezuelan cabinet ministers Pedro Carreño to be counterproductive to promoting an environment of peace and tranquility, which must be safeguarded if there is to be any serious discussion about constitutional reform. As a high-level public official, he should be aware of Article 141 of the Venezuelan Constitution, which states that “The Public Administration of government is at the service of the citizens and is based on the principles of honesty, participation, celerity, effectiveness, efficiency, transparency, accountability, and responsibility in the exercise of public office, in addition to being completely subject to the rule of law.” Similarly, Article 139 of the Constitution states, “The exercise of Public Power entails individual responsibility in the case of abuse of power or of a violation of the constitution or of the law.” HRF condemns the use of violence against peaceful dissent and is greatly concerned by the use of language by public officials which specifically incites and fosters violence and confrontation between government loyalists and dissidents.**

Television and radio stations have delivered live and compulsory broadcasts in which President Chávez, several parliamentarians, and pro-government party leaders use incendiary language when referring to the student protests: Specific episodes that illustrate this use of harmful rhetoric include:

- President Hugo Chávez said on May 29, 2007, “You, brother, who are out there in the slums of Caracas, in Petare in Catia ... here in Vargas if we had to launch another April 13 [date of Chávez’s return to power in 2002] then I would command this April 13 ... to defend our

revolution against this *new fascist onslaught!*... I alert the people and the *enemies of the fatherland*, I alert those behind the destabilization, and I call them by their name: Globovisión." The President went on say that after the decision to shut down RCTV, "new *destabilizing elements*" had entered the fray. (Emphasis added.)

- During a May 30, 2007, session, parliamentarians Luis Tascón and Iris Valera expressed their intention to *confront the marches on the street* and to *make calls to "the people" so that they could confront the student marches* taking place in Caracas.<sup>33</sup> (Emphasis added.)
- Government party leader Lina Ron described the marching students as "*far right collaborators*" being "*used by the empire*," and then called for "young high-schoolers to *fight them*."<sup>34</sup> (Emphasis added.)

### **May 30, 2007: The Student Movement requests the implementation of provisional measures by the Inter-American Commission of Human Rights (IACHR)**

In a plea submitted to the president and other members of the Inter-American Commission on Human Rights, members of the Student Movement requested the implementation of provisional measures to ensure the security of students during protest marches:

1) Urgent and severe as this case has proved to be, and according to available information attached to this document, we respectfully and formally request in conformity with what is established in Article 25 of the regulations code of the Inter-American Commission on Human Rights, which guarantees the free and full exercise of the rights to life, to physical, psychological, and moral integrity, to personal security and the freedom to protest, established in articles 1.1, 4.1, 5.1, 5.2, 8.1, and 12.3 of the American Convention on Human Rights, that the Inter-American Commission on Human Rights demand from the State of Venezuela, without delay, the adoption of measures necessary to ensure the effective and immediate protection of our lives and personal integrities, as well as our right to protest peacefully.

2) That the Venezuelan state be summoned and instructed on how to best guarantee that safety measures are effectively implemented. In the same vein, the Attorney General's Office and the state television channel, Venezolana de Television, must be summoned and instructed so as to guarantee the effectiveness of provisional measures that have been adopted.<sup>35</sup>

Subsequently, the students issued an extension of this request in which they expressed in greater detail the scope of the protection needed during future peaceful demonstrations. This request was given in accordance with the right to protest, as part of the right to freedom of conscience established in Article 12 of the American Convention on Human Rights.<sup>36</sup>

Finally, on September 28, 2007, the students requested that..."this Honorable Commission to notify the Venezuelan State of its obligation to fulfill its duty to adopt the necessary provisional measures to be able to guarantee respect for the fundamental rights and freedoms for all Venezuelans, especially those who exercise their right to dissent from the government and to show this dissent in a peaceful manner. The Venezuelan State has the duty to protect these individuals with the same vigor and vehemence that it uses to shelter those who manifestly support government opinion."<sup>37</sup> All of these requests also conform with international norms.

To date there has been no decision by the IACHR on this matter, in spite of their having requested information from the Venezuelan State. The People's Ombudsman denied the Commission's legitimacy to request this information. The Ombudsman's position was widely known by the media. The government's true position on the matter, however, which was communicated to the public by



Alfredo Romero—Venezuelan Penal Forum attorney and member of the VIVE Civil Association—was that the Venezuelan State had requested a deferment in order to respond. Lawyers Gonzalo Himiob Santomé and Alfredo Romero represented the Student Movement.<sup>38</sup>

### **November 1, 2007: Threats directed at Yon Goicoechea by government loyalists**

Goicoechea has been the subject of harsh criticism and insult by representatives of different branches of the Venezuelan government. State-media outlets<sup>39</sup> have branded him an “opponentist,” a “son of coup-plotters,” and a “son of ARS publicity.”<sup>40</sup> This last statement implies that Goicoechea is a marketing tool of the opposition.

Of utmost concern to Goicoechea is the fact that his father has been in jail since 2003 awaiting trial for manslaughter. In an interview with Noticiero Digital, Goicoechea commented on the state of constant intimidation and fear in which he and his family live: “My father called me and he was frightened. His penal case had been reported on the President’s favorite television show, *La Hojilla* (*The Razor*), along with arguments that portray him as a murderer. The truth is, my father’s case is very solid, one of legitimate self-defense in difficult conditions against a group of thugs, but certainly it’s not an easy case and his freedom is still in jeopardy.”<sup>41</sup>

Upon receiving these threats against his family, Goicoechea got in touch with human rights non-governmental organizations. He also told his classmates about his situation. Multiple threatening phone calls forced him change his number. He sleeps in different places each night to avoid being stalked. Lately he has had to increase security measures. Anonymous threatening text messages, emails, and phone calls have plagued Goicoechea since March of 2007. As he takes on bigger public roles, the threats have increased.<sup>42</sup>

The serious risk assumed by Goicoechea stems from the fact that he leads an independent student movement that dissents from the governmental policies of President Hugo Chávez. This student movement calls for national reconciliation and presents language and tactics of non-violence and peaceful resistance while staying firm in its principles and beliefs, joining together students from a diverse set of schools in a shared commitment to defend democracy.<sup>43</sup>

Goicoechea’s public speeches and the clear and open manner in which he has denounced human rights violations in Venezuela make him, other student leaders, and those who follow him targets of aggression by supporters of President Chávez.

Goicoechea has expressed to HRF his concern for his and his family’s safety and his fear of being falsely accused by the Public Prosecutor’s Office. False accusation is a tactic commonly used by the government to intimidate and silence dissent. Recently, Goicoechea has taken measures to protect his home against breaking and entering.

Reflecting on his life as a student and the ideals that move him, Goicoechea commented:

Waiting in line to visit your father in prison is one of the worst things that can happen to you. Before my father was imprisoned, I did social work in that same prison. Now, I wait in the visitors’ line, surrounded by people that are going through the same thing. I feel I can sympathize with their sense of powerlessness, with their faces that bear the mark of having walked in the sun for longer than I have. And at the same time I feel so distant, so different that I cannot understand why this is happening to me. I don’t rebel against this feeling. Every week this line confronts the best and worst in me. For now, I cannot stop going.

[...]

I represent a peaceful movement that believes in dialogue. A civilized negotiation does not have to mean defeatism and much less an abdication of principles. Far from thinking about coups and secret agendas, I am simply a student concerned with the fate of radio stations whose legal status hangs by a thread, and I care about the dissident voices that were lost with the shutdown of RCTV.”<sup>44</sup>

**HRF has taken the case of Goicoechea as the second case in its Caracas Nine campaign. Goicoechea is entitled to government protection of his right to protest peacefully without being threatened or harassed by unwarranted and excessive use of force by security personnel. The Venezuelan State must also guarantee the student community and protesters in general their rights to life and to physical safety, as well as their rights to individual freedom and freedom of conscience. Other fundamental rights that the state must guarantee include the right to equal treatment regardless of political affiliations; the right to travel freely; the right to be free from torture; and the right to presumption of innocence.**

**It is an implicit and unavoidable duty of the Venezuelan State to guarantee fundamental human rights for all Venezuelans. All this is in strict compliance with the Venezuelan constitution and the law, as well as with international treaties to which Venezuela is a signatory.**

### **Legal articles that protect Goicoechea and the dissident Student Movement, and every other Venezuelan citizen**

#### Hierarchy of International Conventions regarding Human Rights

##### *Constitución de la República Bolivariana de Venezuela, Article 23*

Los tratados, pactos y convenciones relativos a derechos humanos, suscritos y ratificados por Venezuela, tienen jerarquía constitucional y prevalecen en el orden interno, en la medida en que contengan normas sobre su goce y ejercicio más favorables a las establecidas en esta Constitución y en las leyes de la República, y son de aplicación inmediata y directa por los tribunales y demás órganos del Poder Público.

#### Right to Humane Treatment

##### *American Convention on Human Rights, Article 5*

1. Every person has the right to have his physical, mental, and moral integrity respected.
2. No one shall be subjected to torture or to cruel, inhuman, or degrading punishment or treatment. All persons deprived of their liberty shall be treated with respect for the inherent dignity of the human person.
3. Punishment shall not be extended to any person other than the criminal.
4. Accused persons shall, save in exceptional circumstances, be segregated from convicted persons, and shall be subject to separate treatment appropriate to their status as unconvicted persons.
5. Minors while subject to criminal proceedings shall be separated from adults and brought before specialized tribunals, as speedily as possible, so that they may be treated in accordance with their status as minors.
6. Punishments consisting of deprivation of liberty shall have as an essential aim the reform and social re-adaptation of the prisoners.

#### Right to Liberty and Security of Person

*International Covenant on Civil and Political Rights, Article 9*

1. Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention. No one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.
2. Anyone who is arrested shall be informed, at the time of arrest, of the reasons for his arrest and shall be promptly informed of any charges against him.
3. Anyone arrested or detained on a criminal charge shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release. It shall not be the general rule that persons awaiting trial shall be detained in custody, but release may be subject to guarantees to appear for trial, at any other stage of the judicial proceedings, and, should occasion arise, for execution of the judgment.
4. Anyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful.
5. Anyone who has been the victim of unlawful arrest or detention shall have an enforceable right to compensation.

Right to peaceful protest

This right is implicit in the right to freedom of conscience set forth in article 12 of the American Convention on Human Rights, in accordance with articles 19, 61, and 68 of the Venezuelan constitution.

Freedom of Conscience and Religion

*American Convention on Human Rights, Article 12*

1. Everyone has the right to freedom of conscience and of religion. This right includes freedom to maintain or to change one's religion or beliefs, and freedom to profess or disseminate one's religion or beliefs, either individually or together with others, in public or in private.
2. No one shall be subject to restrictions that might impair his freedom to maintain or to change his religion or beliefs.
3. Freedom to manifest one's religion and beliefs may be subject only to the limitations prescribed by law that are necessary to protect public safety, order, health, or morals, or the rights or freedoms of others.
4. Parents or guardians, as the case may be, have the right to provide for the religious and moral education of their children or wards that is in accord with their own convictions.

*Constitución de la República Bolivariana de Venezuela, Article 19*

El Estado garantizará a toda persona, conforme al principio de progresividad y sin discriminación alguna, el goce y ejercicio irrenunciable, indivisible e interdependiente de los derechos humanos. Su respeto y garantía son obligatorios para los órganos del Poder Público, de conformidad con esta Constitución, con los tratados sobre derechos humanos suscritos y ratificados por la República y con las leyes que los desarrollen.

*Constitución de la República Bolivariana de Venezuela, Article 61*

Toda persona tiene derecho a la libertad de conciencia y a manifestarla, salvo que su práctica afecte su personalidad o constituya delito. La objeción de conciencia no puede invocarse para eludir el cumplimiento de la ley o impedir a otros su cumplimiento o el ejercicio de sus derechos.

*Constitución de la República Bolivariana de Venezuela, Article 68*

Los ciudadanos y ciudadanas tienen derecho a manifestar, pacíficamente y sin armas, sin otros requisitos que los que establezca la ley.

Se prohíbe el uso de armas de fuego y sustancias tóxicas en el control de manifestaciones pacíficas. La ley regulará la actuación de los cuerpos policiales y de seguridad en el control del orden público.

*International Covenant on Civil and Political Rights, Article 18*

1. Everyone shall have the right to freedom of thought, conscience and religion. This right shall include freedom to have or to adopt a religion or belief of his choice, and freedom, either individually or in community with others and in public or private, to manifest his religion or belief in worship, observance, practice and teaching.

2. No one shall be subject to coercion which would impair his freedom to have or to adopt a religion or belief of his choice.

3. Freedom to manifest one's religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others.

4. The States Parties to the present Covenant undertake to have respect for the liberty of parents and, when applicable, legal guardians to ensure the religious and moral education of their children in conformity with their own convictions.

*International Covenant on Civil and Political Rights, Article 19*

1. Everyone shall have the right to hold opinions without interference.

2. Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.

3. The exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

(a) For respect of the rights or reputations of others;

(b) For the protection of national security or of public order (ordre public), or of public health or morals.

Right of Assembly

*American Convention on Human Rights, Article 15*

The right of peaceful assembly, without arms, is recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and necessary in a democratic society in the interest of national security, public safety or public order, or to protect public health or morals or the rights or freedom of others.

*International Covenant on Civil and Political Rights, Article 21*

The right of peaceful assembly shall be recognized. No restrictions may be placed on the exercise of this right other than those imposed in conformity with the law and which are necessary in a democratic society in the interests of national security or public safety, public order (ordre public), the protection of public health or morals or the protection of the rights and freedoms of others.

#### Freedom of Movement and Residence

##### *American Convention on Human Rights, Article 22*

1. Every person lawfully in the territory of a State Party has the right to move about in it, and to reside in it subject to the provisions of the law.
2. Every person has the right to leave any country freely, including his own.
3. The exercise of the foregoing rights may be restricted only pursuant to a law to the extent necessary in a democratic society to prevent crime or to protect national security, public safety, public order, public morals, public health, or the rights or freedoms of others.
4. The exercise of the rights recognized in paragraph 1 may also be restricted by law in designated zones for reasons of public interest.
5. No one can be expelled from the territory of the state of which he is a national or be deprived of the right to enter it.
6. An alien lawfully in the territory of a State Party to this Convention may be expelled from it only pursuant to a decision reached in accordance with law.
7. Every person has the right to seek and be granted asylum in a foreign territory, in accordance with the legislation of the state and international conventions, in the event he is being pursued for political offenses or related common crimes.
8. In no case may an alien be deported or returned to a country, regardless of whether or not it is his country of origin, if in that country his right to life or personal freedom is in danger of being violated because of his race, nationality, religion, social status, or political opinions.
9. The collective expulsion of aliens is prohibited.

#### Right to Participate in Government

##### *American Convention on Human Rights, Article 23*

1. Every citizen shall enjoy the following rights and opportunities:
  1. to take part in the conduct of public affairs, directly or through freely chosen representatives;
  2. to vote and to be elected in genuine periodic elections, which shall be by universal and equal suffrage and by secret ballot that guarantees the free expression of the will of the voters; and
  3. to have access, under general conditions of equality, to the public service of his country.
2. The law may regulate the exercise of the rights and opportunities referred to in the preceding paragraph only on the basis of age, nationality, residence, language, education, civil and mental capacity, or sentencing by a competent court in criminal proceedings.

##### *International Covenant on Civil and Political Rights, Article 25*

Every citizen shall have the right and the opportunity, without any of the distinctions mentioned in article 2 and without unreasonable restrictions:

- (a) To take part in the conduct of public affairs, directly or through freely chosen representatives;
- (b) To vote and to be elected at genuine periodic elections which shall be by universal and equal suffrage and shall be held by secret ballot, guaranteeing the free expression of the will of the electors;
- (c) To have access, on general terms of equality, to public service in his country.

*Constitución de la República Bolivariana de Venezuela, Article 2*

Venezuela se constituye en un Estado democrático y social de Derecho y de Justicia, que propugna como valores superiores de su ordenamiento jurídico y de su actuación, la vida, la libertad, la justicia, la igualdad, la solidaridad, la democracia, la responsabilidad social y, en general, la preeminencia de los derechos humanos, la ética y el pluralismo político.

*Constitución de la República Bolivariana de Venezuela, Article 3*

El Estado tiene como fines esenciales la defensa y el desarrollo de la persona y el respeto a su dignidad, el ejercicio democrático de la voluntad popular, la construcción de una sociedad justa y amante de la paz, la promoción de la prosperidad y bienestar del pueblo y la garantía del cumplimiento de los principios, derechos y deberes reconocidos y consagrados en esta Constitución. La educación y el trabajo son los procesos fundamentales para alcanzar dichos fines.

*Constitución de la República Bolivariana de Venezuela, Article 6*

El gobierno de la República Bolivariana de Venezuela y de las entidades políticas que la componen es y será siempre democrático, participativo, electivo, descentralizado, alternativo, responsable, pluralista y de mandatos revocables.

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<sup>1</sup> Andres Bello Catholic University (UCAB): [www.ucab.edu.ve](http://www.ucab.edu.ve).

<sup>2</sup> For more biographical information, see HRF's profile of Yon Goicoechea at: <http://caracasnine.com/cgi-local/content.cgi?l=eng&n=2&p=#profile>.

<sup>3</sup> In defense of freedom of expression and to denounce and repudiate censorship, HRF has created an informative website that has allowed thousands of people around the world to reject the shutdown of RCTV. See: <http://www.FreeRCTV.com/>.

<sup>4</sup> Video of the June 2007 student protest marches in support of RCTV and freedom of expression are available at: <http://video.google.com/videoplay?docid=-8127200096766798297>.

<sup>5</sup> For more information about students injured and detained during the protests see:

- Mónica Castro, "22 personas resultaron lesionadas en Zulia," *El Universal*, 2 June 2007 <[http://noticias.eluniversal.com/2007/06/02/pol\\_art\\_22-personas-resultar\\_307676.shtml](http://noticias.eluniversal.com/2007/06/02/pol_art_22-personas-resultar_307676.shtml)>.
- Nora Sánchez with Ingrid Castellanos, "16 heridos y 8 detenidos en marcha de Mérida," *El Universal*, 2 June 2007 <[http://noticias.eluniversal.com/2007/06/02/pol\\_art\\_16-heridos-y-8-deten\\_307073.shtml](http://noticias.eluniversal.com/2007/06/02/pol_art_16-heridos-y-8-deten_307073.shtml)>.

- Beatriz Cruz Salazar, “El funcionario me disparó con la intención de matarme,” *El Universal*, 2 June 2007 <[http://noticias.eluniversal.com/2007/06/02/ccs\\_art\\_el-funcionario-me-d\\_306989.shtml](http://noticias.eluniversal.com/2007/06/02/ccs_art_el-funcionario-me-d_306989.shtml)>.
- “182 detenidos en protestas,” *El Nacional*, vl, 30 May 2007 <[http://www.venezolanosenlinea.com/index.php?option=com\\_content&task=view&id=13418&Itemid=86](http://www.venezolanosenlinea.com/index.php?option=com_content&task=view&id=13418&Itemid=86)>.
- Video: [http://youtube.com/watch?v=j\\_JyytrW7JA](http://youtube.com/watch?v=j_JyytrW7JA).
- “Serios incidentes en Venezuela: Fin de RCTV desata más protestas estudiantiles,” *El Nuevo Diario*, Edition: 962229, May 2007 <<http://impreso.elnuevodiario.com.ni/2007/05/29/internacionales/49917>>.
- “Violentas protestas en Venezuela por cierre de RCTV,” *La Nación*, 29 May 2007 <[http://www.nacion.com/ln\\_ee/2007/mayo/29/mundo1112465.html](http://www.nacion.com/ln_ee/2007/mayo/29/mundo1112465.html)>.
- “250 estudiantes sometidos a procesos judiciales,” *Notitarde*, 24 July 2007 <<http://www.venezuelaawareness.com/250estudiantes/articulo.htm>>.

<sup>6</sup> The text of HRF’s letter is available at: <http://www.lahrf.com/ChavezCartaJunio07.pdf>.

<sup>7</sup> “Church rejects criminalization of protest rights,” *Globovisión*, 4 July 2007 <<http://www.globovision.com/news.php?nid=57087>>.

<sup>8</sup> “The Inter-American Commission on Human Right (IACHR) asks for list of detained students and guarantees that protest rights will be respected,” 2 June 2007 <<http://www.atravesdevenezuela.com/html/modules.php?name=News&file=article&sid=2436>>.

<sup>9</sup> Fabricio Briceño, University Advisor at the Central University of Venezuela (UCV) and Aníbal Arismendi, Secretary of the Federation of Student Representative Centers, gave notice of appeal before the People’s Ombudsman Germán Mundaraín calling to attention that “in the news publication ‘VEA,’ in its June 8, 2007 issue, on page 3 of its politics section, appears a picture of us [the leaders of the student movement], provided by a group calling itself the “Bolivarian Student Front” [Chávez supporters]. The group does not identify its members or leaders, and explicitly urges people to “tag” the students in the photo as plotters of a “soft coup” against the government, with no evidence whatsoever—something that is grave and absolutely unconstitutional.”

<sup>10</sup> The full text of this document is available at: <http://caracasnine.com/cgi-local/content.cgi?l=eng&n=2&p=#docs> (document #1). A video of Yon Goicoechea’s statements when delivering the document is available at: [http://www.youtube.com/watch?v=cDe\\_Fxcn7Ao](http://www.youtube.com/watch?v=cDe_Fxcn7Ao).

<sup>11</sup> “Estudiantes tomaron por sorpresa al gobierno y a la oposición,” *Diario el Carabobeño*, 3 June 2007 <[http://www.el-carabobeno.com/u\\_imprime.aspx?art=a030607e01&i](http://www.el-carabobeno.com/u_imprime.aspx?art=a030607e01&i)>; Stephen Gregory, “Venezuelan Students Rally for Freedom,” *The Epoch Times*, 9 June, 2007; et al.

<sup>12</sup> The full text of this document is available at: <http://caracasnine.com/cgi-local/content.cgi?l=eng&n=2&p=#docs> (document #2).

<sup>13</sup> The full text of the document is available at: <http://caracasnine.com/cgi-local/content.cgi?l=eng&n=2&p=#docs> (document #3).

<sup>14</sup> Yon Goicoechea, personal interview with HRF, Sept.-Oct. 2007.

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<sup>15</sup> “Estudiantes expusieron sus peticiones ante el parlamento y una vez escuchados se retiraron,” *Globovisión.com*, 7 June 2007 <<http://www.globovision.com/news.php?nid=57674>>. See also: “Un grave error,” *El Nacional*, 8 June 2007 <<http://www.el-nacional.com>>.

<sup>16</sup> Various articles available at: [www.eluniversal.com](http://www.eluniversal.com); [www.elnacional.com](http://www.elnacional.com); [www.globovisión.com](http://www.globovisión.com).

<sup>17</sup> “Concluyó el Encuentro de Promotores del Poder Popular Estudiantil,” *Venezolana de Televisión*, 18 Aug. 2007 <[http://www.vtv.gob.ve/VTV\(reload\)/detalle.php?s=1&id=2476](http://www.vtv.gob.ve/VTV(reload)/detalle.php?s=1&id=2476)>.

<sup>18</sup> Critical non-governmental organizations include Ciudadanía Activa: [www.ciudadaniaactiva.org.ve](http://www.ciudadaniaactiva.org.ve).

<sup>19</sup> The full text of the students’ requests is available at: <http://caracasnine.com/cgi-local/content.cgi?!=eng&n=2&p=#docs> (document #4).

<sup>20</sup> The full text of this document is available at: <http://caracasnine.com/cgi-local/content.cgi?!=eng&n=2&p=#docs> (document #5).

<sup>21</sup> Yon Goicoechea, personal interview with HRF, Sept.-Oct. 2007. See also: <http://jovenesvenezolanosactivos.blogspot.com/2007/06/estudiantes-marchan-hasta-donde-lo.html>.

<sup>22</sup> Complete Text of the Proposal for Constitutional Reform approved by the National Legislature can be found at: [http://www.asambleanacional.gob.ve/publico/biblio/pi\\_biblio.php?secc=Reforma](http://www.asambleanacional.gob.ve/publico/biblio/pi_biblio.php?secc=Reforma) (click on “Reforma Constitucional” and then “Reforma Constitucional aprobada por la Asamblea”). Note that this text does not include certain articles that were later amended by the National Legislature, such as article 337, which eliminates the rights to due process and information during states of emergency.

<sup>23</sup> The November 2, 2007 letter from Fedecámaras (the association of chambers of commerce) communicating their stance regarding the Constitutional Reform is available at: [http://www.noticierovenevision.net/documentos/023\\_NOTA\\_fedecamaras\\_no\\_REFORMA.pdf](http://www.noticierovenevision.net/documentos/023_NOTA_fedecamaras_no_REFORMA.pdf). The October 19, 2007 letter from the Venezuelan Episcopate regarding the Constitutional Reform is available at: [http://www.noticierovenevision.net/documentos/071019\\_episcopado\\_reforma.htm](http://www.noticierovenevision.net/documentos/071019_episcopado_reforma.htm).

<sup>24</sup> “Según HRW, Chávez prepara instrumentos para ejercicio brutal del poder,” *Globovisión*, 15 Oct. 2007. See also Human Rights Watch representative José Miguel Vivancos’s remarks on the proposed amendments to the Venezuelan Constitution made on CNN en Español: [http://www.batanga.com/Segun\\_HRW\\_Chavez\\_prepara\\_instrumentos\\_para\\_ejercicio\\_brutal\\_del\\_poder/AF35DEDC-A3EF-4B06-BA34-DB24E944D03A.htm](http://www.batanga.com/Segun_HRW_Chavez_prepara_instrumentos_para_ejercicio_brutal_del_poder/AF35DEDC-A3EF-4B06-BA34-DB24E944D03A.htm).

<sup>25</sup> “Agredidos y desalojados del Teatro Teresa Carreño estudiantes y actrices cuando intentaron exponer su opinión sobre la reforma,” *Globovisión*, 15 Oct. 2007 <<http://www.globovision.com/news.php?nid=67831>>. See also the account of the news article published on the National Legislature’s web page, “Amanda Gutiérrez, Fabiola Colmenares y Yon Goicoechea [sic] Intentaron sabotear la Sesión Especial de la AN,” *Asamblea Nacional*, 15 June 2007 <[http://www.asambleanacional.gov.ve/publico/noticias/det\\_noticias.php?co=621](http://www.asambleanacional.gov.ve/publico/noticias/det_noticias.php?co=621)>.

<sup>26</sup> As reported by the national and international media.

<sup>27</sup> Video about the violent and hostile situation outside the Pedagogic Center in Caracas and the attacks on Yon Goicoechea is available at:

- <http://youtube.com/watch?v=aTfEfx87qRk> (part I)



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- <http://youtube.com/watch?v=QQkGYjBcjRw> (part II)
  - <http://youtube.com/watch?v=vM96rdFjw-8> (part III)
  - <http://youtube.com/watch?v=DuoOq4orGTs> (part IV)

New articles about this situation include:

- “Trifulca provocada impidió un foro en el pedagógico,” *El Universal*, 26 Oct. 2007 <[http://www.eluniversal.com/2007/10/26/pol\\_art\\_trifulca-provocada-i\\_559859.shtml](http://www.eluniversal.com/2007/10/26/pol_art_trifulca-provocada-i_559859.shtml)>.
- “Yon Goicoechea herido en medio de una trifulca,” *Diario la Costa*, 26 Oct. 2007 <<http://www.diariolacosta.com/?page=noticia&id=11650>>.
- “Agredido y herido brutalmente el líder universitario Yon Goicoechea en Caracas,” *Epicentro Hispánico*, 25 Oct. 2007 <<http://epicentrohispánico.blogspot.com/2007/10/agredido-y-herido-brutalmente-el-lder.html>>.

<sup>28</sup> Video of Yon Goicoechea after being assaulted during the roundtable on constitutional reform is available at: [http://youtube.com/watch?v=j\\_Yw-n9CVYo](http://youtube.com/watch?v=j_Yw-n9CVYo).

<sup>29</sup> “Las Universidades encabezan la rebelión contra los planes de Chávez,” *Diario ABC de España*, 12 Nov. 2007 <[http://www.abc.es/20071104/internacional-iberoamerica/universitarios-encabezan-rebelion-contra\\_200711040246.html](http://www.abc.es/20071104/internacional-iberoamerica/universitarios-encabezan-rebelion-contra_200711040246.html)>.

<sup>30</sup> “Comisión estudiantil entregó documento a la directiva del CNE exigiendo la postergación del referendo,” *Noticiero –Venevisión.net*, 1 Nov. 2007 <[http://noticiero.venevision.net/index\\_not.asp?id\\_noticia=20071101002704&id\\_seccion=04](http://noticiero.venevision.net/index_not.asp?id_noticia=20071101002704&id_seccion=04)>.

<sup>31</sup> “Marcha estudiantil culminó en enfrentamientos, bombas lacrimógenas, perdigonazos y heridos,” *Globovisión*, 1 Nov. 2007 <<http://www.globovision.com/news.php?nid=69497&clave=a%3A1%3A%7Bi%3A0%3Bs%3A10%3A%22Goicoechea%22%3B%7D>>. Coverage of this violence on one government-run television station was dismissive and derisive: [http://diariovenezolano.blogspot.com/2007\\_11\\_01\\_archive.html](http://diariovenezolano.blogspot.com/2007_11_01_archive.html) (go to “Mario Silva y su burla a estudiante herido”).

<sup>32</sup> “Ministro Pedro Carreño felicitó a los cuerpos de seguridad por su “actitud patriótica” en la marcha estudiantil,” *Globovisión*, 1 Nov. 2007 <<http://www.globovision.com/news.php?nid=69470s>>.

<sup>33</sup> Sara Carolina Díaz, “Podemos aboga por diálogo pero la asamblea llama a la calle,” *Diario El Universal*, 30 May 2007 <[http://politica.eluniversal.com/2007/05/30/pol\\_art\\_podemos-aboga-por-di\\_303813.shtml](http://politica.eluniversal.com/2007/05/30/pol_art_podemos-aboga-por-di_303813.shtml)>.

<sup>34</sup> Reyes Theis, *Diario El Universal*, 3 June 2007. Passages include: “We are prepared for the fight against the far right, whatever the circumstances. *If they call us circle of terror, now we are.* We are prepared for anything,” said pro-Chávez Lina Ron who denounced the ‘selective murder of chavistas’ by paramilitaries.... About the protests that had been taking place because of RCTV’s shutdown, Ron also said ‘crocodile tears and *pretty kids* are not going to overthrow the government.’ She emphasized that ‘the *rich kids* are the ones on the street’ ... she added that the strategy that would be used by the government would be ‘equals to equals. *Our youngsters in public school will fight these far right collaborators.*”

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<sup>35</sup> The full text of this document is available at: <http://caracasnine.com/cgi-local/content.cgi?l=eng&n=2&p=#docs> (document #6).

<sup>36</sup> The full text of this document is available at: <http://caracasnine.com/cgi-local/content.cgi?l=eng&n=2&p=#docs> (document #7).

<sup>37</sup> The full text of this document is available at: <http://caracasnine.com/cgi-local/content.cgi?l=eng&n=2&p=#docs> (document #8).

<sup>38</sup> See Foro Penal Venezolano: <http://www.foropenalvenezolano.com/>.

<sup>39</sup> "Luis Brito García Venezuela y su profunda libertad de expresión," Ministry of Communication and Information (MCI), 20 June 2007 <[http://www.mci.gob.ve/opinion/7/14414/venezuela\\_y\\_su.html](http://www.mci.gob.ve/opinion/7/14414/venezuela_y_su.html)>. This article can also be found on the Telesur Web page under "Libertad de Expresión en Venezuela": <http://www.telesurtv.net/secciones/notasdeopinion/223/libertad-de-expresion-en-venezuela/> (Telesur is another state-owned television network).

<sup>40</sup> Isidro Ramírez, "Globoestudiantes," Aporrea.org, 13 June 2007 <<http://www.aporrea.org/educacion/a36530.html>>.

<sup>41</sup> "Yon Goicoechea, UCAB student representative: I have been threatened, but not by the Vice-president," *Noticiero Digital*, 8 June 2007 <<http://www.noticierodigital.com/forum/viewtopic.php?t=203619>>.

<sup>42</sup> Simón Romero, "Students Emerge as a Leading Force Against Chávez," *The New York Times*, 10 Nov. 2007 <[http://www.nytimes.com/2007/11/10/world/americas/10venez.html?\\_r=1&th&emc=th&oref=slogin](http://www.nytimes.com/2007/11/10/world/americas/10venez.html?_r=1&th&emc=th&oref=slogin)>.

<sup>43</sup> For more information on the Student Movement, see: <http://caracasnine.com/cgi-local/content.cgi?l=eng&n=2&p=#docs> (document #9).

<sup>44</sup> "Yon Goicoechea, UCAB student representative: I have been threatened, but not by the Vice-president," *Noticiero Digital*, 8 June 2007 <<http://www.noticierodigital.com/forum/viewtopic.php?t=203619>>.