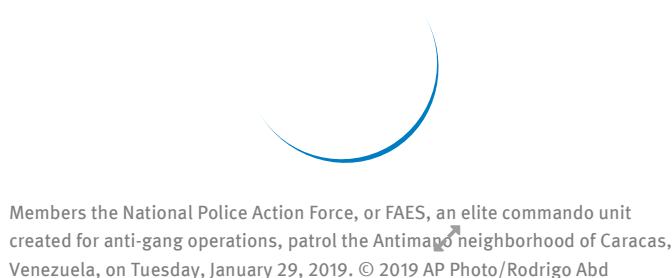


September 18, 2019 10:00AM EDT

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Venezuela: Extrajudicial Killings in Poor Areas

Pattern of Serious Police Abuse Goes Unpunished



Members the National Police Action Force, or FAES, an elite commando unit created for anti-gang operations, patrol the Antimano neighborhood of Caracas, Venezuela, on Tuesday, January 29, 2019. © 2019 AP Photo/Rodrigo Abd

(Washington, D.C.) – A [Venezuelan](#) police unit has been carrying out extrajudicial executions and arbitrary arrests in poor communities that no longer support the Nicolás Maduro government, Human Rights Watch said today.

Since the creation of the unit Special Actions Force of Venezuela (*Fuerza de Acciones Especiales*, FAES) as a branch of the Bolivarian National Police in 2017, police with the unit have engaged in serious human rights violations with impunity. Its abusive policing practices in low-income communities are consistent with a pattern Human Rights Watch and Provea, a Venezuelan human rights group, found in 2016 [of widespread allegations of abuses by security forces](#) of ordinary citizens during what was known as the “Operation to Liberate and Protect the People” (*Operación de Liberación y Protección del Pueblo*, OLP).

“In the midst of an economic and humanitarian crisis that is hitting the poor the hardest, Venezuelan authorities are resorting to egregious abuses in low-income communities that no longer support the Maduro regime,” said [José Miguel Vivanco](#), Americas director at Human Rights Watch. “In a country where the justice system is used to prosecute opponents instead of to investigate crimes, Venezuelan security forces are taking justice into their own hands, killing or arbitrarily arresting people they say have committed crimes,

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without showing any evidence.”

In June and July 2019, Human Rights Watch interviewed witnesses or family members of nine victims of violations by FAES in Caracas and a state in the interior, as well as lawyers, activists, and journalists covering alleged killings by the unit. Human Rights Watch also reviewed death certificates in four cases that were consistent with the sources’ accounts and reports by local human rights organizations and independent media outlets. The methods used by the Special Actions Force and the circumstances of the killings in the cases Human Rights Watch documented are consistent with the pattern identified by the [United Nations Office of the High Commissioner for Human Rights \(OHCHR\)](#) and [local human rights groups](#).

Police and security forces have killed nearly 18,000 people in Venezuela in instances of alleged “resistance to authority” since 2016. Interior Minister Néstor Reverol reported in December 2017 that [there were 5,995 such cases in 2016 and 4,998 in 2017](#). Venezuelan security forces killed nearly 7,000 people in incidents they claimed were cases of “resistance to authority” in 2018 and the first five months of 2019, according to the [government figures](#).

Nobody has yet compiled detailed information as to how many of these killings by security forces have been extrajudicial executions, but OHCHR concluded that “information analyzed by OHCHR suggests that many of these [killings may constitute extrajudicial executions](#).”

OHCHR investigated 20 cases of people killed between June 2018 and April 2019 in depth, hearing nearly identical reports that FAES agents fatally shot young men during arrests in circumstances in which lethal force was not necessary to protect life. The UN agency concluded that “taking into account the profile of the victims, the modus operandi of the security operations, and the fact that the Special Actions Force often maintains a presence in the communities after the operation ends, OHCHR is concerned that authorities may be using FAES and other security forces as an instrument to instill fear in the population and to maintain social control.”

In all cases Human Rights Watch investigated in depth, armed FAES agents were dressed in the unit’s black uniforms. In several cases, they wore ski masks, arrived in black pickup trucks without license plates, and burst into homes in low-income neighborhoods. The agents often took family members of the victims outside before carrying out the killings. In some cases, agents stole food and other items difficult to find during Venezuela’s economic and humanitarian crisis.

In every case of killings that we investigated, family members said that FAES manipulated the crime scene and evidence. Agents planted arms and drugs or fired their weapons into walls

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or the air to suggest the victim had “resisted authority.” After some killings, family members said, they had difficulty obtaining their loved ones’ bodies, autopsy reports, or death certificates.

In one case, the agents used electric shocks on a detainee, beat and kicked him, and covered his head with a plastic bag in which they had sprayed a chemical substance that made his face and throat itch and swell. Such treatment amounts to torture. The agents believed the man had stolen a motorcycle belonging to a Special Actions Force commander’s wife, the man told Human Rights Watch.

In six cases OHCHR documented, those killed by FAES were government opponents or people perceived as such. Agents executed them during raids after anti-government protests. Since January, many of these protests have been in support of Juan Guaidó, the National Assembly president, who is challenging the legitimacy of Maduro’s presidency. These executions fit the same pattern as most of the killings Human Rights Watch reviewed, as well as those OHCHR documented.

Most of the killings Human Rights Watch reviewed are consistent with the abusive policing practices that several security agencies have used for years. Between 2015 and 2017, Venezuelan security forces swept through low-income communities during the OLP. Participating security forces included the Bolivarian National Guard; the Bolivarian National Police (PNB); the Bolivarian National Intelligence Service (SEBIN); the Scientific, Penal, and Criminal Investigative Police (CICPC); and state police.

These raids resulted in [widespread allegations of violations](#) such as extrajudicial killings, mass arbitrary detentions, mistreatment of detainees, forced evictions, destruction of homes, and arbitrary deportations. In November 2017, Venezuela’s then-attorney general said security forces had killed more than 500 people during the raids. Government officials repeatedly said the victims were armed criminals who had died during “confrontations.” In many cases, witnesses or families of victims challenged these claims. In several cases, victims were last seen alive in police custody.

Human Rights Watch found no evidence that Venezuelan judicial authorities properly investigated any of the cases documented. Many victims fear retaliation if they report crimes or do not trust that authorities will investigate. In four of the cases, judicial or police authorities did not wait for the conclusion of a formal investigation before declaring that the victims were criminals.

Venezuelan authorities told the OHCHR that five FAES agents were convicted on charges including attempted murder for crimes committed in 2018, and that 388 agents were under

investigation for crimes committed between 2017 and 2019. But OHCHR also reported that “[i]nstitutions responsible for the protection of human rights, such as the Attorney General’s Office, the courts and the Ombudsperson, usually do not conduct prompt, effective, thorough, independent, impartial and transparent investigations into human rights violations and other crimes committed by State actors, bring perpetrators to justice, and protect victims and witnesses.”

When the [Special Actions Force was created in 2017](#), Maduro said its purpose was to combat crime and terrorism and “protect the people” from “criminal organizations and terrorist groups promoted by the criminal right.” Its parent agency, the PNB, is part of Venezuela’s Interior Ministry, which Néstor Reverol has led since 2016. Reverol reports directly to Maduro.

Instead of investigating widespread allegations of human rights violations by the agency, Venezuelan authorities have defended it, Human Rights Watch found. On July 17, 2019, Maduro chanted “Long live the FAES!” and [expressed full support for the agency’s](#) “daily work to bring safety to the Venezuelan people.”

Human Rights Watch shared this information with the International Criminal Court (ICC) prosecutor, Fatou Bensouda, who in February 2018 opened a preliminary examination into the situation in Venezuela to determine whether a full investigation by the court is merited. In September 2018, [the governments of Argentina, Canada, Chile, Colombia, Paraguay, and Peru asked the ICC prosecutor](#) to investigate potential crimes against humanity in Venezuela dating as far back as February 12, 2014. [Costa Rica](#), [France](#), and [Germany](#) later added their support to this request.

“These FAES killings are committed in the context of [systematic brutality by Venezuelan security forces](#) that has gone unpunished in Venezuela for years,” Vivanco said. “The lack of judicial independence only reinforces the cold reality that there is no hope for any credible accountability for these crimes in Venezuela.”

Selected cases documented by Human Rights Watch.

All of those interviewed are identified by pseudonyms for their protection.

Juan Diego Rodríguez (pseudonym)

At around 1 p.m. on a January day in 2019, Ana Lucía Rodríguez heard someone breaking down her front door, she told Human Rights Watch. An officer dressed in a black FAES uniform came in and said that a criminal was hiding in the neighborhood. A neighbor would later tell her that a Special Actions Force officer had previously showed a picture of a group of young men, including her son, and asked their whereabouts.

She told the officer that the only other people home were her daughter, her son, and her daughter's two children. She and her daughter wept as they were taken outside, and an officer grabbed the young children and put them on the front porch. Her son was still inside. An officer asked her about him, including what he did for a living. She said he was a computer and phone repairman. An officer assured her that those inside were only taking her son's statement.

A senior Special Actions Force officer arrived, went to Juan Diego's room, and yelled that the door was locked, his mother said. She offered to speak to her son and permitted the senior officer to break down the door, so long as he did not hurt her son.

The officers outside told her, her daughter, and the children to go to a neighbor's because her son was giving a statement. At the neighbor's house, a Special Actions Force officer told her that her son was wanted on 20 drug trafficking charges. They heard six shots, the mother said.

Soon after, officers snapped a photo of Rodríguez's dead body beside a gun. A photo of a gun was eventually published in media reports that Human Rights Watch saw, calling Rodríguez a criminal.

Officers tossed the body into the back of their vehicle and took it to a hospital. The autopsy report determined that one bullet hit Rodríguez in the heart, another in the right side, his mother said. The death certificate, which Human Rights Watch reviewed, noted the cause of death as "cardiogenic shock" and a "cardiac injury" caused by a firearm.

Ana Lucía Rodríguez testified before investigative police officers soon after the killing. As of August – seven months later – neither she nor any neighbor, to her knowledge, had been asked to testify to prosecutors about the case.

She said she wants justice for the extrajudicial execution of her son. "They can't decide who lives and who dies," she said.

Miguel Angel Sosa and Adrian Herrera (pseudonyms)

During a Special Actions Force raid on several homes in mid-June 2018, the agents killed Elena Sosa's son and son-in-law.

At around 6 a.m., uniformed FAES officers arrived at her door, she said. She was sleeping, as were her 13-year-old daughter, 10-year-old son, and grandchildren, ages 7 and 4. The officers entered her home without requesting permission, and one told Sosa to leave with the children. An older son and daughter remained in the house, she said.

Miguel Angel Sosa, her 28-year-old son, was taking a shower. Officers forced her older daughter out, she said. She and her daughter heard shots inside, and later learned from Miguel Angel's death certificate that one pierced his chest and killed him. Human Rights Watch reviewed a copy of the death certificate, which says he died of a bullet wound in the thorax.

Officers then entered the nearby home of Ana Sosa, Miguel Angel Sosa's younger sister, and woke Ana's partner, Adrian Herrera, 22, Elena Sosa said. She said that Ana told her she was forced to leave, heard shots, and later learned that the officers had shot Herrera in the head and chest, killing him.

Officers took Elena Sosa son's body from the house, she said, and placed it next to Herrera's body, along with a gun and a bag full of narcotics. They took photographs, Sosa said.

Sosa returned home to find that the officers had stolen shoes, food, and other goods, leaving the carpet drenched in blood and the walls riddled with bullets. A neighbor later told Elena Sosa that officers had asked for soap to clean the blood stains from the carpet.

An official from the investigative police directed family members to the hospital to obtain the bodies. Sosa testified before the investigative police, who told her, she said, that mothers of "rats" always think their children are "saints." Sosa's family did not file a complaint before judicial authorities.

Kelvin Otero Paz and Alan Molina (pseudonyms)

At 5 a.m. one day in January 2019, Special Force officers stopped Kelvin Otero Paz, 24, and his brother-in-law, Alan Molina, 24, as they left home for work, said Otero Paz's aunt, Ana Paz.

The officers took Otero Paz and Molina to the side of a road blocked to traffic, Molina told Ana Paz several days later. As Molina was taken away, he said, he heard Otero Paz scream and a shot.

Paz went to the morgue to look for her nephew. The body was mislabeled, she said. A sheet covered his body up to the neck, but from photos she said she saw at the attorney general's office, she learned that her nephew had been shot in the neck and in the chest. The death certificate, which Human Rights Watch reviewed, says he died of a single gunshot to the thorax.

For approximately three days, the family did not know where Molina was, Paz said. A detainee who was released on the fourth day Molina was missing said he had seen Molina in detention and that officers had planted drugs on him. Molina remained in detention and subject to prosecution, Paz said in July.

Rafael Rodríguez (pseudonym)

At around 5 a.m. on September 24, 2018, Rafael Rodríguez returned to his mother-in-law's house in Caracas after celebrating his birthday with friends. His mother said that a witness described to her what happened next: as Rodríguez climbed the front steps, about 15 Special Actions Force officers with ski masks emerged from the brush and stopped him. They said they were looking for a local criminal called "*El Negro*" ("The Black Man") and shot Rodríguez once in the chest. The bullet pierced his heart, his mother said, and though no autopsy results were ever released to the family, she learned later that he had died from the wound in the hospital.

After the shooting, one group of officers took Rodríguez to a nearby hospital, witnesses told his mother, while another group stayed and entered a next-door neighbor's home. They used the bathroom, drank coffee, and napped, then staged a violent confrontation in front of the mother-in-law's house, firing off rounds, yelling to each other not to let him get away, and shouting that he was "going to the roof."

At the hospital, officers prevented medical professionals from getting close to Rodríguez's body, his mother said witnesses at the hospital told her. She filed a complaint with the investigative police. The prosecutor who took the case barely spoke with her, she said, except to ask her to admit that her son was a criminal. Rodríguez's mother learned from the prosecutor of two outstanding warrants for his arrest – for robbery and for murder – but was told she had no right to see them. When a search for Rodríguez's criminal history turned up clean, his mother said, the prosecutor said her son had bribed someone to have his record expunged.

Genesis Romero (pseudonym)

At around 4:30 a.m. one morning in the first half of 2019, Genesis Romero's mother entered her bedroom in their fourth-floor apartment to say that Special Actions Force agents were in front of the building, said Romero, a 27-year-old psychologist. Officers rang the doorbell, and as Romero's mother hesitated, they yelled to open or they would shoot.

When Romero opened the door, six uniformed masked officers barged into the kitchen, two holding grenades, shouting: "Where is Efraín?" The officers pointed their guns at the two women and asked who else lived there. They responded that there was no Efraín there and that Romero's father was sleeping, recovering from an illness. The officers threw Romero's mother against a wall and went into the bedroom. Saying Romero's father did not fit the description of the man they were looking for, the officers showed a photo of a man who Romero and her parents did not recognize.

Such raids, by various security forces, including FAES and the Bolivarian National Guard, have been occurring regularly in Romero's neighborhood in Caracas for years, she said. Two months earlier, Romero said, Special Actions Force agents killed several people in her apartment complex. At around 5 a.m., she heard a neighbor's son yell for his father and then two gunshots. A neighbor reported that officers had taken the mother and child outside and killed the father, Romero said. Romero saw bloody marks that looked like a body had been dragged down the building's stairs.

Romero said she has not filed a complaint with judicial authorities for fear of retaliation against her and her family and because she lacks confidence that anybody would investigate.

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