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The security forces used excessive force to disperse protests. Scores of people were arbitrarily detained and denied access to lawyers and doctors. Torture and other ill-treatment of protesters and passers-by were reported. The judiciary continued to be used to silence government critics. Those defending human rights were intimidated and attacked. Prison conditions remained harsh.

Background

President Maduro's first year in office was marked by growing discontent. Between February and July 2014, Venezuela was shaken by mass pro- and anti-government demonstrations in various parts of the country. Anti-government protesters and some opposition party leaders who called for the resignation of the President were accused of attempting to overthrow the government.

Freedom of assembly

At least 43 people were killed and more than 870 were injured – including protesters, security forces officials and passers-by – during mass pro- and anti-government protests between February and July. There were reports of human rights violations and of violent clashes between demonstrators and the security forces and armed pro-government groups.^[1]

More than 3,000 people were detained in the context of the protests. Most were charged and released after a few days. At the end of the year over 70 people who took part in the demonstrations remained in pre-trial detention awaiting trial.

There were concerns that a ruling by the Supreme Court in March, which stated that any protest had to be pre-authorized, could jeopardize the rights to freedoms of peaceful assembly and association.

Excessive use of force

The security forces used excessive force to disperse protests. Among the measures deployed were the use of live ammunition at close range against unarmed people; the use of inappropriate firearms and riot equipment that had been tampered with; and the use of tear gas and rubber bullets in enclosed areas.

For example, in February, student Geraldín Moreno died three days after being shot in the eye with rubber bullets fired at close range during a protest in Valencia, Carabobo State. National Guard officers were charged in connection with her death and were awaiting trial at the end of the year. The same month, Marvinia Jiménez was beaten by police officers while she was filming a protest in Valencia and charged with, among other things, obstructing a public road and disturbing public order. At the end of the year, the arrest warrant against an officer responsible for her beating had yet to be served. In April, 16-year-old John Michael Ortiz Fernández was on the balcony of his house in San Cristobal, Táchira State, when a police officer fired a rubber bullet at the youth; the retina of his left eye was burned. At the end of the year, the case was under investigation.

Arbitrary arrests and detentions

Scores of people detained during the protests between February and July were arbitrarily detained. Many were denied access to a lawyer of their choice and to medical assistance during the first 48 hours of their detention before appearing before a judge.

Lawyer Marcelo Crovato and human rights defender Rosmit Mantilla were detained in April and May respectively, in relation to the protests. More than eight months after their arrest they remained in pre-trial detention, in spite of the lack of solid evidence to support the charges against them.

Torture and other ill-treatment

Torture and ill-treatment remained a concern despite some progress brought about by the 2013 Special Law to Prevent and Punish Torture and Other Cruel, Inhuman or Degrading Treatment.^[2]

Student Daniel Quintero was beaten and threatened with being burned alive while in detention. He was arrested on his way from an anti-government demonstration in February in Maracaibo, Zulia State. An investigation into the allegations of torture was continuing at the end of the year.^[3]

At least 23 people were detained during a joint National Guard and army operation in Rubio, Táchira State, on 19 March. While in detention they were kicked, beaten and threatened with death and sexual violence. All the detainees, both men and women, were held in the same room and kept blindfolded for several hours. They could hear those near them being beaten. At least one detainee was forced to watch while another detainee was beaten. Gloria Tobón was doused with water and then electric shocks were applied to her arms, breasts and genitals. She was threatened and told that she would be killed and buried in pieces. At the end of the year, the investigation into the allegations of torture had not concluded.

Wuaddy Moreno Duque was detained in February in La Grita, Táchira State, beaten and burned by National Guard officers who accused him of participating in the protests. He and his family were the target of intimidation after lodging a formal complaint.

Human rights defenders

Human rights defenders continued to be attacked.

For example, two members of the Venezuelan Prisons Observatory were threatened and intimidated on a number of occasions. On 12 April 2013, Marianela Sánchez and her family received an anonymous death threat. She lodged a complaint, but by the end of the year the authorities had not initiated an effective investigation into the threat or provided the necessary security measures, consistent with the family's wishes.

The authorities repeatedly attempted to discredit Humberto Prado's human rights work and accused him of involvement in violence during the protests and of conspiracy to destabilize the government and the prison system.

Justice system

The justice system was subject to government interference, especially in cases involving government critics or those who were perceived to act in a way contrary to the authorities' interests.

For example, Judge María Lourdes Afiuni Mora – who had been detained in December 2010, hours after ordering the release of a banker charged with corruption, a decision publicly condemned by former President Chávez – was awaiting trial at the end of the year. She was released on bail in June 2013 for humanitarian reasons.

Leopoldo López, leader of the opposition Voluntad Popular (Popular Will) party, remained in detention, despite the lack of evidence to support the charges against him, which appeared to be politically motivated. He faced charges of arson, damage to property, incitement to commit an offence and conspiracy to commit a crime, which carry sentences of up to 10 years' imprisonment.^[4] In August, the UN Working Group on Arbitrary Detention stated that his detention was arbitrary and called for his release.

The UN Working Group also called for the immediate release of Daniel Ceballos, a Voluntad Popular member and Mayor of San Cristobal, Táchira State. He was arrested in March and was awaiting trial on charges of rebellion and conspiracy to commit a crime in connection with the February anti-government protests.^[5]

International justice

In September 2013, following its denunciation of the American Convention on Human Rights a year earlier, Venezuela ceased to come under the jurisdiction of the Inter-American Court of Human Rights. As a result, victims of human rights violations and their relatives no longer have access to the Inter-American Court if the national judicial system fails to guarantee their rights.

Impunity

Impunity remained a concern. Victims and their families were threatened and attacked.

For example, investigations and judicial proceedings relating to the killings of members of the Barrios family in Aragua State made little progress. The Barrios family has been the target of threats and intimidation for nearly two decades because of their demands for justice. Ten members of the family were killed between 1998 and May 2013 in circumstances suggesting the involvement of members of the police. In only one case, that of Narciso Barrios, two police officers were convicted. Other family members have been subjected to intimidation and attacks by the police, in spite of the protection measures granted to the family since 2004 by the Inter-American Commission on Human Rights and more recently by the Inter-American Court of Human Rights.^[6] At the end of the year, it was not known whether investigations had been initiated into any of the complaints of intimidation by police officers.

Prison conditions

In spite of reforms to the prison system, prison conditions remained harsh. Lack of medical care, food and clean drinking water, unhygienic conditions, overcrowding and violence in prisons and police stations remained a concern. Firearms and other weapons continued to be routinely used in prison clashes.

In the first half of the year local human rights organizations reported 150 deaths in prisons and seven in police custody.

In November, two inmates were killed and at least eight were injured when security forces intervened to end a riot in the prison of San Francisco de Yare, Miranda State, in protest at the harsh prison conditions and ill-treatment of inmates.

In September, after three years and a number of delays in transferring him to a hospital where his medical needs could be assessed, a court granted former Police Commissioner Iván Simonovis permission to receive medical treatment at home under house arrest. He was reported to be suffering from a number of health problems caused by the conditions in which he had been held.

¹. Venezuela: Human rights at risk amid protests (AMR 53/009/2014)
www.amnesty.org/en/library/info/AMR53/009/2014/en

². Venezuela: Briefing to the UN Committee against Torture, 53rd session, November 2014 (AMR 53/020/2014) www.amnesty.org/en/library/info/AMR53/020/2014/en

³. Protests in Venezuela: Human rights at risk, people in danger, case – Daniel Quintero (AMR 53/015/2014) www.amnesty.org/en/library/info/AMR53/015/2014/en

⁴. Venezuela: Opposition leader Leopoldo López should be released (AMR 53/023/2014)
www.amnesty.org/en/library/info/AMR53/023/2014/en

⁵. Venezuela: Further information – opposition member detained amid protests (AMR 53/010/2014) www.amnesty.org/en/library/info/AMR53/010/2014/en

6. Venezuela: Further information – police threaten and intimidate Barrios family (AMR 53/019/2014) www.amnesty.org/en/library/info/AMR53/019/2014/en

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