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This report is presented by

 ***FUNDACIÓN EJERCITO EMANCIPADOR [[1]](#footnote-1)***

**1**. Does your country have any laws, policies or practices that, explicitly or implicitly, prohibit, restrict or make more challenging the exercise of freedom of expression by civil society organizations or activists advocating for human rights? of LGBT people?

1. This could include, but is not limited to, laws on so-called propaganda of homosexuality, morality policies or codes, censorship of media content, restrictions on school curriculum, censorship of any content or scenes, censorship of literature, printed materials, blocking of social media sites or platforms, persecution of artists and authors who work on the subject, etc.

Last year 2023, religious organizations, associated with Christianity, protested in Caracas for Comprehensive Sexuality Education. A subject that is part of the youth curriculum, approved by the Ministry of Education and that has no relationship with the so-called gender ideology, which these religious sectors accuse the LGBTIQ+ population of wanting to impose. This is how these sectors put pressure on the State so that their religious beliefs are above national laws.

The Venezuelan media censor themselves so as not to transmit content in favor of the LGBTIQ+ population, until now they only transmit programming with characters that ridicule trans women and gay men. All this with the excuse of complying with the schedules regulated by the Law of Social Responsibility in Radio and Television.

**2**. If no such laws or policies exist, have there been attempts or incentives in the last ten years (2013-2023) to introduce such explicit or implicit restrictions, either at the national or local level? If so, who were the actors/groups/individuals or organizations behind these attempts, and what is the current situation?

Religious organizations, specifically among them ''For the Venezuelan Family'' led by the evangelical pastor, Linda Márquez, who on various occasions have put pressure on the Venezuelan parliament to prevent the approval of the Bill against all types of Discrimination; They have also opposed the request for the Equal Civil Marriage Law and any other initiative that guarantees the rights of the LGBTIQ+ population.

Likewise, we must mention Judge Tania D'amelio, president of the Constitutional Chamber of the Supreme Court of Justice, who has hindered demands for the right to identity of trans, non-binary and intersex people; the lawsuit for the annulment of article 24 of the Civil Organic Code to extend the right of civil marriage to all people without discrimination.

On the other hand, although the Organic Law of Civil Registries in its article 146 allows any person to access the name change, currently the director of the National Civil Registry Office, Irwing González, does not allow people trans, non-binary and intersex, access this right. Many times, civil registrars do not even receive the applications.

3. Does your country have any law, policy or practice that explicitly or implicitly prohibits, restricts or makes more challenging the exercise of freedom of association and freedom of peaceful assembly by civil society organizations or activists defending the human rights of LGBT people?

1. Those may include, but are not limited to, explicit prohibitions on registration of organizations working on LGBT human rights or related issues, procedures that make registration impossible or nearly impossible, obstacles to applying for and receiving funding (foreign or otherwise), ignoring or indirectly encouraging attacks and threats on LGBT-related events and using such attacks as justification to ban peaceful marches/protests, refusing to ensure protection of peaceful protests by security forces of the State, etc.

Currently, the Venezuelan parliament is discussing a bill that will regulate the financing received by non-governmental organizations (NGOs), which would limit access to resources from abroad for the operation and work of said organizations. Thus, in a short time the work of NGOs related to the LGBTIQ+ population will be threatened and almost null, since there is no funding from the State or national organizations.

In the electoral sphere, organizations with political purposes have been denied the right of association. The National Electoral Council has not responded to the political parties that have requested registration with said body, which is why this body does not comply with article 67 of the Constitution of the Bolivarian Republic of Venezuela.

At the time of writing this report, we are aware of police officials from the Girardot municipality, in the state of Aragua, who are promoting messages of hate against the LGBTIQ+ population, with the aim of not allowing the organization of gay parties, in the population of Choroní.

4. If no such laws or policies exist, have there been attempts or incentives in the last ten years (2013-2023) to introduce such explicit or implicit restrictions, either at the national or local level? If so, who were the actors/groups/individuals or organizations behind these attempts and what is the current situation?

Currently there is a refusal to donate blood, for reasons of sexual orientation, identity and/or gender expression, against the LGBTIQ population, due to prejudices when considering said population promiscuous. When what should be prohibited is that people with risky sexual practices should not be donors, regardless of their sexual orientation.

5. Are there practices, procedures, groups or actors, social and political trends, incentives, civil society and constituency mobilization, laws, bills or policies, that you have not mentioned above, but that already affect or are likely to affect in the future, directly or indirectly, the exercise of the human rights to freedom of expression, association and/or peaceful assembly by LGBT people, activists and civil society organizations in your country, at the national or local level?

At the end of 2023, the Attorney General of the Republic has called, through a media outlet, to combat the LGBTIQ population, associating them with rapists and aberrants. What could be considered a governmental position given that it represents a public power of the Venezuelan State. Becoming extremely worrying, since it contributes to and generates greater homophobia in the population.

6. Given that laws and policies regulating Internet use, access and content can have particularly restrictive effects on the protection of the human rights of LGBT people, are there laws, policies and practices that appear neutral or that do not are specifically directed at LGBT or SOGI issues, which, however, have discriminatory effects on the exercise of the human rights to freedom of expression, association and/or peaceful assembly by LGBT people, activists and civil society organizations in your country, at a national or local level?

In Venezuela, the consensual production of adult audiovisual content for adults is criminalized, among the LGBTIQ+ population, which is disseminated through platforms over the internet. Although there are no laws prohibiting the act, recording studios are raided and the cast has been deprived of their freedom.

1. The Ejercito Emancipador Foundation is a non-profit civil association, born in 2008 and subsequently registered in 2016, with the objective of creating and promoting social programs to benefit the rights of the lesbian, gay, bisexual, trans, intersex, queer (LGBTIQ) in addition to contributing to improving the quality of life of this population.

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