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NO GRACIAS PERMITIR

The chavism in the criminal courts



Those in Venezuela are jurists that have revolving doors. Sooner or later they have been deputies, ministers or representatives of Bolivarian associations. This report presents the conclusions of a work of data journalism that crosses the names of all the country's criminal judges with the lists of the government party, and therefore indicates that 40% of them are of chavista militancy. Among the most prominent in this case are acolytes who condemned political prisoners like Araminta González and even the first lady's son, Walter Gavidia Flores, who was in charge of a court until 2014.

JOSEPH POLISZUK

16 July 2017

8 min

escrito por un humano
no por la IA

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Portrayed wearing a red t-shirt. Joel Dario Altuve Patiño walks confidently at the front of a crowd that raises the flags of the Bolivarian revolution. There - looking forward - he can be seen in the center of a cover photo in their social networks. But he is neither a political nor syndicate leader, let alone a grassroots militant; he is the judge in charge of the Third Trial Court of the Metropolitan Area of ??Caracas.

He is clearly a chavista. Not only it's suggested by his judgments, he's also given away by the red cap he usually wears; he even admits it publicly in social networks. And he is not the only one: at least one in three judges of the Bolivarian Republic of Venezuela appears circumscribed in the lists of militants of the revolution.

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Courtesy Joel Darío Altuve Patiño personal Facebook account

In early 2006, the magistrates of the Republic inaugurated the judicial year with the famous "¡Uh, ah, Chávez no se va!" ("Chávez won't leave!"). Shrouded in the majesty of the black toga of justice, they rose from their seats in the Plenary Council of the Supreme Court to chant the chorus that used to summon the followers of the Bolivarian Revolution's leader. Being present in the auditorium, which seemed an electoral act, a proud Hugo Chávez thanked the gesture with a resounding applause.

Venezuelan magistrates are chavistas. It is not a surprise anymore to notice that the top of the Supreme Court of Justice is all red, but further down into the hierarchy a good part of Venezuelan judges also appear directly committed to the government. Their links are revealed in this investigation after the cross-reference of five databases that mix the official list of all the country's criminal judges with four of the records that the political bureau of the revolution has been filtering since 1999. The conclusion: 40% of the criminal judges are or at least have been acolytes of the government party.

40% of the criminal judges are or at least have been acolytes of the government party

Although the Judicial Power has 1,125 criminal courts throughout the country, it only confirms the names of 823 judges in charge. From these, 332 appear on at least one of the lists of militants that the United Socialist Party of Venezuela compiled in the years 2007, 2012 and 2013 or in an earlier one of the former Fifth Republic Movement (MVR) headed by former President Hugo Chávez.

Nineteen of these judges are even registered and endorsed in all the lists of chavism. Particularly outstanding in that club is the judge of the Metropolitan Area, Fanny del Valle Sánchez, who imposed in 2010 a presentation regime every 20 days against the opposition deputy for the state of Barinas, Wilmer

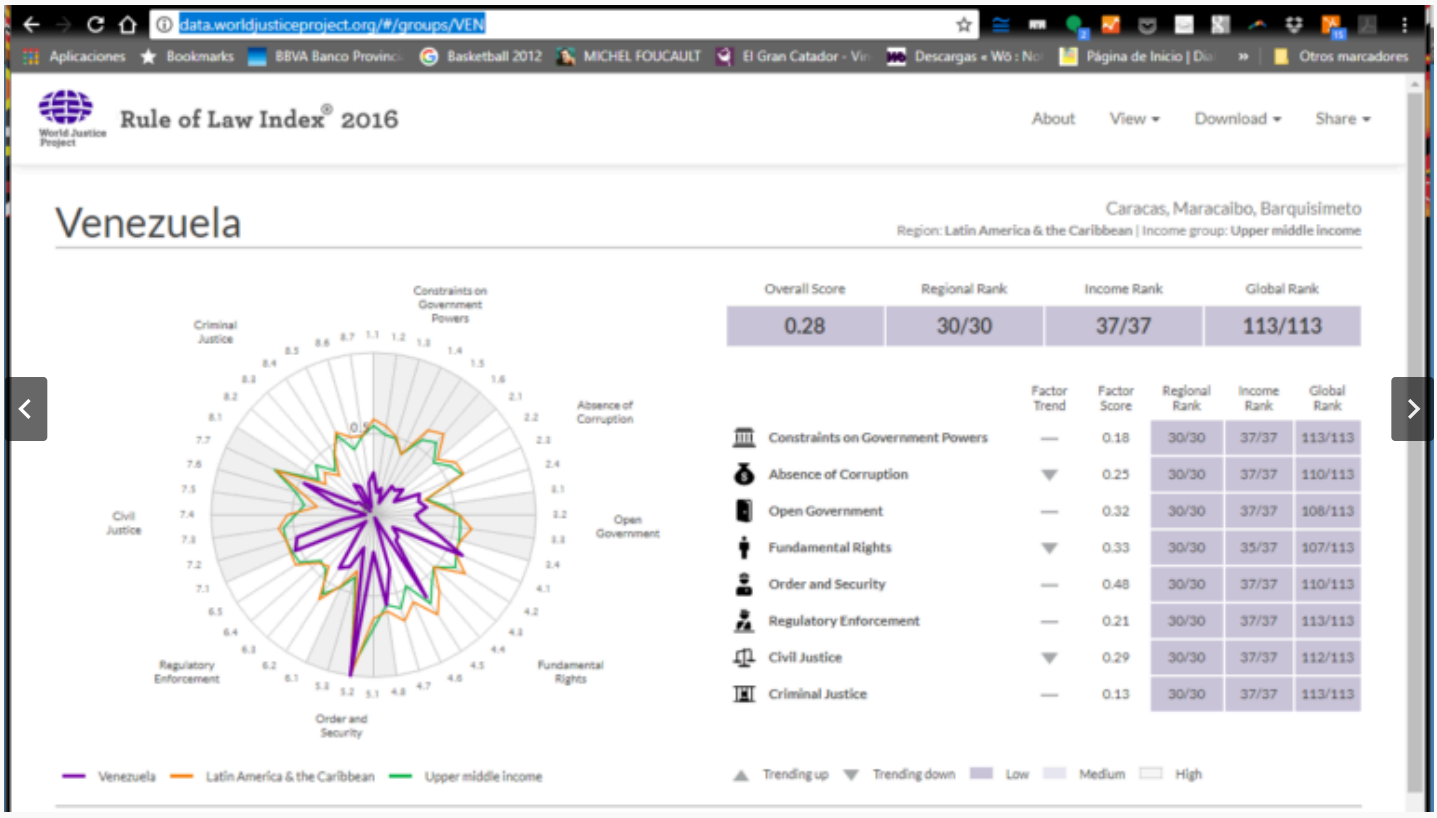
Azuaje, now recently imprisoned f… …e by an altercation with a police officer who demanded abuse of au… …overnment.

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…unconditional, whose name will be …e young chemist who was sent to …and Forensic Investigations Corps declared to have found explosives at her residence during a raid as result of incriminating denounces made by "cooperating patriots".

They are political judges. Their names being among those in the trenches of the PSUV confirms that in Venezuela justice is not blind

They are political judges. Their names being among those in the trenches of the PSUV confirms that in Venezuela justice is not blind. "Even if they have been coerced into signing up for any party", says the lawyer Laura Louza, who has been warning in recent years from the non-governmental organization Access to Justice, about the lack of independence of the judicial system. "If they were forced to join a party it's even more serious, because it portrays justice as an executing branch of the Government".



Worse than Afghanistan

The article 26 of the Constitution guarantees "impartial" justice, but it is even more explicit in the article 256 about the need for judges, prosecutors and magistrates who are not biased: "(...) from the date of their appointment and until their egress they may not, except in the exercise of their vote, carry out partisan, guild, trade-union or similar political activism, or engage in private lucrative activities incompatible with their function".

Those in Venezuela are jurists that [illegible] el Parra Barrios, who served as judge in the Judicial Circuit of the [illegible] s and the Bolivarian Association of Lawyers. Not to mention the pre[illegible], Jaime de Jesús Velásquez Martínez, who until 2004 was vice[illegible]

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Not surprisingly, Venezuela ranks l[illegible]he World Justice Project, to measure the access to justice that a common citizen finds in the courts of 113 different countries. Even behind Afghanistan and Cambodia, Bolivarian justice has been at the bottom of the world for more than five years, according to the results of more than 100,000 surveys - applied simultaneously in all countries - that precisely measure the functioning of criminal justice, as well as separation of powers, anti-corruption efforts, open government and human rights among other issues.

"The doorman of a court has more stability than the presiding judge"

Without going too far, more than half of the Venezuelan population values ?? their judges negatively. According to 2015 Living Conditions National Survey, carried out by the universities Simón Bolívar, Católica Andrés Bello and Central de Venezuela, 56% consider their work as "very bad". At the head of this study, Roberto Briceño-León, a researcher, points out that even worse is the idea that the country has about the relationship between judges and crimes: 52% link them directly while another 32% think they are more or less related.

Regardless of perceptions, reality shows these civil servants are vulnerable, subordinated to a system in which they lack autonomy. From 1,125 criminal courts in the country, only 273 have permanent judges, according to the data processed for this work, presented with some inaccuracies by the Supreme Court of Justice (TSJ). That is, only one in four judges is titular, while the rest are temporary, accidental, itinerant or substitute and may well be dismissed without any disciplinary process. "The doorman of a court has more stability than the presiding judge", summarizes Briceño-León.

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The jurist's profile

If a profile of the jurist in charge of the criminal courts was to be made, the data indicate they are attorneys graduated mainly from the Universidad Santa María in Caracas and whose position was not obtained through a merit-based selection contest as established by the Constitution in the article 255. They are sympathetic to chavism and in 40% of cases they have even joined the government party.

Sometimes they even exhibit more severity in cases against supporters and leaders of the Venezuelan opposition. An example of this: Alfredo Baptista Oviedo, of the Criminal Judicial Circuit of Aragua, who is a member of the PSUV and had more leniency for his comrades, the Puente Llaguno gunmen, than with a group of young people who last year participated in a protest against the head of state, Nicolás Maduro.

Judges Maikel Moreno and Marjorie Calderón arrived at the directive board of the Supreme Court of Justice after forging their

In a joint judgment with two other colleagues, Baptista declared innocent and released four of the subjects that were recorded on video on April 11, 2002 in the center of Caracas firing at the concentration calling for Chavez's resignation. But last year he ordered the arrest of 13 young people who participated in the march that the Democratic Unity Roundtable (MUD) called on October 26 under the name of the "Takeover of Venezuela".

The system rewards the chavistas. Judges Maikel Moreno and Marjorie Calderón arrived at the directive board of the Supreme Court of Justice after forging their paths - precisely in the criminal courts - with rulings against emblematic political prisoners such as commissioner Iván Simonovis. The

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prisoner.



The shadow of the Afiuni case

"In Venezuela, judges do not decide, but rather satisfy the whims of the government", declared Afiuni on June 30, 2015 in one of the same courtrooms of the Palace of Justice of Caracas where, years before, she stood out on the podium. "In six years they destroyed my life, my daughter's and my family's".

On that day, Afiuni broke the silence on a series of tortures and vexations she had kept in reserve. She told that she received a kick with a National Guard's boot which caused a distortion in one of her breasts. That she was forced to share the pavilion with inmates who had previously been convicted in her office and receive beatings and harassment from them. That in several opportunities they sprayed her cell with gasoline. That she was victim of several beatings and that nobody, at all, did anything to avoid it.

"I want you to know one thing: they emptied my uterus", she said looking at one of the many judges who knew the case. Another of them, ironies of life, was Alí Paredes, the next that went to prison after the Judicial Commission pointed at him for favoring the Venezuelan drug trafficker, Walid Makled, and his brothers.

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"I would never betray th
much less my command
I carry the revolution in my blood"

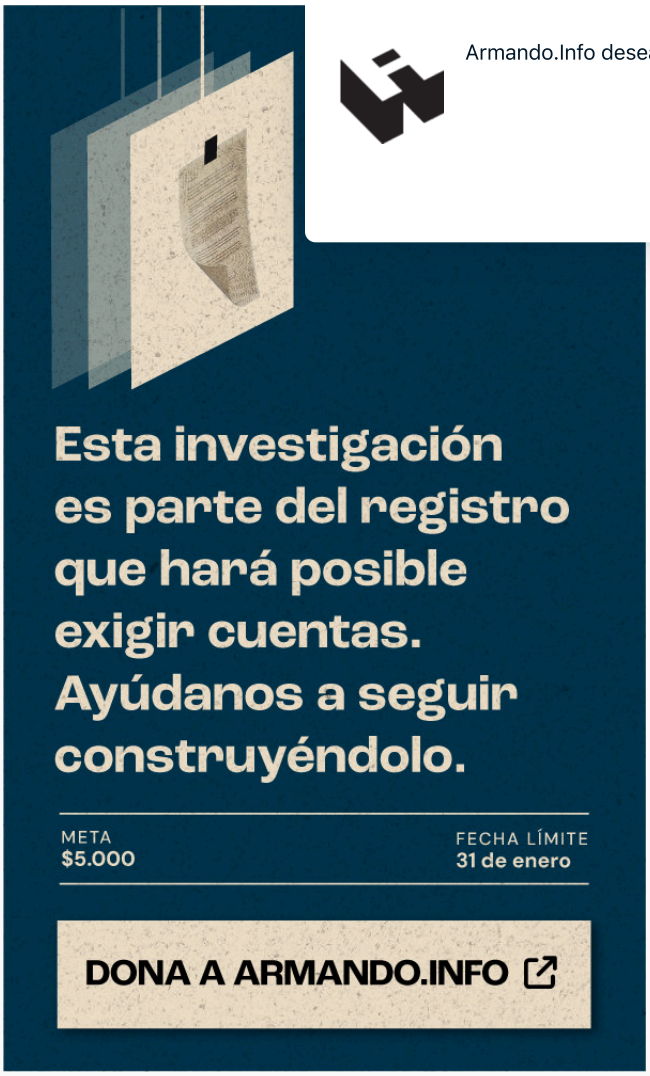
rothers than with Afiuni, to whom substitution of imprisonment but judge attributed this behavior only ent, which are now evident looking ever betray this process, much volution in my blood (...) for the revolution I would give my life as I risked it on April 11 in Puente Llaguno", he posted in 2009 on the website of the government party itself.

Even with a license, the revolution eats its own children. Paredes is an example of the 332 cases of judges declared chavistas that this investigation expose and who swarm the courts corridors.

There, however, in the twists and turns of the judicial system, there are no answers on this subject: as if it were a novel by Franz Kafka, it was not possible for a representative of the Supreme Court to explain how the Venezuelan judges are all red. Much less in the Executive Direction of the Magistracy where, in the absence of answers, in the institution's Department of Security they took the data of the author of the note and confiscated his ID card during an interrogation that demanded the motivations of its questions.

Instead of explaining the devices they use to select the judges responsible for settling killings and kidnappings in one of the hemisphere's most violent countries, on the afternoon of July 6, it seemed suspicious that someone was investigating the matter. "You're gringo", was their conclusion.

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ARTÍCULOS RELACIONADOS

23-09-18 ANDREINA ITRIAGO



Accomplices to Bribes to Peruvian President Toledo Left Traces in Venezuela

Two entrepreneurs from Peru, Yosef Maiman and Sabih Saylan, participated as intermediaries in the irregular payments of Odebrecht, through offshore structures, to the former president of that country. They are part of a "shell companies" structure built by Mossack Fonseca, as shareholders of the private cable TV and telephone operator in Venezuela, Inter. Even the Panamanian law firm suspected that it was being used for money laundry. Meanwhile, another firm of th...

26-08-18 VALENTINA LARES



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Trinidad – The Ambush

Without human rights officers at the ports c the Caribbean island find relief from hunger and shortages. In return, they are exposed to labor exploitation and the constant persecution of corrupt authorities. On many occasions they end up in detention centers with inhumane conditions, from which only those who pay large amounts of money in fines are saved. The asylum request is a weak shield th…

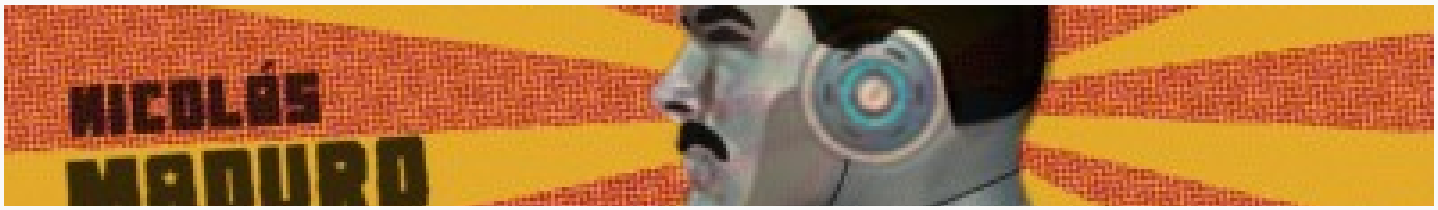
18-03-18 ROBERTO DENIZ



Business of CLAP Boxes Enriches Intermediaries in Spain

The network of intermediaries contracting with the Venezuelan Foreign Trade Corporation (Corpovex) to bring CLAP boxes seems infinite. In Sabadell, a town near Barcelona, a virtually cash shell company got 70 million dollars for outsourcing the shipment of food to Venezuela thanks to the administration of Nicolás Maduro, which buys the contents of the boxes at discretionary prices and without control. Last year alone, the government spent 2,500 to 3,500 million dollars,…

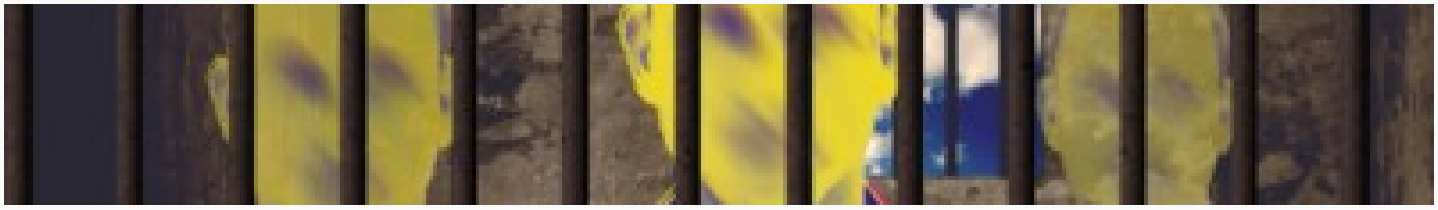
14-01-18 MAOLIS CASTRO



The Virtual Troops of the Chavista Revolution have their Matrix

Even Diosdado Cabello has false followers. The Government of Venezuela has been able to measure itself in political cyberspace. Hence, it has created an authentic machinery of robots at the service of the governing party in social media that is mainly controlled by public officials and coordinated from ministries. This is the result of several studies, testimonials and applications that measure the "Twitterzuela" convulsion.

21-12-17 PATRICIA MARCANO



The Political Prisoners We All forget

Their faces have not appeared in any public manifestation portrayed in any banner, or brochures, or in social media. Their names were sentenced by someone with "revolutionary authority" that involved them in a case without conclusive evidence, even with assumptions that even though they were dismantled, that was worth little or nothing to reverse the aim, i.e. to criminalize the protest, frighten the protesters, leave someone behind bars. The official discourse that is…

12-11-17 VALENTINA LARES







Last Stroke to Rescue 41

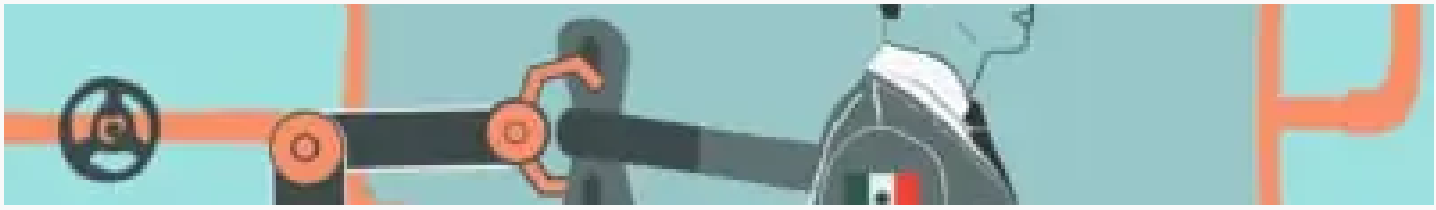
Venezuelan Álvaro Gorrín escaped on his ya… losing everything to the Venezuelan governm… havens, the then fugitive from the Venezuel…

…nembers did not resign themselves to …rtise of Appleby to create companies in tax

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OTRAS HISTORIAS

14-06-21 ROBERTO DENIZ, EWALD SCHARFENBERG, GEORGINA ZEREGA, ZORAYDA GALLEGOS, ELÍAS CAMHAJI, JAVIER LA FUENTE



Lopez Obrador's government was aware of underground business with Venezuela

Leaked documents on Libre Abordo and the rest of the shady network that Joaquín Leal managed from Mexico, with tentacles reaching 30 countries, —aimed to trade PDVSA crude oil and other raw materials that the Caracas regime needed to place in international markets in spite of the sanctions— show that the businessman claimed to have the approval of the Mexican government and supplies from Segalmex, an official entity. Beyond this smoking gun, there is evidenc…

14-06-21 ROBERTO DENIZ, ELÍAS CAMHAJI



Alex Saab left charcoal-marked fingerprints on Mexican network

The business structure that Alex Saab had registered in Turkey—revealed in 2018 in an article by Armando.info—was merely a false start for his plans to export Venezuelan coal. Almost simultaneously, the Colombian merchant made contact with his Mexican counterpart, Joaquín Leal, to plot a network that would not only market crude oil from Venezuelan state oil company PDVSA, as part of a maneuver to bypass the sanctions imposed by Washington, but would also take…

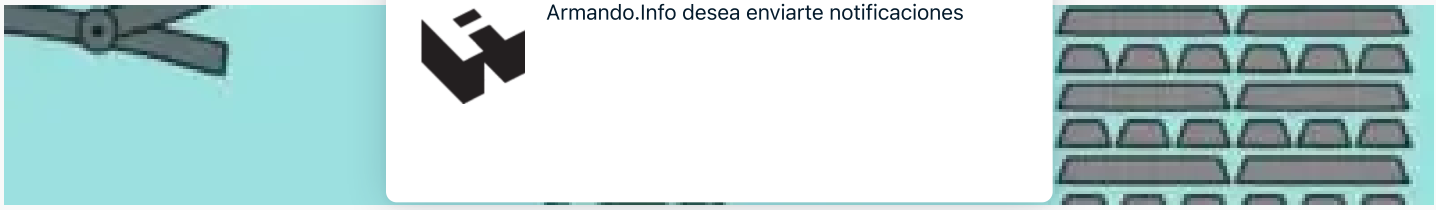
14-06-21 ROBERTO DENIZ



For everything else, there were Joaquín Leal and Alex Saab

As part of their business network based in Mexico, with one foot in Dubai, the two traders devised a way to replace the operation of the large international credit card franchises if they were to abandon the Venezuelan market because of Washington's sanctions. The developed electronic payment system, "Paquete Alcance," aimed to get hundreds of millions of dollars in remittances sent by expatriates and use them to finance purchases at CLAP stores.

14-06-21 VALENTINA LARES, ROBERTO DENIZ

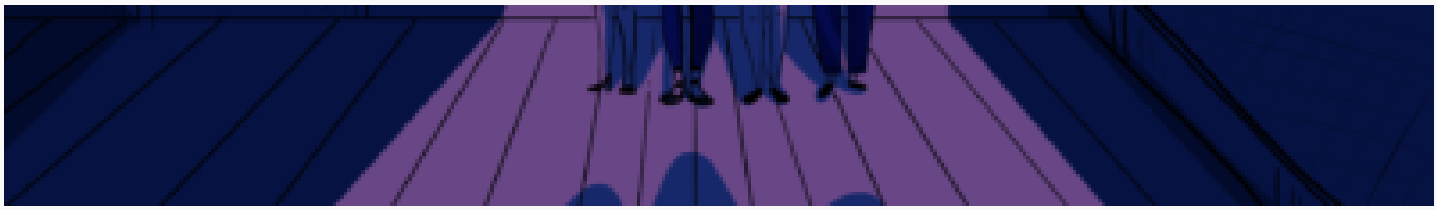


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They offered to resuscitate Venezuelan aluminum production but rescued a Mexican consortium

Through a company registered in Mexico – Consorcio Panamericano de Exportación – with no known trajectory or experience, Joaquín Leal made a daring proposal to the Venezuelan Guyana Corporation to "reactivate" the aluminum industry, paralyzed after March 2019 blackout. The business proposed to pay the power supply of state-owned companies in exchange for payment-in-kind with the metal.

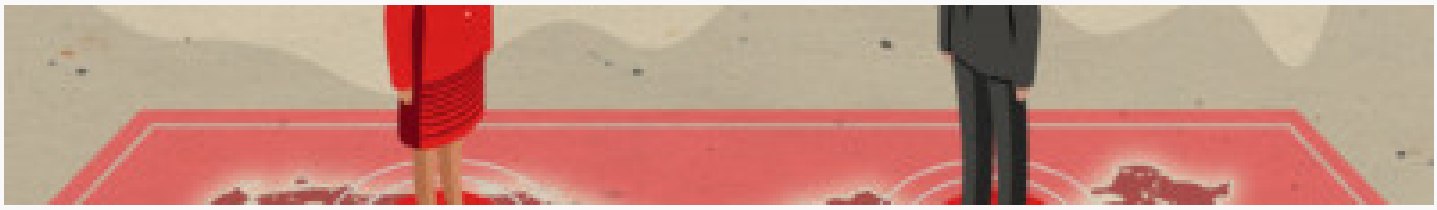
11-04-21 MARIELBA NÚÑEZ, CLAUDIA SMOLANSKY



Venezuelan Sex Slaves, a Booming Industry in Trinidad

They lose their freedom as soon as they set foot on any Trinidadian beach, and their "original sin" is an alleged debt that these women can only pay by becoming sexual merchandise. They are tamed through a prior process of torture, rotation and terror, until they lose the urge to escape. The growth of these human trafficking networks is so evident that regional and parliamentary reports admit that the complicity of the island's justice system in this machinery of deceit and…

05-03-21 ISABEL GUERRERO



The 'China ladies' who disappeared from the Venezuelan scene

Under Hugo Chávez, two women represented Venezuela in dealings with China to obtain project finance: banker Edmée Betancourt and diplomat Rocío Maneiro. These are their stories.

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