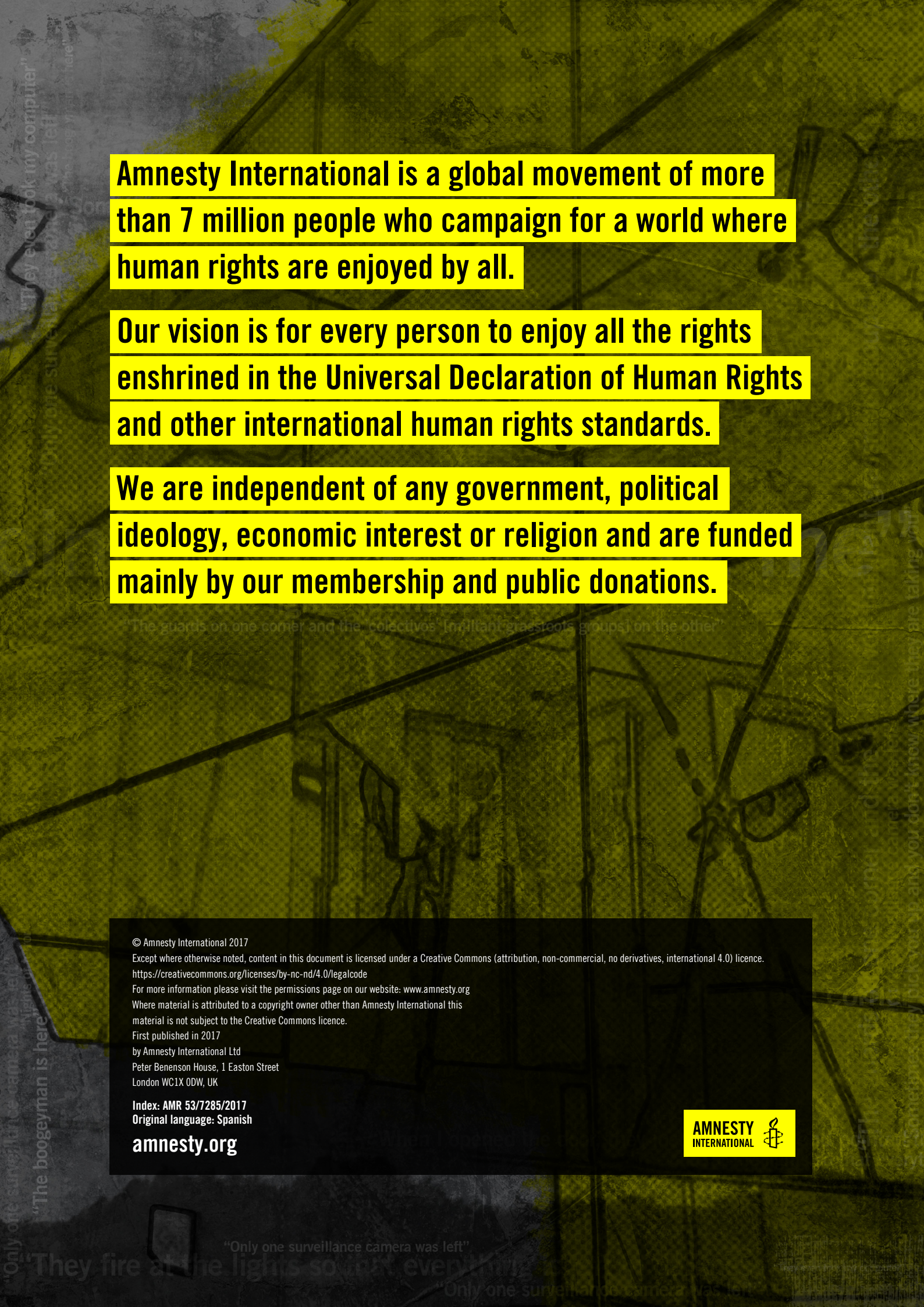


AMNESTY INTERNATIONAL

NIGHTS OF TERROR

ATTACKS AND ILLEGAL RAIDS ON HOMES IN VENEZUELA



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Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

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↓ Officers reportedly from CONAS and SEBIN raided the Victoria residential estate on Paez Avenue, in El Paraiso.
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1. INTRODUCTION

Venezuela is unquestionably in the midst of an institutional crisis. This situation is closely linked to high levels of impunity and serious problems regarding access to economic, social and cultural rights for the whole population. In this context, Amnesty International's research has noted the arbitrary actions and measures implemented by the Venezuelan security forces, as well as a worrying and frequently abusive use of force. This is clearly detrimental to the human rights of the entire population.

Amnesty International has documented and denounced the Venezuelan authorities' use of arbitrary detention as a mechanism for political persecution.[1] It has also highlighted the practice of carrying out illegal raids and attacks on homes, regardless of people's political views or affiliations, which have had a much wider impact on the population. All these violations are taking place in the context of a policy of repression.[2]

Amnesty International's research team has received reports of at least 47 raids and attacks on residential areas by state security forces and groups of armed civilians. These incidents occurred in 11 different states between April and July 2017, a period marked by a high level of social conflict with days of demonstrations and frequent protests.[3]

In response to anti-government protests, the Venezuelan state has on many occasions resorted to using unjustified and disproportionate force. In the period from April to July 2017, more than 120 people were killed and around 1,958 injured, and more than 5,000 people were detained.[4]

As Venezuelan government security forces suppressed the protests, many demonstrators fled towards residential estates and sought refuge in those communities to avoid becoming victims of arbitrary arrest and to put themselves out of harm's way.

[1] Amnesty International, *Silenced by force: Politically motivated arbitrary detentions in Venezuela* (Index: AMR 53/6014/2017).

[2] Amnesty International, V*enezuela: Lethal violence, a state policy to strangle dissent*, www.amnesty.org/en/latest/news/2017/07/venezuela-violencia-letal-una-politica-de-estado-para-asfixiar-a-la-disidencia/

[3] Study by the civil society organization Micondominio.com, using reports from its networks of members throughout the country and journalistic sources.

[4] United Nations Human Rights Office of the High Commissioner, *Human rights violations and abuses in the context of protests in the Bolivarian Republic of Venezuela from 1 April to 31 July 2017*, 30 August 2017, www.ohchr.org/Documents/Countries/VE/HCReportVenezuela_1April-31July2017_EN.pdf

There is evidence that immediately after the demonstrations, the state security forces entered buildings and residential areas and carried out illegal raids in a continuation of the repression of people in these communities. In other cases, raids occurred many hours – and in some cases days – after all the demonstrations in the streets had ended.

There are reports that while this was happening, in several neighbourhoods groups of armed civilians, with the acquiescence of the state, attacked the same areas that had been subjected to raids.

It is important to stress that the state security forces used disproportionate force when carrying out these raids.

Amnesty International has used different research methodologies and sources of information to document these illegal raids and attacks on homes in Venezuela. A fact-finding mission in August 2017 was particularly significant, including visits to Miranda, the Capital District of Caracas, Carabobo and Lara, all states where a high number of attacks and raids were reported between April and July 2017.

Researchers interviewed more than 60 people whose homes had been raided or attacked. Amnesty International also requested information from the Attorney General's Office. However, at the time of writing, no response had been received regarding investigations into the raids and attacks. In some cases victims had lodged complaints, while other cases were widely covered in the media, meaning the Attorney General's Office has an obligation to investigate without needing an official complaint from the victims.

These raids and attacks have affected thousands of people in Venezuela; they have experienced how government repression has moved from the streets into their homes. The victims have suffered serious harm to their physical integrity, arbitrary interference in their private lives[5] and, in some cases, violations of their right to liberty, as a result of their complete lack of protection in the face of the actions of the security forces and groups of armed civilians linked to them.

[5] Article 17 of the International Covenant on Civil and Political Rights, ratified by Venezuela on 10 May 1978. This right is referred to in this report as the right to a private life.

2. ILLEGAL, ARBITRARY AND VIOLENT RAIDS

In Venezuela, the legal framework defines how and when searches can be carried out and sets out rules on the use of force by members of the security forces.

Under Venezuelan law, a court order is required in order to carry out a search of domestic premises, except in certain specific circumstances. The court order must specify the premises to be searched, the procedure to be followed, the reasons for the order and the elements or steps to be carried out. It must also state the authority that will carry out the search, and the date and time when it is authorized to take place.[6]

The only situations in which a search may be carried out without a court order are:

- to prevent a crime being committed or continuing and
- in pursuit of individuals in order to apprehend them.

In relation to the use of force, international standards establish that it must be in accordance with the principles of legality, necessity, proportionality and accountability.[7]

[6] Organic Code of Criminal Procedure, Article 196 and subsequent articles thereof. Article 47 of the Constitution of the Bolivarian Republic of Venezuela.

[7] Amnesty International, Use of force: *Guidelines for implementation of the UN basic principles on the use of force and firearms by law enforcement officials*, www.amnesty.org.uk/files/use_of_force.pdf

BASIC PRINCIPLES OF THE USE OF FORCE BY VENEZUELAN SECURITY FORCES

LEGALITY

The authority to use force must be set out in national legislation. These laws must be formulated in such away as to ensure that the purpose of the use of force is legitimate and non-discriminatory.

NECESSITY

Answers to the following questions can determine if use of force is necessary:

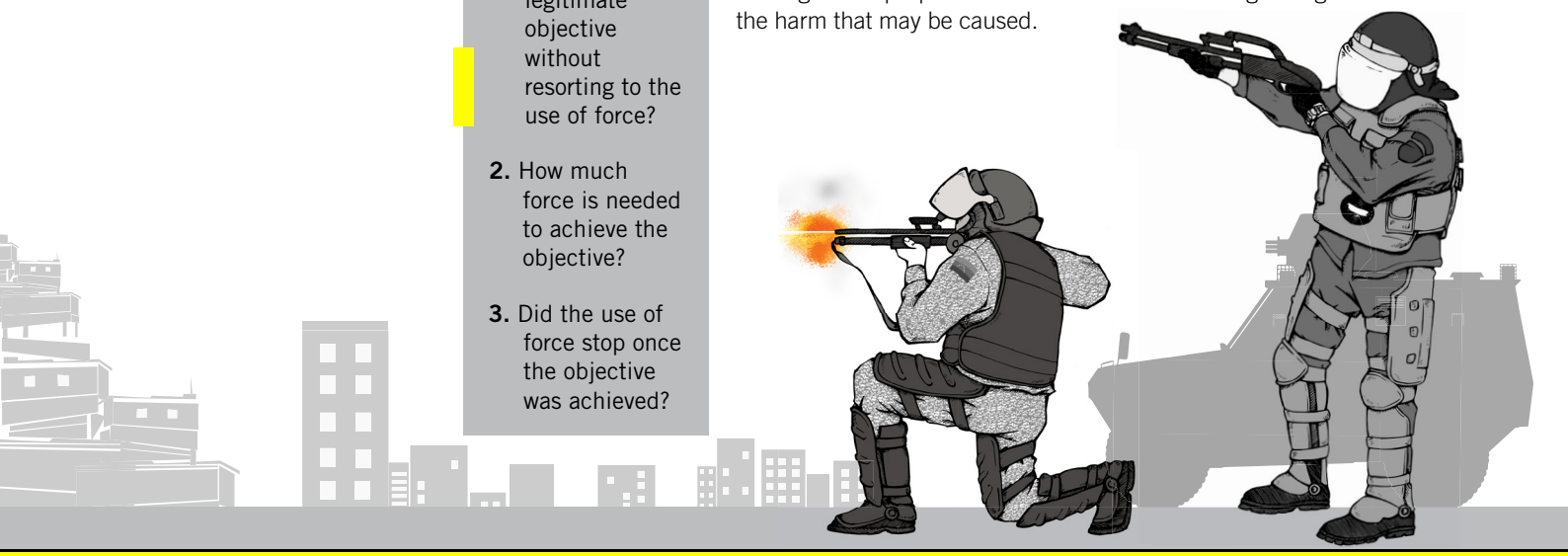
1. Is it possible to achieve the legitimate objective without resorting to the use of force?
2. How much force is needed to achieve the objective?
3. Did the use of force stop once the objective was achieved?

ACCOUNTABILITY

There must be accountability for the use of force both at the level of the individual official and of the public institution in order to ensure that the above principles are applied.

PROPORTIONALITY

The legitimate purpose to be achieved must be weighed against the harm that may be caused.



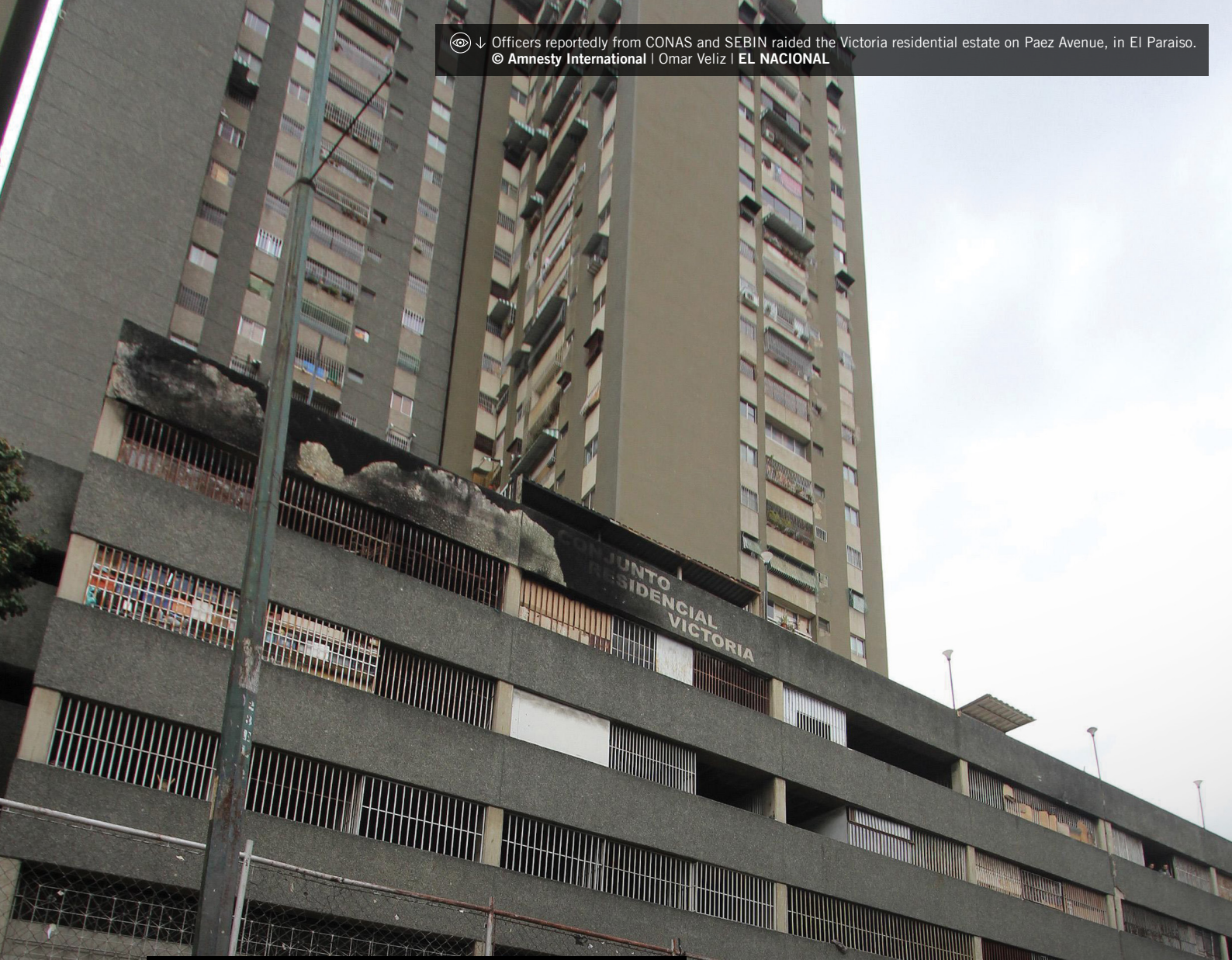
Source: Use of force: Guidelines for implentation of the UN basic principles on the use of force and firearms by law enforcement officials, Amnesty International.

In addition, as established in the Venezuelan Constitution, the authorities responsible for public security have an obligation to protect everyone under their jurisdiction through the actions of the security forces. The security forces must also, when resorting to the use of force, respect human dignity and rights and adhere in all circumstances to the principles of legality, necessity, appropriateness, timeliness and proportionality.[8]

Despite the constitutional, legal and international framework, the Venezuelan authorities have with striking frequency carried out raids in the absence of court orders and with excessive use of force. These illegal actions have violated the rights to physical integrity, a private life and personal liberty that the state must respect and ensure.

In the communities visited by Amnesty International there were consistent and repeated reports of how these illegal raids were "nights of terror", carried out by different security forces, both civil and military, using similar methods, in different states throughout the country, and at different times.

[8] Article 55 of the Constitution of the Bolivarian Republic of Venezuela; Article 15 of the Organic Law on the Police Service and the Bolivarian National Police Force; and Article 3 of the Regulations Relating to Ordinary and Extraordinary Police Procedures.



↓ Officers reportedly from CONAS and SEBIN raided the Victoria residential estate on Paez Avenue, in El Paraiso.
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NIGHTS OF TERROR

In each community visited by Amnesty International, people told very similar stories about raids, commonly referred to as "nights of terror".

These accounts follow a very similar pattern. They start with the arrival of officials – from the Bolivarian National Guard (GNB), or the Bolivarian National Police, or the Anti-Extortion and Kidnapping Command (CONAS) or even in some cases the Bolivarian National Intelligence Service (SEBIN) – who burst into homes and communities. Residents ask the officials to show them the search warrants they are executing, but the officials proceed with the search without producing a court order or offering any justification for the search.

As they violently force their way into people's homes, the security forces shout intimidating threats, terrorizing both the adults and children present.

Violence was a feature of all the raids on communities and homes: front gates and security doors were smashed as officials sought to gain entry into flats and houses. In addition, officials fired indiscriminately into houses using riot control equipment and weapons (for example, tear gas and pellet guns). Many people experienced breathing difficulties and some required medical treatment for the effects of tear gas as well as for gunshot injuries.



↓ Officers from the Anti-Kidnapping Command of the GNB, Military Counterintelligence, SEBIN, and groups of armed people jointly smashed down the entrance gate to the estate, shot firearms, tear gas grenades, and pellets. **© Amnesty International** | Omar Veliz | **EL NACIONAL**

In danger of being hit with tear gas grenades or shot with pellets during these operations, those inside their homes spent many hours lying on the floor with the lights turned off and hiding from officers lurking in the communal areas and hallways.

In order to enter private homes, officials shot off locks, broke down gates and used other tools to force doors open. In those cases where people allowed them to enter, officials destroyed property and continued to threaten all those present. They also destroyed the security cameras in some estates.

Once inside the homes, officials demanded that people tell them the whereabouts of young people who had taken part in protests; they did not have arrest warrants and did not ask for the people they were supposedly looking for by name. In other words, they carried out mass raids aimed at identifying and detaining young people, mostly boys and young men, who could have taken part in protests.

While all this was happening and using their weapons to intimidate people, many officials took valuables (for example, watches, computers, mobile phones and tablets) from the homes, as "spoils of war".

According to different accounts, all of which were consistent, these operations could last several hours and extend throughout the night, with many officers besieging the area, without any limits on the violence used and without a court order to justify their actions.



In some cases, while this was going on, groups of armed civilian government supporters arrived on motorcycles and roamed through communities, harassing neighbours, shouting pro-government slogans and warning people not to protest again. In some cases, neighbours reported that there was coordination between the actions of state agents and the groups of armed civilians.

The terror experienced in many Venezuelan cities during these long nights extended beyond the incidents themselves. People described how the repercussions continue to be felt and they experience problems sleeping, feelings of not being safe in their own homes and a sense of being completely defenceless against the arbitrary actions of the very authorities who should be ensuring their safety.

The following pages set out Amnesty International's concerns around the different patterns of illegal and arbitrary actions that constitute human rights violations during the illegal raids and attacks in Venezuela. The operations described occurred in different cities throughout the country. Different national security forces were involved, as well as groups of armed civilians. Amnesty International found that these raids followed a consistent pattern, indicating that they are part of a policy of repression by the Venezuelan state using methods that constitute human rights violations.

SEARCHES CARRIED OUT WITHOUT A WARRANT:

> **"WHEN I OPENED THE DOOR, THEY JUST PUSHED ME AND POINTED THEIR GUNS AT ME"[9]**

The frequent and repeated raids in breach of the law carried out by different security forces in Venezuela constitute human rights violations.

These sorts of arbitrary actions had already been reported in the context of security operations carried out since 13 July 2015 by the Ministry of People's Power for the Interior, Justice and Peace called "Operation Liberation of the People" (OLP).[10]

In this context, searches carried out without a warrant have been part of the modus operandi of the OLP in which officials carry out raids in poorer areas of Venezuela, without constraints of any kind. This has facilitated many serious human rights violations, which have been widely reported by Venezuelan public prosecutors and civil society organizations.[11]

Between April and July 2017 the number of raids increased. These were no longer part of the OLP, but rather took place against a background of anti-government protests.

These latest raids were characterized by large numbers of security force personnel swamping residential areas, buildings and houses, without producing any documentation authorizing their actions. Furthermore, in none of the cases documented by Amnesty International where officials acted without a warrant, were the exceptions provided for in law applicable.

Amnesty International documented a number of operations carried out by different security forces in various cities throughout the country without court orders. For example those in the residential estates of Sucre in Barquisimeto, Lara state, (26 April), of OPS and Sierra Alta in San Antonio de los Altos, Miranda state (22 May); of Los Verdes in El Paraíso, Libertador municipality, Caracas (13 June); of Montaña Alta in Carrizal, Miranda state (4 July); of La Isabelica in Valencia, Carabobo state (20 July); and of Montalbán and La Candelaria in Libertador municipality, Caracas Capital District (26 July).

In addition to violations of the rights to physical integrity and to a private life, the arbitrary actions of state officials also threaten other rights, such as personal liberty and access to justice.

[9] Witness from a residential estate in San Antonio de los Altos, Miranda state, describing how on 22 May 2017, he opened the door to the officials who were shouting at him to open up and asked if they had a search warrant. The officers entered his home, pointed a gun at him and asked if he had any children.

[10] The Venezuelan Attorney General's Office defined Operation Liberation of the People as "militarized police actions carried out by various security forces, including the Bolivarian National Police Force (CPNB); the Bolivarian National Guard (GNB); the Forensic Criminal Investigations Unit (Cuerpo de Investigaciones Científicas, Penales y Criminalistas, CICPC); the Bolivarian National Intelligence Service (SEBIN) and some state and municipal police forces." ("[p]rocedimientos policiales militarizados llevados a cabo por distintos cuerpos de seguridad, entre los que destacan el Cuerpo de Policía Nacional Bolivariana (CPNB); la Guardia Nacional Bolivariana (GNB); el Cuerpo de Investigaciones Científicas, Penales y Criminalísticas (CICPC); el Servicio Bolivariano de Inteligencia Nacional (SEBIN) y algunas policías estadales y municipales"). Informe sobre Actuaciones de la Fiscalía relacionadas con las OLP en Venezuela (julio 2015 – marzo 2017), (Report on the actions of the Attorney General's Office regarding the OLP in Venezuela (July 2015 - March 2017)), www.observatoriodeviolencia.org.ve/wp-content/uploads/2017/07/Fiscalia-Informe-sobre-OLP-2017.pdf [in Spanish only]

[11] Informe sobre Actuaciones de la Fiscalía relacionadas con las OLP en Venezuela (julio 2015 – marzo 2017), (Report on the actions of the Attorney General's Office regarding the OLP in Venezuela (July 2015 - March 2017)) www.observatoriodeviolencia.org.ve/wp-content/uploads/2017/07/Fiscalia-Informe-sobre-OLP-2017.pdf [in Spanish only]

EXCESSIVE AND INDISCRIMINATE USE OF FORCE:

> **“THEY FIRE AT THE LIGHTS SO THAT EVERYTHING IS LEFT IN DARKNESS”[12]**

Illegal raids are characterized by incursions into neighbourhoods, residential estates and private homes using unlawful force, causing damage and endangering the physical integrity and lives of the people living there.

In Venezuela, only civil police are mandated to use force in order to maintain public order.[13] However, the Bolivarian National Guard (GNB), which is a military force and is part of the Bolivarian National Armed Forces, also has a mandate regarding internal security.[14] Both the Bolivarian National Police (PNB) and the GNB, as well as other security forces, whether civil or military, must act in accordance with the principles on the legitimate use of force set out above.

The raids were led in some cases by the PNB, as well as by the GNB, by the Anti-Extortion and Kidnapping Command (CONAS), and in some cases it has been alleged that the Bolivarian National Intelligence Service (SEBIN) was involved, as well as state police.[15] In other words, different state security forces participated in these operations, even though such operations fell outside their mandate.



In these operations, officials used different armoured vehicles in order to gain access to homes. They tore down doors, fired bullets and pellets and destroyed pedestrian entrances inside buildings in order to enter homes. In addition, communities were tear gassed and physical violence was used against residents.

Reports of violence during arrests, such as people being beaten with weapons and kicked, were alarmingly consistent in all the communities interviewed.

In addition, during the operations, state agents damaged vehicles and communal areas and equipment, including security cameras, gates, glass doors, electricity networks, water pumps and elevator machine rooms.

[12] Witness statement, collected on a residential estate in La Candelaria in Caracas, about the actions of the National Guard in the community on 26 July 2017, reporting that when National Guard officers arrived on the street, they shot indiscriminately at the street lights and at the lights in the buildings.

[13] Article 332 of the Constitution of the Bolivarian Republic of Venezuela. Articles 3 and 6 of the Organic Law on the Police Service and the Bolivarian National Police Force.

[14] Article 329 of the Constitution of the Bolivarian Republic of Venezuela and Article 42 (4) of the Organic Law on the Bolivarian National Armed Forces.

[15] For example, in the Sucre residential estate in Barquisimeto, neighbours reported the presence of Lara state police officials. This police force was transferred to the command of the Ministry of People's Power for the Interior, Justice and Peace, according to Official Gazette No. 41,156 of 23 May 2017.

For example, on 22 May 2017 in the OPS residential estate in San Antonio de los Altos, Miranda state, more than 50 vehicles were damaged in the security force operation. In addition, the bullet holes made when officials shot at windows and inside homes were clearly visible, highlighting the dangers faced by those who were in their homes at the time.



In the La Candelaria area of Libertador municipality in Caracas, the remains of destroyed gates and doors in several buildings bore witness to the violence with which these operations were carried out.

On 13 June 2017, three armoured vehicles smashed down the doors of buildings in the Los Verdes residential estate in El Paraíso, Libertador municipality of Caracas, and units and officials of the Bolivarian National Intelligence Service (SEBIN) and the National Anti-Extortion and Kidnapping Command (CONAS) destroyed the communal areas and fired in all directions. Neighbours described how officials opened fire without justification, even in the corridors.

In the community of La Isabelica in Valencia City, Carabobo state, on 20 July 2017, GNB officers fired pellets at people who were watching the protests, again in the absence of any justification for the use of force.



↑ **Officers from the Anti-Kidnapping Command of the GNB, Military Counterintelligence, SEBIN, and groups of armed people jointly smashed down the entrance gate to the estate, shot firearms, tear gas grenades, and pellets.**
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Amnesty International believes that the violence used in the raids reinforces their illegality. In carrying out these operations, state officials acted with complete disregard for the principles of when and how the security forces may use force: the principles of legality, necessity, proportionality and accountability. It is worrying that different security forces – whether civil or military – are using excessive and unjustified force in residential areas, even if maintaining public order does not fall within their mandate.

There are many documented examples of this kind of conduct and the same pattern seems to be repeated in different parts of the country. These cannot, therefore, be considered isolated or random events. Amnesty International believes they constitute violations of the rights to personal integrity, to a private life and to private property by Venezuelan state security officials and that they are part of a policy of illegal use of force.

SECURITY FORCES INVOLVED IN THE ATTACKS AND ILLEGAL RAIDS

POLICE
State

Answers to: State Governors.However, the control of state police in Miranda, Lara, Sucre and Amazonas states has been taken over by the central government.

Remit: Crime prevention and control, and public order in each state.



Nature: Civilian

GNB
Bolivarian National Guard

Answer to: The Ministry of People's Power for Defence, except when it is tasked with controlling protests or other domestic security matters, in wich case the GNB answers to the Ministry for the Interior.

Remit: Domestic order, offers support in public order. Prevention and investigation of crimes involving drugs, abductions and extortion.



Nature: Military

PNB
Bolivarian National Police

Answers to: The Ministry of People's power for the Interior, Justice and Peace.

Remit: Public order and crime prevention within the entire national territory.



Nature: Civilian

CONAS
Anti-Extortion and Kidnapping Command

Answers to: the Bolivarian National Guard (GNB)

Remit: Intervention in rescue operations and investigation of cases involving extortion and abductions.



Nature: Military

SEBIN
Bolivarian National Intelligence Service

Answers to: The Vice-President

Remit: Intelligence service for foreign and domestic threats.



Nature: Civilian

DGCIM
Directorate General of Military Counterintelligence

Answers to: the President and the Ministry of People's Power for Defense.

Remit: Intelligence service for the armed forces.



Nature: Military

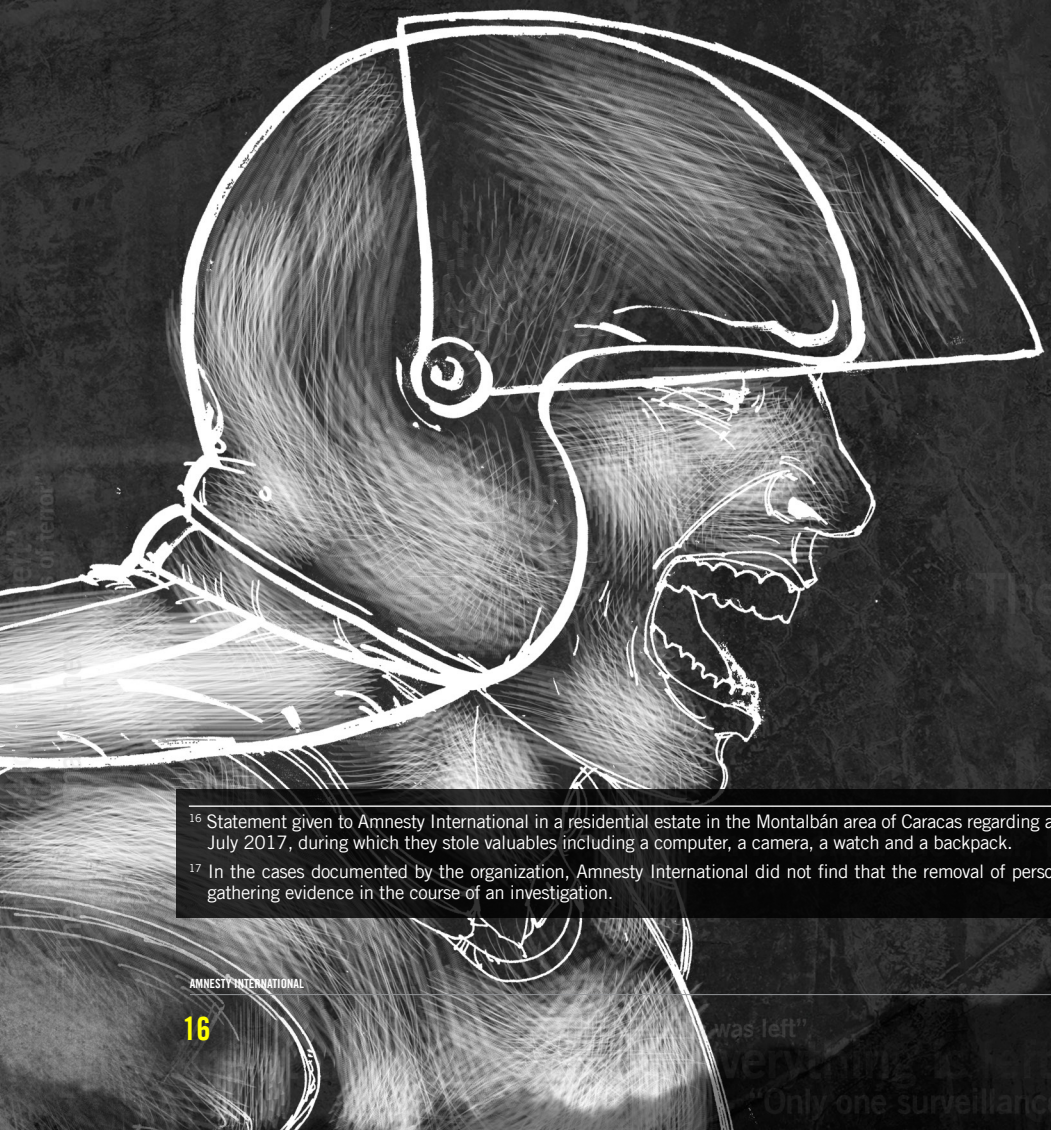
ARBITRARY ACTIONS:

> “THEY EVEN TOOK MY COMPUTER[16]”

Actions by state officials that cannot be considered legitimate conduct or part of their mandate include consistent and repeated allegations that state agents in uniform and carrying regulation weapons robbed and stole valuables in the course of these illegal raids.

The events in the Sierra Alta residential estate in San Antonio de los Altos, Miranda state, are a typical example of such actions. Footage from a security camera video shows GNB officials leaving the community carrying suitcases at the end of the raid. In addition, there were complaints of the theft of various kinds of property such as jewellery, watches, clothing, mobile phones and various kinds of electronic equipment as well as cash during the operation. These complaints were made repeatedly by those interviewed by Amnesty International.

Under no circumstances does the law permit the authorities to steal personal items.[17] These actions by officials not only undermine the right to private property, they violate the right to personal integrity and to a private life. They also demonstrate that government officials are acting illegally and with impunity.



[16] Statement given to Amnesty International in a residential estate in the Montalbán area of Caracas regarding a raid by the National Bolivarian Police on 29 July 2017, during which they stole valuables including a computer, a camera, a watch and a backpack.

[17] In the cases documented by the organization, Amnesty International did not find that the removal of personal property was justified on the grounds of gathering evidence in the course of an investigation.

DESTROYING THE EVIDENCE:

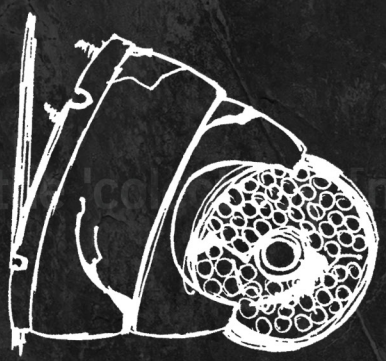
> **“ONLY ONE SURVEILLANCE CAMERA WAS LEFT”[18]**

The behaviour of Venezuelan state agents follows a clear pattern that includes destroying evidence to ensure they can act with impunity. Many people described how officials would act as look outs to make sure that neighbours were not filming or taking photos from their apartments and would threaten residents with tear gas grenades or by shooting pellets to deter them from recording their actions.

In addition, the security cameras in several of the buildings that were raided were stolen or destroyed during the operations. For example, a video recording was recovered from a security camera in the OPS residential estate in San Antonio de los Altos in Miranda state on the day of the raid. This shows a GNP official shooting at the camera just before the recording stops.

Amnesty International believes that this type of action puts at risk the right to access to justice by destroying evidence that could be used to support a complaint and is yet another example of arbitrary action by the security forces. In this instance, the actions were intended to prevent any visual record being made of the operations, which demonstrates that the aim was to guarantee impunity for those acting illegally.





[18] Witness in San Antonio de los Altos, reporting that Bolivarian National Guard officials who had entered his community on 22 May 2017 had removed and destroyed all the surveillance cameras apart from one.

THREATENING RESIDENTS:

> “THE BOOGEYMAN IS HERE[19]”

Officials who violently entered communities during these operations routinely threatened residents, using disparaging political slogans commonly used against dissidents. The faces and identity badges of all the officers were concealed.

> “COME ON OUT YOU BLOODY GUARIMBEROS... WE’LL RAPE THE LOT OF YOU”[20]

This kind of comment was consistently reported in all the seven communities in different parts of the country where Amnesty International conducted interviews, as were the use of verbal threats and physical violence and intimidatory statements against the protesters. Another feature of the expressions used by security officials was threats of sexual violence against residents.[21]

“The shutters would jangle when they touched them...they tried to open them...when was I hiding with my neighbour and her daughter, they shouted ‘Open up, open up! The Chavistas have arrived, open up!...The boogeyman is here!”[z]

Many of the children who were present during the raids are now extremely scared whenever they come across a GNB officer in the streets. Many of their statements revealed an abiding fearfulness or violent behaviours in the wake of the raids on their homes.

Amnesty International considers that such intimidatory methods are not consistent with the techniques that the state should adopt when undertaking this type of law enforcement or military operation. They are unnecessary and violate the psychological integrity and the right to a private life of residents in the affected communities.

[19] In Spanish “Viene el coco”, based on Venezuelan popular culture where “Coco” is a monster that abducts children, and appears in lullabies such as “Duérmete niño, duérmete ya, que viene el Coco y te comerá” (“Sleep my baby, go to sleep now. The boogeyman is coming and he will eat you”). From a statement given to Amnesty International by a young man who described how while he was hiding, National Guard officers arrived in his community in Miranda state and repeatedly shouted that phrase while they carried out the raids on 22 May 2017.

[20] Statement given by a resident of the Sucre residential estate in Barquisimeto, repeating the threats made by the Bolivarian National Guard. In Venezuela, “guarimbas” is the term used for the barricades erected by demonstrators to block roads. They usually include burning objects such as tyres or tree branches. The disparaging term “guarimberos” is used to discredit people and imply that they were involved in violent protests.

[21] Amnesty International has previously documented the use of sexual violence as a method of torture in Venezuela, as well as the use of threats of sexual violence in the context of crackdowns on protests. Amnesty International, *Venezuela: The faces of impunity – a year after the protests, victims still await justice* (Index: AMR 53/1239/2017).

[22] Statement given on the OPS residential estate in San Antonio de los Altos, Miranda state, regarding the behaviour of the GNB on 22 May 2017.

ARBITRARY DETENTION:

> "SOMETIMES THEY PICK YOU UP AND YOU DON'T KNOW WHERE THEY ARE TAKING YOU[23]"

Amnesty International's research highlights the direct link between the illegal raids and arbitrary detentions. The authorities usually seek to justify this type of operation in terms of the pursuit of alleged demonstrators. And indeed, the cases documented show a pattern of searching for young men aged between 15 and 25 who are then detained, even though there is no warrant for their arrest and they have not been caught in the act of committing a crime.

Amnesty International received several statements reporting arbitrary detentions during these operations. For example, several people in the Montaña Alta and Sierra Alta residential estates in San Antonio de los Altos, were detained and tried before military courts. They were charged with attacking a sentry or with rebellion, even though they had been apprehended at home in their living rooms.[24]

> "THEY ASKED ME IF I HAD CHILDREN, IF I HAD A SON...I SAID THAT I DID AND THAT HE WAS UPSTAIRS, SO THEY WENT UP TO LOOK FOR HIM."[25]

Amnesty International has previously expressed concern that arrests without warrants in Venezuela are used to persecute dissidents and silence voices critical of government policies[26] and that these detentions violate the right to personal liberty. It has also expressed concern that disregarding the right to natural justice and subjecting civilians to military jurisdiction exposes people to arbitrary proceedings and violates the right to due process.

[23] Statement given in Miranda state in the Montaña Alta residential estate in the area of Carrizal regarding the operation carried out by the GNB and CONAS on 4 July 2017.

[24] All of those involved in this case were subsequently released.

[25] Statement given in Miranda State in the area of San Antonio de los Altos on 22 May 2017 describing how when National Guard officials came into the house, they asked where his son was. When he told them his son was in the house, they were both detained and taken to the GNB headquarters.

[26] Amnesty International, *Silenced by force: Politically motivated arbitrary detentions in Venezuela* (Index: AMR 53/6014/2017).

INVOLVEMENT OF PRO-GOVERNMENT ARMED GROUPS:

> “THE GUARDS ON ONE CORNER AND THE ‘COLECTIVOS’ [MILITANT GRASSROOTS GROUPS] ON THE OTHER[27]”

Since 2014, Amnesty International has documented the existence and actions of groups of armed pro-government supporters who are tolerated or supported by the authorities.[28] In Venezuela these groups are known as “colectivos armados” (armed collectives).

In some cases, the raids documented by Amnesty International involved attacks on communities by armed civilians who, acting with the consent of the state authorities, used violence as a means of intimidation, riding motorcycles with their weapons visible and sometimes opening fire and shouting pro-government slogans such as “we’re not going to let you protest [guarimbear]”.[29]



[27] Statement given in the Sucre residential estate in Barquisimeto, where a neighbour said that while National Guard officers were dispersing protesters on 26 April 2017, other people, who identified themselves as “chavistas”, carried out acts of violence, despite the presence of state officials.

[28] Amnesty International, Venezuela: *The faces of impunity – a year after the protests, victims still await justice* (Index: AMR 53/1239/2017).

[29] This expression can be translated as: “We’re not going to let them protest against the government”, given that the term “*guarimba*” in the Venezuelan context refers to the barricades erected by protesters to block roads.

On 18 April 2017, in response to the protests and demonstrations that had been taking place since the beginning of the month, the President announced that the "green phase" of the so-called Plan Zamora was being activated. This state security plan includes the deployment of civil-military personnel on public order operations.[30]

Days after the security plan became operational, on 26 April, in the Sucre residential estate in Barquisimeto, Lara state, residents were attacked by armed groups of civilians as the GNB and Lara state police officials looked on. People consistently reported that officials and armed civilians acted in a coordinated fashion. They told Amnesty International that while the GNB were dispersing protesters, the "colectivos armados" threatened residents and opened fire on buildings.



↑ **Abuses in residential estates by officers of the SEBIN in Caracas.**
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Officers reportedly from CONAS and SEBIN raided the Victoria residential estate on Paez Avenue, in El Paraiso. ↑
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Similarly, on 26 July 2017, in the La Candelaria area of the capital, groups of armed civilians were active intermittently and possibly with the consent of the PNB. That same night, these groups were seen operating in a street while on the avenue leading off the street, police officials stood watching, making no effort to stop or prevent attacks by these groups.

It is of particular concern that these groups of armed civilians roamed through areas and communities in Venezuela in effect with apparent licence to use violence against residents and in full view of state officials. It is unacceptable for the Venezuelan state to encourage the involvement of civilians in the use of force. This constitutes a violation by the Venezuelan state of its obligation to prevent human rights violations.

[30] VTV, address by President Nicolás Maduro, 8 April 2017, www.youtube.com/watch?v=B93D8UVnXMQ. Amnesty International, *Venezuela: Unending cycle of violence and repression threatens the lives of the Venezuelan people, 19 April 2017*, www.amnesty.org/en/latest/news/2017/04/venezuela-inagotable-ciclo-de-violencia-y-represion-amenaza-vida-de-la-poblacion/



↓ Communal areas in the Alto Alegre residential estate (doors and gates), after a raid by the National Guard.
© **Amnesty International** | Omar Veliz | **EL NACIONAL**

3. INDISCRIMINATE IMPACT ON THE POPULATION

The illegal and violent raids that have taken place in Venezuela have had a widespread effect in various communities. There are thousands of victims in these communities who have been besieged by the police, the military and groups of armed civilians. The actions of the Venezuelan state have had a grave impact on their rights to both physical and psychological integrity; their right to non-interference in their privacy or home; and, in some cases, their right to personal liberty and due process.

All the cases documented by Amnesty International were consistent in describing how the Venezuelan state security forces acted indiscriminately and illegally and how this affected wide swathes of the population, creating a climate of fear and distrust. Those affected consistently and repeatedly expressed their fear of going to the authorities to request protection, justice and reparation for what had happened.

In addition, much of the material damage will be difficult to repair given the serious economic crisis that Venezuela is currently experiencing.

> **"INSTEAD OF FEELING PROTECTED, THE UNIFORM MAKES YOU FEEL TERRIFIED. YOU ARE SEIZED BY FEAR, DISGUST, ANGER".[31]**

The feelings of vulnerability that are experienced by the victims of these violations is further heightened by the institutional crisis triggered by the removal of the Attorney General and the nomination of a new one in a move that has been criticized by a number of political and social actors. This has been another disincentive for victims to seek justice and reparation for violations committed against them owing to the lack of confidence in the Attorney General's Office, which victims expressed in interviews with Amnesty International.

[31] Statement given in the Los Verdes residential estate in El Paraíso in the Libertador municipality of Caracas.



↓ Officers reportedly from CONAS and SEBIN raided the Victoria residential estate on Paez Avenue, in El Paraiso.
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4. CONCLUSIONS AND RECOMMENDATIONS

Between April and July 2017, the illegal raids and violent attacks on homes in Venezuela intensified, according to the findings of this publication. The vast majority of these involved arbitrary actions and violations of the right to a private life, personal liberty and integrity, and due process.

These practices have been documented in the past, but they appear to have become more widespread and far-reaching and to have become part of a policy of repression by the Venezuelan state.

In addition, the prevailing impunity and state complicity are perpetuating the patterns of arbitrary behaviour and abuses by the security forces and groups of armed civilians.

It is imperative that the Venezuelan state take the following measures in order to prevent these violations from continuing:

- Stop all searches by the security forces, both civil and military, in all states throughout Venezuela unless they are based on written orders from the competent authorities and conform to legal requirements.
- Ensure that operations to maintain public order and security are undertaken exclusively by civil security forces.
- Stop, as a matter of urgency, the excessive use of force by state security forces.
- Investigate and punish, through effective, impartial proceedings in a civil court, the actions of groups of armed civilians, especially the attacks that have been reported against people's homes and residential areas.

- Investigate and punish, through effective, impartial proceedings in a civil court, state officials who carried out the illegal raids and criminal acts committed in this context, with a special emphasis on violations of the right to physical integrity, a private life, due process and personal liberty that occurred in the context of these operations.

- Provide the necessary guarantees to ensure that investigations are impartial and do not put at risk victims who are seeking justice and comprehensive reparations, including compensation for the damage caused during raids and attacks.

- Guarantee the rights to the inviolability of the home, to a private life, to physical integrity and to liberty in the home of the people under its jurisdiction.

- Release everyone who was arbitrarily detained unless there is a court order issued by a civil and impartial court accusing them of a recognizably criminal offence.

- Transfer the cases of all those detained during raids and demonstrations from the jurisdiction of the military courts to the civil courts.


"Sometimes they
"Only one surveillance camera was left"
"They fire at the lights so that everything is left in darkness"
and the 'colectivos' [militant grassroots groups] on the other"
"They even took my computer"
"The boogeyman is here"
"Only one surveillance camera was left"


"They even took my computer"
"Only one surveillance camera was left"
"The boogeyman is here"
"Sometimes they pick you up and you don't know where they are taking you"
"The boogeyman is here"
"They even took my computer"
"Only one surveillance camera was left"
"The boogeyman is here"
"Sometimes they pick you up and you don't know where they are taking you"
pointed their guns at me"
"They fire at the lights so that everything is left in darkness"
"The guards on one corner and the 'colectivos' [militant grassroots groups] on the other"
www.amnesty.org
"The guards on one corner and the 'colectivos' [militant grassroots groups] on the other"
"When I opened the door, they just pushed me and pointed their guns at me"
"They fire at the lights so that everything is left in darkness"
"Only one surveillance camera was left"
"They even took my computer"