

Foro Penal
venezolano

Report on Repression by the Venezuelan State

January 2014- June 2016



This report was prepared and coordinated by Alfredo Romero and Gonzalo Himiob Santomé, with assistance from Mariela Suárez, and is based on information provided by the Foro Penal's regional coordinators and member attorneys.

Foro Penal Venezolano (FPV) is a nongovernmental organization (NGO) that has worked since 2002 to protect human rights, providing pro bono assistance to victims of State repression, including arbitrary arrests, serious human rights violations, torture, and cruel, inhuman, or degrading treatment. Foro Penal Venezolano now has approximately 200 volunteer attorneys and over 1000 activists throughout Venezuela who make available assistance and legal support to victims. Foro Penal Venezolano has received different national and international human rights awards for its human rights protection efforts.



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EXECUTIVE SUMMARY

Although Foro Penal Venezolano (FPV) has been calling attention, since 2002,¹ to the mounting repression by the State, since 2014, we have observed markedly higher levels of political repression and detention in Venezuela, which have now become typical State conduct or policy.

As reference, when Nicolás Maduro assumed the presidency in 2013, Foro Penal had identified 11 political prisoners. However, since January 2014, there has been an exponential rise in the number of political prisoners and detainees, the justice system being used to that end as a weapon for political persecution and as a façade to conceal a repressive regime.²

From January 2014 to June 30, 2016, FPV, using social media, identified **5,853** cases of detention, arrest, or release associated with different anti-government demonstrations and protests in Venezuela against food shortages, scheduled power cuts, and lack of water. At present, **1,998** persons are subject to measures restricting their liberty and are being prosecuted, and **96** are behind bars and **20** detained in Aroa, Yaracuy State, who, although their release on bond was ordered on June 9, 2016, are still being held owing to procedural irregularities.

To be noted is the “revolving door” effect,³ i.e., the regime arrests some, incarcerates others, and releases others so that although the number of arrests is very high, the average number behind bars has remained at approximately 80. At the time of this report, the number of inmates (96) is higher than average.

Of particular concern is the systematic action, with absolute impunity, of the Bolivarian Intelligence Service (SEBIN) police force in cases of torture and arbitrary arrest; this is also the case with some Bolivarian National Guard (GNB) officials. Despite multiple reports at court hearings, even directly by victims, no serious investigations are under way in cases of torture or cruel, inhuman, or degrading treatment, and the torturers are still in their jobs. They may even be promoted when they are reported or identified.

In that regard, since 2014, we have identified **145** cases of torture and other cruel and inhuman treatment. We find that on different occasions, political prisoners and detainees have not only been subjected to arbitrary detention but also torture and other cruel, inhuman, or

degrading treatment. There have been cases of individuals subjected to torture and/or cruel and inhuman treatment who have died in consequence. Such is the case of **José Alejandro Márquez**, beaten to death in Caracas in 2014, by Bolivarian National Guard officials, and of **Geraldine Moreno** and 14-year old **Kluiberth Roa**, both killed during protests, the former in 2014, in Valencia, Carabobo State, and the latter in San Cristóbal, Táchira State, in 2015, by State security officials, with gunshot to the head. In 2016, **Jenny Ortiz** was killed in San Cristóbal, Táchira State, in the same circumstances.

One notable case is of 23-year old student **Joselyn Prato**, held in August 2015, in a highly dangerous jail in Coro, Falcón State, and subjected to beatings and cruel and inhuman treatment at both time of arrest and during her detention. She was given worm-infested food and was forced to sleep naked because of the extreme and stifling heat in the small cell she shared with nine female inmates at the Coro penitentiary. On September 16, 2015, Joselyn Prato’s family was informed that she was bleeding in the anal area, a situation difficult to manage because Coro Hospital did not have the equipment needed for her evaluation. Since her release, she has continued to have stomach complaints and episodes of depression. See video testimony at: <https://foropenal.com/historico-privados>

Another case is that of **Daniel Morales**, aged 18, arrested by SEBIN on May 18, 2016, for allegedly having participated in protests demanding a referendum to recall Nicolás Maduro. He was brutally beaten, subjected to electric shocks, and forced to denounce the chief of security of the National Assembly, also a prisoner. Today Daniel is being held incommunicado in El Helicoide, SEBIN.

Another notable case is that of **Gerardo Carrero**, detained by the regime now for over two years, despite the fact that he has not been convicted. On August 21, 2014, SEBIN personnel forcibly removed Gerardo from his cell, and, **using hosepipe, hung him handcuffed from the ceiling for 12 hours**, his wrists wrapped in newspaper and adhesive tape in order to leave as few marks as possible. He was severely beaten with three wooden boards that broke against his body. Following the report to the public prosecutor’s office and the court in the case, where even the first and last name of the torturer, a SEBIN officer, were provided, rather than investigate the torture and move Gerardo to a safe place, he was incarcerated in a place called “the Tomb,” also supervised by SEBIN, i.e., the police entity that had tortured him. Carrero was held there for six months without visits by his attorneys, with the air conditioning kept at very low temperatures, without daylight or medical attention, with the lights kept on 24 hours a day, and isolated from the world.

¹ See Gonzalo Himiob Santomé. *El Gobierno de La Intolerancia*, (Caracas: Libros El Nacional, 2009); and Alfredo Romero, *Relatos de muerte en vivo*, (Caracas, Foro Penal Venezolano, 2012).

² For further detail and evidence of the use of the “rule of law as a façade,” see the work by Alfredo Romero: “The Rule of Law Façade: A Regime Playbook” (La fachada de Estado de Derecho: un plan de juego para regímenes). Request it at info@foropenal.com

³ This concept is taken from research being conducted by Foro Penal’s Executive Director, Alfredo Romero, as Harvard University Fellow, as part of the project and study group on political prisoners headed by attorney Romero.

Research on political prisoner typology⁴ has identified **three types of political prisoners and detainees** in Venezuela, classified by the political objective or reason for detention: (1) prisoners or detainees who as individuals represent a political threat to the government because they are political or societal leaders. In these cases, the objective of detention is to remove the person from politics by isolating him or her from the rest of the population (examples: **Leopoldo López** and **Antonio Ledezma**, leaders of the political opposition held prisoner, in the first case, for over two years, and, in the second, for over a year); (2) those detained not because they represent individual threats to the regime but because they belong to a societal group, such as students, human rights defenders, judges, or military members, the aim being to intimidate that societal group (examples: **Daniel Morales**, dissident student, and **Marcelo Crovato**, human rights defender attorney); (3) those not representing a political threat to the government individually or as part of a societal group, but who are used to justify a campaign or political propaganda (example: **Manuel Morales**, owner of the “Día a Día” supermarket chain, who was detained to transfer to him blame for the food shortages and whom the government has presented as one of those responsible for the businessmen’s “economic war”).

2016 is expected to be a year with high levels of repression in the country. Protests over food shortages increased in number in the first six months of this year, and FPV has identified **2030 (two thousand and thirty)** political **detentions**. The repressive practices most used are arbitrary detention, cruel and inhuman treatment, torture, and, in some cases, sexual abuse. Moreover, illness among political prisoners and lack of medical care have become the norm, something denounced by the FPV on various occasions. On June 19, 2016, at a Bolivarian National Guard control post were detained member attorneys of the opposition political party Voluntad Popular, Francisco Márquez and Gabriel San Miguel, both dual nationals, the former, of Venezuela and the United States; and the latter, of Venezuela and Spain. They were charged with money laundering when they were traveling to support the signature validation process in Portuguesa State for the referendum to recall President Maduro. These individuals have been added to the list of political prisoners in the country and are being held in the July 26 Prison, Guárico State.

Human rights defenders and, especially, member attorneys of our Foro Penal organization have been subjected to intimidating interrogations and investigations and even to detention. Such is the case of **Tamara Sujú** (now a political refugee in the Czech Republic) and **Celia Dao**, who were

interrogated and subjected to political persecution by SEBIN. A systematic campaign of defamatory, intimidating, and disparaging remarks is being conducted on the State media channels against Foro Penal’s Executive Director, **Alfredo Romero**, and his family. He was attacked with firearms in February 2015, as were other members of the leadership of said NGO, such as **Gonzalo Himiob Santomé**. This has led the Inter-American Commission on Human Rights (IACHR) to request formal protection measures from the Venezuelan national government on behalf of FPV members, with which the government has not in any way complied. The United Nations High Commissioner for Human Rights, in his annual report of August 17, 2015 on “Cooperation with the United Nations, its representatives and mechanisms in the field of human rights,” also indicated his concern regarding the national government’s systematic intimidation of Alfredo Romero and FPV attorneys.

The case of the FPV member attorney and human rights defender **Marcelo Crovato** is emblematic. Marcelo Crovato is now under house arrest and in delicate health. Held for 10 months in the highly dangerous prison Yare III, where it was extremely hot, Marcelo tried twice to commit suicide. Marcelo has been deprived of liberty by Judge Denisse Boccanegra now for over two years without the preliminary hearing in his case having concluded. That is, Marcelo has not had the least opportunity to find out the evidence against him and to judicial defense. Over two years have gone by without his trial having begun and without formal charges, a situation which, under Venezuelan law, would trigger his immediate release. This has not occurred despite a formal request to the court in this case.

We have found that lack of medical care for and illness among political prisoners is being used as a means of cruel and inhuman treatment. In this report, we refer to **26 cases of political prisoners who are ill** and have reported lack of medical care.

Efraín Ortega Hurtado, in addition to being subjected to torture, has been denied adequate medical care. As of July 2016, Efraín had been held for two years. He was arrested in July 2014 without a warrant and the victim of torture and other cruel and inhuman treatment. On various occasions, he was handcuffed and severely beaten on the chest, head, and face. They put a cloth over his head and put him into a vehicle while beating him, then took him to the Counter-Terrorism Department of the Scientific, Penal, and Criminal Investigations Corps (CICPC), in Caracas. They made him kneel for over seven hours and, with his hands and feet handcuffed, wrapped his body and face with newspaper and cardboard. They put packing tape on his head, stomach, ankles, and feet so as to leave fewer marks when they beat him brutally with a bat. With his arms handcuffed behind him, they hauled him up by the hands in order to injure his shoulders. They applied electric shocks to his neck, head, and

⁴ Taken from Alfredo Romero, “Tipología de los presos políticos” [Typology of Political Prisoners], unpublished work by Alfredo Romero prepared during his research as a Fellow and head of an initiative on political prisoners at the Carr Center for Human Rights Policy, Kennedy School of Government, Harvard University.

ears for seven hours. All this to obtain information on names of alleged accomplices or financiers who he had never met.

We note that although Venezuela ranks last worldwide in terms of rule of law,⁵ the justice system functions effectively for political persecution and systematic intimidation of dissidents.

⁵ See Rule of Law Index, at www.worldjusticeproject.org.

I. Introduction

The United Nations High Commissioner for Human Rights, at the 20th session of the Human Rights Council, in 2015, indicated his concern at the deterioration in the situation of human rights in Venezuela, and, especially, the State media campaigns by high officials against human rights defenders, the deadly attack on demonstrators, and the detention of opposition leaders and demonstrators.

The Inter-American Commission on Human Rights, United Nations entities such as the Human Rights Committee, the Committee Against Torture and the Working Group on Arbitrary Detention (WGAD), and parliaments of different countries have made similar pronouncements. Recently, on June 8, 2016, the European Parliament referred to the situation of human rights in Venezuela and the thousands of cases of political prisoners and detainees there. On May 30, 2016, the Secretary General of the OAS signed a document invoking the Inter-American Democratic Charter and drew attention to existence of political prisoners and detainees, and victims of political persecution in Venezuela.

In 2014 alone, the WGAD issued 57 Opinions on arbitrary detentions, in reference to 513 individuals. Of those 513 individuals, 320 are Venezuelans, three of whom remain deprived of liberty. These are Leopoldo López, Daniel Ceballos, and Juan Carlos Nieto.

Of the above-mentioned WGAD Opinions on detentions, Foro Penal reported 317 that occurred in February 2014 alone, and one, that of Juan Carlos Nieto, that occurred in April of that year, all of which were deemed arbitrary by the WGAD, in addition to the cases of Daniel Ceballos and Leopoldo López, reported by other NGOs or attorneys.

Eight (8) reports made in 2015, five by Foro Penal and three by other NGOs or attorneys, were deemed arbitrary by the WGAD. Of these eight detainees, six remain behind bars: Antonio Ledezma, Rosmit Montilla, Gerardo Carrero, Nixon Leal, Carlos Pérez, and Renzo Prieto, while only Gerardo Resplandor and Vincenzo Scarano have been released. Thus far, the Venezuelan State has explicitly refused to accept those Opinions, continuing to hold several of these persons deprived of liberty or subject to measures restricting their liberty. In the above-mentioned Opinions, the experts group recommends that the Government of Venezuela order the immediate release of, and comprehensive reparation and moral and material compensation for: Maikel Giovanni Rondón and another 316 persons (Opinion No. 26/2014) Leopoldo López, Daniel Ceballos (Opinion No. 29/2014), Gerardo Carrero, Nixon Leal, Carlos Pérez, Renzo Pietro and Gerardo Resplandor, the last of whom has been released under precautionary measures (Opinion No. 07/2015), and Rosmit Mantilla (Opinion No. 01/2015), among others, in which it was found that the deprivation of liberty of these persons, detained in the context of the demonstrations at

different places in Venezuela, were arbitrary because they contravened Articles 19 and 20 of the Universal Declaration of Human Rights and Articles 19 and 21 of the International Covenant on Civil and Political Rights, and were classified as Category II of the applicable arbitrary detention categories for review of cases submitted to the Working Group.

It should be noted that the WGAD's Opinions are only issued in cases of reports formally lodged with the organization. This means that there are thousands of cases that have not been denounced due to lack of time and resources.

Note that the vast majority of statements by international organizations regarding political detainees, prisoners, and State repression have been issued since 2014. This shows that repression by the State in Venezuela has been stepped up since that time.

Although in 2014, the Public Prosecutor's Office of the Attorney General's Office received Foro Penal representatives just once for them to explicate the reports of torture and arbitrary detention, as did the Minister of Foreign Affairs, at the time, with representatives of UNASUR, we have seen that the Public Prosecutor of the Republic has preferred to broadly deny the existence of cases of politically-motivated torture of detainees, and of political prisoners and detainees. Instead, Attorney General's Office prosecutors have contributed significantly to fabricated charges and evidence for politically-motivated detentions, and have turned a blind eye, as have judges at hearings, to explicit reports of torture and cruel treatment.

II. Politically-motivated detentions

At the outset, it is important to indicate that our broad definition of **politically-motivated persecution** includes all those subjected to politically-motivated acts of persecution, such as threats, intimidation, inquiry, denunciation, indictment, allegation, investigation, procedure, proceedings, decision, administrative act, conviction or punishment, and order or directive issued for political purposes by officials, employees, spokespersons, or representatives of a government authority, or by private parties acting under the protection, following orders or instructions, or with the express or tacit agreement of the authority. Those subjected to politically-motivated persecution include, for example, persons who have had to flee their country, **political exiles**, for fear of politically-motivated incarceration. The list of such persons and references to them is the subject of another report now being prepared.

Political detainees as defined herein are those who are or have been detained without a court order having been issued for their deprivation of liberty. Therefore, they include those arrested who have not been arraigned and for whom the 48 hours in which they must be arraigned has not

elapsed, as well as those arrested who were brought within 48 hours before a court, which ordered their unconditional release or their prosecution, with or without measures restricting their liberty.

Political prisoners as defined herein include those whose detention or deprivation of liberty was ordered by a court following arraignment, or who have been detained for longer than the lawful period by which they must be arraigned.

Since 2014, we have observed that politically-motivated repression and detentions have become State policy. Foro Penal Venezolano has identified **5,853** detentions, arrests, or releases from January 2014 to June 30, 2016 associated with different anti-government demonstrations or expressions, even in social media, in Venezuela. Currently, **1,998** persons are subject to measures restricting their liberty and undergoing judicial proceedings.

When Nicolás Maduro assumed power, there were 11 political prisoners in the country, but President Maduro, using the courts as a weapon of political persecution, in 2014 alone incarcerated 310 persons under formal preventive detention orders, bringing the cumulative total, from 2014 to June 30, 2016, to 383. For comparison purposes, the largest number of political prisoners held in one year (2009) under the Chávez government was 49.

As of June 30, 2016, the number of political prisoners (persons behind bars) remains at 96. To be noted is the **revolving door effect**,⁶ i.e., the regime arrests some, imprisons others, and releases others so that although the number of detainees is very high, since some are incarcerated while others are released, the average number of persons behind bars remains at approximately 80. Today, with 94 political prisoners, the number of incarcerated persons is above the average the regime usually handles.

2016 is expected to be a year with high levels of repression in the country. In addition to the arbitrary detentions, the number of cases of torture and cruel and inhuman treatment, and, in some cases, sexual abuse, have risen. Moreover, illness among political prisoners and lack of medical care has become regular and systematic, something denounced by the FPV on various occasions.

FPV has identified two thousand and thirty (2030) political detentions in the first six months of the current year.

The number of arbitrary and politically-motivated detentions is rising steeply as the year goes on. In January 2016, we had reported three (3) detentions, in Amazonas and Mérida States. In February, a total of four (4) detainees, in Táchira and Mérida States. In March, a total of 65 (sixty-five)

detainees, in Zulia, Mérida, and Táchira States. In April, a total of 176 (one hundred and seventy-six) detentions were reported and assistance provided in Zulia and Anzoátegui States and in the city of Caracas. Lastly, in May, the high figure of 182 (one hundred and eighty-two) detainees were reported in Carabobo, Zulia, Cojedes, Anzoátegui, Barinas, Nueva Esparta, Monagas, and Yaracuy States and in the city of Caracas. In June, the number of politically-motivated detentions rose significantly, to 1,600 (one thousand six hundred), 948 of whom were detained in Lara State for spending the night outside six establishments selling food and other essential products, waiting to buy them. These persons were released a few at a time within 12 hours of their detention. This accounts for the larger number of detentions in June.

Research on political prisoner typology⁷ has identified three types of political prisoners and detainees in Venezuela, classified by the political objective or reason for detention: The following are the types of political prisoners or detainees, classified herein as types 1, 2, and 3:

1. Prisoners or detainees who as individuals represent a political threat to the government because they are political or societal leaders. In these cases, the objective of detention is to remove the person from politics by isolating him or her from the rest of population (examples: **Leopoldo López** and **Antonio Ledezma**, leaders of the political opposition and political prisoners, in the first case, for over two years, and, in the second, for over a year).

2. Those detained not because they represent individual political threats to the regime but because they belong to a societal group, such as students, human rights defenders, judges, and military members, the aim being to intimidate that societal group. (Examples: **Daniel Morales**, dissident student, and **Marcelo Crovato**, human rights defender attorney).

3. Those not considered by the government to represent a political threat individually or as part of a societal group, but who are used to justify a campaign or political narrative to transfer to other persons or entities blame for failures of public policy of the government or as justification for political propaganda disseminated to strengthen its political power. In the first case we find, for example, **Manuel Morales** and **Tadeo Arrieche** (prisoners for nine months), the first, the owner of the “Día a Día” supermarket chain, and the

⁶ This concept is taken from research being conducted by Foro Penal's Executive Director, Alfredo Romero, as Harvard University Fellow, as part of the project and study group on political prisoners headed by attorney Romero.

⁷ Taken from Alfredo Romero, “Tipología de los presos políticos” [Typology of Political Prisoners], unpublished work by Alfredo Romero prepared during his research as a Fellow and head of an initiative on political prisoners at the Carr Center for Human Rights Policy, Kennedy School of Government, Harvard University.

second, its legal representative, who were arrested and presented to the media as responsible for the “economic war,” the government thus arbitrarily taking control of that company. We also include in this group those, among them civilians now incarcerated, such as **Vasco Da Costa, Jose Luis Santamaría, and Efrain Ortega**, police officers now prisoner, such as **Erasmio Bolívar, Arube Pérez, and Marco Hurtado**; and military members now deprived of liberty, such as **Laided Salazar, Oswaldo Hernández, and Petter Alexander Moreno**, who are being held as responsible for alleged attempted coups d’état, rebellions, or attacks against the President of the Republic, situations which, according to the government, are intended to destabilize “democratic peace.”

Category 1: Prisoners or detainees who as individuals represent a political threat to the government because they are political or societal leaders.

Political prisoner category 1 includes detainees now well-known as leaders of the Venezuelan political opposition: Leopoldo López, leader of the opposition party “Voluntad Popular,” Antonio Ledezma, Mayor of Metropolitan Caracas, Daniel Ceballos, Mayor of San Cristóbal, Táchira State, and Manuel Rosales, leader of the Un Nuevo Tiempo party and former Governor of Zulia State. Some of the cases are described below:

Leopoldo Eduardo López Mendoza (44). Former Mayor of Chacao (2000/2008). Catholic University Andrés Bello Professor, he studied economics at Kenyon College and received a Master’s degree in Public Policy from Harvard University. Married to Lilian Tintori and the father of Manuela and Leopoldo Santiago. He is the National Coordinator of the opposition party Voluntad Popular. He was arrested on February 18, 2014, upon surrendering voluntarily when he learned that an arrest warrant had been issued for him, and since that date, has been held in Ramo Verde, a military prison. On September 10, 2015, he was sentenced to 13 years, nine months, and seven days at Ramo Verde military prison, Miranda State, for alleged crimes of public instigation, property damage, perpetration of arson, and criminal association.



Leopoldo López, on the day of his arrest.

Among those who were tried with him, Christian Holdack was sentenced to 10 years of alternative sentencing measures, and Ángel González and Demián Martín were sentenced to four years and six months of imprisonment, also under alternative sentencing measures.

Antonio José Ledezma Díaz (60), attorney and politician, and now Mayor of Caracas Metropolitan District. He also served twice as Mayor of Libertador Municipality, Caracas, and as Governor of the former Federal District. Since 1984, he has served twice as Deputy of the former National Congress of Venezuela (now National Assembly) and was elected Senator of the Republic in 1994, the youngest person ever elected to that office.

He was arrested by SEBIN on February 19, 2015 at his office at Torre EXA, in Chacao Municipality, Caracas. From there, he was transferred to SEBIN headquarters, in the Plaza Venezuela area. That night, President Nicolás Maduro disclosed that, by order of the Prosecutor General’s Office, Antonio Ledezma had been accused of participating in “Operation Jericho,” allegedly intended to overthrow the Venezuelan government. The court in the case remanded him to the Ramo Verde military prison. On April 24, 2015, the Attorney General’s Office applied to Court No. 6 for the Caracas Metropolitan Area (AMC) for a precautionary measure other than custody for Antonio Ledezma, for reasons of health, which was granted, and, following surgery, he remains under house arrest.

After 17 (seventeen) postponements of the preliminary hearing, on February 15, 2016, Court No. 6 of Caracas held the hearing for Jhosman Paredes, Juan Giraldo, Gregorio Sanabria, and AMC Mayor Antonio Ledezma, and ordered the institution of proceedings against them.



Antonio Ledezma

Daniel Omar Ceballos Morales (30). Married to Patricia Ceballos, four children.

Student leader in 2006-2007. Studied at the National Open Experimental University (UNET), Táchira, where he earned a degree in Agricultural Engineering with high marks. He received a Master's degree in Public Policy at the George Washington University. He served as Mayor of San Cristóbal Municipality, elected in December 2013. Coordinator, Latin American Network of Youth for Democracy and Human Rights.

He was arrested on March 19, 2014. He was pursuing a Master's degree in Public Administration at UNET. Held at Ramo Verde military prison (Miranda State) until May 23, 2015, when he was transferred to the "July 26" Defendants' Center, Juan de Los Morros, Guárico State. He remained there, on hunger strike, from May 24 to June 11, 2015. The next day (June 12, 2015), he was transferred to SEBIN headquarters, at El Helicoide (Caracas). He was sentenced to house arrest on August 11, 2015.



Daniel Ceballos with his family, the day he was granted house arrest

Category 2: Those detained not because they represent individual threats to the regime but because they belong to a societal group.

The above-mentioned cases of arbitrary detention include that of 18-year old student Daniel Morales Hidalgo, detained on May 18 in Plaza Venezuela when he was going home after classes. He is accused of the crimes of public instigation, illicit association, and violent damage. His judicial defense was assumed by Foro Penal Venezolano attorneys Jeannette Prieto Cordero, Juan Carlos Herrera, and María Fernanda Torres. A detention order was issued for Daniel Morales, and he is being held at SEBIN headquarters, El Helicoide, Caracas.

During his statements, **Daniel Morales Hidalgo** indicated that he had been tortured severely and subjected to cruel and inhuman treatment by personnel of SEBIN, where he was being held. Daniel reported having been beaten by SEBIN personnel. He was hit hard on his right cheek; hard on the back of the neck, almost knocking him out; and hit on the lower abdomen and genitals (it should be noted that Daniel Eduardo Morales Hidalgo suffers from testicular hydrocele). Officials applied electric shocks to the head and placed in front of him photographs of opposition political leaders, especially of an older man with a moustache and white beard (Ángel Coromoto Rodríguez) whom he did not know, forcing him to testify against him. Lastly, they recorded a video forcing to say what "they told him to," threatening to continue beating him and attack his family, among other forms of torture.

During the arraignment of Daniel Morales Hidalgo and another seven (7) detainees, two of his defense attorneys were victims of intimidation by SEBIN personnel, who arrived at the first floor of the Place of Justice headquarters, East Room, with long automatic weapons held in a threatening and intimidating manner, dressed in black uniforms and vests, with their heads and faces covered with hoods or balaclavas so that their eyes could hardly be seen, and filming them with a camera and their cell phones.

Arrested together with Daniel Morales were **José Gregorio Hernández, Ángel Coromoto Rodríguez, Jheremy Bastardo Lugo, Deyvis Hernández, Jefferson Araguache, Luis Theys, and Richard Rendón**. At the time of preparation of this report, none of the citizens formally arrested on May 25, 2016 (except Luis Theys and Richard Rendón, who were released) had had contact with their family members or been able to receive visits by their attorneys at El Helicoide (SEBIN). All reported and denounced beating, electric shocks, torture, and mistreatment at the hands of their guards. Jefferson Araguache has a dislocated shoulder and has not yet received medical care.



Daniel Morales and some of the detainees appearing with him, prior to their court appearances

These situations have been acknowledged and validated at the international level. Human rights defenders and other NGOs, including Amnesty International and Human Rights Watch, have called for the release of the political prisoners and have denounced the torture to which they have been subjected.⁸

Another emblematic case is that of **Joselyn Prato** and her brother **Joan Prato**, detained on August 21, 2015, for protesting against the Minister of Tourism and wife of Deputy Diosdado Cabello at a beach in Falcón State. They were released after 68 days of terrible torture, sexual abuse, and cruel and inhuman treatment. Joselyn Prato, a 23-year

old university student, was severely assaulted at the time of detention by the National Guard and had to be transferred to a hospital, where she was diagnosed with a broken arm and multiple hematomas caused by the aggression. She was the victim of lewd acts by a National Guard official. The day after her arraignment, she had to be transferred on an emergency basis to Coro Hospital for internal hemorrhaging. She was placed in a cell in subhuman conditions and extreme heat at the Coro Penitentiary. The food was worm-infested. She had to share a cell, naked, with nine women. On September 16, 2015, Joselyn's family was notified that she was bleeding in the anal area, a situation hard to manage because Coro Hospital lacked the equipment needed for her evaluation. Since her release, she has continued to have stomach complaints and episodes of depression. See video testimony at <https://foropenal.com/historico-privados>

Also of note are detentions of persons with disabilities during anti-government protests since 2014. For example, **Xavier Antonio Beckles Sánchez** (22), a student in his fourth semester of information technology studies at Andrés Bello Catholic University (UCAB), Guayana, was arrested by the National Guard on April 30, 2014, near his home. He was beaten severely and had to remain in hospital for several days, deprived of liberty, in police custody. He had multiple traumatic injuries, a black eye, and emotional distress characteristic of his condition: he is autistic, with Asperger's syndrome.

Huáscar Vladimir Rivas Torrealba (21), a student of arts at the Central University of Venezuela, was arrested by the GNB on March 30, 2014, and beaten on the head for protesting at Altamira, Caracas. He was held for two days at GNB Command 51, El Paraíso. He was accused of insulting military members, among other charges. "But that is impossible because he is a deaf mute," Huáscar Rivas, the young man's father, said

Not only have Venezuelan nationals been detained, but also foreigners, including foreign journalists. Such is the case of Italian photo journalist **Francesca Commissari**, detained in a National Guard operation in the Plaza Altamira vicinity, on February 28, 2014, during another day of protest, who spent 35 hours deprived of liberty and then released unconditionally.

Another case is that of six students who were tried in the proceedings against Leopoldo López, a prominent opposition leader, already sentenced to nearly 14 years of imprisonment. Among those students are **Christian Holdack**, detained for over a year, and **Marco Aurelio Coello**, who was deprived of liberty for over four months, tortured, and has fled Venezuela, requesting asylum.

⁸ See:

http://elpais.com/elpais/2014/04/01/inenglish/1396356679_795146.html

It should be noted that the cases of the detention of these students, and another 311 persons, are included in Option No. 51/2014 of the United Nations Working Group on Arbitrary Detention, which categorized their detentions as arbitrary.

In the vast majority of cases, in view of the ongoing delays, restrictions on the right to defense, and disregard for the presumption of innocence, there is clear and evident intent to turn the proceedings themselves into punishment, as a means of anticipating sanctions, of moving the sentence forward without taking account of the truth or guilt having been formally established. Examples of this are evident in the cases of **Yeimi Varela, Gerardo Carrero, Ángel Contreras, Nixon Leal, Carlos Pérez, Renzo Prieto, and Marcelo Crovato**, who have now spent over two years in preventive detention (in the case of Marcelo Crovato, discussed below, in house arrest) who, despite the efforts of their FPV defenders who obtained their release in accordance with Venezuelan legislation,⁹ remain in custody owing to the “curtailment” of their release during the proceedings.

We have observed, in connection with detentions of demonstrators or dissidents, that although initially, demonstrators were detained, since February 2014, even attorneys assisting detainees have been arrested and deprived of liberty. Such is the case of Marcelo Crovato, deprived of liberty on April 22, 2014, who was providing assistance when his home was raided. Marcelo Crovato has been a volunteer attorney who has assisted different demonstrators, together with Foro Penal Venezolano. Marcelo was held for 10 months in Yare III, a highly dangerous jail. He tried to commit suicide twice because of the inhuman incarceration conditions. Amnesty international called for urgent action in this case to obtain his release, also citing humanitarian reasons. Marcelo remains deprived of liberty, under house arrest since February 25, 2015.



Marcelo Crovato, FPV attorney

Raúl Emilio Baduel Cafarelli and Alexander Antonio Tirado Lara were arrested on March 21, 2014, at 6:00 p.m., and unjustly deprived of liberty, together with other individuals, when they were participating in a peaceful protest consisting of a human chain with the colors of the flag, to object to, they explained, *“the holding of the Aragua Fairs when the country was in mourning and there was nothing to celebrate.”* The demonstrators were exercising their constitutional and human right to “peaceful” protect (Article 68, Constitution of the Bolivarian Republic of Venezuela), not blocking the flow of traffic on Bolívar Avenue, in the city of Maracay (Aragua State). Alexander Antonio Tirado Lara was speaking by megaphone when he was arrested for no apparent reason. Raúl Emilio Baduel Cafarelli was sitting down and holding a wooden cross that read: *“NO MORE BULLETS, NO MORE DEATHS.”*

Raúl Emilio Baduel Cafarelli and Alexander Antonio Tirado Lara were charged with offenses they never committed. Their trial was based on allegations by the allegedly-acting officials who signed the police case file (who were not those who arrested them), which attributes to them absolutely false facts, circumstances, and seizures, which were used as justification for the order remanding them in custody issued by the Public Prosecutor’s Office and the criminal courts in this case. Subsequently, although the defense established their innocence during the trial, on March 5, 2015, they were sentenced to eight years of imprisonment, a sentence upheld by the Constitutional Court of the Supreme Court of Justice (TSJ) on August 4, 2015, for the alleged crimes of instigation to commit a crime, public intimidation with explosive devices, and illicit association.

⁹ Article 230 of the Venezuelan Code of Penal Procedure reads: *“Proporcionalidad. Detention orders may not be issued when such orders appear disproportionate to the gravity of the offense, the circumstances in which it was committed, and the probable punishment. In no case may the minimum sanction established for each offense be exceeded, nor may they be ordered for a period exceeding two years...”* (Our emphasis).



Raúl Baduel and Alexander Tirado

In this case there is evidence of politically-motivated detention and conviction, since Raúl Emilio Baduel is the son of Senior General Raúl Isaías Baduel, Minister of Defense during the Hugo Chávez government and who, like his son, was unlawfully deprived of liberty and sentenced to seven years and 11 months of imprisonment after clashes with the President Hugo Chávez government, by opposing the proposed 2007 Constitutional Reform and the increasing undermining of democratic institutions and of the armed forces.

Notable among the mass detentions of demonstrators is the arrest on May 8, 2014 of 213 persons, most of them students, who had set up, in different public squares of Caracas, tent camps they called “resistance camps.”



Camp located on Francisco de Miranda Avenue, Altamira, Caracas, opposite United Nations Development Programme (UNDP) headquarters

In the early hours of the morning, approximately 3:00 a.m., on May 8, 2014, Bolivarian National Guard personnel, together with the Bolivarian National Police, conducted a raid, without a judicial order, to evict the camps in the Caracas squares, in which over 1,500 military and police

personnel participated, arresting everyone sleeping there that night.



Dismantling of the camp opposite UNPD headquarters, May 8, 2014

On May 10, 2014, the 213 (two hundred and thirteen) persons detained in the Caracas camps were arraigned by the Criminal Courts of the Republic. Initially, thirteen (13) persons were deprived of liberty by court order, 11 (eleven) of whom were students, establishing SEBIN headquarters, El Helicoide, Caracas, as the incarceration center. Subsequently nine persons were released, including student leader Sairam Rivas (20), detained for over four months at El Helicoide (SEBIN), Eitan del Campo (18), deprived of liberty for a month, also at El Helicoide, and then released (has now fled the country, seeking asylum), and Gerardo Resplandor (25), Industrial Engineering student detained for 13 months and then released under precautionary measures.

Of this group, four now remain incarcerated at Helicoide (SEBIN): Youths Nixon Leal, Ángel Contreras, and Gerardo Carrero, and Mr. Carlos Pérez.

Selective detentions have taken place. That is, detentions of persons seen or arrested by alleged intelligence forces or by “cooperating patriots” (anonymous witnesses and informal informants, also anonymous, in violation of the legal requirements established in the Law on the Protection of Victims, Witnesses, and Others Involved in Proceedings and in the Organic Law against Organized Crime), not only during demonstrations but even those who allegedly provided food, water, or some type of logistics to demonstrators in the streets. Such is the case of Juan Pablo Giraldo, held by SEBIN, El Helicoide, because he was allegedly financing the facts that occurred in Táchira State, in 2014. This without evidence demonstrating any level of participation in the criminal acts with which he was charged. Another case is that of Ms. María Elena Uzcátegui, arrested on September 12, 2014, and held in the women’s annex of Uribana jail (Lara State) for three months and now under house arrest. Student leaders have also been selectively detained, as in the case of Renzo Prieto, or detentions, during raids, of workers not involved in any demonstration, as in the

case of Yeimi Varela, who was working as a guard of a house where, again, according to questionable testimony of “cooperating patriots,” she was allowing students to stay overnight. Varela is still being held at SEBIN headquarters, El Helicoide, in Caracas.

Note that in the context of the detentions, repeated reports have been made by family members, NGOs, and the detainees’ defense attorneys of violations of the right to defense and to due process. Detainees are repeatedly being held incommunicado and their defense attorneys’ efforts obstructed; and formal information on the reasons for detention and on detainees and detention centers to which they are sent is not available, among other similar situations.

Category 3: Those not considered by the government to represent a political threat individually or as part of a societal group, who are used to justify a campaign or political narrative to transfer to other persons or entities blame for failures of public policy of the government or as justification for political propaganda disseminated to strengthen its political power.

A case of civilians arrested for alleged rebellion or illicit association for that purpose is that of **Efraín José Ortega Hurtado, Araminta Thais González Castillo, Vasco Manuel Da Costa Corales, and José Luis Santamaría Vargas**. These citizens were apprehended on July 24, 2014. They are charged with belonging to the National Resistance Front, with branches in different states of the country, whose alleged aim is to overthrow President Nicolás Maduro. Initially, they were charged with terrorism, a charge later dropped, pressing the charges of illicit association and illicit manufacturing of explosives. They are now being held, although without trial, in different jails and subjected to torture, as discussed below in the section on the torture of Efraín Ortega.

In 2015, there were 13 arrests for conspiracy and terrorism financing. Nine military members and civilians were also detained for attempting to overthrow the government, the so-called “Blue Coup”; and, recently, in 2016, there have been many arrests for protesting and alleged conspiracy.

Manuel Morales, age 54, owner and general director of the “Día a Día” supermarket chain, was arrested on February 2, 2015, without a warrant, in the Miraflores Palace vicinity when leaving a meeting at the Office of the Vice President for Food Security. Also arrested was the company’s legal representative, **Tadeo Arrieche**, upon introducing himself as his client’s defense attorney. The same day, the President of the Republic appeared in the media, blaming that supermarket chain and its owners for the “economic war” and, according to the government, for the food shortages, and announced the national government’s “temporary” occupation of “Día a Día,” without providing an

objective evaluation of the reasons leading it to impose this measure. That day, Morales was detained at the Miraflores Palace premises for alleged irregularities in the distribution of essential products. After his 51-day detention at SEBIN headquarters, El Helicoide, the Attorney General’s Office charged him with the crimes of boycott and destabilization. On November 12, 2015, after nine months of incarceration at SEBIN headquarters, El Helicoide, he was released under precautionary measures by Court 36 for the Caracas Metropolitan Area.

Ninety-six persons are now in custody for political reasons.

In all cases reviewed by FPV, clear and repeated patterns of abuse of power are evident in official action when dealing with demonstrators who are criminalized, evidently based on in-depth planning that stipulates precise guidelines, all aimed at two things: to create an official “narrative,” totally inconsistent with what actually happened, whereby those “guilty” of all violence and mayhem in Venezuela today are the dissidents, who therefore are “criminals”; whereas the institutions, security forces, and armed civilians acting violently against other citizens under the protection of those in power are only “victims” and, in some cases, “heroes” in all aspects of the events; and, secondly, to create fear among those who dare to raise their voices against the government.

In general, these patterns are: first, when any demonstration against the government is held, whether or not peaceful, police and military mechanisms are activated which, in each of the detentions we have handled or monitored, involve excessive use of force. These range from abuse of physical force, even against demonstrators already subdued, to the use of firearms, toxic substances, and other illegal means prohibited by the Constitution to disperse the demonstrators.

Another important constant to be noted is that most detentions are made from among a well-defined population: students. Since 2014, over 80% of detentions and unlawful “retentions” have been of students or youth under age 30. This shows a clear trend that cannot be mere chance in the action of the security forces: the order is to detain students, or, in extreme cases, those “appearing” to be students, whether or not participating in a protest.

According to our reports as of May 2016, of 4,253 detentions or arrests made in the context of the anti-government demonstrations, 1,986 persons have been charged, i.e., are being prosecuted, and 35 remain in custody (not counting the political detentions prior to 2014) for participating in the recent protests, for a total of 2,021 prosecutions since the start of 2014. This is a total of 47.51% of those detained who are still being prosecuted for protesting. Although there may be cases in which persons exceeded the bounds of the lawful exercise of the right to

protest, simple common sense indicates that it is not possible for so many people to be deemed criminals in such a short space of time for similar facts. All this points to clear use of the justice system to stigmatize dissidents as criminals.

Additionally, in nearly all cases, detainees are held incommunicado and are not allowed contact with their family or their attorneys, even when they are under age. This is being carried out repeatedly nationwide and we have even identified cases where defense attorneys have been threatened with incarceration if they insist on speaking with those they represent. In the vast majority of cases, they are only allowed to speak with them for a few minutes prior to arraignment, in deplorable conditions, making it virtually impossible to prepare and execute a full and proper defense. Not even Public Defender's Office representatives are allowed to communicate with detainees, and in SEBIN, simply no one, not even representatives of public institutions, are allowed to communicate with detainees, under any circumstances.

Harassment during detention has also generally occurred, ranging from insults, humiliation, and threats to beating, physical mistreatment, and rape. In cases of female detainees, the usual threat is sexual in nature, and all are tortured by indicating to them that they "will be raped" or that they "will be put in with the ordinary prisoners" for them to rape them. In Lara State, six women, including the mother of one, were stripped naked at the GNB, and all were threatened with rape. They were humiliated and their hair was cut. They even shaved off the eyebrows of the mother of one of the girls. Complaints regarding these facts, as will be seen below, generally do not succeed.

Widespread seizures of property of detainees are also occurring. At time of detention, their possessions are "seized" (cell phones, cameras, cash, and, in some cases, even motorcycles); and then, in most cases, no record of this is entered in the corresponding case files. Of course, thereafter, it is impossible to recover such property. This is, under any law, blatant theft, perpetrated with absolute impunity.

Additionally, in the vast majority of cases, the only "evidence" of the offenses alleged submitted to the courts against the detainees is a very poorly-prepared case file containing only the word of the apprehending officers, and, in numerous cases (such as that of Yeimi Varela), anonymous and unlawful testimony of alleged "cooperating patriots."

III. Torture, cruel, inhuman, and degrading treatment

In November 2014, the United Nations Committee against Torture questioned the Venezuelan government about the reports establishing that different individuals arrested during anti-government protests since February 2014 had been subjected to torture and/or cruel and degrading treatment, and recommended the immediate release of those detained during protests and arbitrarily arrested political dissidents.

FPV has formally identified **145** cases of torture and cruel and inhuman treatment of persons at time of detention who have reported this to authorities. The total number received by FPV is much higher, but we have only registered those officially reported. Specifically, in 92 of the cases, FPV is providing legal assistance directly or indirectly.

One such case is that of **Jaime Yéspica**, arrested in Aragua and brutally assaulted on March 19, 2014,¹⁰ incurring multiple traumatic injuries and a fractured skull. Although there is a video showing over 10 people beating him, among them several civilians (members of civilian collectives), only one police officer has been arrested, who has not thus far been convicted.

¹⁰ See security camera video at: <https://www.youtube.com/watch?v=T9Ni7yrSkIA>



Jaime Yéspica

Another case is that of **José Alejandro Márquez**, who died of multiple traumatic injuries on February 21, 2014. Although it is known that People's Guard officials apprehended him, he died after being left at Vargas Hospital in Caracas. Three officers have been charged in this case and arrest warrants are outstanding for two. On February 11, 2016, Jhonny José Mallarino Miranda was arrested in Zulia State. An arrest warrant for him had been outstanding for a year. He was placed under the custody of the Maracaibo Court, which transferred the case to Caracas. He was

brought before Court 27 of Caracas on March 18, 2016, where he and another were charged with senseless premeditated murder in the first degree. The Court dropped the charge of violation of international agreements. The Court ordered his detention in the El Rodeo III Judicial Detention Center. FPV is providing assistance in this case as prosecutor. The preliminary hearing of those involved has been postponed many times.



José Alejandro Márquez, upon arrival to be admitted to Vargas Hospital

Another case is that of **Geraldine Moreno**, who, during a demonstration on February 19, was shot at point blank range with buckshot by National Guard officers on motorbikes, disfiguring her face. She died on February 22, 2014. In this case, two arrests have been made: the actual perpetrator and an accomplice, after family members pressed for arrests and accusations were made by Foro Penal Venezolano. However, the detainee, a National Guard officer, has come to court hearings talking on his cell phone, without handcuffs, and even walking in front of the father and mother (Rosa Orozco) of Geraldine Moreno, in scorn. The requested protection orders for the family members have not been granted.



Geraldine Moreno

There is a repeated pattern of using gunshot at point blank range on demonstrators, which has caused multiple injuries. In 2015, **Kluiberth Roa**, a 14-year old student, died during a demonstration in San Cristóbal, Táchira State. FPV is also assisting his family.



Kluiberth Roa, after he was killed

Point blank gunshot (with the shotgun barrel against the body) by military or police officers has been systematic. Another such case is that of **Omar Briceño**, a 20-year old student, in Zulia State. On April 23, 2014, this student was in the vicinity of Rafael Belloso University (URBE), near a pizzeria, where people were demonstrating, when military personnel approached him, threw him to the ground, and began to kick and shout insults at him. Thereafter, one of the officers, whose surname Omar gave as “Yáñez,” shot him at point blank range in his left leg, severely injuring him.



Omar Briceño

Following the events of April 23, 2014, the incident was reported to State authorities. The report was lodged with the People’s Defender’s Office, headed by defense attorney Sabrina Suarez, who is now handling the case. The Attorney General’s Office opened an ex officio investigation, headed by Prosecutor 45, attorney Alexis Perozo. The investigation remains open. The case against Omar Briceño and another 22 students was dismissed. This has occurred in many cases of persons injured. In two cases, this pattern of conduct has led to death, as in the cases of Geraldine Moreno and Kluiberth Roa.

Efraín Ortega Hurtado, as indicated above, was arrested without a warrant, handcuffed, and severely beaten several

times on the chest, head, and face. They put a cloth over his head, beat him while putting him into a vehicle, and took him to the agency or offices of the Department of Terrorism Investigation of the CICPC, Avenida Urdaneta. They made him kneel for seven hours and, with his hands and feet handcuffed, wrapped his face and body with newspaper and cardboard. They wrapped him with packaging tape on the head, stomach, ankles, and feet to reduce the marks left from their brutal beating with a bat. With his hands handcuffed behind him, they pulled him up by his hands in order to break his shoulders. He was given electric shocks on the neck, head, and ears for seven hours. All this to obtain information on names of alleged accomplices or financiers that he had never met. Present all times was Attorney General's Office prosecutor Edgar Villafranca.

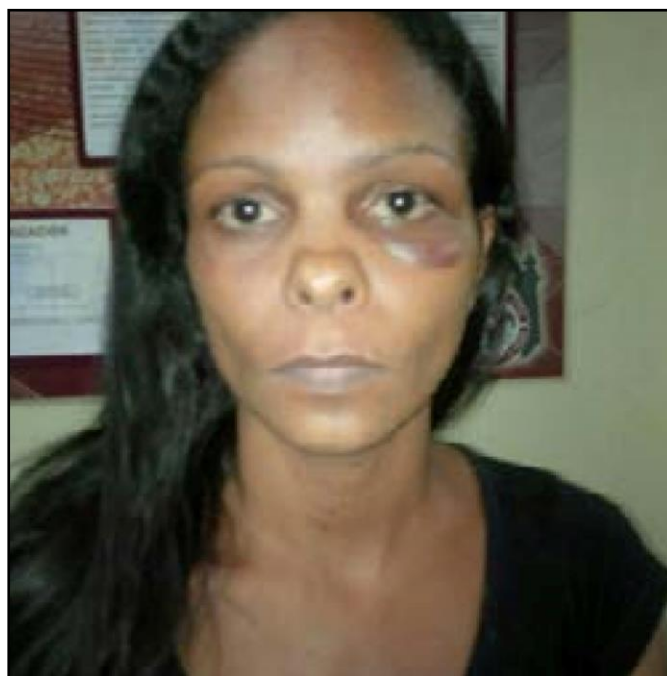
At the time of **Efraín Ortega Hurtado's** arraignment, on July 31, 2014, in accordance with the Special Law for the Prevention and Punishment of Torture, and Cruel, Inhuman, and Degrading Treatment, he reported to acting Prosecutors 87 and 20 of the Attorney General's Office, crying, the torture suffered. They took no action whatsoever, nor did the judge trying the case.

At his first place of incarceration--Detention Division, CICPC, El Rosal, Efraín Ortega was kept in a squatting position and did not sleep for approximately three months, owing to overcrowding at the center. He contracted severe scabies, since they made polluted water leak on him at the place where he was held with common criminals. Later, he was transferred to Rodeo II jail, he survived three attempted riots. Efraín Ortega suffers from multiple illnesses, as will be discussed below.

In Carabobo, there were many victims of torture and cruel and inhuman treatment. Such is the case of **Marvinia Jiménez**, who was brutally assaulted, causing multiple traumatic injuries and bruising from beatings with a helmet by a female People's Guard officer, recorded in photo and video. Although Public Prosecutor's Office brought charges against the officer and a court issued a warrant for her arrest, as of this date, she has not been arrested and no effective measures have been taken to that end, nor is information available on her whereabouts. However, Marvinia Jiménez was arrested following the aggression against her, for no reason whatsoever, when she had committed no crime and had only filmed on video People's Guard officers who were assaulting demonstrators. Today, Marvinia Jiménez is subject to precautionary measures and being prosecuted for alleged "lesions" of People's Guard officers.



Attack on Marvinia Jiménez



Marvinia Jiménez Torres upon release

Likewise, in Carabobo State, **Juan Manuel Carrasco** reported that National Guard officers had introduced a blunt Instrument into his rectum on February 13, 2014, during his detention. Another 10 youths also reported beatings; one of them, Jorge Luis León, even suffered a skull fracture. At the time of preparation of this report, no charges or arrests had been made, even though the National Guard officers who took part in these acts are identified in the respective case files. In the case of Juan Manuel Carrasco, the Public Prosecutor has invariably denied his rape, despite forensic medical examinations that so certify



Juan Manuel Carrasco

In Caracas, **Marco Aurelio Coello**, aged 18, reported blows with blunt objects and electric shocks during his detention. Thereafter, he remained in custody for over five months. Marco Aurelio Coello and the other youths arrested with him were subjected to cruel and inhuman treatment, and were even forced to spend hours kneeling at CICPC headquarters where they were originally detained.



Photo taken February 12, 2014 of the group of students detained at the CICPC and subjected to cruel and inhuman treatment, making them kneel for hours

On May 8, 2014, **Gerardo Carrero** was arrested, along with 213 persons who were spending the night in camps set up in Caracas as a means of demonstration. These citizens included Gerardo Carrero, at the time 26 years old, who was in an encampment erected opposite UNPD headquarters to call for the releases of political prisoners, a demonstration he was heading. Carrero, together with other demonstrators, was incarcerated at SEBIN headquarters, at El Helicoide, Caracas.

On August 21, 2014, with judicial proceedings and investigations under way, Gerardo Carrero had been held for 103 (one hundred and three) days when, in the afternoon, in

a public letter sent to President of the Republic Nicolás Maduro, he reported his decision to go on hunger strike as of that date (link to the letter: http://www.twitlonger.com/show/n_1s57huv).

As Gerardo Carrero reported, on that same date, i.e., August 21, 2014, after making the letter public, at approximately 8 p.m., SEBIN personnel pulled him out of his cell and hung him from the ceiling with a hosepipe, handcuffed, for 12 hours straight (from 9 a.m. to 9 p.m.), wrapping his wrists with newspaper and adhesive tape so as to leave as few marks as possible.

In that period, they threatened him, made threats against his family, and beat him severely. Some of the blows given with wooden boards injured the back of his legs. The blows were so violent that three boards broke against his body and, although these were also wrapped, inevitably, Gerardo Carrero was left with some marks behind his knees.

Given this situation, on August 26, 2014, family members of the above-mentioned citizen and defense attorneys, all FPV attorney volunteers, lodged with the Department of Fundamental Rights, Office of the Prosecutor General of the Republic, the respective written complaint, specifying the mistreatment, its duration, and the names of the officers allegedly responsible. Also on that date, in Court 48 for the Caracas Metropolitan Area, in the presence of the Public Prosecutor's Office, the defendant, and his defense attorneys, a special hearing was held at which Gerardo Carrero showed the hearing judge and all those present the bruising on his legs resulting from the mistreatment to which he had been subjected.

By decision of the court, and as a result of the complaint, Gerardo Carrero was incarcerated in the place known as "the Tomb," also supervised by SEBIN. This place, five stories underground at SEBIN headquarters, Plaza Venezuela (Caracas), is called "the Tomb" because of its low temperatures created specifically with air conditioning, without sunlight or medical care, with artificial light kept on 24 hours a day, which is where detainees are kept, completely isolated in solitary confinement, in inhuman conditions. Carrero was kept there for six months without being allowed visits by his attorneys.

We also have the case of Gloria Tobón, in Rubio, Táchira State, who reported electric shocks even of her breasts, and of Raúl Álvarez, in Caracas who also reported electric shocks given by SEBIN personnel during his detention. At present, there is no information on any investigation, and no one has been charged or detained in these cases.

As indicated above, the case of **Joselyn Prato** is emblematic because of the conditions of her detention and because she was the victim of sexual abuse and cruel and inhuman treatment during her detention. Joselyn Prato, a 23-year old university student, was arrested by the Bolivarian National Guard on August 21, 2015, for alleged participation

in a demonstration against the Minister of Tourism and wife of Deputy and government party chief Diosdado Cabello. Joselyn was assaulted severely at the time of her detention and had to be taken to a hospital, where she was diagnosed with a broken arm and multiple hematomas caused by the aggression. She was the victim of lewd acts by a National Guard officer. The day after her arraignment, she had to be taken on an emergency basis to Coro Hospital owing to internal hemorrhaging. She was placed in a cell in subhuman conditions and extreme heat at the Coro Detention Center. She was given worm-infested food. She had to share, naked, a cell with nine other women. On September 16, 2015, Joselyn's family was notified that she was bleeding from the anus, a situation hard to manage because Coro Hospital lacked the equipment needed for her evaluation. Since her release, she has continued to have stomach complaints and episodes of depression. See video testimony at: <https://foropenal.com/historico-privados>



Joselyn Prato

For his part, in his statements, **Daniel Morales Hidalgo**, arrested on May 18, 2016, indicated that he had been subjected to severe torture and cruel and inhuman treatment by officials of SEBIN, where he was incarcerated. He reported beatings by SEBIN personnel. He was hit hard on his right cheek, the nape of his neck, almost making him faint, the lower part of his abdomen, and his genitals (it should be noted that Daniel Eduardo Morales Hidalgo suffers from testicular hydrocele). He was given electric shocks on his head and the officers put photographs of opposition political leaders, and, in particular, of "an older man with a moustache and white beard" (Ángel Coromoto Rodríguez, who is being held and at the time of his arrest was serving as Chief of Security to the President of the National Assembly, Henry Ramos Allup) whom he did not know, forcing him to testify against him. Lastly, they made a video forcing him to say what "they told him to," threatening to continue beating him and to go after his family, among other types of torture.

All other detainees in this case, **Jheremy Bastardo Lugo**, **José Gregorio Hernández**, **Jeferson Araguache**, and **Deyvis Rodríguez**, except for citizen **Ángel Coromoto Rodríguez** and those released, **Luis Theys** and **Richard Rendón**, reported at the arraignment held on May 25, 2016 (long after the maximum 48 hours for arraignment provided for in the Venezuelan Constitution and the Organic Code of Penal Procedure) that they had been subjected to different types of torture and cruel and inhuman treatment by the SEBIN personnel in charge of their custody. Mistreatment included blows, threats of rape, and electric shocks. Jeferson Araguache has had a dislocated shoulder since the time of his arrest and has not received medical care.

During the arraignment of Daniel Morales Hidalgo and another seven (7) detainees, his defense attorneys were victims of intimidation by SEBIN personnel, who arrived at the first floor of the Palace of Justice site, East Room, in Caracas, with long automatic weapons, gripped in a threatening and intimidating manner, dressed in black uniforms and vests, their heads and faces covered with hoods or balaclavas so that their eyes could hardly be seen, and filming them with a camera and their cell phones.

These detainees are being held completely incommunicado at SEBIN headquarters, El Helicoide, Caracas. Their families and attorneys could only see them, briefly, at the time of their arraignment. SEBIN is preventing all visits and contact with them.

Some detainees, at one time Gerardo Carrero, but currently Gabriel Valles and Lorent Saleh, have been and are being held at SEBIN headquarters, Plaza Venezuela, Caracas, in the place known as “the Tomb,” five feet underground, generally speaking with no chance of communication with the outside world, without sunlight and with artificial light on 24 hours a day, clearly as a “white torture” method.

Gabriel Vallés Sguerzi (27), systems engineer, Global Executive Director of the NGO “Operation Freedom.” Arrested by the Colombian government and deported, without due process, to Venezuela on September 5, 2014. He is now incarcerated in “the Tomb,” at SEBIN headquarters, Plaza Venezuela, Caracas, where he is being kept completely isolated from different detainees, using the “white torture” method. On repeated occasions, his defense has denounced the violation of his human rights. The assumption is that the arrest warrant was issued for violation of the reporting requirements to which he was subject for participating in a protest in 2010. On September 18, 2014, the Attorney General’s office charged him with plotting insurgency.

After an 18-day hunger strike, he obtained better incarceration conditions, such as: four hours outside per week and being allowed to use a clock. After 17 postponements of the preliminary hearing, on February 15, 2016, Court 6 of Caracas separated his case from those also deprived of liberty: Jhosman Paredes, Juan Giraldo, Gregorio Sanabria, and Mayor Antonio Ledezma.

Lorent Enrique Gómez Saleh (27), President of the NGO “Operation Freedom.” Also detained by the Colombian government and deported, without due process, to Venezuela on September 5, 2014. Now incarcerated in “the Tomb,” at SEBIN headquarters, Plaza Venezuela, Caracas, where he is being kept completely isolated from different detainees, using the “white torture” method. As in the preceding case, the assumption is that the arrest warrant was issued for violation of the reporting requirements to which he was subject for participating in a protest in 2010. On September 18, 2014, the Attorney General’s office charged him with plotting insurgency.

After an 18-day hunger strike, he obtained better incarceration conditions, such as: four hours outside per week and being allowed to use a clock. After 17 postponements of the preliminary hearing, on February 15, 2016, Court 6 of Caracas separated his case from those also deprived of liberty: Jhosman Paredes, Juan Giraldo, Gregorio Sanabria, and Mayor Antonio Ledezma.

In some cases of torture and cruel treatment, the pattern is to use electric shocks, in at least 14 cases, rape (three cases), lewd acts, and threats of rape, and other threats in at least 10 cases. Suffocation with plastic bags in at least 11 cases, and multiple fractures and multiple traumatic injuries, in at least 15 cases, including two of skull fractures. Severe attacks with shotguns used at point blank range in at least 10 cases, in several of which, the person died (cases of Geraldine Morreno and Kluiberth Roa), and in one, the person lost an eye. Burns with screwdrivers heated with fire, in three cases, in one, where an attempt was made to introduce a screwdriver in the anus. Severe blows and mistreatment, in most cases, with bruising and injuries in at least 82. In at least 9 cases, it was reported that the victims’ hair, especially that of women, was cut as punishment, including seven women and one minor, in Barquisimeto, Lara State.

IV. State of health and lack of adequate medical care in cases of politically-motivated detention

In addition to reports of torture, cruel, inhuman, and degrading treatment, and torture in incarceration centers, we have noted systematic denial, in the case of politically-motivated detention, of medical care as a form of cruel and inhuman treatment or even torture. Many of those detained for political reasons have reported a variety of health problems resulting from subhuman incarceration conditions. Therefore, they have made different requests for medical care, which was not provided.

Foro Penal Venezolano has documented the seriousness of the current state of health of different political prisoners, emphasizing, as well, that preserving the life and health of those deprived of liberty is the government’s direct responsibility, as is provided in the Constitution and international treaties in force in Venezuela. It should be noted that the International Red Cross has never been allowed access to the incarceration centers. Most of the 94 political prisoners urgently need dental care and psychological evaluation.

Some of the cases are discussed below:

Gerardo Carrero

Despite various requests for medical care to the court in this case, the People's Defender's Office, and the Public Prosecutor's office, Gerardo Carrero has not been received it. Carrero reports stomach and dental complaints. One of his teeth even came loose and he had to glue it back in with crazy glue because of the lack of dental care.

After different, unanswered, requests for medical care, on March 2, 2015, the Inter-American Commission on Human Rights issued precautionary measures on behalf of Gerardo Carrero, in which the Venezuelan State was specifically requested to *"...to take the steps necessary to preserve the life and personal integrity of ... Gerardo Carrero. In particular, to provide adequate medical care consistent with the condition of [his] pathologies..."*

In view of the lack of reply by the Venezuelan authorities in this regard, since Gerardo Carrero has indicated that he has not received medical care, and considering that his physical ailments continue, on June 2, 2015, Foro Penal Venezolano, requested the intervention of the International Red Cross, an organization that the national government has not allowed to access detention centers for visits or medical care in cases of politically-motivated detentions.

On June 4, 2015, at a public hearing before Judge María Eugenia Núñez, Twelfth Trial Judge for the Caracas Metropolitan Area, Gerardo Carrero indicated that he had been taken to Forensic Medicine on June 2, 2015, supposedly to a medical examination, at the request of the court. At that examination, they had stood him up against a wall and asked him a series of questions, but he was never physically examined. Likewise, two of the four others detained in the same case as Carrero, **Nixon Leal** and **Gerardo Resplandor**, indicated that they had been taken to Forensic Medicine on May 29, 2015, and, upon their arrival, they were asked questions of a political nature, such as why they were against the revolutionary process commanded by President Maduro, whether they were militants in a political party, and similar questions. They indicated that they had not been given any medical exam. Carlos Pérez, detained under the same case, also indicated that he had been transferred to Forensic Medicine on June 2, 2015, and that they only asked two questions: *"Do you have bruises on your body?"* and *"Do you have abrasions?"*

The fact is that **Carlos Pérez** was not given any physical exam at all, and, with only the two above-mentioned questions, they told him to leave, not allowing him to mention that he had serious hypertension problems which, he indicated, he still has.

Thereafter, the above four individuals were transferred many times to the Military Hospital, but did not receive the medical treatment they needed.



Gerardo Carrero

In conclusion, Gerardo Carrero has had various health issues, stomach complaints, dental issues, febrile states, and over 32 abscesses that have broken out on his skin. After many steps were taken by his FPV attorney team with the Public Defender's Office, on July 13, 2015, he was transferred to a health care center for the examinations necessary to remedy his health issues. There have been many delays in providing this care. Since July 2015, he has not received adequate treatment for his ailments and continues to have major health problems. On January 26, 2016, his defense repeated to the relevant court his request for transfer for medical evaluation:

Clinical diagnosis:

1. Hiatal hernia
2. Nodular gastritis of both antrum and corpus
3. Non-specific duodenitis

Gastric biopsy diagnosis:

1. Antral-type gastric mucosa with mild chronic active gastritis
2. Foveolar and glandular regenerative hyperplasia
3. Edema and hemorrhage of the interglandular chorion
4. Muscularization of lamina propria
5. Lymphatic cysts without lymphoepithelial lesion
6. Presence of *Helicobacter pylori* bacillus

In the first week of March and second week of June 2016, he was transferred to the Military Hospital, where he was evaluated by a dermatologist, ophthalmologist, and gastroenterologist. They conducted the examinations required for his gastric issues; the results are awaited. He has not yet received adequate medical care.

Carlos Pérez. Arrested on May 8, 2014. He has severe hypertension. Although he has transferred many times to a health center, he has not been evaluated by a cardiologist. When he is transferred, he is attended only by the internist on duty at his time of transfer. He has constant blood pressure spikes. On January 26, 2016, his defense repeated to the court his request for transfer for medical evaluation. In the last week of February and second week of June 2016, he was transferred to the Military Hospital for medical evaluation. On April 15, Carlos had a 220/140 hypertensive emergency. He is awaiting transfer for medical evaluation.

Nixon Leal. Arrested on May 8, 2014. He is having gastric complaints, which led to his transfer to a hospital center. He was evaluated by the internist on duty at his time of transfer but, to date, he has not been seen by a specialist. On January 26, 2016, his defense reiterated to the court his request for transfer for medical evaluation. In the last week of February 2016, he was transferred to the Military Hospital for spinal X-rays, diagnosing lumbar inflammation, for which treatment was prescribed, and he was advised that if the inflammation did not subside, he should suspend the treatment and have additional examinations.

Ángel Contreras. Arrested on May 8, 2014. Has severe headaches whose cause is unknown. He is not sleeping well and is beginning to have hypertension. He has not received adequate medical care. On January 26, 2016, his defense reiterated to the court his request for transfer for medical evaluation. In the last week of February 2016, he was transferred to the Military Hospital for magnetic resonance imaging and an electroencephalogram, and was diagnosed with inflammation and slight curvature of the cervical spine. He was prescribed therapy sessions that were to begin on Monday, February 29, 2016, but he was not transferred. He continues to have molar issues but has not received dental care.

Rolando Guevara. Arrested on May 18, 2014. Sentenced on December 20, 2005, to 27 years and nine months of imprisonment. To date, humanitarian measures have been requested three times for Guevara, who suffers from cardiac artery calcification and obstruction, hypertension, and herniated disc. A decision is still awaited since he has not been evaluated by the forensic physician, who has not come to the incarceration center to perform the relevant examinations. On November 12, 2015, he was evaluated by the SEBIN doctor after three days of vomiting and gastric discomfort, and was diagnosed with colonic inflammation. Rolando Guevara is still waiting for the police entity to execute the court order for his transfer to the Military Hospital for the preoperative examinations for the catheterization ordered by his attending physician. On April 13 and 14, 2016, Rolando Guevara was transferred to the

Military Hospital for blood tests, but he is still awaiting court authorization for the indicated catheterization.

Víctor García Hidalgo. Arrested on March 1, 2013. Has acute hypertension and sharp pains in his back from a disc-degenerating illness from vertebrae L2 to L5 caused by sleeping on the floor for 10 months in YARE III prison. In his detention area in that incarceration center, he was also exposed to artificial light 24 hours a day for those 10 months and, as a result, is suffering an ophthalmological complaint known as retinal macula [sic – possibly retinal macular degeneration]. On November 17, 2014, he underwent odontological [sic] surgery. He is suffering severe lumbar pain from his herniated discs. In January 2015, he was prescribed three physiotherapy sessions per week. He has not been able to begin them due to the difficulty of obtaining court authorization for his transfer three times a week.

Marcelo Crovato. Arrested on April 22, 2014. Has a major spinal lesion. After a long wait, surgery was authorized and he underwent surgery on September 21, 2015. A problem arose with the plates inserted in his spine and he had to undergo further surgery on September 23 of that year. He was recovering at home when they diagnosed bacteria, which was preventing the surgical wound from healing. He was put on a heavy course of antibiotics that led, on November 10, 2015, to an intestinal complication that led to amebiasis, for which he is on a strict regime. Marcelo Crovato's health problems stem from his arbitrary incarceration in Yare III. On March 1, 2016, his physiotherapy sessions began. Although his attending physician prescribed daily sessions, he is only being transferred three times a week. Recently, a new health concern arose and Marcelo Crovato must have surgery for two hernias, inguinal and umbilical. On April 15, 2016, the court issued the order for his transfer for medical consultation with the surgeon. The order has not yet been executed.

Ignacio Porras. Arrested on April 22, 2014. Has severe hypertension. In October 2015, it was decided that he should be hospitalized for cardiac catheterization, among other things. During the time he was incarcerated in Rodeo II, he lost 143 lbs. He was transferred to a hospital for catheterization and they diagnosed a lump that was blocking a vein. A treatment was prescribed that must be followed for life. He has digestive, kidney, and gall bladder complaints. Ignacio Porras is suffering from severe depression, for which he has had psychotherapy. On March 28, 2016, his case was submitted to the People's Defender's Office because of his serious emotional condition. He has been under house arrest since March 4, 2015.

Yeimi Varela. Arrested on May 1, 2014. Has had scabies for over a year, which does not heal because of the polluted

environment where he is incarcerated. Petitions have been submitted repeatedly to the Court for his transfer to a hospital center because he has 14 subcutaneous nodes on his arms and legs. Has a visual ailment that is causing tearing. Has discomfort in his right ear and problems with his right knee.

Rosmit Mantilla. Arrested on May 2, 2014. Has lost over 55 lbs. Was seen by a psychiatrist, who diagnosed anxiety, for which he is being treated with anxiolytics. His vision is deteriorating. Prior to his arrest, he had gastritis, which is becoming more acute from the poor food.

Vladimir Araque. Arrested on May 2, 2014. Began to have sharp pains in one arm, headaches, cough, intermittent fever, recurring diarrhea, and insomnia. On November 18, 2015, he underwent biological, psychological, and social evaluation by the Fundamental Rights Unit, the Attorney General's Office, where he was diagnosed with major depression and post-traumatic stress disorder, which persists, even with treatment. He was referred to specialists—an infectologist and an internist—for proper evaluation and treatment of pathologies. Given the family's economic situation and the slow execution of transfer orders, priority was accorded only to the neurological appointment. He was transferred on February 16, 2016, to a private neurosurgery center because he had two tumor masses—head and right side—, weight loss, severe headaches, numbness in his right arm, intermittent fever, recurring diarrhea, and insomnia. He was evaluated by the specialist, as he had when he was seen at the Military Hospital, who referred him to an infectologist, gastroenterologist, and pulmonologist, and suggested surgery, different exams, and psychiatric treatment. The specialist indicated a need for the surgery to be performed as soon as possible to remove the tumor masses, and also diagnosed major depression, osteopenia, and hypovitaminosis D. A request was made by trial Court 25 for transfer to El Llanito Forensic Medicine. A medical report is awaited so that Vladimir Araque can undergo surgery and subsequent pathological examination of the lesions. It should be noted that, in this case, Human Rights Unit has issued its opinion.

Renzo Prieto. Arrested on May 10, 2014. Despite his lengthy time behind bars, he has not had health disorders or alarming symptoms apart from those manifesting as a result of confinement. However, for some time he has had acute testicular pain. His defense has lodged with the corresponding court a request for Renzo Prieto to be transferred to a medical center to receive appropriate care. He is awaiting a reply.

Ronny Navarro. Arrested on June 28, 2014. After nearly a month of efforts by his defense to obtain his transfer to a

medical center for evaluation of a medical condition in his left hand, he was diagnosed with fracture. He needs emergency surgery. He is awaiting court authorization for the surgery. His defense has submitted such a request to the Court several times. He is still awaiting a reply.

Vasco Manuel Da Costa. Arrested on July 24, 2014. On July 26, he was remanded to the July 26 Penitentiary, Guárico State. He was classified as a “dangerous” prisoner. Vasco has lost 77 lbs. since his arrest. The conditions are extremely unhealthy; there is never water. He received gunshot in the right arm and buttock on December 28, 2015, during a riot in the incarceration center and did not receive adequate medical care.

Efraín Ortega. He is critically ill. Arrested on July 24, 2014. Has thrombophlebitis in his legs from how he had to sleep at the CICPC, Arrests Division, El Rosal, Caracas. He was incarcerated in the area for common criminals, who did not let him to sit or lie down, so he had to sleep standing up or squatting. Owing to the existing unhealthy conditions in the area where he was incarcerated at Rodeo II, an epidemic of hepatitis C broke out and he contracted it. He has renal insufficiency from the medications provided for his circulatory issue. His state of health is “critical.” Although Medical Reports and a Forensics Report contain his medical diagnosis, and he has not received medical care and is awaiting a decision, the First Court for Caracas, Barlovento Extension, Miranda State, ignored his state of health. He has a benign cyst on his right kidney, kidney stones in his left kidney, systemic arterial hypertension, and hepatitis B and A. He has predominantly right-sided bronchial hyperresponsiveness, progressive venous disease of the lower limbs, left saphenous vein insufficiency (Hach stage IV), and, at the times in question, the specialists urgently requested various studies, such as diagnostic computed tomographic urography and preoperative laboratory studies as soon as possible for conventional saphenectomy and micro-incision phlebectomy of collateral veins. A humanitarian measure has been requested from the People's Defender's Office and a decision is awaited.

Throughout the process, ten briefs have been submitted to the First Court of Caracas requesting alternatives to custody, citing reasons of health. The last was submitted to the Second Criminal Court, Miranda State, Barlovento Extension, Guarenas site, requesting precautionary measure alternative to custody, none of which has received a reply. Different steps have been taken with the Public Defender's Office, since Efraín Ortega Hurtado needs proper emergency medical evaluation, which he has been denied.

José Luís Santamaría. Arrested on July 24, 2014 Owing to the unhealthy conditions in the area where he was incarcerated

at Rodeo II, an epidemic of hepatitis A broke out and he contracted it. Although he was not transferred to any hospital center, he recovered from this disease without specialized medical care. He has not yet received external medical care, although the Rodeo II physician ordered magnetic resonance imaging for arthrosis of the right knee and meniscopathy. He has constant skin eruptions owing to the unhealthy conditions in the incarceration area. He has frequent episodes of diarrhea and gastric complaints as a result of lack of drinking water. The inmates must drink any water they can obtain. As a result of the poor food and lack of physical activity, his cholesterol levels are high. He also has dental issues and severe anxiety states. These stem from the fact that he has not seen his family for over 20 months (son, brother, and 86-year old mother). Rodeo II does not allow conjugal visits and his mother is unaware of his detention. It is very difficult to ascertain his state of health since he is being given first aid at the incarceration center but we do not have access to the reports of the required exams.

Leonel Sánchez Camero. Arrested on August 21, 2014. He has a cracked vertebra. He was transferred to a child orthopedist for evaluation, who ordered an MRI and X-rays. He is awaiting the decision of the court so that these examinations can be performed.

Gilberto Sojo Rengifo. Arrested on November 26, 2014. He is having a hypertensive emergency. He has a cervical spinal lesion which is causing him much discomfort. On April 13, 2016, he was transferred to the Military Hospital for hypertensive emergency, for which hospitalization was required. He remains hospitalized.

José Gámez Bustamante. Arrested on January 20, 2015. His medical history shows ischemic stroke (2008), hemorrhagic stroke (2012), grade 2 heart valve disease, and grade 3 hypertension. On Wednesday, January 6, 2016, he had a severe hypertensive emergency, for which he had to be transferred to a hospital center, remaining there for two days.

Luis Rafael Colmenares. Arrested on February 11, 2015. Suffers from testicular varicocele, for which he had surgery February 22, 2016. He rested at his place of incarceration until March 14, 2016, where he was evaluated by the specialist at the Military Hospital, and is now under observation.

Luis Lugo Calderón. February 11, 2015. Thoracic trauma and lesions from inflammation of the sternum, making it difficult for him to breathe. Testicular lesion. Needs orthodontic treatment.

Jesús Salazar Mendoza. Arrested on February 11, 2015. Has a molar issue for which root canal treatment or extraction is needed. Since his remand to the Ramo Verde military prison, he has had to undergo drainage several times for infection. Sometimes the pain is unbearable. It is relieved with antibiotics. He has not had dental care.

Henry Salazar Moncada. Arrested on February 11, 2015. Has problems in one ear. His defense has requested his transfer for evaluation several times; this was denied. At the time his trial began, it was becoming more acute. Recently, during one of his transfers to Maracay (Aragua State), he was taken to the Military Hospital for evaluation, where he was diagnosed with acute otitis with ear drum perforation. He is undergoing treatment and awaiting another consultation.

Pedro Rafael Maury Bolívar. Arrested on February 13, 2015. He has two ailments that were diagnosed prior to his incarceration: (1) osteoarthritis; and (2) prostatic hyperplasia. However, at the Office of Military Counterintelligence (DGCIM), he began to have lumbar pain that he thought was related to his arthrosis, but his evaluation by his treating physician showed three lumbosacral spinal hernias. This condition has grown more acute because, in the six months from the preliminary hearing to the constitution of the court for the start of the trial, his treating physician recommended physiotherapy. He has had recurring periods of hypotension, for which he was evaluated by the Military Hospital resident cardiologist, who indicate echocardiogram and a heart rhythm halter monitor. The first has been performed; the second has not yet been done owing to poor administrative coordination between the prison and the military hospital. His attorney has lodged a request for a precautionary measure for reasons of health and age, but it was denied, alleging that his health "has been guaranteed." He was taken for evaluation at the Military Hospital for the herniated disc complaint. The last appointment was March 1, 2016. They set another appointment for August 2016 for physiotherapy, arguing that if he did the exercises, it was not necessary to see him until that date. Obviously, it is hard to do all the exercises at his place of incarceration. However, a month ago, they gave him a new mattress and this has helped a little to overcome the discomfort.

Héctor Alejandro Zerpa. Arrested on August 17, 2015. As a result of an accident prior to his arrest, he has nerve inflammation that is causing partial paralysis. Although he has received timely care at the incarceration site, he should be treated by a specialist.

Vilca Fernández. Arrested on January 31, 2016. On April 13, 2016, he was transferred on an emergency basis to the Military Hospital for a hypertensive emergency, for which he

was placed in a heart rhythm halter monitor for 24 hours. He is awaiting exam results so that appropriate treatment can begin.

VI. Murders

With regard to the demonstrations of 2014 and 2015, there is differing and contradictory information on the number of murders, even among officials themselves of the government, the Public Prosecutor's Office, and the People's Defender's Office.

We have also noted that, like the creation of the Victims against Repression Front, whose spokesperson is citizen Rosa María Orozco and which assigns responsibility to the Venezuelan State for the deaths, torture, and arbitrary detention that occurred, subsequently, the Committee of Guarimba Victims and the Ongoing Coup d'état was also created, the only group that appears in the State media and on Telesur and whose press conferences and public appearances are convened by the Office of the Vice President of the Republic, which condemns the action of opposition political leaders such as Leopoldo López and María Corina Machado, and blames the deaths on the promoters of the anti-government demonstrations, which they call "guarimbas."

In that regard, for objective analysis of the events and responsibilities, each murder case must be analyzed, as well as the individuals tortured and the status of the investigations. To that end, a distinction must be drawn between accidental deaths and deaths from gunfire by State officials or armed civilians (regarding the latter, we must also distinguish between civilians acting with the acquiescence of State officials and those who were not), deaths resulting from collision with barricades erected by opposition demonstrators, and deaths related in some way to the demonstrations.

The murder figure being put around is 43, used for the most part as a government battle flag to lay blame for these deaths on opposition leaders and, especially, on the promoters of "La Salida" [campaign to remove President Maduro from office]. Although in some cases the list of 43 contains those blamed by the government on the opposition, we find that it also includes victims of shootings, torture, or assaults by State officials.¹¹

¹¹ Note that in Venezuela, a country with very high homicide rates, according to official figures among the world's top 10 countries, or one of the world's top two countries according to the NGO Observatorio Venezolano de la Violencia [Venezuelan Observatory of Violence], approximately 70 murders are perpetrated every day, 2,000 per month, and 24,000 per year. In that regard, it is very important to distinguish between violent deaths occurring on a daily basis and those resulting directly from demonstrations.

The list includes not only the murders that took place in 2014, but also that of 14-year old Kluiberth Roa, in 2015, in San Cristóbal, Táchira State.

Of 36 deaths, 19 were of demonstrators, most from wounds inflicted by police, military members, or alleged "collectives" or armed civilians, with the acquiescence of the national government; seven military officers from shootings by alleged demonstrators, as claimed by the national government; seven from collisions with barricades erected in the street; and three allegedly from gunshot while the victims were removing rubble found in the street.

Of the 19 above-described murders, three were intentional, reflecting patterns of torture or cruel and inhuman treatment used on different occasions. Such are the cases of Geraldine Moreno, José Alejandro Márquez, and Kluiberth Roa. Only in the case of Kluiberth Roa has there been a conviction, where the officer responsible admitted the facts and his responsibility for aggravated murder. Foro Penal is providing representation in all these cases, for which reason it has direct knowledge of the status of the case and the content of the case file.

In the case of **Geraldine Moreno**, two officials have been arrested and proceedings are under way. In the case of **José Alejandro Márquez**, two arrests warrants have been issued but not executed, and others have been charged but arrest warrants not issued. In the latter case, it took the Attorney General's Office a year to charge those responsible for the death, which resulted from head injuries subsequent to José Alejandro Márquez' detention at La Candelaria, where he was brutally beaten by People's Guard officers.

In the case of **Génesis Carmona** (22), shot to death during a demonstration in Valencia, Carabobo State, on February 18, 2014, one arrest has been made and proceedings are under way for the alleged accomplice to this crime, whose victim in life had been a model. The main perpetrator has not been arrested.

In the case of **Jesús Acosta**, a CICPC officer has been arrested. In the case of **Sergeant Giovanni Pantoja**, according to press information, three individuals have been charged. One of them has been released, another is under house arrest, and the third has been released subject to reporting requirements.

In the case of **Basil Da Costa**, a young demonstrator murdered on February 12, 2014, initially eight (8) officials were apprehended: six (6) from SEBIN, one (1) Venezuelan Army sergeant major, and one (1) National Police officer. The SEBIN personnel are José Perdomo Camacho (perpetrator of the facts), Manuel Pérez, Edgardo Lara Gómez, Héctor Rodríguez, Jimmy Sáez, and Josner Márquez; the PNB official is Andry Jaspe; and the Army 19 sergeant is Jonathan Rodríguez. Only José Perdomo remains deprived of liberty. Court 48 of Caracas ordered his detention on June 17, 2014, while the others were released subject to a requirement to report every eight (8) days. They are awaiting trial. For its

part, the Venezuelan government has denied, in most instances, the cases of torture and/or cruel and inhuman treatment and murders of demonstrators, and, often, when these reports are made public, has instead generally and indiscriminately praised the actions of the security forces. As regards the murders, the national government has systematically indicated that opposition leaders, such as Leopoldo López and Daniel Ceballos, now detained, are responsible for them.

SEVEN (7) of the murders were of military officers: Captain (GNB) Ramzor Bracho, Acner López (GNB), Sergeant (GNB) Giovanni Pantoja, Captain (GNB) José Guillén Araque, Officer (PNB) José Cirilo Dama García, Sergeant (GNB) Antonio Parra, and Sergeant (GNB) John Rafael Castillo Castillo.

NINETEEN (19) people were victims of human rights violations, shot to death by State officials or armed civilians, allegedly with the acquiescence of State officials, while participating in anti-government demonstrations. One such person was Juan Crisóstomo Montoya, a government supporter and member of pro-government groups, shot dead by State officials or armed civilians during a demonstration on February 12, 2014.

THREE (3) persons, Arturo Alexis Martínez, Gisselle Rubilar, and Antonio Valbuena, died from gunshot they received while removing rubble piled up to form a barricade.

SEVEN (7) persons died after their vehicles collided with barricades, including Attorney General's Office Prosecutor Julio González.

Note that, in different media, national government officials and the Prosecutor General of the Republic have condemned the alleged decapitation of a person by a wire placed in the Horizonte housing development in Caracas, a person by the name of **Elvis Rafael de la Rosa**. As is evident from the news at the time of the events and from the statements of National Guard Brigadier General Edgardo Zuleta themselves at the time and place of the events, the above-mentioned citizen certainly died from hitting the wire, but was not decapitated.

For his part, **people's defender Tarek William Saab has sometimes referred to 39 deaths and "eight (8) motorized decapitations" from wires. Regarding the latter, evidence and names of those decapitated are unavailable except in the case of the above-mentioned citizen, who was not decapitated, but hit a wire and died from contusions.**¹²

The following is an analysis of each case, taking the versions of the official media, private media, and reports of NGOs and victims' family members:

¹² See <http://www.lapatilla.com/site/2015/06/10/foro-penal-venezolano-desconoce-la-existencia-de-ocho-motorizados-degollados-en-2014-video/>

BOLÍVAR STATE

1. ANGELO VARGAS

March 10, 2014.

(Homicide, not related to the demonstrations). **Official media version:** Ciudad Guayana, Bolívar State. Murdered at night when leaving a meeting to debate the resumption of classes at the National Experimental University of Guayana (UNEG). He was President of the Student Management and Accountancy Center, member of the Federation of University Centers, revolutionary militant, and member of the Student University Renewal Movement (MERU). Vargas was in the Colinas de Unare area and, allegedly, another three individuals were injured in the incident when they were shot at from a car. Vargas had participated in fierce debate with opposition students for the resumption of classes at UNEG, and classmates report that he had been threatened. However, private media allege that he was a victim of underworld crime.



Ángelo Vargas

Private media version: Ángel Vargas, student leader of the Experimental University of Guayana (UNEG), died violently, allegedly after being intercepted by individuals in a vehicle with the intent to rob him. His body was found in the Colinas de Unare area, Bolívar State. According to information published in *El Periodiquito*, another three persons were shot in the incident, among them, José Gregorio Padilla, age 27, who also died.

Vargas was the President of the Student Management Sciences Center, UNEG, and was pursuing an accountancy degree.

NOTE: According to reports of the Coordinator of Foro Penal Venezolano in Bolívar State, there were two (2) other deaths. No one is talking about them and the press provided only the following details at the time: (1) Arquímedes González, from gunshot to the head, while leaving a protest in the Mangos area. The incident occurred on March 12, 2014. His family is very poor and lives in Vista al Sol, and

preferred not to request investigations because they live in an area controlled by the “Capitán” and “Gordo Bayón” band (the latter shot down when leaving a meeting with Maduro, as a result of a dispute with Siderúrgica de Orinoco C.A. (SIDOR) [the largest Venezuelan steel corporation]; and (2) Orlando Lorenzo Castellano, age 24, murdered a block away from the area of the student encampment in Alta Vista, near Wendy-Alta Vista. Date: April 22, 2014. These deaths appear to be unrelated and are seen as isolated incidents, but both were carried out by people in cars with black-tinted windows and no license plates.

CARABOBO STATE

2. GERALDINE MORENO

Information in the case file of the court in this case: she was murdered by Bolivarian National Guard officers while completely unarmed and without any violent attitude. She was intercepted by two officers on February 19, 2014, who got off a motorbike and shot her point blank with a shotgun several times, twice in the face, from which she died on February 22, 2014.

In this case, four officers of the 25 involved have been charged, and only two (2) of the four are deprived of liberty; the others are subject to reporting requirements. Those arraigned are: Franklin Martínez and Paola Barroso, who are subject to reporting requirements; and Albin Bonilla and Francisco Caridad have been deprived of liberty and are at the trial stage.



Geraldine Moreno

3. GÉNESIS CARMONA

Was demonstrating peacefully when a group of armed civilians arrived and began to shoot at demonstrators, causing her death on February 19, 2014, from head shot. The case was assigned to Caracas; why is unknown. We have received no reports of arrests in this case. The young woman had worked as a model. There has been one arrest; the individual is being prosecuted for alleged complicity in the

crime against someone who in life had been a model. The perpetrator has not been arrested.



Génesis Carmona

4. MARIANA CEBALLOS

Run over while at a barricade, in Prebo, Valencia, Carabobo State, on March 10, 2014, by a citizen driving a pickup truck, which hit her very hard. Subsequently, the alleged perpetrator was arrested and deprived of liberty. His name is Keneth Martínez.

5. ARGENIS HERNÁNDEZ

Suffered a bullet wound on March 22, 2014, while participating in a protest in San Diego, Carabobo State, allegedly inflicted by a civilian who was driving by on a motorcycle. Thus far, there have been no arrests.

6. CAP. RAMZOR BRACHO

Murdered on March 12, 2014, in Mañongo, Carabobo State, while the National Guard was contending with a group of demonstrators who, according to official media, had firearms and confronted the officers, causing the death of this one. Thus far, it is not known whether arrests have been made in this case. The officer had been involved in the murder of Eva Carrizo, 10 years earlier. We have received no reports of arrests in this case.

Private media version:

“A GNB officer killed in Valencia had been implicated in the death of Eva Carrizo, in Machiques. The murder in Valencia on Wednesday afternoon of a Bolivarian National Guard captain, identified as Ramzor Ernesto Bracho Bravo, age 36, has caused uproar among the people of Machiques, since he had been involved 10 years ago in the murder of Democratic Action leader Eva Carrizo in that town.

This report via social network comes from José Alejandro Carrizo, in Miami, son of the missing leader and eye witness to that repudiated act.

Eva Carrizo died on March 5, 2004, in that town while participating as a militant of the opposition party Acción Democrática in a protest against the Hugo Chávez government.

She was shot in the back and died just as the march was entering that town.

At the time, the victim's son recounted that the march had ended owing to teargas thrown by the security force. He and his mother had decided to go home when the GNB attacked them.

Ramzor Ernesto Bracho, at the time a captain of the Bolivarian National Guard (GNB), was murdered during a demonstration in the municipality of Naguanagua, Carabobo State.

Ten years ago, when a second lieutenant, he had been charged and denounced as the perpetrator of the death of Eva Carrizo. He was arrested and released two years later.

Arrested in this case is Antonio José Garbis González, age 22, as the alleged perpetrator, and Juan David Poletti Pérez, age 25.

Ameliach's tweets

The Governor of Carabobo State, Francisco Ameliach, tweeted several times the identity of the deceased: "Terrorist criminals have just killed a GNB captain in Mañongo, Naguanagua Municipality. Ramzor Ernesto Bracho Bravo, Commander of Company Three (D-29), was shot dead when confronting a group of terrorists at Mañongo Distributors."

7. JESÚS (JESSE) ACOSTA

A student who was in the patio of his home in La Isabelica, Valencia, Carabobo State, on March 12, 2014. A group of armed civilians arrived and began to shoot, hitting him in the head. Detained in this case is a CICPC officer, Carlos Ramos, whose case is now at the trial stage. According to information investigated by Foro Penal Venezolano, the shooters were armed groups (collectives), rather than this officer.



Jesús (Jesse) Acosta

8. GUILLERMO SÁNCHEZ

Murdered on March 12, 2014, by persons on motorbikes in La Isabelica, Valencia, Carabobo State. The neighbors indicated that they were armed groups from the government "collectives." They beat him repeatedly before the "coup de grace." No arrests have been reported in this case.

9. SARGEANT GIOVANNI PANTOJA

On February 28, 2014, he was with five other officers were contending with a group of demonstrators in Mañongo, Carabobo State. Armed civilians allegedly appeared and shot at them, killing Pantoja and wounding another officer. Charged in this case was citizen Pedro Guerra, who was released for lack of evidence. Citizen Juan Arias was also accused in this case and is subject to reporting requirements. Also charged was George Khouri, who was deprived of liberty and released for lack of evidence. Our analyses show that there is no evidence at all connecting them with the death of this officer.

10. EDUARDO ANZOLA

Killed on February 25, 2014, in Valencia, Carabobo State. He was on a red "Empire" motorcycle at the corner of Avenida Michelena and Uslar de Valencia when he hit head-on a barricade made of branches, tree trunks, and rocks, which he did not see because it was dark. He died instantly. He was a dissident Project Venezuela party militant.



Eduardo Anzola

11. JULIO GONZÁLEZ

February 19, 2014. Valencia, Carabobo State. He was Prosecutor of the Attorney General's Office. The newspaper Últimas Noticias explains that that day, he was the Carabobo State duty prosecutor. He left home at 11 p.m. to make a round of the Valencia hospital centers. He was going to see the state of health of the victims of the protests at the time. First on his list was Génesis Carmona. He was traveling in his pickup truck, going downhill, and did not see the garbage behind the barricade. The vehicle's tires got tangled in the rubble and he hit a tree head on. He died instantly.



El fiscal Julio González

CARACAS METROPOLITAN AREA

12. BASSIL ALEJANDRO DA COSTA FRIA

Age 24. Died from gunshot on February 12, 2014, in the vicinity of a student march in progress in Avenida sur 11, between Tracabordo and Monroy Streets. Initially, eight (8) officers were apprehended: six (6) from SEBIN, one (one) Venezuelan Army sergeant major, and one (1) National Police officer. The SEBIN officers are José Perdomo Camacho

(perpetrator of the incident), Manuel Pérez, Edgardo Lara Gómez, Héctor Rodríguez, Jimmy Sáez, and Josner Márquez; the PNB officer is Andry Jaspe, and the army sergeant is Jonathan Rodríguez.

Only José Perdomo is still in custody. On July 17, 2014, Court 48 for Caracas remanded him in custody and released the others under requirements to report every eight (8) days. They are awaiting trial.



Bassil Da Acosta

13. JUAN CARLOS CRISÓSTOMO MONTOYA

Age 50. Died from gunshot on February 12, 2014, in the vicinity of a student march in progress in Avenida sur 11, between Tracabordo and Monroy Streets.

In this case were arrested the same officers as in the Bassil Da Costa case. Their preliminary hearing was held the same day, before the same court (all were involved in the same case). The charges against José Perdomo in the murder of Juan Montoya were dropped. The others have been released and are awaiting trial under precautionary measures.



Juan Montoya

N.B.: Initially arrested in connection with the death of these two citizens was SEBIN Superintendant Melvin Collazo, who was arraigned in the Caracas courts on February 15, 2014, for alleged participation in these facts. However, it is known from unofficial sources that the murder charge against that citizen was dropped and he was allegedly detained only for improper use of a firearm. Allegedly, he is being held at the Office of Military Counterintelligence.

14. ROBERT REDMAN

Age 32. Became a private pilot in October 2013. On February 12, 2014, he was killed after helping to remove Bassil Da Costa's body. At the end of the march, which that day was headed for the Prosecutor General's Office, he set out for Chacao Municipality. He died there from a gunshot wound at the corner of Avenida San Ignacio de Loyola and Avenida Uslar Pietri, opposite the Ferrekel hardware store, during a demonstration in Chacao Municipality, Caracas. No arrests have been reported in this case.



Robert Redman

15. GLIDIS KARELIS CHACÓN BENÍTEZ.

March 7, 2014. (Homicide unrelated to the demonstrations). Prados del Este highway (southeast of Caracas), Baruta Municipality, Miranda State. The Bolivarian National Intelligence Service (SEBIN) detective, age 25, was shot dead by Chacao Municipal Police personnel. Initially, the private media suggested that it was a kidnapping, but Minister for Internal Affairs, Justice, and Peace Miguel Rodríguez Torres explained that members of SEBIN doing intelligence work—including Chacón—, after obtaining evidence that included videos and photographs, arrested red-handed a “dangerous” citizen “who was disturbing the peace in Altamira,” and took him in a SEBIN vehicle. Chacao Police personnel pursued the SEBIN vehicle and opened fire on it on the Prados del Este highway.

On Monday, March 10, 2014, the Attorney General's Office announced in a press release that it had achieved the arrest of Chacao Municipal Police officer Aldayr Alberto Prato Sánchez for alleged responsibility for the death of Detective Chacón. Charged in this same case were officers José Gregorio González Guevara, and Erlyn Dubraska Noguera López, who have been released on bond.



Glidis Karelis Chacón

16. DEIVIS JOSÉ DURÁN USECHE

March 3, 2014. Chacao Municipality, Miranda State (east of Caracas). Died on the night of Monday, March 3, from a fractured skull. He was heading to his home in Petare. On Francisco Fajardo highway, his motorbike slipped into a sewer hole whose cover had been removed by dissident demonstrators, a few yards from the Altamira distributor. He was thrown from his motorbike, fell onto the asphalt, and suffered severe injuries. He died instantly. According to his family's version, different demonstrators on the highway had set up “guarimbas” [roadblocks]. The motorist, who worked for the La Castellana Moto Taxis Cooperative line, did not see that the sewers had no covers and tried to brake too late.

17. ELVIS RAFAEL DE LA ROSA

Age 29. February 21, 2014, fell from a motorbike while trying to pass a barricade and was caught in a wire on Avenida Rómulo Gallegos, at the corner of the Luvebras Supermarket, in the Horizonte housing development, Sucre Municipality. No arrests have been reported in this case.

18. JOSÉ ALEJANDRO MÁRQUEZ

Age 45. Injured on February 19, 2014, and died later on February 23 of that year from head injuries following his arrest and brutal beating by People's Guard officials on Avenida Urdaneta, La Candelaria, Libertador Municipality. Three People's Guard officials have been charged in this case, which is going to trial, but the perpetrators have not been identified. Those charged have been released unconditionally.

INTERPOL red notices have been issued, but not executed, for two other GNB officials. In this case, it took the Attorney General's Office a year to charge those responsible for the death of José Alejandro Márquez and to request arrest warrants for the other officials. The preliminary hearing has been postponed many times.



José Alejandro Márquez

**19. ASDRÚBAL JESÚS RODRÍGUEZ ARAGUAYAN
(Homicide unrelated to the demonstrations)**

Citizen Asdrúbal Rodríguez, age 26. On February 19, 2014, Chacao Police officers apprehended this citizen and he was later found dead near the corner of Avenida Boyacá and Sebucán, in Caracas. Two (2) Chacao Police officers have been arrested. The Police insist that he was a common criminal. We have no further information on this case.

20. JOSÉ GREGORIO AMARIS CASTILLO

Motorbike taxi driver, age 25. Shot dead on March 6, 2014, during a dispute between residents and motorists in Los Ruices, Caracas. No arrests have been reported in this case.

21. ACNER ISAAC LÓPEZ LYON

GNB official who was shot dead on March 6, 2014, during a dispute between residents and motorists in Los Ruices, Caracas. No known arrests have been made in this case.

In general, the Venezuelan government has not only denied the cases of torture, cruel and inhuman treatment, and murders of demonstrators, but has even generally and indiscriminately praised the actions of the security forces. With regard to the murders, the national government has systematically indicated that opposition leaders such as Leopoldo López and Daniel Ceballos, now in custody, are responsible for them.

VII. Persecution and intimidation of human rights defenders

Since May 2014, incidents of intimidation and threats against human rights activists have risen sharply, resulting recently, in March 2015, in precautionary measures granted by the Inter-American Commission on Human Rights (IACHR) on behalf of Foro Penal Venezolano Executive Director Alfredo Romero and other members of this NGO, measures not executed or complied with by the Venezuelan government.¹³

In the case of Alfredo Romero, intimidation has been increasing since he attended the session of the United Nations Committee against Torture in November 2014. Not only has Alfredo Romero been systematically been identified by high Venezuelan State officials through State channel television programs, discrediting him and intimidating him in different ways, but he was also even intercepted by a vehicle in the street, with firearms pointed at him, approximately 30 minutes after he was named on a State channel. This was reported to the police bodies. In its annual report A/HRC/30/29, of August 17, 2015, of the United Nations High Commissioner for Human Rights regarding cooperation with the United Nations, its representatives, and the human rights mechanisms, specifically in paragraph 19 on Venezuela, the High Commissioner referred to Alfredo Romero as a human rights defender, and his family, subjected to intimidation and reprisals by the Venezuelan government, after participating in formal meetings with United Nations entities:

Venezuela (Bolivarian Republic of)

19. Allegations of acts of intimidation and reprisal against Alfredo Romero, Executive Director of Foro Penal Venezolano, a non-governmental organization representing victims of arbitrary

¹³ See <http://www.oas.org/es/cidh/decisiones/pdf/2015/MC143-13-ES.pdf>

detention and torture, his family and members of the organization were addressed to the Government on 19 February 2015 by a number of mandate holders (A/HRC/29/50, case VEN 2/2015). Mr. Romero travelled to Geneva in November 2014 to meet with representatives of the United Nations human rights system. After his return, he, his family and the organization Foro Penal Venezolano were mentioned repeatedly on a Venezuelan television programme, “Con el Mazo Dando”, during which they were reportedly referred to as conspirators against the system in the light of their cooperation with international human rights instruments and suspected of receiving funding from foreign countries. In addition, Foro Penal Venezolano reportedly received anonymous threats via Twitter. At the time of finalization of the present report, no response had been received from the Government.

Likewise, **Tamara Sujú**, international coordinator of Foro Penal Venezolano, had to request asylum in the Czech Republic. This was granted owing to her systematic persecution and intimidation by Venezuelan State officials. Other human rights activists, such as **Humberto Prado**, **Rocío San Miguel**, and **Marco Ponce**, have now been granted precautionary measures by the IACHR.

In May 2014, then-Minister of Interior and Justice Miguel Rodríguez Torres through the media publicly accused **Gonzalo Himiob Santomé**, FPV Director, of participating in alleged “subversive and terrorist activities.”¹⁴ This, along with constant harassment by high public officials against members of the NGO Foro Penal Venezolano and other human rights organizations, who were discredited and referred to in an intimidating manner on State television channels. On June 4, 2015, President of the Republic Nicolás Maduro publicly indicated that he would create a national channel to expose the human rights NGOs that participated in the session of the United Nations Committee on Economic, Social and Cultural Rights held on June 2 and 3, 2015. President Maduro publicly indicated at that time, in reference the NGOs: “These thieves are going to disparage the country and are earning thousands of dollars.”



Horacio Giusti, Press Chief, Foro Penal Venezolano

Owing to the denunciations of human rights violations set out in this report, recently other members of the NGO Foro Penal Venezolano have been intimidated and attacked. Around April 28, 2015, after Horacio Giusti, Press Chief of the organization, had reported harassment and persecution to police authorities, he was intercepted by two individuals on a motorbike. One of them got off the bike, pinned him against a wall, and asked him for his name and occupation, and when he asked his attacker what he was doing, they hit him hard twice, once in the eye and once on the jaw, and then the two assailants took off on the motorcycle, leaving Hector against the wall, extremely upset. This situation was reported to the Public Prosecutor’s Office in Venezuela and to the IACHR, and an “urgent action” has even been issued by Amnesty International for this specific case.¹⁵

The FPV attorneys who in Aragua State are defending the military members being prosecuted for the alleged “Blue Coup,” among them our Aragua State coordinator, **Dimas Rivas**, are constantly subjected to threats and intimidation by justice administrators, threats even indicating that they will be deprived of liberty for carrying out their work as defenders. Recently, attorneys **Oscar Ríos** and **Raquel Sánchez**, respectively an FPV volunteer attorney and regional coordinator for Táchira State, were intercepted when leaving the Bolivarian National Police headquarters in that State by a group of hooded men, who threw stones at and destroyed the windshield of the vehicle they were driving and caused Raquel Sanchez severe head injuries. Earlier, other attorneys of that state, also FPV volunteers, had received public threats via social networks, as did the Governor of the state himself, José Gregorio Vielma Mora. On June 9, 2016, the NGO Amnesty International issued an urgent action¹⁶ on behalf of these FPV volunteers as a result of the aggression to which they were subjected.

FPV Carabobo attorneys **Luis Armando Betancourt** and **Jenny Gutiérrez** have been followed and intimidated by SEBIN personnel. The same has occurred with FPV volunteers in Zulia State. **Celia Dao** was even held for several hours,

¹⁴ See: <http://www.venezuelaaldia.com/2014/05/ministro-rodriguez-torres-presento-supuestos-planes-en-contra-del-gobierno/>

¹⁵ See <https://www.amnesty.org/en/documents/amr53/1714/2015/en/>

allegedly “to make a statement,” by SEBIN personnel of Zulia State. 16 See: <https://foropenal.com/node/2464>

Foro Penal Venezolano

Alfredo Romero – Executive Director

Gonzalo Himiob Santomé - Director

Alonso Medina Roa - Director

Robiro Terán - Director

Tamara Sujú – Coordinator, International Affairs

Fernando Ovalles – Coordinator, Caracas Metropolitan Area

Dimas Rivas – Coordinator, Aragua State

Luis Armando Betancourt - Coordinator, Carabobo State

Celia Dao – Volunteer, Zulia State

María Angélica Lezama - Coordinator, Bolívar State

Raquel Sánchez - Coordinator, Táchira State

José Armando Sosa, - Coordinator, Monagas State

Lucía Quintero - Coordinator, Barinas State

Jesús Dicurú - Coordinator, Falcón State

Pedro Troconis, - Coordinator, Lara State

Genis Navarro - Coordinator, Mérida State

Alberto Iturbe - Coordinator, Miranda State (Altos Mirandinos)

Adriana Nápoles - Coordinator, Miranda State (Valles del Tuy)

Salvador Pimentel - Coordinator, Anzoátegui State

Olnar Ortiz - Coordinator, Amazonas State

Néstor Gutiérrez - Coordinator, Cojedes State

Pedro Arévalo - Coordinator, Nueva Esparta State

José Torres Leal - Coordinator, Portuguesa State

Carlos Zerpa - Coordinator, Sucre State

Rafael Maldonado - Coordinator, Trujillo State

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