

# Report on repression in Venezuela

## Executive Summary



May 2017



Foro Penal  
venezolano

The human rights NGO Foro Penal Venezolano, headquartered in Caracas, is composed of more than 200 lawyers and 2,000 volunteers who promote and defend human rights across Venezuela. The lawyers of the organization provide pro-bono representation to victims of state repression and human rights violations, and to their family members. The vast network of volunteers help monitoring human rights conditions around the country, serving as liaison between alleged victims, the organization and state organisms. There is a thorough effort to document and report human rights violations, providing verified data to the world that would otherwise be unavailable, such as the names and number of detainees for political motivations, their whereabouts and their conditions while detained. Foro Penal Venezolano has also led the charge in bringing claims of Venezuelan victims of state repression before international forums that include United Nations agencies and regional organizations such as the Inter-American Human Rights System. The NGO has received multiple national and international accolades, including the 2015 Human Rights Defender Award of the U.S. Department of State, recognitions by the Canadian Embassy in Caracas, the Barcelona Bar Association and nominations to the Nobel Peace Prize, among other international awards, by European and Latin American academics and parliamentarians.



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## EXECUTIVE SUMMARY

Protests and demonstration against the national government have drastically intensified in Venezuela during the months of April and May 2017. On a nearly daily basis, there have been nationwide protests routinely followed by repressive actions by the regime's security forces.

The excessive use of force and cruel and unusual punishments by agents of the National Bolivarian Guard, National Bolivarian Police and paramilitary groups that act under the acquiescence of the state security forces, are general and systematic. Recent participation in unconstitutional searches of residential premises, without a warrant, have been conducted by officers of the National Anti-extortion and Kidnapping Commission (CONAS, for its Spanish acronym), a special brigade that is part of the National Bolivarian Guard.

At least 54 people have been killed between April 1st and May 31st, 2017 as a consequence of the demonstrations. Yet, in the context of the different protests and demonstrations, there have been incidents of looting and deaths produced by them, as well as accidents and incidents related to barricades. With the inclusion of these additional deaths, that represent 20 people killed, the toll of deaths in the context of demonstrations until May 31st, rises to 77.

The total number of people injured in demonstrations cannot be estimated based on the multiple reports received. Additional data is obtained through reports of public health institutions in the multiple municipalities where the demonstrations are taking place. Generally, the victims indicate fear of reprisals and there is a well-founded fear of being hurt in one way or another at a demonstration. There have been over 2,000 reports of injuries between April and May 2017, caused by repression in the demonstrations.

In that sense, we must highlight the multiple reports of people injured after being impacted by tear gas bombs used as projectiles and shot horizontally against their bodies. This has led to the death of at least one demonstrator and to severe wounds to others. This was the case of Juan Pablo Pernalet, killed on April 26, 2017 in Altamira (Caracas) after being hit by a tear gas canister. During the month of May, the case of Oscar Navarrete is notorious. The 18-year-old youngster was struck in the left side of his ribcage, under the same circumstances and at the same place (Altamira, Caracas), presumably by a tear gas canister shot at his body. That day, Oscar Navarrete was taken to a nearby hospital with no pulse produced by cardiac arrest, and was reanimated by treating physicians. However, as a byproduct of anoxic brain injuries, Oscar Navarrete is currently seriously ill and in vegetative state.

On the other hand, people asphyxiated by tear gas indiscriminately used by security forces against demonstrators has increased notably. Also, many people show severe wounds caused by rubber bullets, bullets and other objects

such as marbles, crystals, pieces of metal and others, shot by military officers, police officers and even vigilante and paramilitary units, known as "colectivos," formed by armed civilians that act under the acquiescence of the security and military forces. Spheres are placed inside the rubber bullets' shells and shot at demonstrators. There have been reports and findings in the areas of protests of manufactured shells containing metallic or glass spheres, combined with rubber bullets. In this regard, human right organizations such as Provea and Funpaz have requested the General Prosecutor to investigate and determine whether the CAVIM (the state-owned military company dedicated to manufacturing ammunition) is responsible for the production of these lethal shells used against demonstrators.



Oscar Navarrete

Additionally, we have collected evidence of multiple people with severe concussions after being ran over by vehicles during the protests, which has happened several times during the month of May.

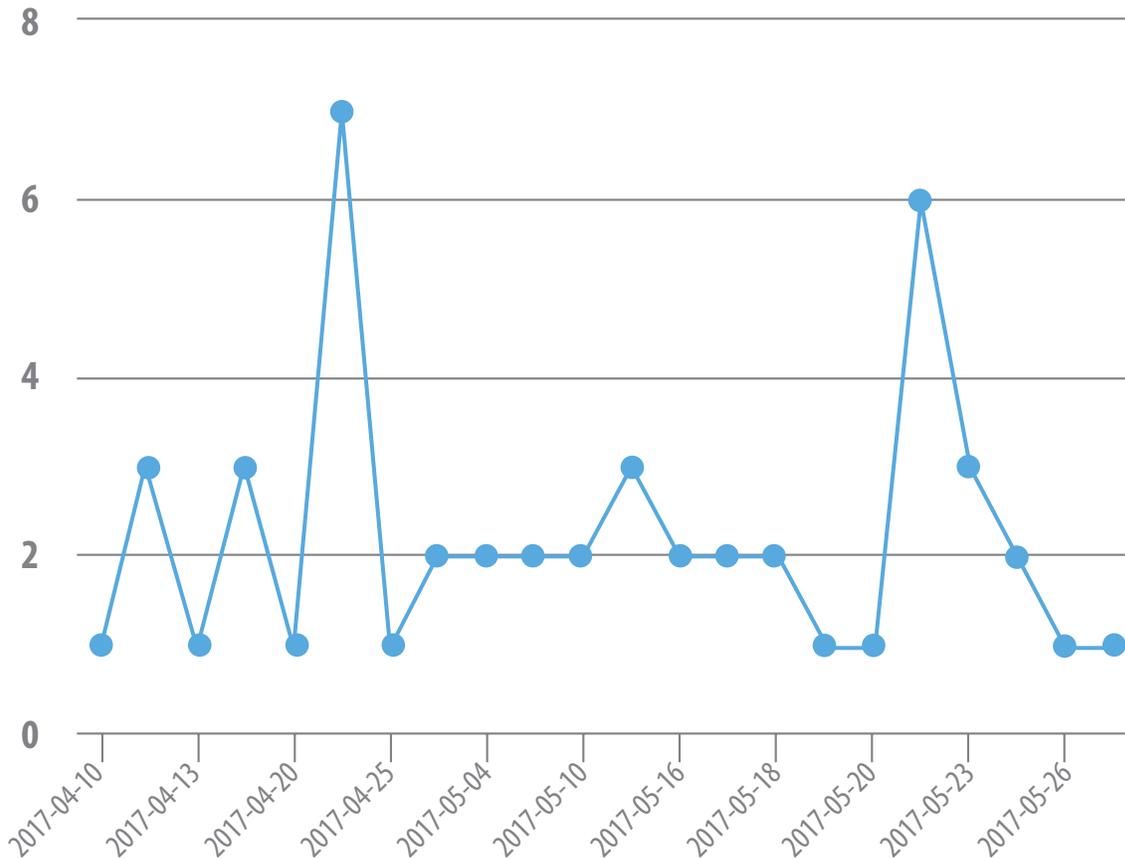
In direct connection with state repression against demonstrators, the number of arrests has increased. From April 1st to May 31st there were 2,990 arrests due to demonstrations and, on the date of preparation of this report, 1,251 people were behind bars. FPV has registered every case and legally assisted the detainees and their family members in most them. The temporary disappearance of the detainees is common and only through a thorough search, visiting the multiple detention centers day and night, FPV has managed to determine the location of the detainees. There is no official information and, save for some exceptional instances, detainees are not allowed to communicate with their family members. The rule is having the detainees in isolation, lawyers are only allowed to talk to detainees a few minutes before their arraignment in court, assuming they are arraigned.

Only during the month of May of 2017, there were 1,322 people arrested in different demonstrations taking place throughout the country. Despite the number of arrests being lower in May in comparison with the 1,668 detainees of April, we have noticed that the number of acts of aggression and the killings

have increased. Of the 49 killed directly during a protest, 30 took place in May, including 24 during the last two weeks.

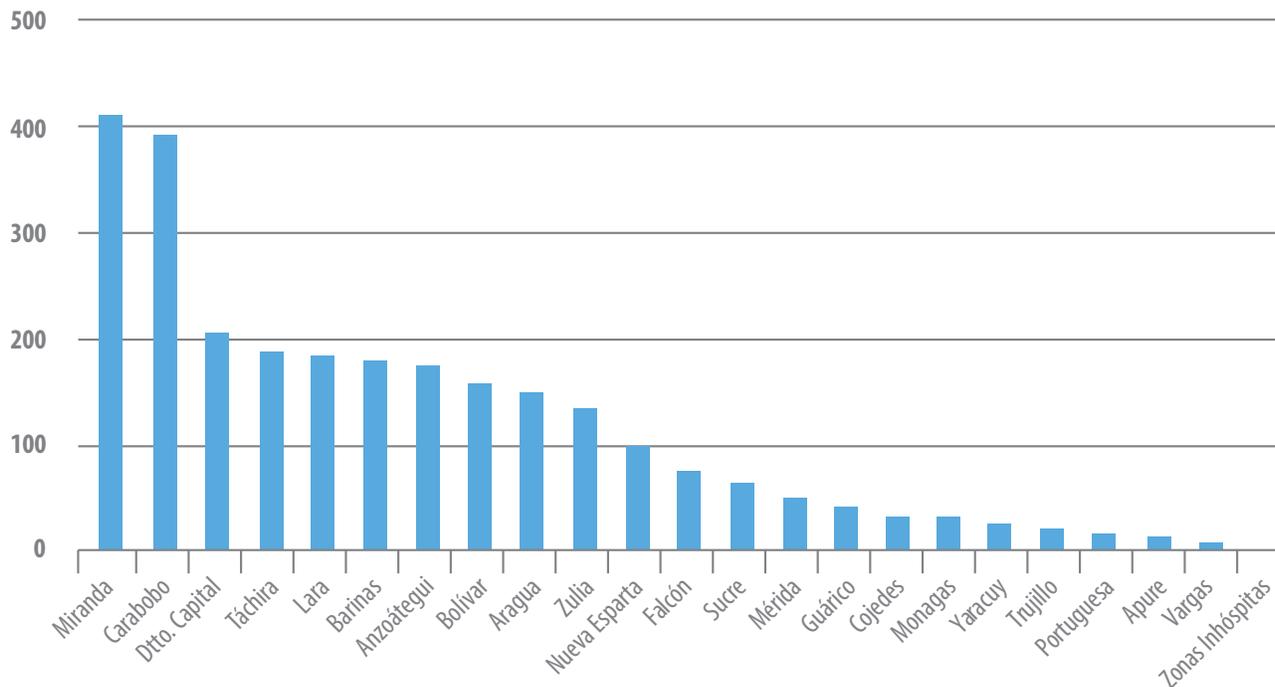


Of all the civilians arrested since April 1st, 2017, 363 have been tried before military tribunals and 197 of them were deprived of their liberty through decisions issued by military tribunals, which is in clear violation of the principle of the natural judge and due process, as well as a gross violation of ratified treaties on human rights.



Killed in protests from April 1st to May 31st 2017

## Arrests by States



The increase in repression that implies a vast number of fatalities and arbitrary arrests, is a consequence of the activation and implementation of the so-called “Spatial Strategic Military-Civil Zamora Plan” besought by the President Nicolas Maduro on April 18th, 2017. The plan ordered to the commanders of the Strategic Regions of Integral Development (REDI) and the Operative Zones of Integral Defense (ZODI) of the National Bolivarian Guard to conduct its implementation.

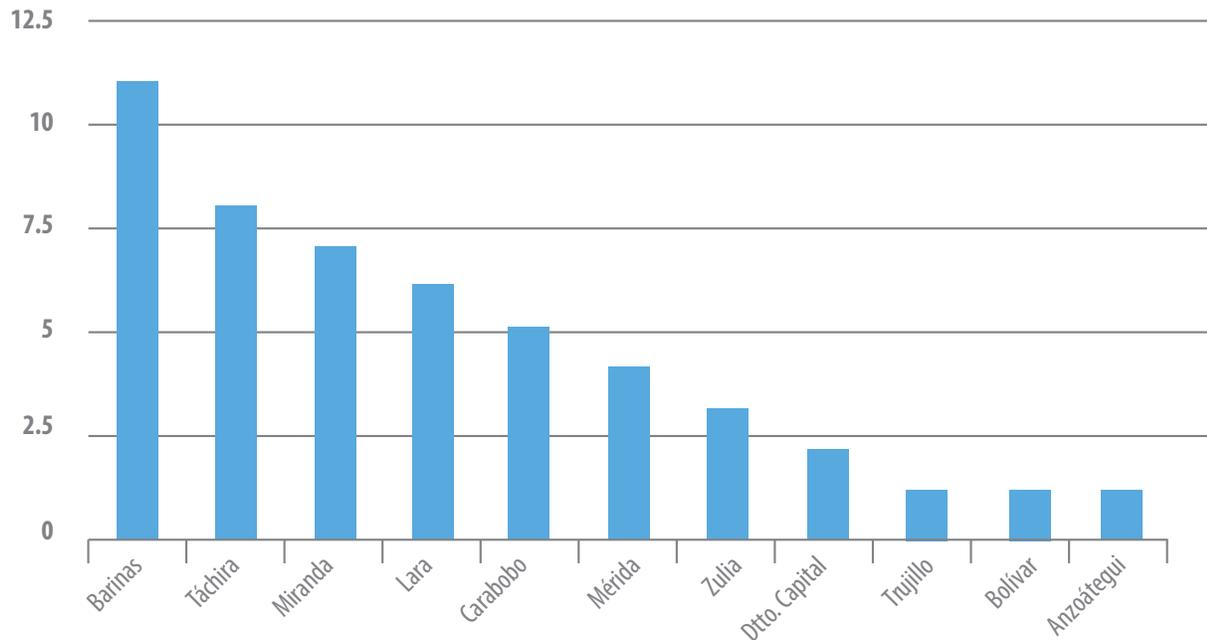
Some pro-government media outlets have broadcasted that: “The Zamora Plan is a strategic and operational plan that activates the Safety and Defense of the Nation in instances of threats to the internal order that may present social and political commotion or an interruption in the constitutional order. It is the top Safety and Defense plan of the Nation. Its green phase means general alert, or threat during a period of crisis.” Based on information collected by FPV, the Zamora Plan establishes an operation where civilians and military officers work in tandem, and it is presupposed as a consequence of the activation of civilian groups and/or militias that act in connection with the armed forces to repel a state of internal commotion.

One of the states that has suffered most repression, in second place among states with most detainees in the country behind Miranda, is precisely Carabobo State, with 393 arrests. In this state, on May 4th, 2017, after the instructions of the Commander of the National Guard, General Jose Benavides Torres, it was ordered to try civilians through mi-



Protests in the State of Mérida

## Killed by States



litary justice. Since the announcement, 213 civilians have been tried before military tribunals.

Another state characterized by the increase in repression and larger presence of security forces, in particular National Guards, has been Tachira State. It was specifically ordered by the National Executive branch to activate the "second phase" of the aforementioned "Spatial Strategic Military-Civil Zamora Plan," on May 17th, by sending 2,000 officers of the National Bolivarian Guard and 600 troops of special operations to implement the second phase.

Likewise, in Barinas State, on May 23rd it was also activated the "second phase" of this "strategic plan," which translated in larger state repression. It must be noted that it is precisely in Barinas, after the implementation of the Zamo-

ra Plan, where we find the largest number in the country of people killed within protest settings. 10 of the 11 murders in this state took place during the month of May, and only between the 22nd and 23rd of May there were 9 people killed, followed by Tachira, where during May there were 5 people killed in protests, for a total of 7 since April 1st, 2017. This does not account for the people who died in relation to demonstrations, but not directly at the demonstrations.

This information corroborates that the application of said "Spatial Strategic Military-Civil Zamora Plan," in any of its phases, has brought a stingier and unnecessary repression, a large number of arrests, people injured and an unprecedented number of deaths of civilians who were just demonstrating their discontent with the government.

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