

Distr.: General  
8 September 2025

English and Spanish

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**Human Rights Council**  
60th session

**Detailed conclusions of the independent international  
fact-finding mission on the Bolivarian Republic of  
Venezuela \***

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\* This document should be read in conjunction with the official report of the international fact-finding mission on the Bolivarian Republic of Venezuela (A/HRC/60/61), submitted to the Human Rights Council at its 60th session in accordance with its resolution 57/36.

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## I. Introduction

1. The present conference room paper accompanies the report of the independent international fact-finding mission on the Bolivarian Republic of Venezuela (the “Mission”), submitted to the Human Rights Council at its 60<sup>th</sup> session, in accordance with its resolution 57/36.
2. In this document, the Mission sets out the detailed conclusions of its investigations carried out from September 2024 to August 2025, supplementing its previous reports on the repression that took place after the 2024 presidential elections. Some of the information presented complements the conclusions of its latest report—and the respective conference room paper—in which the Mission reported on the serious human rights violations and crimes perpetrated in the context of last year's elections.
3. The Mission considers that the repression unleashed since 29 July 2024 is an exacerbated continuation of the plan to annihilate opponents or those perceived as such. This has resulted in the commission of serious human rights violations and international crimes, constituting the crime against humanity of persecution for political reasons.
4. The Mission has reasonable grounds to believe that the Government repression has caused at least 30 fatalities. During the protests, at least 25 people died. Subsequently, five people who had been detained during the protests died while in State custody. The Mission has also documented that three people who were detained in the context of the post-election protests died after their release from prison due to the deterioration of their health.
5. The document also reflects the situation of persons detained during and after the election protests. This includes the detention of relatives of opposition figures or those perceived as such, extortion related detentions, and an unprecedented number of 84 foreign nationals detained, as documented by the Mission.
6. The investigation has shown that those detained, mainly women and adolescent girls, were subjected to gender-based sexual violence. In addition, the Mission has documented a tightening of the application of prolonged isolation and incommunicado detention measures against detainees.
7. The Mission also exposes the conditions of detention faced, or previously faced, by persons deprived of their liberty. This includes instances in which the Mission has reasonable grounds to believe that torture and other cruel, inhuman or degrading treatment has occurred.
8. The Mission also refers to several cases of enforced disappearance, which in this period have included short periods of a few days or hours, as well as longer periods of up to more than six months.
9. This document presents details of the situation of children and adolescents in the context of the post-election protests of 2024, as well as new arrests that occurred around the presidential inauguration in January 2025. This includes arbitrary arrests, serious violations of due process without regard for the age or best interests of children and adolescents, and cases of torture and sexual violence.
10. Finally, it includes considerations and analysis on restrictions on civic space and their impact on human rights organisations and defenders.
11. This session document includes an Annex containing 19 illustrative cases limited within a much broader universe that exceeds the operational capabilities of the Mission, but which sufficiently highlight the magnitude, extent, and severity of the human rights crisis in Venezuela. This approach is in no way pretends to minimise or ignore serious human rights violations not included in the document and should not be interpreted to mean that these did not occur.

## II. Mandate and methodology

### A. Mandate

12. In its resolution 57/36 of 14 October 2024, the Human Rights Council decided to extend the mandate of the Mission for two years, as established in its resolution 45/20 of 8 October 2019.

13. In addition to the original mandate, in resolution 57/36 the Council entrusted the Mission with paying “special attention to the human rights situation in [...] Venezuela in the period leading up to, during and after the 2024 presidential elections,” as well as “to the violence perpetrated by armed individuals known as 'colectivos'.”

14. In compliance with this mandate, the Mission presented an oral update on its work on 18 March during the Council's 58<sup>th</sup> session and will do so again in March 2026 during the 61<sup>st</sup> session.

15. On this occasion, complementing the report presented at this 59<sup>th</sup> session, the Mission focuses in detail on the human rights consequences of the crisis created by the repression of the 2024 post-election protests. In the report it will present to the Council at the 63<sup>rd</sup> session, the Mission will pay special attention to the violence perpetrated by armed individuals known as *colectivos*, as requested. The Mission will present an additional session document on the Bolivarian National Guard (GNB, by its Spanish acronym) in the weeks following this session.

### B. Methodology and standard of proof

16. The Mission conducts its investigations in accordance with United Nations methodologies and best practices, taking into account a gender perspective. The Mission operates in accordance with the principles of independence, impartiality, objectivity, transparency, integrity, and the principle of “do no harm.”

17. The Mission applies the standard of proof of “reasonable grounds to believe” to arrive at its conclusions. The standard is met when the Mission has collected a body of reliable and corroborated information on the basis of which a reasonable and diligent person would have reason to believe that the incident or pattern of conduct occurred.<sup>1</sup> When it is not possible to meet this evidentiary standard, the Mission refers to the facts and incidents as reported or documented.

18. To support the conclusions presented in this report, the Mission conducted 237 confidential interviews with individual victims and witnesses, both remotely and face-to-face, as well as with Venezuelan civil society groups and organisations. The Mission reviewed 364 documents evidence, including official, forensic and judicial documents, photographs, videos and reports from human rights organisations with established credibility. It also reviewed information from open sources and official, judicial documents, independent forensic reports, videos, audio recordings, and photographs. The Venezuelan authorities did not cooperate with the Mission, in contravention of Council's resolutions.

19. The Mission has drawn on the forensic expertise of specialised organisations, such as the Institute for Therapy and Research on the Aftermath of Torture and State Violence (ITEI, by its Spanish acronym) and Physicians for Human Rights (PHR).<sup>2</sup> The Mission has also taken into account, in its analysis and investigation information from organisations that form part of the human rights architecture and ecosystem of the United Nations and the Organisation of American States. Finally, the Mission has examined countless open sources, including various publications of all kinds on social media, digital newspapers, and other sources.

<sup>1</sup> [https://www.ohchr.org/sites/default/files/Documents/Publications/CoI\\_Guidance\\_and\\_Practice\\_sp.pdf](https://www.ohchr.org/sites/default/files/Documents/Publications/CoI_Guidance_and_Practice_sp.pdf), paras. 69 and 70.

<sup>2</sup> The Mission cooperated with PHR in the framework of a formal agreement.

20. The investigation has been seriously hampered by the liquidity and financial crisis affecting the United Nations Secretariat, including the Office of the High Commissioner for Human Rights, which provides the Mission with support to carry out its work. As in previous years, and partly due to the Office's recruitment procedures, the Mission had fewer resources than those allocated by the Council. Of the 11 posts allocated, the Mission had eight, with only three retained throughout the investigative year. For example, of the five assigned investigator posts, the Mission had only two, and for some months, only one; the gender adviser was in post for three months on a temporary basis; there was only one legal adviser for five months and one reporting officer for four months. Despite this, the Mission has been able to fulfil its mandate by redefining tasks and objectives.

21. As part of its operational methodology, the Mission has continued to use the social media platforms made available by the Council,<sup>3</sup> which it acknowledges for its dedication, and to conduct interviews with media outlets to amplify its investigative work. During this period, the Mission published three press releases. On the eve of the presidential inauguration, on 2 January, the Mission demanded full respect for human rights, and on 9 January it condemned the detentions made in the previous days, noting that these acts may entail individual criminal responsibility under international law, both for those who execute carry them out and for those who order, authorise or enable them. On 14 May, the Mission demanded an end to the state practice of isolating opposition figures or those perceived as such who are detained and warned of the ineffectiveness of judicial remedies for protection.<sup>4</sup>

22. The Mission's work would not be possible without the dedication and support of Venezuela's resilient human rights community and the courage and commitment of individual persons, including victims, family members, close associates, witnesses and even anonymous persons.

23. The Mission ensured that it had the informed consent of each of the individuals it interviewed before making use of the information they provided. On occasion, the Mission has redacted the identities of sources, witnesses and victims when revealing them would pose a risk of reprisals against those individuals, their family members or the organisations to which they belong.

24. Interaction with victims and witnesses is kept confidential, but the Mission maintains a secure database in which all information received and evidence is collected, on which the analysis and determinations made in this document are based has been stored. The database is located on encrypted digital platforms with limited and monitored access.

### **III. General Context**

25. The overall context in which the Mission has conducted its investigative work during the period covered by this conference room paper has been characterised by growing number of restrictions on human rights and civic space in Venezuela following the presidential elections of 28 July 2024. This led to sustained deterioration of the rule of law and ongoing persecution of those who are openly critical or perceived to be critical of government policies, through a systematic policy of serious human rights violations and international crimes.

#### **1. Significant changes in the military leadership**

26. In the Official Gazette No. 42,986, dated 16 October 2024, changes were made official in the military leadership, including senior officers heading the General Directorate of Military Counterintelligence (DGCIM, by its Spanish acronym), the Capital Strategic Region

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<sup>3</sup> Since May, the Mission has been using social media accounts and digital platforms created specifically for investigative bodies of the Office of the United Nations High Commissioner for Human Rights, although its messages continue to be replicated on the accounts of the Human Rights Council.

<sup>4</sup> The three press releases are available at: <https://www.ohchr.org/es/hr-bodies/hrc/ffmv/index>. The Mission also issued a press release on 18 March, on the occasion of its oral update to the Human Rights Council at its 59<sup>th</sup> session, in which it noted that "harsh repression and crimes against humanity" continued in Venezuela.

of Integral Defence (REDI, by its Spanish acronym), and the Bolivarian Intelligence Service (SEBIN, by its Spanish acronym).<sup>5</sup>

27. Major General Iván Hernández Dala stepped down from his leadership of the DGCIM and the Presidential Guard of Honour, which he had held since 2014,<sup>6</sup> and was appointed president of the *Compañía Anónima Nacional Teléfonos de Venezuela* (CANTV).<sup>7</sup> He was succeeded by Major General Javier Marcano Tábata, who, since July 2019, had led REDI Capital, which includes the Capital District and the states of Miranda and La Guaira.<sup>8</sup>

28. General-in-Chief Gustavo González López, head of SEBIN since 2019 (for the second time), completed his tenure in October 2024 and, that same month, was appointed Superintendent of Strategic Affairs and Production Control at *Petróleos de Venezuela, S.A.* (PDVSA). Major General Alexis Rodríguez Cabello succeeded González López at the head of SEBIN. Previously, since December 2023, Rodríguez Cabello led the Single Authority of the Comprehensive Defence Operational Zone of Guayana Esequiba.

29. For his part, General-in-Chief Vladimir Padrino López was appointed as Minister of Popular Power for Defence, which he has held since 2014. Major General Elio Ramón Estrada was also reaffirmed as Commander-in-Chief of the GNB, which he has held since July 2023. General Domingo Hernández Lárez was also reinstated as head of the Strategic Operational Command of the Armed Forces (CEOFANB, by its Spanish acronym), a position he has held since 2021.

## 2. Presidential inauguration

30. On 10 January 2025, Nicolás Maduro took office as President of the Republic. To date, the National Electoral Council (CNE, by its Spanish acronym), which declared him the electoral victory, has not carried out a true and independent verification of the electoral procedures of these elections. Nor has the CNE carried out the transparent publication of the minutes according to the count of each electoral precinct, as required by national legislation.

31. In relation to this event, the government initiated another wave of detentions, as detailed in the chapter on arbitrary detentions in this document.

32. In the period immediately prior to the swearing in, the Mission recalled in its public statement of 2 January 2025 that “the repressive apparatus [remained] fully operational” and that between “August and December 2024, the authorities [had detained] at least 56 opposition party activists, 10 journalists, and one human rights defender.” Days later, through a second statement on 9 January 2025, the Mission reported that in two days it had recorded “16 detentions in various regions of the country of political leaders, human rights defenders and even relatives of opposition figures.”<sup>9</sup>

## 3. Parliamentary and regional elections

33. The elections on 25 May 2025 were held to elect 569 positions, including 285 posts in the National Assembly, 24 governor positions (in addition to the traditional 23, for the first time one was added for the so-called “Guayana Esequiba”) and 260 posts in the state legislative councils.<sup>10</sup>

34. On 6 March 2025, Guyana requested the International Court of Justice to adopt provisional measures in response to the CNE's announcement of elections for a governorship

<sup>5</sup> *Official Gazette No.* 42,986 of 16 October 2024.

<sup>6</sup> Ministry of Popular Power for Science and Technology, “Major General Iván Hernández Dala appointed President of Cantv,” 20 November 2024, available at: <https://mincyt.gob.ve/designado-m-g-ivan-hernandez-dala-presidente-cantv/>.

<sup>7</sup> *Official Gazette No.* 6,857 of 20 November 2024.

<sup>8</sup> Major General Dilio Guillermo Rodríguez Díaz has assumed command of REDI Capital.

<sup>9</sup> Both communiqués are available at: <https://www.ohchr.org/es/hr-bodies/hrc/ffmv/index>.

<sup>10</sup> Instagram post by @vtv\_canal8, 25 May 2025. Available at: <https://www.instagram.com/reel/DKE7OVDSSf0/>

of the so-called “Guayana Esequiba.”<sup>11</sup> On 1 May 2025, the Court ordered Venezuela to “refrain from holding elections, or from making preparations to hold them, in the disputed territory, which is currently administered by Guyana and over which it has jurisdiction.”<sup>12</sup>

35. In the election schedule, published belatedly, the obligation to publish the voting minutes on the CNE website was eliminated. In fact, at the time of writing, its official website ([www.cne.gov.ve](http://www.cne.gov.ve)) remains offline since the presidential election in July 2024. The CNE provided information on the parliamentary and regional elections through brief media briefings broadcast by government outlets.

36. In the context of the elections, *Plan República*, led by Vladimir Padrino López, General-in-Chief of the Bolivarian Army and Minister of Popular Power for Defence, was activated to safeguard order. As a result, there was a new wave of detentions, including foreigners alleged to be mercenaries.

37. The CNE extended the closing of the polls by two additional hours and shared partial results at 11:40 p.m. According to the CNE, the Great Patriotic Pole Alliance obtained 82.68 per cent of the votes for the National Assembly. In the case of the Regional Assemblies, the CNE gave the Patriotic Pole 90.4 per cent of the votes. And in the case of governorship, the CNE announced that the Unified Socialist Party of Venezuela (PSUV, by its Spanish acronym) won 23 of the 24 contested governorships, or 96 per cent.<sup>13</sup> According to the CNE, the participation rate was 42.63 per cent, based on so-called “active voters.”<sup>14</sup>

38. The opposition, which largely decided not to participate in the elections, questioned particular the participation rate. Some organisations published that the actual participation percentage did not exceed 26 per cent, arguing that the CNE established an incorrect baseline of registered voters.<sup>15</sup>

#### 4. Municipal elections

39. On 27 July 2025, elections were held to elect 2,806 public officials, including 335 male and female mayors and 2,471 municipal councillors. Thirty-six political groups ran in the elections, 11 of which had been taken over by the Supreme Court of Justice.<sup>16</sup>

40. According to the CNE, of the 335 positions for municipal leadership, 285 were assigned to the ruling party. The CNE reported that there was a participation rate of more than 44 per cent, again based on so-called “active voters.”<sup>17</sup> The CNE has not published the

<sup>11</sup> In March 2018, the Cooperative Republic of Guyana brought an action against Venezuela before the International Court of Justice regarding the legality and binding force of the 1899 arbitration award between “the British colony of Guyana” and “the United States of Venezuela.” Venezuela does not accept the Court’s jurisdiction in the case. Available at: <https://www.icj-cij.org/case/171>.

<sup>12</sup> International Court of Justice, *Arbitral Award of 3 October 1899 (Guyana v. Venezuela) Request For the Modification of the order of 1 December 2023 Indicating provisional measures*, 1 May 2025. Available at: <https://www.icj-cij.org/sites/default/files/case-related/171/171-20250501-ord-01-00-en.pdf>.

<sup>13</sup> The only governorship that the CNE did not award to the PSUV was that of State of Cojedes, won by Vamos, Vamos Cojedes.

<sup>14</sup> This category has not been defined and seems to refer to those who participated in elections since 2020. This reduces the universe of voters with respect to the electoral register and increases the participation percentage. YouTube video, @talcual.digital, “CNE announces turnout percentage for 25 May 2025.” Available at: [https://www.youtube.com/watch?v=mpV\\_TZrQIVs](https://www.youtube.com/watch?v=mpV_TZrQIVs).

<sup>15</sup> Runrun.es “The turnout percentage for #25May does not match the electoral register,” 26 May 2025. Available at: <https://runrun.es/noticias/580711/la-inconsistencia-del-cne-porcentaje-de-participacion-del-25may-no-cuadra-con-el-registro-electoral/>.

<sup>16</sup> The Court’s intervention involves the establishment of *ad hoc* governance boards that replace those naturally associated with the political party. These imposed boards are associated with the ruling party. The intervention also includes the nomination of representatives to register candidates with the CNE, allowing the ruling party to control who is registered. Available at: <https://accesoalajusticia.org/tsj-impacto-oferta-electoral-elecciones-municipales/>.

<sup>17</sup> CNN in Spanish “Chavismo wins more than 84% of mayoral seats in elections without real opposition”. 28 July 2025. Available at: <https://cnnespanol.cnn.com/2025/07/28/venezuela/chavismo-alcaldias-elecciones-contrapeso-opositor-orix>.



disaggregated results or the number of votes for each individual candidate. Its official website remains inaccessible.

41. As in the case of the parliamentary and regional elections in May 2025, the majority of opposition parties did not participate in the elections and based on the same arguments, questioned the participation rate in these municipal elections. According to a survey conducted in June 2025, the intention to participate in the municipal elections did not exceed 10 per cent.<sup>18</sup> Opposition figure María Corina Machado estimated the rate of abstention at 90 per cent.<sup>19</sup>

## **5. Situations under consideration by the International Criminal Court and cases before foreign courts**

42. In his annual report to the States Party to the Rome Statute, published on 4 November 2024, the Prosecutor of the International Criminal Court updated his activities, including those relating to Venezuela and its two Situations.<sup>20</sup> The Situation Venezuela I, under investigation by the Office of the Prosecutor since 2018, remains ongoing, and “the Situation Venezuela II remains under “preliminary examination.”<sup>21</sup>

43. On 1 August 2025, the Appeals Chamber of the International Criminal Court decided that Prosecutor Karim Khan should step aside from the Situation Venezuela I.<sup>22</sup> On 8 August 2025, Delcy Rodríguez, Executive Vice-President and Sectoral Vice-President for the Economy of the Bolivarian Republic of Venezuela, visited the Deputy Attorney General, who reaffirmed the Office's commitment to continuing the ongoing investigation, which began in 2018, while assessing the progress made by the Government in terms of the principle of complementarity.<sup>23</sup>

44. The two judicial cases opened in Argentina under universal jurisdiction in January and June 2023 against senior Venezuelan State officials remain in the investigation phase.

45. The Spanish National Court admitted a complaint, also under universal jurisdiction, filed on 5 May 2025 against Miguel Rodríguez Torres, former Minister of Interior and Justice, and Luisa Ortega Díaz, former Attorney General, for alleged crimes against humanity and torture.<sup>24</sup> The case has been assigned to Central Court of Instruction No. 6, presided over by Judge Antonio Piña. At the time of writing, no progress in the proceedings in this case are known.

## **6. People granted asylum at the Argentine Ambassador's residence in Caracas**

46. On 6 May 2025, after almost 14 months of confinement, the persons who had been staying at the residence of the Argentine Ambassador in Caracas fled the country, as announced by US Secretary of State Marco Rubio.<sup>25</sup> The Secretary of State portrayed the event as a “rescue.” Days later, Diosdado Cabello argued that the exit had been the result of

<sup>18</sup> Cati Meganalisis verdad Venezuela survey from 18 to 25 June 2025. Available at:

<https://drive.google.com/file/d/1W9iJ7Tl7NNV7SyAbx4LRMw3E9udJLEnT/view>.

<sup>19</sup> Swissinfo.ch “Machado claims that 90% of Venezuela ‘said no’ to Maduro in the municipal elections.” 28 July 2025. Available at: <https://www.swissinfo.ch/spa/machado-asegura-que-el-90-%25-de-venezuela-%22le-dijo-no%22-a-maduro-en-los-comicios-municipales/89743724>.

<sup>20</sup> Document ICC-ASP/23/19, available at: [https://asp.icc-cpi.int/sites/default/files/asp\\_docs/ICC-ASP-23-19-SPA.pdf](https://asp.icc-cpi.int/sites/default/files/asp_docs/ICC-ASP-23-19-SPA.pdf)

<sup>21</sup> The Venezuela II situation was initiated by the Venezuelan State in 2020, under Article 14 of the Rome Statute.

<sup>22</sup> <https://www.icc-cpi.int/sites/default/files/CourtRecords/0902ebd180c3e9e5.pdf>

<sup>23</sup> [https://x.com/IntlCrimCourt/status/1953814400973894003?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwtterm%5E1953814400973894003%7Ctwtgr%5E531154a332382992a4fcb4a8a40f07f787dfd12a%7Ctwcon%5Es1\\_&ref\\_url=https%3A%2F%2Ftalcualdigital.com%2Fcpirratifica-compromiso-con-victimas-de-presuntos-crimenes-cometidos-en-venezuela%2F](https://x.com/IntlCrimCourt/status/1953814400973894003?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwtterm%5E1953814400973894003%7Ctwtgr%5E531154a332382992a4fcb4a8a40f07f787dfd12a%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Ftalcualdigital.com%2Fcpirratifica-compromiso-con-victimas-de-presuntos-crimenes-cometidos-en-venezuela%2F).

<sup>24</sup> Available at: [Instagram+7NTN24+7QuéPasa+7ElTequeño+3ElVenezolanoCostaRica+3ElCooperante+3](https://www.instagram.com/p/7NTN24+7QuéPasa+7ElTequeño+3ElVenezolanoCostaRica+3ElCooperante+3)

<sup>25</sup> Post on X by @SecRubio, 6 May 2025. Available at: <https://x.com/SecRubio/status/1919905924149330199>

a negotiation, in which the Venezuelan government had also agreed to allow María Corina Machado's mother to leave the country.<sup>26</sup>

47. Of the six people initially sheltered, one had managed to escape to another country in September or October 2024, which was kept secret to avoid reprisals from the Venezuelan government. Another one left the residence on 20 December 2024 and died two months later in his home. The four remaining persons who left in May 2025 were taken into the United States of America, as reported by the US Secretary of State.<sup>27</sup>

48. On 24 May 2025, the five persons held a media briefing in which, without giving details, they stated that their departure had been the result of a “strategic operation.”<sup>28</sup> In the days following the exit of these four individuals, security forces searched the homes of at least two of them.<sup>29</sup>

## IV. Update on patterns of violations

### A. Arbitrary detentions

49. In the course of this reporting cycle, the Mission has continued to record, document and investigate thoroughly arbitrary detentions carried out against individuals for exercising their political rights and civil liberties, including opponents, dissidents, and those perceived as such. During the first eight months of 2025, detentions were concentrated in two key political periods: before, during, and after the presidential inauguration on 10 January; and during the regional and National Assembly elections on 25 May. On 18 July 2025, an agreement was reached between Venezuela, El Salvador and the United States of America for the release and repatriation to Venezuela of several individuals.<sup>30</sup> Between these moments, however, arbitrary detentions continued to occur in a more targeted manner.

50. Arbitrary detentions are one of the violations and crimes that represent a continuation of the same pattern of conduct that the Mission characterised in previous reports as crimes against humanity. This violation, together with others such as torture and sexual and gender-based violence, as well as other related violations and in the context of a discriminatory policy, taken as a whole, amount to the crime against humanity of persecution based on political grounds, due to the identity of the victims as persons in opposition to the government or perceived as such, or simply government critics.<sup>31</sup>

51. This chapter includes the Mission's overall conclusions; an analysis of patterns of behaviour by State agents in the commission of arbitrary detentions; breaches of due process rights of detainees; the subjection of detainees to solitary confinement and incommunicado

<sup>26</sup> YouTube post by @lubrio "Diosdado Cabello on the departure of five opposition members from the Argentine embassy in Caracas" 7 May 2025. Available at: <https://www.youtube.com/watch?v=4tJRyq2x-2g&amp;t=19s>.

<sup>27</sup> Post on X by @SecRubio, 6 May 2025. Available at: <https://x.com/SecRubio/status/1919905924149330199>

<sup>28</sup> YouTube post by @VPITVenvivo "Live | Press conference by former asylum seekers from the Argentine embassy in Washington." 24 May 2025. Available at: <https://www.youtube.com/watch?v=l28t7X9JDJk>.

<sup>29</sup> El Vinotinto "Raid on the residence of Humberto Villalobos, refugee at the Argentine Embassy." 10 May 2025. Available at: <https://el-vinotinto.cl/2025/05/10/allanamiento-a-la-residencia-de-humberto-villalobos-refugiado-en-embajada-de-argentina/> and Facebook post by EfectoCocuyo, 8 May 2025. Available at: <https://www.facebook.com/efectococuyo/posts/%EF%B8%8Fcocuyo-al-despertar-%EF%B8%8F8may-antes-que-comiencen-la-jornada-te-traemos-las-noticia/1287663530033978/>

<sup>30</sup> Agreement between Venezuela, El Salvador and the United States of America whereby 10 foreign nationals (US citizens or permanent residents) were released. Venezuela undertook to release 80 prisoners and 252 Venezuelan nationals were repatriated to Venezuela from high-security prisons in El Salvador. See, for example, BBC News Mundo, “Bukele returns migrants deported by the US to El Salvador to Caracas in exchange for the release of 10 Americans and dozens of Venezuelan prisoners”, 18 July 2025. Available at: <https://www.bbc.com/mundo/articles/cvg6vjdegmzo>

<sup>31</sup> A/HRC/57/57.

detention; detentions involving extortion and those of family members; as well as the detention of foreign nationals.

## 1. General findings

52. During the 2024 post-election protests, the authorities acknowledged that they had detained more than 2,220 people.<sup>32</sup> From 28 July to 31 December 2024, the Mission was able to document 243 detentions (202 men and 41 women), which constitutes a limited number of the total universe.

53. Between 1 January and 31 August 2025, the Mission documented a total of 200 detentions (155 men and 45 women). Taking into consideration that this is an underreporting, this means at least an average of 25 people detained each month for eight months. The Mission has grouped these detentions into two critical periods, as follows.

54. The first period occurred in the context of the presidential inauguration on 10 January 2025, when the Mission documented up to 84 detentions (67 men and 17 women) of opposition politicians, human rights defenders, journalists and relatives of opposition figures or those perceived as such. The vast majority of these individuals remain detained. Among the detentions, two 17-year-old boys stand out, one of whom was released on 11 June 2025.

55. A second period occurred in the days before and after the regional and National Assembly elections on 25 May 2025. The Mission documented 42 detentions (34 men and 8 women), the vast majority between 21 and 23 May, related to real or alleged conspiracies against the elections.

56. Between these periods, however, the repressive capacity of the State did not disappear or diminish. Thus, in the period between February and May, the Mission documented 13 cases of detentions (11 men and 2 women) in the context of more selective repression against opponents, or those perceived as such, and voices critical of the government.

57. Subsequently, between June and August 2025, the Mission identified a surge of repressive actions by the State before and after the 18 July agreement, with the detention of at least 61 individuals (43 men and 18 women). Of these detentions, at least 44 took place in July.

58. In addition, from 28 July 2024 to 31 August 2025, the Mission documented 84 cases of detentions of foreigners, including three women. The government justified these detentions on the grounds of their alleged participation in subversive or terrorist activities, as reflected later in this chapter.<sup>33</sup>

59. With regard to children and adolescents, the Mission has documented 220 cases of detention between 28 July 2024 and 12 January 2025 (187 boys, 22 girls and 11 children whose gender could not be determined). This is detailed in the chapter below on the situation of children and adolescents.

60. As documented in the Mission's latest report, young men from low-income neighbourhoods were identified as the main victims of detentions in the post-election context<sup>34</sup>. However, there were also cases of women and girls being detained. In 2025, multiple detentions of women human rights defenders and community leaders have been documented. These women act as spokespersons for their communities both in public spaces and on digital platforms.

61. Furthermore, as analysed in detail below in the chapter on sexual and gender-based violence, the Mission corroborated the continuation of the pattern identified in 2024,

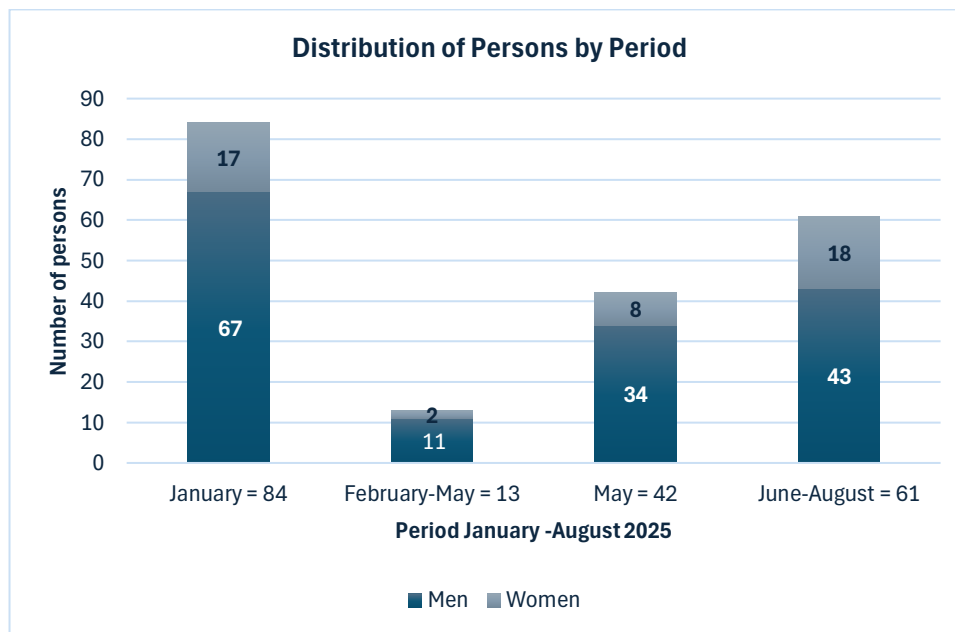
<sup>32</sup> On 6 August, Nicolás Maduro announced that, as of that date, 2,229 people had been detained, whom he described as “terrorists”. See: YouTube video, Nicolás Maduro [@NicolásMaduroM], “Gran Marcha de los Abuelos y Abuelas” (Grand March of Grandparents), 6 August 2024. Available at: [https://www.youtube.com/live/rb-Q3hyTBcl?si=SXEbMiU\\_E6VwvGWq&amp;t=1936](https://www.youtube.com/live/rb-Q3hyTBcl?si=SXEbMiU_E6VwvGWq&amp;t=1936) [min 32:16].

<sup>33</sup> In addition to these cases, there are 28 cases of foreign nationals detained prior to the presidential elections of 28 July 2024. Most of these individuals were detained in 2019 and 2020 (20). The rest were detained in 2017 (one), 2018 (one), 2021 (one), 2023 (two) and 2024 (three).

<sup>34</sup> A/HRC/57/CRP.5, paras. 719 and 720.

consisting of the use of sexual and gender-based violence as a tool of repression against detained women and girls. These acts are characterised by systematic practices of humiliation, dehumanisation, and subjugation during deprivation of liberty, such as forced nudity, coercive transactional sex, or forced prostitution. All of this reinforces the Mission's conclusion, based on reasonable grounds to believe, that this form of violence is not isolated, but rather a pattern of behaviour that is part of a policy of silencing opponents or those perceived as such.<sup>35</sup>

Figure 1  
**Persons detained documented by the Mission (200)**



Source: Prepared by the Mission

62. The victims of arbitrary detention include public figures and politicians, such as opposition leaders, civil society activists, and human rights defenders. They also include relatives of these individuals, as well as people without a specific political affiliation but who held critical views of government policies and expressed their discontent in public demonstrations, on social media, or even in more intimate circles (friends and neighbours) from which their opinions were leaked.

63. The victims also include individuals who engage in certain civic society and professional activities, such as journalists, social media content creators, teachers, or trade unionists. This group has also been detained for expressing critical opinions or simply for carrying out their professional duties.

## 2. Analysis of patterns of behaviour by state agents

64. Arbitrary detentions during the reporting period were carried out following the patterns previously identified by the Mission. Depending on the situation, detentions were conducted with violence or disproportionate use of force, in public spaces, or even in private homes, by hooded and armed individuals, usually dressed in dark clothing and without identification, and forcing victims into vehicles without licence plates. All of these patterns may occur together in the same case. There are also situations in which perpetrators identify themselves as members of a security force, but do not present arrest warrants or give explanations for the reasons for the arrest.

<sup>35</sup> A/HRC/57/CRP.5, paras. 719 and 720.

65. For example, LD71V7 was detained on 20 August 2024, while having breakfast at a kiosk in Caracas, by seven hooded officials who identified themselves as members of the DGCIM carrying long weapons. Without presenting him with a judicial warrant or giving him any further explanation, they told him that he was under arrest as part of Operation Tun Tun. The details of this case can be found in the Annex to this document on illustrative cases.

66. Days later, also in Caracas, a political opponent who was travelling in a vehicle with other people was intercepted by several unmarked SUVs with tinted windows, from which several hooded men got out. After pointing guns at him, they forcibly took him to El Helicoide. At no time did the captors identify themselves or explain the reasons for the detention, where they were taking him, or present an arrest warrant.<sup>36</sup>

67. This practice continued after the period of post-election protests in 2024.<sup>37</sup> Jesús Armas, for example, was detained by at least five hooded, unidentified men dressed in black as he was leaving a cafe in Caracas on the night of 10 December 2024. His captors only asked him his name and put him in a gold SUV without licence plates, without presenting an arrest warrant or explaining the reason for his detention. The details of this case can also be found in the Annex to this document on illustrative cases.

68. In another example, the vehicle in which Carlos Correa was travelling on 7 January 2025 in Caracas was intercepted by an unmarked SUV, from which several hooded individuals emerged and took him away. The hooded individuals did not present any judicial warrant, communicate the reason for the apprehension, or indicate where they were taking him.<sup>38</sup>

69. This was also the case involving the adolescent detained one day after the presidential inauguration, on 11 January 2025. In the evening, hooded individuals carrying long weapons violently entered his home and took him away by force without giving any explanation to him or his family.<sup>39</sup>

70. The unjustified use of anti-terrorism and hate crime legislation in these detentions also continued. As reported by the Mission in its last report, the Attorney general's Office did not specify the conduct of the alleged perpetrators. In this regard, the Mission has reasonable grounds to believe that the Attorney General's Office made arbitrary use of its investigative and prosecutorial powers for political reasons.

71. In certain cases, not even the appearance of legality was maintained. In one case, when the victim requested to see the arrest warrant against him, security forces responded that "it was a presidential order."<sup>40</sup> In another case, a person who was apprehended but was not the main target of the arrest was released with the warning that he should forget what had happened and "pretend to be insane."<sup>41</sup>

72. The arbitrary actions of the State are not limited to the moment of arrest by State security forces or unidentified individuals. Arbitrary detentions are ordered by political authorities, justified and endorsed by the Attorney General's Office, confirmed by the judicial system, and continued by prison authorities. This conduct is not new and reflects a pattern of authoritarian practice rather than adherence to the rule of law.

<sup>36</sup> Interviews WWIV116 and PPIV172.

<sup>37</sup> Interviews HHIV160, HHIV158, and HHIV162.

<sup>38</sup> Illustrative case 9: Carlos Correa.

<sup>39</sup> Document HHDC241.

<sup>40</sup> Interview TTIV024.

<sup>41</sup> Interview VEF993.

### Paramacay Military Base

Paramacay Military Base is located in Naguanagua, near Valencia, in the State of Carabobo. It is the historic headquarters of the 41st Armoured Brigade “Capitán Juan Ángel Bravo García” of the Bolivarian Army of Venezuela, considered a strategic reserve of the FANB.

The base became a temporary detention centre between 29 July and 1 August 2024. On 30 July 2024, there were more than 100 people detained. That day, the governor of Carabobo State, Rafael Lacava, was recorded on video threatening and intimidating the group of detainees who were sitting in the base's courtyard. The military personnel at the base interrogated, tortured and mistreated detainees.

One of the detained teenagers, while being interrogated by soldiers, was beaten with a bat while his hands were tied behind his back and suffocated with plastic bags, in addition to being subjected to electric shocks on his body.

Another teenager, who arrived at the base with two broken teeth and injuries to one hand caused by the PNB during the arrest, was not treated by military medical services.

A soldier offered to release one of the young women detained in exchange for sexual favours. When she refused, the young woman was beaten by the soldier and forced to record a video with false accusations.

A mother who recognized her son in Governor Lacava's video reported that her son showed visible signs of physical abuse. He had been deprived of food and water and tortured with beatings and electric shocks to force him to record a false statement.

Those detained at the base were taken to other facilities for mass hearings. For example, 103 people, including children and adolescents, were brought to a judicial review hearing at the PNB headquarters in Los Guayos, also in the State of Carabobo. None of the detainees had access to proper legal representation. During the hearing, the prosecution explained that the individuals had been arrested in *flagrante delicto* while looting a food company in the municipality of Guacara, State of Carabobo, or while throwing blunt objects and incendiary devices at the base's facilities.

Many of the individuals, however, were not detained in Guacara or Naguanagua. All of them were charged with terrorism, incitement to hatred, and resisting authority.

At the time of the events, Paramacay Military Base was commanded by Major General Héctor José Cadenas Daal. On 17 August 2024, Brigadier General Jesús Manuel Carpio Medina took over command of the base. Neither of them has launched an investigation into the violations committed at the base between 29 July and 1 August 2024.

### 3. Violations of due process guarantees against persons deprived of liberty

73. The Mission recalls that, according to Criterion III of the United Nations Working Group on Arbitrary Detention, serious violations of international standards relating to the right to a fair trial renders the deprivation of liberty arbitrary.

74. During the period covered by this report, the Mission has investigated the patterns of violations of due process guarantees discussed below. These include, among others, the lack of effective judicial control over the legality of detention, prolonged incommunicado detention, the holding of hearings in detention centres, the arbitrary imposition of measures depriving individuals of their liberty, and the lack of judicial independence. Such practices have been documented in previous reports by the Mission, and their continuation confirms their systematic nature. They have become so entrenched in the Venezuelan judicial system that they have been normalised, diminishing the seriousness of depriving individuals of the most basic judicial guarantees..<sup>42</sup>

#### a) *Legal representation of choice and technical defence*

75. According to the cases investigated by the Mission during this period, detainees were prevented from being advised by counsel of their choice from the moment of their arrest. The

<sup>42</sup> A/HRC/57/CRP.5; A/HRC/54/CRP.8; A/HRC/48/CRP.5

victims were represented in court by court-appointed public defenders, ignoring the objections of the detainees.<sup>43</sup>

76. After the initial hearings, most of the defendants were also not allowed to appoint lawyers of their choice. One person currently released from prison, for example, formally requested in writing that the public defender be replaced by lawyers of his choice, but the request was denied without justification.<sup>44</sup>

77. In the case of Nélida Sánchez, a family member brought the relevant document to El Helicoide for the detainee to sign and for the appointment of her private lawyer to be processed. El Helicoide officials told him that no documents were allowed to enter or leave the detention centre, so they refused to accept the document. When the family member explained that it was a document to appoint a private lawyer, the prison authorities replied that this was not permitted either.<sup>45</sup>

78. Similarly, in another case, the defendant, who asked to remain anonymous for fear of reprisals against his family, requested during his preliminary hearing in November 2024 to be represented by lawyers of his choice. The judge denied the request.<sup>46</sup>

79. Exceptionally, the Mission has identified a case in which the victim was able to appoint and swear in private lawyers of their choice, although the initial hearing was held with a lawyer imposed by the Public Defender's Office.<sup>47</sup>

80. Public defenders continue to fail to fulfil their mandate to ensure an effective and independent technical defence. In some cases, defenders acknowledged their inability or unwillingness to resist political pressure that required them to fail to fulfil their mandate. In other cases, a lack of interest or time to prepare an adequate technical defence resulted in a lack of legal protection for the defendants.<sup>48</sup> Furthermore, the way in which the hearings were conducted from 28 July 2024 onwards – remotely, in groups, at night – hampered the work of those public defenders who expressed an interest in fulfilling their role properly.<sup>49</sup>

81. On the other hand, the Mission has previously reported that public defenders often fail to fulfil their obligation to provide diligent and effective legal representation, whether due to lack of resources, fear of reprisals, or lack of interest. During this period, sources consulted by the Mission indicated that public defenders were expressly instructed not to take any procedural action on behalf of their clients. As a result, individuals detained and prosecuted during this period are left in a grave state of defencelessness and highly vulnerable to arbitrary actions by representatives of the Attorney General's Office and even by judges themselves.

*b) Right to have adequate time and facilities to prepare a defence and to communicate with counsel*

82. In some cases, those prosecuted were prevented from communicating even with the public defenders appointed by the State, and in others, they were restricted in doing so. According to testimonies from released individuals, detainees were unable to have prior contact with their counsel or, if they did, it was for only a few minutes, which was insufficient time to adequately prepare an effective technical defence.

83. For example, in several cases, the victims participated in their hearings without knowing who their assigned public defender was.<sup>50</sup> In some of these cases, communications were inaudible as they were made via a mobile phone connected through WhatsApp. The defendants could not hear or clearly understand the statements made by their counsel,

<sup>43</sup> Illustrative cases of ED0X94, Carlos Correa, Nélida Sánchez, as well as other cases whose victims have requested to remain anonymous.

<sup>44</sup> Document HNC283.

<sup>45</sup> Interview PPIV160.

<sup>46</sup> Interview PPIV171.

<sup>47</sup> This refers to the case of Carlos Correa, released on 16 January 2025.

<sup>48</sup> Illustrative cases of Jesús Álvarez, ED0X94, and other cases whose victims have requested to remain anonymous.

<sup>49</sup> Interview WWIV154 and Document HHDC242.

<sup>50</sup> Illustrative cases of Jesús Armas and ED0X94, as well as one in which the victim requested to remain anonymous.

prosecutors, or judges, nor were they allowed to consult or exchange information with their lawyers during the hearings.<sup>51</sup>

c) *Public nature of judicial hearings*

84. As the Mission reported in its September 2024 report and in its oral update in March 2025, individuals detained after the presidential elections, as well as those detained before the presidential inauguration, have been prosecuted without observing the principle of open justice. This pattern of violations continued in the cases of individuals detained in the context of the regional and parliamentary elections of 25 May 2025.

85. In several cases, initial hearings continued to be held in detention centres,<sup>52</sup> not in courtrooms, and in some cases at night, without any justification. As noted above, many hearings were held remotely, sometimes via mobile phone using WhatsApp, also without proper justification, which limited the transparency of the proceedings.<sup>53</sup> In several cases, such as the detention of foreign nationals, the lack of transparency has reached such extremes that the hearings can be tantamount to secret trials, for which there is no official and public evidence that they actually took place.

86. The principle of publicity requires that the parties and their lawyers have access to the information against them in order to prepare their legal defence. In some cases, even public defenders did not have access to this information.<sup>54</sup> This violation also seriously affects the principle of equality of arms between the parties.

87. In the case of children, this situation is particularly serious given their vulnerability and the need for stricter attention to their age and the requirement to uphold practices the best interests of the child. Notwithstanding the above, the Mission has confirmed that in some hearings involving children, families have been able to be present at the proceedings.<sup>55</sup>

88. The Mission has identified the following judges, who preside over courts with jurisdiction over terrorism offences, as having been systematically involved in practices that violate fundamental rights: Carlos Enrique Liendo Acosta,<sup>56</sup> Keidimar Ramos Castillo,<sup>57</sup> Joel Abraham Monjes,<sup>58</sup> Franklin Mejías Caldera,<sup>59</sup> Ángel Betancourt,<sup>60</sup> and Edward Miguel Briceño Cisneros.<sup>61</sup>

#### 4. Detentions in solitary confinement and incommunicado

a) *Isolation*

89. The United Nations Standard Minimum Rules for the Treatment of Prisoners, known as the “Nelson Mandela Rules,” define solitary confinement as the absence of meaningful

<sup>51</sup> Interviews HHIV168 and HHIV165.

<sup>52</sup> Illustrative cases of ED0X94 and Reinaldo Araujo. And other cases in which the victims have requested to remain anonymous.

<sup>53</sup> As in the cases of Jesús Armas, Williams Dávila, and other cases in which the victims have requested anonymity.

<sup>54</sup> Illustrative cases of Jesús Álvarez, Nélida Sánchez and ED0X94.

<sup>55</sup> Document HHDC242.

<sup>56</sup> Judge Liendo Acosta went so far as to order the trial of more than 100 people detained in Los Guayos, Carabobo State, including persons with disabilities, in a single hearing held by video call on 16 October 2024 (files CIM-2024-001062 and MP-137630-24).

<sup>57</sup> Judge Ramos Castillo has also extended these abusive practices to trials against children and adolescents following the 2024 presidential elections, as head of the Second Court for Terrorism in the State of Carabobo.

<sup>58</sup> Judge Monjes is in charge of the First Court with jurisdiction over terrorism offences in the Juvenile Criminal Justice System.

<sup>59</sup> Judge Mejías Caldera is in charge of the Fourth Control Court with national jurisdiction over crimes related to terrorism.

<sup>60</sup> Judge Betancourt is in charge of the Third Control Court with national jurisdiction over crimes related to terrorism.

<sup>61</sup> Judge Briceño Cisneros is in charge of the First Court of First Instance with jurisdiction over terrorism matters.



human contact for 22 hours per day.<sup>62</sup> Solitary confinement should only be used "in exceptional cases, as a last resort, for the shortest possible time and subject to independent review, and only with the permission of a competent authority" and is prohibited when the detainee "has a physical or mental disability that could be aggravated under [this] regime."<sup>63</sup>

90. The same standards prohibit prolonged solitary confinement, *i.e.* confinement "for a period exceeding 15 consecutive days"<sup>64</sup>, as well as indefinite solitary confinement.<sup>65</sup> Both situations may be considered forms of torture or cruel, inhuman or degrading treatment or punishment.

91. The use of solitary confinement for children and persons with disabilities is prohibited under international human rights law.<sup>66</sup> In addition, multiple UN human rights bodies, including the General Assembly, the Committee against Torture and the Committee on the Rights of the Child have condemned this measure.<sup>67</sup> These bodies have acknowledged that this practice constitutes, in itself, cruel, inhuman or degrading treatment and poses a serious risk to the physical and mental health of those affected.

92. International standards also prohibit the use of solitary confinement or disciplinary segregation for pregnant women, women with children, or breastfeeding mothers.<sup>68</sup>

93. In the case of any person placed in solitary confinement, medical personnel shall give particular consideration to that individual and ensure the provision of medical care and treatment whenever requested.<sup>69</sup> Medical personnel shall be authorised to examine the conditions of a person in solitary confinement and to recommend any changes necessary to ensure that confinement does not aggravate any illness or physical or mental disability from which the detained person may be suffering.<sup>70</sup>

94. Both the Human Rights Committee and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment (hereinafter SR on torture) have stated that prolonged solitary confinement, in itself, may constitute torture when used as punishment, applied during pretrial detention, for prolonged periods or indefinitely.<sup>71</sup>

95. Similarly, the Inter-American Court of Human Rights (hereinafter IACtHR) has stated that both prolonged isolation and coercive incommunicado detention "are in themselves forms of cruel and inhuman treatment, harmful to the psychological and moral freedom of the individual and to the right of every detainee to respect for the dignity inherent in the

<sup>62</sup> Mandela Rules, Rule 44.

<sup>63</sup> *Ibid.*, rule 45.

<sup>64</sup> *Ibid.*, rule 43.

<sup>65</sup> *Ibid.*

<sup>66</sup> Convention on the Rights of the Child, Articles 3 and 37(c); General Comment No. 10 (2007), para. 89; Convention on the Rights of Persons with Disabilities, Articles 14 and 15; Mandela Rules, Rules 43(2) and 44; Havana Rules, Rule 67.

<sup>67</sup> See, for example, General Assembly: Resolution 10/175 (Annex), Resolution 40/33 (Annex) and Resolution 45/113 (Annex); Committee against Torture: CAT/C/ECU/CO/8, paras. 23-24; CAT/C/COL/CO/6, paras. 26-27; CAT/C/MAC/CO/4, para. 8; Subcommittee on Prevention of Torture: CAT/OP/PRY/1, para. 185; and Committee on the Rights of the Child: CRC/C/15/Add.151, para. 41; CRC/C/15/Add.220, para. 45 (d); and CRC/C/15/Add.232, para. 36 (a)). See also: Presentation by the Special Rapporteur on torture before the IACHR hearing on Solitary Confinement in the Americas, 12 March 2013. Available at: <https://www.ohchr.org/sites/default/files/Documents/Issues/Torture/IAC12March2013.pdf>

<sup>68</sup> United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders and the Commentary thereon ("Bangkok Rules"), Resolution adopted by the General Assembly, A/65/229, 16 March 2021, Rule 22.

<sup>69</sup> Mandela Rules, Rule 46.

<sup>70</sup> *Ibid.*

<sup>71</sup> Special Rapporteur on torture, 5 January 2016, A/HRC/31/57, para. 22; Human Rights Committee, General Comment No. 20 (art. 7), A/47/40, annex VI.A, para. 6.

human being" and therefore constitute a violation of Article 5 of the Inter-American Convention on Human Rights.<sup>72</sup>

96. Venezuelan national law allows for solitary confinement for a maximum period of seven days as a punishment for serious offences and for a maximum of fifteen days as a punishment for the most serious offences.<sup>73</sup> The law also stipulates that for very serious offences, the highest authority of the prison must initiate an investigation into the facts.<sup>74</sup>

97. National law further establishes that, during this process, the person being punished has the right to be notified in writing of the offence committed and the applicable sanction, as well as the deadline for presenting their defence and being heard.<sup>75</sup> The detainee must be informed in writing of the decision to apply a sanction.<sup>76</sup> Once the decision to proceed with isolation has been made, the detainee must be informed of it and shall have the right to request a review of the decision by a competent judge.<sup>77</sup>

b) *Incommunicado detention*

98. Principle 15 of the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment establishes that no person should be held "incommunicado from the outside world, in particular from his or her family or lawyer, for more than a few days."<sup>78</sup>

99. International standards and inter-American jurisprudence agree in rejecting incommunicado detention, understood as deprivation of all contact with the outside world, in particular with lawyers, doctors and family members. This extreme regime of incommunicado detention has been recognised as a form of cruel and inhuman treatment in several cases.<sup>79</sup> The Special Rapporteur on torture has called for a general prohibition of incommunicado detention, as torture is most frequently practised during these situations.<sup>80</sup>

100. The Human Rights Committee has found a violation of Article 10 of the International Covenant on Civil and Political Rights in a case of incommunicado detention for a period of fifteen weeks when the victim's family members were not informed of his whereabouts.<sup>81</sup>

101. The IACtHR determined that incommunicado detention constitutes an exceptional measure aimed at preventing interference with the investigation of the facts.<sup>82</sup> However, this measure must be limited to a period of time determined by law and must guarantee the minimum and non-derogable guarantees of the Inter-American Convention on Human Rights, which include the right to question the legality of the detention and the guarantee of an effective defence, even during incommunicado detention.<sup>83</sup> The Court highlighted the serious effects that incommunicado detention has on a detained person, as it causes moral

<sup>72</sup> IACHR, IACHR: Venezuela must end the incommunicado detention of political prisoners and release them immediately, 11 April 2025. Available at: [https://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/prensa/comunicados/2025/072.asp&utm\\_content=country-ven&utm\\_term=class-mon](https://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/prensa/comunicados/2025/072.asp&utm_content=country-ven&utm_term=class-mon)

<sup>73</sup> Law reforming the Organic Penitentiary Code, published in *La Gaceta No. 6646* of 17 September 2021, arts. 144 and 145.

<sup>74</sup> *Ibid.*, art. 149.

<sup>75</sup> *Ibid.*, art. 149(2) and (3).

<sup>76</sup> *Ibid.*, art. 149(6).

<sup>77</sup> *Ibid.*, arts. 149 and 154.

<sup>78</sup> Adopted by the General Assembly in its resolution 43/173 of 9 December 1988.

<sup>79</sup> Human Rights Committee, Communication No. 458/1991, CCPR/C/51/D/458/1991, para. 9.4; Inter-American Court of Human Rights, *Velásquez Rodríguez v. Honduras*, Judgment, 29 July 1988, para. 187.

<sup>80</sup> Special Rapporteur on Torture, Report submitted by the Special Rapporteur on the question of torture in accordance with Commission resolution 2002/38, 17 December 2002, E/CN.4/2003/68, para. 26(g).

<sup>81</sup> Human Rights Committee, *Arutyunyan v. Uzbekistan*, Communication 917/2000, 29 March 2004, CCPR/C/80/D/917/2000, para. 6.2.

<sup>82</sup> Inter-American Court of Human Rights, *Suárez Rosero v. Ecuador*, Judgment (Merits), 12 November 1997, para. 51.

<sup>83</sup> *Ibid.*

suffering and psychological distress and places them in a particularly vulnerable situation increasing the risk of aggression and arbitrariness in prisons.<sup>84</sup>

102. Venezuelan national legislation does not allow for detention under an incommunicado regime. On the contrary, the Code of Criminal Procedure establishes that a person charged with a crime has the right to “communicate with their family members, a lawyer of their choice, or a legal aid association to inform them of their detention.”<sup>85</sup>

c) *General findings*

103. In its press release of 14 May 2025, the Mission demanded an end to the state practice of detention in conditions of isolation and incommunicado. The Mission expressed deep concern about this practice, which it said often amounts to enforced disappearances, as well as about the widespread lack of effective judicial protection.<sup>86</sup>

104. The Mission reiterated in that statement that “selective detentions are part of a deliberate plan by the repressive apparatus of the State to silence opposition figures, or those perceived as such, including human rights defenders, and to instil fear in the population.”<sup>87</sup>

105. In more than 30 cases during the reporting period, the Mission has found reasonable grounds to believe that the authorities have knowingly held persons under incommunicado detention because of their opposition, or perceived opposition, to the government.

106. The Mission has received information from credible sources indicated that numerous individuals detained following the protests over the July 2024 presidential elections who were transferred to Tocuyito had no contact with the outside world for approximately two months (between early August and late September 2024). Although these individuals had initial contact with their families before the transfer, communication was interrupted upon arrival at the Tocuyito prison. When communication resumed, visits were conducted under strict conditions, with a limited duration of between 10 and 20 minutes, and without physical contact, as the detainees and their families were separated by a glass barrier.<sup>88</sup>

107. In the case of the Tocarón prison, some of the detainees were deprived of visits from their family members and lawyers for a period of approximately one month.<sup>89</sup>

108. In one case, an individual who requested anonymity was held incommunicado for 40 days at the Tocarón prison, without the possibility of contacting or receiving visits from family members.<sup>90</sup> In another case, the victim, who also requested anonymity for fear of reprisals, was unable to communicate with family members for a period of 18 days after being imprisoned in Tocuyito.<sup>91</sup> Josnars Baduel has been held incommunicado from 26 January to 17 May 2025 (112 days, more than 15 weeks) in Rodeo I prison, in response to a public complaint made by his family about his conditions of detention and those of prisoners in general.<sup>92</sup>

<sup>84</sup> *Ibid.*, art. 90.

<sup>85</sup> Organic Law Reforming the Organic Code of Criminal Procedure, Official Gazette No. 6644 of 17 September 2021, art. 127(2).

<sup>86</sup> OHCHR, Mission press release, “Fact-finding mission calls for an end to the State practice of isolating detained opponents and warns of the ineffectiveness of judicial remedies for protection,” 14 May 2025. Available at: <https://www.ohchr.org/es/press-releases/2025/05/venezuela-fact-finding-mission-urges-end-state-use-isolation-against>

<sup>87</sup> *Ibid.*

<sup>88</sup> Interview WWIV121. See also: Instagram post by Diario El Carabobeño [@el\_carabobeno], 26 September 2024. Available at: [https://www.instagram.com/reel/DAZPZE\\_JjhK/](https://www.instagram.com/reel/DAZPZE_JjhK/); El Pitazo, “Young man detained in Tocuyito can only bathe and wash his only uniform every 10 days,” 19 October 2024. Available at: <https://elpitazo.net/politica/joven-detenido-en-carcel-de-tocuyito-solo-puede-banarse-y-lavar-unico-uniforme-cada-10-dias/>

<sup>89</sup> Interviews IIV158 and XXZ214.

<sup>90</sup> Interview XXZ214.

<sup>91</sup> Interview WWIV121.

<sup>92</sup> Post on X by Realidad Helicoide [@RHelicoide], 25 August 2025. Available at: <https://x.com/RHelicoide/status/1960115834652692743>

109. During the current investigative cycle, the isolation from the outside world, including their families, for several months, of the 84 foreign detainees documented by the Mission, has exemplified this pattern of rights violations. Only recently, as explained below, has a small number of these individuals been granted the possibility to converse with their families through brief video calls.

110. At least 19 persons deprived of liberty at the Rodeo I centre were held incommunicado from 15 December 2024 for a period of three months after protesting against conditions of detention. These 19 persons denounced their incommunicado regime to the Ombudsperson's Office, considering it to be an unjustified punishment. The Ombudsperson's Office neither responded nor took action in response to the complaint.<sup>93</sup> Among these individuals were former military personnel detained in connection with the alleged conspiracies presented by the Government, such as Gedeón and Brazalet Blanco.

111. The Mission has also documented cases of prolonged isolation, including the most dramatic case of Lindomar Bustamante, who, after spending 15 days in an isolation cell, took his own life by hanging himself in his cell in Tocarón. This case is referred to in the chapter below on arbitrary deprivation of life.

112. In another case, a person also detained in Tocarón was isolated in a cell up to nine times during his period of detention, for periods of up to one week.<sup>94</sup> Another person detained in the same centre was isolated in a disciplinary cell up to three times, including one occasion when he was isolated for more than 21 days.<sup>95</sup>

## 5. Extortion related detentions

113. In the course of its investigations, the Mission has documented the case of at least five individuals who alleged that they had been victims of some form of extortion in order to avoid detention or to be released without facing charges. This occurred particularly with individuals apprehended in the context of the 2024 post-election protests. It has also occurred when people attempted to cross a checkpoint when their names were apparently on an official control list or database.<sup>96</sup> This is a practice carried out by different security forces, which both the Mission in its previous reports and human rights organisations have identified.<sup>97</sup>

114. In the cases cover by the reporting period, the amounts demanded ranged from USD 1,000<sup>98</sup> to USD 50,000,<sup>99</sup> according to information received from the persons affected and their families. In one case investigated, the family of a detainee paid USD 3,500 to the head of a DGCIM office to secure his release.<sup>100</sup> The Mission has been informed by a diplomatic source of cases of foreign nationals who have had to pay sums between USD 5,000 and USD 10,000 to avoid being detained.<sup>101</sup>

115. Sexual extortion against women was also documented, with women being asked to have sex in exchange for not being detained or for having their conditions of detention improved. This point is discussed in detail in the chapter on sexual and gender-based violence *infra* in this report.

<sup>93</sup> Document WWDC121 and Interview WWIV52.

<sup>94</sup> Interview XXZ214.

<sup>95</sup> Interview WWIV145.

<sup>96</sup> Interview RRIV008.

<sup>97</sup> A/HRC/57/CRP.5, para. 65; A/HRC/54/CRP.8, para. 1369; A/HCR/51/43/CRP.3, paras. 229, 337-340. See also: Transparencia Venezuela, "Las caras de la extorsión en Venezuela 2024" (The faces of extortion in Venezuela 2024), March 2025. Available at: <https://transparenciave.org/economias-ilicitas/wp-content/uploads/2025/04/Las-caras-de-la-extorsion-en-Venezuela-2024.-Transparencia-Venezuela-en-el-exilio.pdf>

<sup>98</sup> Interview RRIV008.

<sup>99</sup> Interview RRIV007.

<sup>100</sup> Interviews UMM474 and WBV723.

<sup>101</sup> Interview RRIV009.

## 6. Detentions of family members

116. Previous reports by the Mission have identified a sustained and systematic pattern of detention of relatives of individuals who are or are perceived to be members of the opposition.<sup>102</sup> These detentions are not limited to isolated individual actions but rather respond to a policy of repression aimed at generating fear and social control.

117. In these cases, family members are detained as a form of reprisal or pressure against the opponent, or the person perceived as such, who is the State's true political target. These actions have serious impacts on families, amounting to cruel, inhuman or degrading treatment. They also have an impact on society in general, by reinforcing a climate of fear, attempting to silence dissent and discouraging the reporting of human rights violations.

118. One of the cases investigated by the Mission is the detention of Rafael Tudares Bracho, son-in-law of Edmundo González Urrutia. Tudares was detained on 7 January 2025 by hooded individuals while taking his children to school.<sup>103</sup> Since then, Tudares remained incommunicado for more than eight months, without his family receiving any official information about his fate or whereabouts.<sup>104</sup>

119. The authorities link Tudares to crimes such as document forgery, conspiracy, terrorism, financing, money laundering, and criminal association. According to information obtained by the Mission, the actual grounds for accusation against Tudares are: (i) being the legal representative of his father-in-law with regard to a property and (ii) being the son-in-law of Edmundo González.<sup>105</sup>

120. In another case, María de los Ángeles Lamedá Méndez was detained on 3 August 2024 by officials from the Directorate Against Organised Crime (DCDO) of the Bolivarian National Police (PNB, by its Spanish acronym), in the vicinity of the Doctor Antonio María Pineda Central Hospital in Barquisimeto, State of Lara. Lamedá was on her way to the hospital bringing medication for her husband, Walter Páez, who had been shot during the protests in the city of Carora. Páez died in the hospital the following day, 4 August 2024.<sup>106</sup>

121. Although, according to information received by the Mission, Lamedá did not participate in the post-election protests, she was indicted with the alleged crimes of terrorism, incitement to hatred, and illegal possession of a weapon. She was initially detained at the PNB "Pata 'e Palo" detention centre in Barquisimeto.<sup>107</sup> She was later transferred to the women's wing of the David Vilorio Penitentiary (Uribana), also in the State of Lara.<sup>108</sup>

122. Following the same pattern of due process violations seen in other cases investigated by the Mission, Lamedá was brought before a court without the legal assistance of a lawyer of her choice and charged with terrorism, incitement to hatred, and illegal possession of a weapon. After five months in detention, she was released on 28 December 2024 with alternative precautionary measures to pretrial detention.<sup>109</sup>

<sup>102</sup> A/HRC/45/33; A/HCR/51/CRP.3; A/HRC/54/CRP.8; and A/HRC/57/CRP.5.

<sup>103</sup> Interview WWIV133.

<sup>104</sup> Post on X by Mariana González de Tudares [@MarianaGTudares], 25 August 2025. Available at: <https://x.com/MarianaGTudares/status/1959992214014263785>

<sup>105</sup> Interview WWIV133. See also post by Mariana González de Tudares [@MarianaGTudares] on X, 23 June 2025. Available at: <https://x.com/MarianaGTudares/status/1937267164681015420/photo/1>

<sup>106</sup> Interview WWIV150. See also: El Pitazo, "Three political prisoners are released from prison in Lara: among them, María Lamedá," 30 December 2024. Available at: <https://elpitazo.net/occidente/tres-presas-politicas-son-excarceladas-en-lara-entre-ellas-maria-lameda/>.

<sup>107</sup> WWIV150 interview. See also: Runrunes, "The persecution of the relative of a victim who has already died," 2 November 2024. Available at: <https://runrun.es/el-megafono/ddhh-olvidados/567236/la-persecucion-contra-el-familiar-de-una-victima-que-ya-fallecio/>

<sup>108</sup> Interview WWIV150. See also: El Pitazo, "Three political prisoners are released from prison in Lara: among them, María Lamedá," 30 December 2024. Available at: <https://elpitazo.net/occidente/tres-presas-politicas-son-excarceladas-en-lara-entre-ellas-maria-lameda/>; and Publication on X by Movimiento Vinotinto [@movinotinto], 28 December 2024. Disponible en: <https://x.com/movinotinto/status/1873226221204717578>

<sup>109</sup> Interview WWIV150.

123. As reported by the Mission in its September 2024 report, journalist Ana Carolina Guaita Barreto was detained on 20 August 2024 by SEBIN officials in the parish of Maiquetía, State of La Guaira. The Mission found that her arrest was directly linked to the political involvement of her mother, Xiomara Barreto, a leader of the COPEI party, who played an active role in the 2024 presidential campaign. The Mission documented that the head of the Security Directorate of the La Guaira Governor's Office, Andrés Goncalvez, offered to release Guaita in exchange for the voluntary surrender of her mother.<sup>110</sup> Guaita remained deprived of liberty for more than four months, until her release in December 2024.<sup>111</sup>

124. According to open sources, on 18 July 2025, the home of Maritza Moreno, president of the Nursing Association of the Municipality of Caroní, State of Bolívar, was raided by State security forces. According to reports from the trade union coalition, Moreno was not at home at the time of the raid, which led the authorities to detain her husband, Ángel Rivas, instead. Moreno has been a constant voice in denouncing the conditions of hospitals in her region.<sup>112</sup>

125. In several cases investigated by the Mission, the identity of the victims has had to be anonymised to avoid reprisals against them or their families. In one case, the partner of a person perceived to be a political opponent was used by the security forces to facilitate his capture. The person was informed that their partner was in a critical situation that required their presence, and when he went out to look for her, he was detained by the authorities.<sup>113</sup>

126. In another case, a family member who was accompanying the person being detained in the vehicle was also detained by the authorities in 2025, despite having no connection to the investigation. The person was subsequently released without charge.<sup>114</sup>

127. In another case recorded by the Mission, an elderly woman was detained at her home in January 2025 when her captors did not find the person they were looking for. The woman was forced to undress down to her underwear, beaten in the face, and subjected to suffocation with plastic bags, while the authorities called her relative and ordered them to record photos and videos of her being beaten and to make phone calls to induce the wanted person to surrender. The woman was then transferred to various police stations, where she was held incommunicado for three weeks.<sup>115</sup> As of the publication of this report, the woman remains in detention, and faces charges of terrorism, among other serious offences.

128. The Mission has also documented a case in which the former partner of a person under house arrest by security forces was detained. According to the information gathered, the main purpose was to investigate the wanted person, using the detention of their ex-partner as a form of extortion. The detained person was released without charge after being held in custody by State authorities for 24 hours.<sup>116</sup>

## 7. Release of person detained in the 2024 post-election protests

129. Since November 2024, many of the persons who were arbitrarily detained in the post-election repression of 2024 have been released from prison. The release process was marked by a lack of transparency in the official figures, the persistence of restrictive precautionary measures, and harassment of the beneficiaries. In some cases, as noted in the chapter on

<sup>110</sup> Interview WWIV153. See also: Post on X by Vladimir Villegas [@Vladi\_VillegasP], 22 August 2024. Available at: [https://x.com/Vladi\\_VillegasP/status/1826600742712737841](https://x.com/Vladi_VillegasP/status/1826600742712737841)

<sup>111</sup> Interview WWIV153.

<sup>112</sup> Efecto Cocuyo, "Union leader in Bolívar and husband of president of the region's Nursing Association arrested," 20 July 2025. Available at: <https://efectococuyo.com/la-humanidad/detienen-a-dirigente-sindical-en-bolivar-y-al-esposo-de-presidenta-del-colegio-de-enfermeria-de-esta-region/>. See also: Post on X by Ana Rosario Contreras [@Sharo1412]. Available at: <https://x.com/Sharo1412/status/1947369062004043934>.

<sup>113</sup> Interview WWIV107.

<sup>114</sup> Interview WWIV116.

<sup>115</sup> Interview IIIV164.

<sup>116</sup> Interview WWIV152.



arbitrary deprivation of life in this document, at least three released individuals died after their detention as a result of the deterioration of their health.<sup>117</sup>

130. According to official data from the Attorney General's Office, between November 2024 and March 2025, there were a cumulative total of 2,006 releases, including children and adolescents. The Attorney General's Office began the release process on 15 November 2024, with an initial review of 225 cases. By 31 December 2024, a total of 1,369 releases had been reported. In the first two months of 2025, up to 3 March, the release of an additional 637 persons was officially reported, bringing the total to 2,006. Although official communications ceased in March 2025, sporadic and individual releases continued.

131. For its part, the non-governmental organisation *Foro Penal* confirmed that from 16 November 2024 to 17 March 2025, a total of 1,399 people were released from prison, a figure significantly lower than that provided by the authorities. Of these individuals, 1,209 (86.4 per cent) were men and 190 (13.6 per cent) were women.

132. According to information obtained by the Mission, of the 220 children and adolescents who were detained during election-related protests in both 2024 and January 2025, 216 have been released from prison. The situation of the four children and adolescents who remain in detention is detailed in the chapter below on the situation of children and adolescents in this document.<sup>118</sup>

133. On 18 July 2025, according to an agreement reached by the Governments of Venezuela, the United States of America and El Salvador, the Venezuelan Government committed to release 80 Venezuelan nationals, mostly men, who had been detained for being opponents or critics of the Government, or perceived as such.<sup>119</sup> Although the details of this agreement have not been made fully public, as of the date of this document, human rights organisations have been able to confirm the release of 71 of these individuals, including just one woman.<sup>120</sup> Apart from this process, on 24 August 2025, 13 more individuals were released, including four women.<sup>121</sup>

134. The largest number of people released came from the detention centres in Tocarón, in the State of Aragua, and Tocuyito, in the State of Carabobo. According to data from the organisation *Foro Penal*, as of 17 March 2025, 813 people were released from Tocarón and 287 from Tocuyito. These centres have been denounced by human rights organisations, such as COFAVIC, for their inhuman conditions of detention, as detailed later in this chapter on conditions of detention.

<sup>117</sup> See *below* the cases of Ariadna Pinto, Yorman David León, and Wilmer García in the section on *deaths of persons released from prison* (paras. 148-152).

<sup>118</sup> Three children remain in detention following the crackdown on post-election protests in 2024. Two children were arrested in January 2025 around the time of the presidential inauguration, one of whom, who has a disability, was released five months later, on 11 June 2025. Therefore, at the time of writing, four children remain in detention in the documented cases.

<sup>119</sup> Under this same agreement, the Venezuelan government released 10 US nationals and permanent U.S. residents, as referred to in the section on detained foreigners in this chapter. In addition, 252 Venezuelan nationals who were being held in high-security prisons in El Salvador, including the 328 deported from the United States of America, were sent to Venezuela. See: BBC News Mundo, "Bukele returns migrants deported by the US to El Salvador to Caracas in exchange for the release of 10 Americans and dozens of Venezuelan prisoners," 18 July 2025. Available at: <https://www.bbc.com/mundo/articles/cvg6vjdegmzo>

<sup>120</sup> Document HHDC250.

<sup>121</sup> Tal Cual, "Leaders announce the release of 13 political prisoners: five under house arrest," 24 August 2025. Available at: <https://talcualdigital.com/dirigentes-anuncian-la-excarcelacion-de-13-presos-politicos-cinco-con-casa-por-carcel/>. See also: Publication on X by the Committee for the Freedom of Political Prisoners [@clippve], 24 August 2025. Available at: <https://x.com/clippve/status/1959662170297291193>

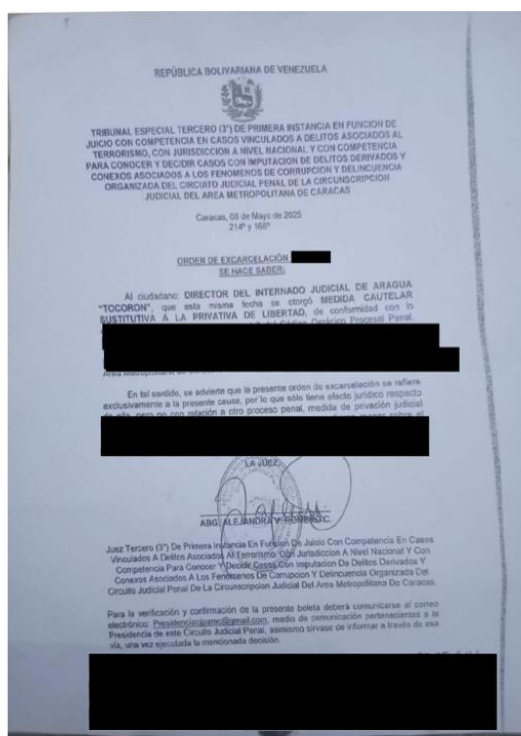
135. In all cases documented and investigated by the Mission, those released from prison were charged with crimes such as terrorism,<sup>122</sup> incitement to hatred,<sup>123</sup> resistance to authority, obstruction of public roads,<sup>124</sup> violent damage to public property,<sup>125</sup> and public instigation.<sup>126</sup>

136. During the period covered by this report, the Mission has documented incidents that show evidence of harassment against persons who were released, including forcing them to sign statements. In one of the cases investigated by the Mission, the person was pressured to sign a statement denying violations of their rights during their detention and to record a video thanking Nicolas Maduro for their release.<sup>127</sup>

137. In all the cases investigated by the Mission, the individuals who were released from prison are currently subject to precautionary measures. However, the vast majority of these individuals were released from prison without being officially notified in writing of a court decision or without receiving a release order specifying the type of alternative measures they must comply with.

Image 1:

**Example of a release form without identifying precautionary measures**



138. In most cases, the precautionary measures imposed are communicated orally by custodial staff and, to a lesser extent, by the judge at a hearing. In many cases, prosecutors or public defenders communicate these measures to victims or their families in an informal manner.<sup>128</sup> Without access to the judicial file, victims and their families cannot confirm the veracity of the measures imposed.

139. When known, these measures are not specific based on an assessment of the circumstances of each detained person, but are imposed generally on all persons equally, including children and adolescents. Typically, the measures include a ban on leaving the

<sup>122</sup> Organic Law Against Organised Crime and Terrorism Financing, art. 52.

<sup>123</sup> Constitutional Law Against Hate, for Peaceful Coexistence and Tolerance, art. 20.

<sup>124</sup> Penal Code, art. 357.

<sup>125</sup> Penal Code, art. 473.

<sup>126</sup> Criminal Code, art. 285.

<sup>127</sup> Interview TTIV024.

<sup>128</sup> Interview WWIV119.



country, on speaking about their case publicly or with human rights organisations, and the obligation to appear regularly before a judge in Caracas every fifteen days or monthly.<sup>129</sup>

140. Particularly onerous is the obligation to appear before courts in Caracas, regardless of their place of residence and despite not having sufficient financial resources to cover travel and accommodation costs. This situation has created a cycle of economic vulnerability and a perception of guilt in front of their neighbours and even family members.<sup>130</sup>

141. Several of the individuals released from prison and interviewed by the Mission reported that they must travel long distances to comply with the precautionary measures imposed, which makes adherence difficult.<sup>131</sup> In this context, the Mission documented the case of a young man released from prison who asked his public defender to change the place of appearance to a location closer to his residence. The request was denied with the justification that “he could do nothing for him.”<sup>132</sup>

## 8. Detentions of foreign nationals

142. Following the presidential elections on 28 July 2024, the Mission has observed an intensification of the Venezuelan State's repressive policy, characterised by the premeditated and systematic use of arbitrary detentions and unfounded accusations, directed against both Venezuelan citizens and foreign nationals. In the latter case, the authorities have justified their actions on the basis of supposed international or terrorist conspiracies, financed by foreign governments and transnational actors.<sup>133</sup>

143. In several documented cases, detained foreigners have been instrumentalised as “bargaining chips” in diplomatic relations, suggesting a political use of their deprivation of liberty.<sup>134</sup>

144. The Mission has identified a pattern in cases of detention of foreign nationals characterised by a lack of transparency in procedures, violations of the most basic guarantees of due process, denial of access to consular protection, almost total isolation from the outside world, including from family members, lawyers, and consular or diplomatic agents from the detainees' countries of nationality, as well as virtually no official information regarding the legal situation of the detained persons.<sup>135</sup>

### a) Official statements

145. On 14 September 2024, Diosdado Cabello announced the arrest of two Spanish citizens, José María Basoa and Andrés Martínez Adasme, accused of belonging to Spain's National Intelligence Centre (CNI, by its Spanish acronym) and of attempting to attack senior State officials, including Nicolas Maduro.<sup>136</sup>

<sup>129</sup> Interviews HHIV165 and HHIV166.

<sup>130</sup> *Ibid.*

<sup>131</sup> *Ibid.*

<sup>132</sup> Interview HHIV165.

<sup>133</sup> YouTube videos, Luigino Bracci Roa from Venezuela [@lubrio], “Diosdado Cabello announces the capture of 19 mercenaries and the seizure of 71 firearms, conspiratorial plan,” 17 October 2024.

Available at: [https://youtu.be/EVy3ts0Sj-M?si=gHdfk\\_MaxgYHJiym](https://youtu.be/EVy3ts0Sj-M?si=gHdfk_MaxgYHJiym); and “Maduro: 7 mercenaries detained in the last 24 hours, including 2 from the United States of America,” 7 January 2025.

Available at: <https://youtu.be/jwpYIplr5-U?si=oJXFT1ujUzGfrSe>

<sup>134</sup> Voice of America, “What nationalities are the 66 foreigners arrested for political reasons in Venezuela?”, 13 March 2025. Available at: <https://www.vozdeamerica.com/a/nacionalidades-66-extranjeros-arrestados-razones-politicas-venezuela-/8008677.html>

<sup>135</sup> In this regard, on only a few occasions has Minister Cabello named specific foreign individuals on his television programmes or at more official press conferences, indicating that they were detained for threatening national security, its institutions or its authorities.

<sup>136</sup> YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], “Diosdado Cabello: 400 rifles and weapons seized, US, Spanish and Czech agents arrested”, 14 September 2024. Available at: [https://youtu.be/urZYIAF-h38?si=bOcrz8g2c\\_pPkEB4&t=1126](https://youtu.be/urZYIAF-h38?si=bOcrz8g2c_pPkEB4&t=1126) [min. 18:46].

146. On 17 October 2024, Diosdado Cabello publicly reported that 19 “foreign mercenaries” had been detained that month.<sup>137</sup> Cabello specifically mentioned several U.S. citizens, including individuals with dual nationality (United States-Bolivian, US-Ecuadorian and United States-Peruvian), whom he accused of attempting to attack Nicolás Maduro. The Minister also mentioned that a Lebanese national and several Colombians had been captured.<sup>138</sup>

147. On 6 January 2025, in the context of the repression organised around the presidential inauguration, Diosdado Cabello publicly stated that more than 120 foreign nationals of different nationalities had been arrested for planning terrorist acts and destabilising activities. Cabello linked these individuals to international networks financed by organisations associated with Colombian narco-paramilitarism, further claiming that such structures provided financial support to opposition leader María Corina Machado.<sup>139</sup>

148. That same day, Nicolás Maduro accused, without providing any evidence, Argentine citizen Nahuel Agustín Gallo, detained on 8 December 2024, of being a member of a plot to attack Vice-President Delcy Rodríguez. He also accused the Argentine government of being involved in “violent plans against the peace of Venezuela.”<sup>140</sup> The following day, 7 January 2025, during the swearing-in ceremony for the combatant bodies, Nicolás Maduro announced the arrest of seven other alleged “mercenaries.”<sup>141</sup>

149. On 8 January 2025, during his Annual Address to the Nation, Maduro stated that more than 150 “mercenaries” of 25 different nationalities had been arrested in the previous months. According to him, all those arrested were in the custody of the Attorney General’s Office and had confessed to their participation in alleged sabotage plans. Maduro said that those arrested intended to “fill the country’s essential public services with bombs and attacks” and accused the United States of America of financing what he described as a “mercenary aggression” against Venezuela.<sup>142</sup>

150. On 19 May 2025, in the context of the repression carried out during the regional and parliamentary elections of 25 May 2025, Diosdado Cabello announced the arrest of 38 people accused of planning violent actions to sabotage the elections. According to his statements, among those arrested were 17 persons of foreign nationality.<sup>143</sup>

<sup>137</sup> As documented by the Mission, arrests of foreign nationals also took place between 29 July and 1 October 2024.

<sup>138</sup> YouTube video, INTT Oficial [@inttofcial], “Press Conference by the Minister of the Interior, Justice and Peace, Diosdado Cabello,” 17 October 2024. Available at: <https://www.youtube.com/watch?v=n7-svL0IBcQ&t=245s>. At this press conference, Cabello mentioned US citizens Wilbert Joseph Castañeda Gómez, Gregory David Weber, David Gutenberg Guillaume, Aaron Barret Logan, and Jonathan Pagan González, as well as Jorge Marcelo Vargas (US-Bolivian); David Estrella (US-Ecuadorian); and Renzo Yasir Huamanchumo Castillo (US-Peruvian).

<sup>139</sup> Infobae, “The Venezuelan regime confirmed that it has more than 120 foreigners detained for alleged ‘destabilising acts’”, 6 January 2025. Available at: <https://www.infobae.com/venezuela/2025/01/06/el-regimen-de-venezuela-confirio-que-tiene-mas-de-120-extranjeros-detenido-por-supuestos-actos-desestabilizadores/>

<sup>140</sup> YouTube video, Telefe Noticias [@telefenoticias], “‘Maduro spoke about Argentine gendarme detained in Venezuela – Telefe Noticias’”, 6 January 2025. Available at: <https://youtu.be/UhGtNNGVc64?si=nXV7y-C77Fu5W2QA>

<sup>141</sup> YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], “Maduro: 7 mercenaries detained in the last 24 hours, including 2 from the United States of America,” 7 January 2025, available at: <https://youtu.be/jwpYIplr5-U?si=mCpcaqnnlmvsP5gu>

<sup>142</sup> Infobae, “Dictator Nicolás Maduro said that more than 150 alleged mercenaries have been captured in Venezuela in recent months”, 9 January 2025, available at: <https://www.infobae.com/venezuela/2025/01/09/el-dictador-nicolas-maduro-said-that-more-than-150-alleged-mercenaries-have-been-captured-in-venezuela-in-recent-months/> See also: YouTube video, LaGuaanaTV LIVE [@LaGuaanaTV-Television2.0], “Conspiracy: More than 150 mercenaries of more than 25 nationalities are in prison”, 16 January 2025. Available at: <https://youtu.be/Fq7VHgZNWms?si=Vw2QPlcAnbT7uH9h>

<sup>143</sup> YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], “Diosdado Cabello: 38 people arrested for planning to sabotage the 25 May elections with explosives”, 19 May 2025. Available at: <https://youtu.be/G4aVIRLxCJQ?si=AewbVqFV2rvzYB4J>

151. On 12 June 2025, nine persons of foreign nationality were arrested on board the treasure hunter vessel N35, which was captured by the Venezuelan Navy vessel Guaikeri in the waters of the Esequibo.<sup>144</sup>

152. Most of the persons of foreign nationality arrested were or are still being held at the Rodeo I maximum security prison in the State of Miranda.<sup>145</sup>

b) *Figures and nationalities*

153. Based on various official government statements, the Mission estimates that between 120 and 150 persons of foreign nationality may have been detained during the period covered by this document. The information provided officially is very ambiguous, without specifying the names of all the individuals or the circumstances of their detention, beyond invoking international conspiracies.<sup>146</sup>

154. Using open sources, confidential information and data compiled and confirmed by human rights organisations such as *Foro Penal and Justicia, Encuentro y Perdón*, the Mission has managed to document the detention of 84 persons of foreign nationality, including those with dual nationality, since the presidential elections of 28 July 2024.<sup>147</sup>

155. These 84 individuals, including three women, are nationals of 29 different countries. 27 of them have dual Venezuelan nationality,<sup>148</sup> and eight others have dual nationality from other States.<sup>149</sup>

<sup>144</sup> El Mundo, “Chavismo captures a Canarian sailor, crew member of a treasure hunting ship sailing through the Essequibo”, 2 July 2025. Available at: <https://www.elmundo.es/internacional/2025/07/02/68655b43e4d4d8a13b8b456d.html>

<sup>145</sup> Document HHDC251.

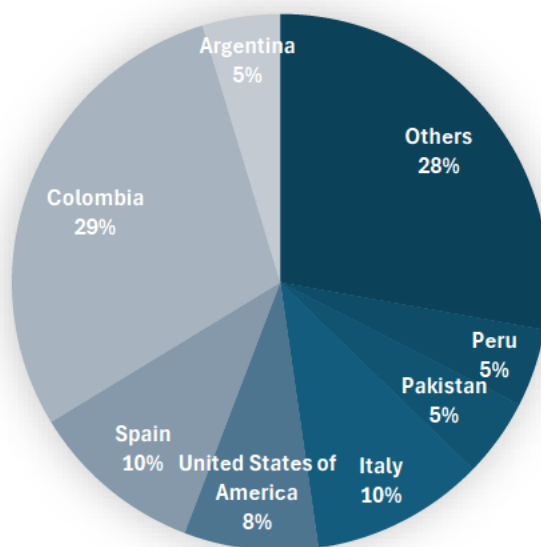
<sup>146</sup> Infobae, “The Venezuelan regime confirmed that it has more than 120 foreigners detained for alleged 'destabilising acts'”, 6 January 2025. Available at: <https://www.infobae.com/venezuela/2025/01/06/el-regimen-de-venezuela-confirio-que-tiene-mas-de-120-extranjeros-detenido-por-supuestos-actos-desestabilizadores/> See also: Infobae, “Dictator Nicolás Maduro said that more than 150 alleged mercenaries have been captured in Venezuela in recent months”, 9 January 2025. Available at: <https://www.infobae.com/venezuela/2025/01/09/el-dictador-nicolas-maduro-dijo-que-mas-de-150-supuestos-mercenarios-han-sido-capturados-en-venezuela-en-los-ultimos-meses/>; Infobae, “Amnesty International denounced that forced disappearances in Venezuela constitute crimes against humanity”, 15 July 2025. Available at: <https://www.infobae.com/venezuela/2025/07/15/amnistia-internacional-denuncio-que-las-desapariciones-forzadas-en-venezuela-constituyen-crmenes-de-lesa-humanidad/>

<sup>147</sup> Added to this number are another 28 cases of foreign nationals detained prior to the electoral process, also documented by the Mission.

<sup>148</sup> In addition to Venezuelan nationality, these 27 individuals hold nationality from Argentina, Colombia, Chile, Cyprus, Spain, Hungary, Italy, and Portugal.

<sup>149</sup> These eight individuals are dual nationals of Albania and Colombia, Argentina and Israel, France and Chile, as well as the United States and Bolivia, Ecuador, France, Haiti and Mexico.

Graph 2:  
Nationalities of persons detained after 1 August 2024 (grouped)



Source: Prepared by the Mission

Note: The reference to "others" includes the following countries: Albania, Germany, Bolivia, Bulgaria, Czech Republic, Chile, Cyprus, Cuba, Ecuador, France, Guyana, Hungary, Israel, Japan, Lebanon, Mexico, Netherlands, Portugal, Puerto Rico, Serbia, Ukraine, and Uruguay.

c) Profile of victims

156. Government statements have sought to link the foreign nationals detained to espionage activities or to membership in the intelligence services or armed forces of their respective Governments. These are the cases, for example, of Nahuel Gallo, a gendarme from Argentina; Jan Darmovzal, a reservist with the 43rd Parachute Regiment of the Czech Republic; and Wilbert Joseph Castañeda Gómez, a first-class petty officer of the United States Navy Seals.<sup>150</sup> Beyond the military or police training of these individuals, their Governments and families have denied that their presence in Venezuela had any connection with those affiliations.

157. Another example is United States citizen Joseph St. Clair, an Air Force veteran with four deployments in Afghanistan. St. Clair was receiving treatment for post-traumatic stress disorder in the region when he was detained near the Colombian border in November 2024. After six months of arbitrary detention in incommunicado conditions, St. Clair was released on 20 May 2025 following diplomatic negotiations.<sup>151</sup>

158. Spanish citizens Andrés Martínez Adasme and José María Basoa Valdovinos were presented by the Venezuelan authorities as members of Spain's CNI, leading a conspiracy to overthrow the government together with the Central Intelligence Agency (CIA) and the Drug

<sup>150</sup> Castañeda was released on 18 July under an agreement between Venezuela, the United States of America and El Salvador. See also: BBC News Mundo, "Bukele returns migrants deported by the United States of America to El Salvador to Caracas in exchange for the release of 10 Americans and dozens of Venezuelan prisoners," 18 July 2025. Available at: <https://www.bbc.com/mundo/articles/cvg6vjdegmzo>

<sup>151</sup> Instagram post by Contrapuntove [@contrapuntove], 21 May 2025. Available at: <https://www.instagram.com/reel/DJ5YcI3v8H7/>

Enforcement Administration (DEA).<sup>152</sup> The Spanish Government has officially and categorically rejected this accusation.

159. In most cases, the families and Governments of the detained foreign nationals have reported that they were in Venezuelan territory for work, tourism or personal reasons. This was the case, for example, of Argentinian Nahuel Gallo<sup>153</sup> or Italian Alberto Trentini, a member of the international organisation Humanity & Inclusion.<sup>154</sup>

160. In the cases documented by the Mission, the detentions of foreign nationals occurred mainly in localities in Venezuelan states bordering Colombia, as well as in the Capital District. In one case, the Mission was able to corroborate with reasonable grounds to believe that the detention of the foreign national took place in Colombian territory. The authorities responsible for the detentions were, for the most part, the SAIME, the GNB, and the DGCIM.<sup>155</sup>

d) *Legal situation of detained foreign nationals*

161. Foreign nationals who were detained have been held in strict incommunicado detention for months, from the moment of their arrest and throughout their imprisonment. They have not had the opportunity to communicate with their families or to be advised by lawyers of their choosing. The consular authorities of their nationality have not been authorised to communicate with their nationals or to exercise the protection established by international law.<sup>156</sup>

162. In May 2025, the incommunicado detention to which these individuals were subjected was exceptionally lifted for a small group of people held at the Rodeo I prison. The organisation *Foro Penal* reported that several foreign nationals detained in this prison were allowed to contact their families through brief videoconferences.<sup>157</sup> The Mission has been further informed in August 2025 that a few detainees of Colombian nationality have been authorized to receive family visits.

163. One of the individuals authorised to make calls was humanitarian worker Alberto Trentini, who had been unable to communicate with his family for at least six months.<sup>158</sup> In another case, a person of Uruguayan nationality, Fabián Buglione, also obtained this privilege, although the Uruguayan ambassador in Caracas was not authorised to establish contact with him.<sup>159</sup> Buglione was released on 18 July 2025.

164. Despite generic statements by Diosdado Cabello, in no case has it been possible to confirm with official sources that these individuals have been brought before a judicial authority within the time frame required by law or within any time frame at all. Only in two

<sup>152</sup> ABC Spain, “The Government refutes Maduro: the two Spaniards detained ‘are not part of the CNI,’” 15 September 2024. Available at: <https://www.abc.es/espana/gobierno-desmiente-maduro-dos-espanoles-detenidos-forman-20240915114630-nt.html>

<sup>153</sup> Ministry of Foreign Affairs, International Trade and Worship of the Argentine Republic, Joint Statement “The Argentine Republic categorically rejects the false and unfounded accusations made by dictator Nicolás Maduro against Argentine citizen Nahuel Agustín Gallo,” 7 January 2025. Available at: <https://www.cancilleria.gob.ar/es/actualidad/noticias/la-republica-argentina-rechaza-categoricamente-las-falsas-e-infundadas>

<sup>154</sup> PRECAUTIONARY MEASURES OF THE IACHR: IACHR, *Alberto Trentini regarding Venezuela*, resolution 2/2025, precautionary measure no. 1438-24, 7 January 2025.

<sup>155</sup> See illustrative cases: Lucas Hunter, Nahuel Gallo.

<sup>156</sup> Vienna Convention on Consular Relations. Venezuela has been a State Party to this Convention since 19 March 1967. See list of ratifications and accessions to the Convention, available at: <https://treaties.un.org/pages/showDetails.aspx?objid=0800000280050686>

<sup>157</sup> Document XXDC002.

<sup>158</sup> El Diario, “Several foreigners imprisoned in Rodeo I managed to communicate with their families,” 16 May 2025. Available at: <https://eldiario.com/2025/05/16/extranjeros-presos-rodeo-i-lograron-comunicarse-familiares/>

<sup>159</sup> Document XXDC002. Fabián Buglione, a Uruguayan national and permanent resident of the United States of America, released on 18 July under an agreement between Venezuela, the United States of America and El Salvador. See also: BBC News Mundo, “Bukele returns migrants deported by the US to El Salvador to Caracas in exchange for the release of 10 Americans and dozens of Venezuelan prisoners,” 18 July 2025. Available at: <https://www.bbc.com/mundo/articles/cvg6vjdegmzo>

cases of foreigners set free, has the Mission been able to ascertain that, in one case the person was never brought before a judge, and in the other, that the person was brought before a judge three months after his arrest.

e) *Denial of access to consular assistance*

165. The Mission has documented systematic shortcomings by the authorities in complying with their international obligations regarding consular protection for detained foreign nationals, in violation of the provisions of the 1963 Vienna Convention on Consular Relations. The authorities did not promptly notify the relevant consular representations -in a timely manner- or inform the detainees of their right to contact their consulate.<sup>160</sup>

166. At the same time, the Mission has received information about the lack of effective response to formal requests for information made by the ministries of foreign affairs. Consular representatives in the country have also been denied access to their nationals or information about their health and legal status. The Mission has documented cases in which requests have been ignored, affecting, among others, nationals of Argentina, Czech Republic, Chile, Colombia, Ecuador, France, Italy, Peru, Portugal, Spain, United States of America and Uruguay.

167. In the case of detainees with dual nationality, according to the principle of "effective nationality," the obligations of the Convention could be interpreted with respect to only one of the nationalities that an individual may possess. According to this principle, several factors must be taken into account to determine the most binding or effective nationality, including "the habitual residence of the person concerned, but also the centre of their interests, their family ties, their participation in public life, the attachment they have shown to a particular country and even that instilled in their children, etc.".<sup>161</sup> International case law, on the other hand, states that the right to consular notification must be understood as part of the guarantees of due process and not only as a diplomatic privilege or a right of a State.<sup>162</sup>

168. In any case, whether it concerns foreign nationals with a single nationality or persons with dual nationality, including Venezuelan nationality, the deliberate lack of transparency, even secrecy, of the Venezuelan State regarding the fate and whereabouts of detained persons and its refusal to provide any information demonstrate a clear unwillingness to respect the rights of these persons.

169. In addition to consular protection, the Mission echoes the measures taken by the IACHR, including the adoption of precautionary measures on behalf of detained foreign nationals. As of the date of completion of this report, the IACHR has granted seven precautionary measures to foreign nationals in 2024 and 2025, including some who have dual

<sup>160</sup> The International Court of Justice, in the *case concerning Avena and other Mexican nationals*, established that according to Article 36.1(b) of the Convention, "there is an obligation to provide consular information as soon as it becomes apparent that the arrested person is a foreign national, or that there are grounds for believing that he or she is likely to be a foreign national." See: International Court of Justice (2004), *Case concerning Avena and other Mexican nationals (Mexico v. United States of America)*, Judgment of 31 March 2004, Recueil CIJ 2004, p. 12. Available at: <https://www.icj-cij.org/case/128>

<sup>161</sup> International Court of Justice (1955), *Nottebohm Case (Liechtenstein v. Guatemala)*, Judgment of 6 April 1955, Recueil CIJ 1955, p. 4. Available at: <https://www.icj-cij.org/case/18>.

<sup>162</sup> See International Court of Justice (2004), *Case concerning Avena and other Mexican nationals (Mexico v. United States of America)*, Judgment of 31 March 2004, Recueil CIJ 2004, p. 12. Available at: . See also Inter-American Court of Human Rights, Advisory Opinion OC-16/99, "The Right to Information on Consular Assistance in the Context of Due Process Guarantees," 1 October 1999, Series A No. 16. Available at: [https://www.corteidh.or.cr/docs/opiniones/seriea\\_16\\_esp.pdf](https://www.corteidh.or.cr/docs/opiniones/seriea_16_esp.pdf).



nationality: Jan Darmovzal,<sup>163</sup> Biagio Pilieri,<sup>164</sup> Arley Espitia,<sup>165</sup> Yevhenii Petrovich,<sup>166</sup> Alberto Trentini,<sup>167</sup> Nahuel Gallo<sup>168</sup> and Lucas Hunter.<sup>169</sup>

170. Furthermore, several countries have adopted preventive measures to ensure the safety of their nationals if they intend to enter Venezuelan territory. For example, France has advised its nationals not to travel to Venezuela except for reasons of force majeure,<sup>170</sup> and the United States of America has reissued its 2019 alert “emphasising the danger to US citizens living in or travelling to Venezuela” in view of the “high risk of arbitrary detention.”<sup>171</sup> On 20 July 2025, the Netherlands issued a “code red travel warning for Venezuela,” warning its nationals that “they may be arrested without clear reason” and recommending that they “not travel to that country. It is too dangerous.”<sup>172</sup> On 23 May 2025, Argentina reiterated its December 2024 alert advising its citizens to limit travel to Venezuela to strictly necessary trips in light of cases of insecurity and violence perpetrated by Government forces and clashes with the civilian population.<sup>173</sup>

f) *Release of foreign nationals*

171. On 31 January 2025, at a meeting in Caracas between Nicolás Maduro and the United States of America’s Special Envoy, Richard Grenell, Venezuela agreed to release six detained U.S. nationals<sup>174</sup> who had been deported by the United States to high-security prisons in El

<sup>163</sup> IACHR, *Jan Darmovzal regarding Venezuela*, Resolution 80/2024, Precautionary Measures No. 1150-24, 31 October 2024. Available at: [res\\_80-24\\_mc\\_1150-24\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2024/res_80-24_mc_1150-24_ve_es.pdf).

<sup>164</sup> IACHR, *Biagio Pilieri Gianninoto and Jesús Alfredo Pilieri Vasile regarding Venezuela*, Resolution 63/2024, Precautionary Measures No. 931-24, 6 September 2024. Available at: [https://www.oas.org/es/cidh/decisiones/mc/2024/res\\_63-24\\_mc\\_931-24\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2024/res_63-24_mc_931-24_ve_es.pdf).

<sup>165</sup> IACHR, *Arley Danilo Espitia Lara regarding Venezuela*, Resolution 99/2024, Precautionary Measures No. 1331-24, 16 December 2024. Available at: [res\\_99-24\\_mc\\_1331-24\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2024/res_99-24_mc_1331-24_ve_es.pdf).

<sup>166</sup> IACHR, *Yevhenii Petrovich Trush regarding Venezuela*, Resolution 32/2025, Precautionary Measures No. 334-25, 5 April 2025. Available at: [res\\_32-25\\_mc\\_334-25\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2025/res_32-25_mc_334-25_ve_es.pdf).

<sup>167</sup> IACHR, *Alberto Trentini regarding Venezuela*, Resolution 2/2025, Precautionary Measures No. 1438-24, 7 January 2025. Available at: [res\\_2-25\\_mc\\_1438-24\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2025/res_2-25_mc_1438-24_ve_es.pdf).

<sup>168</sup> IACHR, *Nahuel Agustín Gallo regarding Venezuela*, Resolution 1/2025, Precautionary Measures No. 1432-24, 1 January 2025. Available at: [res\\_1-25\\_mc\\_1432-24\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2025/res_1-25_mc_1432-24_ve_es.pdf).

<sup>169</sup> IACHR, *Lucas Jonas Hunter regarding Venezuela*, Resolution 27/2025, Precautionary Measures No. 247-25, 22 March 2025. Available at: [res\\_27-25\\_mc\\_247-25\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2025/res_27-25_mc_247-25_ve_es.pdf). Hunter was released on 18 July under an agreement between Venezuela, the United States of America, and El Salvador. See, for example, BBC News Mundo, “Bukele returns migrants deported by the US to El Salvador to Caracas in exchange for the release of 10 Americans and dozens of Venezuelan prisoners,” 18 July 2025. Available at: <https://www.bbc.com/mundo/articles/cvg6vjdegmzo>.

<sup>170</sup> El Diario, “France advised its citizens to avoid travelling to Venezuela: the details,” 15 September 2024. Available at: <https://eldiario.com/2024/09/15/francia-ciudadanos-evitar-viajar-a-venezuela/>.

<sup>171</sup> Embassy of the United States of America in Venezuela, “Reissued 24 September 2024, to emphasise the danger to US citizens living in or travelling to Venezuela,” 24 September 2024. Available at: <https://ve.usembassy.gov/reissued-september-24-2024-to-emphasize-the-danger-to-u-s-citizens-living-in-or-traveling-to-venezuela/>.

<sup>172</sup> Ministry of Foreign Affairs of the Netherlands, “Travel advice Venezuela”, 18 July 2025. Available at: <https://www.nederlandwereldwijd.nl/reisadvies/venezuela>.

<sup>173</sup> Ministry of Foreign Affairs, International Trade and Worship of the Argentine Republic, “Consular Alert: Argentine citizens are again advised not to travel to Venezuela,” 23 May 2025. Available at: <https://cancilleria.gob.ar/es/actualidad/noticias/alerta-consular-se-reitera-los-ciudadanos-argentinos-la-recomendacion-de-no>.

<sup>174</sup> Deleted post by Richard Grenell [@RichardGrenell], “We are wheels up and headed home with these 6 American citizens. They just spoke to @realDonaldTrump and they couldn't stop thanking him.”

Salvador.<sup>175</sup> The individuals released were Gregory David Werber, David Guttenberg, Aaron Barrett Logan, Samuel Batista, Eric Auther, and David Estrella.<sup>176</sup>

172. On 20 May 2025, a seventh U.S. national, Joseph St. Clair, was released following a diplomatic agreement brokered by Grenell in Antigua and Barbuda. Grenell agreed to extend Chevron's oil licence in exchange for the release.<sup>177</sup>

173. In addition to the seven U.S. citizens, at least two Colombian nationals were released. They were Dionel López and Juan Fernando Zúñiga, who were arrested on 6 January 2025 during the crackdown surrounding the presidential inauguration and released on 8 February 2025.<sup>178</sup>

174. On 18 July 2025, 10 foreign nationals were released under an agreement between the United States of America, Venezuela and El Salvador. The details of this release process had not been made fully public at the time of writing. However, some information suggests that these individuals include five U.S. nationals (some with dual nationality from other countries) and five permanent residents of that country.<sup>179</sup> Among these individuals, the names of Lucas Hunter, Fabián Buglione, Wilbert Joseph Castañeda Gómez, and Dahud Hanid Ortiz have been made public.<sup>180</sup>

## B. Arbitrary deprivation of life

175. This section of the conference room paper presents findings and legal considerations regarding the cases investigated by the Mission concerning arbitrary deprivations of life. This chapter presents information related to the deaths during the post-election protests in July 2024, the initial investigation and preliminary conclusions of which were reflected in the Mission's latest report.<sup>181</sup> One year after that report, the Mission has been able to deepen its investigation into 14 of the 25 deaths documented in that report.

176. This section also includes findings and legal considerations from the investigation of cases of deaths while individuals were in state custody. This chapter also includes deaths due to medical reasons, after being released from prison, of several individuals who suffered a fatal deterioration in their health. In this case, these are individuals who were detained both

<sup>175</sup> On 15 March 2025, in two flights, the United States of America deported 328 Venezuelan nationals to high-security prisons in El Salvador. See The New York Times, "This is how Trump's plan to deport Venezuelans from the US to El Salvador came together," 30 April 2025. Available at: <https://www.nytimes.com/es/2025/04/30/espanol/estados-unidos/trump-deportaciones-venezolanos-salvador-bukele.html>. See also AP News, "Venezuela frees 6 Americans after meeting between President Maduro and Trump's envoy," 1 February 2025. Available at: <https://apnews.com/article/trump-maduro-envoy-migrants-grenell-edfa58920c0a76f0bbe9de995a07d1a3>

<sup>176</sup> Los Angeles Times, "Venezuela releases six Americans after meeting between Maduro and Trump's envoy," 31 January 2025. Available at: <https://www.latimes.com/espanol/internacional/articulo/2025-01-31/venezuela-libera-a-6-estadounidenses-tras-reunion-entre-maduro-y-enviado-de-trump>

<sup>177</sup> Instagram post by Contrapuntove [@contrapuntove], 21 May 2025. Available at: <https://www.instagram.com/reel/DJ5Yel3v8H7/>. Chevron's licence was ultimately not extended and expired on 27 May, although Chevron was authorised to retain infrastructure, staff, and perform essential maintenance and security tasks for an additional 60 days. See also: Reuters, "US grants Chevron narrow authorisation to keep assets in Venezuela, sources say," 28 May 2025. Available at: <https://www.reuters.com/business/energy/us-grants-chevron-narrow-authorization-keep-assets-venezuela-sources-say-2025-05-27/>. On 31 July 2025, Chevron was granted a restricted licence to operate in Venezuela. See: Reuters, "Chevron receives restricted authorisation from the US to operate in Venezuela: sources," 30 July 2025. Available at: <https://www.reuters.com/latam/negocio/VKN3HKJC2BISLA2BOW33X4NJ6Y-2025-07-30/>

<sup>178</sup> YouTube video, Noticias Caracol [@noticiascaracol], "Two Colombians detained in Venezuela by Nicolás Maduro's regime released," 9 February 2025. Available at: [https://www.youtube.com/watch?v=EoZJR\\_Bn2gk](https://www.youtube.com/watch?v=EoZJR_Bn2gk)

<sup>179</sup> Documents HHDC250 and HHDC251.

<sup>180</sup> Ortiz, a former US Marine of Venezuelan origin, was detained after being sentenced in 2018 in Venezuela to 30 years for a triple homicide committed in Spain in 2016.

<sup>181</sup> A/HRC/57/CRP.5, paras. 523-526.



in the context of the post-election protests of 2024 and before the presidential inauguration on 10 January 2025.

177. Finally, the chapter addresses two other cases of death. The first concerns Edwin Santos, a regional leader of Vente Venezuela, whom the State claims died in a traffic accident, while other accounts cast doubt on the official explanation and implicate a State security force in his death. The second case concerns the murder of Lieutenant Ronald Ojeda, which occurred in Chile in 2024 and was reported by the Mission in its last report. On this occasion, the Mission presents updated information on the investigations carried out by the Chilean authorities.

## 1. Deaths during protests

178. In the Mission's latest report of September 2024, and in the accompanying conference room paper, initial reports were made on the cases of death documented by the Mission in the context of the post-election protests. To that end, the profile of the victims, the geographical and temporal context of the deaths, and their possible causes were analysed. Preliminary conclusions were also reached regarding responsibility for these deaths, and statements made by the highest authorities of the State in relation to them were documented.<sup>182</sup>

179. It should be noted that these partial conclusions were the result of an investigation carried out in just over a month, given the short time between the events (from 28 to 30 July 2024) and the presentation of the report to the Human Rights Council (19 September 2024). In this regard, it was not possible to conduct a more thorough investigation. Furthermore, as already noted, the investigation was also hampered by the lack of cooperation from the Venezuelan authorities and by the limited information that could be obtained from the victims' relatives, witnesses, informants and other sources, given their well-founded fear of reprisals if they cooperated with the Mission.

180. Although the investigation period in this new cycle has been longer, limitations have prevailed, especially due to the fear of sources. Even in cases where information was obtained, it has not always been possible to verify all the elements constituting each incident. This fear extended to sources abroad, making it difficult to contact them.

### a) Identification of fatalities

181. In the conference room paper accompanying the September 2024 report, the Mission noted that the number of fatalities documented in the context of the post-election protests amounted to 25, identified by their names, surnames, gender and age.<sup>183</sup> Most of the victims lost their lives when the protests took place, between 28 and 30 July 2024, while others died days or weeks later in different health centres, as they did not survive their injuries.

182. While 24 victims died from gunshot wounds, one died because of a beating. According to the Mission's documentation, all the victims were civilians, including both protesters and individuals who were in the vicinity of the demonstrations. The only exception is a member of the military, a sergeant in the GNB, who died in the protest that took place in the San Jacinto obelisk sector in Maracay, State of Aragua.

183. On 12 August 2024, at a joint meeting of the National Defence Council and the Council of State, the Attorney General presented two reports with annexes on the Attorney General's Office's investigations into the electoral protests.<sup>184</sup> He mentioned that the reports

<sup>182</sup> *Ibid.*, paras. 520-575.

<sup>183</sup> *Ibid.*, para. 532, table 4.

<sup>184</sup> At the meeting, the Attorney General presented a document entitled "Report by the Attorney General of the Republic, Tarek William Saab, to the National Defence Council on terrorist actions after 28 July 2024" and another entitled "Appendices", both dated Monday, 12 August 2024. See: YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], "Attorney General Tarek William Saab, report to the Council of State on violent events in July-August," 13 August 2024. Available at: <https://www.youtube.com/watch?v=eGVtWNjG6H0>

would be shown to “*the international organizations as appropriate*,” but none of the reports has been made public or transmitted to the Mission.<sup>185</sup>

184. At the same meeting, the Attorney General reported that the Attorney General’s Office had investigated the cases of 25 victims, identifying 22 that the Mission had included in its latest report and leaving out three that both the Mission and human rights organisations and the media had considered to be fatalities in the same context. These three victims are Ángel Mora,<sup>186</sup> Gustavo Rojas<sup>187</sup> and Aníbal Romero,<sup>188</sup> whose cases have therefore not been investigated by the Attorney General’s Office in the context of the post-election crisis.

185. The Attorney General’s Office also included in its list of fatalities three people whom the Mission had not identified in its report as part of the same context, namely: a GNB sergeant named Jorman Martínez, and two female members of the ruling party, PSUV, Isabel Gil and Mayauri Coromoto.

186. Information released by the Attorney General indicated that Sergeant Martínez was run over on 30 July 2024 by a driver under the influence of alcohol in Porlamar, State of Nueva Esparta.<sup>189</sup> It was further indicated that the driver, named Carlos Alexander Carreño, had been detained.<sup>190</sup> Regarding Mayauri Coromoto, the Attorney General stated that she had been murdered on 3 August 2024 on the orders of a person known in the victim’s neighbourhood for threatening neighbours, including Coromoto, over a land purchase issue.<sup>191</sup> And regarding Isabel Gil, the Attorney General and Nicolás Maduro explained that she had been murdered on 1 August 2024 by a 13-year-old boy who, in unclear

<sup>185</sup> In communication FFMV/OL/2024-011 of 5 September 2024 addressed to the Attorney General, the Mission requested information on the recorded deaths during protests but received no response.

<sup>186</sup> Ángel Mora, as documented by the Mission, died from contusions after being severely beaten following his capture after a statue of Hugo Chávez was torn down in Guanare, Portuguesa State. The victim was found dying with multiple injuries and died in the hospital to which he was taken. See: A/HRC/57/CRP.5, para. 550.

<sup>187</sup> Gustavo Rojas died in the early hours of 29 July 2024, in Cabimas, Zulia State *Ibid.*, para. 532. According to the information available to the Mission, the victim was shot twice, in the head and back, by attackers on motorcycles as Rojas was on his way home on the night of 28 July. Rojas had served as a polling station monitor and demanded that the voting records be printed on election day. La Patilla, “Foro Penal en Zulia confirma fallecimiento de dos personas y al menos 20 detenidos tras protestas” [Criminal Forum in Zulia confirms death of two people and at least 20 detainees after protests], 30 July 2024. Available at: <https://lapatilla.com/2024/07/30/foro-penal-en-zulia-confirma-fallecimiento-de-dos-personas-y-al-menos-20-detenidos-tras-protestas/>

<sup>188</sup> On 31 July 2024, during a press conference, Nicolás Maduro denied the death of Aníbal Romero, nicknamed “Pimpina,” and presented a video in which an individual, who identified himself as Albert Giuseppe Salazar Alvarado, claimed that his image had been used on social media to falsely lead people to believe that he was “Pimpina” and that he had died. See: Post on X by Cazadores de Fake News [@cazamosfakenews], 2 August 2024. Available at: <https://x.com/cazamosfakenews/status/1819361722848911749>. However, the Mission has reasonable grounds to believe that Aníbal Romero did die on 29 July 2024 as a result of a gunshot wound to the forehead during the protests in the parish of Antímano, Capital District, as reported in its last report (A/HRC/57/CRP.5, para. 575). See also: Document WWDC108; and Human Rights Watch, “Punished for Seeking Change: Killings, Enforced Disappearances, and Arbitrary Detentions Following the 2024 Elections in Venezuela,” April 2025. Available at: [https://www.hrw.org/sites/default/files/media\\_2025/05/venezuela0425es%20web\\_1.pdf](https://www.hrw.org/sites/default/files/media_2025/05/venezuela0425es%20web_1.pdf)

<sup>189</sup> YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], “Attorney General Tarek William Saab, report to the Council of State on violent events in July-August,” 13 August 2024. Available at: <https://www.youtube.com/watch?v=eGVtWNjG6H0>.

<sup>190</sup> The Public Prosecutor’s Office file on this death states that the victim “was fatally injured by being run over during violent actions.” Case number MP-136795-2024. See: YouTube video, MPvenezolano [@MPvenezolano], “FGR Tarek William Saab rejected media campaign to whitewash post-election violence,” 11 November 2024. Available at <https://www.youtube.com/watch?v=iYemt3r-kzM>

<sup>191</sup> Five people have been arrested in connection with this case. The Public Prosecutor’s Office file, which locates the crime scene in the state of Aragua, states that the victim “was shot multiple times in the head and chest.” Case number MP-137712-2024. *Ibid.* See also: YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], “Attorney General Tarek William Saab, report to the Council of State on violent events in July-August,” 13 August 2024. Available at: <https://www.youtube.com/watch?v=eGVtWNjG6H0>

circumstances, confessed to having committed the murder because the woman “was a *chavista*.”<sup>192</sup>

187. On 21 August 2024, at a meeting with the diplomatic corps accredited in Venezuela, the Attorney General reported on two new victims who had died in the post-election context but did not mention their names. According to his information, both died in traffic accidents.<sup>193</sup> At a subsequent press conference on 11 November 2024, the Attorney General identified these victims as Cristian Fragosa and Armila Betania and explained, in general terms, that the protests “*caused two fatal accidents and induced the deaths of two people who were normally on their way home.*”<sup>194</sup>

188. At that press conference on 11 November 2024, the Attorney General’s Office identified another fatal victim, number 28, José Rubio. According to his case file, he died on 29 July 2024 in the State of Carabobo, having been “hit by a firearm projectile in the head.”<sup>195</sup> The Mission has not obtained further information on this case.

189. The Mission maintains the number of 25 victims indicated in its last report, which were identified following its methodology of corroboration. The information provided by the authorities does not provide sufficient elements to change the Mission’s list. On the contrary, part of that official information *prima facie* discredits the claim that the additional deaths referred to by the State were part of the same context of the post-election crisis.

Table 1:  
**Fatalities**

<i>Identified by the Mission</i>			<i>Identified by the Attorney General’s Office</i>		
<i>Name</i>	<i>State</i>		<i>Name</i>	<i>State</i>	
1	Aristeguieta, Edgar	Capital District	1	Aristeguieta, Edgar	Capital District
2	Bracho, Jeison	Capital District	2	Bracho, Jeison	Capital District
3	Bustos, Victor	Carabobo	3	Bustos, Victor	Carabobo
4	España, Jeison	Capital District	4	Spain, Jeison	Capital District
5	Fuenmayor, Isaías	Zulia	5	Fuenmayor, Isaías	Zulia
6	Garcia, Anthony	Capital District	6	Garcia, Anthony	Capital District
7	García, Julio	Táchira	7	García, Julio	Táchira

<sup>192</sup> The Public Prosecutor’s Office, as reflected in the case file, located the events in the state of Bolívar and determined that the victim had suffered “48 stab wounds to the head and neck.” Case number MP-143275-2024. See: YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], “Attorney General Tarek William Saab rejected media campaign to whitewash post-election violence,” 11 November 2024. Available at <https://www.youtube.com/watch?v=iYemt3r-kzM>; and Diario Vea, “The murderer of Chavista leader Cirila Gil is 13 years old: He obeyed an order given by TikTok,” 11 September 2024. Available at: <https://diariovea.com.ve/nino-de-13-anos-mato-a-cirila-gil-victima-de-la-violencia-fascista-postelectoral/>

<sup>193</sup> YouTube video, Ministry of People’s Power for Foreign Affairs (MPPRE) [@Cancilleria\_ve], “Foreign Minister Yvan Gil and Attorney General Tarek William Saab at a meeting with the diplomatic corps,” 21 August 2024. Available at: <https://www.youtube.com/live/SwQ3-clYnb4?si=mizdDoSZ0zCQDRID&mt=2600>, [min. 43:20].

<sup>194</sup> *Ibid.* The Public Prosecutor’s Office attributes the deaths of both individuals to a “traffic accident caused by obstruction of the road” in the Capital District.

<sup>195</sup> See: Case number MP-134829-2024 in: YouTube video, MPvenezolano [@MPvenezolano], “FGR Tarek William Saab rejected media campaign to whitewash post-election violence,” 11 November 2024. Available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>. In this case, the Mission notes, but has not been able to corroborate, that some open sources identify an individual named José Enrique Rubio Petrola, 22, as a fatality in Zulia State for reasons similar to those described in the Public Prosecutor’s Office file. See: Últimas Noticias, “Shots to the back and head caused deaths after 28 June,” 14 August 2024. Available at: <https://ultimasnoticias.com.ve/sucesos/tiros-en-espalda-y-cabeza-causaron-muertes-post-28j/>. At the same time, media outlets associated with the government identified José Enrique Rubio Petrola, a 21-year-old from the state of Carabobo, as one of those detained in the United States of America and sent to El Salvador on 14 March 2025. See: VTV, “EXCLUSIVE| Send my mother my blessings, said José Rubio: Testimony of Milagros Petrola,” 20 March 2025. Available at: <https://www.vtv.gob.ve/exclusiva-joven-albanil-deportado/>

<i>Identified by the Mission</i>			<i>Identified by the Attorney General's Office</i>		
	<i>Name</i>	<i>State</i>		<i>Name</i>	<i>State</i>
8	Graterol, Jhon	Yaracuy	8	Graterol, Jhon	Yaracuy
9	Hernández, Luis	Bolivar	9	Hernández, Luis	Bolivar
10	Leyva, Yorgenis	Miranda	10	Leyva, Yorgenis	Miranda
11	Martínez, Jesús	Aragua	11	Martínez, Jesús	Aragua
12	Mendoza, Euris	Capital District	12	Mendoza, Euris	Capital District
13	Montaño, Olinger	Capital District	13	Montaño, Olinger	Capital District
14	Mora, Angel	Portuguesa		<b>NOT RECOGNIZED</b>	
15	Moya, Anthony	Aragua	14	Moya, Anthony	Aragua
16	Páez, Walter	Lara	15	Páez, Walter	Lara
17	Porras, Carlos	Miranda	16	Porras, Carlos	Miranda
18	Ramírez, Andrés	Aragua	17	Ramírez, Andrés	Aragua
19	Ramos, Gabriel	Aragua	18	Ramos, Gabriel	Aragua
20	Rojas, Gustavo	Capital District		<b>NOT RECOGNIZED</b>	
21	Romero, Aníbal	Capital District		<b>NOT RECOGNIZED</b>	
22	Rondón, Dorian	Capital District	19	Rondón, Dorian	Capital District
23	Torrents, José	Aragua	20	Torrents, José	Aragua
24	Tovar, Jesús	Aragua	21	Tovar, Jesús	Aragua
25	Yzarra, Rancés	Aragua	22	Yzarra, Rancés	Aragua
	<b>NOT IN PROTESTS</b>		23	Betania, Armila	Capital District
	<b>NOT IN PROTESTS</b>		24	Fragosa, Cristian	Capital District
	<b>NOT IN PROTESTS</b>		25	Gil, Isabel	Bolívar
	<b>NOT IN PROTESTS</b>		26	Martínez, Jorman	Nueva Esparta
	<b>NOT IN PROTESTS</b>		27	Rubio, José	Carabobo
	<b>NOT IN PROTESTS</b>		28	Silva, Mayauri	Aragua

b) *Responsibility for the deaths according to the authorities*

190. The main official spokespersons regarding the deaths during the post-election protests were Nicolás Maduro and Attorney General, Tarek William Saab. Diosdado Cabello, Minister of Interior, Justice and Peace, initially made sporadic public appearances to refer to these deaths. He subsequently did so more frequently, coinciding with a less frequent presence of the Attorney General.

191. The three authorities made public accusations against opposition figures with the aim of attributing responsibility for the deaths to them, although in their appearances they did not present any objective evidence to support these accusations. For example, during a PSUV meeting on 19 August 2024, Nicolás Maduro claimed that the deaths of the two female members of the ruling party (Isabel Gil and Mayauri Coromoto) were caused by “the commandos” of “fascist María Machado and the cowardly criminal Edmundo González.”<sup>196</sup> On 1 January 2025, in an interview with an international journalist, he stated that, according to the investigations of the Attorney General's Office, “the people killed [...] on 29 and 30 July were all victims of these groups called the *comanditos*.”<sup>197</sup>

192. The Attorney General, for his part, stated at the 12 August 2024 meeting with the National Defence Council and the Council of State that responsibility for the deaths during the electoral protests lay with “criminal groups manipulated by the misnamed *comanditos*,”<sup>198</sup>

<sup>196</sup> Post on X by RNV Informativa [@RNVinformativa], 19 August 2024, available at: <https://x.com/RNVinformativa/status/1825646164085190729>

<sup>197</sup> YouTube video, Nicolás Maduro [@NicolasMaduro], “Nicolás Maduro | Interview with Ignacio Ramonet,” 1 January 2025. Available at: <https://www.youtube.com/watch?v=h31wT15O3W8>

<sup>198</sup> YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], 13 August 2024. Available at: <https://www.youtube.com/watch?v=eGVtWNjG6H0>

and identified the person responsible, according to him, for the death of GNB Sergeant José Torrents. That death was attributed to Reiner José Márquez Velásquez, already in custody, for whom there was a “forecast of the maximum penalty”,<sup>199</sup> according to the Attorney General.

193. Three days later, on 15 August 2024, in an interview with a Mexican media outlet, the Attorney General assigned responsibility for the deaths of some victims to specific criminal groups. In the case of Edgar Aristeguieta and Jeison España, whose deaths occurred during protests in the Capital District, he attributed their deaths to hooded individuals on motorcycles belonging to the “*Jefrito*” and “*Boxeadores*” gangs.<sup>200</sup> In the case of Anthony García and Olinger Montaña, who died in El Valle, Capital District, their deaths were attributed to the “70”, “*Cara de Niña*” and “*Platanero*” criminal gangs.

194. In more ambiguous terms, the Attorney General attributed responsibility for the death of Jeison Bracho, which occurred in the Capital District, to “motorised passers-by”; and in the case of Euris Mendoza, also killed in the Capital District, to “the same destabilising groups promoted by these instigators of hatred.”<sup>201</sup>

195. At the 21 August 2024 meeting with the diplomatic corps, the Attorney General assured that “70 per cent of the victims were killed by criminal groups” and that in no case was responsibility “attributable to State security forces.”<sup>202</sup>

196. In the course of its investigation, the Mission has not identified any elements linking the 25 deaths documented in the post-election context to leading opposition figures, their political organisations or the so-called *comanditos*. Nor has it obtained any information linking the criminal gangs and individuals identified by the Attorney General as the material perpetrators of the killings to the opposition forces, their members, or their activist groups. No information has been obtained about these alleged perpetrators and the circumstances of the events attributed to them by the Attorney General’s Office, beyond the brief and general references mentioned above.

197. In the case of Walter Páez, the Mission has reasonable grounds to believe that the perpetrator was a civilian who fired a shot from inside the PSUV headquarters in Carora, State of Lara. At the time of the incident, members and supporters of the ruling party were inside the headquarters. This case is discussed in the Annex to the present report on illustrative cases.

c) *Involvement of security forces according to the Mission*

198. In none of the incidents of death by firearm investigated by the Mission in the context of the post-election protests have demonstrators been identified as using such weapons. The Mission has, however, verified in several cases that demonstrators threw Molotov cocktails, stones, sticks, and other objects at the security forces, who responded by throwing tear gas grenades back at them.

199. On the contrary, a series of testimonies, videos, photographs, documents and other evidence obtained by the Mission reveal that members of the State security forces did indeed use firearms during the protests and that they fired into the air or in the direction of the demonstrators. This is the case, for example, of Carlos Porras, who died on 29 July 2024 in Guarenas, State of Miranda. The audiovisual material analysed by the Mission reveals how the security forces carrying out public order operations fired shots in the direction of the demonstrators. According to the same material, Porras, who was facing the officials, was fatally wounded by a gunshot to the abdomen.<sup>203</sup> In this case documented by the Mission, it

<sup>199</sup> *Ibid.*

<sup>200</sup> La Jornada, “Tarek William Saab: Machado and others could be charged at any moment,” 19 August 2024. Available at: <https://diariolajornada.com/?p=210975>.

<sup>201</sup> *Ibid.*

<sup>202</sup> YouTube video, Ministry of People’s Power for Foreign Affairs (MPPRE) [@Cancilleria\_ve], “Foreign Minister Yvan Gil and Attorney General Tarek William Saab at a Meeting with the Diplomatic Corps,” 21 August 2024. Available at: <https://www.youtube.com/live/SwQ3-elYnb4?si=baM9-yEy6rBHB1k&amp;t=2655> [min. 44:15].

<sup>203</sup> Document WWDC098.



has not been possible to identify the security force to which the officials who fired their weapons during the protest belong.<sup>204</sup>

200. In the case of Víctor Bustos, who was killed by a gunshot to the chest during a protest in Valencia, Carabobo State, on 30 July 2024,<sup>205</sup> videos analysed by the Mission show uniformed officials of the Carabobo State Police opening fire with long-barrel and short-barrel firearms in the direction of the protesters.<sup>206</sup>

201. In the case of Aníbal Romero, who died on 29 July 2024 in the Capital neighbourhood of the Antimano parish, Capital District, the evidence collected and analysed by the Mission indicates that the shots that killed him came from the location where the security forces were stationed.<sup>207</sup> In this case, too, the Mission is not in a position to identify the security forces involved in maintaining public order, although several sources have indicated that members of the Directorate of Strategic and Tactical Actions (DAET, by its Spanish acronym) were present at that protest and fired shots.<sup>208</sup>

202. In the case of the deaths of Olinger Montaña and Anthony García during a protest in the vicinity of the El Valle Shopping Centre in the Capital District on 29 July 2024, the testimonies and videos analysed by the Mission show that the security forces used firearms, firing in the direction of the protesters.<sup>209</sup> The protest was repressed by the GNB and the PNB. The two victims were fatally wounded almost simultaneously when several gunshots were heard.<sup>210</sup> The images analysed do not show the protesters carrying weapons, let alone using them in the vicinity of the protest. The details of the investigation of this case and the Mission's conclusions are set out in the Annex to the present report on illustrative cases.

203. In the case of Isaías Fuenmayor, the 15-year-old boy who died as a result of a gunshot wound to the neck, the Mission's investigation has also revealed that members of the GNB and PNB carried out public order duties at the protest Fuenmayor was attending on 29 July 2024 in the State of Zulia. During that protest, the security forces not only made arrests but also fired shots into the air, according to the testimony of a witness interviewed by the Mission. A source informed the Mission that, according to witnesses to the events, an official in a green uniform shot Fuenmayor at point-blank range. This latter information alone is not sufficient to meet the Mission's standard of proof and to have reasonable grounds to believe that Fuenmayor's death constitutes an arbitrary deprivation of life attributable to a state security force. However, the other elements available to the Mission are indications that point in that direction. This case and its conclusions are also developed in the Annex to the present report on illustrative cases.

204. In the case of the incidents that occurred in the vicinity of the San Jacinto obelisk roundabout in Maracay, Aragua State, on 29 July 2024, seven people died. The Mission corroborated in its investigation that shots were fired from the premises of the 99th Special Forces Brigade of the Army and from the vicinity of the main gate of that military installation, in front of which part of the protest was taking place. Inside the Brigade were members of the Army and the GNB, and outside its main entrance were members of the GNB and the PNB. Witnesses and injured victims in this case have informed the Mission that the security forces fired indiscriminately at the people who were demonstrating at that protest. The

<sup>204</sup> This case has been reflected in the Human Rights Watch report, "Punished for Seeking Change: Killings, Enforced Disappearances, and Arbitrary Detentions Following the 2024 Elections in Venezuela," April 2025. Available at:

[https://www.hrw.org/sites/default/files/media\\_2025/05/venezuela0425es%20web\\_1.pdf](https://www.hrw.org/sites/default/files/media_2025/05/venezuela0425es%20web_1.pdf)

<sup>205</sup> Victim identified in Public Prosecutor's Office file number MP-134828-2024.

<sup>206</sup> Instagram post by Alfredo Salvador Flores, 1 August 2024. Available at <https://www.instagram.com/p/C-I8g9nxUC3/>. Flores, a journalist with Ciudadanía sin Fronteras, entered Venezuela to vote on 28 July 2024 and was unable to leave the country on 7 August because his passport had been cancelled.

<sup>207</sup> Document WWDC108.

<sup>208</sup> Human Rights Watch, "Punished for Seeking Change: Killings, Enforced Disappearances, and Arbitrary Detentions Following Venezuela's 2024 Elections," April 2025. Available at [https://www.hrw.org/sites/default/files/media\\_2025/05/venezuela0425es%20web\\_1.pdf](https://www.hrw.org/sites/default/files/media_2025/05/venezuela0425es%20web_1.pdf)

<sup>209</sup> Document WWDC105.

<sup>210</sup> Document WWDC100.

Mission has reasonable grounds to believe that the deaths of the six protesters were arbitrary deprivations of life by security forces. The case investigated by the Mission is developed in the Annex to the present report on illustrative cases.

205. As noted above, the Mission corroborated that various state security forces, including at least the GNB, the Army, the PNB, the DAET/PNB, and the Carabobo State Police, repressed the protests by firing long-barrel and short-barrel firearms at the demonstrators. This evidence calls into question the official position that none of the deaths that occurred in the post-election crisis can be attributed to the security forces.<sup>211</sup> The Attorney General's Office has not pursued lines of investigation that consider the hypothesis that the deaths could have been caused by the security forces, arguing that it had not received any complaints about that effect.<sup>212</sup>

206. In this regard, the Mission recalls that international human rights standards establish that "States [...] have an obligation to investigate alleged violations of Article 6 [of the International Covenant on Civil and Political Rights, which protects the right to life] when State authorities have used or appear to have used firearms or other potentially lethal force outside the immediate context of armed conflict, for example, when live ammunition has been fired at demonstrators, or when the death of civilians has been confirmed in circumstances that correspond to a pattern of alleged violations of the right to life by State authorities."<sup>213</sup>

207. The same standards state that "[s]tates have an obligation to investigate effectively, impartially and promptly any complaint or reasonable suspicion of unlawful use of force or other violations by law enforcement officials (...)."<sup>214</sup>

208. Considering these considerations, the Mission observes that it is an *ex officio* obligation of the State to include in its investigations the hypothesis that members of the security forces could have been responsible for some of the deaths in the post-election protests of 2024.

d) *Involvement of civilians in the deaths and omissions of the security forces*

209. As noted above, the Venezuelan State has exonerated the security forces from responsibility for the deaths that occurred in the post-election crisis and has attributed them to non-state actors, specifically individuals who allegedly acted paid by or under the influence of the opposition. Despite initially identifying some alleged civilian perpetrators of several of the deaths, the authorities have not provided further information on the progress or outcome of the investigations. More than a year after the events, it is not known whether the accused were convicted, what the motives and drivers for their actions were, and who encouraged, instigated or hired them.

210. The Mission has concluded, in one of the cases it has investigated, that of Walter Páez, that the person who fatally shot him in the abdomen was a civilian and not a member of a security force. The incident occurred on 30 July 2024 when Páez was participating in a protest outside the PSUV headquarters in Carora, State of Lara.

211. The Mission has reasonable grounds to believe that the shot came from the PSUV headquarters at a time when it was occupied only by civilians, militants and supporters of the ruling party. In the forensic investigation conducted by the Scientific, Criminal and Forensic Investigations Corps (CICPC), the only spent cartridges found were on the floor of the PSUV office, from where witnesses, including Páez himself, stated that the shots were fired. In

<sup>211</sup> YouTube video, Ministry of People's Power for Foreign Affairs (MPPRE) [@Cancilleria\_ve], "Foreign Minister Yvan Gil and Attorney General Tarek William Saab in Meeting with the Diplomatic Corps," 21 August 2024. Available at: <https://www.youtube.com/live/SwQ3-elYnb4?si=4ILQpmKCLMTkZVND&mt=2655>, [min. 44:15].

<sup>212</sup> *Ibid.*

<sup>213</sup> United Nations Human Rights Committee, General Comment No. 36 (right to life), CCPR/C/GC/R.36.

<sup>214</sup> *Ibid.*

addition, a video recorded at the same location, which was analysed by the Mission, shows a civilian carrying a firearm.

212. According to international standards applicable to the actions of law enforcement agencies in the context of protests, States, and ultimately their officials, “must guarantee the right to life and exercise due diligence to protect the lives of individuals from deprivations caused by persons or entities whose conduct is not attributable to the State. The obligation of States [...] to respect and guarantee the right to life extends to reasonably foreseeable threats and life-threatening situations that may result in death.”<sup>215</sup>

213. In the case of Páez, based on statements given by witnesses to the events before the Venezuelan justice system authorities and various open sources, the Mission notes that the authorities could have taken preventive measures in view of the possibility of a violent outcome to the protest in Carora. The Mission considers that one day earlier, on 29 July 2024, in another demonstration that turned violent, also in the vicinity of a PSUV headquarters in Zulia State, Isaías Fuenmayor was killed by a gunshot wound. The security forces in Carora could have adjusted the measures to protect the potential threat of the use of firearms by the demonstrators or the people who were at the PSUV headquarters.<sup>216</sup>

214. Both the Mission and other organisations that have investigated the death of Walter Páez have received testimonial information that the security forces, specifically the GNB, did not exhaust all measures to contain the opposing factions.<sup>217</sup> According to this information, the actions of GNB officials were limited to brief conversations with the demonstrators and asking PSUV supporters to evacuate the party headquarters.

e) *Participation of victims' families in investigations*

215. The participation of family members in investigations of gross human rights violations is a central element of an effective investigation.<sup>218</sup> Inter-American human rights jurisprudence has established that “victims of human rights violations, or their family members, must have ample opportunity to be heard and to participate in the respective proceedings, both in order to clarify the facts and to punish those responsible.”<sup>219</sup>

216. For its part, the Human Rights Committee has stated that States “*should disclose the relevant details of the investigation to the victim's relatives*”<sup>220</sup> of an alleged violation of the right to life. In this context, they must, for example, allow them to be present during the autopsy. The Committee has also stated that “*necessary measures must be taken to protect witnesses, victims and their families from threats, attacks and any acts of reprisal.*”<sup>221</sup>

217. The Mission has reasonable grounds to believe that, with regard to the investigations into the post-election deaths, the State has failed to fulfil its obligations to the victims' families. The families have not been allowed to witness the autopsies, nor have they received the results or other forensic reports produced in the context of the criminal investigations.

<sup>215</sup> *Ibid.* Elaborating on this obligation, the Human Rights Committee has stated that “States parties are obliged to take appropriate preventive measures to protect individuals who are under reasonably foreseeable threats of murder or homicide by criminals, organised crime or militia groups, including armed or terrorist groups (see also: CPR/C/GC/R.36, para. 23). States parties should also dismantle irregular armed groups, such as private armies and vigilante groups, responsible for deprivation of life, and reduce the proliferation of potentially lethal weapons among unauthorised persons” in CPR/C/GC/R.36, para. 21.

<sup>216</sup> *Ibid.*, para. 21.

<sup>217</sup> Typically, these measures include forming security cordons, diverting or relocating demonstrations, using loudspeakers to give clear instructions, identifying the presence of firearms

<sup>218</sup> Minnesota Protocol on the Investigation of Potentially Unlawful Deaths, revised version 2016, para. 35.

<sup>219</sup> See, for example: Inter-American Court of Human Rights, *Case of Vera Vera et al. v. Ecuador*, Judgment of 19 May 2011 (preliminary objection, merits, reparations and costs), para. 86; and Inter-American Court of Human Rights, *Case of Ximenes Lopes v. Brazil*, Judgment of 4 July 2006, para. 193.

<sup>220</sup> United Nations Human Rights Committee, General Comment No. 36 (right to life), CCPR/C/GC/R.36., para. 28.

<sup>221</sup> *Ibid.*



The available information regarding the circumstances in which each incident occurred and about the alleged perpetrators of the crimes has also not been formally communicated to the families, who in many cases have learned about it through the media.

218. The Mission has corroborated that the authorities threatened the families with not handing over the bodies of the victims if they did not agree not to make public statements or even if they held a wake for their loved ones.<sup>222</sup> It has also corroborated that several members of the families of the fatal victims have decided to flee their cities, and even the country, for fear of persecution or reprisals. This explains, in part, why the families have not filed complaints calling for an investigation into the actions of the security forces in the deaths.

219. One of the most significant cases in the context of intimidation and reprisals against family members is that of María de los Ángeles Lamedá, the widow of Walter Pérez. As indicated later in the present report, according to the Mission's findings, the day before Pérez's death, Lamedá as she was about to deliver medication at the hospital where her husband was being treated.

## 2. Deaths of persons in State custody

220. The Mission has documented the deaths in State custody of five men, all of whom were detained in connection with electoral protests. Three of these individuals were arrested on the street during or in connection with electoral demonstrations, while two were arrested at their homes. One of the five individuals was arrested in the context of the repression surrounding the presidential inauguration in January 2025, and the rest after the presidential elections in July 2024.

221. Three individuals died while in detention in the Tocarón and Tocuyito prisons, in the States of Aragua and Carabobo, respectively. Two died in State custody in hospitals after being transferred from the police station in Lechería, State of Aragua, and the DIP Detachment 20 in Morón.

222. The detainees were in State custody for less than five months, except for one who was detained for ten months before dying.

223. As for the causes of death, three are associated with the deterioration in health during detention. The other two were presented by the authorities and open sources as deaths by hanging, although the precise circumstances have not been officially and publicly communicated by the authorities.

224. The Mission provides details of four of these cases in the Annex to the present report on illustrative cases.

### a) *Deaths due to deterioration of health*

225. The heightened obligation of States to guarantee the rights of persons deprived of liberty “includes providing them with necessary medical care and subjecting them to adequate periodic health examinations.”<sup>223</sup> The Mission found reasonable grounds to believe that, in at least two of the three cases investigated of this type, the Venezuelan State failed in this duty.

226. In the cases investigated by the Mission, the victims were either suffering from infectious diseases at the time of their detention or from chronic conditions or the after-effects of illnesses they had contracted in the past. Both the detainees themselves and their families repeatedly informed State officials and authorities—not only prison officials, but also the Attorney General's Office, the Office of the Ombudsman, and the Public Defender's Office, among others—about the detainees' health conditions and their continued deterioration in detention. In one case, the victim was not reported to have suffered from any significant health condition when he entered prison.

227. In the case of Reinaldo Araujo, the details and conclusions of which are set out in the Annex to the present report on illustrative cases, the victim was arrested on his way to have

<sup>222</sup> A/HRC/57/CRP.5, para. 526 and Interview TTIV022.

<sup>223</sup> Mandela Rules, rules 24(1) and 24(1).

a chest X-ray and be assessed by a pulmonologist due to a viral respiratory illness. He was detained by the Trujillo State Police, who were suppressing a demonstration against the presidential inauguration in January 2025.

228. From the first hours of his detention, both Araujo and his family informed the staff of the Trujillo State Detention Centre that he was ill and that his condition was delicate given his medical history, morbid obesity and the after-effects of COVID-19. During the two months of his detention, the family persistently warned various authorities, especially the Attorney General's Office, about the health risks to the detainee and requested urgent and specialised medical assistance.

229. Only after his health condition seriously deteriorated was Araujo admitted to hospital on 24 February 2025, when he was no longer able to breathe without an oxygen mask. That same day, Araujo died of cardiogenic shock as medical staff were preparing to take a chest X-ray.

230. In the case of Jesús Martínez, the details and conclusions of which are also set out in the Annex to the present report on illustrative cases, the victim began to develop infectious lesions on his limbs in mid-August 2024, when he had only been detained for two weeks at a police station used as a temporary detention centre. Martínez and his family alerted the authorities to the risks to the detainee's health, given that he had several underlying conditions, including type II diabetes mellitus, mixed heart disease, and class IV heart failure, which required continuous medical monitoring and treatment. The Mission has corroborated these conditions based on a series of medical reports dating from 2014 to 2024. The authorities, however, did not provide the detainee with the medical care he required, nor did they respond to the family's request to transfer him to a medical centre.

231. After nearly two months in detention, Martínez's health had severely deteriorated, and he even had to be assisted by other inmates to use the toilet and eat. Only then was Martínez admitted to a hospital under state custody. His infection had developed into necrotising fasciitis, which could require the amputation of both legs. The family had requested that Martínez be transferred to a private medical centre for examination, but the authorities in charge of his custody rejected the request on the grounds that they required judicial authorisation. Martínez died three and a half months after his detention.

232. In the case of Osgual González, as documented by the Mission, the victim was healthy before his admission to Tocuyito prison on 1 August 2024.<sup>224</sup> The information gathered by the Mission indicates that his health deteriorated seriously during his detention, first due to depression and then, in December 2024, due to severe abdominal pain.

233. Four days before his death, on 11 December 2024, a media outlet reported that González had a series of symptoms, such as yellow skin, purple lips, and a swollen abdomen, which could be associated with hepatitis A. The diagnosis of the prison doctors indicated that he was suffering from renal colic. According to information gathered by the Mission, the family requested that González be admitted to a<sup>225</sup> medical centre, but the detainee received nothing more than painkillers.

234. González died on 15 December 2024, with uncertainty surrounding the illness that caused his death. Due to the lack of access to official documentation, the Mission has been unable to obtain information on whether he was affected by a bacterial infection, hepatitis, or nephritis. The Mission was informed that "the condition for handing over the body [to the family] was that they could not issue any statements."<sup>226</sup>

235. The Mission's investigation into the cases referred to above shows, with reasonable grounds to believe, that the authorities at the detention centres, as well as the judicial authorities and the Attorney General's Office, failed to fulfil their obligation to ensure the

<sup>224</sup> Post on X by VPITV [@VPITV], 16 December 2024. Available at:

<https://x.com/VPITV/status/1868721306344001943>

<sup>225</sup> El Pitazo, "Relatives bury political prisoner Osgual González in Lara, under PNB custody," 17 December 2024. Available at: <https://elpitazo.net/regiones/familiares-sepultan-al-pres-o-politico-osgual-gonzalez-en-lara-bajo-custodia-de-la-pnb/>

<sup>226</sup> *Ibid.*

health of the detainees. The Mission has also found, with reasonable grounds to believe, that the competent authorities did not act with due diligence in ensuring adequate detention conditions, apart from timely and effective access to health care. The Mission has information, for example, that Araujo was forced to sleep on the floor without a mattress, and that Martínez was held in a cell without hygienic conditions.

b) *Deaths presented as hanging*

236. The heightened obligation of States to guarantee the rights of persons deprived of their liberty extends to respecting and protecting the personal safety and integrity, as well as the lives, of detainees. In this regard, the Human Rights Committee has stated that the “duty [of the State] to protect the lives of all persons deprived of their liberty includes [...] protecting them from violence among prisoners [and] preventing suicides.”<sup>227</sup>

237. The same standards indicate that prison authorities must report the death of a detainee to the competent authorities so that they can conduct an independent and thorough investigation, and that the family must be provided with “all relevant documentation [...] including the death certificate, a medical report, and reports on the investigation into the circumstances of the death.”<sup>228</sup> Similarly, the IACtHR has stated in the case of “the death of a person in State custody (...) [that] the relevant authorities [had] the duty to initiate *ex officio* and without delay a serious, impartial and effective investigation.”<sup>229</sup>

238. As indicated, two of the persons who died in State custody were presented as having died by hanging, according to the official version of the authorities. In both cases, the families were denied access to the autopsy reports and other elements that could shed light on the circumstances of each event. Also, in both cases, the burial of the victims' bodies was carried out under strict supervision and secrecy by the State security forces. In neither case has the Mission been able to obtain evidence that the authorities had initiated an independent investigation, as required by international standards.

239. The Mission also notes that, in both cases of hanging, the victims' health had deteriorated before they died. Jesús Álvarez had lost a considerable amount of weight before he was found dead in Tocuyito. The detainee informed a source that he was punished with deprivation of water and food, that he had been beaten, and that he had been confined, on one occasion, in a “dark room.” According to another source, at some point during his detention, the prison inmates had to stage a protest so that Álvarez could be treated in the infirmary given his poor health.<sup>230</sup>

240. In the case of Lindomar Bustamante, his medical condition required the regular use of anticonvulsant medication. The refusal of the custodial staff to provide him with such medication led to his violent protests, which were sanctioned with confinement in a punishment cell for 15 days. The following day, Bustamante was found dead in his cell, allegedly hanged.<sup>231</sup>

<sup>227</sup> Human Rights Committee, General Comment No. 36, CCPR/C/GC/36, para. 25.

<sup>228</sup> Minnesota Protocol.

<sup>229</sup> IACHR, *Case Vera Vera v. Ecuador*, para. 87.

<sup>230</sup> Interview HHIV169.

<sup>231</sup> Interviews WWIV135 and WWIV138.

241. The Venezuelan authorities have not provided any information publicly<sup>232</sup> or to the interested parties—to the Mission's knowledge—about the results of the investigations that should have been carried out to clarify these cases.<sup>233</sup>

c) *Deaths of persons released from prison*

242. In addition to the deaths referred to above, the Mission has documented the deaths of three other persons, two men, Yorman León and Wilmer García, and one woman, Ariadna Pinto. All three were detained in the context of the repression of the post-election protests of 2024. After spending between four and six months deprived of liberty, the victims were released but died shortly thereafter.

243. Yorman León was arrested on 29 July 2024 in Naguanagua, State of Carabobo, while he was filling up his vehicle with petrol. According to statements by his mother, León had no health problems prior to his arrest. During his time in three different detention centres, including, ultimately, the Tocarón prison, León was exposed to unsanitary detention conditions. León died on 4 February 2025, one month after his release.<sup>234</sup> After his release, León was diagnosed with dengue fever, which, combined with his poor general health, ultimately led to his death. A few months later, in May 2025, relatives of detainees in Tocarón and the Committee for the Freedom of Political Prisoners in Venezuela (CLPPVE) reported that there was an outbreak of dengue fever in that detention centre.<sup>235</sup>

244. Ariadna Pinto, a 19-year-old woman, died on 10 May 2025 in the town of Tinaquillo, Cojedes State, according to open sources. Pinto was arrested following the election protests on 1 August 2024, after being reported by a local leader of the Hugo Chávez Battle Units for terrorism and incitement to hatred, according to reports by human rights organisations.<sup>236</sup>

245. According to public information, during her detention in CICPC custody, Pinto's health, which was already affected by diabetes and hypertension, deteriorated. On 12 August 2024, she had to be admitted for a few days to the Joaquina de Rotondaro Hospital in Tinaquillo. After her return to the detention centre on 1 September 2024, Pinto had to be readmitted to the hospital on an emergency basis, where she remained, handcuffed and under strict CICPC surveillance, until her release.<sup>237</sup> The deterioration in her health could not be reversed, and Pinto had to be admitted to San Carlos Hospital in February and April 2025, until her death from respiratory failure in May 2025.

246. Wilmer García, also detained during the electoral protests, died due to the deterioration of his health after his release, according to information obtained by the Mission. García was a person with autism who also suffered from a kidney complication.<sup>238</sup> He was

<sup>232</sup> Only in the case of Jesús Martínez, who died from health complications, did the Public Prosecutor's Office issue a statement lamenting his death and indicating that he had been hospitalised for type 2 diabetes. That statement did not provide any information about an investigation or the circumstances of his death. See: Publication on X by Venezuelan Attorney General Tarek William Saab, 15 November 2024. Available at: [https://www.instagram.com/p/DCZrXWypf5W/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRIODBiNWFIZA%3D%3D](https://www.instagram.com/p/DCZrXWypf5W/?utm_source=ig_web_copy_link&igsh=MzRIODBiNWFIZA%3D%3D).

<sup>233</sup> The Inter-American Court of Human Rights has stated that “[t]he State may be held responsible for cruel, inhuman, or degrading treatment suffered by a person who has been in the custody of State officials, or who has died in such circumstances, when the authorities have not conducted a serious investigation of the facts followed by the prosecution of those responsible.” IACHR, *Case of Vera Vera et al. v. Ecuador*, para. 88.

<sup>234</sup> Efecto Cocuyo, “Wilmer García dies, second prisoner released from prison to die in less than a week,” 17 May 2025. Available at: <https://efectococuyo.com/la-humanidad/muere-wilmer-garcia-segundo-excarcelado-que-fallece-en-menos-de-una-semana/>

<sup>235</sup> El Pitazo, “Dengue outbreak in Tocarón prison denounced by Committee for the Freedom of Political Prisoners,” 28 May 2025. Available at: <https://elpitazo.net/politica/brote-de-dengue-en-carcel-de-tocoron-denuncia-comite-por-la-libertad-de-los-presos-politicos/>

<sup>236</sup> Post on X by Committee for the Freedom of Political Prisoners [@clippve], 11 May 2025. Available at: <https://x.com/clippve/status/1921713099943416223?s=12&t=bkdwPVE6GhBFZSDagkbnZg>. *Ibid.*

<sup>238</sup> Post on X by Justice, Encounter and Forgiveness [@JEPvzla], 17 May 2025. Available at: <https://x.com/jepvzla/status/1923804096475300084?s=12&t=bkdwPVE6GhBFZSDagkbnZg>

released from the Yare III prison in San Francisco de Yare, Miranda State, on 16 November 2024. García died six months later, on 15 May 2025, at the Razetti Hospital in Anzoátegui State, where he had been transferred due to a diabetic coma.<sup>239</sup>

### 3. Investigation and follow-up of other deaths

#### a) *The death of Edwin Santos, member of Comando Con Venezuela*

247. Edwin Santos, local coordinator of *Comando Con Venezuela* (ConVzla) in the municipality of José Antonio Páez, Apure State, was found dead on 25 October 2024 on a road between the towns of El Nula and El Piñal, Táchira State.

248. Initial reports on the case, which were made public on 24 October 2024, stated that Santos had been detained the day before by a State security body and that, at that time, he was missing.

249. On 25 October, his body was found next to his motorcycle on the side of an inter-municipal road. The official version maintains that his death was the result of a traffic accident, caused by a collision with a tree located a few metres from the road. The authorities announced that same day that they rejected “false news... aimed at manipulating and suggesting that the National Government [was] behind this unfortunate event.”<sup>240</sup> They also warned that “all those who claimed there were witnesses to the abduction of Edwin Santos would be summoned to the CICPC.”<sup>241</sup>

250. Without determining that Santos' death had a cause other than that established by the authorities, the Mission has observed in its investigation a series of elements that cast doubt on the official version. In addition to the authorities' warning against those who challenged the official version, which culminated in the summoning of five people to the CICPC, including the Director of the PROVEA organisation- there is also the fact that the family was denied the autopsy report, was initially prevented from viewing the body, and was not allowed to take photographs. Furthermore, the State refused to process a legal request for the incident to be investigated as a potentially unlawful death, despite public allegations that State agents may have been involved. The official explanations regarding the date and time of Santos' death also raise questions.

#### b) *Follow-up on the case of Ronald Ojeda*

251. The Mission has taken note of the investigative progress made by the Attorney General's Office and the Chilean judicial authorities regarding the kidnapping, torture and killing on Chilean territory of Venezuelan Lieutenant Ronald Ojeda in February 2024, whose case was mentioned in its last 2024 report and in the 2025 oral update in March.

252. On 27 January 2025, the arrest of more than ten individuals suspected of participating in the planning and execution of the operation against Ojeda, as well as the concealment of his body, was formalised before the 11<sup>th</sup> Court of Guarantees of Santiago de Chile.<sup>242</sup> According to media reports, initial witness statements from these individuals reveal that the

<sup>239</sup> Post on Libertas Instagram [@libertasvzla], 15 May 2025. Available at: <https://www.instagram.com/p/DJsIe83Inxc/>

<sup>240</sup> Instagram post by Douglas Rico [@douglasricovzla], 25 October 2024. Available at: [https://www.instagram.com/p/DBkQP6bt3oz/?utm\\_source=ig\\_embed&ig\\_rid=e9ef87f1-233e-48d4-8d53-8f535d23d8fa](https://www.instagram.com/p/DBkQP6bt3oz/?utm_source=ig_embed&ig_rid=e9ef87f1-233e-48d4-8d53-8f535d23d8fa).

<sup>241</sup> NTN24, “They will be summoned: Diosdado Cabello warns that those who said Edwin Santos was murdered must present witnesses,” 31 October 2024. Available at: <https://www.ntn24.com/noticias-actualidad/seran-citados-diosdado-cabello-advierte-que-quienes-dijeron-que-edwin-santos-fue-asesinado-deberan-presentar-testigos-521785>

<sup>242</sup> La Tercera, “Who's who and how is the Ronald Ojeda case progressing?”, 22 January 2025. Available at: <https://www.latercera.com/nacional/noticia/quien-es-quien-y-como-avanza-el-caso-de-ronald-ojeda/LRN3OQPO45GOTNCJPJDWMPJXRA/>

orders to carry out the crime originated from Venezuela. One of the testimonies appears to point directly to Diosdado Cabello as one of those responsible.<sup>243</sup>

253. On 6 February 2025, various media outlets reported the identification of two new suspects in the case. One is a Chilean national and the other is a Venezuelan national. The Venezuelan national, who had an Interpol red notice issued by Chile, was arrested in Colombia and Chile requested his extradition. At the time of writing, the extradition process was still ongoing.<sup>244</sup>

254. On 29 March 2025, a Chilean delegation- including the National Prosecutor and the Minister of Foreign Affairs, visited the International Criminal Court in The Hague and submitted a document concerning the Ojeda case.<sup>245</sup>

255. On 13 August 2025, a person was arrested by the Chilean police as the alleged intellectual author behind the murder of Ronald Ojeda.<sup>246</sup>

## C. Enforced disappearance

256. In its latest report of September 2024, the Mission reported that “the number of short-term disappearances recorded during that period, as well as those reported in previous reports by the Mission, denotes that these were not isolated disconnected incidents, thus excluding the possibility that they occurred at random”.<sup>247</sup> In addition to short-term enforced disappearances—the most frequently reported and corroborated—the Mission indicated that the authorities perpetrated enforced disappearances lasting several months, particularly in the case of members of the military<sup>248</sup> and opposition politicians.<sup>249</sup>

### 1. General findings

257. During the present investigative cycle, information received and corroborated by the Mission revealed that enforced disappearances continued, including those of short term. The Mission has documented 30 cases of possible enforced disappearance. In light of the Mission's stricter interpretation of the legal definition of this gross violation, the Mission has found reasonable grounds to believe that in 12 of those cases (six men, two women, and four children) there was an enforced disappearance. According to the expansive interpretation, the number of cases increases to 13. In the other 17 cases, the Mission has not been able to confirm whether there was a judicial oversight hearing within that period. Most of this latter group of cases involve foreign nationals. In these cases, the Mission considers that it is incumbent upon the authorities to prove that the individuals were brought before a judge in order to reach a determination regarding enforced disappearance.

<sup>243</sup> El País, “Colombia arrests Luis Alfredo Carrillo Ortiz, involved in the murder of former Venezuelan military personnel Ronald Ojeda in Chile,” 6 February 2024. Available at: <https://elpais.com/america-colombia/2025-02-06/colombia-detiene-a-luis-alfredo-carrillo-ortiz-involucrado-en-el-asesinato-del-exmilitar-venezolano-ronald-ojeda-en-chile.html>

<sup>244</sup> El Diario, “Man charged with murder of former soldier Ronald Ojeda to be extradited to Chile from Colombia: what we know,” 7 February 2025. Available at: <https://eldiario.com/2025/02/07/imputado-homicidio-del-exmilitar-ronald-ojeda-extraditado-a-chile>

<sup>245</sup> France24, “Chile brings murder of former Venezuelan military personnel Ronald Ojeda in Santiago to the ICC,” 29 March 2025. Available at: <https://www.france24.com/es/minuto-a-minuto/20250329-chile-lleva-a-la-cpi-asesinato-en-santiago-de-exmilitar-venezolano>.

<sup>246</sup> Infobae, “Gordo Alex, one of the leaders of the Aragua Train accused of ordering the murder of Ronald Ojeda, has been arrested in Chile,” 14 August 2025. Available at: [https://www.infobae.com/venezuela/2025/08/14/cayo-en-chile-el-gordo-alex-uno-de-los-lideres-del-tren-de-aragua-acusado-de-ordenar-el-asesinato-de-ronald-ojeda/?utm\\_medium=Social&utm\\_source=Twitter#Echobox=1755184683](https://www.infobae.com/venezuela/2025/08/14/cayo-en-chile-el-gordo-alex-uno-de-los-lideres-del-tren-de-aragua-acusado-de-ordenar-el-asesinato-de-ronald-ojeda/?utm_medium=Social&utm_source=Twitter#Echobox=1755184683)

<sup>247</sup> A/HRC/57/CRP.5, para. 139.

<sup>248</sup> Such is the case, for example, of Ányelo Heredia, Carlos Jesús Sánchez Vásquez, Guillermo Enrique César Siero and Diana Desirée Victoria Justo. See: A/HRC/57/CRP.5, paras. 135 and 136.

<sup>249</sup> Such is the case, for example, of Luis Camacaro, Juan Freites, Guillermo López and Williams Dávila. See: A/HRC/57/CRP.5, paras. 137 and 138.

258. The longest-lasting case of confirmed enforced disappearance investigated by the Mission during this period is that of the United States-French citizen Lucas Hunter, who was detained on 7 January 2025 while in Colombian territory. Hunter was released on 18 July 2025 as part of a tripartite agreement between Venezuela, the United States of America and El Salvador.

259. Between the day of his detention and his release, six months and 11 days elapsed, during which Hunter remained in incommunicado detention. His family searched for him through social media, digital platforms, and requests addressed to the authorities. Human rights organisations in Venezuela also searched for him in various detention centres in Caracas. Numerous diplomatic efforts to ascertain Hunter's whereabouts and fate were unsuccessful. Hunter was not brought before a judge during his captivity, according to his own testimony. Details of this case are provided in the Annex to this document on illustrative cases.

260. In the case of Renzo Yasir Huamanchumo Castillo, a United States and Peruvian citizen, the presentation hearing took place on 16 December 2024, almost three months after his detention. Although Diosdado Cabello acknowledged his detention on his television programme *Con el Mazo Dando* on 17 October 2024, without giving details about his fate or whereabouts, whether interpreted restrictively or expansively, Huamanchumo remained in a situation of enforced disappearance for at least 25 days. Along with him, two other Venezuelan nationals were detained, whose hearing also took place on 16 December 2024. No authority has acknowledged their detention, and they were therefore victims of enforced disappearance for almost three months.<sup>250</sup>

261. In other cases, such as those of at least four children and Noel Álvarez, the disappearances lasted for several days. In other cases, according to the expansive interpretation, such as that of Luis Somaza, the disappearances also lasted for several days. In the remaining cases, such as those of Carlos Correa and Jesús Armas, the disappearances lasted several hours.<sup>251</sup>

262. The State persisted in using subterfuges to avoid legal proceedings, manipulating the guarantees established by law, including incommunicado detention. For example, in the case of Luis Somaza, the judicial oversight took place on 19 February 2025, seven days after the detention, but Cabello had acknowledged this on 14 February 2025.<sup>252</sup>

263. Enforced disappearances, most of them short-term, continued to be committed mainly against opposition politicians and human rights defenders. These included the disappearance of Carlos Correa, which lasted four hours beyond the 48 hours prescribed by law for bringing detainees before a judge; that of Jesús Armas, which lasted one day; and that of Noel Álvarez, who remained disappeared for three days after the 48-hour period. In other cases, with this victim profile, such as that of Eduardo Torres, the Mission has confirmed that he was brought before a judge three days after his detention.<sup>253</sup>

264. Of particular concern were the enforced disappearances of children and adolescents, in which neither the best interests of the child nor the additional guarantees that international and national legislation grant to children and adolescents deprived of their liberty were respected. Among these additional guarantees is the obligation to bring children and adolescents before a judge within 24 hours of their detention.

265. The Mission documented the case of four children, aged between 15 and 17, who were detained on 29 and 30 July 2024 in a State in the central part of the country by PNB officials. No authority acknowledged their detention, and from that same day, their families went to various security forces headquarters to inquire about them, where they were repeatedly denied information about their whereabouts or fate. Only after the judicial oversight hearing,

<sup>250</sup> Interview WWIV155.

<sup>251</sup> See Illustrative cases of Jesús Armas, Luis Somaza, and Carlos Correa in the Annex to this document on illustrative cases.

<sup>252</sup> YouTube video, NTN24, [@handle], "Diosdado Cabello confirmed the arrest of Luis Somaza, member of Voluntad Popular, in Venezuela," 14 February 2025. Available at: <https://www.youtube.com/watch?v=6ZUGCAijrsE>

<sup>253</sup> Interview WWIV137.



held on 10 August 2024, which exceeded the 24-hour period prescribed by law, was it revealed that they were being held at a PNB facility. These cases, which include alarming elements of sexual and gender-based violence, are reflected in the chapters *infra* on the situation of children and on sexual violence.<sup>254</sup>

266. As established by international standards and jurisprudence, enforced disappearance constitutes multi-offensive human rights violation that infringes, among others, the rights to personal liberty, personal integrity and, eventually, life. In this regard, when this violation is committed, victims may be subjected to arbitrary detention, prolonged incommunicado detention and isolation, torture, ill-treatment and other abuses. In almost all of the cases documented by the Mission, allegations were received regarding concurrence of several of these practices.<sup>255</sup>

a) *Search for detained persons*

267. In the vast majority of cases, the search processes undertaken by the families, human rights organisations, and private lawyers began immediately after the detention became known. However, in most cases, the authorities consulted denied having the detainees in their custody, even though they were in fact being held under their authority.<sup>256</sup>

268. In cases involving detained foreign nationals, as explained below, the search processes were challenging and arduous. This was because their families were unfamiliar with the Venezuelan criminal justice system, lacked a local support network or, in some cases, their country of nationality did not have diplomatic or consular representation in Venezuela.<sup>257</sup>

269. On occasion, despite the authorities' efforts to conceal the whereabouts of detainees and keep them in strict incommunicado detention, families managed to ascertain out their whereabouts, usually thanks to informal information from someone they knew. For example, in the case of Eduardo Torres, his family learned that he was being held by the SEBIN at El Helicoide on 17 May 2025, without any competent authority having informed them. Since then, the family has been leaving clothes and personal items at the detention facility in the hope that they will be given to Torres, who, at the time of finalizing this report, remains incommunicado.<sup>258</sup>

b) *Acknowledgement of detentions*

270. In at least 16 cases documented by the Mission, senior State authorities acknowledged the detentions in some way. Such acknowledgements, in various forms and through different means, were usually made by the Minister of the Interior and Justice, Diosdado Cabello, and the Attorney General, Tarek William Saab. In some cases, the acknowledgement was made by the authorities guarding the detainees or by other security agencies.

271. Diosdado Cabello, for example, acknowledged the detentions of several foreign nationals, as well as those of Jesús Armas and Luis Somaza. Tarek William Saab acknowledged the detentions of Eduardo Torres and Martha Grajales, among others.<sup>259</sup> In the

<sup>254</sup> Interview IIIV148, Document IIDC171.

<sup>255</sup> See illustrative cases of Carlos Correa, Nérida Sánchez, Lucas Hunter, Eduardo Torres, and other cases whose victims have requested to remain anonymous.

<sup>256</sup> See illustrative cases of Carlos Correa, Luis Somaza, Eduardo Torres, Nahuel Gallo, and other cases whose victims have requested to remain anonymous.

<sup>257</sup> Interviews PPIV167; HHIV171 and HHIV172.

<sup>258</sup> Interview WWIV137; Document WWDC117.

<sup>259</sup> NTN24, "Cabello assures that Jesús Armas, detained by the regime, provided accurate information about alleged violent plans for 10E," 19 December 2024. Available at: <https://www.ntn24.com/noticias-actualidad/cabello-asegura-que-jesus-armas-detenido-por-el-regimen-entrego-datos-exactos-de-supuestos-planes-violentos-para-el-10e-529614>; YouTube video, TVES [@tvesaldia], "Con El Mazo Dando | Diosdado Cabello | Programme 507", 11 December 2024. Available at: <https://www.youtube.com/live/94ZXWsfGdJI?si=o2pkNvCn2veHatFd&amp;t=8823> [min. 2:27:03]; Instagram posts by the Attorney General of the Republic – Tarek William Saab [@mpublicove], 13 May 2025. Available at: [https://www.instagram.com/p/DJm4H4qpVKS/?utm\\_source=ig\\_web\\_button\\_share\\_sheet](https://www.instagram.com/p/DJm4H4qpVKS/?utm_source=ig_web_button_share_sheet); and 11

case of Jesús Álvarez, members of the GNB at a police checkpoint informed the family of his initial place of detention.<sup>260</sup> In three cases, the PNB acknowledged that the detainees were in its custody. In two of these cases, the acknowledgement was made officially and in one case informally.<sup>261</sup>

272. In the case of the Álvarez, following the information provided at the GNB checkpoint, the family went to the detention facility, GNB Rural Command Detachment 628 in El Callao, Bolívar State, where they were able to see Álvarez in the yard. Álvarez silently signalled to them to indicate that he was well, thus avoiding attracting the attention of his custodians.<sup>262</sup>

273. Acknowledgement by high-ranking State authorities was made through the Attorney General's personal social media accounts or on official government-aligned broadcasts, such as Diosdado Cabello's *Con el Mazo Dando*. In one exceptional case, the detention of Juan Pablo Guanipa on 23 May 2025, Diosdado Cabello used digital media to broadcast, without sound, the recording of the detention.<sup>263</sup>

274. The acknowledgement of the detentions was always generic, without providing evidence to prove it. In none of the cases documented and investigated by the Mission during this period did the authorities' acknowledgements provide details about the whereabouts or conditions of the detained persons, or regarding when, how, and before which judge or court the judicial oversight hearings were held. In some cases, such as those of Eduardo Torres and Martha Grajales, the Attorney General merely stated that the persons had been brought before a judge in accordance with "the procedural time limits".<sup>264</sup> In the case of Torres, despite the Attorney General's statement, the Mission has reasonable grounds to believe that this was not the case and that he was brought before a judge one day outside the legal timeframe.. In both cases, acknowledgements were made as a result of pressure from national and international human rights organisations.<sup>265</sup>

275. The Mission highlights that, in at least one case from the previous investigation period, the authorities lied about the dates of detention. In the case of Ányelo Heredia, reported in its 2024 report, the Prosecutor stated that the victim had been detained on 16 January 2024, when in fact the Mission corroborated with reasonable grounds to believe that he had been detained a month earlier, on 16 December 2023, by the DGCIM.<sup>266</sup> In this investigation cycle, the Mission has also corroborated, with reasonable grounds to believe, that the authorities altered official documents to plant false evidence against the individuals in detention. Nélica Sánchez, detained on 26 August 2024, was recorded in the police report as having been detained on 28 August, in order to accuse her of sending (false) messages on

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August 2025. Available at: <https://efectococuyo.com/la-humanidad/tarek-william-saab-dice-que-imputaron-a-martha-lia-grajales-tras-presentarla-en-tribunales/>

<sup>260</sup> Interview HHIV169.

<sup>261</sup> See illustrative cases by Jesús Martínez, WUP195 and ED0X94.

<sup>262</sup> Interview HHIV169.

<sup>263</sup> This case, referred to in the chapter Digital Space of Restrictions on Civic Space, has other implications, such as, given that the detainee is a high-profile politician, serving as an example for others at risk of detention with a large police presence. See: YouTube video, Red Digital Noticias [@rdnvenezuela2025], "Press conference by Minister of the Interior and Justice Diosdado Cabello – Arrest of Juan Pablo Guanipa," 23 May 2025. Available at: <https://www.youtube.com/live/HM4K6lFkpN8?si=58stNcbEg7lWQIU1>

<sup>264</sup> Instagram posts by Attorney General of the Republic – Tarek William Saab [@mpublicove], 13 May 2025. Available at:

[https://www.instagram.com/p/DJm4H4qpVKS/?utm\\_source=ig\\_web\\_button\\_share\\_sheet](https://www.instagram.com/p/DJm4H4qpVKS/?utm_source=ig_web_button_share_sheet); and 11 August 2025. Available at: <https://efectococuyo.com/la-humanidad/tarek-william-saab-dice-que-imputaron-a-martha-lia-grajales-tras-presentarla-en-tribunales/>

<sup>265</sup> Post on X by UN Human Rights [@UNHumanRights], 11 August 2025. Available at: <https://x.com/UNHumanRights/status/1954927581905715466>; Post on X by PROVEA [@\_Provea], 8 August 2025. Available at: [https://x.com/\\_Provea/status/1953917411419423092](https://x.com/_Provea/status/1953917411419423092); Amnesty International, "Venezuela: Authorities must immediately release Eduardo Torres, cease persecution of human rights defenders and all forms of politically motivated repression," 30 May 2025. Available at: <https://www.amnesty.org/es/documents/amr53/9458/2025/es/>; and PROVEA [@\_Provea] post on X, 25 June 2025. Available at: [https://x.com/\\_Provea/status/1937964714698657890](https://x.com/_Provea/status/1937964714698657890)

<sup>266</sup> A/HRC/57/CRP.5, Case 3: Anyelo Heredia (Operation White Bracelet) and paras. 134-135

26 and 27 August a period during which she was already detained and had no access to electronic devices to send messages.<sup>267</sup>

c) *Judicial oversight of detentions*

276. In its previous reports, the Mission has identified that the perpetrators of enforced disappearances include a multiplicity of institutional actors and individuals. This has been confirmed by the Mission during the current investigation cycle.

277. Not only are the security forces responsible for enforced disappearances, as they carry out the detentions, and hold people in illegal custody, but also the Attorney General's Office, which provides false legal cover, the judicial system, which conceals the crime and does not allow judicial guarantees to function, going so far as to not even accept *habeas corpus* petitions, as detailed below, and the Ombudsman's Office, which fails to fulfil its duties. All these actors are part of the State's repressive machinery, acting in a coordinated manner with a common purpose.

278. In almost all judicial proceedings related to detentions during the post-election repression of 2024, the presentation hearings were held without informing lawyers or family members and were only discovered by the victims themselves when they were released, or informally.<sup>268</sup>

279. In the case of the detentions of foreign nationals, due to judicial secrecy and lack of transparency, except in two cases of individuals who were released, it has been impossible for the Mission to corroborate that the hearings actually took place.<sup>269</sup>

280. The Paramacay Fort, historical headquarters of the 41st Armoured Brigade "Capitán Juan Ángel Bravo García", located in Naguanagua, near Valencia, Carabobo State, was used as a temporary detention centre for 103 individuals. These individuals had been detained on 29 and 30 July 2024. Many were then transferred to the PNB headquarters in Los Guayos, where they were brought before a judge on 2 August 2024, exceeding the 48-hour limit. Among those detained were children and adolescents, for whom the deadline for appearing before a judge is more protective and must not exceed 24 hours from the time of detention. The hearing was collective, involving all 103 individuals, without distinction between adults and children and adolescents. The hearing was conducted remotely, without the individuals being able to understand what was happening or to participate.<sup>270</sup>

## 2. Clandestine detention centres

281. During the investigation period covered by this report, the Mission has learned that the practice of using safe houses or clandestine detention centres continues. According to international standards, under no circumstances can "clandestine detention centres or places, which by definition would constitute a violation of the Declaration [on the Protection of All Persons from Enforced Disappearance], without exception" be justified.<sup>271</sup>

282. In at least four cases investigated, the Mission has obtained information that the detainee individuals were taken to these clandestine houses, where it has also been alleged that they suffered ill-treatment or torture at the beginning of their detention.<sup>272</sup>

283. Ricardo Albacete, a Venezuelan-Spanish citizen, businessman and former senator, was detained in Caracas on 11 July 2024 after hosting María Corina Machado at his residence in Táchira State. On 12 July 2024, during a press conference, the Attorney General stated

<sup>267</sup> See Illustrative Case of Nérida Sánchez in the Annex to this document.

<sup>268</sup> See *above*, Section on Arbitrary Detentions.

<sup>269</sup> *Ibid.*

<sup>270</sup> *Ibid.*

<sup>271</sup> E/CN.4/1997/34, para. 24. Similarly, the Committee on Enforced Disappearances and the Working Group on Enforced or Involuntary Disappearances have jointly stated that "secret detention is always a form of enforced disappearance and, as such, is prohibited (art. 17 of the Convention and art. 10 of the Declaration), regardless of its duration." See: CED/C/11, para. 5.

<sup>272</sup> Interview WWIV122. See also: Illustrative Case of Jesús Armas and other cases in which the victims have requested to remain anonymous.

that Albacete had been detained for an alleged attempt to attack the electricity service and “destabilise” the presidential elections.<sup>273</sup>

284. According to his own testimony, during the first days of his detention, Albacete was held at the PNB in Maripérez and later in Zone 7 of Boleíta. On the night of 7 October 2024, he was transferred to an unofficial detention centre located in an apartment in La Castellana, Caracas, with the promise that he would be released in the following days. However, he remained in that clandestine centre until 20 December 2024, when he was released.<sup>274</sup>

285. During his time in that clandestine centre, Albacete was under constant surveillance by two armed custodians, although he was able to communicate with his family by telephone on two occasions, without revealing his place of confinement. He was also able to send and receive letters from his family, which were reviewed in advance by the custodial staff. According to his testimony, he was not beaten or physically abused, although he experienced great distress due to the uncertainty of his situation. When he was released, he did not receive a release warrant.<sup>275</sup> Albacete has since fled Venezuela.

286. Jesús Armas, a Venezuelan political activist and member of *Comando Con Venezuela*, was detained on 10 December 2024 in Caracas by SEBIN officials. According to the information obtained, Armas was transferred to a clandestine house in a residential area of Colinas de Santa Mónica, San Pedro parish, Libertador Municipality, in the Capital District. There, Armas was tied to a chair for three days and suffocated with plastic bags while being interrogated. Armas was subsequently transferred to several official detention centres. His family and lawyers, including Eduardo Torres, who months later also became a victim, searched for him in several of these centres in Caracas, but no authority provided any information about his fate or whereabouts.<sup>276</sup>

287. The Mission was informed by a source that Armas, after leaving the safe house, was brought before a judge in one of the detention centres, via video link, on 13 December 2024, three days after his detention. The Mission has reasonable grounds to believe that Armas suffered a short-term enforced disappearance lasting one day. The details of this case are set out in the Annex to this document on illustrative cases.

288. Noel Vidal Álvarez Camargo, also a political activist with *Comando Con Venezuela* during the 2024 presidential campaign, was detained on 10 January 2025 in the Baruta Municipality, Miranda State, by SEBIN officials. According to the victim's own testimony, relayed to his relatives, Álvarez was taken to a clandestine centre also in Colinas de Santa Monica, where he remained for at least 24 hours, hooded and guarded by a watchdog. In that safe house, Álvarez was beaten on the body and face by his captors, who later transferred him to El Helicoide.<sup>277</sup>

289. His family and lawyers inquired about Álvarez in several locations, but no authority provided them any information about his fate or whereabouts.<sup>278</sup> According to information documented by the Mission, on 15 January 2025, his presentation hearing took place before the Third Control Court with national jurisdiction over offences related to terrorism, for the offences of terrorism, conspiracy and incitement to hatred.<sup>279</sup> According to this information,

<sup>273</sup> YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], “Attorney General Tarek William Saab on sabotage of the electrical system, 12 July 2024”, 12 July 2024. Available at: <https://www.youtube.com/watch?v=x5RFFU2Qrvk>.

<sup>274</sup> Interview WWDC122.

<sup>275</sup> *Ibid.*

<sup>276</sup> See Illustrative Case of Jesús Armas in the Annex to this document.

<sup>277</sup> IACHR, *Noel Vidal Álvarez Camargo regarding Venezuela*, resolution 47/2025, precautionary measure no. 752-25, 10 July 2025. See also: Post on X by DDHH Vente Venezuela [@VenteDDHH], 10 January 2025. Available at: <https://x.com/VenteDDHH/status/1877827765627764946>

<sup>278</sup> Post on X by Reporte Ya [@ReporteYa], 11 January 2025. Available at: <https://x.com/ReporteYa/status/1878254301862142031>.

<sup>279</sup> IACHR, *Noel Vidal Álvarez Camargo regarding Venezuela*, resolution 47/2025, precautionary measure no. 752-25, 10 July 2025. See also: Publication on X by Luis Carlos Díaz [@LuisCarlos], 22 April 2025. Available at: <https://x.com/LuisCarlos/status/1914845056869032385>

Álvarez was the victim of enforced disappearance for five days. His family was able to see him for the first time on 7 February 2025.

290. In another case, the victim, asked the Mission not to disclose their identity, was taken by their captors to a safe house, presumably in a residential area of Caracas. The victim was kept blindfolded in that house for more than 24 hours while being interrogated.<sup>280</sup>

### 3. Enforced disappearances of foreign nationals

291. As noted above, the Mission has documented and investigated the detention of foreign nationals who have been held incommunicado for months. Neither their families nor lawyers, nor the authorities of their own governments, had any information about their whereabouts or fate, despite efforts to locate them.

292. In these cases, the Venezuelan authorities have made significant efforts to keep even their legal status secret. In this context, the Mission has been unable to find any evidence that the foreign nationals were brought before a judge, with the exception of two cases of individuals who were released.<sup>281</sup>

293. The impact of enforced disappearance on families is severe, including foreign families, who also lack a support network in the country. Families from the United States, Latin American, European, and Asian faced extreme fear and uncertainty knowing that their loved ones were held without legal protection or communication in a distant country, often one whose language they did not even speak. The lack of diplomatic representation in Venezuela by many countries, as well as the Venezuelan authorities' disregard for consular protection measures, as noted in the chapter on arbitrary detentions in this document, resulted in despair and fear for the fate of their loved ones.<sup>282</sup>

294. An illustrative case in this regard is that of Lucas Hunter, a United States and French national who was detained on 7 January 2025 and released after more than six months as a result of the tripartite agreement of 18 July 2025 between El Salvador, Venezuela and the United States of America. Hunter's family, especially his sister, had to navigate the world of diplomacy and international institutions to do everything possible to secure the release of their loved one. The details of this case are outlined in the Annex to this document on illustrative cases.

295. Enforced disappearance has ongoing effects on the families of the disappeared, particularly while their fate or whereabouts remain unknown.<sup>283</sup> Under international law, family members have the right to know the truth about the circumstances of the disappearance, the progress of the investigation, and the final fate of the disappeared person. This right has been recognised as an autonomous right and is not subject to restrictions.<sup>284</sup> Furthermore, the enforced disappearance of a person can cause suffering to family members, which may reach the threshold of ill-treatment or torture.<sup>285</sup>

### 4. Habeas corpus and the responsibility of the justice system authorities

296. In its previous reports and public statements, the Mission has already highlighted the lack of impartiality of the justice system due to government interference and the lack of independence and separation of powers.<sup>286</sup> During the period under investigation, this lack of impartiality has persisted. Justice system officials contribute to the implementation of the State policy of silencing and repressing opponents or those perceived as such.

<sup>280</sup> Interviews YZM482 and VEF993.

<sup>281</sup> See Lucas Hunter's illustrative case in the Annex to this document.

<sup>282</sup> Interviews HHIV171, HHIV172 and PPIV167.

<sup>283</sup> General Comment No. 36 (Right to life), CCPR/C/GC/36, para. 58.

<sup>284</sup> Working Group on Enforced or Involuntary Disappearances, General Comment on the right to the truth in relation to enforced disappearances, 26 January 2011, A/HRC/16/48, para. 39.

<sup>285</sup> Working Group on Enforced or Involuntary Disappearances, Enforced or Involuntary Disappearances, Report, 4 August 2021, A/HRC/48/57, para. 59; and Human Rights Committee, *Almeida de Quinteros v. Uruguay*, Communication No. 107/1981, para. 14

<sup>286</sup> A/HRC/48/CRP.5.

297. In this context, the systematic blocking and rejection of the timely receipt, processing, and/or application of *habeas corpus*, one of the fundamental guarantees to protect the life, liberty, and integrity of detained persons, is particularly notable.<sup>287</sup>

298. The Mission recalls that, according to international jurisprudence, *habeas corpus* is the appropriate procedural guarantee against enforced disappearances due to its “essential function [...] as a means to monitor respect for the right to life and personal integrity, to prevent disappearance or uncertainty regarding the place of detention, and to protect against torture or other cruel, inhuman or degrading treatment or punishment.”<sup>288</sup>

299. In its recent April 2025 report on *effective judicial protection and judicial independence of the Supreme Court of Justice in habeas corpus proceedings*, the organisation Access to Justice revealed that of 207 decisions by the Constitutional Chamber of the Supreme Court of Justice on *habeas corpus* petitions between 2021 and 2023, only in one case was the guarantee granted to the petitioner. It took the Supreme Court six years to reach that decision.<sup>289</sup>

300. In the period following the July 2024 presidential elections, until 31 December 2024, the Mission documented at least 22 cases in which *habeas corpus* petitions were not received or processed, despite their submission by lawyers or family members. After 28 July, as reported by the Mission in its September 2024 conference room paper, judicial officials “were complying with an order not to receive complaints of enforced disappearance or *habeas corpus* petitions”.<sup>290</sup> Between 1 January and 31 August 2025, the Mission documented 17 cases in which *habeas corpus* petitions were not received or processed.

301. Therefore, during the period covered by this report, up to 31 August 2025, the Mission has documented at least 39 cases in which an unsuccessful *habeas corpus* petition has been lodged. These cases include the 20 mentioned by the Mission in its public statement of 14 May 2025.<sup>291</sup> Among the cases in which a *habeas corpus* petition was filed but not accepted are those of Jesús Armas, Martha Grajales, and Carlos Correa.<sup>292</sup>

302. In the case of Eduardo Torres, after being detained on 9 May 2025, he had his *habeas corpus* petition rejected on 11 May 2025 by the president of the Caracas Criminal Court Circuit, Judge Carolina Molinos. The following day, the Constitutional Chamber of the Supreme Court admitted the petition. However, as of the finalisation of this conference room paper, the Court had not issued any ruling on the matter. Other similar cases in 2025 with the same pattern of violations were those of Lucas Hunter, Rory Branker, Juan Pablo Guanipa, Fernando Loaiza Chacón, Albany Colmenares, and Julio Balza.

303. In addition to *habeas corpus*, the Mission has recorded that relatives and lawyers of the victims regularly file complaints with the Attorney General’s Office and the Ombudsman’s Office regarding enforced disappearances. In none of the cases known to the Mission during this investigation cycle has this remedy been effective or resulted in any search or other action on the part of these institutions for the benefit of the victims.<sup>293</sup>

<sup>287</sup> Document HHDC247.

<sup>288</sup> Inter-American Court of Human Rights, Advisory Opinion OC-8/87 of 30 January 1987, para. 35, requested by the IACHR, “Habeas corpus under suspension of guarantees (Arts. 27.2, 25.1 and 7.6 American Convention on Human Rights).”

<sup>289</sup> Access to Justice, “Effective judicial protection and judicial independence of the Supreme Court of Justice in *Habeas Corpus* Proceedings,” April 2025. Available at: <https://accesoalajusticia.org/wp-content/uploads/2025/03/HC-Informe.pdf>.

<sup>290</sup> A/HRC/57/CRP.5, para. 695.

<sup>291</sup> Mission communiqué of 14 May 2025, demanding an end to the state practice of isolating detained opposition figures and warning of the ineffectiveness of judicial remedies for protection, available at <https://www.ohchr.org/es/press-releases/2025/05/venezuela-fact-finding-mission-urges-end-state-use-isolation-against>.

<sup>292</sup> Document HHDC247.

<sup>293</sup> See illustrative cases of Jesús Armas, Lucas Hunter, Nahuel Gallo, Q363CM, Eduardo Torres and Luis Somaza in the Annex to this document.



## D. Torture and other cruel, inhuman, or degrading treatment or punishment

304. The Mission wishes to recall that the right not to be subjected to torture and ill-treatment is non-derogable and its prohibition is absolute, even in the most complex scenarios such as states of emergency, armed conflicts or the fight against terrorism.<sup>294</sup>

305. The obligations and minimum standards regarding incommunicado detention and isolation of detainees are particularly relevant to the Mission's considerations during the present investigative cycle.<sup>295</sup>

306. Torture is one of the violations and crimes that represent a continuation of the same pattern of conduct that the Mission characterised in previous reports as crimes against humanity. This violation, together with others, such as arbitrary detentions and sexual violence, as well as other related violations committed within the framework of a discriminatory policy, and considered as a whole, constitutes the crime against humanity of persecution based on political motives, due to the identity of the victims as persons opposed to the government or perceived as such, or simply critical of the government.<sup>296</sup> Torture and cruel, inhuman or degrading treatment or punishment may include acts of sexual, reproductive or other forms of gender-based violence.<sup>297</sup>

### 1. General findings

#### a) *Identified patterns*

307. Since October 2024, the Mission has focused its efforts on gathering information on acts committed against persons detained in the post-election context of 2024, with particular attention to the differentiated risks faced by women and children, including sexual violence as a form of torture. This line of investigation allowed the identification of the patterns of physical, psychological, and sexual violence described below, which were used as mechanisms of punishment, intimidation, or extraction of confessions, in an environment characterised by a lack of judicial guarantees and the persistent fear of reprisals on the part of victims and their families.

308. During the present investigative cycle, the Mission has reasonable grounds to believe that the patterns of these violations identified in its 2024 report continue. This is based on interviews with victims and witnesses, analysis of court files, medical and forensic information, and other documentary sources, as reflected below. Confirmed patterns include incommunicado detention, prolonged isolation, the use of punishment cells, physical and psychological ill-treatment, including sexual abuse such as the use of electricity on genitals and rape and threats of rape, threats to force self-incrimination or incriminate third parties, acts of sexual and gender-based violence such as forced nudity and coercive transactional sex, as well as threats to cause harm to the families of detainees.<sup>298</sup>

309. These patterns have been corroborated both in the context of the arrest and interrogation of political opponents or those perceived as such, and during imprisonment. They were inflicted indiscriminately on men, women, children, and adolescents.

310. The Mission has also confirmed cruel, inhuman, or degrading conditions of detention, particularly in temporary detention centres and in the Tocuyito and Tocarón prisons, where most of those imprisoned in connection with the post-election protests were held. This conclusion is based on direct testimony from persons who had been released, as well as

<sup>294</sup> OHCHR, 2021 “The prohibition of torture and other cruel, inhuman or degrading treatment or punishment.” 2021. Available at: <https://acnudh.org/wp-content/uploads/2021/11/25-La-prohibicion-de-la-tortura-y-otros-tratos-y-penas-cruels-inhumanos-o-degradantes.pdf>.

<sup>295</sup> The relevant aspects of the legal framework for solitary confinement and incommunicado detention are detailed in the chapter on arbitrary detention in this document.

<sup>296</sup> A/HRC/57/57.

<sup>297</sup> International Criminal Court. (2023). *Policy on gender-based crimes*. <https://www.icc-cpi.int/sites/default/files/2023-12/2023-policy-gender-en-web.pdf> para, 55

<sup>298</sup> A/HRC/57/CRP.5



corroborated information on the conditions of detention and medical care provided in these centres. This includes, in particular, the lack of adequate food and access to health care, which in some cases led to the death of detainees.<sup>299</sup>

311. In addition, the Mission documented cruel, inhuman, or degrading treatment or punishment that could reach the threshold of torture. These include cases of isolation, incommunicado detention, confinement in punishment cells, and lack of adequate health care. As additional disciplinary measures, the Mission documented deliberate delays in the release procedures under the justification of “misconduct.”<sup>300</sup>

312. The Mission has corroborated that many of the persons released, including adolescent boys and girls, presented physical and psychological sequelae consistent with acts of torture and cruel, inhuman, or degrading treatment or punishment. Among these, the most frequently identified were bruises, burns, urinary tract infections and heavy bleeding in women, and muscle injuries, as well as sleep disorders, severe anxiety, intrusive and suicidal thoughts, and social and family withdrawal.<sup>301</sup>

313. The Mission has reasonable grounds to believe that, when the facts were reported by family members and lawyers to the Attorney General’s Office, the Ombudsman’s Office or the judiciary, no corrective measures were taken, no investigations were initiated, and no protection mechanisms were implemented for the victims, as required by international obligations.

314. Details of the investigations in specific cases are provided in the Annex to this document on illustrative cases.

b) *Acts of torture during interrogations in detention*

315. In its report of September 2024, the Mission investigated cases of physical and psychological violence during interrogations committed by officials from various State security forces in the period immediately prior to the presidential elections of 28 July 2024. The assaults included “punches, blows with wooden boards or foam-covered bats, electric shocks, including to the genitals, suffocation with plastic bags, immersion in cold water, and forced sleep deprivation through lighting and/or loud music 24 hours a day.”<sup>302</sup> These techniques were deliberately applied to break the resistance of the victims and induce forced confessions or fabricated accusations against third parties.

316. In the current investigative cycle, the Mission confirmed that these practices continued against individuals in detention during the post-election protests, highlighting their systematic nature and the lack of corrective action by the authorities to prevent this practice. These acts were committed mainly in transitory detention centres, such as police and military facilities, as well as in clandestine safe houses, with the aim of inflicting punishment, humiliating, or obtaining information or confessions from victims during interrogations.

317. An activist and member of the political party *Voluntad Popular*, who asked the Mission to remain anonymous, was detained in August 2024. During the interrogations to which he was subjected, the activist suffered multiple blows with a wooden rod on his fingertips, blows to the stomach and blows with an extendable metal baton on his body covered while a mattress covered his body to force him to give information about his participation in logistical tasks in support of the opposition during the presidential elections and about leaders of the *Voluntad Popular* party. The activist was also locked up for at least three hours in a cell measuring approximately one metre by one metre, with no ventilation and a strong nauseous odour.<sup>303</sup>

318. In another case investigated by the Mission, a political activist and human rights defender was detained several days before the 2024 presidential elections in the State of Nueva Esparta. During his detention, the activist was subjected to multiple electric shocks

<sup>299</sup> See Cases of death in State custody *supra*.

<sup>300</sup> Interview WWIV145.

<sup>301</sup> Documents HHDC239 and HHDC240.

<sup>302</sup> A/HRC/57/CRP.5

<sup>303</sup> Interviews RRIV003; RRIV004 and RRDC001.

on his toes while SEBIN officials interrogated him.<sup>304</sup> According to information received by the Mission, the officials sought to obtain information about the whereabouts of individuals linked to the opposition, as well as the identity of the person responsible for guarding the electoral records in the region.<sup>305</sup>

319. In another case, a political activist and human rights defender was detained by State agents in Caracas. According to the Mission's documentation, SEBIN officials transferred him to a clandestine house in a residential area in the Colinas de Santa Monica, in the San Pedro parish, Municipality of Libertador, Capital District, where he was tied to a chair for three days. During that time, he was suffocated with plastic bags as part of interrogations in which he was forced to provide information about Venezuelan opposition political leaders.<sup>306</sup>

320. In another case investigated by the Mission, whose identity is being withheld, a person who was detained by the PNB on 8 August 2024 was forced by DAET officials to record a statement during an interrogation. According to information recorded by the Mission, this person was subjected to electric shocks and suffocation with a bag containing talcum powder in order to force him to incriminate himself regarding his role in an electoral protest.<sup>307</sup>

c) *Isolation and punishment cells*

321. As reflected in the section on arbitrary detention in this report, international human rights standards define the isolation of detainees as the absence of appreciable human contact for a period of 22 hours.<sup>308</sup> When isolation lasts for more than 15 consecutive days, international law considers it "prolonged isolation."<sup>309</sup> Both prolonged and indefinite isolation are prohibited by international standards<sup>310</sup> and are considered forms of torture or ill-treatment when used as punishment, to obtain information or confessions, or for other purposes of coercion or intimidation.<sup>311</sup>

322. During the period covered by the present report, the Mission verified cases in the Tocarón and Tocuyito detention centres where isolation in special punishment cells was used as punishment against persons detained in the post-election protests of 2024. Similarly, the Mission also received testimonies indicating that several detainees in these centres were sent to these cells in retaliation for demanding decent conditions of detention, including, for example, access to food and/or medication.<sup>312</sup>

323. In one case investigated by the Mission, Lindomar Bustamante, detained in Tocarón, repeatedly asked prison officials to provide him with his anti-seizure medication, to no avail. In retaliation for his insistent demands, Bustamante was punished with a transfer to a punishment cell known as "El Tigrito," where he remained for approximately 15 days.<sup>313</sup> The day after he was removed from the punishment cell, in the early hours of 3 May, he was found dead, hanged inside his cell.<sup>314</sup>

324. In addition, the Mission received information that another person, also held in Tocarón, was sent to an isolation punishment cell on at least three separate occasions over the course of eight months, the longest being 21 days. On one of those occasions, he was even forced to sleep completely naked, and on several occasions cold water was thrown on

<sup>304</sup> Interviews XXZ214 and WWIV131

<sup>305</sup> Interviews XXZ214 and WWIV126.

<sup>306</sup> Interview HHIV154.

<sup>307</sup> Interview WWIV148.

<sup>308</sup> Mandela Rules, Rule 44.

<sup>309</sup> *Ibid.*, Rule 43.

<sup>310</sup> Mandela Rules, Rule 43.

<sup>311</sup> Special Rapporteur on torture, 5 January 2016, A/HRC/31/57, para. 22; Human Rights Committee, General Comment No. 20 (art. 7), A/47/40, annex VI.A, para. 6.

<sup>312</sup> Interviews WWIV145; XXZ214 and WWIV146.

<sup>313</sup> Interview WWIV138.

<sup>314</sup> The case is also reflected in the chapter on arbitrary deprivation of life in this document. Interviews WWIV138 and WWIV135.

him in the early hours of the morning.<sup>315</sup> In another case, a detainee was held in an isolation cell for 30 days.<sup>316</sup>

325. People interviewed by the Mission described these punishment cells as extremely small spaces, without ventilation or natural lighting, and without access to basic sanitary facilities.<sup>317</sup> The following is a description of the punishment cells in the Tocuyito and Tocarón detention centres.

***“Adolfo’s Bed” cell in Tocarón***

At the prison facility in Aragua State, known as Tocarón, the Mission documented the use of a punishment cell known as “Adolfo’s bed.” This is an extremely confined space, described as a cubicle measuring approximately one square metre — “no bigger than a washing machine box” — built of concrete blocks and closed with a metal door that witnesses described as similar to a vault. The space lacks ventilation, lighting, and adequate oxygen.<sup>318</sup>

In this space, the detainee cannot stand up or stretch their body, forcing the person to remain in a seated, hunched, crouched or lying position, as if in the foetal position. Detainees are locked up there and sometimes even lose consciousness or reach extreme levels of despair.



*Figure No. 1 “Adolfo’s Bed” cell, created by the Mission*

<sup>315</sup> Interview WWIV145.

<sup>316</sup> Interview IIV165.

<sup>317</sup> Interviews IIIV157, IIIV158, IIIV165, WWIV145; WWIV146 and WWIV147.

<sup>318</sup> Interview XXZ214.

*“El Tigrito” cell in Tocarón*

The Mission documented the use of another punishment cell in Tocarón known as “El Tigrito.” This is also a confined, completely dark and isolated space, with a small slit as its only source of ventilation. Unlike the punishment cell known as “Adolfo’s bed,” in this space, detainees can stand up, although the space does not allow for movement.<sup>319</sup>

According to the testimony of a detainee, there were at least three cells known as “El Tigrito.” Two of them were small, designed for a maximum of two people, although the custodians often placed more people inside than the cell could accommodate.<sup>320</sup>

People held in this type of cell receive food only every two days and are sometimes forced to remain naked, wet and exposed to the cold as an additional form of punishment. The length of confinement varies depending on the alleged infraction, ranging from several hours to days or weeks.<sup>321</sup>



Figure No. 2: “El Tigrito” cell, prepared by the Mission.

<sup>319</sup> Interviews HHIV165; XXZ214; WWIV145 and WWIV146.

<sup>320</sup> Interview HHIV167.

<sup>321</sup> Interviews HHIV165; XXZ214; WWIV145 and WWIV146.

*“Saturno” cell in Tocuyito*

At the Carabobo State Judicial Detention Centre, known as Tocuyito, the Mission documented a punishment cell called “Saturno.” It is a cell measuring approximately two metres by two metres, lacking the minimum conditions required to ensure the humane treatment of persons deprived of their liberty.<sup>322</sup>

In “Saturno” individuals were held for several hours with their hands tied to a pipe above their heads, remaining suspended, although they could place their toes on the floor. A person who had been released prisoner interviewed by the Mission indicated that in these cells, detainees were beaten while suspended by their hands as an additional punishment.<sup>323</sup>

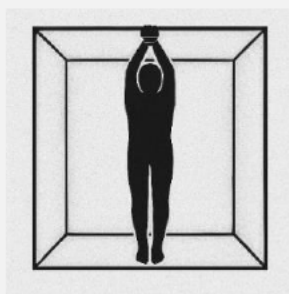


Figure No. 3 “Saturno” cell, prepared by the Mission.

*“El Tigrito” cell in Tocuyito*

In addition, in Tocuyito, the Mission documented the existence of an “El Tigrito” type cell, similar to those in Tocarón. According to the testimony of a person who had been released, the dimensions of these cells in Tocuyito were approximately one metre by one and a half metres in height, very similar to those in Tocarón. According to information received by the Mission, the cell contained no toilet, no mattresses, and inside there was only a concrete slab that served as a bed. It had no lighting and was completely dark.<sup>324</sup>

The Mission was informed that in several cases the purpose of these cells was not to serve as a disciplinary measure under a regulated framework, but rather to deliberately punish detainees through sensory deprivation, prolonged immobility, isolation, and humiliation. In some cases, the mere threat of being sent to a punishment cell was enough to deter detainees from exercising their right to report violations of their rights. Some detainees remained in one of these cells for up to three days without receiving food.<sup>325</sup>

The Mission also obtained information about the existence of punishment cells similar to the abovementioned in other prisons such as Rodeo I and La Crisálida. The use of these cells constitutes a form of torture, as well as cruel, inhuman or degrading treatment.

d) *Places of detention following the 2024 electoral process*

326. The Mission also obtained information about the existence of punishment cells similar to those previously described in other detention centres, such as Rodeo I and La Crisálida.

327. The Mission has identified Tocarón, in Aragua State, and Tocuyito, in Carabobo State, as the main places of detention where persons deprived of liberty were held following the electoral protests in 2024.

<sup>322</sup> Interview WWIV12.

<sup>323</sup> *Ibid.*

<sup>324</sup> *Ibid.*

<sup>325</sup> *Ibid.*

328. In August 2024, Nicolas Maduro announced that Tocarón and Tocuyito would be used to house individuals deprived of their liberty following the electoral process.<sup>326</sup> That same month, according to information available from open sources, the Government carried out urgent renovation and refurbishment work on these facilities, as they had not been fully operational since the end of 2023.<sup>327</sup>

Table 2:

**Comparison between prisons: Tocarón and Tocuyito**

	<i>Aragua Penitentiary Centre (Tocarón)</i>	<i>Carabobo Judicial Detention Centre (Tocuyito)</i>
Location	Aragua State	Carabobo State, near Tocuyito, southwest of Valencia
Category	Maximum security	Maximum security
Installed capacity	750 prisoners	1,200 prisoners
Post-election detainee population (November 2024)	Approximately 900 persons detained in connection with the post-election events (November 2024)	Approximately 400 persons detained in connection with the post-election events (November 2024)
Overcrowding rate	135 per cent	Not officially reported
Reopening date	August 2024	August 2024

*Source: Prepared by the Mission*

329. In addition to these two facilities, the maximum-security detention centre of Rodeo I, in Miranda State, houses a significant number of foreign nationals deprived of liberty.

330. The Mission has identified that a significant number of detainees were initially held in transitory police facilities, including PNB and CICPC headquarters, the main offices of SEBIN, and other security and military installations. In several cases, these locations were used as sites of detention, despite not being legally or structurally authorised fit for that purpose.<sup>328</sup>

331. This situation was highlighted by the United Nations Special Rapporteur on the right to food, who, in his March 2025 report on his visit to Venezuela in February 2024, expressed alarm at the welfare of persons held in transitory detention centres. In these centres, the UN Rapporteur stated, access to food, water and health care is even more limited than in official detention facilities, given the temporary nature of these sites, which are designed solely for pre-trial detention.<sup>329</sup>

<sup>326</sup> Post on X by @NicolasMaduro, 1 August 2024. Available at: <https://x.com/NicolasMaduro/status/1819174829746008323>; <https://www.elnacional.com/venezuela/ovp-encarcelar-a-opositores-en-tocuyito-y-tocoron-es-vengeanza-y-tortura/>; <https://elpitazo.net/alanzas/dia-y-noche-trabajan-empleados-que-reacondicionan-carcel-de-tocuyito/y> <https://elpitazo.net/politica/nicolas-maduro-estoy-preparando-dos-carceles-que-deben-estar-lista-en-15-dias/>. Make available

<sup>327</sup> According to information available in open sources, Tocarón and Tocuyito were intervened by the State in September and October 2023, respectively, as part of operations aimed at restoring constitutional control over these prisons. See El Pitazo, "Employees work day and night to refurbish Tocuyito prison," 14 August 2024, available at: <https://elpitazo.net/alanzas/dia-y-noche-trabajan-empleados-que-reacondicionan-carcel-de-tocuyito/> and El Pitazo, "Nicolás Maduro: 'I am preparing two prisons that should be ready in 15 days'," 1 August 2024, available at: <https://elpitazo.net/politica/nicolas-maduro-estoy-preparando-dos-carceles-que-deben-estar-lista-en-15-dias/>.

<sup>328</sup> This pattern not only violates national regulations, but also contravenes international standards, such as the United Nations Standard Minimum Rules for the Treatment of Prisoners (Mandela Rules), which expressly prohibit prolonged detention in police facilities due to their inadequate conditions and strictly temporary function.

<sup>329</sup> A/HRC/58/48/Add.1, para. 83, Report of the Special Rapporteur on the right to food, Michael Fakhri.

332. The practice of the extended and unlawful use of police premises as places of detention facilities was also raised as a concern by several UN Special Procedures mandate holders in their communications to the Government in November 2024.<sup>330</sup>

## 2. Conditions of detention

333. The Mission has concluded that the conditions of detention identified during the present reporting cycle may constitute torture or cruel, inhuman or degrading treatment or punishment. In this regard, an analysis of these conditions of detention is included in this chapter.

334. In its report on Venezuelan prisons in 2024, the Venezuelan Prison Observatory documented severe overcrowding, deaths due to lack of care, political use of imprisonment, and prison management based on corruption, negligence, and punitive measures in detention centres. The report denounced malnutrition, shortages and corruption, as well as the lack of drinking water and basic medical protocols, adequate staff, supplies and ambulances.<sup>331</sup>

335. Opponents or critics of the Government, or those perceived as such, face the same conditions of detention as the rest of the general prison population. However, the Mission has identified that this group is often subjected to particularly harsh and deliberately repressive treatment.<sup>332</sup> In its May 2025 report, the Committee of Family Members and Friends for the Freedom of Political Prisoners (CLIPPVE) identified discriminatory treatment with regard to the right to food, access to drinking water, health care, and conditions of accommodation, hygiene and clothing.

### a) Right to food

336. The Mission has received information reporting a lack of adequate food provision in the Tocarón and Tocuyito prisons. According to the data collected, the food provided to detainees was in poor condition, infested with insects and, on occasions, decomposing, which caused illness and malnutrition among the prison population.<sup>333</sup> Furthermore, the lack of hygiene and the conditions in which food is delivered exacerbate this situation. A person who was held in Tocuyito told the Mission that, during the first 15 days of his imprisonment in August 2024, he had to eat his food with his hands.<sup>334</sup>

337. The Mission also received allegations that in Tocarón and Tocuyito, families were prohibited from bringing in prepared food for several weeks, with only processed products such as biscuits and sweets being allowed.<sup>335</sup> This had a negative impact on the health of detainees, whose relatives have reported significant weight loss, including cases in which prisoners have lost between 15 and 20 kilograms.<sup>336</sup> The Mission received information that some punishments in Tocuyito included the intentional restriction of food.<sup>337</sup>

338. The Special Rapporteur on the right to food noted that violations of this right intensified from 2024 onwards, mainly due to the increase in persons deprived of liberty in the post-election context. In addition, the Special Rapporteur reported, “the situation has also

<sup>330</sup> Joint communication from eight UN Special Procedures mandate holders. Ref.: AL VEN 11/2024, sent to the Government of Venezuela on 13 November 2024.

<sup>331</sup> Venezuelan Prison Observatory, “No separation or autonomy of powers: prisons and cells as tools of torture,” available at: <https://oveprisiones.com>.

<sup>332</sup> PROVEA, “Unfair imprisonment, inhumane cells,” available at: <https://provea.org/wp-content/uploads/2024/12/Prision-injusta-celdas-inhumanas-INFORME-SOBRE-LAS-CONDICIONES-CARCELARIAS-DE-LOS-PRESOS-POLITICOS-EN-VENEZUELA-2.pdf>. The report was initially published in December 2024 and updated in May 2025.

<sup>333</sup> Interviews WWIV146; USM428 and XXZ214. PROVEA “Report on detention conditions”, December 2024.

<sup>334</sup> Interview WWIV121.

<sup>335</sup> Interviews QJN385 and WWIV121. PROVEA, “Report on detention conditions,” December 2024. This was also identified by the Mission at the Yare III detention centre in Miranda state.

<sup>336</sup> El Nacional, “Relatives report that detainees in Tocuyito are starving to death: ‘My husband weighed 98 kilos and now weighs 65’,” 12 October 2024, available at: [Relatives of detainees in Tocuyito: ‘They are starving to death.’](#)

<sup>337</sup> Interview WWIV121.



been aggravated by restrictions on family visits and the reduction in the number of daily meals, selectively and allegedly punitively against some opponents of the Government or those perceived as such.”<sup>338</sup>

339. The Mission notes that in other detention centres, such as the La Crisálida women's centre, the food is reported to be slightly better, although in general it does not guarantee the right to adequate nutrition.<sup>339</sup>

b) *Right to access to drinking water*

340. In Tocarón and Tocuyito, the water supplied is not potable and is not treated in any way. It is described as “yellow, from a well” and with an earthy taste. Prisoners have linked the condition of the water to the spread of diseases such as diarrhoea, hepatitis, scabies, and dermatitis.<sup>340</sup> During September and October 2024, in Tocuyito, although water was abundant, it was cloudy, smelly, and had an unpleasant taste.<sup>341</sup>

341. One of the individuals recently released from prison, interviewed by the Mission, reported that during his period of detention in Tocuyito, between August and December 2024, prisoners did not receive water supplies at weekends. According to his testimony, this omission was not an individual disciplinary measure, but rather a generalised practice applied to the entire prison population.<sup>342</sup>

342. The same testimony indicated that, between Monday and Friday, he and his cellmate, in a space measuring approximately two metres by two metres, were provided with only one litre of water per day, which they had to share. This amount was clearly insufficient to meet their minimum needs for hydration, personal hygiene and sanitation. From mid-September onwards, family members were allowed to bring in containers of drinking water, but on many occasions the custodial staff took away the water that their relatives had left for them.<sup>343</sup>

343. Relatives of detainees in other centres, such as Rodeo I, reported that prisoners were only given three glasses of water a day at the beginning of their detention, a quantity that was increased to two litres a day after numerous complaints.<sup>344</sup>

c) *Accommodation conditions*

344. The cells in Tocarón measure approximately 3x2 metres, each housing up to six prisoners.<sup>345</sup> This equates to a space of just 1.5 m<sup>2</sup> per person. According to the International Committee of the Red Cross, “the minimum recommended surface area in dormitories is 3.4 m<sup>2</sup> per detainee.”

345. At the PNB headquarters in Los Guayos, Carabobo State, it was reported that 14 people were held in a cell measuring just 5x5 metres for at least 20 days in August 2024.<sup>346</sup> At the same PNB headquarters, at least 100 detainees had to spend two nights sleeping on the floor of the visiting area, a space measuring approximately 5x7 metres, which meant that everyone was practically on top of each other. Among the detainees were both men and women, and the obligation to keep them separate was not respected.<sup>347</sup>

d) *Health conditions*

346. In the normal cells at Tocarón, sanitary facilities are limited to a latrine located directly on the floor, connected by a rudimentary pipe.<sup>348</sup> One person who was released told

<sup>338</sup> Report of the Special Rapporteur on the right to food, Michael Fakhri, A/HRC/58/48/

<sup>339</sup> PROVEA, “*Report on conditions of detention*,” December 2024.

<sup>340</sup> Interview TTIV024. PROVEA, “*Report on conditions of detention*,” December 2024.

<sup>341</sup> Interview WWIV121. PROVEA, “*Report on conditions of detention*,” December 2024.

<sup>342</sup> Interview WWIV121.

<sup>343</sup> *Ibid.*

<sup>344</sup> Interview IIIV139. PROVEA, “*Report on Detention Conditions*,” December 2024.

<sup>345</sup> Interviews WWIV147; WWIV146 and XXZ214.

<sup>346</sup> Interview WWIV121.

<sup>347</sup> *Ibid.* According to Rule 11 of the Mandela Rules, men and women must be housed in separate facilities or, failing that, in separate wings within the same detention centre.

<sup>348</sup> Interviews WWIV147 and WWIV146.

the Mission that the six people who shared a cell had water to bathe for approximately six minutes at three different times of the day. Outside of those brief periods, they had no access to water.<sup>349</sup>

347. According to information gathered by the Mission, in Zone 7 of the PNB, detainees had to relieve themselves in bags and pay officials for access to ventilation or basic survival conditions.<sup>350</sup>

348. In other detention centres, such as the La Crisálida women's centre, female detainees must share a single container of water for washing, which has resulted in urinary tract infections and lice infestations. Due to the water shortage, women are forced to take turns washing only their private parts, while the cells house between 12 and 18 people, increasing health risks and unsanitary conditions.<sup>351</sup>

e) *Health care*

349. On at least two occasions, on 13 February and 28 May 2025, Diosdado Cabello, Minister of Interior Relations, Justice and Peace, made public statements in an ironic and mocking tone about the health of detainees.<sup>352</sup> This demonstrates not only a lack of humanity, but also reflects a deliberate unwillingness to comply with international obligations towards persons deprived of their liberty.

350. The Mission recalls that on 13 November 2024, eight United Nations Special Procedures mandate holders drew the government's attention to "inadequate conditions of detention," with an emphasis on the health implications.<sup>353</sup> One day later, on 14 November, Jesús Martínez died in State custody due to the deterioration of his health during detention, after not being properly cared for by the prison authorities. The details of this case are set out in the Annex to this document on illustrative cases and in the chapter on arbitrary deprivation of life. The Mission is not aware that this call for attention, or any previous one related to the repression following the presidential elections of 28 July 2024, was answered by the Venezuelan authorities.<sup>354</sup>

351. Among the conditions in detention centres that affect health, as documented by the Mission, are cells without ventilation, high temperatures, limited access to drinking water, poor nutrition, and lack of sanitation. In Tocarón, access to the infirmary depended on the authorisation of the custodial staff and was granted arbitrarily or in exceptional cases.<sup>355</sup> Two of the testimonies received by the Mission reported that custodial staff withheld medicines sent by their relatives and that multiple serious pathologies remained untreated.<sup>356</sup>

352. As noted earlier in this document, the Mission has investigated at least three cases of death while in State custody that are directly related to health conditions and conditions of detention. The Mission also documented the deaths of three other individuals after their release from prison, due to the deterioration of their health.

353. In this context, the Mission has documented 42 cases of persons deprived of their liberty whose health is a cause for concern. These are persons in need of specialised medical care in various detention centres (see table below).

<sup>349</sup> Interview XXZ214.

<sup>350</sup> Interview TTIV024; PROVEA, "Report on detention conditions," December 2024

<sup>351</sup> Venezuelan Prison Observatory. El Pitazo, "OVP: political prisoners infected with lice due to restrictions on personal hygiene," 28 October 2024, available at: <https://elpitazo.net/politica/ovp-presas-politicas-se-contagian-de-piojos-por-restricciones-en-higiene-personal/>.

<sup>352</sup> El Cooperante, "Cabello announced the capture of a 'DEA agent' for a 'false flag operation'," 29 May 2025, available at: <https://elcooperante.com/cabello-anuncio-la-captura-de-un-agente-de-la-dea-por-un-plan-de-falsa-bandera/>.

<sup>353</sup> Reference letter AL VEN 11/2024 of 13 November 2024. This letter mentions that these inadequate conditions "seriously endanger the life and personal integrity of detainees, especially in the case of people who face greater vulnerabilities."

<sup>354</sup> This warning came one day before the death of Jesús Martínez Medina, who died in state custody due to health reasons on 14 November 2024.

<sup>355</sup> Interviews IIIV144, IIIV157, IIIV158, and IIIV165.

<sup>356</sup> Interviews IIIV157 and IIIV158.

354. According to information provided to the Mission by family members, the illnesses that need to be treated range from chronic and degenerative physical conditions to severe psychological disorders. Conditions such as hypertension, heart disease, and chronic neurological, gynaecological, and respiratory problems are common, and many of them require ongoing medical monitoring and access to specialised treatment.

355. Detainees depend on their family members to access medication. In the cases of individuals who are opponents or perceived as such, families have reported that prison authorities have prevented or restricted the delivery of medication as an additional punishment. This has been reported by families to the Attorney General's Office and other government agencies, but as of the closing date of the present conference room paper, they have not received a response. Notwithstanding the above, in other cases, the authorities facilitated the delivery of medication or obtained it themselves.<sup>357</sup>

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<sup>357</sup> WWIV119

<i>No.</i>	<i>Names and Surnames</i>	<i>Detention centre</i>	<i>No.</i>	<i>Names and Surnames</i>	<i>Detention Centre</i>
1	Aldo Rosso	PNB La Yaguara	24	Juan Andrés Hidalgo Rodríguez	Unspecified
2	Alejandra Victoria López Marín	Penal de San Antonio en la Isla de Margarita	25	Juan Carlos Marrufo Capozzi (*)	Rodeo I
3	Alfredo José Rivera Nieves	Tocorón	26	Juan Iriarte	El Helicoide
4	Andreina Alemán	Inof	27	Juan Nahir Zambrano Arias (*)	Yare II
5	Anthony Michell Molina Ron (*)	Comunidad Penitenciaria de Coro	28	Luis Enrique Camacaro Meza (*)	El Helicoide
6	Biagio Pilieri Gianninoto (*)	El Helicoide	29	Luis Roberto Somaza Castellano (**)	El Helicoide
7	Carlos Julio Rojas	El Helicoide	30	Marco Antonio González Garranchan	Tocuyito
8	Daniel García Morillo (**)	GNB facility in Maracaibo, state of Zulia.	31	María Auxiliadora Delgado Tabosky (*)	Inof
9	Dignora Hernández Castro (*)	El Helicoide	32	María Elena Becerra Márquez	Centro Penitenciario de Occidente
10	Emirlendris Carolina Benítez Rosales (*)	Inof	33	Mayra Castro	Policía municipal de Cúa's facility
11	Enyisbel Paola Cordero Montilla	La Crisálida	34	Nélida Sánchez Oropeza (**)	El Helicoide
12	Enyismar Alejandra Cordero Montilla	La Crisálida	35	Olvany Marian Gaspari Bracho (*)	El Helicoide
13	Fernando Loaiza Chacón (**)	Unspecified	36	Osmary Gabriela Sánchez Chirinos (**)	Facility DIP/PNB en Coro, State of Falcon
14	Franklin Caldera Martínez (**)	Sede de la Policía Militar en Fuerte Tiuna	37	Perkins Asdrúbal Rocha Contreras (*)	El Helicoide
15	Gina Paola Mercado Núñez (**)	La Crisálida	38	Ramón Centeno Navas (*)	Comando Nacional Antidrogas (Caracas)
16	Héctor Hernández Da Costa	Rodeo I	39	Rolando Guevara	El Helicoide
17	Igbert José Marín Chaparro	Rodeo I	40	Terry Méndez	Tocuyito
18	Jesús Alexander Armas Monasterios (**)	El Helicoide	41	Uaiparú Güerrere López (*)	Rodeo I
19	José de Jesús Gámez Bustamante	Centro de Procesados 26 de julio	42	Yevhenii Petrovich Trush (**)	Rodeo I
20	José Ignacio Moreno Suárez (*)	Rodeo I	43	Yosida Vanegas	Inof
21	José Javier Tarazona Sánchez (*)	El Helicoide	(*) AL VEN 11/2024. 13 de nov 2024		
22	José Ruben Rubio Freitas	Tocuyito	(**) They are under precautionary measures of the IACHR		
23	Josnars Baduel (*)	Rodeo I			

## E. Sexual and gender-based violence (SGBV)

356. The Mission wishes to recall that international human rights law has developed specific definitions for acts of "sexual violence"<sup>358</sup> and "gender-based violence."<sup>359</sup> These concepts have been widely recognised as forms of violation of fundamental rights, such as the physical and mental integrity, the right to health,<sup>360</sup> freedom from torture<sup>361</sup> and the principle of non-discrimination,<sup>362</sup> among others.

357. International human rights law has interpreted this principle to include discrimination based on sexual orientation, gender identity and/or expression, and sex characteristics.<sup>363</sup> In fact, the United Nations Independent Expert on violence and discrimination based on sexual orientation or gender identity has stated that international standards and their interpretation by international and regional human rights bodies, courts and procedures related to gender "are applicable, *mutatis mutandis*, to LGBTIQ+ and gender-diverse persons."<sup>364</sup>

358. In the field of international criminal law, the Rome Statute defines rape, sexual violence, sexual slavery, forced prostitution, or any other form of sexual violence of comparable gravity as crimes against humanity.<sup>365</sup> The 2023 Policy on Gender-Based Violence Policy of the Office of the Prosecutor of the International Criminal Court (ICC) also includes "reproductive violence" as one of the crimes under the jurisdiction of the Court's Statute. This document defines reproductive violence as a form of violence that violates the reproductive autonomy of individuals or is directed against them because of their actual or perceived reproductive capacity.<sup>366</sup> The ICC explicitly recognises several acts of reproductive violence as crimes under its jurisdiction,<sup>367</sup> but other acts, such as the denial of reproductive health care or physical violence directed against reproductive organs, may also be prosecuted under various provisions of the Rome Statute.<sup>368</sup>

<sup>358</sup> Convention on the Elimination of All Forms of Discrimination against Women (1979); Declaration on the Elimination of Violence against Women, adopted by the General Assembly (1993).

<sup>359</sup> Gender-based violence is defined as "violence directed at someone or affecting them disproportionately because of their gender or sex. Such violence takes many forms, including acts or omissions intended to cause or likely to cause death or physical, sexual, psychological or economic harm or suffering, threats of such acts, harassment, coercion and arbitrary deprivation of liberty." CEDAW (2017), General Recommendation 35. See also OHCHR, Integrating a gender perspective into human rights investigations; UNHCR, Gender-based violence. Available at: <https://www.acnur.org/violencia-sexual-de-genero.html>; A/HRC/51/CRP.2, para. 640.

<sup>360</sup> Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, art. 12. See also Committee on Economic, Social and Cultural Rights, General Comment No. 14: The right to the highest attainable standard of health, E/C.12/2000/4 (2000), paras. 8, 12.

<sup>361</sup> ICCPR, art. 7; Convention against Torture, arts. 1, 16; International Convention on the Elimination of All Forms of Racial Discrimination, art. 5(b); Convention on the Rights of the Child, arts. 19, 37(a); Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, arts. 10, 16(1) and 16(2).

<sup>362</sup> Convention on the Elimination of All Forms of Discrimination, 18 December 1979; Committee on the Elimination of Discrimination against Women, General Recommendation No. 19. Violence against women (1992), para. 1.

<sup>363</sup> Committee on Economic, Social and Cultural Rights, General Comment No. 20. Non-discrimination and economic, social and cultural rights, E/C.12/GC/20 (2009), para. 27; and General Comment No. 22. Right to sexual and reproductive health, E/C.12/GC/22 (2006), paras. 9, 23; Human Rights Committee, *Toonen v. Australia*, CCPR/C/50/D/488/1992, para. 8.7; Committee on the Rights of the Child, General Comment No. 4. The health and development of adolescents in the context of the Convention on the Rights of the Child, CRC/GC/2003/4 (2003), para. 6; and General Comment No. 9.

<sup>364</sup> General Assembly, Protection against violence and discrimination on the basis of sexual orientation and gender identity, A/77/235 (2022), paras. 14-16.

<sup>365</sup> Rome Statute, art. 7(1)(g), art. 8.2.b; A/HRC/45/CRP.11, para. 53.

<sup>366</sup> *Ibid.* Reproductive violence constitutes a violation of fundamental rights such as dignity, bodily integrity and personal autonomy, and can affect people of any gender, age or condition, including LGBTIQ+ people, children and persons with disabilities.

<sup>367</sup> Including forced pregnancy, forced sterilisation and genocidal measures to prevent births within a specific group.

<sup>368</sup> *Ibid.*

## 1. General findings

359. The context of repression and political persecution affects women, girls, men, boys, and adolescents differently, as well as those with diverse sexual orientation and/or gender identity.<sup>369</sup> Venezuelan society was already patriarchal<sup>370</sup> before the crisis, and many of these groups already lived in deeply unequal and dangerous situations. Currently, these groups continue to be victims of institutional violence by State agents, particularly in situations of political repression, including incidents of arbitrary detention, cruel, inhuman or degrading treatment, and sexual and gender-based violence. Likewise, as a result of the human rights crisis documented by the Mission,<sup>371</sup> including the post-electoral period of 2024, the progress made in the empowerment of women, girls and adolescents, as well as in anti-discrimination policies and the advancement of rights in favour of the LGBT population,<sup>372</sup> has been stalled and, in some cases, reversed.

360. The victims of the post-electoral repression in 2024, as reported by the Mission in its report in September 2024, were mainly men, boys and adolescents, including men from the LGBT population.<sup>373</sup> In the case of LGBT persons, the victims are also subject to a pre-existing structural discrimination,<sup>374</sup> and when deprived of liberty and subjected to torture and ill-treatment, they require differentiated protection in the face of patterns of abuse and violations.<sup>375</sup>

361. In its September 2024 report, the Mission identified cases of forced nudity, followed by threats and sexist insults; ill-treatment and denial of medical care to women, including pregnant women deprived of their liberty; a case of coercive transactional sex involving a family member; and multiple invasive searches on family members of detainees, among the most common acts of sexual and gender-based violence.<sup>376</sup>

362. The report *La violencia en femenino*, published in November 2024, by a group of civil society organisations, has indicated that women, girls, and adolescents deprived of liberty for political reasons are subjected to differential treatment, including isolation, restrictions in visits, and separation from their children.<sup>377</sup>

363. The sexual and gender-based violence identified during the present investigative period disproportionately affects persons from working-class and middle-class sectors, many of whom are community leaders or local activists or who have taken on the role of denouncers.<sup>378</sup> The mass and indiscriminate arrests of persons perceived as political opponents have exacerbated the situation, putting persons who are not necessarily involved in politics at risk.

<sup>369</sup> See, for example, “Detailed Conclusions of Mission 2020,” p. 88 et seq.; Sessional document: “The State apparatus, its mechanisms of repression and restrictions on civic and democratic space”, A/HRC/54/CRP.8, 18 September 2023 (hereinafter “Restrictions on civic and democratic space”), pp. 373–389, and Detailed Findings of the 2024 Mission, pp. 151–157.

<sup>370</sup> Women Peacebuilders Network, *2024 Report, Women Who Resist - The High Price of Inequality*, p. 50.

<sup>371</sup> Session document: “Restrictions on civic and democratic space”, pp. 373–389.

<sup>372</sup> Document IIIV162.

<sup>373</sup> *Ibid.*

<sup>374</sup> See, for example, IACHR, Press release, *IACHR urges Venezuela to refrain from criminalising LGBTI persons*, 7 August 2023. Available at: <https://www.oas.org/es/cidh/jsForm/?File=/es/cidh/prensa/comunicados/2023/176.asp>; SwissInfo, “Venezuelan NGO records 37 cases of violence against LGBTI persons,” 18 October 2022. Available at: <https://www.swissinfo.ch/spa/ong-venezolana-registra-37-casos-de-violencia-contra-personas-lgbti/47986592>

<sup>375</sup> See, for example, Association for the Prevention of Torture (APT), “Towards the effective protection of LGBTI persons deprived of their liberty: Monitoring Guide,” April 2019. Available at: [https://www.apr.org/sites/default/files/publications/lgbti\\_apr\\_es.pdf](https://www.apr.org/sites/default/files/publications/lgbti_apr_es.pdf)

<sup>376</sup> Detailed conclusions 2024, A/HRC/57/CRP.5.

<sup>377</sup> Various civil society organisations, *Violence against women, The Violet Book of Repression in Venezuela*.

<sup>378</sup> Various civil society organisations, *Violence against women, The Violet Book of Repression in Venezuela*.

364. The Mission has also identified additional risk factors, such as the vulnerability faced by women, girls and adolescents who visit detained relatives, the absence of guarantees during searches, and threats of sexual violence or detention in retaliation for publicly denouncing (including on social media) these abuses.<sup>379</sup> The Mission also received information about LGBT political opponents, or those perceived as such, who were subjected to searches and “retentions” for several hours in public by security agents for no apparent reason. This included the inspection of mobile phones for political and personal information, threats of sexual violence, and humiliation based on their actual or perceived sexual orientation, gender identity and/or expression.<sup>380</sup> When these individuals were detained during post-electoral demonstrations, in at least 10 cases documented by the Mission, they suffered ill-treatment and verbal abuse with homophobic and transphobic connotations. At least one of them remains deprived of liberty at the time of writing this report.<sup>381</sup>

365. The Mission's new findings reaffirm the persistence of these patterns of gender-based violence and discrimination against real or perceived political opponents. As noted in other occasions, investigations into acts of sexual and gender-based violence require different timeframes than the Mission's investigative and reporting cycles, compounded by the silence and fear of victims in reporting such acts. For this reason, the Mission sometimes refers to cases and situations that occurred outside the investigative cycle, and when they occur within the reporting period, they can only be initially documented. These considerations are even more important in cases of sexual and gender-based violence against men and LGBT persons, whose underreporting is even more significant.

366. As documented in previous reports, episodes of more intense repression are often accompanied by an increase in acts of sexual and gender-based violence, used as tools of punishment, control, and humiliation. During the period covered by this report, the Mission received credible information from victims, their relatives, human rights organisations, and open sources confirming the patterns identified in the 2024 report and demonstrating their widespread commission. This shows that, far from being isolated incidents, they are part of a coordinated and systematic State response to post-electoral protests. Furthermore, they were carried out with an element of gender-based discrimination aimed at controlling and humiliating the victims.<sup>382</sup>

367. During this investigative period, the Mission was able to document 22 cases of sexual and gender-based violence in six states of the country against women, girls, adolescents and men deprived of liberty in the post-electoral context. All of them were committed against real or perceived political opponents by State officials in coercive environments and involved multiple victims.

## **2. Sexual and gender-based violence against women, girls, adolescents and men, including LGBT persons, in contexts of deprivation of liberty**

### *a) Sexual exploitation,<sup>383</sup> including acts of coercive transactional sex; forced nudity and possible acts of sexual slavery and/or forced prostitution*

368. Acts of sexual violence documented by the Mission during this period against persons deprived of liberty who are actual or perceived opponents include:

<sup>379</sup> This analysis is in line with international standards that require an intersectional approach to addressing gender-based violence. See General Recommendation No. 35 of the Committee on the Elimination of Discrimination against Women (CEDAW), which states that States must recognise how factors such as social class, economic status, age, gender identity, sexual orientation and political context exacerbate exposure to violence and limit access to justice. CEDAW, General Recommendation No. 35 on gender-based violence against women (2017).

<sup>380</sup> Interview IIIV162.

<sup>381</sup> Document IIDC184.

<sup>382</sup> Detailed conclusions, 2024, A/HRC/57/CRP.5, para. 472.

<sup>383</sup> Sexual exploitation refers to “any abuse committed or threat of abuse in a situation of vulnerability, unequal power relations or trust, for sexual purposes, for the purposes, although not exclusively limited to them, of taking material, social or political advantage of the sexual exploitation of another



- Coercive transactional sex against women, adolescents and men – also known as “survival sex”<sup>384</sup> – in exchange for better conditions of detention.
- Possible acts of sexual slavery and/or forced prostitution of women – deprived of liberty.<sup>385</sup>
- Use of electric shocks on the genitals against men.
- Forced nudity of men and women.

369. All acts of sexual violence investigated by the Mission were committed by State officials in coercive contexts, primarily officials of the PNB, GNB, and custodial staff. Without exception, the victims were in the custody or under the control of the perpetrators, in situations of punishment, coercion, discrimination or intimidation. The cases investigated, together with additional information recorded, are sufficient to confirm the existence of a pattern of sexual and gender-based violence in places of deprivation of liberty committed against men, women, girls and adolescents, including LGBT persons.

370. The Mission investigated the case of a woman detained in a GNB detachment in a state located in the south east of the country.<sup>386</sup> According to her testimony, custodial staff, mainly male sergeants, demanded that women engage in sexual relations in exchange for certain benefits, such as being able to make phone calls to their families. The interviewee told the Mission that she had witnessed a sexual assault inside her own cell.<sup>387</sup>

371. In another case, several adolescent girls, between the ages of 15 and 17, were victims of sexual abuse and exploitation, including coercive transactional sex, while they were detained in a PNB office.<sup>388</sup> According to information gathered by the Mission, both the commissioner in charge coerced and extorted the adolescents to engage in sexual relations with them in exchange for being allowed to use the toilet and receiving certain hygiene products, including cleaning supplies for the space where they slept in.

372. According to testimony received by the Mission, during the transfer of a 24-year-old woman, after her arrest in a shopping centre by four hooded men without identification, she heard one of the officers say to his colleagues, “*Leave her to me, she’s the one I’m going to*

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person.” UNICEF El Salvador, *Frequently asked questions about the prevention of sexual exploitation and abuse*, available at: <https://www.unicef.org/elsalvador/historias/preguntas-frecuentes-sobre-prevenci%C3%B3n-de-explotaci%C3%B3n-y-abuso-sexual#:~:text=Explotaci%C3%B3n%20sexual%E2%80%9D%20se%20refiere%20a,pol%C3%ADtica%20de%20la%20explotaci%C3%B3n%20sexual>

<sup>384</sup> Office of the Prosecutor of the International Criminal Court, *Policy on Gender-Based Crimes*, December 2023, para. 59. See also Concluding observations on the report of the Democratic Republic of the Congo submitted under the special reporting procedure, paras. 43(a) and 44(c); UN document A/80/113, para. 33; Ashdown, James. *Sexual violence and the ICRC: addressing the needs of victims*, International Review of the Red Cross, No. 877, March 2010, pp. 14 ff. Available at: <https://www.icrc.org/sites/default/files/external/doc/en/assets/files/other/irrc-877-ashdown-james.pdf>; International Committee of the Red Cross, *Sexual violence in detention*, pp. 13 and 16. Available at: [https://icrndresourcecentre.org/wp-content/uploads/2018/03/4293\\_002\\_Sexual-violence-detention\\_WEB.pdf](https://icrndresourcecentre.org/wp-content/uploads/2018/03/4293_002_Sexual-violence-detention_WEB.pdf) and Just Detention International, *The Basics of Sexual Abuse in Detention*, fact sheet, October 2018. Available at: <https://justdetention.org/wp-content/uploads/2019/05/Fact-sheet-The-Very-Basics-about-Sexual-Abuse-in-Detention.pdf>

<sup>385</sup> Articles 7(1)(g)-2, 8(2)(b)(xxii)-2, 8(2)(e)(vi)-2, Statute. The crime of sexual slavery—which is included in the Rome Statute as a crime against humanity—requires that the perpetrator exercise some or all of the powers associated with the right of ownership over one or more persons and compel those persons to engage in one or more acts of a sexual nature. Office of the Prosecutor of the International Criminal Court, *Policy on Gender-Based Crimes*, December 2023, para. 59. Sexual slavery reduces a person to a servile condition and deprives them of their freedom and sexual autonomy. According to international law standards, consent is irrelevant when it comes to children and adolescents under the age of 18. Convention on the Rights of the Child, Article 1. See also, International Criminal Court, Trial Chamber X, *Prosecutor v. Al Hassan Ag Abdoul Aziz Ag Mohamed Ag Mahmoud*, ICC-01/12-01/18-2594-Red, 26 June 2024, paras. 1192-1193 et seq.

<sup>386</sup> Interview HHIV168.

<sup>387</sup> *Ibid.*

<sup>388</sup> Document IIDC171. Interview IIIV148.

*rape*.<sup>389</sup> Another source told the Mission of the situation of a teenage girl who reportedly had obtained unofficial permission to leave the detention centre and go to the home of one of the custodial staff — whom she refers to as her “godfather” — to “shower and eat.”<sup>390</sup> According to the same source, in at least one case, one of the detained adolescents maintained subsequent contact with the custodial staff of the centre where she was deprived of liberty, establishing a “sexual-affective” relationship with one of the officials.<sup>391</sup>

373. In a case that received widespread coverage on social media, a 16-year-old girl was arrested on the night of 29 July 2024 in Naguanagua and then transferred to Paramacay Fort. According to open sources, one of the soldiers told her that if she had sexual relations with him, he would release him. After the teenager refused, she was beaten and intimidated into recording a video accusing María Corina Machado's sister of having committed crimes.<sup>392</sup>

374. In another case, the legal representative of a young woman detained told the Mission that, during the months of her detention, she received sexual propositions from male custodial staff in exchange for visitation benefits with her daughter.<sup>393</sup>

375. Furthermore, the Mission received credible information about repeated acts of sexual violence and coercive transactional sex committed by custodial staff against male detainees in at least 3 penitentiary centres, including the Tocarón penitentiary centre.

376. According to the testimony of a person detained between August and November 2024 in the said centre, the custodial staff selected inmates from different cells every night and offered them benefits, such as additional food rations more recreation time, or access to hygiene products, in exchange for sexual relations. These practices reportedly occurred regularly in the penitentiary corridors, at least in wing B of one of the penitentiary blocks.<sup>394</sup>

377. The Mission received information about acts of sexual violence against a young person deprived of liberty with a disability. The witness stated that this young man was isolated under the pretext of having tuberculosis and that, during the time he was alone, he was sexually abused by a custodial staff member. The young man, stigmatised due to his disability, asked other persons deprived of liberty, repeatedly saying that the custodial staff member wanted to abuse him.<sup>395</sup>

378. The Mission received information on an area of the penitentiary centre that was under construction and not regularly used by persons deprived of liberty. This space, located between the area designated for intimate visits and the pharmacy, included several cubicles closed with doors, unlike the rest of the cells. According to the testimony gathered by the Mission, the custodial staff transferred certain persons deprived of liberty there under the pretext of applying disciplinary measures and, on the contrary, sexually abused them.<sup>396</sup>

379. The Mission had access to the testimonies of 18 victims (15 men and three women) and two relatives of victims (both women) detained in the post-electoral context of July 2024. The information was gathered by a team specialising in psychology and assistance for victims of torture and other cruel, inhuman or degrading treatments, and is considered highly

<sup>389</sup> Interview IIIV156, documents IIDC190 and IIDC191.

<sup>390</sup> Document IIDC164. Interview IIIV149.

<sup>391</sup> *Ibid.*

<sup>392</sup> El Nacional, “Seven minors detained after post-election protests brought to trial,” 3 October 2024. Available at: <https://www.elnacional.com/2024/10/pasados-a-juicio-siete-menores-de-edad-detenido-tras-las-protestas-postelectorales/>. El Nacional, “They took everything from me and, honestly, I don’t deserve this”: the emotional letter from one of the teenagers detained in the post-election context,” 3 December 2024. Available at: <https://www.elnacional.com/2024/12/me-quitaron-todo-y-la-verdad-yo-no-merezco-esto-la-emotiva-carta-de-una-de-las-adolescentes-detenido-tras-las-protestas-postelectorales/>. See also Efecto Cocuyo, “Who is Mariana González? The teenager who wrote a letter to her mother saying she wants to die,” 4 December 2024. Available at: <https://efectococuyo.com/la-humanidad/quien-es-mariana-gonzalez-la-adolescente-detenido-tras-las-protestas-postelectorales/>. See also, post by Kaoru Yonekura [@kaoru\_yonekura], 4 October 2024. Available at: [https://x.com/kaoru\\_yonekura/status/1842284294548693109](https://x.com/kaoru_yonekura/status/1842284294548693109).

<sup>393</sup> Interview IIIV141.

<sup>394</sup> Interview IIIV157.

<sup>395</sup> *Ibid.*

<sup>396</sup> *Ibid.*

credible. For security reasons and due to a well-founded fear of reprisals, the victims have requested that their testimonies be treated as strictly anonymised.<sup>397</sup>

380. Nine of these individuals, both men and women, reported having been subjected to forced nudity by security officials upon arrival at various detention centres.<sup>398</sup> One of the victims interviewed reported having been subjected to electric shocks on his genitals to force a confession. Similarly, another man deprived of his liberty stated that he had heard from other detainees that this same method had been used against them during their detention.<sup>399</sup>

381. According to the testimony of one male detainee, police officers at the detention centre where he was held with other men and women sexually abused the female detainees on several occasions.<sup>400</sup> He also indicated that custodial staff circulated among the male detainees a list of tariffs for the sexual services of these women. These acts could constitute sexual slavery and/or forced prostitution and warrant an effective investigation by the competent authorities<sup>401</sup> and by this Mission.

b) *Abuse and violence against women in reproductive health services and lack of medical care for LGBT persons*

382. The Mission also corroborated the differential impact on several women and adolescent girls and women deprived of their liberty for being pregnant or for being mothers of breastfeeding infants.<sup>402</sup> The Mission documented several cases of violence in reproductive health services, including of the refusal of access to specialised medical care.<sup>403</sup> At least two women were arrested despite being pregnant, and neither received gynaecological and obstetric care during their detention, as described below.

383. One of the cases concerns Maykelis Borges, a 26-year-old woman detained by DGCIM officials on 29 January 2025 in Altamira, Capital District, while travelling on a motorcycle with an acquaintance to run errands. At the time, Borges was two months pregnant.<sup>404</sup> According to public information, her arrest took place during a raid aimed at capturing her husband, a lieutenant accused of being linked to the so-called *Operation Aurora*. Since then, Borges has remained deprived of liberty as a means of pressure to force her partner to surrender.<sup>405</sup>

<sup>397</sup> Document IIDC181. Confidential written contribution on the physical, psychological and social impacts on released prisoners who are victims of torture and sexual violence, received by the Mission in August 2025.

<sup>398</sup> *Ibid.*

<sup>399</sup> *Ibid.*

<sup>400</sup> *Ibid.*

<sup>401</sup> *Ibid.*

<sup>402</sup> Detailed conclusions, 2024, A/HRC/57/CRP.5, paras. 729-731.

<sup>403</sup> Abuse and violence against women who seek reproductive health services are human rights violations and a recognised form of gender-based violence. In particular, denial of access to obstetric, gynaecological or essential reproductive health services constitutes a form of institutional gender-based violence and may amount to cruel, inhuman or degrading treatment. See United Nations Special Rapporteur on violence against women and girls, Report on a human rights-based approach to mistreatment and obstetric violence during childbirth care, A/74/137, 11 July 2019.

<sup>404</sup> Interview IIIV141. See El Nacional, "Political prisoner Maykelis Borges faces threat of abortion at the Dgcim," 15 May 2025. Available at: <https://www.elnacional.com/2025/05/maykelis-borges-enfrenta-amenaza-de-aborto-en-la-dgcim/>. See also, Infobae, "The Venezuelan regime kidnapped the pregnant wife of a lieutenant accused of conspiracy," 2 February 2025. Available at: <https://www.infobae.com/venezuela/2025/02/02/el-regimen-de-venezuela-secuestro-a-la-esposa-embarazada-de-un-teniente-senalado-de-conspiracion/> and, post by X from Sin Mordaza [@sinmordaza], 14 May 2025. Available at: <https://x.com/Sinmordaza/status/1922789913390391396y> El Día, "Venezuelan regime kidnapped the pregnant wife of a lieutenant accused of conspiracy," 2 February 2025. Available at: <https://www.eldia.com.bo/2025-02-02/internacional/regimen-de-venezuela-secuestro-a-la-esposa-embarazada-de-un-teniente-senalado-de-conspiracion.html>

<sup>405</sup> See, Efecto Cocuyo, "NGO reports that Maykelis Borges, a political prisoner, has a high-risk pregnancy," 29 July 2025. Available at: <https://efectococuyo.com/la-humanidad/ong-denuncia-que-maykelis-borges-presa-politica-tiene-un-embarazo-de-alto-riesgo/>

384. For more than three months, according to open sources, her whereabouts were unknown, and she had no access to gynaecological or obstetric care, despite her pregnancy being high-risk owing to arterial hypertension, very low haemoglobin and recurrent urinary infections.<sup>406</sup> According to the same information, her family later learned unofficially that she was being held at the DGCIM headquarters in Boleíta.<sup>407</sup> After six months at that centre, she was transferred to the INOF women's detention centre. At this centre, despite the relative improvement in conditions, she still did not receive gynaecological care. At no time was she allowed access to prenatal check-ups or the ultrasounds necessary to monitor her pregnancy. On several occasions, various human rights organisations warned that her health was precarious, with a risk of pre-eclampsia, which posed a significant threat to both her life and that of her unborn fetus.<sup>408</sup> According to these organisations, she also did not receive treatment for the urinary infections and arterial hypertension she suffered.<sup>409</sup> The Mission confirmed that Maykelis Borges gave birth outside the penitentiary centre and, at the time of writing this report, remains detained with her baby.

385. In another case investigated by the Mission, a woman who was in the postpartum period with a breastfeeding newborn was arrested on 2 August 2024 while returning home, without taking part in protests. Despite being a breastfeeding mother, she was separated from her baby and detained in a GNB command post.<sup>410</sup> The detainee was denied her right to breastfeed her baby, except on specific occasions arbitrarily decided by the custodial staff, who also attempted to extort and coerce her by offering sex in exchange for allowing her to breastfeed regularly. During her detention, she suffered from depression, untreated postpartum bleeding, and denial of medical care.<sup>411</sup>

386. In another case, one of the women detained in the mass raids in Barcelona, Anzoátegui State, between 29 and 30 July 2024, reported to the Mission that she had to remain in the same physical space for several days with a group of between 50 and 60 people of all ages, including several young women who were either menstruating or had experienced menstruation outside their regular menstrual cycle as a result of the fear and anxiety they were experiencing. The women did not have access to sanitary pads, nor were they allowed to change their clothes or wash themselves, and they had to remain in blood-stained clothing for several days until their appearance in court.<sup>412</sup>

387. In one case analysed by the Inter-American Commission on Human Rights (IACHR), Gina Paola Mercado Núñez was detained after the post-election protests of 2024.<sup>413</sup> According to publicly available information, Mercado Núñez suffered prolonged and recurrent menstrual bleeding without receiving a gynaecological evaluation or adequate treatment. Despite frequent fainting spells due to recent gallbladder surgery without medical follow-up and symptoms consistent with acute gynaecological conditions, the institutional response was limited to the administration of intravenous fluids and expired painkillers, and the acceptance of other medications provided by her family. According to information shared

<sup>406</sup> See Correo del Caroní, "Voluntad Popular: Political prisoner Maykelis Borges is at risk and may lose her baby," 17 May 2025. Available at: <https://correodelcaroni.com/pais-politico/voluntad-popular-presa-politica-maykelis-borges-esta-en-riesgo-y-puede-perder-a-su-bebe/>; VPI tv, "Demands to release Maykelis Borges, political prisoner who is 34 weeks pregnant," 10 July 2025. Available at: [https://vpitv.com/lo-ultimo/ultimas\\_noticias\\_sobre\\_venezuela/exigen-liberar-a-maykelis-borges-presa-politica-con-34-semanas-de-embarazo/](https://vpitv.com/lo-ultimo/ultimas_noticias_sobre_venezuela/exigen-liberar-a-maykelis-borges-presa-politica-con-34-semanas-de-embarazo/)

<sup>407</sup> Interview IIIV141.

<sup>408</sup> Diario las Américas, "Maduro regime urged to release pregnant political prisoner at risk," 11 July 2025, <https://www.diariolasamericas.com/america-latina/exigen-al-regimen-maduro-liberar-presa-politica-embarazada-y-condicion-riesgo-n5378935>. See also Swiss Info, "Human rights activist demands release of woman 35 weeks pregnant, imprisoned in Venezuela," 15 July 2025. Available at: <https://www.swissinfo.ch/spa/activista-de-ddhh-exige-liberaci%C3%B3n-de-mujer-con-35-semanas-de-embarazo,-presa-en-venezuela/89686196>.

<sup>409</sup> Interview IIIV141.

<sup>410</sup> Document IIDC170.

<sup>411</sup> Interview IIIV141.

<sup>412</sup> Interview IIIV148.

<sup>413</sup> IACHR, *Gina Paola Mercado Núñez regarding Venezuela*, Precautionary Measures No. 1213-24, 16 December 2024. Available at: [https://www.oas.org/es/cidh/decisiones/mc/2024/res\\_101-24\\_mc\\_1213-24\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2024/res_101-24_mc_1213-24_ve_es.pdf)

with the Mission by a human rights organisation, another woman detained in early August 2024 by mixed security forces in the state of Guárico, and who remains detained at present, has experienced heavy bleeding and prolonged menstruation without adequate access to specialised medical care.<sup>414</sup>

388. According to information received by the Mission, gynaecological examinations are carried out at the INOF women's detention centre, but persons deprived of liberty distrust the results, which tend to be identical for all detainees.<sup>415</sup> According to this same information, at La Crisálida and Ramo Verde centres, two women who required specialised tests for the treatment of fibroids and ovarian and breast cysts, despite repeated requests, were not referred to hospital.<sup>416</sup>

389. Most of the situations described above also affect common prisoners. However, according to a human rights organisation, since September 2024, there have been reports from INOF on clear discriminatory treatment of female prisoners identified as *guarimberas* and opposition supporters, including verbal and physical abuse.<sup>417</sup>

390. Furthermore, the Mission received information from credible sources about the lack of medical care and denial of access to medication for LGBT persons deprived of their liberty in different states of the country as a form of additional discrimination.<sup>418</sup> For example, in a case analysed by the IACHR, a member of the LGBT community and human rights activist was deprived of liberty in the Carabobo Judicial Detention Centre after being arrested on 6 August 2024 by members of the PNB. Since November 2024, he has benefited from precautionary measures by the IACHR<sup>419</sup> for allegations of having been subjected to torture, being in a state of malnutrition and dehydration, presenting symptoms linked to syphilis, and not receiving the medical care necessary to treat the HIV he suffers from.

391. The Mission also received information about two other persons who were detained and in a similar situation in other Venezuelan states, having been denied access to antiretroviral drugs to treat HIV as a form of discrimination because they belonged to the LGBT community and were considered political opponents, real or perceived.<sup>420</sup>

c) *Conditions of detention for women in El Helicoide*

392. The Mission also received information about particularly humiliating conditions of detention in El Helicoide, where surveillance cameras were reportedly recently installed inside the cells and bathrooms used by women detainees, a measure that has created a situation of constant surveillance and violation of privacy. The Mission received information that these cameras are, for example, located in a sector where around 12 women are held.<sup>421</sup>

393. In addition, since August 2025, there has been a documented intensification of restrictive measures, including the isolation of women deprived of their liberty and the refusal or limitation to one day a week of receiving personal items and food. Likewise, contact between inmates in different cells has been minimised, including by restricting interaction in corridors, which was previously permitted.<sup>422</sup>

<sup>414</sup> Interview IIIV141.

<sup>415</sup> Document IIDC180.

<sup>416</sup> Document IIDC180.

<sup>417</sup> Venezuelan Prison Observatory (OVP), "The new director of INOF was called 'Lucifer' in Tocuyito," 4 November 2024. Available at: <https://oveprisiones.com/a-la-nueva-directora-del-inof-le-decian-lucifer-en-tocuyito/>. See also OVP, "Annual Report 2024: No separation or autonomy of powers: prisons and cells as tools of torture." Available at: <https://oveprisiones.com/informes/>

<sup>418</sup> IIIV162. See also confidential written contribution on the physical, psychological, and social impacts on released prisoners who are victims of torture and sexual violence, received by the Mission in August 2025.

<sup>419</sup> IACHR, *S.J.R.G. regarding Venezuela*, Precautionary Measures No. 1122-24, 7 November 2024. Available at: [https://www.oas.org/es/cidh/decisiones/mc/2024/res\\_82-24\\_mc\\_1122-24%20\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2024/res_82-24_mc_1122-24%20_ve_es.pdf)

<sup>420</sup> Document IIDC185. Interview IIIV162.

<sup>421</sup> Interviews WWIV149, IIIV140. Document WWICXXX.

<sup>422</sup> Document WWDCXXX.



### 3. Sexual and gender-based violence against family members of persons deprived of liberty

394. In its previous report, the Mission documented harassment against family members of detainees as a form of collective punishment, intimidation, or coercion. These practices mainly affected women, girls, and adolescents, who are the ones who most frequently visit detention centres to seek information about their relatives, visit them, or deliver medication, food, or basic supplies.<sup>423</sup> In the current investigation cycle, the Mission has confirmed that harassment continues in several prisons, including the Carabobo Judicial Detention Centre, the Aragua Penitentiary, and the Yare III detention centre.<sup>424</sup>

395. The Mission has investigated and received information about invasive searches, including acts of forced nudity against family members of persons deprived of liberty, including women, girls, adolescents, and men, during visits to their relatives. The procedures were particularly humiliating in temporary detention centres, such as PNB police stations, and in prisons such as Yare III or Rodeo I. In the Tocarón and Tucuyito centres, metal detector checks, and less invasive searches were reported, although these were also accompanied by psychological violence, intimidating speech and sexist control dynamics.<sup>425</sup>

396. The Mission considers it appropriate to mention that forced nudity constitutes a form of sexual and gender-based violence, even when there is no physical contact, provided that the act is of a sexual nature and is carried out under coercion, intimidation or threat.<sup>426</sup> International jurisprudence has established that an act of a sexual nature is not limited to physical violence and may not involve any physical contact, for example, forced nudity.<sup>427</sup> The revised United Nations Standard Minimum Rules state that invasive body searches of visitors should be avoided and should never be carried out on children.<sup>428</sup> It also emphasises that such procedures must respect the principle of informed consent on the part of the visitor, even though access to the prison may be conditional on the acceptance of the search.<sup>429</sup>

397. Although body searches are a humiliating and degrading experience for anyone deprived of their liberty, certain groups, such as children and adolescents, face a disproportionate impact. Factors such as educational level, cultural and religious context, including taboos related to sexuality, can intensify the perception of the search as a form of degrading or humiliating treatment.<sup>430</sup>

398. The Mission has received seven testimonies reporting acts of forced nudity involving multiple individuals, mostly women, in different detention centres, occurring between 28 July 2024 and 31 July 2025.

399. In one case investigated by the Mission, during a visit to a relative in March 2025, a girl was forced by two female custodial staff to pull down her trousers and show her vagina

<sup>423</sup> Detailed conclusions, 2024, A/HRC/57/CRP.5, p. 151 et seq.

<sup>424</sup> CLIPPVE, “Unjust Imprisonment, Inhumane Cells. Report on Prison Conditions for Political Prisoners in Venezuela,” June 2025, p. 27.

<sup>425</sup> Interview IIIIV141.

<sup>426</sup> ICTY, *Prosecutor v. Dragoljub Kunarac, Radomir Kovac and Zoran Vukovic*, Judgment, Case No. IT-96-23/1-T, 22 February 2021, paras. 766–774, 782; ICTR, *Prosecutor v. Jean-Paul Akayesu*, Judgment, ICTR-96-4-T, 2 September 1998, paras. 10A, 688, 697; *Prosecutor v. Kvočka*, Judgment, IT-98-30-T, 2 November 2001, para. 170. See also Women’s Initiatives for Gender Justice, *The Hague Principles on Sexual Violence*. Civil Society Declaration on Sexual Violence, principle 5, 2019. Available at: <https://4genderjustice.org/wp-content/uploads/2019/11/The-Hague-Principles-on-Sexual-Violence.pdf>; ICC Office of the Prosecutor Policy Document on Sexual and Gender-Based Crimes, page 3.

<sup>427</sup> ICTR, *Prosecutor v. Jean-Paul Akayesu*, Judgment, ICTR-96-4-T, 2 September 1998, para. 688; International Criminal Court, *Policy Paper on Sexual and Gender-Based Crimes*, June 2014, p. 3.

<sup>428</sup> A/RES/70/175, Rule 60.

<sup>429</sup> Penal Reform International, *Body Searches: Addressing Risk Factors to Prevent Torture and Ill-Treatment: A Detention Monitoring Tool*, 2013, pp. 6–7. Available at: [https://cdn.penalreform.org/wp-content/uploads/2013/11/Factsheet-4\\_Body-searches-ES1.pdf](https://cdn.penalreform.org/wp-content/uploads/2013/11/Factsheet-4_Body-searches-ES1.pdf) See, for example, IACHR, *Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas*, March 2008.

<sup>430</sup> Penal Reform International, *Body Searches: Addressing Risk Factors to Prevent Torture and Ill-Treatment: A Detention Monitoring Tool*, 2013, pp. 6–7.

as a condition for being allowed to visit her relative who was deprived of liberty.<sup>431</sup> Despite her refusal to do so, the staff members insisted that if the girl did not undress, she would not be allowed to enter. The girl, in a state of distress, agreed to pull down her trousers under threat of being excluded from the visit.<sup>432</sup>

400. The Mission recalls that, *a priori*, body searches can only be legitimate if they follow the principles of legality, necessity and proportionality, i.e. they should not be applied systematically as a general measure but should respond to specific identified risks.<sup>433</sup> In this case, no risk had been identified and shared by the custodial staff. Furthermore, as this involved a girl in a particularly vulnerable situation within a prison, such acts constitute a particularly alarming form of sexual and gender-based violence.<sup>434</sup> When the case was brought to the attention of those responsible for the prison, not only did they fail to take action to investigate the facts and punish those responsible, but they also minimised the situation.

401. The Mission also documented similar practices at the Guaicaipuro Fort and the Yare III prison.<sup>435</sup> In both places, according to information shared with the Mission, women and girls who are relatives of persons deprived of liberty have been forced to strip completely naked and have been subjected to invasive searches by female custodial staff, including physical contact. These acts are committed more violently at times when individual or collective public complaints are made, on social media or in demonstrations before public institutions, demanding the release of their relatives and the recognition of their rights or improvement of their conditions.<sup>436</sup>

402. At the Yare III prison, two women were forced to undress and stand against the wall, exposing their genitals to a female officer who used a flashlight to inspect them. The official made humiliating and sexualised comments, telling them that no one had told them to “give birth to criminals,” and justified the treatment by claiming that it was happening to them “for making publicity.” She also threatened them that if they made any public complaints, their children would suffer the consequences.<sup>437</sup>

403. At Guaicaipuro Fort, a source told the Mission that she had been completely stripped naked, her breasts touched, her buttocks spread apart and her genitals inspected.<sup>438</sup> The Mission was also given information about a girl who was repeatedly subjected to invasive searches during visits to her detained relative between February and March 2025.<sup>439</sup> Despite being a girl, the officers also forced her to strip completely naked and inspected her genitals. On one occasion, the girl was menstruating and asked not to be undressed because she was very embarrassed. The staff told her that it did not matter and that she should remove her sanitary towel and hold it in her hand while they looked at her genitals and touched her chest, mouth and hair. The girl, deeply affected, decided to stop attending the visits.

404. The above acts were committed by female custodial staff during visits to prisons. However, the Mission also received testimony from the relative of a teenager detained at a municipal police station where, every time she visited her son or brought him parcels, the police commissioner in charge insulted her, saying, “*Here comes the mother of the fascist, coming to visit the delinquent child,*” and when she passed through the area where searches were carried out, he forced her to strip completely naked in front of him. Once naked, he made her jump up and down and bend over. On one occasion, when the mother asked to get dressed again, the police chief replied that she should wait and brought in all the male officers on duty that day to look at her naked. The mother recalls the humiliation of that moment and

<sup>431</sup> The case is detailed in the Annex to this document on illustrative cases.

<sup>432</sup> Interview IIIV151, Document IIDC174.

<sup>433</sup> See, for example, IACHR, Principles and Best Practices on the Protection of Persons Deprived of Liberty in the Americas, March 2008; and Subcommittee on Prevention of Torture, CAT/OP/CRI/ROSP/1, paras. 77 and 78. See also

<sup>434</sup> See International Criminal Court, “Policy Paper on Sexual and Gender-Based Crimes,” June 2014. Available at: [https://www.icc-cpi.int/sites/default/files/iccdocs/otp/Policy\\_Paper\\_on\\_Sexual\\_and](https://www.icc-cpi.int/sites/default/files/iccdocs/otp/Policy_Paper_on_Sexual_and)

<sup>435</sup> Interviews IIIV151, IIIV152.

<sup>436</sup> Interview IIIV153.

<sup>437</sup> *Ibid.*

<sup>438</sup> Interview IIIV152.

<sup>439</sup> *Ibid.*



how some police officers apologised to her, embarrassed, and told her that they could not do anything else because they were following orders. The reason for this treatment, they told her, was that she had made too many statements calling for her son's release and denouncing the situation he was in.<sup>440</sup>

405. One of the testimonies received by the Mission reported that, since May 2025, searches during visits to Rodeo I, against both men and women, have become more aggressive and humiliating, as they are now forced to lower their trousers and underwear for inspection and visual checking of their genitals,<sup>441</sup> and different parts of the body, such as the scalp and areas surrounding the genitals, are also palpated. This procedure takes place in a small, empty room with a chair, which, according to family members, is very intimidating. People cannot identify the custodial staff involved in the searches because their faces are covered and they wear sunglasses that also prevent their eyes from being seen.

406. The Mission received information about the differentiated and disproportionate impacts faced by indigenous women, particularly from the Jivi and Wayuu peoples, as relatives of persons deprived of their liberty. A source who provided direct assistance to family members recounted how several indigenous women, particularly from the Jivi and Wayuu peoples, were prevented from entering prisons to visit their detained relatives due to the imposition of dress requirements contrary to their cultural traditions. Prison authorities required the wearing of long trousers, a garment foreign to their traditional dress codes, which constitutes a form of structural and cultural discrimination. This requirement disregards the right of indigenous peoples to preserve their cultural practices and represents an arbitrary barrier to the exercise of the right to family visitation.<sup>442</sup>

#### **4. Accountability, impunity and barriers to access to justice**

407. The Mission has previously documented the persistence of a structural situation of impunity and institutional ineffectiveness that prevents victims of sexual and gender-based violence from accessing effective mechanisms for reporting, protection and reparation.<sup>443</sup> Persistent barriers to accountability include fear of reprisals, revictimization criminal process, lack of judicial independence and the absence of safe institutional pathways for women in detention or their relatives. Likewise, in its previous reports, the Mission recorded testimonies from persons belonging to the LGBT population who described barriers preventing sexual minorities from filing complaints about acts perpetrated by State officials and who self-censor when reporting, in order not to be subjected to ridicule or revictimization.<sup>444</sup>

408. In the current investigative cycle, a human rights organisation described as alarming the State's inaction and impunity in relation to the lack of accountability for cases of sexual violence, mainly against women and girls. The organisation stressed that the judicial delays erode women's confidence in institutions, dissuading them from filing complaints or continuing with proceedings. This situation leaves them in a state of greater lack of protection, defencelessness and risk before their aggressors. The organisation also reported a pattern of revictimization in the majority of cases, where women verbalise situations in which, instead of receiving support, they face a system that reflects a lack of sensitivity towards their circumstances and an improper examination of their behaviour and lives.<sup>445</sup>

409. In none of the cases investigated and documented by the Mission since the presidential elections of July 2024 has there been any indication that diligent, impartial, and independent investigations into incidents of sexual and gender-based violence have been initiated ex officio. For example, in one of the documented cases, the adolescents, reported at their hearing that they had been subjected to touching, forced nudity and sexualised comments by penitentiary officials. Despite this information having been presented, the judge did not order any investigations or protective measures, and the complaint was omitted from the hearing

<sup>440</sup> Interview IIIV149.

<sup>441</sup> Interview WWIV152.

<sup>442</sup> Interview IIIV147.

<sup>443</sup> A/HRC/48/CRP.5, 16 September 2021, paras. 263-264, and A/HRC/45/33, para. 1970 et seq.

<sup>444</sup> A/HRC/45/CRP.11, 15 September 2020.

<sup>445</sup> IIDC192.

record.<sup>446</sup> Nor has it been known that the victims had effective access to measures of reparation, protection or specialised psychosocial assistance by State entities.<sup>447</sup>

410. The Mission has also investigated and documented cases in which officials, mainly police and penitentiary officials, act with the certainty that their abusive conduct will not be investigated or punished. For example, in the aforementioned case of a girl forced to undress and show her genitals, the family filed a complaint with the Attorney General's Office.<sup>448</sup> As of the date of this report, the family has not received any response from the Attorney General's Office, nor been made aware of any investigation having been initiated. On the contrary, after filing the complaint, the mother was subjected to reprisals by the prison authorities, who threatened to restrict her access to visits if she persisted in her complaint.<sup>449</sup>

411. In addition, there is the lack of judicial independence, which continues to be a central obstacle in the fight against impunity. As the Mission has noted on numerous occasions, the judicial system lacks basic guarantees of autonomy vis-à-vis the executive, which prevents the effective processing of complaints related to human rights violations committed by State agents, including those related to sexual and gender-based violence.

## V. Situation of children and adolescents<sup>450</sup>

### 1. Legal framework

412. Under international human rights law, a child is any human being under the age of 18.<sup>451</sup> Venezuelan law considers a child to be persons under the age of 12,<sup>452</sup> and adolescents to be any person between 12 and 18 years of age.<sup>453</sup>

413. International standards do not establish a single age for attributing criminal responsibility to children. However, the Convention on the Rights of the Child indicates that, in cases where children are accused, charged or convicted of an offence, they must be treated in a manner consistent with the promotion of their sense of dignity and worth.<sup>454</sup> The Convention states that detained children have the right to have their case examined in a fair hearings in accordance with the law, in the presence of a lawyer and with the participation of their parents or legal representatives.<sup>455</sup>

414. The Convention also establishes that, when attributing criminal responsibility, the age of the child, the importance of promoting the child's reintegration and the child's ability to assume a constructive role in society must be taken into account.

415. The Constitution of the Bolivarian Republic of Venezuela recognises the principles of comprehensive protection and the best interests of the child, explicitly adopting the regulatory framework of the Convention on the Rights of the Child.<sup>456</sup> The regulatory content of the Constitution and the Convention are set out in the Organic Law for the Protection of Children and Adolescents (LOPNNA) (2007).<sup>457</sup>

<sup>446</sup> Interview IIIV142.

<sup>447</sup> Interview IIIV142.

<sup>448</sup> Document IIDC174.

<sup>449</sup> Interview IIIV151.

<sup>450</sup> The term "adolescents" is used in this document to refer to persons over 12 and under 18 years of age, for the purpose of highlighting their age group. This term is not intended to carry legal implications, since under international law all persons under the age of 18 are considered "children."

<sup>451</sup> Convention on the Rights of the Child (CRC), art. 1.

<sup>452</sup> Organic Law for the Protection of Children and Adolescents, *Official Gazette* No. 5,859 (Extraordinary), 10 December 2007, (hereinafter "LOPNNA"), art. 2. Available at: [https://www.oas.org/juridico/pdfs/mesicic4\\_ven\\_ley\\_org\\_prot\\_ninos\\_adolc.pdf](https://www.oas.org/juridico/pdfs/mesicic4_ven_ley_org_prot_ninos_adolc.pdf)

<sup>453</sup> *Ibid.*

<sup>454</sup> CRC, art. 40(1).

<sup>455</sup> *Ibid.*, art. 40(2)(b)(iii).

<sup>456</sup> Constitution of the Bolivarian Republic of Venezuela 1999, *Official Gazette* No. 36,860, 30 December 1999, art. 78. Available at: <https://mppp.gob.ve/wp-content/uploads/2023/07/GO-36860-constitucion.pdf>

<sup>457</sup> LOPNNA, art. 533.

416. The LOPNNA establishes that the minimum age of criminal responsibility is 12, distinguishing between 12–14 and 14–17 age groups for the application of criminal sanctions. The Law regulates the National Governing System for the Comprehensive Protection of Children under the jurisdiction of the Criminal Courts for the Responsibility of Adolescents.<sup>458</sup>

417. The LOPNNA also establishes a specialised criminal justice system for adolescents between the ages of 14 and 17, which is governed by principles, guarantees and purposes that differ from those of the ordinary criminal justice system for adults. The primary purpose of this system is differentiated criminal responsibility.

418. In its September 2024 report, the Mission documented multiple human rights violations committed against children and adolescents (NNA, for its Spanish acronym) in the context of the post-election protests following the presidential elections on 28 July. Between 29 July and 31 August 2024, it documented arbitrary detentions, cruel, inhuman or degrading treatment, acts of torture, sexual and gender-based violence, and the deaths of two adolescents.<sup>459</sup>

419. During the investigations carried out by the Mission during the period of this report, the violations documented and investigated took place in an atmosphere of general repression. The Mission, as it had done in its press release of 2 January 2025, reiterates its particular concern about the lack of consideration of State authorities of the best interests of the child, as required by international law, as well as national legislation.<sup>460</sup>

## 2. Arbitrary deprivation of life

420. Of the 25 fatalities – all males – identified by the Mission during the repression of protests following the presidential elections on 28 July 2024, two were children. They were Isaías Fuenmayor, aged 15, who was shot in the neck on 29 July 2024 in San Francisco, Zulia State,<sup>461</sup> and Ángel Mora, aged 17, who died on 5 August 2024 as a result of multiple contusions sustained during a severe beating in Guanare, Portuguesa State.<sup>462</sup>

421. Fuenmayor, the youngest person killed during the election protests, died shortly after being admitted to Dr. Manuel Noriega Trigo Hospital. According to an eyewitness, an officer on a motorcycle, belonging to an unidentified security force, discharged a firearm at point-blank range at Fuenmayor.<sup>463</sup> The Mission was able to verify the presence of motorised GNB officers carrying out public order operations, including the dispersal of demonstrators and detentions during the protest in San Francisco. However, the Mission does not have sufficient evidence to establish, in accordance with its standard of proof, that it was indeed these motorised officers who fired the shot that killed Fuenmayor.<sup>464</sup> The details of this case are set out in the Annex to this document on illustrative cases.

422. Mora had participated in a protest on 29 July 2024. According to information received by the Mission, he and other young individuals were detained in apparent retaliation for the toppling of a statue of Hugo Chávez. Mora was later found with visible signs of violence, abandoned on a public road. Seven days later, Mora died in the intensive care unit of the

<sup>458</sup> *Ibid*, arts. 90 et seq.

<sup>459</sup> A/HRC/57/CRP.5.

<sup>460</sup> OHCHR, Mission press release: “Venezuela Fact-Finding Mission calls for full respect for rights on eve of presidential inauguration,” 2 January 2025. Available at: <https://www.ohchr.org/es/press-releases/2025/01/venezuela-fact-finding-mission-demands-full-respect-rights-ahead>

<sup>461</sup> El Clarín, “15-year-old adolescent loses his life in demonstrations,” 30 July 2024. Available at: <https://elclarinweb.com/2024/07/30/adolescente-de-15-anos-pierde-la-vida-en-manifestaciones/>

<sup>462</sup> Infobae, “Young Venezuelan who was violently beaten during Maduro’s crackdown on protests dies,” 5 August 2024. Available at: <https://www.infobae.com/venezuela/2024/08/05/murio-un-joven-venezolano-que-habia-recibido-una-violenta-golpiza-durante-la-represion-de-maduro-a-las-protestas/>

<sup>463</sup> Interview HHIV138.

<sup>464</sup> Document HHDC195; Interview HHIV144.

Guanare hospital. Mora is one of three fatalities identified by the Mission that have not been acknowledged by the Attorney General.<sup>465</sup>

423. Mora's death remains in complete impunity, given that the Office of the Attorney General has not initiated any investigation in the post-election context.

### 3. Arbitrary detentions

#### a) *Figures and general findings*

424. In its 2024 report, the Mission reported the arbitrary detention of 158 children and adolescents (130 boys and 28 girls) between 29 July and 30 August 2024. After further investigation of these cases, the Mission was able to confirm that a total of 220 children were detained in connection with the protests (187 boys, 22 girls and 11 children whose gender could not be determined). This total includes detentions made in October and November 2024, as well as the detentions of two children during the presidential inauguration on 10 January 2025.<sup>466</sup>

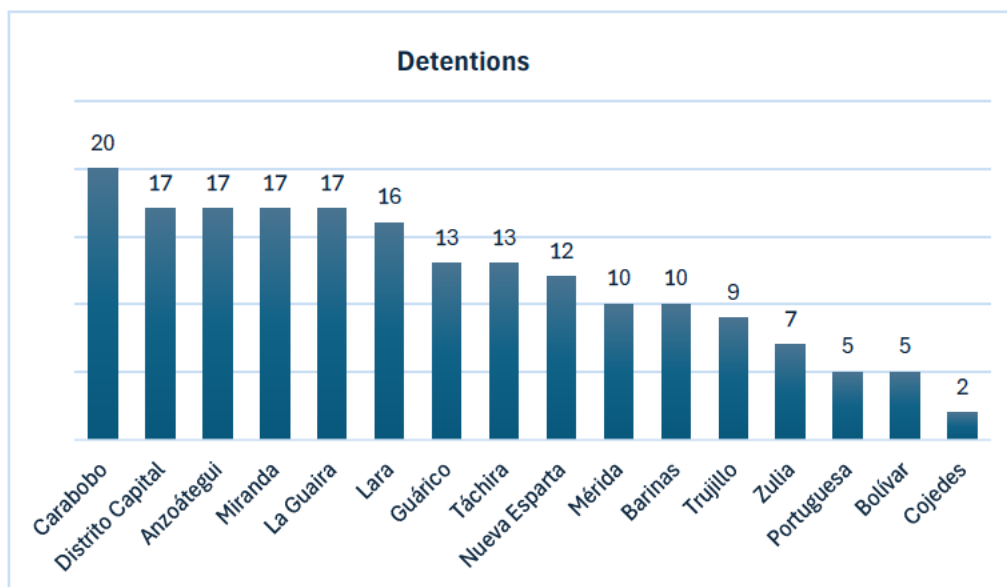
425. These detentions took place in 16 of Venezuela's 23 states. The state with the highest number of detentions was Carabobo. According to data recorded and analysed by the Mission from various sources, the ages of the children and adolescents detained ranged from 12 to 17 years old.

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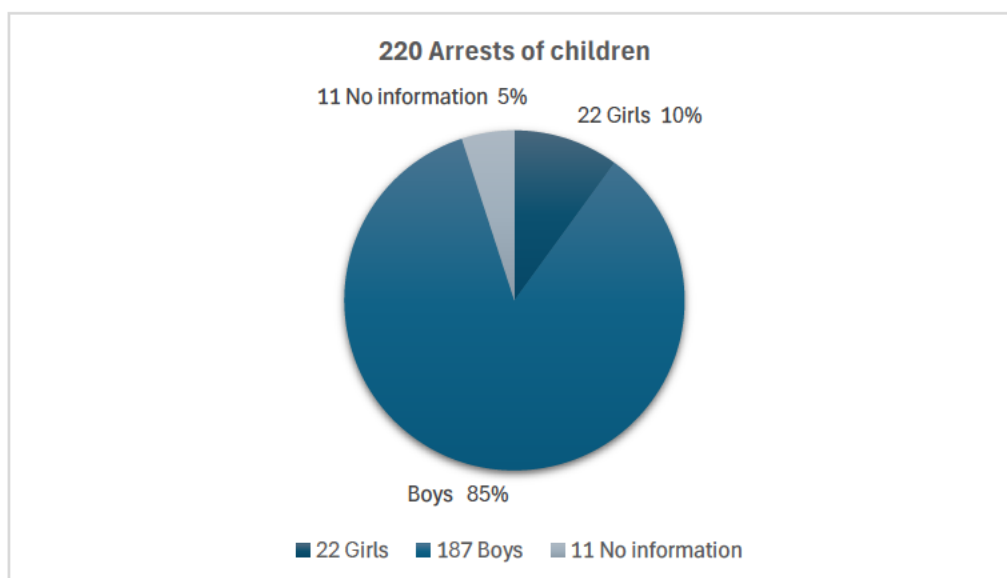
<sup>465</sup> As detailed in the chapter on arbitrary deprivation of life in this document, the Attorney General does not recognise the following three victims as having died during the post-election repression of 2024: Ángel David Mora, Gustavo Rojas and Aníbal José Romero Salazar.

<sup>466</sup> Document HHDC242.

Graph 3:

**Detentions of children and adolescents by State (190 detentions out of 220):***Source: Prepared by the Mission*

Graph 4:

**Detentions of children and adolescents by gender:***Source: Prepared by the Mission*

426. Most of the detentions of children and adolescents took place on public roads, during protests or afterwards, when their mobile phones were searched by members of the security forces and found to contain criticism of the government or anti-government information.<sup>467</sup> However, multiple cases were documented in which the children and adolescents detained were not participating in demonstrations or political activities at the time of their apprehension.<sup>468</sup>

<sup>467</sup> Document HHDC238.

<sup>468</sup> Interview HHDC250; Documents HHDC237; HHDC238; HHDC239; HHDC240 and HHDC241.

427. According to testimonies gathered by the Mission, these adolescents were violently intercepted while walking down the street, waiting for public transport, leaving medical appointments, or engaging in recreational activities such as playing football<sup>469</sup>. In some cases, children and adolescents were even detained in retaliation against people who had supported the opposition in the presidential elections. One testimony collected by the Mission recounted that on 28 July 2025, during a celebration of the results at his polling station, a member of a local collective approached him and said, "*That little smile will soon disappear.*" The next day, this person's 15-year-old son was detained while playing in the street with other adolescents.<sup>470</sup>

428. In some cases, such as that of a 17-year-old adolescent detained in a western region of the country on 11 January 2025, the detention took place in his own home. According to the Mission's sources, several hooded men carrying long weapons violently entered his home at night and took him away by force without giving any explanation to him or his family who were with him.<sup>471</sup>

429. The Mission documented the detention of at least three 13-year-old boys who were deprived of their liberty and later released without charge. The girls were detained in the states of Amazonas, Anzoátegui and Zulia, and one remained in detention for five days, another for one day, and the third for a few hours. This constitutes a serious violation of the provisions of the LOPNNA, as amended in 2015, which establishes that, in such cases, children must be referred to the Protection Councils for the adoption of non-criminal measures. All were released without charge on 8 August 2024.<sup>472</sup>

430. The detentions followed a similar pattern to those of adults, including a lack of information about the reasons for the detention, the absence of flagrante delicto and detention warrants, and initial incommunicado detention from family members. Furthermore, in the case of children and adolescents, the detentions did not take into account the best interests of the children, who were treated as adults, both in court hearings and in detention centres where they were held together with adults without distinction by sex.<sup>473</sup>

b) *Judicial proceedings and due process*

431. In the case of the juvenile criminal justice system, on 17 July 2024, at least three specialised courts were established with jurisdiction over terrorism matters. One of the courts was created for control purposes, another for trial purposes and a third for enforcement purposes.<sup>474</sup>

432. The Mission observes that, in proceedings against children before courts with jurisdiction over terrorism matters, judges committed multiple violations of due process without taking into account the circumstances of age and the best interests of the child.<sup>475</sup> Among these violations, the Mission documented the following: holding arraignment hearings more than 48 hours after detention, in violation of the legal time limit; incommunicado detention; holding preliminary hearings, most of them remotely, without the presence of parents or legal representatives; charging children with serious crimes such as terrorism and incitement to hatred without prior investigation; and the absence of legal representation of the child's choice.

433. In addition, the Mission received information that, in cases where children reported to the judicial authorities that they had been victims of sexual and gender-based violence at the

<sup>469</sup> Interviews HHDC250; IIIV150; IIIV149; IIIV148 and IIIV141.

<sup>470</sup> Interview IIIV149.

<sup>471</sup> Document HHDC241.

<sup>472</sup> Document HHDC238.

<sup>473</sup> *Ibid.*

<sup>474</sup> Suprema Injusticia, "11 days before 28 June, the Supreme Court created three juvenile criminal courts with jurisdiction over terrorism," 25 October 2024. Available at: <https://supremainjusticia.org/11-dias-antes-del-28-junio-el-ts-j-creo-3-juzgados-de-responsabilidad-penal-del-adolescente-con-competencia-en-terrorismo/>.

<sup>475</sup> Documents HHDC238; HHDC240 and HHDC242.

time of detention or during transfer, judges did not order the opening of investigations or take urgent protective measures.<sup>476</sup>

434. Furthermore, the LOPNNA requires that hearings be attended by legal representation from the Public Defender's Office specialising in children and adolescents, which did not occur despite their availability. Children and adolescents had to participate in short collective hearings alongside adults, making it impossible to carry out the "educational trial" and apply the special procedural guarantees for children. In at least one case, the judge presiding over the hearing attempted to induce the adolescents to plead guilty in exchange for a reduced sentence. When the children and adolescents refused and pleaded not guilty, their cases were sent to trial.<sup>477</sup>

435. In most cases, the children and adolescents were charged with serious offences such as terrorism and incitement to hatred, in proceedings marked by the absence of prior investigations to clarify the facts.<sup>478</sup> In particular, the Mission identified the systematic use of the Organic Law against Organised Crime and Terrorism Financing against children and adolescents.<sup>479</sup> In all cases, the files were referred to terrorism courts based in Caracas.

436. In preparation for the judicial proceedings, the children did not have legal representation of their choice, and although the Public Defender's Office intervened, there were initial reports of resistance on the part of some public defenders to cooperate with the families, resulting in difficulties in arranging interviews, lack of access to the case file, and lack of information about the proceedings. In several cases, families had to insist repeatedly to obtain a response. In some hearings, children and adolescents appeared without effective representation.<sup>480</sup> Although this situation gradually changed in some cases, with greater involvement by public defenders and more fluid interaction, in others there were no substantial changes, and complaints persisted about the lack of adequate support for children and adolescents.<sup>481</sup>

437. The Mission noted that preliminary hearings were held as closed proceedings, in some cases remotely, and without the presence of private legal representation. Family members were generally allowed to attend trial hearings.<sup>482</sup> Many mothers travelled to Caracas to present evidence of their children's good behaviour in the community, refuting allegations that they had participated in demonstrations, vandalised public property, or obstructed authorities.<sup>483</sup>

438. The Mission observed that these proceedings did not guarantee the "educational" nature required by the LOPNNA. Hearings must be conducted in clear, accessible, and age-appropriate language so that children and adolescents can understand the process and participate effectively.<sup>484</sup> Moreover, the principle of the exceptionality of deprivation of liberty was not respected, as in the documented cases, detention was applied automatically.<sup>485</sup>

439. The Mission identified the following judges as responsible for these proceedings which violated children rights: Keidimar Ramos Castillo, Dayana Desirée Castillo Hernández, Joel Abraham Monjes, Kelly Núñez, Berllyna Darab, Laisdys Martínez, and Rafael Hernández, who concentrated cases from various states, including La Guaira, Anzoátegui, Carabobo, Capital District, Falcón, Miranda, Yaracuy, and Bolívar.<sup>486</sup>

<sup>476</sup> See *below*: Section "Sexual and gender-based violence" in this report.

<sup>477</sup> Document HHDC240.

<sup>478</sup> Document HHDC238.

<sup>479</sup> A/HRC/57/CRP.5, para. 629.

<sup>480</sup> Document HHDC242.

<sup>481</sup> *Ibid*; Document HHDC239.

<sup>482</sup> *Ibid*. Article 588 of the LOPNNA requires that the trial hearing be "oral, continuous and private," normally in the presence of parents, legal guardians, or persons permitted by the adolescent.

<sup>483</sup> Interview IIIV149.

<sup>484</sup> LOPNNA, art. 543.

<sup>485</sup> *Ibid*, art. 548.

<sup>486</sup> Document HHDC240.



c) *Detention conditions*

440. During the initial hours of detention, many children and adolescents were not transferred to specialised care facilities, as required by the LOPNNA, which provides for their separation from adults and establishes that this transfer must be carried out immediately.<sup>487</sup> Instead, children and adolescents were taken to temporary detention centres, such as police stations or military facilities, where they were deprived of liberty alongside adults, without separation by age or sex. Subsequently, after being brought before the courts, many were sent to specialised care facilities for adolescents, where a binary separation by sex (male and female) was implemented. In these centres, the low number of girls compared to boys resulted in prolonged isolation for girls, who were placed in separate spaces without interaction with other adolescents.<sup>488</sup>

441. A total of 16 children and adolescents remained deprived of their liberty in adult detention centres or in temporary facilities run by state security and intelligence agencies, rather than in specialised care facilities. Of these, nine were held at the José Antonio Anzoátegui Agro-productive Penitentiary in Barcelona, five in Tocuyito and two in Tocarón. In some of these places, the separation of adults and children by sex was not guaranteed.<sup>489</sup>

442. Detention conditions, such as overcrowding, unsanitary conditions, and lack of access to drinking water, were similar to those of adults, without consideration for the age-specific needs of children and adolescents. In the case of girls, family members reported to the Mission that in temporary detention centres, they were not provided with feminine hygiene products or a change of clothes. As a result, many remained in blood-stained clothes for several days, which constitutes a form of abuse and humiliation.<sup>490</sup>

443. While the children remained in detention, families reported threats from the authorities to suspend prison visits if they spoke publicly about the cases. In several places, such as the Capital District, these threats were carried out. In this context, mothers of detained children came together to publicly denounce the situation. In the state of Lara, the family of an adolescent had their visits suspended after they made public a letter written by the child from the detention centre. In other cases, the same measures were taken when a post appeared on social media about one of the detained children.<sup>491</sup> In the cases of girls who were victims of sexual exploitation, the authorities punished them by denying them visits and personal items and food when they refused to have sex with the custodial staff.<sup>492</sup>

d) *Releases from prison*

444. As noted in the chapter on detentions in this document, of the 220 children and adolescents who were detained during election-related protests in both 2024 and January 2025, 216 have been released under precautionary measures. These measures are not adapted to their age, as required by international standards, and may even be more burdensome than those imposed on adults, such as a higher frequency of court appearances, which in some cases has been up to every eight days. In particular, this obligation to appear in Caracas does not take into account the place of habitual residence of the children and the need to travel with a responsible accompanying person.<sup>493</sup>

445. At the time of writing, four children remain in detention in the context of the State's electoral repression. In addition to the three children detained in July and August 2024, one of them, detained by GNB officials on 9 January in Lara State, remains in custody at the Dr. Pablo Herrera Campins "Retén El Manzano" Socio-Educational Centre in Lara. The other

<sup>487</sup> LOPNNA, art. 549.

<sup>488</sup> Interviews IIIV120; IIIV121; IIIV137 and QQIV127. See also HRC/57/CRP.5.

<sup>489</sup> Document HHDC238.

<sup>490</sup> Document IIDH171; Interview IIIV148.

<sup>491</sup> The Mission has decided not to explicitly mention the detention centres that carried out their threats in order to avoid further risks to families and children.

<sup>492</sup> Document IIDH171; Interview IIIV148.

<sup>493</sup> Interviews HHIV165 and HHIV166.

three minors are detained in the State of La Guaira, at the Caraballeda Preventive Detention Centre.<sup>494</sup>

#### 4. Torture and other cruel, inhuman, or degrading treatment or punishment

446. The Mission considers that the deprivation of liberty in the case of children and adolescents, even for short periods, can negatively affect their physical and psychological well-being, as well as their cognitive development, due to their particular vulnerability. The risk of them also being subjected to acts of torture or ill-treatment is exponentially higher than for adults, as documented by the Mission in several cases. The threshold of pain and suffering in children varies according to their age and level of maturity, so acts that would not constitute torture or ill-treatment in the case of an adult—such as temporary restrictions on contact with their family members—may also constitute torture or ill-treatment in the case of children.<sup>495</sup>

447. The Mission has documented acts of torture and ill-treatment perpetrated against detained children. These occurred both at the time of detention and during their stay in temporary police or military detention centres. In several cases, severe beatings, death threats, suffocation with plastic bags, electric shocks, acts of sexual and gender-based violence such as touching and demands for sexual acts in exchange for favours, and psychological violence, including threats of life imprisonment, were documented. This situation is reflected in more detail in the chapter on torture in the present conference room paper.

448. Some of the testimonies received by the Mission referred to children who had burned hands from holding hot tires or chest injuries from electric.<sup>496</sup> Most of these acts were carried out by both male and female officials of the PNB and the GNB.<sup>497</sup>

449. The Mission investigated the case of a 16-year-old adolescent who was detained on 29 July 2024 by PNB officials in the State of Carabobo. PNB officials transferred him to a military facility, where he remained until 1 August 2025. At the military fort, the adolescent was beaten with a bat while his hands were tied behind his back and suffocated with plastic bags while being forced to make a video confession claiming he received money to participate in violent acts. When he refused, he was subjected to electric shocks.<sup>498</sup>

450. The soldiers also threatened the adolescent with “splitting his head open,” telling him that no one knew where he was and that they were going to kill him. The adolescent was deprived of food and water for two consecutive days and remained in extremely poor conditions. Subsequently, the adolescent reported recurrent insomnia and nightmares linked to the use of electric shocks, attributable to the torture and abuse he suffered<sup>499</sup>.

451. Among the documented cases is that of a 16-year-old boy who was detained in August 2024 in the state of La Guaira. Security forces had initially searched for him at his home seven days earlier without finding him, and on that occasion threatened to detain his father if they did not locate his son. Fearing that his father would be detained, the adolescent voluntarily turned himself in and was detained. During his detention, he reported being suffocated with a plastic bag, repeatedly beaten and subjected to homophobic insults.<sup>500</sup>

452. The Mission also documented the case of another 16-year-old adolescent, diagnosed with autism spectrum disorder, who was detained on 2 August 2024 and subjected to torture

<sup>494</sup> Document HHDC242.

<sup>495</sup> World Organisation Against Torture (OMCT), *Global Guide for the Prevention and Protection of Children from Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, p. 6. Available at: [https://www.omct.org/site-resources/legacy/OMCT\\_SP\\_Gu%C3%ADa-Ni%C3%B1os\\_070923.pdf](https://www.omct.org/site-resources/legacy/OMCT_SP_Gu%C3%ADa-Ni%C3%B1os_070923.pdf)

<sup>496</sup> Interview IIIV149. Documents IIDC169; IIDC168; IIDC167 and IIDC163

<sup>497</sup> Interviews IIIV148 and IIIV149.

<sup>498</sup> Interview QQIV120.

<sup>499</sup> *Ibid.*

<sup>500</sup> Document HHDC242.

by suffocation and electric shocks to force him to record a video confession. He was released from prison on 11 December 2024.<sup>501</sup>

453. Several sources informed the Mission of the case of a 17-year-old girl who was detained on 5 August 2024 because of a WhatsApp message in which comments were made about the protests in the post-election context. During her detention, the girl suffered a nervous breakdown. She was released from prison on 17 November 2024.<sup>502</sup>

454. The Mission, in collaboration with expert organisations, has identified that children and adolescents who have been detained suffer psychological consequences after their release. The symptoms identified include post-traumatic stress disorder, anxiety, sleep disturbances, drug addiction, concentration difficulties, family and social isolation, and episodes of anger and violence.<sup>503</sup> All of these are indications that they may have been subjected to torture and other cruel, inhuman or degrading treatments.

455. The families, especially the mothers, of the detained children and adolescents have suffered emotional and psychological pressure due to the lack of communication with their sons and daughters, causing anxiety, depression, emotional exhaustion, and even physical health problems.

456. Likewise, in the table below, the Mission describes the case of several adolescent girls who were subjected to enforced disappearance and acts of sexual and gender-based violence. The case is also referred to in the chapter on enforced disappearances and sexual and gender-based violence.

**Acts of sexual violence against adolescents deprived of their liberty\***

Several adolescents between the ages of 15 and 17 were detained by the GNB without explanation on the streets of a city in a central state between 29 and 30 July 2024. They were transported in a truck along with 30 other detainees, whom the GNB agents called “*guarimberos* animals” and physically assaulted.

The adolescents were held incommunicado for at least 10 days, without contact with their families, who persisted in searching for them and denouncing their disappearance on social media. The whereabouts and fate of the adolescents were consistently denied by the authorities during that period. On 10 August 2024, the adolescents were brought before a judge for a preliminary hearing.

Initially, the adolescents were locked up while still wearing their wet clothes in a small cell, with water on the floor and insufficient space, together with adults. After the hearing, the adolescents were detained at a PNB headquarters, where their families were able to send them clothes, food and other personal items.

According to information gathered by the Mission from people close to the PNB officers, the commissioner in charge and several male officers raped and sexually abused the group of adolescents on multiple occasions, offering in exchange for allowing them to use the toilet more frequently, providing cleaning supplies for the detention area, or giving them the full amount of food sent by their families. One of the adolescents was beaten on multiple occasions, especially when her relatives demanded her release on social media.

The adolescents were released from detention in November and December 2024.

<sup>501</sup> Document HHDC241. See also: Publication in X by Tal Cual [@DiarioTalCual], 13 September 2024. Available at: <https://x.com/DiarioTalCual/status/1834659131212677449>

<sup>502</sup> Documents HHDC240 and HHDC241. See also: Efecto Cocuyo, “Adolescent detained in Carúpano for WhatsApp message is in delicate health,” 26 August 2024. Available at: <https://efectococuyo.com/la-humanidad/adolescente-detenido-en-carupano-por-mensaje-en-whatsapp-se-encuentra-en-estado-delicado-de-salud/>

<sup>503</sup> Interviews IIV149; IIV154. Documents HHDC237; HHDC238; HHDC239; HHDC240; HHDC241; HHDC242; HHDC249; Alayarian, *Children, Torture and Psychological Consequences* cited in World Organisation Against Torture (OMCT), *Global Guide for the Prevention and Protection of Children from Torture and other Cruel, Inhuman or Degrading Treatment or Punishment*, p. 6. Available at: [https://www.omct.org/site-resources/legacy/OMCT\\_Global-Guide-Children.pdf](https://www.omct.org/site-resources/legacy/OMCT_Global-Guide-Children.pdf)

*\*Note: For reasons of protection, safety, and physical integrity, the identities of the victims have been anonymised, as have details of sources, locations, and other circumstances. The details of the case, as well as the identities of the perpetrators of the violence, including photographs, remain protected in the Mission's archives.*

## VI. Situation of Civic Space

### A. Legislation

457. During this period of investigation, despite widespread recommendations from human rights organisations and international bodies,<sup>504</sup> the Venezuelan government proceeded with the implementation and adoption of laws that restrict the space for civil society to act independently and contribute to public life. These laws are particularly harmful to human rights organisations, as they impose onerous administrative and financial obligations and establish a legal framework that enables arbitrary actions and reprisals against them.

458. The Mission reiterates that this legislative framework is part of a plan to repress any opposition or critical voices, including those perceived as such. This legislative framework, consisting mainly of three laws, could contravene the rights to freedom of opinion and expression, the rights to peaceful assembly and association, and the right to participate in public affairs.

459. The three main laws that constitute this restrictive national legal framework are the Law on the Control, Regulation, Operation and Financing of Non-Governmental Organisations and Non-Profit Social Organisations, the Constitutional Law of Liberator Simón Bolívar against the Imperialist Blockade and in Defence of the Bolivarian Republic of Venezuela, and the Draft Law Against Fascism, Neo-Fascism and Similar Expressions.

#### 1. Law on the Control, Regulation, Operation and Financing of Non-Governmental Organisations and Non-Profit Social Organisations

460. The law officially entered into force on 15 November 2024.<sup>505</sup> In January 2023, the Mission had already expressed concern over the draft law because it would impose burdensome requirements on non-governmental organisations (NGOs) and granted the State broad arbitrary powers to close them down or exert undue influence on their operations.<sup>506</sup> Several Venezuelan and international human rights organisations,<sup>507</sup> as well as the United Nations High Commissioner for Human Rights and several UN Special Procedures mandate holders, shared similar concerns.<sup>508</sup>

461. The law prohibits organisations from receiving “financial contributions intended for organisations with political aims or from making financial contributions to such organisations”, for the financing or commission of terrorist acts, and promoting “fascism, intolerance or hatred.”<sup>509</sup> The vagueness of the terms used allows for abuse in their

<sup>504</sup> Among others, CEJIL, HRW, WOLA, FIDH, AI, IACHR, OHCHR and Venezuelan civil society organisations.

<sup>505</sup> Law on the Oversight, Regularisation, Operation and Financing of Non-Governmental Organisations and Non-Profit Social Organisations, *Official Gazette* No. 6,855 extraordinary, 15 November 2024. Available at: <https://avisavenezuela.org/wp-content/uploads/GACETA-6855.pdf>

<sup>506</sup> Mission press release: *The NGO bill, a possible point of no return in the closure of civic space*, 20 January 2023. Available at: <https://www.ohchr.org/es/press-releases/2023/01/venezuela-draft-ngo-law-reaching-point-no-return-closure-civic-space>

<sup>507</sup> International organisations express concern over bill that criminalises and hinders the work of civil society organisations in Venezuela, 17 January 2024. Available at: <https://www.hrw.org/es/news/2024/01/17/organizaciones-internacionales-expresan-preocupacion-por-proyecto-de-ley-que>

<sup>508</sup> A/HRC/59/58, para. 44; OL VEN 2/2023.

<sup>509</sup> Law on the Oversight, Regularisation, Operation and Financing of Non-Governmental Organisations and Non-Profit Social Organisations, art. 23.

interpretation. The Mission notes that terms such as “terrorism,” “hatred,” or “fascism” are commonly used by the authorities to attack organisations they perceive as critical, which could now be used to apply the terms of this law.<sup>510</sup>

462. For example, on 30 October 2024, following the death of Edwin Santos, a collaborator with *Vente Venezuela*, whose case is reflected in the Annex to this document, Minister Diosdado Cabello threatened journalists and organisations that dared to contradict the official version of that death, including PROVEA and its Director. Cabello said of PROVEA that “you crossed the line, on 28 July you crossed the line, the bullshit is over here.”<sup>511</sup> On 28 May, Cabello declared that several NGOs, specifically mentioning PROVEA and *Foro Penal*, were part of a “terrorist structure.”<sup>512</sup> During the period covered by this report, members of these organisations were detained and remain in custody, evidence that the threats have materialised into concrete actions.<sup>513</sup>

463. The law establishes a new mandatory registration regime for all organisations, both new and existing. These must register in a national system that requires the submission of detailed information on their structure, operations, sources of funding and assets. Obtaining legal status is subject to compliance with these requirements and verification by the competent authority. To this end, the law establishes two deadlines: 90 and 180 days after its entry into force.<sup>514</sup> Failure to comply, known as a “formal offence”, could result in heavy financial penalties.<sup>515</sup> International NGOs must register with the Ministry of Foreign Affairs under stricter deadlines.<sup>516</sup>

464. This re-registration process requires significant time and resources, which many small organisations cannot afford. It is particularly worrying that failure to comply with this process will result in the organisation's legal status being revoked, putting the existence of long-standing civil society actors at risk.

465. Even more worrying is the “preventive measure” in the law that empowers the Ministry of the Interior, Justice and Peace to suspend an organisation's operations without prior legal proceedings or the right to defence. This violates basic principles of due process and access to justice.<sup>517</sup>

466. The law also imposes strict controls on the financing of organisations. NGOs must disclose detailed information about their donors and beneficiary population, as well as the origin of their funds.<sup>518</sup> A regime of sanctions has been introduced that includes heavy fines, suspension, cancellation of registration and even the forced dissolution of organisations.<sup>519</sup>

a) *Challenges identified in the implementation process*<sup>520</sup>

467. The Mission has received information about inconsistent and unequal treatment across registration offices, imposing different and even extra-legal requirements when proceeding with registration as established by law. Some NGOs were initially informed that they met all the requirements but were then required to provide additional documentation not foreseen in

<sup>510</sup> These same arguments have been used in recent years to criminalise human rights organisations and individuals, in a more indiscriminate manner since the elections of 28 July 2024.

<sup>511</sup> <https://correodelcaroni.com/pais-politico/citan-a-coordinador-general-de-provea-a-comparecer-ante-cicpc-sin-aclarar-la-causa/>

<sup>512</sup> Ntn24, “Diosdado Cabello accuses several NGOs of being involved in alleged terrorist structures,” 28 May 2025. Available at: <https://www.ntn24.com/noticias-politica/diosdado-cabello-acusa-a-varias-ong-de-estar-involucradas-en-supuestas-estructuras-terroristas-558792>

<sup>513</sup> Such as, for example, Kennedy Tejeda, Eduardo Torres.

<sup>514</sup> Law on the Oversight, Regularisation, Operation and Financing of Non-Governmental Organisations and Non-Profit Social Organisations, Transitional Provisions 1 and 2.

<sup>515</sup> *Ibid*, arts. 35 and 36.

<sup>516</sup> *Ibid*, Chapter IV.

<sup>517</sup> *Ibid*, art. 30.

<sup>518</sup> *Ibid*, Articles 16 and 26.

<sup>519</sup> *Ibid*, arts. 28, 30 and 36.

<sup>520</sup> Access to Justice, *The definitive collapse of the democratic façade in Venezuela*, Chapter 2.1., April 2014. Available at: <https://accesoalajusticia.org/informe-anual-2024-colapso-definitivo-fachada-democratica-venezuela/>



the law. Other organisations considered critical by the Government have faced greater obstacles, for example, FundaREDES, led by Javier Tarazona, who has been detained since July 2021.

468. In several cases, registration offices have refused to provide written confirmation of receipt of applications, depriving NGOs of proof that they submitted the documents within the legal deadline. In other cases, registration has been denied without written justification, only through verbal or informal explanations.

469. In other cases, organisations have encountered difficulties in hiring professional auditors to comply with the detailed information requirements of the law, such as the annual update of inventories and financial statements required by Article 26.

470. The Mission has received information that registration offices are rejecting applications for the use of “prohibited” language and demanding up to ten years of financial audits and retroactive documentation. The Mission has also received information about cases of corruption in which registration officials have demanded cash payments to carry out acts required by law, even though the law does not provide for a registration.

471. The Mission has recorded that State security forces have visited NGO offices under the pretext of verifying the registration process. These visits have been perceived as acts of intimidation, as the officials involved had neither legal authority nor technical competence for such tasks. In addition, some banks have begun to require NGOs to provide proof of compliance with the law in order to keep their accounts active.

472. At the time of writing, only a few humanitarian organisations have successfully completed the registration process. However, the Mission has not recorded any instances of government authorities imposing the penalties established by law for failure to comply with deadlines and requirements.

473. The Mission has received information that the changing requirements and uncertainty regarding the criteria applied by the authorities in implementing this law have created a climate of legal uncertainty that hinders the planning and sustainability of their activities. In this context, several organisations have decided to close or move their operations outside the country, such as *Transparencia Venezuela* (now called *Transparencia Venezuela in exile*), *Conexión Segura y Libre*, and *Acción Solidaria contra el SIDA*.<sup>521</sup>

## 2. Constitutional Law of Liberator Simón Bolívar against Imperialist Blockade and in Defence of the Bolivarian Republic of Venezuela

474. This law came into force on 29 November 2024.<sup>522</sup> Its stated objective is to “protect the Venezuelan people against the actions of persons [...] who promote, invoke, support or participate in the imposition of unilateral coercive measures and other restrictive or punitive measures” against the country.<sup>523</sup> However, its application could serve as a tool to further suppress any form of criticism or dissent, affecting the rights to peaceful assembly and association, as well as the right to participate in public affairs.

475. The two most concerning aspects of this law are the vagueness of its language and the broad or arbitrary possibility of imposing severe criminal penalties.

476. In Article 7, the law lists six prohibited behaviours but includes the phrase “among others,” leaving its scope open. This vague language could give the courts and the government broad discretion to interpret and punish “acts and actions that endanger the sovereignty, independence, self-determination, and territorial integrity of the Bolivarian Republic of Venezuela.”

<sup>521</sup> Document WWDC160.

<sup>522</sup> Organic Law Simón Bolívar against the Imperialist Blockade and in Defence of the Bolivarian Republic of Venezuela, *Official Gazette* No. 6,859 Extraordinary, 29 November 2024. Available at: <https://www.traviesoefans.com/travieso/wp-content/uploads/gacetas/2024/11-noviembre/2024-11-29-6859-extraordinario.pdf>

<sup>523</sup> *Ibid*, art. 1.

477. The six prohibited behaviours covered in Article 7 are themselves problematic. For example, the phrase “direct or indirect participation” in the application of coercive measures is ambiguous and overly broad.<sup>524</sup> This poses a serious risk to human rights organisations that document and report violations and crimes against humanity, as the information they provide could be used by countries to impose sanctions. Similarly, the “non-recognition of political authorities” is particularly vulnerable to abuse, especially in the current context, as legitimate concerns about the transparency of electoral processes could be criminalised under this provision.<sup>525</sup>

478. Its ambiguous wording and broad scope allow it to be used as a tool for persecuting civil society organisations that collaborate with international bodies. For example, the UN Human Rights Council and other regional and international mechanisms rely on information provided by NGOs to assess the human rights situation in Venezuela. If this cooperation is interpreted as an act of “treason” or as a form of support for “fascist expressions,” there is a risk of silencing voices that are essential for accountability.

479. The penalties set out by the law are extremely drastic and raise serious concerns about their possible use as a tool for political persecution. They include disqualification from elective office,<sup>526</sup> prison sentences of 25 to 30 years,<sup>527</sup> fines for individuals and media outlets,<sup>528</sup> political disqualification for up to 60 years,<sup>529</sup> disqualification from public office for the same period,<sup>530</sup> denial of alternatives to imprisonment,<sup>531</sup> and even confiscation of property.<sup>532</sup>

480. According to Article 21 of the law, media outlets that “disseminate propaganda, messages or advertising promoting the imposition of unilateral coercive measures” will be punished with heavy fines. In addition, if they operate under a state concession, this may be revoked. A strict interpretation of this clause could lead to the conclusion that even reporting or analysing the sanctions constitutes “propaganda”, which encourages self-censorship in the media and can lead to serious restrictions that are incompatible with the right to freedom of expression.

481. The law establishes a national registry of persons for whom there are reasonable grounds to believe that they are engaged in any of the actions contrary to this law, which may include persons on the basis of undefined “valid grounds,” without prior legal process or the right to defence. These suspects could face severe administrative sanctions such as the preventive freezing of their assets and prohibitions on import or export activities.<sup>533</sup>

482. To date, the Mission is not aware of any direct or explicit application of this law to specific individuals or organisations. However, senior government officials, including Nicolas Maduro,<sup>534</sup> Jorge Rodríguez<sup>535</sup> and Diosdado Cabello, have publicly urged the electoral authorities to apply this law to politically disqualify certain individuals and prevent them from participating in electoral processes.

<sup>524</sup> *Ibid*, art. 7(4).

<sup>525</sup> *Ibid*, art. 7(5)

<sup>526</sup> *Ibid*, art. 9.

<sup>527</sup> *Ibid*, arts. 11 and 12.

<sup>528</sup> *Ibid*, arts. 11, 12, and 21.

<sup>529</sup> *Ibid*, art. 13.

<sup>530</sup> *Ibid*, art. 15.

<sup>531</sup> *Ibid*, art. 17.

<sup>532</sup> *Ibid*, art. 19.

<sup>533</sup> *Ibid*, art. 23.

<sup>534</sup> Nicolas Maduro, Broadcast of Edition No. 70 of the programme “Con Maduro +.” 11 February 2025. Available at: <https://www.youtube.com/watch?v=sf0Zd7Pu7f8>

<sup>535</sup> AVN, *National Assembly requests that the National Electoral Council apply the Simon Bolivar Law to candidates for the 27 April elections*, 28 January 2025. Available at: <https://avn.info.ve/an-solicital-cne-aplicacion-de-ley-simon-bolivar-a-postulados-a-elecciones-del-27a/>



### 3. Draft Law Against Fascism, Neo-Fascism and Similar Expressions

483. On 2 April 2024, the National Assembly approved in first reading a bill against Fascism, Neo-Fascism and Similar Expressions. To date, the bill has not been adopted, and no new date has been set for its continued consideration by Parliament.

484. In this case as well, important international organisations and institutions, such as the United Nations High Commissioner for Human Rights,<sup>536</sup> the Special Rapporteur for Freedom of Expression (RELE) of the IACHR,<sup>537</sup> and several UN Special Procedures mandate holders have expressed concern about the bill.<sup>538</sup>

485. The latest draft of this bill reviewed by the Mission raises multiple concerns regarding its compliance with international human rights standards.<sup>539</sup> The definitions of “fascism, neo-fascism” and similar expressions, which serve as the basis for its regulation and criminal sanctions, are vague, unclear and lack precise legal delimitation.<sup>540</sup> This lack of precision may open the door to arbitrary and potentially abusive use of criminal law against opponents and dissident voices, or those perceived as such.

486. Particularly troubling is the definition in Article 4 of “fascism,” which lists as its “common features” “racism, chauvinism, classism, moral conservatism, neoliberalism, misogyny, and any form of human phobia.” This language considerably broadens the range of expressions that could be censored or penalised.

487. In addition, the bill prohibits a wide range of expressions considered to support or glorify fascism, but its vague language, especially the prohibition of messages that “denigrate democracy” or promote “fascist” ideas, raises serious concerns about its potential use to suppress opposition and dissent. This could criminalise legitimate political criticism and journalism in the public interest. Media outlets could face severe penalties, including licence revocation or fines.

488. These provisions could also affect the work of human rights organisations that attend international forums to present information on the situation in Venezuela. If their interventions or reports are interpreted as messages that “denigrate democracy” or as expressions of ideas classified as “fascist”, they could be subject to the sanctions provided for in the bill. This could have a deterrent effect on their participation in multilateral spaces and reduce the flow of independent information used by international mechanisms to monitor and assess the situation in the country.

489. Furthermore, Article 23 of the bill criminalises the promotion or glorification of fascism with prison sentences and political disqualification but does so on the basis of vague and open-ended definitions such as “inalienable values and rights of the State” and “harm to the Bolivarian Republic of Venezuela and its population,” which facilitates its potential abuse for political purposes. The bill does not clearly specify the duration of the penalties or the objective criteria for their application.

490. Article 26 of the bill allows the authorities to impose broad precautionary measures, such as banning demonstrations or suspending events, which represents a serious threat to the right to peaceful assembly and other fundamental freedoms.

<sup>536</sup> High Commissioner delivers update on the human rights situation in Venezuela, 3 July 2024, Available at: <https://www.ohchr.org/en/statements-and-speeches/2024/07/high-commissioner-delivers-update-human-rights-situation-venezuela>

<sup>537</sup> Special Rapporteur for Freedom of Expression (RELE) of the IACHR, *RELE condemns repression in Venezuela and calls on the international community to reject violations of freedom of expression*, 26 December 2024. Available at: <https://www.oas.org/es/CIDH/jsForm/?File=/es/cidh/expresion/prensa/comunicados/2024/328.asp>

<sup>538</sup> Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, Special Rapporteur on the rights to freedom of peaceful assembly and of association, and Special Rapporteur on the situation of human rights defenders. OL VEN 7/2024, 2 October 2024.

<sup>539</sup> Law against fascism, neo-fascism and similar expressions. Available at: <https://www.observatoriodeconflictos.org.ve/oc/wp-content/uploads/2024/05/Ley-antifascismo-Venezuela.pdf>

<sup>540</sup> Law against fascism, neo-fascism and similar expressions, art. 4.

491. The Mission calls on the Government to refrain from adopting this law, which could contravene Venezuela's international human rights obligations and further intimidate civil society organisations in the country.

492. The Mission considers that this legislation is part of a broader strategy of repression in Venezuela. These laws pose a threat to civic space and the work of human rights organisations in an attempt to silence civil society and critical and independent voices.

## **B. Restriction of freedom of opinion and expression**

### **1. General findings**

493. In its 2024 report, the Mission documented a sustained pattern of repression against individuals who exercised their right to freedom of opinion and expression, including journalists, content creators, political activists, and social media users. The prosecutions were mainly based on the Constitutional Law against Hate, for Peaceful Coexistence and Tolerance, and in some cases included terrorism charges, without adequate legal justification or proportionality in the state's response.<sup>541</sup>

494. In its report on the state of this right in 2024, published in May 2025, the organisation Espacio Público documented a total of 619 reports of violations of the right to freedom of expression, representing a 61 per cent increase compared to the previous year.<sup>542</sup> This figure is the highest recorded in the past five years and includes acts of censorship, harassment, threats and arbitrary detentions. The main form of violation was intimidation, with 199 cases (more than a third of the total), followed by censorship (127) and harassment through judicial means (80).<sup>543</sup>

495. In the same report, Espacio Público reported 99 detentions of media workers, representing a 254 per cent increase in comparison with 2023, when 28 cases were documented. According to the same source, 28 of these arrests were related to the use of social media or the internet, while 38 were carried out under accusations of incitement to hatred.<sup>544</sup>

### **2. Attacks against journalists and media workers**

496. During the period covered by this report, the Mission documented a continuing pattern of repression against journalists, media workers, media professionals, and content creators on digital platforms, restricting civic space and freedom of opinion and expression. This included arbitrary detentions, cruel, inhuman, or degrading treatment or punishment, restrictions on professional practice, and confiscation of equipment. Repressive actions intensified particularly during three moments during this period: during the election campaign and on the day of the 2024 presidential elections; after the announcement of the election results; and in the days leading up to the presidential inauguration in January 2025.

497. The Mission has recorded and documented at least 18 new cases of journalists being arbitrarily detained in the exercise of their duties as public communicators during the period between August 2024 and August 2025, due to their real or perceived status as government opponents.<sup>545</sup> These detentions are considered arbitrary, as they were carried out without arrest warrants or without the individuals being caught in flagrante delicto. The Mission has found no legal basis in these cases to justify the detentions.

498. At the time of writing this report, the Mission has recorded a total of 11 journalists who remain in detention (10 men and one woman) in connection with their journalistic work.

<sup>541</sup> Detailed conclusions of the mission, 2024, A/HRC/57/CRP.5, paras. 97-104.

<sup>542</sup> Espacio Público, *Report 2024: General situation of the right to freedom of expression in Venezuela*, 2 May 2025. Available at: [https://espaciopublico.org/libertad-expresion-venezuela-2024-informe-espacio-publico/#\\_ftn1](https://espaciopublico.org/libertad-expresion-venezuela-2024-informe-espacio-publico/#_ftn1)

<sup>543</sup> *Ibid.*

<sup>544</sup> *Ibid.*

<sup>545</sup> Document HHDC244.

In addition, three other journalists remain in detention on account of their opinions and political activism.

499. The Mission also documented testimonies of physical attacks on journalists while covering post-election protests in different regions of the country. One such case was that of Jesús Romero, a reporter for the media outlet *Código Urbe*. Romero was shot twice, once in the abdomen and once in the leg, while covering protests on behalf of his outlet at the Redoma de San Jacinto in Maracay, Aragua State, on 29 July 2024.<sup>546</sup>

a) *Update on arrests before, during and after the 2024 presidential elections*

500. In the Mission's September 2024 report, arbitrary detentions were reported, as well as restrictions on access to polling stations during the presidential elections and other violations against freedom of opinion and expression.

501. The Mission has updated the situation of some journalists detained during the post-election repression of 2024. Yousnel Alvarado, Paúl León, and Deisy Peña were released from prison in December 2024 under precautionary measures, while the criminal proceedings against them continue.<sup>547</sup> In the case of José Gregorio Camero, after his detention at the Tocarón facility, he was released on 21 July.<sup>548</sup> Ana Carolina Guaita, whose case is also referenced in the section on arrests of family members in this document, was released in December 2024.<sup>549</sup> Víctor Ugas, detained on 16 August 2024, remains in detention.<sup>550</sup>

502. Other cases, which occurred in the weeks leading up to the presidential elections, were brought to the Mission's attention during this investigation cycle. Among them is the case of Luis López, 65 years old, a reporter and radio programme director, who was arrested on 14 June 2024 in La Guaira, Vargas State. López was accused of incitement to hatred and criminal association and was initially detained at El Helicoide. In April 2025, López was transferred to Rodeo I prison without his family's knowledge.<sup>551</sup>

b) *Arrests surrounding the presidential inauguration*

503. In the context of the presidential inauguration in January, there was a further increase in repressive measures against journalists. One case is that of Carlos Correa, journalist and director of the organisation "Espacio Público", who was detained on 7 January in Caracas by masked individuals and held incommunicado for nine days. According to information obtained by the Mission, Correa was released on 16 January 2025.<sup>552</sup>

<sup>546</sup> See Annex to this document: Case 1 protests at the San Jacinto obelisk roundabout in Maracay, Aragua State.

<sup>547</sup> La Patilla, Student Jesús Ortiz and photojournalist Yousnel Alvarado released from prison, 25 December 2024. Available at: <https://lapatilla.com/2024/12/25/excarcelaron-al-estudiante-jesus-ortiz-y-al-reportero-grafico-yousnel-alvarado/>; La Patilla, Cameraman Paúl León released after nearly five months of unjust detention, 24 December 2024. Available at: <https://lapatilla.com/2024/12/24/excarcelaron-al-camarografo-paul-leon-despues-de-casi-cinco-meses-detenido-injustamente/>; Publication on X by SNTP [@sntpvenezuela], 12 December 2024. Available at: <https://x.com/sntpvenezuela/status/1867164115430785203>

<sup>548</sup> El Nacional, *Journalist José Gregorio Camero to be transferred to Tocarón*, 27 June 2025. Available at: <https://www.elnacional.com/2025/06/periodista-jose-gregorio-camero-sera-trasladado-a-tocoron/>; NTN24, José Gregorio Camero, the first journalist released from prison under the new agreement between Maduro and the United States of America, 22 July 2025. Available at: <https://www.ntn24.com/noticias-actualidad/jose-gregorio-camero-el-primer-periodista-excarcelado-en-el-nuevo-acuerdo-entre-maduro-y-estados-unidos-569834>

<sup>549</sup> Interview WWIV153.

<sup>550</sup> Interview WWIV123.

<sup>551</sup> LatAm Journalism Review, *Journalist Luis López arrested and charged with "inciting hatred" in La Guaira, Venezuela*, 17 June 2024. Available at: <https://latamjournalismreview.org/es/news/periodista-luis-lopez-es-detenido-y-acusado-de-incitacion-al-odio-en-la-guaira-venezuela/>; TalCual, *Arbitrary transfer of journalist Luis López to Rodeo prison denounced*, 13 April 2025. Available at: <https://talcualdigital.com/denuncian-traslado-arbitrario-del-periodista-luis-lopez-a-la-carcel-del-rodeo/>

<sup>552</sup> Illustrative case 9: Carlos Correa.

504. On 8 January 2025, as documented by the Mission, Ángel Godoy, a contributor to the *Punto de Corte* website and president of the Democracy and Inclusion Movement, was detained by SEBIN in Los Teques, State of Miranda. Godoy was transferred to El Helicoide, where he was held incommunicado for more than 100 days. At the time of writing this report, Godoy remains in detention.<sup>553</sup>

505. On 9 January 2025, during a day of protests called by the opposition, the Mission recorded the detention of several journalists in different cities across the country, including Leandro Palmar, Salvador Cubillán, Julio Balza and Edinson Castro.<sup>554</sup>

506. On 20 February 2025, according to information obtained by the Mission, Rory Branker, a journalist for the digital media outlet *La Patilla*, was detained by individuals dressed in civilian clothing and armed in the city of Maracaibo, Zulia State. Later that same day, a group of men dressed in civilian clothing entered Branker's residence without a court order.<sup>555</sup> These individuals informed those present in the home that "he [Branker] is under investigation and is being held at El Helicoide."<sup>556</sup> The individuals entered the property and conducted an unauthorised search, during which they stole three mobile phones and three computers, without leaving any written record or legal justification for their actions.

507. Branker's family, friends, and legal representatives have made numerous efforts to locate him, including visits to detention centres in Caracas and other regions, as well as approaches to the Attorney General's Office, the Ombudsman's Office, courts, and the Public Defence Coordination Office. According to information received by the Mission, from 24 February to mid-August 2025, his relatives inquired about his whereabouts and fate at least three times a week at different detention centres, without obtaining any information about his location. They also attempted to file a *habeas corpus* petition, which was not accepted by the authorities.<sup>557</sup> At the time of writing, Branker has been held incommunicado world for six months.<sup>558</sup>

508. On 14 May 2025, Diosdado Cabello stated sarcastically on his programme *Con el Mazo Dando* that Branker was "singing like Pavarotti."<sup>559</sup> However, to date, his fate or whereabouts, as well as the conditions of his detention, remain unknown. In these circumstances, the Mission, according to its broad interpretation of enforced disappearance, has reason to believe that Branker is a victim of enforced disappearance, at least until the moment he had his preliminary hearing before a judge, if such a hearing did in fact take place.

### c) Other detentions

509. The Mission has documented the arrest of Juan Francisco Alvarado, a social communication student, by the GNB on 20 March 2025 in the State of Cojedes, after he was

<sup>553</sup> Espacio Público, *Wife of Ángel Godoy: "Our story changed on 8 January,"* 15 July 2025. Available at: <https://espaciopublico.org/esposa-de-angel-godoy-nuestra-historia-cambio-a-partir-del-8-de-enero/>

<sup>554</sup> CNP Zulia, *Press Release - One month after his unjust detention: CNP Zulia demands the immediate release of journalist Leandro Palmar*, 9 January 2025. Available at: <https://cnpzulia.wordpress.com/2025/02/09/comunicado-a-un-mes-de-su-injusta-detencion-cnp-zulia-exige-libertad-inmediata-del-periodista-leandro-palmar/>; Diario las Américas, *Disappearance of journalist from María Corina Machado's team reported*, 10 January 2025. Available at: <https://www.diariolasamericas.com/america-latina/denuncian-desaparicion-periodista-del-equipo-maria-corina-machado-n5369373>; LatAm Journalism Review, *Venezuelan journalists detained and censored during Maduro's inauguration*, 13 January 2025. Available at: <https://latamjournalismreview.org/es/articles/periodistas-enfrentan-detenciones-y-bloqueos-digitales-en-venezuela-mientras-maduro-asume-tercer-mandato/>

<sup>555</sup> *Ibid.*

<sup>556</sup> *Ibid.*

<sup>557</sup> *Ibid.*

<sup>558</sup> La Patilla, *The shadow of forced disappearance: Rory Branker, five months without a trace*, 21 July 2025. Available at: <https://lapatilla.com/2025/07/21/la-sombra-de-la-desaparicion-forzada-rory-branker-cinco-meses-sin-rastro/>

<sup>559</sup> YouTube video from TVES [@@tvesaldia], LIVE | Con El Mazo Dando | Diosdado Cabello | Programme 526, 14 May 2025. Available at: <https://www.youtube.com/live/UNOEdN0AaNI?si=8vuUg9IfCYwbVXX-&t=8829> [min. 2:27:09].

identified as “wanted” by the authorities. Alvarado is currently being held at a GNB detachment in Agua Blanca, Portuguesa State, and faces charges of incitement to hatred for posting critical comments about the government on social media.<sup>560</sup>

510. Spouses Nakary Mena Ramos and Gianni González, a reporter and videographer for *Impacto Venezuela*, were detained on 8 April 2025 in Caracas while reporting on crime in the Plaza Venezuela area, according to information obtained by the Mission. According to open sources, the two remained missing for at least 70 hours, with the authorities providing no information on their whereabouts and denying access to family members or lawyers. Subsequently, a court with jurisdiction over terrorism matters charged them with incitement to hatred and dissemination of false information.

511. Mena was detained at the National Institute for Women's Guidance (INOF) in Los Teques, while González was transferred to El Rodeo II prison. His daughter remains in the care of family members and is entitled to visit her mother every 15 days.<sup>561</sup> At the time of writing, both journalists remain in detention. Mena is the only female journalist deprived of her liberty at the time of writing this report.<sup>562</sup>

512. Finally, in the context of the parliamentary and regional elections on 25 May 2025, the Mission recorded the detention of at least 16 journalists. In one case, journalist Carlos Marcano was arrested on 23 May 2025 at his home by the PNB. Marcano was held incommunicado for 13 days<sup>563</sup> and, at the time of writing, remains in detention in Tocarón.<sup>564</sup>

513. Based on the information gathered, the Mission considers that these attacks on the right to inform and be informed are part of the restrictions on civic space promoted by the repressive machinery of the State against any voice that is critical or perceived as such.

### 3. The digital space

514. In its previous reports, the Mission recorded the persistence of a pattern of attacks and intimidation, arbitrary detentions and legal proceedings against individuals for expressing their opinions through digital platforms, including social media, private messaging and online community environments.<sup>565</sup> Venezuelan authorities use the digital space to silence the opposition or those individuals or organisations perceived as such, undermining fundamental rights such as freedom of expression, the right to information, privacy, and due process guarantees.<sup>566</sup>

515. From July 2024 to February 2025, the Mission documented 45 cases of criminalisation of digital expression in the following states of the country: Capital District, Anzoátegui, Apure, Bolívar, Carabobo, Cojedes, Falcón, Lara, Miranda, Monagas, Sucre, Táchira, Trujillo, Yaracuy, and Zulia. The main entities responsible include the PNB's Organised

<sup>560</sup> Espacio Público, *Student Juan Francisco Alvarado arrested and charged with incitement to hatred*, 25 March 2025. Available at: <https://espaciopublico.org/detienen-por-instigacion-al-odio-al-estudiante-juan-alvarado/>

<sup>561</sup> SNTP, *Nakary Mena, the only female journalist imprisoned in Venezuela: you can't have rainbows without rain*, 19 July 2025. Available at: <https://sntpvenezuela.org/nakary-mena-la-unica-mujer-periodista-presa-en-venezuela-no-se-puede-tener-arcoiris-sin-lluvia/>

<sup>562</sup> Committee to Protect Journalists (CPJ), *Venezuelan authorities arrest two journalists in connection with crime report*, 11 April 2025. Available at: <https://cpj.org/2025/04/venezuelan-authorities-arrest-2-journalists-in-connection-with-crime-report/>; LatAm Journalism Review, *Venezuelan journalist Nakary Ramos disappears after reporting on rise in thefts in Caracas*, 10 April 2025. Available at: <https://latamjournalismreview.org/news/venezuelan-journalist-nakary-ramos-disappears-after-reporting-on-rise-in-thefts-in-caracas/>

<sup>563</sup> YouTube video from Agencia Occidental de Noticias [@fundaaon], Live: Minister Diosdado Cabello | Press Conference Today #23MAY, 23 May 2025. Available at: <https://www.youtube.com/live/KGfEpHo6dlg?si=crOwjVtwWpqrEoB0&amp;t=655> [min: 10:55]; Instagram post by Gladys Mogollon [@gladys\_jmp], 4 June 2025. Available at: [https://www.instagram.com/reel/DKf-khhv1HG/?utm\\_source=ig\\_web\\_copy\\_link](https://www.instagram.com/reel/DKf-khhv1HG/?utm_source=ig_web_copy_link)

<sup>564</sup> Efecto Cocuyo, *Journalist Carlos Marcano transferred to Tocarón, confirms his mother*, 17 June 2025. Available at: <https://efectococuyo.com/la-humanidad/a-periodista-carlos-marcano-lo-trasladaron-a-tocoron-confirma-su-mama/>

<sup>565</sup> A/HRC/54/CRP.8.

<sup>566</sup> Document IIDC188.

Crime Division and political actors linked to the ruling party, such as local authorities and leaders of the Local Supply and Production Committees.<sup>567</sup>

516. Of the 45 cases documented during this period, 28 involved men, reflecting their greater visibility in public spaces, community leadership, and participation in protests. This pattern may also reflect to an institutional bias that associates dissent with male figures. However, women have also been criminalised for their use of social media, albeit in a more individualised manner. Attacks against women have targeted on those who accompany detained relatives and those who generate impact, mobilise audiences or denounce injustices from leadership positions, including in the digital space.<sup>568</sup>

517. Criminalisation has also affected young men and women with captive audiences on platforms such as TikTok, Facebook, Instagram or X, whose content – although not necessarily political – has been interpreted as subversive by the intelligence services.

a) *Restrictions*

518. During this period of investigation, the Mission recorded that the government continues to restrict access to various platforms,<sup>569</sup> limiting freedom of opinion and expression, including the right to information. Between 4 July 2024 and 31 January 2025, civil society organisations documented 79 blockages of websites belonging to media outlets, civil organisations, social networks and platforms with content critical of the government.<sup>570</sup>

519. Between January and June 2025, the organisation Espacio Público recorded a total of 144 attacks on freedom of expression, including 44 incidents related to the digital environment.<sup>571</sup> These incidents took place in 15 states across the country.

520. During the 2025 electoral processes, both parliamentary and regional and municipal, there was a lack of official digital transparency regarding the processes and results. The official website of the CNE has remained inactive since the presidential elections of 28 July 2024, and information about the elections was provided through channels associated with the ruling party. In the case of the parliamentary and regional elections on 25 May 2025, according to information from the organisation *Sin Filtro VE39*, the unofficial website <https://cne.voto/40> was blocked.<sup>572</sup> Other irregularities related to freedom of information that took place in the digital space during this electoral process were reported by *Transparencia Venezuela*, in exile since the adoption of the NGO Oversight Law, including a lack of transparency and publicity in the electoral calendar and results obtained.<sup>573</sup>

<sup>567</sup> Document IIDC182.

<sup>568</sup> *Ibid.*

<sup>569</sup> *VEsinFiltro condemns restrictions on press freedom in Venezuela and demands that CONATEL and ISPs lift blocks against media outlets*, 3 May 2025. Available at: <https://vesinfiltro.org/noticias/2025-05-03-dia-libertad-prensa>; Britain's News Channel, *WhatsApp rival BANNED: Encrypted messaging app outlawed in Russia and Venezuela, but there is a workaround*, 19 August 2024, Available at: <https://www.gbnews.com/tech/signal-encryption-russia-venezuela-whatsapp-ban>; Techradar, *Venezuela restricts TikTok – leaving citizens turning to VPNs*, 9 January 2025. Available at: <https://www.techradar.com/vpn/vpn-privacy-security/venezuela-restricts-tiktok-leaving-citizens-turning-to-vpns>; *VEsinFiltro*, *One year since X was blocked in Venezuela, a country with limited access to information*, 8 August 2025. Available at: <https://vesinfiltro.org/noticias/2025-08-08-x-signal/>

<sup>570</sup> The Special Rapporteur for Freedom of Expression (RELE) and the IACHR, *SRFOE warns about the serious deterioration of the media ecosystem in Venezuela and urges the State to respect and guarantee freedom of expression and of the press*, 5 May 2025. Available at: [https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/expression/media\\_center/preleases/2025/088.asp&utm\\_content=country-ven&utm\\_term=class-mon](https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/expression/media_center/preleases/2025/088.asp&utm_content=country-ven&utm_term=class-mon)

<sup>571</sup> Espacio Público, *June: structural censorship*, 8 July 2025, Available at: <https://espaciopublico.org/libertad-expresion-junio-2025-venezuela/>

<sup>572</sup> Sin Filtro VE account on X @vesinfiltro(X). 26/05/2025. Available at: <https://x.com/vesinfiltro/status/1927061267543408820?s=08>

<sup>573</sup> Transparency Venezuela in Exile, *Corruption and civil and political rights in Venezuela in the context of the regional and parliamentary elections of 25 May 2025*, 27 June 2025. Available at: <https://transparenciave.org/elecciones-regionales-y-legislativas-de-venezuela-2025-un-proceso-lleno-de-sombras/>



521. The Mission has confirmed in this investigative cycle, as it already recorded in 2023, that state resources continue to be used in propaganda programmes associated with the ruling party, broadcast in the digital space, radio and television, limiting the right to disseminate and receive independent information. This is the case with programmes such as *Con el Mazo Dando*, *Con Maduro +*, *Hojilla Radio* and *Correo del Orinoco*. These programmes are also used as a platform for the highest authorities of the State, such as Diosdado Cabello, to threaten individuals and organisations that are opposed or perceived as such, or to spread conspiracies against institutions, whether real or fabricated, justifying arrests and other serious human rights violations.<sup>574</sup>

b) *Use of technology to repress*

522. For more than a decade, Venezuelan authorities have progressively incorporated the use of new technologies aimed at monitoring the devices of dissidents. One example is the Universal Forensic Extraction Device (UFED) technological device from the Israeli company Cellebrite,<sup>575</sup> used to extract data from mobile phones, which was acquired by the Venezuelan State in 2019.<sup>576</sup> During the reporting period, the Mission has received information about a device known as *chupacabras* that is apparently used by the authorities to extract information from the mobile phones of detainees.<sup>577</sup> Likewise, the use of surveillance technologies with facial recognition, drones, and data collection through state platforms, along with random mobile phone checks in public places, has been recorded as part of the machinery of repression against political opposition or dissent.<sup>578</sup>

523. *Access Now* concluded that the restriction of civic space has worsened in the last year and documented that the increased use of technologies to implement strategies of harassment and persecution has led to a strengthening of online surveillance and censorship mechanisms.<sup>579</sup>

524. During the current reporting cycle, the Mission has documented the continued deployment of digital control tools such as the *VenApp* messaging application, which had been used to encourage the denunciation of opponents or critics of the government and to disseminate confidential information about those individuals during the post-election protests of 2024.

525. The information received by the Mission explains that the *VenApp* application is linked to the 1x10 Good Governance system, allowing complaints to be channelled directly to the executive branch, including reports of “disinformation” or “disturbance of public order.” This model of digital control is complemented by other platforms such as Siscom, used to track officials and activists; APP CC200, aimed at monitoring community activities;

<sup>574</sup> As detailed in this document, through this programme, for example, Cabello has announced the arrests of foreigners, conspiracies against the presidential inauguration and the elections of 25 May 2025, assigned criminal responsibility to individuals, and announced arrests or acknowledged that missing persons are in the custody of the State. Also, through the programme, Cabello has threatened human rights organisations, such as Provea, Foro Penal, Maracaibo Posible and Médicos Unidos de Venezuela, and their leaders. See the chapter “Human rights defenders and organisations” in this report.

<sup>575</sup> Haaretz, *Despite Sanctions, Israeli Firm Cellebrite Sold Phone-hacking Tech to Venezuela*, 10 September 2020. Available at: <https://www.haaretz.com/israel-news/tech-news/2020-09-10/ty-article/.premium/despite-sanctions-israeli-firm-sold-phone-hacking-tech-to-venezuela/0000017f-f355-df98-a5ff-f3fdb8c0000>. See also on the use of Celebrite; <https://www.youtube.com/watch?v=hvow8vNQpqc>.

<sup>576</sup> VESinFiltro, *Urgent: Stop Cellebrite sales to Venezuela*, 15 November 2019. Available at: [https://vesinfiltro.org/noticias/stop\\_cellebrite\\_sales\\_Venezuela/](https://vesinfiltro.org/noticias/stop_cellebrite_sales_Venezuela/)

<sup>577</sup> Interview QJN385

<sup>578</sup> Office of the Special Rapporteur for Freedom of Expression of the IACHR and IACHR, *SRFOE warns about the serious deterioration of the media ecosystem in Venezuela and urges the State to respect and guarantee freedom of expression and of the press*, 5 May 2025. Available at: [https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/expression/media\\_center/preleases/2025/088.asp&utm\\_content=country-ven&utm\\_term=class-mon](https://www.oas.org/en/IACHR/jsForm/?File=/en/iachr/expression/media_center/preleases/2025/088.asp&utm_content=country-ven&utm_term=class-mon)

<sup>579</sup> Access Now, *Open letter on technology-enabled political violence in Venezuela - Access Now*, 19 August 2024. Available at: <https://www.accessnow.org/press-release/carta-abierta-violencia-politica-posibilitada-por-la-tecnologia-venezuela/>



and the 1x10 system itself, which has been instrumentalised to centralise citizen information and reinforce control, particularly over civil society organisations that are perceived as opposition.

526. Several associations and organisations are dedicated to monitoring the use of digital space and its platforms. Between July 2024 and February 2025, the Digital Human Rights Monitor recorded a total of 44 cases of detention for using social media, including TikTok, Instagram, WhatsApp, and Facebook.<sup>580</sup> Another organisation is *Cazadores de Fake News*, which seeks to identify, analyse and refute cases of disinformation in the digital space that affect the population of Venezuela and other Latin American countries.

527. The profile of individuals criminalised for using social media between July 2024 and February 2024, from the 44 cases documented by the Digital Human Rights Monitor, reveals that young people between the ages of 18 and 35 are the main target of digital repression.<sup>581</sup> According to data shared with the Mission, 26 per cent of those affected are between 18 and 25 years old and 35 per cent are between 26 and 35 years old.<sup>582</sup> The Mission has identified the forced inspection of mobile phones by security forces as a common practice during arrests.

528. According to information gathered by the Digital Human Rights Monitor, acts of repression in the digital sphere are carried out by units of the PNB, including the DIP, DSDO, DIE and riot control units.<sup>583</sup> Most of the people affected are individuals with no apparent political, institutional or partisan ties, although there have also been cases involving journalists, trade union leaders, election officials and relatives of politically persecuted individuals.

529. In these cases, the penalties imposed on the victims are highly disproportionate. In at least seven of the cases recorded by the Mission, which occurred in July and August 2024, the individuals, who were arrested for sharing critical information about the presidential elections in messages on WhatsApp, Instagram and TikTok, remain in detention as of the date of this report.<sup>584</sup> Five other victims, arrested for the same reason just before the presidential inauguration in January 2025, also remain in detention.<sup>585</sup>

530. The Mission has documented cases in which the authorities use public exposure and digital propaganda tactics to intimidate and deter the political opposition, or those perceived as such. In the case of Juan Pablo Guanipa,<sup>586</sup> a highly prominent opposition figure arrested on 23 May 2025, Diosdado Cabello shared a video of his capture on social media. Recorded by the PNB, which carried out the arrest, the video was presented as an example of what could happen to people who oppose or criticise government policies.

531. Documented practices such as technological surveillance, criminalisation for social media posts, citizen reporting through state applications, and arbitrary arrests have created an environment of fear, self-censorship, and inhibition that seriously affects the exercise of civil liberties and the right to defend human rights.

## C. Human rights defenders and organisations

### 1. Attacks against human rights organisations

#### a) *General context of repression*

532. The practices described in the section above on digital space have had a disproportionate impact on human rights defenders. Various human rights organisations have

<sup>580</sup> Documents IIDC182 and IIDC183.

<sup>581</sup> Document IIDC182.

<sup>582</sup> *Ibid.*

<sup>583</sup> Document IIDC182.

<sup>584</sup> Document IIDC183.

<sup>585</sup> *Ibid.*

<sup>586</sup> Press conference by Diosdado Cabello showing video of Juan Pablo Guanipa's arrest, Instagram, 23 May 2025. Available at <https://www.instagram.com/reel/DKAL993utf9/>

reported a sustained deterioration in the conditions for carrying out their work, in a context marked by repression, criminalisation and the dismantling of the associative fabric.<sup>587</sup> This pattern is developing within an increasingly restrictive regulatory framework, as discussed in the section on restrictions on civic space and legislation above.

533. Direct threats from high-ranking State authorities have been overt and public during this period. On 28 May 2025, the Minister of the Interior and Justice publicly singled out four NGOs devoted to the protection and defence of human rights - *Foro Penal*, PROVEA, *Maracaibo Posible* and *Médicos Unidos de Venezuela* - and accused them of being “involved in the entire terrorist structure.”<sup>588</sup>

534. PROVEA issued a statement denouncing that this type of criminalisation seeks to discredit the work of reporting and accompanying victims in the country.<sup>589</sup> *Foro Penal* also rejected Cabello's threats, stating that they view with concern “the use of rhetoric that criminalises or stigmatises the legitimate work of defending human rights.”<sup>590</sup> Amnesty International described the message as a clear sign of the aggressive harassment of human rights defenders and a threat to discredit and restrict the work of human rights organisations.<sup>591</sup>

535. In short, organisations continue their work in a limited manner, without effective legal guarantees, in a hostile environment characterised by credible threats issued by authorities regarding detention, public stigmatisation and direct restrictions on their human rights work.

b) *Criminalisation, harassment and detention of male and female leaders*

536. According to data from *Human Rights Watch*, during the period under investigation, there was a 92 per cent increase in the number of attacks on human rights defenders in 2024 compared to 2023.<sup>592</sup> In July 2025, a civil society organisation published a report documenting a total of 236 attacks and security incidents against human rights defenders from January 2025 to date,<sup>593</sup> indicating that this trend continued throughout 2025.<sup>594</sup>

537. Among the most alarming violations against human rights defenders during this period, the Mission has identified enforced disappearances and arbitrary detentions incommunicado, as well as serious violations of due process guarantees. One case is that of Eduardo Torres, from PROVEA, the details of which are provided in the Annex to this document on illustrative cases.

538. This case is part of a broader pattern of persecution against members of PROVEA, an organisation that has been systematically harassed by State authorities for more than a

<sup>587</sup> Interview IIIV163.

<sup>588</sup> Puntodecorte, *Diosdado Cabello accuses NGOs Provea, Foro Penal, Maracaibo Posible and Médicos Unidos of terrorism (+Video)*, 28 May 2025. Available at: <https://puntodecorte.net/borrador-automatizado-3cabello-provea-foro-penal-mp-y-medicos-unidos-son-terrorismo/>

<sup>589</sup> PROVEA, *PROVEA condemns the criminalisation of Minister Diosdado Cabello*, 28 May 2025, <https://provea.org/destacados/provea-condena-la-criminalizacion-del-ministro-diosdado-cabello/>.

<sup>590</sup> Post on X by Foro Penal, @ForoPenal, 30 May 2025. Disponible en: [https://x.com/ForoPenal/status/1928243882317226022?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etwteembed%7Ctwterm%5E1928243882317226022%7Ctwgr%5E236edb8d4dcb68a53e1b83fcebced38112651bfd%7Ctwcon%5Es1\\_&ref\\_url=https%3A%2F%2Fwww.aporrea.org%2Fddhh%2Fn405221.html](https://x.com/ForoPenal/status/1928243882317226022?ref_src=twsrc%5Etfw%7Ctwcamp%5Etwteembed%7Ctwterm%5E1928243882317226022%7Ctwgr%5E236edb8d4dcb68a53e1b83fcebced38112651bfd%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fwww.aporrea.org%2Fddhh%2Fn405221.html)

<sup>591</sup> Amnesty International, *Venezuela: Authorities must immediately release Eduardo Torres, cease persecution of human rights defenders* and all forms of politically motivated repression, 30 May 2025. Available at: <https://www.amnesty.org/en/wp-content/uploads/sites/4/2025/05/AMR5394582025SPANISH.pdf>

<sup>592</sup> Human Rights Watch, *Events of 2024*. Available at: <https://www.hrw.org/es/world-report/2025/country-chapters/venezuela#fa5332>

<sup>593</sup> Robert Kennedy Human Rights, *Venezuela: Repression Continues, Putting Human Rights Defenders at Risk*, 25 July 2025. Available at: <https://rfkhumanrights.org/our-voices/venezuela-la-represion-no-se-detiene-y-pone-en-riesgo-a-quienes-defienden-derechos-humanos/>

<sup>594</sup> Centre for Defenders and Justice (CDJ), *Situation of human rights defenders in Venezuela – First Quarter 2025*, 25 April 2025. Available at: <https://centrodefensores.org.ve/?cat=1>

decade, the IACHR granted precautionary measures to members of its team in 2015. These were extended in 2019 to other members.<sup>595</sup>

539. In the case of *Foro Penal*, the IACHR has also granted precautionary measures to some of its members since November 2024.<sup>596</sup> The Mission recalls that one of its lawyers, Kennedy Tejada, was arrested on 2 August 2024 in the State of Carabobo as he was preparing to assess the detention of individuals during the post-election protests. At the time of writing, Tejada remains in detention.

540. On several occasions between 2024 and 2025, PNB officers threatened members of *Foro Penal* when they went to detention centres to protect the rights of detainees. PNB officers shouted at them, “get out of here or we’ll put you in prison” or “we’ll put you people from *Foro Penal* in prison if you keep bothering us”, together with insults. These events took place in a specific state, which is not mentioned for security reasons. The PNB prohibited them from coming within 100 metres of the entrance to the police station, setting up a barricade and declaring the area a “war zone.”<sup>597</sup>

541. Likewise, in courts and detention centres in that state where remote hearings were held for courts with jurisdiction on terrorism crime in Caracas, prosecutors and court officials ordered members of *Foro Penal* on more than one occasion to leave. They were threatened with arrests simply for accompanying relatives of detainees.<sup>598</sup>

542. In 2025, a PNB commissioner from a state in the country—which is also not mentioned for security reasons—informed *Foro Penal* that all of its lawyers in that state were on a list drawn up by police intelligence services to be detained when ordered by the Government. Furthermore, in June 2025, the coordinator of *Foro Penal* in the State of Mérida, Fernando Cermeño, was publicly threatened in a video posted on Instagram with arrest as part of Operation Tun Tún.<sup>599</sup> Days before that video, on 28 May 2025, Interior Minister Diosdado Cabello accused four organisations, including *Foro Penal*, of being linked to terrorist activities, as mentioned above.<sup>600</sup>

543. The Mission has recorded eight human rights defenders detained between 1 August 2024 and 8 August 2025 (two women and six men).<sup>601</sup>

544. In the case of leading female human rights defenders, such as Aurora Carolina Silva Uzcátegui,<sup>602</sup> Andreína Baduel, and Sairam Gabriela Rivas,<sup>603</sup> the Mission identified sustained operations of surveillance, direct threats, digital harassment, persecution in public places and monitoring of their family members, including daughters under the age of 18. These practices do not cease, for example, with the released relatives, but continue over time as a form of prolonged punishment for defending human rights.<sup>604</sup>

545. The Mission found that Baduel's situation is part of a pattern of gender-based harassment that affects female relatives of persons deprived of liberty and community leaders

<sup>595</sup> IACHR, *IACHR follows up and extends precautionary measures to members of PROVEA in Venezuela*, 30 April 2024. Available at:

<https://www.oas.org/pt/CIDH/jsForm/?File=/es/cidh/prensa/comunicados/2024/083.asp>

<sup>596</sup> IACHR, *Identified members of the organisation “Foro Penal” with respect to Venezuela*, resolution 92/2024, precautionary measure nos. 143-13 and 181-19, 28 November 2024.

<sup>597</sup> Document IIDC177.

<sup>598</sup> *Ibid.*

<sup>599</sup> Document IIDC190.

<sup>600</sup> Puntodecorte, *Diosdado Cabello accuses NGOs Provea, Foro Penal, Maracaibo Posible, and Médicos Unidos of terrorism (+Video)*, 28 May 2025. Available at: <https://puntodecorte.net/borrador-automatico-3cabello-provea-foro-penal-mp-y-medicos-unidos-son-terrorismo/>

<sup>601</sup> Document IIDC197.

<sup>602</sup> IACHR, *Aurora Carolina Silva Uzcátegui and her two daughters regarding Venezuela*, resolution 38/2025, precautionary measure no. 320-25, paras. 8–13.

<sup>603</sup> IACHR, *Sairam Gabriela Rivas Moreno regarding Venezuela*, resolution 35/2025, precautionary measure No. 1426-24, 24 April 2025, paras. 11–12.

<sup>604</sup> IACHR, *Osmar Gabriela Sánchez Chirinos regarding Venezuela*, resolution 67/2024, 27 September 2024 no. 67/24, precautionary measure 935-24.

who have taken on the role of defending their relatives.<sup>605</sup> In a similar situation is defender Sairam Gabriela Rivas<sup>606</sup>, who is being threatened for demanding the release of her partner, Jesús Armas, and Aurora Silva, who is being monitored for her participation in CLIPPVE activities. These measures tend to reinforce gender stereotypes and seek to undermine the public role of women as defenders and community leaders.

#### Andreína Baduel

Andreína Baduel is a journalist and human rights defender, director of the Committee of Family Members and Friends for the Freedom of Political Prisoners in Venezuela (CLIPPVE), an organisation that brings together family members of people deprived of their liberty for political reasons.

On 24 July 2024, Andreína Baduel reported that, after a press conference in support of her detained brother, the deputy director of Rodeo I threatened her by saying: "If you continue with the complaints, the situation of your brother and yours will get worse." She also reported that the custodial staff at Rodeo I had issued threats to her brother, such as "it's your sister's fault for making videos denouncing us" and "we're going to put your damn bitch of a sister in prison."

Andreína Baduel has been the target of continuous surveillance, harassment and threats by security forces, especially the SEBIN and the PNB. Social media accounts affiliated with the Government and even official media outlets have launched a smear campaign, labelling her a "terrorist". These attacks have continued after the IACHR granted her precautionary measures on 12 June 2025.

The attacks suffered by Andreína Baduel are not isolated incidents, but part of a deliberate State strategy of repression against real or perceived opponents, especially women leaders and human rights defenders.

Andreína Baduel is the victim of gender-based persecution, targeting her role as a woman leader in public spaces where she denounces abuses.

546. The arbitrary cancellation of passports of human rights defenders, as reported by the Mission in its 2024 report, continued during this period. In an official communication sent to the Government on 19 December 2024, the UN Rapporteur on human rights defenders requested information on the cancellation of the passports of Yendri Velásquez, Luzgemary Moreno, Liliana Ortega, and Karla Subero.<sup>607</sup> As of the date of this document, the Special Rapporteur had not received a response. In an April 2025 report, CEJIL analysed this practice of cancelling passports, which it described, based on 36 cases, as "another tool of repression and silencing."<sup>608</sup> CEJIL concluded in its report that the authorities implemented these restrictions "suddenly, without offering any justification or presenting any legal framework."<sup>609</sup> The SAIME and DGCIM authorities were identified as responsible for this repressive practice.<sup>610</sup>

547. Human rights organisations have reported that a measure has been imposed restricting the return to the country of citizens with expired passports, allowing them to enter only by

<sup>605</sup> This pattern had already been explained in greater depth in the detailed conclusions of the 2023 mission. See Restrictions on Civic and Democratic Space, A/HRC/54/CRP.8.

<sup>606</sup> IACHR, *Sairam Gabriela Rivas Moreno regarding Venezuela*, resolution 35/2025, precautionary measure no. 1426-24 (Extension), 24 April 2025; 31 December 2024.

<sup>607</sup> Special Rapporteur on the situation of human rights defenders: Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression and Special Rapporteur on the rights to freedom of peaceful assembly and of association, *Communication AL VEN (12.2024)*, 19 December 2024. Available at:

<https://spcommreports.ohchr.org/TMResultsBase/DownloadPublicCommunicationFile?gId=29559>

<sup>608</sup> CEJIL, *Passport revocation in Venezuela: a strategy of silencing and repression against human rights defenders, journalists and activists*, April 2025, p. 6. Available at: <https://cejil.org/wp-content/uploads/2025/05/CEJIL-Documentos-Venezuela-Informe-2025.pdf>

<sup>609</sup> *Ibid.*, p. 13.

<sup>610</sup> *Ibid.*

applying for a safe-conduct document through the consulate or the website of the Ministry of Foreign Affairs. Although this measure is already in place, its official regulation has not yet been published.

548. With regard to LGBT organisations, one organization documented a total of 415 cases of discrimination and violence against LGBT persons in 2024, of which 40 were associated, in addition to their sexual orientation, with their political activism or defence of rights, most of them in the context of the repression following the presidential elections of 28 July 2024. This organisation recorded 10 arbitrary detentions, three raids and one attempted raid, and multiple acts of harassment or threats that directly affected activists, political leaders and people linked to LGBT organisations.<sup>611</sup> In the first six months of 2025, the same organisation had recorded 150 cases of discrimination or violence by State authorities against LGBT activists.<sup>612</sup>

549. In several cases, the acts of persecution were characterised by homophobic or transphobic connotations, extortion, denial of access to medicines, as well as surveillance and intimidation by security forces. These cases, combined with a sustained pattern of hate speech from positions of power, according to the NGO, create a permanent climate of risk for LGBT activism. This has intensified since the 2024 post-election repression and limits the safe and free participation of this group in the public and political life of the country.<sup>613</sup>

## 2. General impacts

### a) Human rights defenders

550. The Mission documented, based on open sources, confidential information and data confirmed by human rights organisations—including feminist, religious, humanitarian and LGBT organisations—serious psychosocial consequences for human rights defenders linked to the repressive context against their organisations and activities.

551. These impacts have manifested themselves not only through direct repression (harassment, surveillance, arbitrary detentions and criminalisation), but also through the cumulative psychosocial effects of self-censorship and a reduction in their work in order to lower their profile as a protective measure. The climate of fear instilled by security forces and *colectivos* has created an atmosphere of constant surveillance and intimidation weakening the community fabric and seriously affecting the mental health of defenders.

552. The NGO *Movimiento Vinotinto* stated that this situation has generated a high level of stress for human rights defenders, which has contributed to increased helplessness and vulnerability among the individuals and organisations affected.<sup>614</sup> According to the NGO, sustained exposure to human rights abuses and violations carries a considerable emotional burden, which can manifest itself in processes of desensitisation and post-traumatic stress.<sup>615</sup>

553. Ten women human rights defenders and political activists shared testimonies with the Mission that reflect these symptoms of uncertainty and emotional exhaustion.<sup>616</sup> The participants expressed feelings of frustration, invisibility, and emotional overload in a context of lack of safe spaces. They also expressed a lack of institutional support.<sup>617</sup>

554. They also pointed to the lack of security protocols, psychosocial support networks, and extraction mechanisms in cases of serious protection risks. The women reported that women deprived of their liberty for their political activism receive less visibility than their

<sup>611</sup> Document IIDC184.

<sup>612</sup> *Ibid.*

<sup>613</sup> *Ibid.*

<sup>614</sup> Movimiento Vinotinto, *Manual de autocuidado y primeros auxilios psicológicos para defensores de derechos humanos y miembros de la Sociedad civil*. Available at: <https://globalfreedomofexpression.columbia.edu/wp-content/uploads/2025/07/Manual-de-Autocuidado-y-Primeros-Auxilios-Psicologicos-para-Defensores-de-Derechos-Humanos-y-Miembros-de-la-Sociedad-Civil.pdf>

<sup>615</sup> *Ibid.*

<sup>616</sup> Document IIDC192.

<sup>617</sup> *Ibid.*

male counterparts, and many defenders feel alone and excluded from public narratives. They include, for example, wives of prisoners who have also been imprisoned, and pregnant women who are left alone due to the detention of their relatives. Some have been forced to leave the country, while others have minimised their public appearances.

b) *Human rights organisations*

555. As reflected in the legislation section above of this chapter, human rights organisations face difficulties in complying with the requirements of the NGO Oversight Law. In the case of the LGBT movement, none of its associations has managed to formally register under the new legal framework as of the date of this document. This has forced many organisations to operate with a low profile or even clandestinely.<sup>618</sup>

556. This situation, coupled with the climate of financial restrictions, has forced several organisations to dramatically reduce their activities or even dissolve. Organisations such as *Transparencia Venezuela* now operate from exile.

557. In the case of LGBT organisations, according to information received, the LGBT movement in Venezuela has been significantly affected by the reduction of funding sources, the persecution of their members and leaders, and the entry into force of the new NGO Oversight Law.<sup>619</sup> In October 2024, organisations such as *Venezuela Igualitaria*, *País Narrado* and *País Plural* announced their permanent closure due to lack of resources and, in some cases, the migration of their leaders. The *Reflejos de Venezuela* Foundation also ceased activities during this period due to lack of funding.<sup>620</sup>

558. The inability to leave the country due to the cancellation of passports has severely hampered the work of human rights organisations with an international presence, including their ability to report in person to the Human Rights Council. The cancellation of passports has also had a significant economic impact on human rights organisations. Previous investments in airfare, travel logistics, and activity planning have been abruptly cancelled, forcing organisations to incur additional costs to reschedule or cancel commitments.

559. The impact on many organisations working on women's rights is significant.<sup>621</sup> According to other reports consulted, NGOs dedicated to women's rights face different obstacles, such as public stigmatisation of their issues and an environment of physical and economic insecurity that limits their operations.<sup>622</sup> According to these reports, there has been an intensification of restrictions on the activism of women human rights defenders and organisations working on gender issues. These organisations face structural obstacles related to a lack of legal recognition, which limits their ability to operate formally, receive funding and coordinate with international networks. Added to this is the growing stigmatisation of the issues they address—especially sexual and reproductive rights—which has led to smear campaigns, surveillance and acts of harassment.<sup>623</sup>

560. In the context of a project to train women in political leadership, following the 2024 wave of arrests, of the 126 expressions of interest initially received, more than half withdrew for fear of reprisals.<sup>624</sup> Some of the women coordinating this project were monitored by the security forces and were forced to go into hiding or leave the country, to participate in the programme from hiding. At least one of these women remains in detention at the time of writing. Suppliers, collaborators and facilitators were also victims of arrests, threats or surveillance, affecting the operational capacity of the project.<sup>625</sup>

561. In border regions, human rights organisations, including those working in the context of humanitarian crises and linked to the Catholic Church, have been subjected to harassment

<sup>618</sup> Interviews IIIV143; IIIV162; IIIV163.

<sup>619</sup> IIDC194.

<sup>620</sup> Document IIDC194.

<sup>621</sup> Interview IIIV162.

<sup>622</sup> Various civil society organisations, *La violencia en femenino, El libro Violeta de la Represión en Venezuela* pp. 26–27.

<sup>623</sup> *Ibid.*

<sup>624</sup> Document IIDC193.

<sup>625</sup> *Ibid.*



and restrictions on their mobility, forcing them to close assistance centres. For example, in areas with a high presence of women trafficking networks, these organisations have had to close shelters and protection centres for victims.<sup>626</sup>

562. The Mission observes that the sustained repression against human rights defenders and organisations not only seeks to silence critical voices and weaken the associative fabric but also has a direct impact on the communities and individuals who benefit from their work. Furthermore, this situation hinders international monitoring by bodies such as this Council. The suspension or restriction of the activities of organisations, including the closure of programmes and projects, has a cumulative negative impact.

563. All of this has seriously eroded civil society's ability to exercise its role of protection and accountability. Despite this, the organisations and defenders that comprise it continue their work of assisting victims and promoting full respect for the human rights of the entire Venezuelan population.

### **3. Differentiated impacts on women, girls, and adolescents deprived of liberty and their families**

564. In this section, the Mission examines the differentiated impacts that detentions have had on women, girls and adolescents deprived of liberty, as well as those generated by the detention of women, men and children and adolescents on women members of their families. In particular, it was observed that women family members faced aggravated forms of impact in a context where the majority of those detained since July 2024 were men, and it was the women who assumed a disproportionate burden in caring for both the family environment and the person deprived of liberty.<sup>627</sup>

#### *a) Women's roles in caring for family members deprived of liberty and in the search for justice*

565. The Mission has identified that women—mostly mothers, wives, or sisters—of persons deprived of liberty have assumed a central role in assisting their family members while in prison and seeking justice. In this process, they have assumed a high risk and personal and economic costs.<sup>628</sup>

566. The Mission has found that women—particularly in their dual role as caregivers for detained family members and defenders of their rights—have had to bear a disproportionate burden with consequences for their physical, emotional, and economic well-being, with impacts that extend to the family unit as a whole.<sup>629</sup> This situation has been exacerbated by institutional practices that reinforce gender stereotypes about the caregiving role expected of women. For example, in numerous detention centres where individuals were being held following the post-election protests, the authorities allowed only women to enter for family visits.

567. According to testimony received by the Mission, this measure—which was not formalised by an administrative act—was justified on the basis of stereotypical conceptions that portray women as more docile, easier to control, and less likely to question authority.<sup>630</sup> This measure not only imposes an additional burden on women but also constitutes a form of direct discrimination against men, who were systematically excluded from the possibility of visiting their sons, daughters or other relatives. At the same time, this measure affects the right of the detained person to receive visitors, especially in cases where the latter only has male relatives.

568. The Mission has obtained information on at least 10 fathers who, despite being the only family members of the detainees, were denied entry to Tocarón without apparent justification. This ban was lifted in October 2024. In this context, other female visitors volunteered to bring packages of food, hygiene products, and letters for the children and

<sup>626</sup> Interview IIIV163.

<sup>627</sup> Interview IIIV147. See also various civil society organisations, *Violence against women, The Violet Book of Repression in Venezuela*, pp. 25-27.

<sup>628</sup> See, for example, interviews IIIV139, IIIV140, IIV146, IIIV158; HHIV164 and HHIV155.

<sup>629</sup> Document IIDC181.

<sup>630</sup> Interview IIIV147.



relatives of these men, effectively acting as substitute liaisons in the face of a policy that rendered the paternal role invisible.<sup>631</sup>

569. Despite the risks they face, many women—mainly mothers—have taken an active role in defending the rights of their arbitrarily detained relatives. In one documented case, a mother told the Mission that, after participating in a protest in front of the prison where her son was being held, one of the custodial staff guarding the prison entrance called her and threatened to arrest her if she continued protesting.<sup>632</sup> This type of intimidation has not prevented these women from becoming protagonists in the fight for justice for their relatives. They have taken on this role even at the expense of other family responsibilities, going so far as to put their own lives on hold to accompany and support their loved ones who have been deprived of their liberty.<sup>633</sup>

570. Many women interviewed by the Mission explained that in order to visit their detained relatives, they had to travel long distances from rural or remote areas to prisons such as Yare III, Tocuyito, El Rodeo I or Tocarón.<sup>634</sup> The precarious nature of transport, restricted visiting hours and even the lack of accommodation or the financial means to pay for it forced them to spend the night outdoors—at bus stops, in squares, churches or makeshift lodgings—exposing them to violence, extortion and extreme weather. To cover the cost of each visit—transport, food, drink, and medicine—an average of USD 100 to USD 150 is required, which is excessive when compared to the minimum wage of USD 1.3 per month, which many cannot access.<sup>635</sup>

571. In other cases, families have been forced to move close to prisons, abandoning their jobs and livelihoods to devote themselves to protecting their loved ones and seeking justice. This creates great economic instability, as they must cover the costs of *paqueteria* (basic hygiene supplies and clothing) and medicines at each visit. This forced displacement not only means separation from their families and increased economic hardship, but also a constant feeling of insecurity and vulnerability.<sup>636</sup>

572. One of the testimonies collected by the mission highlights the differentiated impact faced by women caregivers in contexts of deprivation of liberty. One mother reported that, following her son's detention, she was forced to move from her hometown to Caracas, where she remained for seven months in order to arrange prison visits and carry out legal procedures. During that time, she faced economic vulnerability and physical overload, working long hours every day from early morning until night, with limited resources and under constant emotional pressure. Despite her fear and the repeated neglect by justice system officials, the mother remained active in defending her son's rights until he was released from prison.<sup>637</sup>

573. Along the same lines, as a strategy to cope with the risks and difficulties of travelling to the centres where their relatives were held, many women began to organise themselves into groups or networks, travelling and spending the night together in front of the prisons and supporting each other to secure *paqueteria* for their children.<sup>638</sup> These actions were also extended to families with only the fathers of the prisoners.<sup>639</sup>

574. The Mission has also documented forms of intimidation, coercion and psychological pressure exerted on women by prison officials. In Tocarón, for example, the director of the centre, Juan Carlos Quezada – identified by relatives as “the commissioner” – made intimidating speeches in front of the lines of women, branding them as opponents, mothers

<sup>631</sup> Interviews IIV150; IIV158; IIV147

<sup>632</sup> Interview IIV153.

<sup>633</sup> *Ibid.*

<sup>634</sup> Interviews IIV139; IIV147; IIV155; IIV156.

<sup>635</sup> Interview IIV139.

<sup>636</sup> Document IIDC181.

<sup>637</sup> IIV153.

<sup>638</sup> Interviews IIV155; IIV158; IIV149. See also, various civil society organisations, Violence against women, The Violet Book of Repression in Venezuela, p. 21. Available at:

[https://cepaz.org/documentos\\_informes/la-violencia-en-femenino-el-libro-violeta-de-la-represion-en-venezuela/](https://cepaz.org/documentos_informes/la-violencia-en-femenino-el-libro-violeta-de-la-represion-en-venezuela/)

<sup>639</sup> Interviews IIV147; IIV158.

of terrorists, and threatening to suspend visits if any of them recorded or questioned the procedures.<sup>640</sup> In doing so, he also fostered mistrust and confrontation among the visitors themselves, who saw the other women as a threat to their right to visit.<sup>641</sup>

575. The Mission also documented that women, particularly mothers, have predominantly assumed responsibility for monitoring the criminal proceedings of their detained children, becoming forced interlocutors with the judicial system. Following the arrests that began in July 2024, multiple testimonies collected by the Mission report that mothers travelled to Caracas from different regions of the country with the aim of submitting documentation in favour of their children to the public defender's office or the competent courts. The documents submitted included certificates of good behaviour, school certificates, statements from neighbours and evidence proving that their children had not participated in 2024 post-election violence.<sup>642</sup>

576. Many of the testimonies received agree on the profound confusion and helplessness they experienced in the face of the lack of information and the dismissive, if not contemptuous, treatment they received from public defenders and other court officials.<sup>643</sup> In numerous cases, the interviewees pointed out that not only were they denied basic information about their children's legal situation, but they also received evasive or discouraging responses from court officials, who claimed that “nothing could be done” or that “the orders came from above.”<sup>644</sup> One testimony referred directly to Public Defender Kelly Pérez, who mocked the mother of a detained child every time she saw her at the courthouse, openly stating that she did not intend to do anything to prove her son's innocence or put her own job at risk “for her or her son.”<sup>645</sup>

577. On 5 August 2025, more than 50 women—mostly mothers, aunts, and sisters of people detained after the July 2024 elections—held a peaceful vigil in front of the Supreme Court of Justice in Caracas, demanding justice and the release of their relatives.<sup>646</sup> The event was violently attacked by at least 70 armed and hooded individuals, identified as members of pro-Government *colectivos*. The attackers beat and threatened the protesters, destroying the tents set up for the night. Several women also reported robberies and verbal abuse. Three days later, on 8 August 2025, during a rally held in front of the UN headquarters in Caracas in support of these assaulted mothers, human rights defender Martha Lia Grajales was arbitrarily detained. Grajales was released on the evening of Tuesday, 12 August 2025, amid national and international outrage.

b) *Impacts on women, girls and adolescents following their release from prison*

578. Various testimonies collected by the Mission reflect that adolescent girls and young women detained in the post-election context have faced impacts that differ from those experienced by adolescent boys and young men, manifested in serious effects on their physical, mental, and emotional health after their release. In general, family members and support networks have indicated that many of these adolescents, who are students and have no criminal record, were not accustomed to environments of violence and repression. Under conditions of detention and degrading treatment to which they were exposed by officials as well as other detainees, these young women and girls had a significant impact on their physical and mental health.<sup>647</sup>

<sup>640</sup> Interviews IIIV155; IIIV147.

<sup>641</sup> Interviews IIIV147; IIIV158.

<sup>642</sup> Interviews IIIV156; IIIV139; IIIV158. Documents IIDC166; IIDC167; IIDC168; IIDC165; IIDC164; IIDC163.

<sup>643</sup> Documents IIDC173; IIDC164; IIDC163.

<sup>644</sup> Interviews IIIV149; IIIV153.

<sup>645</sup> Interview IIIV149.

<sup>646</sup> El Carabobeño, “Paramilitary groups attacked mothers' vigil in front of the Supreme Court,” 6 August 2025. Available at: [www.el-carabobenno.com/colectivos-paramilitares-atacaron-vigilia-de-madres-frente-al-ts/](http://www.el-carabobenno.com/colectivos-paramilitares-atacaron-vigilia-de-madres-frente-al-ts/); Message from X, @Ginitastar, 8 August 2025. Available at: <https://x.com/Ginitastar/status/1953855232141562132>.

<sup>647</sup> Interviews IIIV149; IIIV159.

579. At least two adolescents attempted suicide during their detention, and the families of both also fear that they may have suffered sexual violence.<sup>648</sup> Family members and NGOs have reported persistent symptoms of anxiety, panic attacks, deep depression and social withdrawal in these women.<sup>649</sup>

580. As detailed in the chapter above on sexual and gender-based violence, young women exposed to this violence after their release from prison experienced shame, stigma, and fear of reprisals. This has made it difficult for survivors to speak openly about their experiences, seek support, or access specialised psychosocial care services. The testimonies and preliminary findings shared with the Mission by mental health professionals indicate consequences for their family relationships, personal identity, relationships with young men, and daily life in freedom.<sup>650</sup>

581. In one case, a psychosocial care NGO alerted the Mission to the situation of a teenage girl who was held in a temporary detention centre as the only woman. After that experience, the teenager exhibited significant behavioural changes typical of survivors of sexual violence.<sup>651</sup> The Mission has also received allegations concerning a released adolescent who shows signs of complex trauma, including self-destructive behaviour, substance abuse, and emotional ties to the same officials who perpetrated violence against her while in detention.<sup>652</sup>

582. These effects are particularly serious in adolescents from low-income and impoverished neighbourhoods, with limited financial resources, who lack or have great difficulty accessing the psychosocial support they need to process the violence they have suffered.

*c) Impacts on families*

583. The experience of families in these hostile environments had a direct impact on their physical and mental health. Cases of hypertension, headaches, heart problems, prolonged anxiety, and symptoms of depression were reported. The conditions imposed by the prison visitation system, which included arbitrary gender restrictions, constant supervision, and threats from prison staff, contributed to emotional deterioration and a perception of institutional vulnerability.

584. Family members and released prisoners also continue to suffer reprisals. According to the testimonies collected, surveillance, threats and harassment do not cease with release but persist as a form of deterrence and punishment. One of the women interviewed reported that, since her son's release from prison, her life has changed radically: daily harassment by motorcyclists dressed in civilian clothes, both at her home and at her workplace, forced her family to move to another part of the city. She was also forced to leave her previous job and accept one with less responsibility and lower pay, which had a negative impact on the family's finances.<sup>653</sup> Her testimony is not an isolated case: the Mission identified multiple cases of women who, after publicly denouncing the arbitrary detention of their children and relatives, chose to reduce their public profile upon their release from prison in order to avoid further reprisals, including from their own neighbourhood communities.<sup>654</sup>

585. The Mission also investigated the case of a woman human rights defender from the State of Amazonas, previously documented in the 2024 report. Although she was released from prison in December 2024, she continues to be systematically harassed by SEBIN. According to her own testimony, security agents began to show up at her residence up to four times a day, creating a climate of constant intimidation. During one of these visits, her elderly mother suffered a heart attack and died. Although the frequency of visits has decreased to

<sup>648</sup> Documents IIDH171, IIDC173, and HHDC241; Interviews IIIV148 and IIIV149.

<sup>649</sup> Interview IIIV141; Documents IIDH171 and IIDC173

<sup>650</sup> Documents HHDC242 and HHDC241.

<sup>651</sup> Document HHDC241. According to UNICEF, these effects can include sexually transmitted infections, self-harm, depression, anxiety, post-traumatic stress disorder, social ostracism or feelings of guilt. Available at: <https://www.unicef.org/protection/gender-based-violence-in-emergencies>.

<sup>652</sup> Documents IIDC173 and HHDC241.

<sup>653</sup> Interview IIIV158.

<sup>654</sup> Interviews IIIV153 and IIIV145.

date, weekly patrols continue without legal justification, with unidentified vehicles and motorcycles present, which has deepened fear and insecurity among the community. The human rights defender has tried unsuccessfully to report these incidents. In addition, she has been stigmatised and socially isolated: SEBIN has visited people in her circle to warn them not to have contact with her, which has resulted in her exclusion from community life.<sup>655</sup>

586. The human rights defender currently lives alone, without income or institutional support, and faces serious difficulties in complying with the precautionary measures imposed after her release from prison, such as regular appearances in Caracas. This situation has had an impact on her mental health and her right to social reintegration and reflects a broader pattern of reprisals and ostracism against women released from prison for political reasons in peripheral regions such as Amazonas.<sup>656</sup>

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<sup>655</sup> Interview IIIV145.

<sup>656</sup> *Ibid.*

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## Annex I

### Case 1: *Protests at San Jacinto Obelisk in Maracay, State of Aragua*

#### Seven victims killed during protests

One of the demonstrations that took place in Venezuela on 29 July 2024 in rejection of the election results announced by the National Electoral Council occurred in the city of Maracay, capital of the municipality of Girardot, State of Aragua. The events took place in the vicinity of the San Jacinto Obelisk Roundabout in that city. The protest began in the afternoon, between 1 and 2 pm and continued into the evening.

In the conference room paper accompanying its September 2024 report, the Mission referred to this case in a preliminary manner, based on the information it had managed to document, analyse and corroborate just one month after the events took place.<sup>1</sup> In the current cycle, the Mission was able to deepen its investigation despite continuing to face obstacles in gathering information.

On the one hand, the State did not provide information on the investigations that, according to the Attorney General, have been carried out by the Attorney General's Office; and, on the other hand, most of the injured victims, witnesses to the events, and relatives of the deceased continue to be very afraid to share information due to risk of reprisals. Despite these obstacles, the Mission has obtained and analysed sufficient information to reach conclusions based on its standard of proof of reasonable grounds to believe.

#### Identification of victims

The Mission has recorded the following seven fatalities from the protest (the highest number in a single event among all 2024 post-election protests). Six individuals were protesters, and one was a member of the Bolivarian National Guard (GNB, by its Spanish acronym):

- Rancés Daniel Yzarra Bolívar	- Jesús Ramón Medina Perdomo
- Jesús Gregorio Tovar Perdomo	- Anthony David Moya Mantía
- José Antonio Torrents Blanca (GNB)	- Andrés Alfonso Ramírez Castillo
- Gabriel Alfredo Ramos Pacheco	

According to the Maracay Central Hospital, at least 18 injured people were admitted to that medical centre between 29 and 30 July 2024.<sup>2</sup> The Mission notes that the number of injured may have been higher, considering that some individuals may have been treated at other health centres or may not have even sought medical attention at all.

#### Location of the incidents

The protest took place in an area approximately 250 metres surrounding the San Jacinto de Maracay obelisk roundabout. The area includes a car park, the premises of the newspaper El Aragüeño, and the Army's 99th Special Forces Brigade "G.J. Félix Antonio Velásquez" Special Forces Brigade, formerly known as the 42nd Parachute Infantry Brigade, (hereinafter "the Brigade"), as well as the adjacent roads as illustrated in the following map:

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<sup>1</sup> A/HRC/57/CRP.5, paras. 557–560.

<sup>2</sup> Instagram post by Carmen Elisa Pecorelli [@Celisapecorelli], 29 July 2024. Available at: [https://www.instagram.com/celisapecorelli/p/C-B\\_QscOrRh/?img\\_index=1](https://www.instagram.com/celisapecorelli/p/C-B_QscOrRh/?img_index=1)



The protesters began their demonstration at the San Jacinto Obelisk Roundabout and marched west along Bolívar Avenue and 3 Oeste Avenue, heading towards the Brigade. The security forces - the Bolivarian National Guard (GNB), the Bolivarian National Police (PNB, by its Spanish acronym), and the Aragua State Police- , were stationed both inside and outside the Brigade, where members of the Army and Aragua National Guard were also present.<sup>3</sup>

Members of two Immediate Response Groups (GRI, by its Spanish acronym) of the GNB, who arrived to support the public order operation, patrolled along the roads surrounding the Brigade, such as Avenida 3 Oeste, where the facilities of the newspaper El Araguëño are located. Other members of the GNB, PNB, and Aragua State Police were stationed in a parking lot located in front of the El Araguëño facilities on one side, and in front of the Brigade on the other.<sup>4</sup>

Rancés Yzarra was shot in the chest while in the vicinity of El Araguëño.<sup>5</sup> Yzarra was the first person to be wounded among those who later died. GNB Sergeant José Antonio Torrents was wounded in the car park with a bullet wound to the neck. The other five fatalities, Anthony Moya, Gabriel Ramos, Andrés Ramírez, Jesús Tovar and Jesús Medina, were wounded around the Brigade, that is, in the area in front of its main entrance and, presumably, on the road that runs alongside one of the Brigade's side perimeters, on Avenida Bolívar.

### Chronology of events

Between 1 and 2 pm, demonstrators from different parts of the State of Aragua gathered around the San Jacinto Obelisk Roundabout.<sup>6</sup> By 4 pm, the crowd had gathered in front of the Brigade and near the facilities of the newspaper El Araguëño.<sup>7</sup> Some protesters riding motorbikes blocked traffic in the vicinity of the roundabout.<sup>8</sup> A group of protesters approached the Brigade's military personnel, who, according to several sources, explained that, as military personnel, they were not supposed to take to the streets. As the number of protesters grew, members of the military urged people to leave the Brigade's area. Protesters decided to withdraw from the Brigade and head back to the San Jacinto Obelisk Roundabout.<sup>9</sup>

At around 5 p.m., two GRI units of the GNB arrived in the vicinity of the Brigade with riot gear, including shields, shotguns and tear gas, as well as a white VN4 armoured vehicle

<sup>3</sup> Document TTDC085.

<sup>4</sup> Document TTIV020; Video TTOS036.

<sup>5</sup> Interview TTIV020.

<sup>6</sup> Documents TTDC123 and TTDC085.

<sup>7</sup> Document TTDC086

<sup>8</sup> Documents TTDC09

<sup>9</sup> Interview TTIV020; Documents TTDC096 and TTDC097 .



equipped with a tear gas launcher.<sup>10</sup> Inside the Brigade, on the other side of the entrance gate and on the lintel, members of the GNB and the Army were positioned with shotguns and rifles. A witness told the Mission that the soldiers inside the Brigade had AK-103 rifles.<sup>11</sup> Outside the military installation, alongside the GNB, officers of the PNB were also stationed.<sup>12</sup>

After about 30 minutes, at around 5.30 p.m., according to testimonies gathered, the GNB began firing tear gas to disperse those who were located both in front of the Brigade and around the El Aragüño newspaper without giving any prior warning.<sup>13</sup> In response to this action, a large number of protesters ran towards the Brigade and broke through the barricade set up by the GNB.<sup>14</sup> After a few explosions, protesters retreated and ran for cover.<sup>15</sup>

At around 5.40 p.m., in the newspaper area, protesters surrounded and detained 10 PNB officers who were under the command of Commissioner Contreras, stripping them of their helmets, vests and shields. In addition, a vehicle and three motorcycles belonging to the Aragua State Police were set on fire near the San Jacinto Obelisk Roundabout.<sup>16</sup> At this point, the first gunshots were fired.<sup>17</sup>

A group of protesters then threw stones, sticks, bottles and homemade incendiary bombs at Army and GNB officers who were at the entrance to the Brigade. The officers responded with shotgun fire and tear gas, causing chaos due to the smoke from the gas and the multiple detonations that could be heard. Several people were injured by gunfire at that time, including a journalist who was in front of the Brigade's facilities covering the events.<sup>18</sup>

More people were injured in the area of Bolívar Avenue, in front of the Brigade's side perimeter. According to one of them, while he was driving through that area, he was shot at from inside the Brigade. In the videos collected by the mission and provided to it, two people can be seen lying on the road in that area.<sup>19</sup> According to another testimony, members of the Army were guarding the Brigade's facilities from inside, along the entire side perimeter on Bolívar Avenue.<sup>20</sup>

### Victims: profiles and circumstances of their deaths

The seven identified fatalities were men. Five of them were between 20 and 30 years old, including the GNB sergeant. The ages of the other two victims are unknown. None of them

<sup>10</sup> The Immediate Response Groups (GRI) are composed of "two (2) officers, the commander and his assistant, who will carry the following public order equipment: one (1) radio, one (1) megaphone and one (1) pair of binoculars; thirty-eight (38) public order personnel with the following equipment: fourteen (14) protective shields, eight (8) shotguns, four (4) carbines, eight (8) capture elements, one (1) fire extinguisher holder, one (1) baton holder, one (1) portable supply bag holder, one (1) video recorder holder." Documents TTDC029; TTOS036

<sup>11</sup> Interview TTIV030.

<sup>12</sup> Documents TTDC086; TTDC109.

<sup>13</sup> Interviews TTIV029; TTIV030. Document TTDC112.

<sup>14</sup> Document TTDC102.

<sup>15</sup> Video TTOS035. See also: Instagram post by Francisco Cruz [@francisco\_comunica], 29 July 2024. Available at: <https://www.instagram.com/p/C-BbaQzvy2b/>

<sup>16</sup> Documents TTDC113; TTDC114; TTDC111 and TTDC120.

<sup>17</sup> Post on X by Lisny Vivas [@Lisnyvivas], 29 July 2024. Available at: <https://x.com/Lisnyvivas/status/1818061443339636825>. Post on X by Sergio Sánchez [@SSanchezVz], 29 July 2024. Disponible en <https://x.com/SSanchezVz/status/1818054127521251368>

<sup>18</sup> Documents TTDC087; TTDC088 and TTIV020. See also: TikTok post by nucleonoticias [NúcleoNoticias], 29 July 2024. Available at: <https://www.tiktok.com/@nucleonoticias/video/7397265341056830725>; TikTok post by canelatv21 [canelatv21], 30 July 2024. Available at: [https://www.tiktok.com/@canela\\_tv/video/7397397333920500997](https://www.tiktok.com/@canela_tv/video/7397397333920500997)

<sup>19</sup> Video TTOS42. See also: Instagram post by Diario Suspenseo [@diariosuspenseo.ve], 30 July 2024. Available at <https://www.instagram.com/reel/C-EP5cCJ61E/>.

<sup>20</sup> Interview TTIV29. Indicates that he observed Army soldiers inside the brigade, along Avenida Bolívar, heading towards the Military Hospital, guarding the brigade's facilities.



were involved in any marked political activity associated with any political party. With the exception of the GNB sergeant, all victims were protesters.

One of the victims was evacuated alive from the scene of the events but arrived at the hospital with no vital signs. Two victims died at the location where they were shot. The other four lost their lives after being admitted to hospital: two died almost immediately, one after four days, and the other after 23 days of hospitalisation, unable to recover from their injuries.

#### *Rancés Daniel Yzarra Bolívar*



#### **Profile**

A 30-year-old man, civil engineer graduated from the National Experimental University of the Armed Forces (UNEFA), who worked as a cook in a restaurant in Maracay<sup>1</sup>.

#### **Circumstances**

According to information obtained by the Mission, Yzarra was in the vicinity of the El Araguëño newspaper when he was shot in the chest by a rifle.<sup>21</sup> This information coincides with the cover page of the Attorney General's case file, according to which Yzarra "received a fatal wound to the chest."<sup>22</sup>

At approximately 5.50 p.m., after being wounded, Rancés Yzarra was transported by two people on a motorcycle to the San Jacinto Obelisk Roundabout, where they asked a traffic police officer for help. Yzarra was placed in a vehicle of the Aragua Traffic Department —bearing insignia of the Ministry of the People's Power for Internal Relations, Justice and Peace— and was taken to the Maracay Central Hospital.<sup>23</sup>

According to sources interviewed by the Mission, Yzarra arrived at the hospital without vital signs.<sup>24</sup> His death certificate states that he died at 18.30 from acute haemorrhagic shock and perforation of thoracic organs caused by a firearm projectile.<sup>25</sup>

According to a source consulted by the Mission, a CICPC official indicated that Yzarra had been shot with a rifle, adding that "the military fired to kill and did not fire into the air or to disperse the crowd, as they had orders to attack when people entered their space." According to the same source, two officials from the prosecutor's office confirmed that it was a rifle bullet.<sup>26</sup>



**Rifle shot**

*Photo source:* <https://www.lanacion.com.ar/>

<sup>21</sup> Interview TTIV020.

<sup>22</sup> Case number MP-135789-2024. Available at <https://www.youtube.com/watch?v=iYemt3r-kzM>.

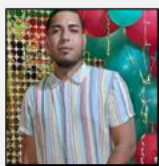
<sup>23</sup> TTOS034; TTOS033.

<sup>24</sup> Interviews TTIV020, TTIV022 and document QQIV0115.

<sup>25</sup> Document TTDC092.

<sup>26</sup> Interview TTIV022.

Jesús Gregorio Tovar Perdomo



### Profile

A 21-year-old man who worked as a hairdresser in the wholesale market in Maracay.

### Circumstances

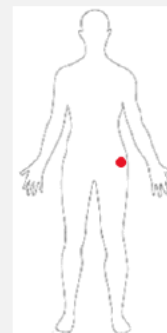
According to information obtained by the Mission, Tovar was at the demonstration outside the Brigade when he was wounded in the left side by a shotgun, which caused his death.<sup>27</sup> According to the cover page of the Attorney General's case file, Tovar was "wounded by a firearm in the chest and leg".<sup>28</sup>

According to a source interviewed by the Mission, Tovar was admitted to the emergency room at the Social Security hospital in San José de Maracay, where there were not enough medical staff to treat him. While waiting in the hallway to be examined, he suffered a respiratory arrest and medical efforts to revive him were unsuccessful.<sup>29</sup>

Tovar was buried in a mass grave at La Primavera cemetery in the city of Maracay.<sup>30</sup>

A study by forensic experts from the organisation *Physicians for Human Rights*, which analysed an image of Tovar showing the gunshot wound, establishes, among other things, that the injuries identified "are consistent with the pattern of wounds from a shotgun: the central pellets tend to remain grouped together, causing a deeper central wound, with satellite wounds caused by the scattered outer pellets."<sup>31</sup>

As for the ammunition fired, the forensic report suggests that it was "large pellets (buckshot)" and not small pellets (birdshot).<sup>32</sup> Regarding the distance from which the shot was fired, the report explains that, "according to forensic guidance, beyond a metre's distance, the pellets scatter sufficiently to cause a central 'rat hole' wound with multiple satellite holes, without burns or singeing, without reddening of the tissues, without soiling or tattooing, and without the presence of pellets in the wound path."<sup>33</sup> Beyond ten metres, "the pellets disperse completely, causing multiple small puncture wounds without a central wound." In the case of Tovar's main wound, the report concludes that it corresponds to the shape of a 'rat hole', so, according to the expert report, the shotgun shot with buckshot ammunition was fired at a distance of more than one metre and less than ten metres.<sup>34</sup>



Shotgun blast

Photo source: <https://runrun.es/monitor-de-victimas/562215/quienes-son-las-victimas-de-la-represion-postelectoral-en-venezuela/>

<sup>27</sup> Documents PPDC200 and PPDC201.

<sup>28</sup> Case number 135789-2024 in: YouTube video, MPvenezolano [@MPvenezolano], "FGR Tarek William Saab rejected media campaign to whitewash post-election violence," 11 November 2024. Available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>

<sup>29</sup> Document PPDC201.

<sup>30</sup> *Ibid.*

<sup>31</sup> Document WWDC134.

<sup>32</sup> *Birdshot* ammunition includes very small pellets (typically #7.5 to #9), while *buckshot* includes larger pellets (e.g., #4 Buck, 00 Buck — 00 measures approximately 0.33 inches per pellet). See: Medium, "Shotgun Ballistics," 16 January 2015. Available at: <https://medium.com/%40AegisAcademy1/shotgun-ballistics-5514d04bf92d>

<sup>33</sup> Document WWDC134.

<sup>34</sup> *Ibid.*

José Antonio Torrents Blanca



### Profile

A 26-year-old man, first sergeant of the Urban Security Detachment of the GNB of the State of Aragua, who was part of the anti-riot unit during the protests.

### Circumstances

According to information provided by the Attorney General on 12 August 2024, during the autopsy of the first sergeant, “a 22-calibre bullet lodged in the second cervical vertebra was collected from the body.”<sup>35</sup> The Attorney General did not determine the type of 22-calibre ammunition or the type of weapon from which the shot was fired or the type of weapon from which the shot was fired.<sup>36</sup>

According to the cover page of the Attorney General’s case file, Torrents “was wounded in the neck as a result of attacks by violent groups.”<sup>37</sup> The shot hit Torrents while he was in the parking lot, where other members of the GNB and PNB were present.<sup>38</sup>



22-calibre bullet

Photo source: <https://lacalle.com.ve/muere-sargento-de-la-fanb-a-consecuencia-de-las-protestas/>

Gabriel Alfredo Ramos Pacheco



### Profile

A 33-year-old man, who resided in the municipality of Santiago Mariño, State of Aragua.<sup>39</sup>

### Circumstances

According to information obtained by the Mission, Ramos was at the demonstration in front of the Brigade when he was shot in the head with a rifle.<sup>40</sup> This information coincides with the cover page of the Attorney General’s case file, according to which Ramos was “wounded by a firearm to the head.”<sup>41</sup>

In a video released on 30 July 2024, Ramos’ sister confirmed that the victim was wounded in the head (left parietal) while at the San Jacinto gathering.<sup>42</sup>

Ramos was initially taken to Maracay Central Hospital but was then transferred to Calicanto Clinic on the following day. After medical staff performed several procedures, including a CT scan,<sup>43</sup> Ramos was sent back to the Maracay Central Hospital, where he died on 2 August 2024.<sup>44</sup>



Rifle shot

<sup>35</sup> YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], “Attorney General Tarek William Saab, report to the Council of State on violent events in July-August,” 13 August 2024. Available at: <https://www.youtube.com/watch?v=eGVtWNjG6H0>

<sup>36</sup> *Ibid.*

<sup>37</sup> Case number MP-135787-2024 in: YouTube video, MPvenezolano [@MPvenezolano], “FGR Tarek William Saab rejected media campaign to whitewash post-election violence,” 11 November 2024. Available at <https://www.youtube.com/watch?v=iYemt3r-kzM>

<sup>38</sup> YouTube video by Luigino Bracci Roa from Venezuela [@lubrio], “Attorney General Tarek William Saab, press conference on violent events after the elections,” 2 December 2024. Available at: <https://youtu.be/SL62pB4nwoI?si=qLQAgUNZxAWZFP1K&amp;t=665> [min. 11:05].

<sup>39</sup> Video TTOS034. See also: Runrun.es, “Who are the victims of post-election repression in Venezuela?”, 9 August 2024. Available at: <https://runrun.es/monitor-de-victimas/562215/quienes-son-las-victimas-de-la-represion-postelectoral-en-venezuela/>

<sup>40</sup> Post on X by Carmen E. Pecorelli [@CarmenPecorelli], 2 August 2024. Available at: <https://x.com/CarmenPecorelli/status/1819385044202356840>; El Clarín, “Protestor injured in demonstrations dies,” 3 August 2024. Available at: <https://elclarinweb.com/2024/08/03/manifestante-herido-en-protestas-fallecio/>

<sup>41</sup> Case number 135789-2024 in: YouTube video, MPvenezolano [@MPvenezolano], “FGR Tarek William Saab rejected media campaign to whitewash post-election violence,” 11 November 2024. Available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>

<sup>42</sup> Video TTOS037.

<sup>43</sup> Document TTDC091.

<sup>44</sup> Post on X by Carmen E. Pecorelli [@CarmenPecorelli], 2 August 2024. Available at: <https://x.com/CarmenPecorelli/status/1819385044202356840>; El Clarín, “Protestor injured in demonstrations dies,” 3 August 2024. Available at: <https://elclarinweb.com/2024/08/03/manifestante-herido-en-protestas-fallecio/>

Photo source: <https://ultimasnoticias.com.ve/sucesos/tiros-en-espalda-y-cabeza-causaron-muertes-post-28j/>

Jesús Ramón Medina Perdomo



**Profile**

A 56-year-old man, who worked in the health sector in Maracay.<sup>45</sup>

**Circumstances**

According to information obtained by the Mission, Medina was in the vicinity of the Brigade when he was shot in the neck.

According to the cover page of the Attorney General's case file, Medina suffered a "gunshot wound to the chest."<sup>46</sup>

One of Medina's relatives reported that the injury was caused by a shotgun wound to the neck and that he died at the Central Hospital on 29 July 2024.<sup>47</sup>



**Shotgun blast**

Photo source: <https://runrun.es/monitor-de-victimas/562215/quienes-son-las-victimas-de-la-represion-postelectoral-en-venezuela/>

Anthony David Moya Mantia



**Profile**

A 20-year-old man, who lived in the Leo Corvo neighbourhood of the municipality of Santiago Mariño, State of Aragua.

**Circumstances**

According to information obtained by the Mission, Moya was in the vicinity of the Brigade when he was shot by a firearm projectile. According to the cover page of the Attorney General's Office case file, Moya "suffered a gunshot wound to the back."<sup>48</sup>

Moya was taken to the Elbano Paredes Vivas Military Hospital and admitted to the intensive care unit, where he died of spinal shock on 29 July 2024.<sup>49</sup>



**Gunshot**

Source: <https://runrun.es/monitor-de-victimas/562215/quienes-son-las-victimas-de-la-represion-postelectoral-en-venezuela/>

<sup>45</sup> <https://runrun.es/monitor-de-victimas/562215/quienes-son-las-victimas-de-la-represion-postelectoral-en-venezuela/>

<sup>46</sup> Case number 135789-2024, available at <https://www.youtube.com/watch?v=iYemt3r-kzM>.

<sup>47</sup> TTOS028.

<sup>48</sup> Case number 135789-2024, available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>.

<sup>49</sup> El Carabobeño, "Silence and pain: Two months after the 24 deaths in the post-election context," 30 September 2024. Available at: <https://www.el-carabobeno.com/silencio-y-dolor-a-un-mes-de-las-24-muertes-en-el-contexto-postelectoral/>.



Andrés Alfonso Ramírez Castillo



### Profile

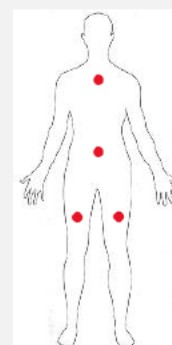
A 36-year-old man, who worked as a truck driver.

### Circumstances

According to information obtained by the Mission, Ramírez was in the vicinity of the Brigade when he was shot with firearm projectiles to the abdomen, neck and legs.

This information coincides with that in the cover page of the Attorney General's case file, according to which Ramírez was hit by projectiles in the neck, abdomen and legs.<sup>50</sup>

According to one source, Ramírez was admitted to the Central Hospital of Maracay, where he remained for 23 days. On 21 August 2024, after undergoing five operations and seeing no improvement in his health, he died at approximately 6.15 p.m. in the hospital's emergency department.<sup>51</sup>



Gunshots

## State investigations

In the case of the protests at the San Jacinto Obelisk Roundabout, the Attorney General has only provided details of the investigation into the death of GNB Sergeant Torrents. In fact, he is the only victim, out of the seven, who has been assigned an individual case file by the Attorney General's Office (MP-135787-2024), with a different number from the rest (all under 135789-2024). It is also the only case where responsibility for his death is attributed to "attacks by violent groups."<sup>52</sup>

On 12 August 2024, the Attorney General stated that, during the autopsy of Torrents' body, "a 22-calibre bullet lodged in the second cervical vertebra was collected from the body."<sup>53</sup> The Attorney General, however, did not identify the type of 22-calibre projectile found, nor the type of weapon from which it was fired.<sup>54</sup>

On 15 August 2024, the Attorney General stated that the "alleged perpetrator [of Torrent's death] was Reiner José Márquez Velásquez" and that the incident occurred at 6 p.m., when members of "armed groups were present in different areas of the municipality of Girardot, notably Avenida Bolívar in Maracay, where they fired their weapons at the commission."<sup>55</sup>

On 2 December 2024, the Attorney General showed a video in which a gunshot could be heard and, according to him, the GNB first sergeant could be seen falling. After the shot is heard, the video shows PNB and GNB officers carrying an inert body of a GNB officer, presumably First Sergeant Torrents, while a woman's voice said, "they hit Torrente."<sup>56</sup> A

<sup>50</sup> Case number 135789-2024, available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>.

<sup>51</sup> [https://www.instagram.com/nucleonoticias\\_aragua/reel/C--geU\\_RehG/](https://www.instagram.com/nucleonoticias_aragua/reel/C--geU_RehG/).

<sup>52</sup> The deaths of the six protesters are under the same case number by the Attorney General's Office (MP-135789-2024). None of the other files attribute responsibility and only mention the cause of death. See: YouTube video, MPvenezolano [@MPvenezolano], "FGR Tarek William Saab rejected media campaign to whitewash post-election violence," 11 November 2024. Available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>

<sup>53</sup> YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], "Attorney General Tarek William Saab, report to the Council of State on violent events in July-August," 13 August 2024. Available at: <https://www.youtube.com/watch?v=eGVtWNjG6H0>

<sup>54</sup> 22 calibre ammunition can range from the shortest (*short*, *long* and *long rifle*) to the longest (*WMR* and *Hornet*) and can be fired by different firearms, including pistols, revolvers, carbines, rifles and some types of shotguns. See: Armas.es, "Calibre .22 LR: a classic that stands the test of time," 30 April 2008. Available at: <https://www.arms.es/municion/calibre-22-lr-un-clasico-por-el-que-no-pasan-los-anos>

<sup>55</sup> La Jornada, "Tarek William Saab: 'Machado and others could be charged at any moment'," 19 August 2024. Available at: <https://diariolajornada.com/?p=210975>

<sup>56</sup> YouTube video by Luigino Bracci Roa from Venezuela [@lubrio], "Attorney General Tarek William Saab, press conference on violent events after the elections," 2 December 2024. Available at: <https://youtu.be/SL62pB4nwoI?si=qLQAgUNZxAWZFP1K&amp;t=665> [min. 11:05].

second video posted on social network X shows national guards and police officers placing the wounded man on a motorcycle.<sup>57</sup>

In the video presented by the Attorney General, a gunshot is indeed heard in the vicinity of the parking lot, but neither the person who fired the shot nor the distance from which it was fired, nor the victim who was hit, could be identified.<sup>58</sup>

The Attorney General also pointed out, without showing it, that another video “shows an individual, later identified as Reiner José Márquez Velásquez, carrying a firearm in the vicinity of the homicide, which, linked to the witness statements obtained, proved his responsibility in the death of José Torrents.”<sup>59</sup>

The Attorney General indicated that “with this evidence gathered, an arrest warrant was requested for the aforementioned individual, which was implemented.” He also noted that an arrest warrant had been requested for another individual, Jewil Chemister, who had fled.<sup>60</sup>

Regarding the investigations into the deaths of the six protesters, on 11 November 2024, the Attorney General only presented the covers of the Public Prosecutor's Office case files indicating the cause of death.<sup>61</sup>

### **Chain of command that operated during the protest**

In its oral update to the Human Rights Council on 18 March 2025, the Mission reported that it had identified four generals, one colonel and one lieutenant colonel from the Army and the GNB who were involved in public order operations in the context of this protest. These individuals were identified through open sources, video analysis, and information provided by a source with inside knowledge of the GNB/FANB who corroborated the names of the officials.

The Mission has identified the following command structure of the GNB in the context of the repression of the protest in the vicinity of the Obelisk in Maracay.<sup>62</sup>

In addition to its internal command structure, the GNB at the state level is part of the Strategic Regions of Integral Defence (REDI, by its Spanish acronym) system when it comes to public order operations. In the context of the Integral Defence Area (ADI, by its Spanish acronym), the commander of GNB Zone 42 receives orders from REDI Central and the Integral Defence Operational Zone (ZODI, by its Spanish acronym) Aragua No. 44. At the same time, he remains under the internal chain of command of the GNB but does not receive orders from it regarding public order operations. The Mission has been able to identify the following officials who were part of the chain of command under REDI in the public order intervention on 29 and 30 July 2024.<sup>63</sup>

<sup>57</sup> Post on X by Lt. Col. José Rodríguez H [@RodriguezHJoseY], 30 July 2024. Available at: <https://x.com/RodriguezHJoseY/status/1818313429498888687>

<sup>58</sup> YouTube video by Luigino Bracci Roa from Venezuela [@lubrio], “Attorney General Tarek William Saab, press conference on violent events following the elections,” 2 December 2024. Available at: <https://youtu.be/SL62pB4nwoI?si=qLQAgUNZxAwZFP1K&amp;t=665> [min. 11:05].

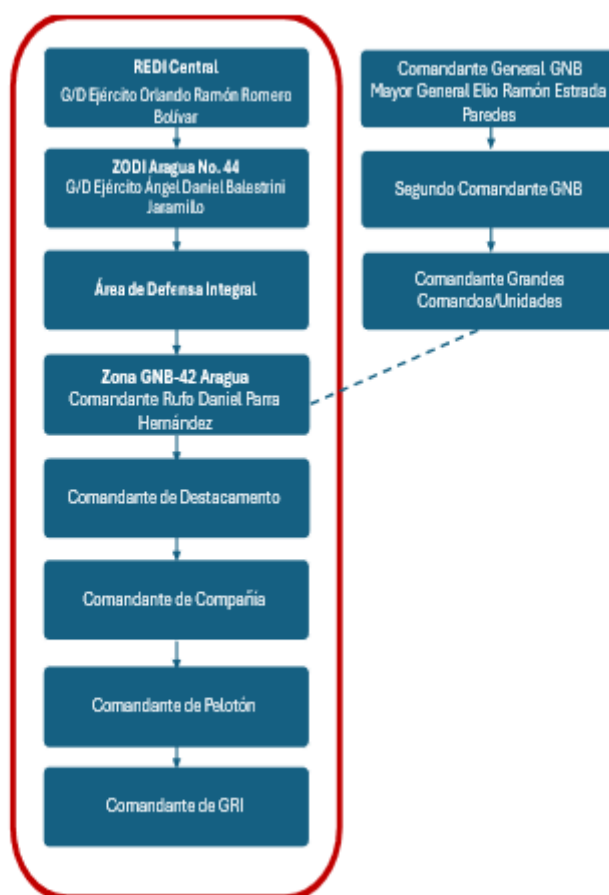
<sup>59</sup> YouTube video, Luigino Bracci Roa from Venezuela [@lubrio], Attorney General Tarek William Saab, press conference on violent events following the elections, 2 December 2024. Available at: <https://www.youtube.com/watch?v=SL62pB4nwoI&amp;rco=1>

<sup>60</sup> *Ibid.*

<sup>61</sup> YouTube video, MPvenezolano [@MPvenezolano], “FGR Tarek William Saab rejected media campaign to whitewash post-election violence,” 11 November 2024. Available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>

<sup>62</sup> Document TTDC121. See also: Instagram post by REDI Central [@\_redicentral], 16 September 2024. Available at: [https://www.instagram.com/reel/C\\_-2mt6x6vG/?utm\\_source=ig\\_web\\_button\\_share\\_sheet](https://www.instagram.com/reel/C_-2mt6x6vG/?utm_source=ig_web_button_share_sheet)

<sup>63</sup> Instagram post by REDI Central [@\_redicentral], 16 September 2024. Available at: [https://www.instagram.com/reel/C\\_-2mt6x6vG/?utm\\_source=ig\\_web\\_button\\_share\\_sheet](https://www.instagram.com/reel/C_-2mt6x6vG/?utm_source=ig_web_button_share_sheet)



- a. Orlando Ramón Romero Bolívar, Major General of the Army, commander of the Central REDI until 16 October 2024 with jurisdiction over the States of Aragua, Carabobo and Yaracuy.

The commander of the REDI is appointed by the President of the Republic and exercises direct command over all units assigned to the REDI and other operational and administrative bodies assigned to him for the fulfilment of his mission. The commanders of the REDI, ZODI and ADI are responsible, among other things, for coordinating the support of the Bolivarian National Armed Forces (FANB, by its Spanish acronym) to restore public order in the area under their jurisdiction.<sup>64</sup>

Following the fatal events of the protest in Maracay on 14 October 2024, Nicolás Maduro promoted Orlando Ramón Romero Bolívar to Commander General of the Bolivarian Militia. On 27 November 2024, Romero Bolívar was sanctioned along with 20 other security officials by the U.S. Department of the Treasury's Office of Foreign Assets Control, in compliance with Executive Order 13692, for having supported and carried out Nicolás Maduro's orders to repress civil society in the context of the presidential election on 28 July 2024.

- b. Ángel Daniel Balestrini Jaramillo, Major General of the Army, commander of ZODI Aragua No. 44, which is part of REDI Central and has jurisdiction over the State of Aragua. The commander of ZODI is appointed by the President of the Republic in his capacity as Commander-in-Chief of the FANB.<sup>65</sup>

<sup>64</sup> Constitutional Law of the Bolivarian National Armed Forces, Art. 56(9).

<sup>65</sup> Decree No. 1,439, of 17 November 2014, Articles 46, 47 and 49 in *Official Gazette* No. 6,156 of 19 November 2014.



On 27 November 2024, Balestrini Jaramillo was also sanctioned along with 20 other security officials by the Office of Foreign Assets Control of the United States Department of the Treasury, in compliance with Executive Order 13692, for having supported and carried out Nicolás Maduro's orders to repress civil society in the context of post-election protests.<sup>66</sup>

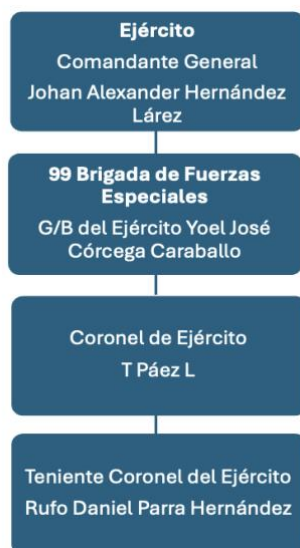
- c. Rufo Daniel Parra Hernández, Brigadier General of the GNB, commander of GNB-42 Aragua Zone.<sup>67</sup>

The GNB Zone Commands, in addition to being part of the GNB's internal chain of command, are also subordinate to the command of the respective ZODIs.<sup>68</sup> GNB Zone 42 Aragua is under the command of ZODI Aragua No. 44.

- d. GRI Commander (name not identified).

The GRIs are part of the public order units and constitute rapid response units, which include motorised units, and are the first to be deployed. The GRI Commander is the last link in the chain of command under ZODI.<sup>69</sup> The Mission has not been able to identify the GRI commander responsible for the public order operation in Maracay on 29 July 2024.

With regard to the 99th Special Forces Brigade of the Army, the Mission has identified the following chain of command:



The following commanders and officers of the 99th Brigade, who may bear some responsibility for the events of 29 July 2024, have been identified by the Mission based on open sources, video analysis, and information provided by a source with inside knowledge of military personnel:<sup>70</sup>

- a. Yoel José Córcega Caraballo, Army Brigadier General, commander of the 99th Special Forces Brigade, "GJ. Félix Antonio Velásquez" since August 2023, appointed by the Minister of Defence.

<sup>66</sup> U.S. Department of the Treasury, "Treasury Targets Maduro-aligned Officials Leading Post-Election Crackdown in Venezuela," 27 November 2024. Available at: <https://home.treasury.gov/news/press-releases/jy2730>

<sup>67</sup> Instagram posts by Comando De Zona Aragua [@gnb\_aragua], 11 July 2024. Available at: <https://www.instagram.com/p/C9TKuffBK-Z/?hl=es>; and 4 August 2024. Available at: [https://www.instagram.com/p/C-RE4V2hX9n/?hl=es&img\\_index=1](https://www.instagram.com/p/C-RE4V2hX9n/?hl=es&img_index=1)

<sup>68</sup> A/HRC/45/CRP.11, paras. 188–189, 2028–2030.

<sup>69</sup> Document TTDC029.

<sup>70</sup> Document TTDC121.

- b. T. Páez L, Army Colonel, 99th Special Forces Brigade. The Mission has determined with reasonable grounds to believe that this official was present on the day of the events inside the facilities of the 99th Special Forces Brigade.<sup>71</sup>
- c. Ysmal Manuel Ceballos Maracara, Lieutenant Colonel in the Army, 99th Special Forces Brigade. The Mission has determined with reasonable grounds to believe that this official was present on the day of the events inside the facilities of the 99th Special Forces Brigade.<sup>72</sup>

Unlike the GNB, in the context of public order operations, the 99th Special Forces Brigade is not part of the ZODI chain of command. In the case of the protests at the San Jacinto Obelisk Roundabout in Maracay, the 99th Special Forces Brigade was *on site* because the protests took place around and near its facilities. Both the Army colonel and the Army lieutenant colonel identified by the Mission were acting solely under the command of the commander of the 99th Special Forces Brigade.

With regard to all of the aforementioned members of the FANB, the Mission has requested information from the State on their role, involvement, and accountability for the public order operations conducted during the protest in Maracay on 29 July 2024. As of the closing date of this conference room paper, this request had not received a response from the Venezuelan authorities.

### Conclusions

Based on its investigation, the Mission has reasonable grounds to believe that the protest held on 29 July 2024 in the vicinity of the San Jacinto Obelisk Roundabout began peacefully, almost festively, with a large number of protesters in attendance, including families, children, and older persons.

At around 5.30 p.m., the GNB began to repress the demonstration by firing tear gas without prior warning, according to testimonies gathered. The protest began to take on a violent character as groups of demonstrators responded by throwing stones, sticks, bottles and homemade incendiary devices at the Brigade. In addition, other protesters surrounded and detained 10 PNB officers, stripping them of their helmets, vests and shields. Others set fire to a vehicle and three motorcycles belonging to the Aragua State Police at the San Jacinto Obelisk Roundabout.<sup>73</sup>

The repression intensified in front of the Brigade, towards the Obelisk and in the vicinity of the El Aragüenho newspaper.<sup>74</sup> The violence of the protest also intensified. In these circumstances, the first individuals wounded by gunfire took place, followed by others as the repression continued.

All the fatalities died due to injuries caused by firearm projectiles. In the case of the victim who died in the vicinity of the El Aragüenho newspaper, the Mission has reasonable grounds to believe that the projectile that struck him was a rifle bullet. In the case of two other victims in the area of the Brigade, the shots were fired with shotguns. In one of these cases, the Mission has reasonable grounds to believe that the victim's death was caused by a shotgun loaded with buckshot, a weapon used by the GNB, which was fired at the victim from less than ten metres. A journalist was also wounded in the area by a buckshot fired from a shotgun.

In the other three cases, the Mission has not been able to determine the type of weapon or ammunition. In the case of the GNB sergeant, the projectile that killed him was identified by the Attorney General as a .22 calibre round, without specifying the type of weapon.

The Mission has not found reasonable grounds to believe that any protester carried a firearm such as a shotgun or rifle, let alone shotgun or a rifle, much less used one. None of the

<sup>71</sup> Documents TTDC096 and TTDC097.

<sup>72</sup> Document TTDC097.

<sup>73</sup> Documents TTDC113; TTDC114; TTDC111 and TTDC120.

<sup>74</sup> Interviews TTIV029 and TTIV030; Document TTDC112; Video TTOS035. See also: Instagram post by Francisco Cruz [@francisco\_comunica], 29 July 2024. Available at: <https://www.instagram.com/p/C-BbaQzvy2b/>

witnesses interviewed by the Mission nor other sources, indicated having seen the fatal victims using firearms.<sup>75</sup>

The Mission found on the contrary reasonable grounds to believe that members of the GNB and the 99th Special Forces Brigade were equipped with shotguns and rifles and that they fired their weapons, at least, from inside the Brigade and from the top of the entrance gate in the direction of the demonstrators.<sup>76</sup>

In all cases, the victims had sustained bullet wounds in vital areas, leading the Mission to reasonably believe that the perpetrators were not acting with the aim of causing injury, but rather to kill, as was also pointed out by a member of the CICPC to one of the sources interviewed by the Mission.<sup>77</sup>

The Mission recalls that incidents of violence do not justify the disproportionate use of force, including potentially lethal force, by security forces. The use of potentially lethal force by State agents to maintain public order is only permitted when strictly necessary to protect life or prevent serious injury resulting from an imminent threat; therefore, it must not be directed against the protesting population as a whole or indiscriminately.<sup>78</sup>

The Mission also recalls that the deprivation of life resulting from acts or omissions that violate other provisions of the International Covenant on Civil and Political Rights other than Article 6 (right to life), such as Article 21 (right to freedom of assembly), is generally considered arbitrary. This also applies to the use of force resulting in the death of demonstrators exercising their right to freedom of assembly.<sup>79</sup> Furthermore, States must promptly and effectively investigate all allegations of violations in the context of assemblies through independent and impartial bodies, especially cases of arbitrary deprivation of life.<sup>80</sup>

In light of the above, the Mission has reasonable grounds to believe that the deaths of the six victims were caused by gunfire from members of the State security forces. In none of the cases has the Mission been able to identify the officials who may have been the direct perpetrators of the deaths of the six demonstrators.

The Mission has been able to identify members of the chain of command with responsibilities over the public order operation on 29 July 2024 and/or who were present during the operation and played a role in the actions carried out by the security forces and the Army. These officials and army officers may have incurred individual responsibility, either for giving orders to repress the demonstrators using firearms or for failing to take measures to prevent these acts from being committed, despite knowing that officials under their command and effective control were committing them; or for failing to initiate an adequate investigation after the incidents.

The Mission considers it necessary to further investigate more thoroughly the roles and responsibilities of the aforementioned officials. The Mission also recalls that the Venezuelan criminal justice authorities must fulfil their duty to investigate the potential responsibilities of these and other officials in the chain of command.

<sup>75</sup> Human Rights Watch, “Venezuela: Brutal Repression Against Protesters and Voters,” 4 September 2024. Available at: <https://www.hrw.org/es/news/2024/09/04/venezuela-brutal-represion-contra-manifestantes-y-votantes>; <https://provea.org/opinion/la-masacre-de-san-jacinto/>

<sup>76</sup> Documents TTDC086 and TTDC109.

<sup>77</sup> Interview TTIV022.

<sup>78</sup> Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, Principle 9.

<sup>79</sup> *Ibid.*, para. 21.

<sup>80</sup> Special Rapporteur on the rights to freedom of peaceful assembly and of association and Special Rapporteur on extrajudicial, summary or arbitrary executions, A/HRC/31/66, para. 90.

## **Case 2: *Protests in El Valle, Capital District: Olinger Montaña López and Anthony García Cañizales***

### **Death of two victims during protest**

This case involves the investigation of the deaths of two young men, Olinger Montaña López, 23 years old, and Anthony García Cañizales, 19 years old, on 29 July 2024 during post-election protests in the parish of El Valle, Capital District, where both lived. Montaña was a musician and content creator who worked as a barber, and García was a business administration student and motorcycle taxi driver.<sup>81</sup>

### **Context**

On 29 July 2024, pot-banging protests and demonstrations took place in various areas of the Capital District, including El Valle, as an expression of popular discontent with the election results and allegations of irregularities in the process.<sup>82</sup> According to videos and testimonies analysed by the Mission, the protests in El Valle gradually intensified during the afternoon.<sup>83</sup> Residents of the area took to the streets to protest, and improvised barricades were set up at several points on main avenues.<sup>84</sup> Certain groups of protesters caused damage to property.<sup>85</sup>

As night fell, the protests continued and were met with a deployment of State security forces, including the GNB and the PNB, who launched tear gas grenades at protesters and used firearms.<sup>86</sup> In one of the videos analysed by the Mission, a group of four members of a security force is seen – three throwing gas grenades by hand and a fourth advancing with his firearm – a short-barrelled shotgun – in a firing stance and aiming in the direction of the demonstrators.<sup>87</sup>

In another video, a larger group of security agents is seen advancing in line formation, launching gas in the direction of the protesters and also firing their shotguns. The footage captures multiple gunfire detonations and the voice of an individual narrating the scene in the background, stating that it was 7.42 p.m. and that members of the PNB were firing tear gas and shooting pellets at protesters located near the El Valle Shopping Centre.<sup>88</sup>

### **Death of Olinger Montaña**

Olinger Montaña had left his residence to attend the demonstrations at approximately 15.00, carrying a professional video camera.<sup>89</sup> He was participating in the protests near a preschool education centre on Avenida Intercomunal de El Valle.<sup>90</sup> At around 7 p.m., he contacted a family member and informed them that protests were escalating.<sup>91</sup>

At around 8 p.m., two of Montaña's friends went to look for him. After meeting him and before heading home, Montaña separated from them to retrieve his motorbike, which was

<sup>81</sup> Interview WWIV132. See also: YouTube profile of Saffary el fresa [@saffaryelfresa]. Available at: <https://www.youtube.com/@saffaryelfresa>; and TikTok post by saffary [@saffaryelfresa], 13 March 2022. Available at: <https://www.tiktok.com/@saffaryelfresa/video/7074654094236863749>

<sup>82</sup> BBC Mundo, “Images of protests in Venezuela over doubts about Maduro's election victory leave at least two dead and hundreds detained,” 29 July 2024. Available at: <https://www.bbc.com/mundo/articles/cjjw525nxepo>.

<sup>83</sup> Document WWDC104; Interview WWIV132.

<sup>84</sup> Infobae, “Repression in Caracas: police fire tear gas at demonstrators protesting against electoral fraud,” 29 July 2024. Available at: [https://www.infobae.com/venezuela/2024/07/29/se-registran-fuertes-cacerolazos-en-caracas-un-dia-despues-de-las-elecciones-en-venezuela-en-repudio-al-fraude-de-maduro/?utm\\_source=chatgpt.com](https://www.infobae.com/venezuela/2024/07/29/se-registran-fuertes-cacerolazos-en-caracas-un-dia-despues-de-las-elecciones-en-venezuela-en-repudio-al-fraude-de-maduro/?utm_source=chatgpt.com).

<sup>85</sup> Document WWDC104.

<sup>86</sup> Document WWDC106; Interview WWIV144.

<sup>87</sup> Document WWDC105.

<sup>88</sup> Document WWDC106.

<sup>89</sup> Interview WWIV132.

<sup>90</sup> Document WWDC104. See also: Facebook post by Alexander Angel [@alexander.angel.582369], 29 July 2024. Disponible en: <https://www.facebook.com/photo/?fbid=122129399930305011&set=ecnf.100038676772512>

<sup>91</sup> Interview WWIV132.

parked a few metres away on Cajigal Street, near the El Valle Shopping Centre, according to the Mission's georeferencing. At that moment, several gunshots were heard and one of them struck Montaña.<sup>92</sup>

In one of the videos analysed by the Mission, five protesters can be seen lifting Montaña off the ground by his limbs to evacuate him from the area. A voice in the background says, "they've already hit two, they hit one over there".<sup>93</sup> In another video, filmed from the same angle, another voice in the background can be heard saying, "oh! they killed two, they killed two," also referring to Anthony García, who can be seen lying on the ground a few metres behind Montaña.<sup>94</sup>

Finally, another video shows protesters beginning to run for cover as multiple gunshots are heard. At 17 seconds of the video, the moment immediately after Montaña was struck by a bullet can be seen. A voice in the background says, "they killed him."<sup>95</sup> Then, the five protesters who assisted Montaña can be seen lifting him by his limbs and carrying him away from the scene. Montaña was taken to the Periférico de Coche Hospital.<sup>96</sup> The Mission has not been able to confirm whether he arrived at the hospital alive. The video also shows Anthony García falling to the ground just a few metres from Montaña.<sup>97</sup>

At around 10 p.m., Montaña's relatives went to the hospital, where only one person was allowed to enter. That person identified the body and confirmed his identity. The death certificate states that Montaña died as a result of "massive haemothorax, visceral perforation, penetrating chest trauma, gunshot wound."<sup>98</sup> According to the case file presented by the Attorney General on 11 November 2024, Montaña "suffered a wound to the back from a projectile fired by a firearm."<sup>99</sup>

The Mission has received information, as in other cases, that restrictions were imposed by the authorities regarding the delivery of the victim's body, his funeral wake and burial, so that these events would remain confidential.<sup>100</sup>

### **Death of Anthony García Cañizalez**

According to information gathered by the Mission, on the afternoon of 29 July 2024, Anthony García had left his home in El Valle to take food to a relative who was hospitalised at the Materno Infantil Hospital. He had to travel by public transport and walk certain segments of the route due to protests on the public highway.<sup>101</sup>

Upon returning home at around 8 p.m., García encountered a heavy police presence on Avenida Intercomunal de El Valle, near the El Valle Shopping Centre and Cajigal Street,<sup>102</sup> where gunshots were heard.<sup>103</sup> The videos referred to earlier, showing images of Montaña,<sup>104</sup> also showed images of Anthony García when he struck by gunfire practically the same time as Montaña. In one of the videos, García can be seen falling to the ground, sitting down for a moment and finally collapsing. Protesters assisted García by trying to revive him.<sup>105</sup>

In another video, García is seen being placed on a motorcycle, and when it drives off, the victim's body falls to the ground, with a voice in the background of the recording saying,

<sup>92</sup> *Ibid.*

<sup>93</sup> Document WWDC114.

<sup>94</sup> *Ibid.*

<sup>95</sup> Document WWDC100.

<sup>96</sup> Interview WWIV132.

<sup>97</sup> Document WWDC100.

<sup>98</sup> Document WWDC095.

<sup>99</sup> Case number 136136-2024 in: YouTube video, MPvenezolano [@MPvenezolano], "FGR Tarek William Saab rejected media campaign to whitewash post-election violence," 11 November 2024. Available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>

<sup>100</sup> Illustrative case 7: Jesús Rafael Álvarez.

<sup>101</sup> Interviews WWIV143 and WWIV113.

<sup>102</sup> Interviews WWIV144, Documents WWDC106 and WWDC107.

<sup>103</sup> Interviews WWIV143 and WWIV113.

<sup>104</sup> Document WWDC100.

<sup>105</sup> *Ibid.*

“he's dead, isn't he!” and another saying, “they killed him”.<sup>106</sup> According to testimonies gathered by the Mission, García was taken by people at the protest to the Periférico de Coche Hospital, where he was admitted alive.<sup>107</sup>

Hospital medical staff informed two people close to or related to Anthony García that two young men with gunshot wounds had been admitted from the same area.<sup>108</sup> One of them was Montaña, who had died, and the other was García, who remained in stable condition. A family member was able to visit García alive and conscious before he died.<sup>109</sup> As stated in his death certificate, García died as a result of “massive haemothorax, visceral perforation, penetrating thoracoabdominal trauma and gunshot wound”.<sup>110</sup> According to the summary of the Public Prosecutor's case file, García “had a gunshot wound to the back.”<sup>111</sup>

In the case of both deaths, Montaña and García, based on the videos observed and other information gathered by the Mission, there is no evidence that there was a confrontation between protesters and pro-government groups in the area, as in other lethal incidents during post-election protests. Nor is there any evidence of the presence of security forces at the exact location where both individuals were wounded, although a nine-second volley of gunfire can be heard in the vicinity moments before the two victims fell to the ground. These elements suggest that the shots were not fired at close range.

On 15 August 2024, the Attorney General, without providing details or explanations, stated that the deaths of Montaña and García had been attributed to the gangs “El 70”, “Cara de Niña” and “Platanero”.<sup>112</sup>

## Conclusions

The Mission has reasonable grounds to believe that Olinger Montaña López and Anthony García Cañizalez were fatally wounded by live ammunition during a protest in the parish of El Valle in the Capital District on 29 July 2024, in the vicinity of the El Valle Shopping Centre. The events occurred simultaneously and are part of a single incident.

During the protest and at the time the two victims were struck by gunfire, there was a significant presence of State security forces, including the GNB and the PNB, carrying out public order operations in the vicinity of the El Valle Shopping Centre. In the course of these tasks, the security forces launched tear gas and fired live ammunition profusely. The Mission has not been able to establish the type of ammunition used by the security forces in their public order operations, nor the type of bullets that struck the two specific victims in this case.

The Mission has found no evidence that demonstrators near the El Valle Shopping Centre were armed or discharged firearms, that they engaged in confrontations with pro-government groups, or that any civilian fired at the two victims or others. The official position of the Public Prosecutor's Office on all cases of death in the post-election protests is that none of these deaths were caused by the State security forces. In the present case, the Attorney General attributed the two deaths to a criminal group. This implies that the Public Prosecutor's Office, in its case file 136136-2024 for this incident, may not have pursued a line of investigation involving members of the security forces as possible perpetrators of these homicides.

International human rights standards establish that “States [...] have an obligation to investigate alleged violations of Article 6 [of the International Covenant on Civil and Political Rights, which protects the right to life] when State authorities have used or appear to have

<sup>106</sup> Document WWDC101.

<sup>107</sup> Interviews WWIV143 and WWIV144.

<sup>108</sup> *Ibid.*

<sup>109</sup> *Ibid.*

<sup>110</sup> Document WWDC102.

<sup>111</sup> Case number 136136-2024 in: YouTube video, MPvenezolano [@MPvenezolano], “FGR Tarek William Saab rejected media campaign to whitewash post-election violence,” 11 November 2024. Available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>

<sup>112</sup> La Jornada, “Tarek William Saab: Machado and others could be charged at any moment,” 19 August 2024. Available at: <https://diariolajornada.com/?p=210975>



used firearms or other potentially lethal force outside the immediate context of armed conflict, for example, when live ammunition has been fired at demonstrators, or when the death of civilians has been confirmed in circumstances that correspond to a pattern of alleged violations of the right to life by State authorities.”<sup>113</sup>

Therefore, the Mission does not currently have sufficient evidence to establish, according to its standard of proof of reasonable grounds to believe, that those who caused the deaths of Olinger Montaña López and Anthony García Cañizalez were members of State security forces. However, it does have reasonable grounds to believe that the State has failed to comply with its international obligations to conduct independent, impartial, thorough, effective, reliable, and transparent investigations, and that it has not investigated members of the security forces who were involved in the public order deployment as possible perpetrators.

### **Case 3: *Isaías Jacob Fuenmayor González***

#### **Death during protest**

Isaías Fuenmayor, 15 years old, was a high school student and lived with his family. Fuenmayor was the youngest fatality recorded during the 2024 post-election protests.

#### **Context**

On 29 July 2024, at approximately 4 p.m., a peaceful demonstration was taking place on Avenida 40 in the municipality of San Francisco, State of Zulia, protesting against the results of the presidential elections held on 28 July. During the protest, held a pot-banging protest and sang the national anthem and other songs.<sup>114</sup>

According to videos obtained directly by the Mission and others disseminated on social media, demonstrators were not carrying weapons or engaging in violent behaviour.<sup>115</sup> Other videos analysed by the Mission show the presence of GNB officers blocking the road at the intersection of Avenida 40 and Calle 158, and other officers on motorcycles dispersing protesters and making arrests,<sup>116</sup> which was also confirmed by a witness interviewed by the Mission.<sup>117</sup>

#### **Death of Isaías Fuenmayor**

Isaías Fuenmayor was on his way home when he decided to stop and watch the protest, according to a source interviewed by the Mission.<sup>118</sup> In a video posted on social media, he is seen walking among the protesters without carrying any objects, simply observing the events as they developed.<sup>119</sup>

<sup>113</sup> CCPR/C/GC/36, para. 29.

<sup>114</sup> Document HHDC195; Interview HHIV144; Publication on X by Qué Pasa en Venezuela [ @QPEV\_ ], 29 July 2024. Available at: [https://x.com/QPEV\\_/status/1818049529632924040](https://x.com/QPEV_/status/1818049529632924040) ; Post on X by Karoline Baptiste [ @KarolineBaptist1 ], 29 July 2024. Available at: <https://x.com/KarolineBaptist1/status/1818044888514183573>

<sup>115</sup> Documents HHDC187, HHDC195, interview HHIV144, and X post by Entre tormentas [ @GabrielSthormes ], 28 July 2024. Available at: <https://x.com/GabrielSthormes/status/1818065948726681720>.

<sup>116</sup> Document HHDC195; Interview HHIV144; Also, publication in X of Diario Versión Final Publicación [ @VersionFinal ], 29 July 2024. Available at: <https://x.com/VersionFinal/status/1818053948009218530>; GPS coordinates: 10°34'11.2"N 71°38'09.5"W.

<sup>117</sup> Entrevista HHIV144.

<sup>118</sup> Interview HHIV138, document HHDC187 and Efecto Cocuyo, “15-year-old teenager killed during a protest in Zulia,” 29 July 2024. Available at: <https://efectococuyo.com/sucesos/matan-a-un-juven-de-15-anos-durante-una-protesta-en-el-zulia/>

<sup>119</sup> Document HHDC187.

As night fell, according to the testimony of a person participating in the protest, the demonstration in the vicinity of the Eduardo Mathias Lossada High School, located on 39th Avenue, turned violent with the arrival of individuals identified as “colectivos.”<sup>120</sup>

According to another source consulted by the Mission, who received information from a witness who was present at the protest, at around 7 p.m., police agents on motorcycles dressed in green, similar to the uniform worn by GNB officials, arrived at the scene. They did not carry visible identification linking them directly to that security force. According to this testimony, the police officers arrived at the protest firing shots into the air.<sup>121</sup> In response, some protesters threw stones at the local headquarters of the Government United Socialist Party of Venezuela (PSUV) political party, located a few metres from the school.<sup>122</sup> The Mission examined video footage recorded the following day, which shows broken windows at the PSUV headquarters and stones scattered on the road.<sup>123</sup>

According to testimony received by the Mission from a source who obtained information from several witnesses, Fuenmayor was shot at point-blank range by a State security officer standing directly in front of him.<sup>124</sup> A video recorded in the vicinity of the school, approximately 100 metres from Avenida 40, shows Fuenmayor seriously wounded in the neck, bleeding profusely and being helped by a protester.<sup>125</sup>

Fuenmayor was taken by motorbike to Dr. Manuel Noriega Trigo Hospital, where he was still alive upon arrival.<sup>126</sup> Another video shows images captured at the medical centre, where he is seen lying motionless on a stretcher receiving assistance from medical staff.<sup>127</sup>

Isaías Fuenmayor died at 7.30 p.m. as a result of “hypovolemic shock, external haemorrhage, vascular injury to the neck, and a gunshot wound,” according to the report and death certificate.<sup>128</sup>

According to the information contained in the summary of the case file presented by the Attorney General on 11 November 2024, Fuenmayor “was hit by a bullet in the neck.”<sup>129</sup>

The Mission has not been able to obtain additional information on the status of the criminal investigation.

## Conclusions

Isaías Fuenmayor died on 29 July 2024 as a result of a gunshot wound to the neck during a demonstration in the municipality of San Francisco, Zulia State, in the vicinity of the Eduardo Mathias Losada High School and near the local headquarters of the PSUV.

Although the Mission received information indicating that a member of a State security force shot Fuenmayor, that element alone does not meet the threshold of proof used by the Mission to conclude, with reasonable grounds to believe, that Fuenmayor's death was caused by a State official. Nevertheless, in light of this information and other elements obtained during the investigation, the Public Prosecutor's Office has an obligation to pursue a line of

<sup>120</sup> Interview HHIV144.

<sup>121</sup> Interview HHIV138.

<sup>122</sup> Interview HHIV144.

<sup>123</sup> Interview HHIV144 and document HHDC196.

<sup>124</sup> Interview HHIV138.

<sup>125</sup> Document HHDC188.

<sup>126</sup> Document HHDC188 and Instagram post by Utahzolanos/Medio Latino [@utahzolanos], 29 July 2024. Available at: [https://www.instagram.com/reel/C-B9Nolu6PB/?utm\\_source=ig\\_web\\_copy\\_link](https://www.instagram.com/reel/C-B9Nolu6PB/?utm_source=ig_web_copy_link).

<sup>127</sup> Facebook post by Andrecitaa Mar, 29 July 2024. Available at: <https://www.facebook.com/reel/1498070124136707>.

The Mission verified the videos mentioned above through geolocation analysis, identification of landmarks visible in the images (such as facades, signage, and urban surroundings), and review of metadata when available. Visual information was also triangulated with witness testimonies and other audiovisual sources obtained from open sources in order to confirm the approximate time, location, and sequence of events documented.

<sup>128</sup> Document HHDC189 and interview QQIV099.

<sup>129</sup> See Case Number MP-134829-2024 at: YouTube video, MPvenezolano [@MPvenezolano].

investigation that considers the possible responsibility of a State official in Fuenmayor's death.

Among the elements that the Public Prosecutor's Office should consider are: video recordings showing the presence of officials in uniforms reportedly resembling those of the GNB carrying out public order operations, including dispersing and arresting demonstrators; the testimony of a person who identified the GNB as the security force responsible for public order operations during those demonstrations; and the account of another witness who saw individuals in green uniforms firing firearms during the demonstration.

The Mission recalls that, in accordance with international human rights standards applicable to the actions of security forces in the context of public order operations during a demonstration "States have an obligation to investigate effectively, impartially, and promptly any complaint or reasonable suspicion of unlawful use of force or other violations by law enforcement officials (...)".<sup>130</sup>

#### **Case 4: *Walter Loren Páez Lucerna***

##### **Death of victim wounded in protest**

Walter Páez, 29 years old, was a merchant and resided in the city of Carora, municipality of Torres, State of Lara.<sup>131</sup>

##### **Context**

On 29 July 2024, following the announcement of the election results, a group of protesters went to the PSUV headquarters in the city of Carora. According to images from several videos, protesters removed a poster with the image of Nicolas Maduro and painted slogans on the façade of the building. There were no reports of clashes with either the police or counter-protesters.<sup>132</sup>

The following day, on the morning of 30 July 2024, while an official activity was being held at the PSUV headquarters,<sup>133</sup> according to a witness, a group of people on motorcycles, some with their faces covered, threw stones at the building and damaged the vehicle belonging to Prefect Elvys Méndez.<sup>134</sup> Minutes later, more individuals on motorcycles arrived and threw more stones and shouted insults in front of the headquarters, forcing some 45 PSUV militants and supporters to take shelter inside the premises.<sup>135</sup>

According to some witnesses, PNB and GNB officers arrived at the scene at that time and deployed in the area, but they were overwhelmed by the number of protesters who continued to throw stones at the PSUV headquarters.<sup>136</sup> Some GNB officers were injured.<sup>137</sup>

At around 2.45 p.m., PSUV militants and supporters who were at the headquarters decided to remain inside the premises, despite receiving evacuation instructions from the security

<sup>130</sup> Human Rights Committee, General Comment No. 37, CCPR/C/GC/37, 17 September 2020, para. 90.

<sup>131</sup> Document TTDC134.

<sup>132</sup> Documents TTDC135 and TTDC140. See also: Instagram post by Torres Al Dia [@torresaldia], 29 July 2024. Available at: <https://www.instagram.com/reel/C-BwpsGJ3zQ/?igsh=a2FtcuXa24yM2Zi>

<sup>133</sup> Document TTDC135.

<sup>134</sup> *Ibid.*

<sup>135</sup> *Ibid.*

<sup>136</sup> Instagram post by Noticias en Redes Venezuela [@noticiasenredes], 30 July 2024. Available at: [https://www.instagram.com/p/C-DwgS8prk2/?igsh=MWdoY2Z5cmVncngxeA%3D%3D&img\\_index=4](https://www.instagram.com/p/C-DwgS8prk2/?igsh=MWdoY2Z5cmVncngxeA%3D%3D&img_index=4), and Instagram post by Carora TV [@carorativ], 30 July 2024. Available at: <https://www.instagram.com/carorativ/reel/C-Dn1s6uc5n/?hl=es>.

<sup>137</sup> Document TTDC140.

forces.<sup>138</sup> At the same time, several protesters spoke with GNB officials.<sup>139</sup> According to testimonies and audiovisual evidence, GNB officers remained at the scene without intervening during the onset of the violent events.<sup>140</sup>

Minutes later, according to testimonies provided to the Mission,<sup>141</sup> gunshots were heard coming from the PSUV headquarters building. Witnesses stated that even while shots were being fired from the PSUV building, the GNB did not intervene. One witness recounted, “imagine you are protesting peacefully and [from the PSUV office] they start shooting at you while the GNB stands there watching.”<sup>142</sup>

One of the gunshots wounded Walter Páez in the stomach. According to testimonies and audiovisual evidence verified by the Mission, after Páez was shot, the GNB withdrew from the scene and the situation became even more violent.<sup>143</sup> According to a witness who was at the scene, at around 13.30 p.m., the number of protesters on motorcycles in the vicinity of the building rose to approximately 150.<sup>144</sup>

At around 4.45 p.m., another person was injured by a gunshot in the area where the PSUV headquarters is located. According to his own account, he was unable to identify the shooter but indicated that the shot came from the PSUV headquarters. The victim was treated by firefighters and remained hospitalised until 5 August 2024.<sup>145</sup>

At around 5 p.m., there were more attacks with stones and incendiary devices, which partially set fire to the PSUV headquarters and several motorcycles parked outside.<sup>146</sup> Approximately one hour later, the attacks forced PSUV militants to evacuate the building through the rear.<sup>147</sup> Some of the militants were intercepted and assaulted by demonstrators armed with sticks and stones.<sup>148</sup>

Approximately at 8 p.m., public order was restored, and several individuals were arrested by the PNB, CONAS/GNB and SEBIN.<sup>149</sup>

### **Injury and death of Walter Páez**

After being shot in the abdomen, Walter Páez was assisted by several people who took him to the Pastor Oropeza Polyclinic in Carora, where he received initial medical attention. A few

<sup>138</sup> Interview TTIV025; Documents TTDC135, TTDC138, and TTDC140. See also: Instagram post by Estilo Noticias [@estilonoticias], 30 July 2024. Available at: <https://www.instagram.com/estilonoticias/reel/C-EKKzrxZg4/>

<sup>139</sup> Instagram post by Estilo Noticias [@estilonoticias], 30 July 2024. Available at: <https://www.instagram.com/estilonoticias/reel/C-EKKzrxZg4/>

<sup>140</sup> Instagram post by Estilo Noticias [@estilonoticias], 30 July 2024. Available at: <https://www.instagram.com/estilonoticias/reel/C-EKKzrxZg4/>

<sup>141</sup> Document TTDC134.

<sup>142</sup> Human Rights Watch, “Punished for Seeking Change: Killings, Enforced Disappearances, and Arbitrary Detentions Following Venezuela’s 2024 Elections,” 30 April 2025. Available at: <https://www.hrw.org/es/report/2025/04/30/castigados-por-buscar-un-cambio/asesinatos-desapariciones-forzadas-y-detenciones>

<sup>143</sup> *Ibid.*

<sup>144</sup> Document TTDC135.

<sup>145</sup> Documents TTDC135 and TTDC141.

<sup>146</sup> Document TTDC135; TikTok post by @elirreverentejr2 [@elirreverentejr2], 16 September 2024. Available at: <https://www.tiktok.com/@elirreverentejr2/video/7415404826038635807>; and Instagram post by EMISORA DE RADIO EN CARORA [@sensacion95.9fm], 31 July 2024. Available at: [https://www.instagram.com/p/C-FxyTYOMOF/?img\\_index=3&igsh=MTJhdGwwOHJxOW9qMA%3D%3D](https://www.instagram.com/p/C-FxyTYOMOF/?img_index=3&igsh=MTJhdGwwOHJxOW9qMA%3D%3D)

<sup>147</sup> Documents TTDC135 and TTDC142.

<sup>148</sup> *Ibid.*

<sup>149</sup> Documents TTDC135, TTDC138, and TTDC141. See also: Facebook post by the Bolivarian Government of Lara [@GobiernoDeLara], <https://www.facebook.com/reel/1176741773586268>; Post on X by VPITV [@VPITV], 30 July 2024. Disponible en: <https://x.com/VPITV/status/1818453811771359508?lang=es>.

hours after receiving treatment at the polyclinic, Páez returned to his residence.<sup>150</sup> At home, he told his family that the shots that injured him came from inside the PSUV headquarters.<sup>151</sup>

Three days after being wounded, on 2 August 2024, suffering from persistent pain and vomiting, Páez returned to the Pastor Oropeza Polyclinic in Carora, where he was diagnosed with peritonitis and was told that he required emergency surgery.<sup>152</sup> The cost of the operation was prohibitively expensive for the family, so they decided to transfer him to the Doctor Antonio María Pineda Central Hospital in the city of Barquisimeto, State of Lara, a two-hour drive away.<sup>153</sup>

In the early hours of 3 August 2024, Walter Páez was admitted to the hospital in Barquisimeto and underwent emergency surgery. After the surgery, Páez was placed under police guard in the same hospital. Although he was initially allowed a brief visit from his family, access was subsequently restricted.<sup>154</sup>

On the same day, Páez's partner, María de los Ángeles Lamedá Méndez, was detained by officials from the PNB's Directorate against Organised Crime (DCDO, by its Spanish acronym) as she was on her way to the hospital with medication for Páez.<sup>155</sup> According to information obtained by the Mission, Lamedá had not participated in post-election protests. However, she was charged with terrorism, incitement to hatred, and unlawful possession of a firearm.<sup>156</sup> She remained in detention for five months and was released on 28 December 2024.<sup>157</sup>

In the early hours of 4 August 2024, a public prosecutor went to the hospital to question Páez, who was recovering. According to Páez's testimony, the prosecutor informed him that her partner had been detained. The prosecutor requested Páez to sign some documents. That night, Páez suffered severe abdominal pain and vomited again, dying minutes later despite attempts by hospital doctors to revive him.<sup>158</sup>

Páez's death certificate indicates that the cause of death was post-surgical abdominal sepsis resulting from a gunshot wound.<sup>159</sup> According to the information contained in the summary of the case file presented by the Attorney General on 11 November 2024, Walter Páez was "wounded by a firearm in the chest and leg".<sup>160</sup>

### CICPC investigation

According to testimonies collected by the Mission, from the outset there was pressure on the CICPC personnel in charge of the investigation to attribute the shots fired during the protest to members of the opposition. This included the mayor of the municipality of Torres, Javier

<sup>150</sup> Document TTDC134.

<sup>151</sup> Documents TTDC135 and TTDC134.

<sup>152</sup> Documents TTDC136; TTDC137 and TTDC139

<sup>153</sup> Document TTDC134.

<sup>154</sup> *Ibid.*

<sup>155</sup> El Pitazo, "Three political prisoners are released from prison in Lara: among them, María Lamedá," 30 December 2024. Available at: <https://elpitazo.net/occidente/tres-presas-politicas-son-excarceladas-en-lara-entre-ellas-maria-lameda/>

<sup>156</sup> Runrun.es, "The persecution of the relative of a victim who has already died," 2 November 2024. Available at: <https://runrun.es/el-megafono/ddhh-olvidados/567236/la-persecucion-contra-el-familiar-de-una-victima-que-ya-fallecio/>

<sup>157</sup> El Pitazo, "Three political prisoners are released from prison in Lara: among them, María Lamedá," 30 December 2024. Available at: <https://elpitazo.net/occidente/tres-presas-politicas-son-excarceladas-en-lara-entre-ellas-maria-lameda/> and <https://x.com/movinotinto/status/1873226221204717578>.

<sup>158</sup> Document TTDC134.

<sup>159</sup> Documents TTDC136; TTDC137 and TTDC139.

<sup>160</sup> Case number MP-137024-2024 in: YouTube video, MPvenezolano [@MPvenezolano], "FGR Tarek William Saab rejected media campaign to whitewash post-election violence," 11 November 2024. Available at: <https://www.youtube.com/watch?v=iYemt3r-kzM>. Walter Páez appears under the name Walter Lorent.

Oropeza, who was reportedly being portrayed as the mastermind behind the violence during the protest.<sup>161</sup>

On 6 August 2024, the CICPC conducted a technical inspection at the PSUV headquarters and collected 15 spent 9 mm calibre ammunition casings from various locations on the premises. Projectile fragments were also collected from the street and embedded in a wall of the Ricardo Álvarez sports field, located opposite the PSUV headquarters. A ballistics analysis conducted by the CICPC on 10 August 2024 concluded that the casings found inside the PSUV headquarters came from at least two different weapons that fired ammunition of the same calibre.<sup>162</sup>

According to CICPC investigations and information from open sources, the shots fired during this protest originated exclusively from inside the PSUV headquarters. This confirms the account given by Páez himself and the other injured protester. In one of the videos accessed by the Mission, a person armed with a pistol can be seen inside the PSUV headquarters during the protest.<sup>163</sup>

### Conclusions

The Mission finds that, from the outset, the protest held on 30 July 2024 in front of the PSUV headquarters in Carora was not peaceful. Protesters acted violently, but no incidents involving the use of firearms by protesters have been documented.

Several witnesses, Páez himself and the other injured protester, as well as the forensic analysis carried out by the CICPC, agree that the shots fired during the protest, including the one that wounded Páez, were fired from the PSUV headquarters, which was being attacked with stones, sticks and incendiary devices.

In light of this evidence, the Mission has reasonable grounds to believe that shots were fired from inside the PSUV headquarters in the direction of the demonstrators on the street. It also has reasonable grounds to believe that the two people who were wounded by gunshots in that incident were victims of those shots, including Walter Páez, who died four days later from peritonitis triggered by the gunshot wound.

The Mission notes that the GNB was present at the scene with the responsibility of maintaining public order, including preserving the life and personal integrity of all those involved in the protest.

In this regard, the Mission recalls that, in accordance with international human rights standards applicable to the actions of security forces in the context of protests, States, and in this case their law enforcement officials, “must guarantee the right to life and exercise due diligence to protect the lives of individuals from deprivation caused by persons or entities whose conduct is not attributable to the State. The obligation of States Parties to respect and guarantee the right to life extends to reasonably foreseeable threats and situations of danger to life that may result in death.”<sup>164</sup> According to the same standards, “States [...] must protect

<sup>161</sup> Interview TTIV025. Tarazona, the only opposition mayor in Lara State, had to flee the country and was replaced by a mayor from the ruling party. See: Interview HHIV147.

<sup>162</sup> Document TTDC142.

<sup>163</sup> Interview TTIV025; Documents TTDC143 and TTOS044. See also: Instagram post by Carlos Alberto Azuaje Azuaje [@azuajecarlosalberto], 12 September 2024. Available at: [https://www.instagram.com/azuajecarlosalberto/reel/C\\_0lyU6PLdn/](https://www.instagram.com/azuajecarlosalberto/reel/C_0lyU6PLdn/); and TikTok post by @elirreverentejr2 [@elirreverentejr2], 16 September 2024. Available at: <https://www.tiktok.com/@elirreverentejr2/video/7415404826038635807>.

<sup>164</sup> CCPR/C/GC/36, para. 7. Elaborating on this obligation, the Human Rights Committee has stated that “States parties are obliged to take appropriate preventive measures to protect individuals who are under reasonably foreseeable threats of murder or homicide by criminals, organised crime or militia groups, including armed or terrorist groups (see also para. 23). States parties should also dismantle irregular armed groups, such as private armies and vigilante groups, responsible for deprivation of life, and reduce the proliferation of potentially lethal weapons among unauthorised persons.” See also para. 21.



participants against possible abuses by non-state actors, such as interference or violence by other citizens, such as against demonstrators... ”.<sup>165</sup>

The Mission moreover takes into account the allegations received about interference and political pressure on the CICPC investigators to direct its findings towards accusing the opposition, including the mayor of Carora. The Mission however has not been able to corroborate these allegations under its standard of proof.

## **Case 5: *Jesús Manuel Martínez Medina***

### **Death in State custody, arbitrary detention and cruel, inhuman or degrading treatment**

Jesús Martínez, 48, was a musician and electrical equipment technician, as well as a member of Vente Venezuela. He served as a polling station witness representing that party during the presidential elections of 28 July 2024 at the “Unidad Educativa Domingo Guzmán Bastardo” polling station in the parish of Aragua, municipality of Aragua de Barcelona, State of Anzoátegui.<sup>166</sup>

#### **Arrest**

According to Martínez's own testimony before his death, on 30 July 2024, several individuals came to his home posing as clients seeking his professional services for the repair of electrical appliances. At the insistence of the individuals, Martínez left his home, at which point he was arrested by officials from a State security force who were waiting for him outside. The officers did not show him an arrest warrant. Martínez was transferred to the José Antonio Anzoátegui PNB command in Crucero de Lechería, State of Anzoátegui.<sup>167</sup>

A source informed the Mission that Mayor Cruz Torrealba of the municipality of Aragua de Barcelona, State of Anzoátegui, a member of the PSUV, had ordered GNB officials to arrest Martínez in retaliation for having preserved the polling station tally sheet from his polling station.<sup>168</sup>

According to another testimony, this order was also motivated by a WhatsApp message in which Martínez had expressed criticism towards the Government in the wake of the election results. The message reportedly reached the municipal authorities.<sup>169</sup>

Martínez's relatives searched for him at several police stations until they located him on 31 July 2024 at the PNB command in Crucero de Lechería. Officials explained to the relatives that Martínez could not receive visitors until he was brought before a court, but that they could bring him food.<sup>170</sup>

#### **Legal proceedings**

In the early hours of 2 August 2024, more than 48 hours after the legal deadline, Martínez was brought before a court with jurisdiction over terrorism matters, based in Caracas, via teleconference. During the hearing, he was not allowed to be assisted by a lawyer of his choice, a situation that continued throughout his detention.<sup>171</sup>

<sup>165</sup> Human Rights Committee (2020) General Comment No. 37, para. 24. The standards also state that “[l]aw enforcement officials should seek to reduce tension in situations that could lead to violence. They have an obligation to exhaust non-violent means and give prior warning if the use of force is absolutely necessary, unless it is manifestly ineffective.” See also: para. 78.

<sup>166</sup> Document HHDC208 and Interview HHIV155.

<sup>167</sup> Interview HHIV155.

<sup>168</sup> Interview HHIV152 and Document HHDC218.

<sup>169</sup> Interview HHIV153.

<sup>170</sup> Interview HHIV155.

<sup>171</sup> *Ibid.*

Martínez was charged with terrorism, incitement to hatred, and resistance to authority. The court ordered his detention as a precautionary measure, setting the PNB command in the Crucero de Lechería sector as his place of imprisonment.<sup>172</sup>

### State of health during detention

The Mission has had access to medical reports dating from 2014 to 2024 which show that Jesús Martínez suffered from mixed heart disease, class IV heart failure, and type II diabetes mellitus, conditions that required ongoing medical monitoring and treatment.<sup>173</sup> Due to his diabetes, Martínez also required a special diet, and strict conditions of hygiene both for personally and in the environment in which he was detained.<sup>174</sup>

According to information gathered by the Mission, Martínez's health condition was reported to the authorities from the first days of his detention, including the Ombudsman's Office. According to one source, an official from that institution committed to visit him at the place of detention and requested that a PNB officer at the Crucero de Lechería command provide him with adequate medical care.<sup>175</sup>

According to information received by the Mission, during his detention, Martínez developed various medical conditions, including skin infections (scabies and abscesses) that were aggravated complicated by pre-existing conditions.<sup>176</sup>

According to information provided to the Mission, since mid-August 2024, Martínez had developed infections in his right leg and left hand, which worsened and spread to his left leg, eventually leading to necrotising fasciitis.<sup>177</sup>

On 11 October 2024, PNB authorities in Crucero de Lechería admitted Martínez to the Dr. Luis Razetti University Hospital in Barcelona, nearly two months following after the infections in his limbs began to manifest themselves.<sup>178</sup>

According to the sources consulted, the transfer to the hospital was the result of the insistence of Martínez's family and pressure from other detainees. The other inmates, in view of the worsening of Martínez's injuries and his health decline, had taken it upon themselves to assist him with basic needs such as using the bathroom and eating.<sup>179</sup>

During Martínez's stay in hospital, the medical services informed the family of the need to amputate one of his legs, and later the other, as the necrotising fasciitis had spread.<sup>180</sup>

The family requested that the medical staff perform a Doppler ultrasound to determine the procedure to be followed.<sup>181</sup> By early November 2024, the family had arranged for the specialised examination to be performed at a private clinic. However, according to information provided to the Mission, PNB officials refused to transfer Martínez, arguing that they did not have approval from the court in Caracas.<sup>182</sup>

Given the urgency and seriousness of the situation, the family went to the Anzoátegui judicial authorities to request the urgent transfer of Martínez to the private clinic. A few days later, judicial personnel confirmed to the family that the request had to be processed in Caracas,

<sup>172</sup> Interviews HHIV155 and HHIV153.

<sup>173</sup> Documents HHDC211; HHDC213 and HHDC243.

<sup>174</sup> Documents HHDC245 and HHDC246.

<sup>175</sup> Documents HHDC219 and HHDC220.

<sup>176</sup> Document HHDC213.

<sup>177</sup> Necrotising fasciitis is an acute, rapidly progressive bacterial infection that affects the deep subcutaneous tissue and spreads along the fascia. See: Empendium, "Necrotising fasciitis. Definition and aetiopathogenesis". Available at: <https://empendium.com/manualmibe/compendio/chapter/B34.II.18.1.21.29.19>.

<sup>178</sup> Interview HHIV155 and Document HHDC214.

<sup>179</sup> Interviews HHIV153 and HHIV155.

<sup>180</sup> Interview HHIV155.

<sup>181</sup> *Ibid.* Doppler ultrasound is a non-invasive test that can be used to measure blood flow through blood vessels. See: Mayo Clinic, "Doppler ultrasound: What is it used for?". Available at: <https://www.mayoclinic.org/es/doppler-ultrasound/expert-answers/faq-20058452>

<sup>182</sup> Interviews HHIV155 and HHIV152; Documents HHDC220 and HHDC219.

before the authority that had ordered his pretrial detention.<sup>183</sup> Ultimately, no judicial authorisation was ever granted.

### Death in state custody

On 14 November 2024, just over a month after being admitted to the Luis Razzetti University Hospital, Jesús Martínez died.<sup>184</sup> According to the death certificate issued by the National Service of Medicine and Forensic Sciences (SENAMECF, by its Spanish acronym), the cause of death was septic shock resulting from skin sepsis, aggravated by type II diabetes mellitus.<sup>185</sup>

Days before his death, numerous public calls had been made for the competent authorities to provide urgent attention to the case and allow Martínez to be evaluated outside the hospital where he was being held.<sup>186</sup>

On 15 November 2024, one day after Martínez's death, the Public Prosecutor's Office issued a statement regretting his death and stating that he had been "hospitalised at the Luis Razetti Medical Centre in the State of Anzoátegui since 11 October, suffering from type 2 diabetes [and that] he received the necessary medical care and [ ] medication and other treatments that his health condition warranted."<sup>187</sup>

### Expert report

At the request of the Mission, *Physicians for Human Rights* (PHR) prepared an expert forensic report on 20 June 2025 on Martínez's situation.<sup>188</sup> Among the evidence evaluated by PHR were previous medical reports,<sup>189</sup> the list of supplies used in the surgery performed while Martínez was in custody,<sup>190</sup> the hospital admission record dated 12 October 2024,<sup>191</sup> the death certificate issued by the hospital on 14 November 2024,<sup>192</sup> the death record issued by the civil registry on 18 November 2024,<sup>193</sup> and three photographs of Jesús Martínez taken during his stay at the university hospital showing the progression of the infection in his right leg.<sup>194</sup>

According to PHR's analysis, Martínez may have died as a result of a severe infection in his lower limb that progressed to sepsis, in the context of multiple pre-existing chronic conditions—diabetes, diabetic neuropathy, and heart failure—that significantly increased his medical vulnerability. These conditions required ongoing and specialised clinical supervision. The report noted that each of these conditions not only posed significant risks on their own, but also exacerbated one another, meaning that any delay or deficiency in treatment could be potentially, as it was, fatal.<sup>195</sup>

The Mission notes that, according to the family, they were the only ones who provided Martínez with medication, due to the lack of provision and adequate medical care by the detention centre.<sup>196</sup>

<sup>183</sup> Interview HHIV155.

<sup>184</sup> Interviews HHIV153 and HHIV155; Document HHDC209.

<sup>185</sup> Documents HHDC222 and HHDC221.

<sup>186</sup> Post on X by Eduardo Battistini [@ebattistini], 7 November 2024. Available at: <https://x.com/ebattistini/status/1854587399529283652>; Post on X by Emanuel Figueroa [@EmaFigueroaC], 10 November 2024. Available at: <https://x.com/EmaFigueroaC/status/1855587794405507300>

<sup>187</sup> Instagram post by Venezuelan Attorney General Tarek William Saab [@mpublicove], 15 November 2024. Available at: [https://www.instagram.com/p/DCZrXWypf5W/?utm\\_source=ig\\_web\\_copy\\_link&igsh=MzRIO DBiNWFIZA%3D%3D](https://www.instagram.com/p/DCZrXWypf5W/?utm_source=ig_web_copy_link&igsh=MzRIO DBiNWFIZA%3D%3D)

<sup>188</sup> Document HHDC245.

<sup>189</sup> Document HHDC211.

<sup>190</sup> Document HHDC212.

<sup>191</sup> Document HHDC213.

<sup>192</sup> Document HHDC222.

<sup>193</sup> Document HHDC221.

<sup>194</sup> Document HHDC214.

<sup>195</sup> Document HHDC245.

<sup>196</sup> Document HHDC243.

The Mission also notes that, according to the family, the food provided in the detention centre was inadequate in quantity and nutritional value for a person with diabetes and heart failure, and that sanitary conditions were poor.<sup>197</sup> These factors may have contributed to the progressive deterioration of Martínez's health.

According to PHR's findings, the proper management of Martínez's chronic conditions would have required: (i) strict glucose control through appropriate diet and medication (with regular glucose monitoring and adjustment of medication to achieve good control); (ii) daily monitoring of foot lesions and appropriate footwear; (iii) optimisation of medication and diet for heart failure (and blood pressure control); (iv) prompt treatment, even for minor cuts or injuries.<sup>198</sup>

## Conclusions

According to Martínez's own testimony before his death, he was arrested on 30 July 2024 by State security forces personnel who did not present him with an arrest warrant. His arrest, according to information obtained by the Mission, was motivated by his collaboration with the opposition on election day or by his criticism of the Government through digital platforms.

Martínez was placed under judicial control at a preliminary hearing in the early hours of 2 August 2024, exceeding the 48-hour period established by law. At his hearing, he was denied the right to have a lawyer of his own choosing, a situation that persisted throughout his detention. He was charged with terrorism and incitement to hatred. In addition, he was held incommunicado until 5 August 2024, when he received his first visit, although PNB officials at the PNB command in Crucero de Lechería had acknowledged to his family on 31 July 2024 that Martínez was being held in that locations.

All of these elements are consistent with documented patterns regarding the detention of other individuals in the post-election context of 2024. Based on this, the Mission has reasonable grounds to believe that Martínez was the victim of arbitrary detention.

The information obtained by the Mission, in contradiction with the statement issued by the Public Prosecutor's Office on 15 November 2024, indicates that Jesús Martínez did not receive the adequate and timely medical treatment that his health condition required, nor was he provided with the specific medicines to treat his conditions by the authorities who had him in their custody. The lack of medical care occurred despite the fact that Martínez's health was noticeably deteriorating, that his pre-existing medical condition was known to the authorities, and that the consequences of not receiving timely treatment could be serious and irreversible -as they indeed were. Furthermore, it was his family who covered Martínez's medical needs by providing him with medication, as the authorities did not provide him with the necessary care during his detention at the police headquarters, despite the obvious deterioration of his health.

In light of the PHR report, the Mission considers that the hygiene and food conditions during Martínez's detention were not only inadequate but also contraindicated for a detainee with his medical condition. His stay under these conditions at the PNB command in Crucero de Lechería lasted until 11 October 2024 -this is, almost two and a half months since he was apprehended, and almost two months since his infectious lesions began to manifest.<sup>199</sup>

<sup>197</sup> *Ibid.*

<sup>198</sup> Document HHDC245.

<sup>199</sup> In this regard, in a case in which the IA Court found a State responsible for violating the rights to life and personal integrity of a detainee who suffered from diabetes mellitus and several other conditions related to the progression of diabetes, such as high blood pressure, occlusive arteriosclerotic disease, and diabetic retinopathy, it stated that "persons deprived of liberty who suffer from serious, chronic, or terminal illnesses should not remain in prison facilities, except when States can ensure that they have adequate medical care units to provide them with adequate specialised care and treatment, including space, equipment, and qualified personnel (medical and nursing). Likewise, in such cases, the State must provide adequate food and diets established for each case with respect to persons suffering from such diseases. Feeding processes must be controlled by prison system personnel, in

The IACtHR has stated that “the lack of adequate medical care for a person who is deprived of liberty and in the custody of the State could be considered a violation of Article 5.1 [right to physical, mental and moral integrity] and 5.2 [prohibition of torture and cruel, inhuman or degrading treatment] of the Convention, depending on the specific circumstances of the individual, such as their state of health or the type of ailment they suffer from, the length of time without care, and the cumulative physical and mental effects.”<sup>200</sup>

In the case of Martínez, all circumstances were adverse: his condition was serious, his transfer to a hospital occurred two months after the onset of infectious lesions; and he was not allowed to be transferred to another medical centre for a specialised examination. In addition, the physical effects on his lower limbs worsened, ultimately resulting in necrotising fasciitis and, ultimately, septicæmia. Based on the above, the Mission has reasonable grounds to believe that Jesús Martínez was the victim of cruel, inhuman, and degrading treatment prior to his death.

Likewise, based on all of the above considerations, the Mission also has reasonable grounds to believe that the authorities responsible for Martínez's custody did not provide the necessary and timely medical assistance to safeguard his life and that his death in State custody constitutes an arbitrary deprivation of life.

The Mission further recalls that the State has an obligation to investigate ex officio all deaths in custody and to provide information to the family members. The Mission has reasonable grounds to believe that, in the case of Jesús Martínez, the State has failed to comply with these obligations.

## **Case 6: *Reinaldo Alfonso Araujo***

### **Death in State custody, arbitrary detention and cruel, inhuman and degrading treatment**

Reinaldo Araujo, 52 years old, was a merchant and local leader of the political organisation Vente Venezuela in the parish of Juan Ignacio Montilla, municipality of Valera, State of Trujillo.

#### **Detention**

On 9 January 2025, at 11 a.m., Reinaldo Araujo was walking to a medical centre for an appointment with a pulmonologist. On the way, he sat down to rest on the steps of a shop, in the vicinity of a protest against the presidential inauguration was taking place. At that moment, a large group of police officers on motorcycles appeared, including members of the Trujillo State Police and the GNB.<sup>201</sup>

According to information provided to the Mission, officers from the Trujillo State Police, accompanied by the GNB, approached Araujo while he was seated, prompting several individuals who knew him to approach the scene. Without any provocation, the police officers threw a tear gas canister to disperse the crowd and proceeded to arrest Araujo, forcibly placing him in a police truck without any explanation.<sup>202</sup>

On 9 January 2025, after Araujo's arrest, his relatives went to inquire about him at the offices of the Criminal Investigations Directorate (DIP) in the La Beatriz neighbourhood of Valera. At around 4 p.m., the family learned that Araujo was being held at Detachment 20 of the Trujillo State Police in Valera.<sup>203</sup>

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accordance with the diet prescribed by medical personnel, and under the minimum requirements established for the respective supply." See: Inter-American Court of Human Rights, *Chinchilla Sandoval et al. v. Guatemala*, Series C No. 312, Preliminary Objection, Merits, Reparations and Costs. Judgment of 29 February 2016, para. 184.

<sup>200</sup> Inter-American Court of Human Rights, *Mendoza et al. v. Argentina*. Series C No. 260, Preliminary Objections, Merits and Reparations. Judgment of 14 May 2013, para. 190.

<sup>201</sup> Interview HHIV163; Documents HHDC234 and HHDC236.

<sup>202</sup> *Ibid.*; Document HHDC233.

<sup>203</sup> Interview HHIV163.

According to a source interviewed by the Mission, Araujo was able to receive his first visit on 12 January 2025 at that State Police station.<sup>204</sup>

### Judicial process

According to information received by the Mission, on 10 January 2025, Araujo was brought before a court in a remote hearing held from a tent set up at the Trujillo State Police station.<sup>205</sup> According to this source, Araujo was charged with the crimes of terrorism, incitement to hatred, possession of explosives, disturbing public order and contempt of law.<sup>206</sup>

Araujo was also charged with carrying weapons and *miguelitos*<sup>207</sup> in his jacket, as well as assaulting a police officer.<sup>208</sup> This information was confirmed by a Public Defence official on 18 February 2025.<sup>209</sup>

### State of health during detention

According to information received by the Mission, Araujo was morbidly obese, weighed about 150 kg, and suffered from respiratory complications due to this condition and the after-effects of COVID-19, which he had contracted three years earlier.<sup>210</sup> According to a medical report issued on 8 January 2025, one day prior to his detention, Araujo had a viral respiratory condition, with persistent coughing and dyspnoea, even with minimal exertion.<sup>211</sup>

From the onset of his detention, according to information received by the Mission, Araujo's relatives repeatedly contacted the authorities to warn them about his fragile health condition and to request urgent specialised medical assistance for the detainee. Specifically, they informed the authorities that Araujo suffered from severe respiratory problems linked to pre-existing medical conditions.<sup>212</sup>

In this regard, the Mission received information that the detainee's health condition was reported in writing to the Trujillo State Prosecutor's Office, the 84th Prosecutor's Office in Caracas, the 11th Human Rights Prosecutor's Office, the Attorney General, and the Governor of the State of Trujillo, Gerardo Márquez. No response was received from any of these entities or officials.<sup>213</sup>

According to information gathered by the Mission, one of the public defenders indicated that the request for medical assistance on behalf of Araujo had been forwarded to Caracas. According to the same source, on 18 February 2025, an official from the Public Defender's Office at the Palace of Justice in Caracas said that Araujo could receive medical attention only after his preliminary hearing.<sup>214</sup>

On 23 February 2025, Araujo received a visitor who observed a significant deterioration in his health. He had a fever, flu-like symptoms, and was breathing with great difficulty. Araujo stated that he had experienced episodes of low blood pressure and that, despite his fragile condition, he was forced to sleep on the floor without a mattress.<sup>215</sup> Araujo indicated that he had repeatedly requested medical attention from Trujillo State Police officials, but they had responded that he could only receive assistance following the express order of a judge.<sup>216</sup> The Mission also received information that the authorities did not provide Araujo with adequate

<sup>204</sup> Interview HHIV164.

<sup>205</sup> *Ibid.*

<sup>206</sup> *Ibid.*

<sup>207</sup> Tacks used in protests to deflate tyres.

<sup>208</sup> Interview HHIV164.

<sup>209</sup> *Ibid.*; Interview HHIV163.

<sup>210</sup> Interview HHIV163; Documents HHDC224 and HHDC234.

<sup>211</sup> Document HHDC224.

<sup>212</sup> *Ibid.*; Interviews HHIV163 and HHIV164; Document HHDC223.

<sup>213</sup> *Ibid.*

<sup>214</sup> Interview HHIV164.

<sup>215</sup> Interview HHIV163.

<sup>216</sup> *Ibid.*



medication to treat his condition and that it was not possible to provide him with appropriate treatment due to the lack of a precise diagnosis.<sup>217</sup>

### Death in State Custody

On 24 February 2025, officials from the Trujillo State Police contacted Araujo's family and informed them that his health had significantly deteriorated. The detainee was then transferred to the Dr. Pedro Emilio Carrillo University Hospital in the city of Valera, where he arrived almost unable to breathe.<sup>218</sup>

From 8 a.m. onwards, hospital doctors administered oxygen and conducted various medical examinations.<sup>219</sup> At that time, the deterioration in his health was clearly evident: he was suffering from inflammation, cold sweats, yellowing of the skin and signs of decompensation. Laboratory results showed abnormalities consistent with an infectious or inflammatory process, as well as indicators of mild metabolic compromise.<sup>220</sup>

At around 3 p.m., when an attempt was made to take an X-ray, Araujo's health had deteriorated to the point that he could no longer breathe without an oxygen mask.<sup>221</sup> At that time, he suffered a respiratory arrest and died.<sup>222</sup> The death certificate indicates that the direct cause of death was cardiogenic shock, resulting from an acute myocardial infarction associated with coronary sclerosis.<sup>223</sup>

### Conclusions

According to information gathered from witnesses, Araujo was arrested without committing any unlawful act and solely for being in a place where a protest was taking place on the eve of the presidential inauguration.

Furthermore, the Mission has reasonable grounds to believe that, following a *modus operandi* previously identified by the Mission in similar cases, incriminating evidence (weapons and *miguelitos*) was planted on him, and he was then charged with several of the same crimes that the Venezuelan authorities have attributed to those detained in the context of the 2024 post-election protests. Based on these elements, the Mission has reasonable grounds to believe that Reinaldo Araujo was the victim of arbitrary detention.

The Mission has corroborated that Araujo did indeed suffer from respiratory conditions, was morbidly obese, and had had COVID-19, a disease that left him with significant health complications. The Mission has also been informed of the multiple efforts made by the family since the beginning of the detention to alert various authorities to Araujo's delicate state of health and the need for him to receive appropriate medical care.

In addition, the Mission has noted that, as of 18 February 2025, the Public Defender's Office had not taken prompt action in response to the family's request for Araujo to receive medical assistance. Likewise, the custodial officers ignored the warnings from the family and from the detainee himself about the progressive and noticeable deterioration of his health.

Based on all these elements, the Mission has reasonable grounds to believe that Reinaldo Araujo did not receive the necessary, timely, and effective specialised medical care he required. As a result, his health deteriorated rapidly and irreversibly, and the Mission therefore also has reasonable grounds to believe that the conditions of detention faced by Araujo regarding relation to his health care amounted to cruel, inhuman, and degrading treatment.

Finally, concerning the death of Reinaldo Araujo, the Mission has no information that the authorities at the detention centre, the Public Prosecutor's Office, the Ombudsman's Office, the Public Defender's Office or others, who were informed from the very beginning of the

<sup>217</sup> Interview HHIV164.

<sup>218</sup> Interview HHIV163.

<sup>219</sup> Document HHDC230; Interview HHIV163.

<sup>220</sup> Interview HHIV164; Document HHDC230.

<sup>221</sup> Interview HHIV163; Document HHDC231.

<sup>222</sup> Interview HHIV163.

<sup>223</sup> Document HHDC226.

detainee's medical condition and his progressive deterioration, took any steps to safeguard his life. On the contrary, the information available to the Mission indicates that the State's response was negligent and incompatible with the duty of due diligence required to prevent the death of the person in custody.

The Mission also notes that Araujo was transferred to the hospital when his health had deteriorated to such an extent that he was unable to breathe without an oxygen mask, and that he died at the medical centre a few hours after being admitted.

Taking into account the above considerations regarding the cruel and inhuman treatment to which Araujo was subjected and the fatal outcome, the Mission has reasonable grounds to believe that his death in State custody constitutes an arbitrary deprivation of life.

Furthermore, the Mission has reasonable grounds to believe that the State failed in its obligation to investigate, *ex officio*, in an impartial, serious and effective manner, the death of the victim in custody and the responsibility of the authorities involved.

### **Case 7: *Jesús Rafael Álvarez***

#### **Death in State custody, arbitrary detention, torture and cruel, inhuman or degrading treatment**

##### ***Detention***

On 2 August 2024, at approximately 1.30 p.m., a dozen armed and hooded officials from the DGCIM and the GNB broke into the Álvarez family home in El Callao, State of Bolívar, capturing Jesús Álvarez and his wife.<sup>224</sup> During the operation, the security forces did not present any judicial search or arrest warrants, nor did they communicate the reasons for the detentions. Álvarez was reinstated by a GNB officer who tied him up, placed a good over his head, and forcibly removed him from his home.

According to information obtained by the Mission, Álvarez was initially taken to the GNB's 628th Rural Commando Detachment in El Callao, and was beaten on the way. At the detachment, at approximately 3 p.m., Álvarez was thrown to the ground, was beaten on his ribs, legs, and head while being interrogated about alleged links to officials from the El Callao mayor's office, which he denied having.<sup>225</sup>

On the morning of the same day, 2 August 2024, relatives of Álvarez had begun searching for him. At a checkpoint, GNB officials reported that he was being held at GNB Detachment 628. When the family arrived at the location, they saw Álvarez, who signalled to them that he was well. Later that night, he was informed that he would be charged with incitement to hatred in connection with a message that had allegedly circulated on social media, and that he would be brought before a court the following day.<sup>226</sup>

On 3 August 2024, Álvarez was transferred to GNB Detachment 625 in Castillito, Puerto Ordaz, where he was photographed and forced to sign documents stating that he had not been mistreated. The family's lawyers went to the detachment, where the authorities confirmed that Jesús Álvarez was being held at that location.<sup>227</sup>

##### **Judicial process**

According to information gathered by the Mission, on the afternoon of 5 August 2024, Álvarez was transferred to the Palace of Justice in Puerto Ordaz. There, a judge ordered his referral to the Second Court with jurisdiction over terrorism matters, based in

<sup>224</sup> Interviews HHIV168 and HHIV169.

<sup>225</sup> *Ibid.*

<sup>226</sup> Interview HHIV168.

<sup>227</sup> *Ibid.*

Caracas, to be prosecuted for the crimes of terrorism, incitement to hatred, and obstruction of public roads.<sup>228</sup>

On 8 August 2024, Jesús Álvarez attended a hearing before the Second Court with jurisdiction over terrorism matters in Caracas via remote connection from the Palace of Justice in Puerto Ordaz. According to information received by the Mission, during that hearing, Álvarez was denied his right to be assisted by a lawyer of his choice and was represented by a public defender who participated remotely from Caracas, as did the rest of the justice officials. Álvarez was not permitted to speak, nor was he formally informed of the crimes of which he was accused, despite having expressly requested it.<sup>229</sup>

The court ordered pretrial detention for a period of 45 days at the GNB Detachment 625 in Puerto Ordaz. However, Álvarez remained in that facility until 30 August 2024, when he was transferred along with other male detainees to the Tocuyito prison in the State of Carabobo in the early morning hours.<sup>230</sup>

### Detention conditions

According to a source consulted by the Mission, Álvarez was visited by a person close to the family in Tocuyito on two occasions in November 2024. The visitor saw Álvarez looking very thin and physically deteriorated. According to what Álvarez told him at the time, the custodial staff kept telling him that his wife had been transferred to another location. Álvarez also told the visitor that he had been subjected to a series of punishments, including confinement in a “dark room” and food restrictions.<sup>231</sup>

Another source, who was among those detained in Tocuyito, informed the Mission that Álvarez had been severely mistreated at that detention centre. The custodial staff not only beat him, especially because he was an evangelical Christian—something that apparently bothered the custodial staff—but they also denied him food and water and subjected him to psychological abuse.<sup>232</sup> Among the custodial staff identified by other detainees as responsible for the ill-treatment inflicted on Álvarez were alias “Máximo” and alias “Anubis”.<sup>233</sup>

The same information indicates that, at some point during Álvarez's stay at the Tocuyito prison, the inmates had to stage a protest to force prison officials to transfer him to the infirmary because he was in very poor health.<sup>234</sup> The Mission has not been able to establish the circumstances of that transfer or whether it occurred immediately before Álvarez lost his life.

### Death in State custody

Álvarez died on 13 December 2024. That same day, in the evening, his family learned of his death through posts on social media, which indicated that his body was in the SENAMECF morgue in Valencia, State of Carabobo. No prison authority formally notified the family of Álvarez's death.<sup>235</sup>

A source informed the Mission that by 14 December 2024, Álvarez's body was visibly deteriorated and severely emaciated due to extreme weight loss.<sup>236</sup> In an official document, CICPC authorities reported that an autopsy had been performed and that the cause of death

<sup>228</sup> *Ibid.*

<sup>229</sup> *Ibid.*

<sup>230</sup> *Ibid.*

<sup>231</sup> Interview HHIV169.

<sup>232</sup> Interview HHIV168

<sup>233</sup> Interview HHIV169.

<sup>234</sup> Interview HHIV168

<sup>235</sup> Post on X by Emanuel Figueroa [@EmaFigueroaC], 14 December 2024. Available at: <https://x.com/EmaFigueroaC/status/1867910068882260158>

<sup>236</sup> *Ibid.*; and a source who requested anonymity. See also: Venezuelan Prison Observatory, "Son of political prisoner: 'They punished my dad and killed him in Tocuyito prison'," 14 December 2024. Available at: <https://oveprisiones.com/hijo-de-presos-politico-a-mi-papa-lo-castigaron-y-lo-mataron-en-la-carcel-de-tocuyito/>.

was “mechanical asphyxiation by hanging.”<sup>237</sup> However, according to the same source, Álvarez's body did not show any visible marks on the neck that would suggest hanging. Rather, the body presented a suture running from the left ear to the crown of the head and a noticeable bruise on the right cheekbone.<sup>238</sup>

On 15 December 2024, Álvarez's body was buried under strict security measures and under supervision of State officials in a cemetery in Anaco, State of Anzoátegui, where the remains had been transferred under a CICPC escort.<sup>239</sup> At the time of writing, the penitentiary authorities, the CICPC, and the Public Prosecutor's Office have not provided official explanations about the circumstances of the death of Jesús Álvarez.

### Conclusions

In the early hours of 2 August 2024, armed and hooded officials from the DGCIM and the GNB broke into the home of Jesús Álvarez without a judicial warrant and arrested him along with his wife. Without informing them of the reasons for their detention. The family was able to find out on the same day where Álvarez had been taken.

On 5 August 2024, beyond the 48-hour period established by law, Álvarez appeared before a judge in Bolívar State, who referred the case to the Second Court with jurisdiction over terrorism matters, based in Caracas. On 8 August, the Second Tribunal with jurisdiction over terrorism, based in Caracas, ordered pretrial detention for Álvarez. During the hearing, he was denied the right to be assisted by a lawyer of their choice, he was not allowed to speak, and he was not formally informed of the charges against him.

In light of the foregoing, the Mission has reasonable grounds to believe that Jesús Álvarez was a victim of arbitrary detention.

Regarding the ill-treatment suffered by Jesús Álvarez, the Mission received information that he was beaten on at least three occasions: immediately after his arrest, during the journey to the GNB's Rural Commando Detachment 628, while he was being interrogated, and finally, during his detention in Tocuyito. It has also been reported that in Tocuyito he was subjected to a series of punishments, such as confinement in a “dark room” and restriction of food and water.

The Mission has obtained consistent testimonies that corroborate this information, particularly in relation to the conditions of detention in Tocuyito. However, it has not yet been possible to independently confirm all the details under its standard of proof. These allegations are nevertheless part of a pattern previously documented by the Mission of ill-treatment inflicted on persons detained in this prison following the 2024 presidential elections.

It has not been clarified whether Álvarez's death in custody was self-inflicted (suicide) or caused by third parties (homicide), including State officials. The elements documented by the Mission, in particular the beatings, punishments, and harsh conditions of detention, are relevant under either of these two hypotheses, as they constitute indications that Álvarez may have been the victim of torture and cruel, inhuman, or degrading treatment or punishment during his detention.

Several elements raise serious questions about the cause of death, including the lack of access to the autopsy report prepared by the CICPC (which issued an official document with the cause of death but did not release the autopsy report); the testimony of a person who saw the body and did not notice any visible marks on the neck, although they did observe a noticeable bruise on the cheekbone; the imposition on the family of a private burial under surveillance;

<sup>237</sup> A source who requested anonymity.

<sup>238</sup> *Ibid.*

<sup>239</sup> *Ibid.*; Publication on X by the Committee for the Freedom of Political Prisoners [@clippve], 14 December 2024. Available at: <https://x.com/clippve/status/1868128891556024762>.

<sup>240</sup> Interviews HHIV168 and HHIV169.

and the absence of official and complete communication about the events that led to the death of Jesús Álvarez.

The Mission recalls that the State has an enhanced obligation to guarantee the life, personal integrity and safety of every person in its custody, which includes the prevention of acts of violence by third parties, as well as suicides. In two cases of deaths in custody—one involving mechanical asphyxiation—in which there was debate as to whether the victims deprived of liberty died as a result of homicide or suicide, the Human Rights Committee determined that the States concerned were, in any event, responsible for the violation of those persons' right to life.<sup>241</sup> In the case of death by mechanical asphyxiation, it further determined that the State in question was "responsible for the arbitrary deprivation of the victim's life."<sup>242</sup>

Taking into account all the elements of the case, including the acts of violence documented during Jesús Álvarez's detention, the lack of official information about his death, and the deficiencies in the State's response following his death, the Mission has reasonable grounds to believe that the Venezuelan State has not fulfilled its obligation to protect the personal integrity and life of a person in its custody, as well as its obligation to conduct a thorough, independent, and transparent investigation into the circumstances of his death.

### **Case 8: ED0X94<sup>243</sup>**

#### **Arbitrary detention, torture and cruel, inhuman or degrading treatment**

Since 2017, ED0X94 has been involved in social and political activities in eastern Venezuela, including participating in public demonstrations and promoting social projects through his local organisation. He is also part of a civil society network dedicated to the promotion, education and defence of human rights.<sup>244</sup>

According to information received by the Mission, ED0X94 was detained in the context of student 2014 protests and held in detention for several months. The case was eventually dismissed.<sup>245</sup>

In June 2024, ED0X94 participated in political activities as part of the opposition campaign for the presidential elections on 28 July 2024.<sup>246</sup>

#### **Arrests**

ED0X94 was arrested twice in connection with the 2024 presidential elections. The first time, he was held in detention for 20 hours between 15 and 16 July. The second time, he was detained from 30 July to 15 November 2024, *i.e.* for three and a half months.

#### **First Detention**

According to information received by the Mission, on 15 July 2024, at 7.30 a.m., ED0X94 was intercepted by at least four hooded, armed individuals with no visible identification, who forced him into a vehicle without presenting a judicial warrant or informing him of the reasons for his arrest.<sup>247</sup>

<sup>241</sup> See Human Rights Committee, *Ernazarov v. Kyrgyzstan*, Views, CCPR/C/113/D/2054/2011, 25 March 2015, paras. 9.2 and 9.4. and *Zhumbaeva v. Kyrgyzstan*, Views, CCPR/C/102/D/1756/2008, 19 July 2011.

<sup>242</sup> *Zhumbaeva v. Kyrgyzstan*, Views, CCPR/C/102/D/1756/2008, 19 July 2011, para. 8.8.

<sup>243</sup> The victim requested that his identity be protected.

<sup>244</sup> Interviews WWIV112 and WWIV129.

<sup>245</sup> Interviews WWIV112 and WWIV131.

<sup>246</sup> Interview WWIV112.

<sup>247</sup> Interviews WWIV112, WWIV130, and WWIV131.

During the arrest, ED0X94 was punched in the back of the neck. In addition, a bag was placed over his head for several seconds, causing a sensation of suffocation.<sup>248</sup> He was then transferred to one of the SEBIN facilities.<sup>249</sup>

There, ED0X94 was subjected to interrogation during which SEBIN officials accused him of financing María Corina Machado's campaign. During the interrogation, he was beaten and subjected to electric shocks to different parts of his body in order to obtain information about the whereabouts of individuals identified as opponents of the Government.<sup>250</sup> ED0X94 was released without charge several hours later that same day.<sup>251</sup>

## Second arrest

According to information obtained by the Mission, after his release, ED0X94 continued to actively participate in activities related to the electoral process.<sup>252</sup> After election day, he received a warning on his mobile phone that he was being sought by the PNB for arrest.<sup>253</sup>

On 31 July 2024, ED0X94 left his residence with the intention of leaving the area to seek safety. While travelling in a vehicle on a pickup truck on a local road, he was intercepted by five hooded and armed individuals travelling in a vehicle with no identification.<sup>254</sup>

According to a source's testimony, during his capture, ED0X94 was beaten inside the vehicle. One of the individuals called him a "terrorist" before forcibly removing him from the vehicle. ED0X94 was hooded, repeatedly beaten on the back of the head, and transferred to the DAET/PNB headquarters.<sup>255</sup> He was not presented with a judicial warrant order nor informed of the reasons for his detention.<sup>256</sup>

During the night, officials attempted to force ED0X94 to record a video in which he was to declare that he was financing the protests, claiming to have given money to the protesters with funds from María Corina Machado. To this end, one of the officials punched him several times in the ribs and upper abdomen. Despite the assault, ED0X94 refused to record the video.<sup>257</sup>

On 31 July 2024, PNB officials admitted to ED0X94's lawyer that they had him in custody, without providing further details.<sup>258</sup> Between 31 July and 12 August 2024, ED0X94 was held incommunicado, without access to his lawyer or contact with family members.<sup>259</sup>

On 5 August 2024, ED0X94 was transferred to another PNB headquarters. Only on 12 August 2024 were visits from a family member authorised, but not those from his lawyer.<sup>260</sup>

ED0X94 was held in a cell measuring approximately 1.20 by 1.90 metres together with five other people. Between 5 and 30 August 2024, he was not allowed to wash.<sup>261</sup> Furthermore, sources interviewed by the Mission indicated that PNB officials accused ED0X94 of carrying Molotov cocktail-type explosive devices in his vehicle.<sup>262</sup>

<sup>248</sup> Interview WWIV112.

<sup>249</sup> Interviews WWIV112, WWIV130, and WWIV131.

<sup>250</sup> Interviews WWIV112 and WWIV126.

<sup>251</sup> *Ibid.*

<sup>252</sup> Interviews WWIV112 and WWIV129.

<sup>253</sup> Document WWDC135; Interviews WWIV112 and WWIV130

<sup>254</sup> Interview WWIV112.

<sup>255</sup> *Ibid.*

<sup>256</sup> *Ibid.*

<sup>257</sup> *Ibid.*

<sup>258</sup> Interviews WWIV112, WWIV126 and WWIV130.

<sup>259</sup> *Ibid.*

<sup>260</sup> Interviews WWIV112 and WWIV128.

<sup>261</sup> Interviews WWIV112, WWIV126 and WWIV130.

<sup>262</sup> Document WWDC094; Interview WWIV126.



### Judicial process

According to information received by the Mission, on 5 August 2024, five days after his arrest, ED0X94 was brought before a terrorism court in a hearing held via WhatsApp from the Palace of Justice in Bolívar State.<sup>263</sup>

ED0X94 was not allowed to appoint a lawyer of his choice, so the initial hearing was held in the presence of a public defender with whom he had no prior contact.<sup>264</sup> During the proceedings, ED0X94 was unable to hear what either the judge or his defence counsel were saying. ED0X94 was charged with the crimes of “terrorism”, “incitement to hatred”, “obstruction of public roads”, “violent damage to public property”, and “public incitement”.

### Detention in Tocarón

According to testimonies and audiovisual material reviewed by the Mission, ED0X94, along with a group of men detained at the PNB headquarters, was transferred to Tocarón on 30 August 2024. The families of all the detainees, including ED0X94, were informed of the transfer to Tocarón, where they acknowledged but visits were not permitted.<sup>265</sup> During his imprisonment in that facility, ED0X94 was held incommunicado for more than a month.<sup>266</sup> He was visited for the first time in Tocarón in October 2024.

According to a source interviewed by the Mission, upon entering Tocarón on 30 August 2024, ED0X94 and other detainees were punched in the back of the neck and other parts of the body by custodial staff while they were undressing to put on their prison uniforms. The custodial staff shouted at them, “Terrorists, get dressed quickly,” “You’re going to rot in prison,” and “You’re going to stay here for 20 years.”<sup>267</sup>

According to another source, during his detention in Tocarón, ED0X94 was repeatedly placed in punishment cells for periods of up to one week for demanding better detention conditions for all.<sup>268</sup> The same source informed the Mission that custodial staff beat those transferred to punishment cells with wooden sticks before locking them up, including ED0X94.<sup>269</sup>

On 15 November 2024, ED0X94 was released from prison with a precautionary measure replacing detention. ED0X94 must report to a court in Caracas every 30 days, travelling from his home in the eastern region of the country.<sup>270</sup>

### Expert opinion

After his release, ED0X94 underwent a remote forensic assessment under the Istanbul Protocol, conducted by the Bolivian Institute for Therapy and Research on the After-effects of Torture and State Violence (ITEI). The report highlighted a high degree of consistency between the patterns of ill-treatment previously described and the psychological consequences observed by the ITEI, in accordance with international standards for forensic documentation of torture.<sup>271</sup>

The ITEI’s report concludes that ED0X94 was a victim of acts of torture and other cruel, inhuman or degrading treatment or punishment, the consequences of which have had a negative impact on his physical and mental health.<sup>272</sup>

<sup>263</sup> Interviews WWIV112 and WWIV126.

<sup>264</sup> Interview WWIV112.

<sup>265</sup> Document WWDC124.

<sup>266</sup> Interviews WWIV156 and WWIV112.

<sup>267</sup> Interview WWIV112.

<sup>268</sup> *Ibid.*

<sup>269</sup> *Ibid.*

<sup>270</sup> Document WWDC125

<sup>271</sup> Document WWDC113.

<sup>272</sup> *Ibid.*

## Conclusions

ED0X94 was detained on two occasions during July 2024, in both cases by armed and hooded individuals who did not present an arrest warrant or inform him of the reasons for his detention. During both detentions, he was held incommunicado - in the first case for 20 hours, and in the second for more than a month.

In his first arrest, ED0X94 was released without being brought before a judge after 20 hours. In the second arrest, on 31 July, he was brought before the judicial authority on 5 August, exceeding the 48-hour period prescribed by law for judicial review, despite the fact that PNB officers acknowledged his detention on the request of ED0X94's lawyer. At the hearing, which was held remotely, he was not allowed to appoint a lawyer of his choice. Nor was he able to consult with the public defender who was assigned to him in order to prepare his defence. All of these elements contravene the guarantees of due process.

Based on the foregoing, the Mission has reasonable grounds to believe that ED0X94 was the victim of arbitrary detention on two occasions.

During his detentions, ED0X94 was subjected to various methods of torture, such as suffocation with plastic bags over his head, electric shocks to his body, threats and beatings during interrogations, as well as isolation in punishment cells with limited access to water and food.

In light of all these considerations, the Mission has reasonable grounds to believe that ED0X94 was a victim of torture and cruel, inhuman and degrading treatment and punishment.

## Case 9: *Carlos José Correa Barros*

### Arbitrary detention, violations of due process guarantees, short-term enforced disappearance

#### Detention

On 7 January 2025, at approximately 5 p.m., Carlos Correa was detained by hooded and unidentified individuals in broad daylight, in the centre of Caracas, when his vehicle was intercepted by a pickup truck. The individuals did not present an arrest warrant.<sup>273</sup>

#### Search

On 8 January 2025, in the morning, Carlos Correa's legal team appeared before the Palace of Justice to file a *habeas corpus* petition. However, the court's Reception and Distribution Unit (URD, by its Spanish acronym) took seven hours to formally process the request. The official in charge at the counter told the legal representatives that they had to wait for orders to proceed with the official receipt of the document. These orders never arrived.<sup>274</sup>

On 9 January 2025, in the early hours of the morning, the Minister of the People's Power for Internal Relations, Justice and Peace, Diosdado Cabello, when questioned about Carlos Correa during a televised broadcast, stated that Correa was involved in conspiratorial activities.<sup>275</sup>

On 10 January 2025, the *habeas corpus* petition was declared inadmissible. The court argued that the petition did not identify the alleged perpetrator or specify the address of the victim or the perpetrator.<sup>276</sup>

<sup>273</sup> Interviews WWIV119 and WWIV120.

<sup>274</sup> Interviews WWIV124 and WWIV125.

<sup>275</sup> Post on X by Madelein García [@madeleintlSUR], 9 January 2025. Available at: <https://x.com/madeleintlSUR/status/1877401057040404606>

<sup>276</sup> Document WWDC092.

On 15 January 2025, a new *habeas corpus* petition was filed with the required information, indicating that the identity of the offenders was unknown. The following day, Correa was released, with no news of the progress of the petition.<sup>277</sup>

Between 7 and 15 January 2025, people close to Carlos Correa inquired about his whereabouts and fate at various PNB facilities, at Maripérez, “La Quebradita” sector of the Libertador municipality, at offices known as “Zone 7,” in Sucre municipality, State of Miranda, and El Helicoide, as well as the GNB headquarters in Cotiza. In all these places, officials denied that Correa was in their custody.<sup>278</sup>

### Release

On 16 January 2025, at approximately 1 a.m., Carlos Correa was released from prison. He was not given a formal release notice.<sup>279</sup>

After his release from prison, it was revealed that Correa was held at SEBIN El Helicoide in Caracas, where his whereabouts had been denied.<sup>280</sup>

The Mission has no information regarding the existence of a judicial order for his release.<sup>281</sup>

### Judicial Process

On 9 January 2025, at approximately 9 p.m., Correa's initial hearing was held. The hearing took place while Correa was held incommunicado, without publicity, via teleconference before the Fourth Terrorism Court. Correa was not assisted by a lawyer of his choice. A public defender was appointed to him *ex officio*, with whom he had no prior contact.<sup>282</sup>

In February 2025, Correa was able to appoint three lawyers of his choosing to defend him before the Fourth Court with jurisdiction over terrorism matters. To date, the defence has not had access to the case file.<sup>283</sup>

### Conclusions

On 7 January 2025 at 5 p.m., Carlos Correa was arrested by hooded individuals who did not present an arrest warrant or offer any explanation for the reasons for his detention. Correa was held incommunicado for nine days.

During that period, he was denied the right to communicate with a lawyer and to be assisted by a defence counsel of his choosing. The Mission notes that these violations are not isolated incidents, but rather part of a recurring pattern of State conduct. Cases of Nélida Sánchez Oropeza, Perkins Rocha, and Biagio Pilieri fall under the same pattern.

Therefore, the Mission has reasonable grounds to believe that Carlos Correa was the victim of arbitrary detention and serious violations of his due process rights.

Between 7 and 15 January 2025, Correa's family and friends actively searched for his whereabouts at various security force facilities, including El Helicoide. On at least six occasions, on 7, 8, 9, 13, 14, and 15 January 2025, the authorities denied having him in their custody. Carlos Correa was brought before a judge on 9 January 2025 at approximately 9 pm, more than 48-hour period legally prescribed.

In light of the above, the Mission has reasonable grounds to believe that Carlos Correa was the victim of a short-term enforced disappearance for four hours.

<sup>277</sup> Interviews WWIV124 and WWIV125. Document WWDC138

<sup>278</sup> *Ibid.*

<sup>279</sup> Interviews WWIV119, WWIV124, and WWIV125.

<sup>280</sup> *Ibid.*

<sup>281</sup> *Ibid.*

<sup>282</sup> Interview WWIV119.

<sup>283</sup> *Ibid.*

**Case 10: LD71V7<sup>284</sup>****Arbitrary detention and torture**

LD71V7 has been a member of an opposition political party since 2014. He participated in the logistical organisation of the opposition primaries and the 2024 presidential elections, where he helped to secure copies of election records.

**Detention**

According to information gathered by the Mission, on 20 August 2024, LD71V7 was in a public space with several other people, a few weeks after the presidential elections, when they were approached by at least seven DGCIM officials.

According to two sources, the officials on motorcycles—dressed in dark uniforms, ranging from navy blue and black—were hooded and carried long firearms.<sup>285</sup> The officials did not have visible insignia on their uniforms, although they introduced themselves as members of the DGCIM.<sup>286</sup>

LD71V7 was separated from the group, according to information received by the Mission, because he had been under surveillance and investigation for the past month. The officers did not present a judicial warrant or explain the reasons for his arrest, except for generic accusations of terrorism, treason, and logistical support to the opposition in the electoral context.<sup>287</sup>

After his arrest, LD71V7 was transferred to the DGCIM headquarters, where he was held in a space measuring approximately one square metre, without ventilation, for about three hours. He was then transferred to a “dark room” where he was interrogated.<sup>288</sup>

**Interrogation**

According to information received by the Mission, LD71V7 was interrogated by three or four officials. The questions focused on his alleged involvement in financing activities for sectors of the political opposition and his relationship with leaders of an opposition party.<sup>289</sup>

During the interrogation, one of the officials placed intimidating objects in front of LD71V7. While demanding information, the officials struck him on various parts of his body with blunt objects, causing him to lose consciousness. Unable to get up on his own, LD71V7 was dragged and thrown into another room. To prevent his head from hitting the wall, LD71V7 protected himself with his right arm, resulting in visible bruising and abrasions.<sup>290</sup>

LD71V7 was then forced to stand facing a wall in a search position, with his arms outstretched and his legs together. In that position, the officers placed a thin mat—similar to a crib mattress—between his back and right side and struck him six or seven times with an extendable metal baton. At the same time, they told him that the “beatings” he was receiving were “for others” and that he should cooperate. They warned him that if he refused, he would be transferred to El Helicoide headquarters with a negative report that would aggravate his situation.<sup>291</sup>

The Mission had access to a series of photographs showing visible injuries to LD71V7's fingers, arm and right side. These images are consistent with the events described in the account from one source and have been corroborated by other sources who observed the injuries or heard the account directly from him after his release.<sup>292</sup>

<sup>284</sup> The victim requested that his identity be protected.

<sup>285</sup> Interviews RRIV003 and RRIV004.

<sup>286</sup> *Ibid.*

<sup>287</sup> Interview RRIV003.

<sup>288</sup> *Ibid.*

<sup>289</sup> Interview RRIV003.

<sup>290</sup> *Ibid.*

<sup>291</sup> *Ibid.*

<sup>292</sup> Document RRDC001; Interviews RRIV003, RRIV004, RRIV005, and RRIV006.

### Financial extortion and release

Relatives and members of the political party to which LD71V7 belongs had been informed of the arrest by a witness. On the same day of his detention, one of the relatives went to the DGCIM headquarters where they were being held and was able to see LD71V7. He asked why LD71V7 had been arrested, and officials indicated that it was for providing food to opposition members at polling stations on the day of the presidential elections. The officials also indicated that LD71V7 had been arrested for seven crimes, without specifying which ones, along with a group of young motorcyclists who had also participated in logistical support for the opposition on election day.<sup>293</sup>

According to sources consulted by the Mission, two officials demanded USD 15,000 to secure LD71V7's release.<sup>294</sup> A lower amount was negotiated, settling USD 5,000. The officials warned that if he did not obtain the money, they would bring him before a court, and he would be imprisoned for life. They also emphasised that everything discussed must remain confidential.<sup>295</sup>

Eventually, LD71V7's associates and members of his party managed to raise approximately USD 3,500.<sup>296</sup> The money was handed over to the two officials, and LD71V7 was released one day after his arrest.<sup>297</sup>

### Conclusions

The arrest of LD71V7 took place without a judicial warrant and without factual and legal grounds to justify it. It is part of a pattern identified by the Mission following 28 July 2024, in which individuals linked to opposition electoral activities were detained on charges of terrorism and treason. In LD71V7's case, he was also subjected to financial extortion in order to be released without charge.

Based on the foregoing, the Mission has reasonable grounds to believe that LD71V7 was the victim of an arbitrary detention.

During the interrogations to which LD71V7 was subjected, he suffered beatings and physical punishment as a method of obtaining information. The injuries he suffered were corroborated by photographic evidence and consistent witness testimonies. The Mission therefore has reasonable grounds to believe that LD71V7 was a victim of torture.

According to information obtained by the Mission, the security force responsible for the arbitrary detention and torture of LD71V7 was the DGCIM. At least two officials were identified by the Mission.

## Case 11: *Jesús Armas Monasterios*

### Arbitrary detention, torture, short-term enforced disappearance

Jesús Armas Monasterios is a human rights defender, founder of the NGO *Ciudadanía sin Límites* (Citizenship without Limits), professor at the Central University of Venezuela (UCV) and member of *Comando con Venezuela*. Between 2014 and 2018, he served as a councillor for the El Paraíso parish, in the Libertador municipality, Capital District.

### Detention

According to the testimony of a witness interviewed by the Mission, on Tuesday, 10 December 2024, at approximately 8.30 p.m., Jesús Armas was detained by at least five men dressed in black, hooded and without identification, as he was leaving Café Canel and attempting to hail a taxi in the Las Mercedes neighbourhood of Caracas.<sup>298</sup>

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<sup>293</sup> Interview RRIV005.

<sup>294</sup> *Ibid.*

<sup>295</sup> *Ibid.*

<sup>296</sup> Interviews RRIV004, RRIV005, and RRIV006.

<sup>297</sup> Interview RRIV003.

<sup>298</sup> Interview HHIV160.

The individuals intercepted him and forcibly detained him without presenting a judicial warrant, simply asking him, “Are you Jesús Armas?” as he tried to resist. They then put him into a gold-coloured vehicle without licence plates and took him to an undisclosed location.<sup>299</sup>

### Detention in a safe house

According to information obtained by the Mission, after his arrest, Jesús Armas was transferred to a clandestine safe house in the Colinas de Santa Mónica neighbourhood of Caracas, where he remained for approximately three days.<sup>300</sup>

According to the testimony of one source, during interrogations at that house, SEBIN officials placed plastic bags over his head, suffocated him with their hands, and kept him tied to a chair against a wall, while demanding that he reveal information about the whereabouts of opposition leaders, including María Corina Machado.<sup>301</sup> Armas refused to respond.

The physical assaults only ceased after public reports of his disappearance and the revelation that Armas suffered from asthma. At that point, officials provided him with medication.<sup>302</sup>

### Search

On 11 December 2024, various organisations, Venezuelan opposition leaders and activists publicly denounced the detention and disappearance of Jesús Armas on social media and began searching for him.<sup>303</sup>

According to sources interviewed by the Mission, between 11 and 14 December 2024, Jesús Armas's lawyers and family members made inquiries at various security forces facilities in Caracas, including the SEBIN in El Helicoide and the DGCIM in Boleíta, without receiving any official information about his whereabouts. Officials denied his presence at these centres or indicated that they were not authorised to provide information.<sup>304</sup>

On 11 December 2024, relatives of Jesús Armas, including his mother, filed complaints of enforced disappearance with the Public Prosecutor's Office and the Ombudsman's Office, which were formally received.<sup>305</sup> However, as of the date of this document, there is no record that the complaints have been processed or that an official response has been issued.

In the night of 13 December 2024, Armas was transferred from the clandestine safe house to the PNB headquarters in Maripérez and, almost immediately thereafter, to the PNB Boleíta facility.

Between 12 and 16 December 2024, a relative of Jesús Armas made several unsuccessful attempts to file an *habeas corpus* petition before the Court of First Instance in Control Functions of the Criminal Judicial Circuit of the Caracas Metropolitan Area. On 12 December, an official informed him that the reception coordinator had to review the document beforehand and, after several hours of waiting, told him to return the following day. On 13 December, the complaint was not accepted, and no explanation was provided. On

<sup>299</sup> *Ibid.*

<sup>300</sup> Interview HHIV154; Document HHDC217.

<sup>301</sup> *Ibid.*

<sup>302</sup> Document HHDC217.

<sup>303</sup> Post on X by María Corina Machado [@MariaCorinaYA], 11 December 2024. Available at: <https://x.com/MariaCorinaYA/status/1866668094602481869>; Post on X by Juan Guaidó [@jguaido], 11 December 2024. Available at: <https://x.com/jguaido/status/1866667478132380147>; Post on X by PROVEA [@\_Provea], 11 December 2024. Available at: [https://x.com/\\_Provea/status/1866882145303793854](https://x.com/_Provea/status/1866882145303793854); Post on X by Committee for the Freedom of Political Prisoners [@clippve], 11 December 2024. Available at: <https://x.com/clippve/status/1866668805134401571>.

<sup>304</sup> Document HHDC205; Interviews HHIV154 and HHIV161.

<sup>305</sup> Document HHDC205; Documents HHDC210 and HHDC207. See also: YouTube video – Venezuela Informa Hoy [@VenezuelaInformaHoy], “Denuncian desaparición forzada del dirigente Jesús Armas” (Forced disappearance of leader Jesús Armas reported), 11 December 2025. Available at: <https://youtu.be/lpq84-QXaUM?feature=shared>

16 December, a fire in the basement of the Palace of Justice forced the evacuation of the building before the legal petition could be filed.<sup>306</sup>

According to information gathered by the Mission, on 16 December 2024, Jesús Armas's relatives received unofficial confirmation that he was being held at the headquarters of Zone 7 of the PNB Boleíta.<sup>307</sup> That same day, they managed to have a brief face-to-face contact with him. Subsequently, on 18 December 2024, Armas was transferred to the SEBIN headquarters in El Helicoide, where he remains to date.

According to information provided by his family and private defence team, Jesús Armas was held incommunicado from the moment of his arrest on 10 December until 16 December 2024, and again from his transfer to El Helicoide until the date of this report.<sup>308</sup>

On 19 December 2024, Interior Minister Diosdado Cabello referred to Jesús Armas during his television programme *Con el Mazo Dando*, acknowledging his detention and describing him as “financier of María Corina's terrorism”, based on information allegedly provided by SEBIN agents<sup>309</sup>. On 22 January, Cabello publicly labelled Jesús Armas a “terrorist”.<sup>310</sup>

On 31 December 2024, the Inter-American Commission on Human Rights (IACHR) granted precautionary measures in favour of Jesús Armas, based on allegations of arbitrary detention, enforced disappearance, torture and ill-treatment, and others.<sup>311</sup> To date, there is no record of a response from the Venezuelan State regarding compliance with these measures.

### Legal proceedings

According to the information obtained, Jesús Armas was brought before a court with jurisdiction over terrorism-related offences on Friday, 13 December 2024, exceeding by one day the 48-hour period established by law for judicial review of detention. The hearing was held remotely via video conference from the PNB headquarters in Maripérez.<sup>312</sup>

Armas was charged with the crimes of conspiracy, terrorism, treason, and criminal association. Neither his family nor his private defence counsel were notified of the hearing.<sup>313</sup>

### Conclusions

Jesús Armas was detained on 10 December 2024 by men dressed in black, hooded and without identification, who did not inform him of the reasons for his detention or present a judicial warrant. His arrest was carried out with excessive force and without apparent justification.

According to the information obtained, Jesús Armas was initially held in a clandestine safe house, before being transferred to an official detention centre. He remained incommunicado until 16 December, and following his transfer to El Helicoide on 18 December 2024, he has been held in prolonged incommunicado detention to date.

Several of the elements mentioned correspond to the pattern observed by the Mission in cases involving the detention of individuals opposed to or perceived as opposed to the Government

<sup>306</sup> Interview HHIV161 and HHIV154.

<sup>307</sup> Interview HHIV154; Document HHDC217.

<sup>308</sup> Interview HHIV154; Document HHDC217.

<sup>309</sup> NTN24, Cabello asserts that Jesús Armas, detained by the regime, provided accurate information about alleged violent plans for 10E, 19 December 2024. Available at: <https://www.ntn24.com/noticias-actualidad/cabello-asegura-que-jesus-armas-detenido-por-el-regimen-entrego-datos-exactos-de-supuestos-planes-violentos-para-el-10e-529614>

<sup>310</sup> YouTube video, Millenials 95.5 FM Caracas – 91.5 FM Valencia, Con El Mazo Dando | Diosdado Cabello | Programme #512, 22 January 2025. Available at: [https://www.youtube.com/live/-luH\\_19ZfQk?si=kZ8WIo4ovE9VThjw&amp;t=7779](https://www.youtube.com/live/-luH_19ZfQk?si=kZ8WIo4ovE9VThjw&amp;t=7779) [2:09:39]

<sup>311</sup> IACHR, Resolution 105/2024, Precautionary Measures No. 1426-24, Jesús Alexander Armas Monasterios regarding Venezuela, 31 December 2024. Available at: [https://www.oas.org/es/cidh/decisiones/mc/2024/res\\_105-24\\_mc\\_1426-24\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2024/res_105-24_mc_1426-24_ve_es.pdf)

<sup>312</sup> Interview HHIV154.

<sup>313</sup> Interview HHIV154.



during this period. The Mission therefore has reasonable grounds to believe that Jesús Armas was the victim of arbitrary detention.

Armas' family only learned of his fate and whereabouts on 16 December 2024, after beginning their search on 11 December 2024, the day after his arrest. He was only brought before a judge for judicial review on 13 December 2024, *i.e.* one day after the legal deadline established by law for such a hearing. The Mission therefore has reasonable grounds to believe that Armas was the victim of a short-term enforced disappearance lasting one day.

The investigation of this case has documented that Armas was temporarily held in a clandestine location before being presented to judicial authorities. Confirmation of this event would also constitute, by definition, an enforced disappearance.<sup>314</sup>

According to information gathered by the Mission, Jesús Armas was subjected to suffocation with plastic bags, kept tied to a chair, and coerced into revealing information about other political leaders while he was held in a clandestine safe house for approximately three days. Although this information alone does not meet the Mission's evidentiary standard, it reflects patterns documented in other cases during this period involving the use of similar methods of torture for similar purposes.

## **Case 12: *Lucas Jonas Benjamin Hunter***

### **Arbitrary detention, violations of due process guarantees, enforced disappearance**

Lucas Hunter is a 37-year-old dual national of France and the United States of America. He arrived in Barranquilla, Colombia, on 28 December 2024 as part of a tourist trip that included kite surfing activities in the Colombian department of La Guajira. His return flight to France from Colombia was scheduled for 14 January 2025.<sup>315</sup>

#### **Detention**

On 7 January 2025, Hunter was travelling alone on a motorbike near the town of Paraguachón, Colombia, on the border with Venezuela, when he was detained by armed men. The Mission has been unable to confirm whether these men belonged to a Venezuelan security force, a Colombian paramilitary group or another type of criminal organisation. Hunter was taken across the border into Venezuelan territory, to the immigration control office of the Administrative Service for Identification, Migration and Foreigners (SAIME, by its Spanish acronym).<sup>316</sup>

That same day, at 3.30 p.m., Hunter sent *WhatsApp* text messages to his sister, Sophie Hunter, indicating that he was being detained at the Venezuelan immigration office. He told her that the Venezuelan authorities had informed him they were drafting a report on his situation. Hunter was uncertain whether he would be released back to Colombia or transferred to Caracas for further questioning. He also explained that he did not understand the reasons for his detention and had told the authorities that he did not speak Spanish and had no intention of entering Venezuelan territory.<sup>317</sup>

On 8 January 2025, at 11.26, Sophie Hunter received a voice message from her brother, confirming that he was still being held at the same Venezuelan immigration office. However, this message appears to have been recorded the previous day, 7 January, at 4.44 p.m. Venezuelan time. Due to irregular internet service in Venezuela, the message did not leave Hunter's phone until 8 January. This was the last time Sophie Hunter heard from her brother.<sup>318</sup>

In his messages, Hunter was able to share his location, confirming that he was in Venezuelan territory, just a few metres from the border.

<sup>314</sup> E/CN.4/1997/34, para. 24; CED/C/11, para. 5.

<sup>315</sup> Document PPDC206.

<sup>316</sup> Interview PPIV266 and document PPDC203.

<sup>317</sup> Document PPDC203.

<sup>318</sup> *Ibid.*

## Search and disappearance

Between 7 January and 20 March 2025, the Hunter family was in contact with various foreign government entities seeking support and information about Lucas Hunter's whereabouts and situation. These included the French Ministry of the Interior in Paris, the French embassies in Caracas and Bogotá, the European Union Delegation in Caracas and Geneva, the US Embassy in Bogotá and the US State Department in Washington, D.C. These entities took steps to try to ascertain Hunter's fate and whereabouts, but without success. Sophie Hunter also sent at least four letters to the Venezuelan embassies in France and Switzerland, requesting information about her brother, without receiving any response.<sup>319</sup>

The family's search has included relentless communication through social media and international organisations. Amnesty International included Hunter's case in its recent report *Detentions without a trace: the crime of enforced disappearance in Venezuela*, published in July 2025.<sup>320</sup>

On 25 January 2025, the Hunter family received unofficial information from a person with military contacts in Venezuela that a young man with dual French and U.S. nationality had been seen at the DGCIM headquarters in Boleíta, Caracas. The young man was reportedly being held on terrorism charges.<sup>321</sup> The Mission, however, has not been able to corroborate the veracity of this information under its standard of proof.

On 4, 13 and 25 February, as well as on 2 and 12 March 2025, a Venezuelan human rights organisation, on behalf of the Hunter family, visited the DGCIM headquarters in Boleíta to inquire about Hunter. On 6 and 18 February 2025, the organisation also inquired at the SEBIN headquarters in Caracas, and on 8 and 27 February and 6 March 2025, at Rodeo I. At all these locations, the authorities denied having Hunter in their custody.<sup>322</sup>

On 10 February 2025, the same organisation attempted to file complaints with the Ombudsman's Office and the Public Prosecutor's Office in Caracas for the crime of enforced disappearance. These entities refused to accept the documents, stating that they had to be submitted directly by a relative of the proposed beneficiary. Similarly, on 11 February 2025, the organisation attempted to file an *habeas corpus* request in the Caracas courts, but the judicial authorities also refused to accept it.<sup>323</sup>

## Release

On 18 July 2025, Hunter was released in a detainee exchange between El Salvador, Venezuela and the United States of America. Hunter, who had been held incommunicado throughout his detention, was finally reunited with his family in the United States of America on 19 July 2025.<sup>324</sup>

Following his release, Hunter reported that he was never brought before a judicial authority during his captivity.<sup>325</sup>

## Conclusions

The detention of Lucas Hunter is part of a documented pattern of detaining foreign nationals. The Mission has documented 84 of such cases, in which foreigners were accused of alleged mercenary or terrorist activities. The detention patterns in those cases match those of Hunter's

<sup>319</sup> Document PPDC205.

<sup>320</sup> *Detenciones sin rastro, el crimen de desaparición forzada en Venezuela* (Disappeared without a trace: the crime of enforced disappearance in Venezuela), Amnesty International, July 2025, available at: <https://www.amnesty.org/es/documents/amr53/0083/25/es/>.

<sup>321</sup> Interview PPIV167.

<sup>322</sup> Interview PPIV167.

<sup>323</sup> IACHR, Resolution 27/2025, available at [https://www.oas.org/es/cidh/decisiones/mc/2025/res\\_27-25\\_mc\\_247-25\\_ve\\_es.pdf](https://www.oas.org/es/cidh/decisiones/mc/2025/res_27-25_mc_247-25_ve_es.pdf).

<sup>324</sup> BBC News Mundo, "Who are the prisoners released in the exchange between the United States of America and Venezuela?", 19 July 2025, available at: <https://www.bbc.com/mundo/articles/c17w17z575qo>.

<sup>325</sup> Interview PPIV173.

detention, according to information obtained by the Mission. His detention was carried out without factual or legal justification.

Based on these elements, the Mission has reasonable grounds to believe that Lucas Hunter's detention was arbitrary.

The Mission has reasonable grounds to believe that Hunter was held in prolonged incommunicado detention throughout the entire period of his detention, *i.e.*, for 193 days, six months and 11 days. Prolonged incommunicado detention may constitute cruel and inhuman treatment under international human rights standards.

Hunter's detention was carried out incommunicado. His family and associates displayed extensive efforts to determine his fate and whereabouts from the moment of his apprehension, without obtaining any information from the Venezuelan authorities. Moreover, Hunter was never brought before a judge.

In the light of the above, the Mission has reasonable grounds to believe that Lucas Hunter was the victim of an enforced disappearance lasting 191 days.

Finally, the Mission considers that the Venezuelan State failed to comply with its obligations under the 1963 Vienna Convention on Consular Relations. These obligations included, *inter alia*, timely notification to the relevant consular representations of Hunter's detention, allowing consular assistance, responding to consular and diplomatic requests from Hunter's States of nationality, and informing Hunter himself of his right to contact his consulate.

### **Case 13: Nahuel Agustín Gallo**

#### **Arbitrary detention**

Nahuel Gallo, an Argentine national, is a First Corporal in the Argentine National Gendarmerie. On 6 December 2024, Nahuel Gallo travelled to Venezuela for the purpose of reuniting with his partner and his son, who is under 18 years of age.<sup>326</sup>

#### **Detention**

According to information obtained by the Mission, including that of a witness, on 8 December 2024, at approximately 7.30 a.m., Nahuel Gallo was in a taxi at the border crossing into the city of San Antonio del Táchira, State of Táchira, heading to the airport, when his taxi was intercepted by two PNB officers.<sup>327</sup>

According to the information received, the PNB officers asked Nahuel Gallo to get out of the taxi, requested his identity document, and inspected his mobile phone. The officers then told him that he had to wait until an authorisation from their superiors arrived in order to continue with the immigration process, including the stamping of his passport.<sup>328</sup>

At approximately 11 a.m., according to testimonies gathered by the Mission, Nahuel Gallo was forced to board a black vehicle, identified with the acronym DGCIM, by individuals dressed in black civilian clothing. According to information received by the Mission, at no time was he notified of the reason for his arrest, nor was he shown an arrest warrant.<sup>329</sup>

#### **Search**

On 10 December 2024, two private lawyers made inquiries at the border crossing and with various state security agencies in order to obtain information on the whereabouts of Nahuel Gallo but were given no response.<sup>330</sup> On 13 December 2024, the same lawyers attempted to file a formal complaint of enforced disappearance at the PNB headquarters. However, the Chief Investigating Officer of the CICPC in San Cristóbal refused to accept the complaint,

<sup>326</sup> Interview WWIV134.

<sup>327</sup> *Ibid*; Documents WWDC111; WWDC136

<sup>328</sup> Interview WWIV134, Documents WWDC110 and WWDC111.

<sup>329</sup> Interview WWIV134, Document WWDC110; Post on X by EVTVMiami, 7 July 2025.

Available at: <https://x.com/EVTVMiami/status/1942365512715149375>

<sup>330</sup> Interview WWIV134.

stating that such proceedings could not be handled in that jurisdiction and that they should go to Caracas.<sup>331</sup>

According to information received by the Mission, Nahuel Gallo's partner, accompanied by another person, went to the DGCIM headquarters and the Rodeo I prison on multiple occasions to request information about his whereabouts. In all cases, officials denied that Gallo was being held at those facilities, without offering additional information or allowing independent verification.<sup>332</sup>

On 27 December 2024, 19 days after his detention, the Attorney General publicly announced that Nahuel Gallo had been brought before the courts on charges of terrorism.<sup>333</sup> Beyond this public announcement, Gallo's family members received no official communication or notification regarding the date and time of such a hearing.<sup>334</sup>

On 2 January 2025, almost a month after his arrest, the Venezuelan Government released photos and videos of Gallo wearing a light blue uniform on a sports field as "proof of life", without sharing the location or date of the images. This came after complaints from his family and the Argentine Government about his enforced disappearance.<sup>335</sup> That same day, the Argentine Foreign Ministry confirmed that it had filed a complaint with the International Criminal Court for the arbitrary detention and enforced disappearance of Gallo.<sup>336</sup>

On 6 January 2025, Nicolás Maduro accused Gallo of being part of a plot to assassinate Vice-President Delcy Rodríguez, claiming that he was acting on orders from the Argentine Government<sup>337</sup>, which has denied the accusation.

On 6 February 2025, Nahuel Gallo's family attempted to file a *habeas corpus* petition. After waiting approximately nine hours at the Palace of Justice, the petition was not accepted. In April 2025, another attempt was made to file the petition, which was submitted but not accepted on the grounds that the documentation was "under review" to determine its admissibility.<sup>338</sup>

On the same day, 6 February 2025, a lawyer filed a complaint with the General Directorate for the Protection of Human Rights of the Public Prosecutor's Office regarding the detention and possible disappearance of Nahuel Gallo. Although the complaint was received, to date there has been no institutional response or known action on the part of the Public Prosecutor's Office.<sup>339</sup> As of the date of this report, Nahuel Gallo's relatives have no official information about his whereabouts, physical condition or legal status.<sup>340</sup>

<sup>331</sup> *Ibid.*

<sup>332</sup> *Ibid.*

<sup>333</sup> Instagram post by Mpublicove [@mpublicov], 27 December 2024. Available at: <https://www.instagram.com/p/DEFZSXcpRvC/?igsh=MWdyYzBxBdD0dm1hdg%3D%3D>

<sup>334</sup> Interview WWIV134.

<sup>335</sup> Post on X by Patricia Bullrich [@PatoBullrich], 2 January 2025. Available at: <https://x.com/PatoBullrich/status/1874970586092585114>; YouTube video, La Nación, [@handle], "The Chavista regime released photos and videos of the gendarme; Nahuel Gallo has been detained since 9/12," 3 January 2025. Available at: <https://www.youtube.com/watch?v=vPtoj8bJnbM>, [min 00:23].

<sup>336</sup> Ministry of Foreign Affairs, International Trade and Worship, "Arbitrary detention and forced disappearance of Nahuel Gallo: Argentina filed a complaint with the International Criminal Court," 2 January 2025. Available at: <https://www.cancilleria.gob.ar/es/actualidad/noticias/detencion-arbitraria-y-desaparicion-forzada-de-nahuel-gallo-argentina-presento>.

<sup>337</sup> WWIV134 interview. <https://www.infobae.com/politica/2025/01/07/el-dictador-maduro-dijo-que-el-gendarme-argentino-nahuel-gallo-queria-matar-a-la-vicepresidenta-de-venezuela/>.

<sup>338</sup> Interview WWIV134.

<sup>339</sup> Document WWDC137.

<sup>340</sup> Interview WWIV134; La Patilla, "The promise Tarek William Saab broke to the wife of Argentine police officer Nahuel Gallo - LaPatilla.com," 17 July 2025. Available at: <https://lapatilla.com/2025/07/17/la-promesa-que-incumplio-tarek-william-saab-a-la-esposa-del-gendarme-argentino-nahuel-gallo/>.

## Conclusions

Nahuel Gallo was approached by PNB officials on 8 December 2024 at the San Antonio del Táchira border crossing. The officers searched his mobile phone, after which they handed Gallo over to individuals dressed in civilian clothing who put him in a vehicle bearing DGCIM insignia, without informing him of the reasons for his detention or presenting him with an arrest warrant. Since the moment of his arrest, with no factual or legal basis to justify it, Gallo has been held incommunicado, and his family has been unable to contact him.

In light of the above, the Mission has reasonable grounds to believe that Nahuel Gallo was the victim of arbitrary detention.

On 27 December 2024, 19 days after his arrest, the Attorney General publicly announced that Nahuel Gallo had been brought before a court on alleged terrorism charges. However, the Mission notes that, despite this announcement and the multiple efforts made by his family and legal representatives, no official information has been provided on his whereabouts, health condition, or legal status. His family members have also had no contact with Gallo since his arrest and have not been informed of any appearance before a judge.

Since his detention, Gallo's relatives have repeatedly visited various detention centres, including Rodeo I, without obtaining confirmation of his presence. The filing of a *habeas corpus* petition has also been unsuccessful.

Furthermore, attempts by the Argentine Foreign Ministry to locate and communicate with its national have been ignored by the Venezuelan authorities, in violation of their obligations under the 1963 Vienna Convention on Consular Relations.

The Mission makes no determination about a possible enforced disappearance, subject to the confirmation that Gallo was not brought before a judge within the 48 hours required by the law.

## Case 14: Q363CM<sup>341</sup>

### Arbitrary detention and cruel, inhuman, or degrading treatment

Q363CM is a human rights activist and collaborator with human rights organisations. He was an observer for the opposition at a voting centre in Caracas during the 2024 presidential elections.

### Context

On 26 July 2024, Q363CM received reports of alleged irregularities in the installation of electoral tables in a voting centre in Caracas. Q363CM reported the situation through a news bulletin.<sup>342</sup>

The following day, Q363CM received his photograph, taken the previous day, along with his personal details and location, circulating in a WhatsApp group to which he did not belong. The image came from groups associated with the Government, such as the Francisco de Miranda Front, CUPAZ and UBCH.<sup>343</sup>

On 28 July 2024, the day of the presidential elections, Q363CM acted as an observer at one of the voting centres in Caracas. Fearing what had happened the previous day, Q363CM decided to leave the voting centres before the end of the election day. The following day, he broadcast live from his mobile phone footage of protests taking place in public spaces.<sup>344</sup>

On 30 July 2024, Q363CM convened and led a neighbourhood assembly in a square in his local parish, which was attended by more than 120 people. During the meeting, he warned about the acts of violence that had occurred in previous days and urged those present to talk to their sons and daughters to prevent acts of violence. The activity was interrupted by PNB

<sup>341</sup> The victim requested that his identity be protected.

<sup>342</sup> Interview TTIV024

<sup>343</sup> Interviews TTIV024 and Document TTDC117.

<sup>344</sup> Interviews TTIV024 and Document TTDC118.

officials, but in the face of peaceful resistance from those in attendance, they limited themselves to taking photographs.<sup>345</sup>

### Arrest

On 2 August 2024, Q363CM was arrested at his home in Caracas by DAET/PNB officials. He was not presented with an arrest warrant or informed of the reasons for his arrest, and his mobile phone was confiscated.<sup>346</sup> He was initially taken to the local PNB headquarters, where he was verbally intimidated, threatened with physical violence, and forced to unlock his phone. He was forced to record a video to self-incriminate and was then transferred to El Helicoide, where he was registered, but was denied the right to communicate with his family.<sup>347</sup>

Later, he was taken to another PNB headquarters, where he was again verbally harassed. There, officials demanded that he record another video accusing opposition figures, including María Corina Machado and Edmundo González, of having financing him to cause unrest, which he refused to do. Officials connected Q363CM's mobile phone to a computer, known as a *chupacabra* (goat sucker), used to extract all information from mobile devices. One of the officers told him that his detention was in response to an "order from the President."<sup>348</sup>

On 3 August 2024, Q363CM refused to sign a detainee rights form because he was not allowed to communicate with a lawyer or make a call to his family. Subsequently, the CICPC also registered his details, and he was examined by a forensic doctor.<sup>349</sup>

According to information received by the Mission, in the afternoon of 3 August 2024, Q363CM was transferred to Zone 7 of Boleíta, where he was held in an underground cell known as "the underworld," with extreme heat, no ventilation, no lighting, and no sanitary facilities. He shared this space with 36 other people, surrounded by solid waste, excrement, and insects, and without any access to medical care.<sup>350</sup> According to the same information, the detainees were forced to relieve themselves in plastic bags.

On 6 August 2024, without notifying his family, Q363CM was transferred to the Tocuyito "Hombre Nuevo" prison in the city of Valencia.<sup>351</sup> Upon entering the facility, he was taken to the so-called "reflection area," where there were at least 10 cells not larger than 1.5 by 2.5 metres. He was placed in unsanitary conditions and without access to drinking water. The cells were infested with insects, causing him to develop infections and allergic reactions. While there, he requested a private counsel, but his request was denied.<sup>352</sup>

On 26 August 2024, Q363CM was transferred, handcuffed and in a squatting position, to the maximum-security prison in Tocuyito. Upon arrival, the custodial staff of the Maximum Security System Service (SESMAS, by its Spanish acronym) kept his hands tied behind his back, forced him to bow his head while holding him by the neck, and made him walk at the pace imposed by the custodial staff, under threats that he would "end up dead" or "rot for 30 years in prison."<sup>353</sup>

### Legal proceedings

On 4 August 2024, his initial hearing was held before a court with jurisdiction over terrorism cases via teleconference, using a mobile phone with a poor connection. Q363CM was unable to understand or hear what was being said at the hearing, had no opportunity to express himself, and was denied the right to a private counsel. He was assigned a public defender with whom he never had contact, and he was placed in pretrial detention.<sup>354</sup>

<sup>345</sup> Interview TTIV024.

<sup>346</sup> Interviews TTIV024, TTIV027, TTIV028, and TTIV032.

<sup>347</sup> Interview TTIV024.

<sup>348</sup> *Ibid.*

<sup>349</sup> *Ibid.*

<sup>350</sup> Interviews TTIV024 and TTIV027.

<sup>351</sup> Interview TTIV027.

<sup>352</sup> Document TTDC131.

<sup>353</sup> Interview TTIV024.

<sup>354</sup> *Ibid.*

On 2 November 2024, the preliminary hearing was held, after the legal deadlines had expired. It was again held remotely, with the judge and the public defender present intermittently. At that hearing, Q363CM learned for the first time of the crimes with which he was charged: terrorism, incitement to hatred and obstruction of public roads, allegedly for having caused disturbances in front of his residence.<sup>355</sup>

### **Release from prison**

On 23 December 2024, Q363CM was released from prison along with more than 100 other people. Before leaving, he was forced to sign a sworn statement affirming that his rights had not been violated. Q363CM refused to sign, but the custodial staff said that if he did not sign, no one would be released. Under this threat, Q363CM agreed to sign the statement.<sup>356</sup>

Q363CM was released from prison with precautionary conditions, including not speaking to the media or on social media. He was denied access to the judicial file on the grounds that there were only two copies: one for the court and one that would later be sent to the public defender.<sup>357</sup>

### **Conclusions**

According to the Mission's investigation, Q363CM was arrested on 2 August 2024 at his home by DAET/PNB officials without being presented with an arrest warrant or informed of the reasons for his arrest. He was subsequently held incommunicado without contact with his family or with his public defender. During the court hearings that took place, he did not have a lawyer of his choosing. Under these circumstances, he was charged and then accused of serious crimes. All of this occurred following the same patterns that the Mission has corroborated in other cases of persons detained in the context of Operation Tun Tun.<sup>358</sup>

In light of the above, the Mission has reasonable grounds to believe that Q363CM was the victim of an arbitrary detention.

With regard to the conditions of Q363CM's detention in the prisons where he was held, the Mission has documented similar treatment and conditions during this period against other persons deprived of their liberty in the context of the post-election protests, particularly in Tocuyito. Consequently, the Mission has reasonable grounds to believe that Q363CM was held in conditions that constitute cruel, inhuman, or degrading treatment.

## **Case 15: *Eduardo Torres***

### **Short-term enforced disappearance and arbitrary detention**

Eduardo José Torres Muñoz is a lawyer and activist with the non-governmental organisation PROVEA, widely recognised for his work in promoting and defending human rights in Venezuela. Torres' work has focused particularly on supporting trade union organisations and victims in their search for justice.

On 12 October 2024, despite having a valid passport, Eduardo Torres confirmed via the official SAIME website that his passport had been revoked.<sup>359</sup>

### **Detention**

On 9 May 2025, at approximately 4 p.m., Eduardo Torres informed his partner that he was walking home after attending a work meeting at the Parque Central complex in Caracas.<sup>360</sup>

<sup>355</sup> *Ibid.*

<sup>356</sup> *Ibid.*

<sup>357</sup> Interview TTIV027.

<sup>358</sup> Carlos Correa, Nélida Sánchez, Perkins Rocha, Jesús Armas, Biagio Pilieri, Jesús Pilieri, Hilbert Rojas, Dorenski Rojas, and Nélida Rodríguez.

<sup>359</sup> In its September 2024 report, the Mission recorded passport cancellations as a repressive practice against opponents and critics of the government, or those perceived as such.

<sup>360</sup> Interview WWIV137



According to information received by the Mission, this is a short journey, so his partner expected him to arrive within a few minutes. However, the Mission received information indicating that Eduardo Torres did not arrive at his residence and was last seen at around 4 p.m. From that time onwards, all communication with his partner ceased and his whereabouts were unknown.<sup>361</sup>

### Search

The following day, 10 May 2025, in the morning, a relative of Torres, together with members of PROVEA, began their search at various State security agencies. They visited the SEBIN facilities in El Helicoide, the PNB headquarters in Maripérez, Boleíta and Petare, as well as the DGCIM headquarters in Boleíta. According to information gathered by the Mission, the authorities denied that Torres was at those facilities, stating that “there is no one here with that name” and that “no one with that name has been admitted.”<sup>362</sup>

On Sunday, 11 May 2025, Torres' relatives, accompanied by representatives of PROVEA, attempted to file a *habeas corpus* petition at the Palace of Justice in Caracas. Torres' partner and the PROVEA representatives remained at the Palace for approximately seven hours waiting for the petition to be received. However, they were forced to leave without having been able to file it.<sup>363</sup>

The following day, 12 May 2025, they went to the Constitutional Chamber of the Supreme Court of Justice to resubmit the *habeas corpus* petition, which, this time, was accepted. However, by the time of writing, no official information has been obtained regarding the processing of the petition or any decision taken by the court, despite the family's complaints about the lack of resolution.<sup>364</sup>

The Mission was informed that on 17 May 2025, Eduardo Torres' partner received information from the custodial staff at El Helicoide that he was being held at that detention centre. Since then, she has regularly visited to deliver clothing, hygiene products, and medication. However, to date, she has not been allowed to visit him or establish telephone contact with him, and the detainee remains in prolonged incommunicado detention.<sup>365</sup>

### Legal proceedings

Following a PROVEA press conference on 13 May 2025, the Attorney General, on the same day and through his private Instagram account, acknowledged that Torres was detained. He accused Torres of belonging to groups that intended to obstruct the regional and parliamentary elections of 25 May 2025. He also reported that Torres “was brought before a court in accordance with the procedural deadlines, guaranteeing his right to defence, and was remanded in custody for the crimes of conspiracy, terrorism, treason and criminal association.”<sup>366</sup>

Torres' family and PROVEA have told the Mission that they have no evidence that such a hearing took place, let alone that it was held within the 48-hour period required by Venezuelan law.

According to information received by the Mission, the public defender assigned to Torres' case informed a family member that the arraignment hearing was held on 12 May 2025, which is beyond the 48-hour period stipulated in the law.<sup>367</sup>

<sup>361</sup> *Ibid.*

<sup>362</sup> *Ibid.*

<sup>363</sup> Provea publication on X, [@\_Provea], 11 May 2025. Available at:

[https://x.com/\\_Provea/status/1921230128949895247](https://x.com/_Provea/status/1921230128949895247)

<sup>364</sup> Document WWDC135. Publication in X by Provea, [@\_Provea], 12 May 2025. Available at:

[https://x.com/\\_Provea/status/1921993966146171046](https://x.com/_Provea/status/1921993966146171046).

<sup>365</sup> Interview WWIV137, Document WWDC117.

<sup>366</sup> Instagram post by Venezuelan Attorney General Tarek William Saab [@mpublicov], 13 May 2025.

Disponible en:

[https://www.instagram.com/p/DJm4H4qpVKS/?utm\\_source=ig\\_embed&ig\\_rid=f83a3dd3-49d9-411a-9c26-4649f01857b1](https://www.instagram.com/p/DJm4H4qpVKS/?utm_source=ig_embed&ig_rid=f83a3dd3-49d9-411a-9c26-4649f01857b1)

<sup>367</sup> Interview WWIV137.

On several occasions during May and June 2025, Torres's lawyers attempted unsuccessfully to be sworn in to represent him in court.<sup>368</sup>

### Conclusions

The Mission has not obtained any information about the circumstances surrounding the detention of Eduardo Torres, with whom his family lost contact on 9 May 2025 at 4 p.m. However, more than three days later, approximately 90 hours after his disappearance, following national and international pressure, the Attorney General publicly acknowledged via his private Instagram account that Eduardo Torres had been detained by State agents.

From the day of his arrest until the date of this report, Torres remains in prolonged incommunicado detention, and the *habeas corpus* petition on his behalf is still pending resolution. Furthermore, private lawyers have not yet been able to be officially sworn in to represent him.

In these circumstances, the Mission has reasonable grounds to believe that Eduardo Torres has been the victim of arbitrary detention.

Torres' family and his lawyers from PROVEA have been searching for him since 10 May 2025, without being able to ascertain his whereabouts in the days following the loss of contact with him, including at the detention centre where he was eventually confirmed to be held. According to information received by the Mission, the arraignment hearing took place on 12 May 2025, exceeding the 48-hour deadline, contrary to the statement made by the Attorney General in his communication of 13 May 2025.

Therefore, the Mission has reasonable grounds to believe that Eduardo Torres was the victim of a short-term enforced disappearance for a period of several hours beyond the legal 48-hour period following his arrest.

## Case 16: Luis Roberto Somaza Castellano

### Short-term enforced disappearance (according to expansive interpretation) and arbitrary detention

Luis Roberto Somaza Castellano is a political leader of the *Voluntad Popular* political party. Between 2013 and 2017, he served as a councillor for the municipality of Baruta, State of Miranda, chairing the Social Development and Community Welfare Commission. Subsequently, between 2019 and 2023, he held positions within the staff of the then President of the National Assembly, Juan Guaidó.<sup>369</sup>

After the presidential elections on 28 July 2024, Luis Somaza began to notice vehicles without licence plates repeatedly parked in the vicinity of his residence, which was interpreted as part of ongoing surveillance against him. Since 2019, Somaza has been harassed by the authorities for his relationship with Guaidó.<sup>370</sup>

Throughout 2024, the Minister of Popular Power for Internal Relations, Justice and Peace, Diosdado Cabello, has repeatedly accused Somaza, without providing any evidence, on his partisan propaganda programme *Con El Mazo Dando*, of leading a group of activists from the *Voluntad Popular* party responsible for causing unrest in the country and promoting acts of violence in the municipality of Baruta.<sup>371</sup>

<sup>368</sup> Documents WWDC117 and WWDC136.

<sup>369</sup> El Espectador, "Who is Luis Somaza, a new opponent of the regime detained in Venezuela?", 14 February 2025. Available at: <https://www.elespectador.com/mundo/venezuela/quien-es-luis-somaza-opositor-del-regimen-detenido-en-venezuela/>

<sup>370</sup> Interview WWIV140; IACHR, *Luis Roberto Somaza Castellano regarding Venezuela*, resolution 40/2025, precautionary measure no. 469-25, 5 May 2025. IACHR, Resolution 40/2025.

<sup>371</sup> YouTube. *Con el Mazo dando* – Programme 507 dated 11 December 2024, Available at: [https://www.youtube.com/watch?v=ov5QOZLwTPk&list=PLx6acQOKnQZiwMtdQ7Alg\\_MXxvd3kTcaN&index=23](https://www.youtube.com/watch?v=ov5QOZLwTPk&list=PLx6acQOKnQZiwMtdQ7Alg_MXxvd3kTcaN&index=23) ; YouTube *Con el Mazo dando* – Programme 487, Available at: [https://www.facebook.com/watch/live/?ref=watch\\_permalink&v=501714652352602](https://www.facebook.com/watch/live/?ref=watch_permalink&v=501714652352602)

## Arrest

According to witness information, on 12 February 2025, at approximately 6.40 p.m., at least five men dressed in civilian clothing, wearing balaclavas, with no visible identification and some carrying long guns, broke into the residence of Luis Somaza, who was alone at the time, and proceeded to take him away in a pickup truck.<sup>372</sup>

During the raid, some of Somaza's property was seized, including electronic equipment and a laptop. The Mission examined a video showing the state of the house after the seizure.<sup>373</sup>

## Search

Between 13 and 26 February 2025, two relatives of Luis Somaza began searching for him at various State security forces headquarters, including El Helicoide of the SEBIN, Boleíta of the DGCIM, and the PNB Command in Maripérez. In all cases, officials denied that Somaza was being held at those facilities or said they had no information.<sup>374</sup>

On 14 February 2025, on a radio programme broadcast by a media outlet associated with the ruling party, Diosdado Cabello acknowledged Somaza's detention.<sup>375</sup>

According to information received by the Mission, on 27 February 2025, Somaza's relatives went to El Helicoide again, where they were allowed to deliver food and hygiene items, but were not allowed to verify whether he was actually there or in what condition he was. According to information received by the Mission, Somaza has been held in prolonged incommunicado detention since his arrest.<sup>376</sup>

## Judicial process

The public defender in charge of Luis Somaza's case has confirmed that he has been held in El Helicoide since the first day of his arrest. He has also confirmed that Somaza appeared in a remote arraignment before the Second Terrorism Court, presided over by Judge Carlos Enrique Liendo, on 19 February 2025, six and a half days after his arrest. He also indicated that Somaza was charged with the crimes of rebellion and criminal association.<sup>377</sup>

On 27 February 2025, his family and a private lawyer went to the Second Terrorism Court to submit a letter appointing a private lawyer, but this letter was rejected on the grounds that it had to be signed by the detainee. At the time of writing, Somaza has not been able to appoint a private lawyer, nor have his relatives had access to the case file.<sup>378</sup>

On 13 March 2025, the family members filed a complaint against the supervising judge, Carlos Enrique Liendo Acosta, who, according to information received by the Mission, ordered that the document appointing private defence counsel not be accepted.<sup>379</sup> The complaint was admitted, although to date it has not been resolved.

## Health conditions

Luis Somaza suffers from a chronic skin disease called hidradenitis suppurativa.<sup>380</sup> Without proper treatment, the disease causes lesions, suppuration, limitations in walking and in the joints of the hands and can even lead to skin cancer.<sup>381</sup>

On 7 May 2025, a complaint was filed with the Ombudsman's Office, which was registered with the corresponding receipt stamp. The complaint reported Somaza's pre-existing

<sup>372</sup> Interview WWIV140.

<sup>373</sup> *Ibid.* Documents WWDC126 and WWDC127.

<sup>374</sup> Interview WWIV140 and Document WWDC128.

<sup>375</sup> YouTube video, NTN24, [@handle], "Diosdado Cabello confirmed the arrest of Luis Somaza, member of Voluntad Popular, in Venezuela," 14 February 2025. Available at: <https://www.youtube.com/watch?v=6ZUGCAjrsE>. [min 0:27].

<sup>376</sup> Interview WWIV140.

<sup>377</sup> *Ibid.*

<sup>378</sup> *Ibid.*

<sup>379</sup> Document WWDC131.

<sup>380</sup> Document WWDC132.

<sup>381</sup> Interview WWIV140 and Document WWDC130.

condition and the need for him to receive specialised medical treatment.<sup>382</sup> However, no action has been taken by the Ombudsman's Office as a result of the complaint.

Currently, his family brings him the required medication to El Helicoide, but they do not know if it is delivered to him, and they are concerned about the possible deterioration of his health.<sup>383</sup>

On 5 May 2025, the Inter-American Commission on Human Rights granted precautionary measures in favour of Luis Somaza, considering that his rights to life, personal integrity and health “face a situation of serious risk.”<sup>384</sup>

## Conclusions

According to the information obtained in the investigation, Luis Somaza was violently detained at his residence by armed individuals dressed in civilian clothing and wearing balaclavas, without visible identification. According to the same information, Somaza has been held in prolonged incommunicado detention since the moment of his arrest, has not been allowed to be represented by a lawyer of his choosing, and his family has not been allowed access to the case file.

This *modus operandi* has been observed by the Mission in other cases investigated during this period. Those cases are similar in relation to the manner in which the arrest was carried out, there was a prolonged incommunicado detention, and restrictions on the right to defence. Consequently, the Mission has reasonable grounds to believe that Luis Somaza has been the victim of arbitrary detention.

Between 13 and 26 February 2025, Somaza's relatives inquired about his fate and whereabouts at various State security agency headquarters, including El Helicoide, but in all cases they were told that Somaza was not in their custody. The public defender assigned to him has confirmed that Somaza has been detained at El Helicoide since the first day of his arrest, contrary to the information received by the family at that same detention centre, where they were told that there was no one with his name.

Diosdado Cabello acknowledged Somaza's detention on 14 February 2025 on a radio programme. As noted above, Somaza was brought before a judge on 19 February 2025, six and a half days after his arrest.

In light of the above, according to the expansive interpretation, the Mission has reasonable grounds to believe that Luis Somaza was the victim of enforced disappearance for a period of four days after the 48-hour period had elapsed without him being brought before a judge for review of his detention. According to the restrictive interpretation, Diosdado Cabello's statement 48 hours after his arrest is interpreted as an acknowledgement of the detention, and therefore it is considered that there was no enforced disappearance.

Furthermore, the Mission has been unable to obtain information on Somaza's current state of health or to verify whether he is receiving adequate medical care and treatment for his illness. The Mission reiterates that the State must ensure that Somaza's conditions of detention are compatible with his medical requirements.

<sup>382</sup> Document WWDC129.

<sup>383</sup> Interview WWIV140, Instagram post by Luis Somaza [@luis.somaza], 25 July 2025. Available at: [https://www.instagram.com/reel/DMiVUouJq/?utm\\_source=ig\\_web\\_copy\\_link](https://www.instagram.com/reel/DMiVUouJq/?utm_source=ig_web_copy_link); Instagram post by Luis Somaza [@luis.somaza], 15 August 2025. Available at: <https://www.instagram.com/reel/DNZNxPYBVTr/?igsh=a3gyNjNiNjE1dXM4>

<sup>384</sup> IACHR, *Luis Roberto Somaza Castellano regarding Venezuela*, resolution 40/2025, precautionary measure no. 469-25, 5 May 2025. IACHR, Resolution 40/2025.

**Case 17: WUP195<sup>385</sup>****Arbitrary detention**

On 30 July 2024, in the morning, a protest began in the municipality of Los Guayos, State of Carabobo, in rejection of the election results. At 1 p.m., WUP195 and a companion joined the demonstration, which was concentrated on the Los Guayos overpass, and later moved towards the centre of the municipality, reaching the Regional Central Motorway.<sup>386</sup>

At around 3 p.m., WUP195 and his companion observed the presence of at least 50 PNB officers in official uniforms carrying riot gear, including shields and tear gas.<sup>387</sup> DGCIM agents were also present. Between 3 p.m. and 3.30 p.m., a significant number of protesters began to disperse.<sup>388</sup>

**Arrest**

At approximately 3.40 p.m., as WUP195 and his companion were walking back to their homes along Avenida Bolívar, they heard the sound of motorcycles approaching rapidly and saw several people fleeing in the opposite direction. PNB officers began intercepting and detaining pedestrians on the public highway.<sup>389</sup> A witness told the Mission that during this intervention, one of the PNB officers fired at the feet of a young man who was trying to escape.<sup>390</sup>

According to the testimonies gathered by the Mission, WUP195 and his companion attempted to take shelter behind a wall. However, an officer travelling on the back of one of the motorcycles jumped down abruptly, lunged at WUP195 and held him down by force. Immediately afterwards, at least three officers beat him on the ground using a helmet and kicked him. When the person accompanying WUP195 tried to approach, he was intercepted by two other officers on motorcycles. One of them pointed a firearm at his chest and verbally threatened him to stay away.<sup>391</sup>

According to the testimonies obtained by the Mission, at no time did the officers who detained WUP195 explain to him the reasons for his arrest, despite his asking them.<sup>392</sup>

**Incomunicado detention**

After his arrest, WUP195 was transferred to the PNB command in Los Guayos. At approximately 4 p.m., a family member went to the police headquarters to ask about his whereabouts, but the officers only replied that he should wait. The same response was given to some 20 other family members who also came to seek information about other people detained during the demonstrations.<sup>393</sup>

That same day, a lawyer went to the PNB headquarters to ask about the individuals who had been arrested, including WUP195, and the reasons for their detention. The officers did not provide him with any information or allow him to see the detainees.<sup>394</sup> At around 7 p.m., a female official informed that 40 individuals, including WUP195, had been transferred an hour earlier, at approximately 6 p.m., to Fort Paramacay, headquarters of the Army's 41st Armoured Brigade "Capitán Juan Ángel Bravo García" in Naguanagua, State of Carabobo.<sup>395</sup>

WUP195 remained at Fort Paramacay for 24 hours. According to a video analysed by the Mission and a testimony, on the night of 30 July 2024, the Governor of Carabobo, Rafael

<sup>385</sup> The victim requested that his identity be protected.

<sup>386</sup> Interviews WWIV121 and WWIV128.

<sup>387</sup> *Ibid.*; Interview WWIV129.

<sup>388</sup> *Ibid.*

<sup>389</sup> *Ibid.*

<sup>390</sup> A source who requested anonymity.

<sup>391</sup> Interviews WWIV121 and WWIV128.

<sup>392</sup> *Ibid.*

<sup>393</sup> Interviews WWIV121; WWIV128 and WWIV129.

<sup>394</sup> Interview WWIV156.

<sup>395</sup> *Ibid.*

Lacava, addressed the detainees, including WUP195, accusing them of being *pelabolas* (looser), *pobres pendejos* (poor idiots), *malandros* (hooligans) and *guarimberos* (rioters), and telling them that they would have to face the consequences.<sup>396</sup>

On 31 July 2024, WUP195 was transferred again, along with other detainees, to the PNB headquarters in Los Guayos, where he remained until the early hours of 25 August. Two relatives of WUP195, who already knew his whereabouts, asked PNB officials weekly if they could visit him, but this possibility was denied until 19 August 2024, when they were finally allowed to see him.<sup>397</sup>

On 25 August 2024, approximately 100 persons deprived of liberty at the PNB in Los Guayos, including WUP195, were transferred by bus to the Tocuyito Penitentiary Centre. The families of the detainees learned of the transfer through information circulated in a WhatsApp group and went to the PNB headquarters to protest. When the detainees arrived at Tocuyito, they were kept tied up in the courtyard from 07.00 to 15.00, under the custody of hooded officers wearing uniforms from the Tocuyito Pretrial Detention Centre (CESMA Tocuyito). According to information obtained by the Mission, the detainees were threatened with 27 years in prison and told that they had been abandoned by their political leaders. On 28 September 2024, WUP195's family received an official call from Tocuyito custodial staff informing them that they could visit the detainee on 2 October 2024. WUP195 was able to communicate with his family for the first time since his transfer to Tocuyito.<sup>398</sup>

WUP195 remained incommunicado from the moment of his arrest on 30 July until 19 August 2024 (20 days), when he was allowed to receive a visit from his family; and from his admission to Tocuyito on 25 August 2024 until 2 October 2024 (39 days), when he received another visit.

### Judicial process

According to information gathered by the Mission, on 2 August 2024, more than 48 hours after their arrest, the arraignment hearing for WUP195 was held remotely from the PNB command in Los Guayos, along with 102 other individuals. All were charged with receiving funding from an opposition activist to commit acts of vandalism on 30 July and with participating in the looting of the commercial establishment “Alimentos El Maizal” in the municipality of Guacara, in the State of Carabobo.<sup>399</sup>

The criminal investigation report states that WUP195 and the other 102 individuals were arrested in *flagrante delicto* in the municipality of Guacara when the aforementioned commercial establishment was looted.<sup>400</sup> However, WUP195 was arrested in the municipality of Los Guayos, located 13.3 kilometres away from Guacara.

### Conclusion

According to information obtained during the investigation, the arrest occurred when WUP195 and his companion were leaving a demonstration against the election results on 30 July 2024. WUP195 was not informed by PNB officers of the reasons for his arrest; he was simply beaten and placed on a motorcycle. Other individuals who participated in the same demonstration were also detained.

The Mission considers that there is no factual basis that could justify the apprehension of WUP195. According to the criminal investigation report, WUP195 was detained in a place where he was never present, more than 13 km away from where he was actually apprehended, accused of acts of looting in which he did not participate. Finally, the Mission observes consistent patterns between this case and others investigated in the same post-election context, such as delayed presentation before a supervisory court and prolonged incommunicado detention.

<sup>396</sup> Video WWOS004.

<sup>397</sup> Interviews WWIV121; WWIV128 and WWIV129.

<sup>398</sup> Interviews WWIV121 and WWIV128.

<sup>399</sup> *Ibid*

<sup>400</sup> Document WWDC139.

In view of these elements, the Mission has reasonable grounds to believe that WUP195 has been the victim of arbitrary detention.

### **Case 18: *Nélida Sánchez***

#### **Arbitrary detention**

Nélida Sánchez is a former official of the National Electoral Council, coordinator of the NGO *Súmate*, and played a role in training electoral witnesses in the context of the 2024 presidential elections.

#### **Detention**

According to information gathered by the Mission, on 26 August 2024, at 1 p.m., Nélida Sánchez and a person accompanying her were intercepted by an unmarked grey vehicle while travelling in a private vehicle to the Victorino Santaella Hospital in Los Teques, State of Miranda.<sup>401</sup>

Four individuals, two men and two women, got out of the grey vehicle and identified themselves as SEBIN officials. They asked Nélida Sánchez and her companion to get into the security officials' pickup truck, telling Nélida Sánchez that she would be taken to SEBIN in Los Teques for an interview. The officials did not present an arrest warrant.<sup>402</sup>

Once at SEBIN headquarters, the officials asked Nélida Sánchez to hand over her mobile phone.<sup>403</sup> At 2 p.m., her companion was forced to go with two SEBIN officials to Sánchez's residence, where they seized a personal computer and a mobile phone belonging to Sánchez. Sánchez's companion was released at that location.<sup>404</sup>

From 26 to 28 August 2024, Nélida Sánchez remained in detention at SEBIN in Los Teques, where she was interrogated about María Corina Machado and the financing of the *Súmate* organisation. During the interrogations, officials made veiled threats, stating that they knew the whereabouts of her daughters and were monitoring her family.<sup>405</sup>

On the afternoon of 28 August 2024, Sánchez was transferred to El Helicoide in a vehicle, together with *Vente Venezuela* political leader Perkins Rocha.<sup>406</sup>

#### **Judicial process**

According to information gathered by the Mission, on 28 August 2024, Nélida Sánchez was brought, together with Perkins Rocha, before the Third Court of Control with jurisdiction over terrorism, presided over by Judge Ángel Bentancourt.<sup>407</sup>

Sánchez did not have the presence of lawyers of her choosing and was assigned a public defender.<sup>408</sup>

According to a source interviewed by the Mission, the Public Prosecutor's Office accused Sánchez of posting messages on social media on 26 and 27 August 2024, when she was already in custody and SEBIN officials had confiscated her mobile phones and computer.<sup>409</sup> In this regard, the Mission had access to the police report stating that her arrest took place on 28 August 2024, when in fact Sánchez was arrested on 26 August 2024, as verified by the Mission.<sup>410</sup>

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<sup>401</sup> Document PPDC193; Interview PPIV161.

<sup>402</sup> *Ibid.*; Interview PPIV160.

<sup>403</sup> Document PPDC193; Interview PPIV161.

<sup>404</sup> *Ibid.*, Document PPDC165.

<sup>405</sup> Interview: PPIV160.

<sup>406</sup> *Ibid.*

<sup>407</sup> Documents PPDC193 and PPOS106.

<sup>408</sup> *Ibid.*

<sup>409</sup> Interview PPIV161.

<sup>410</sup> Interview PPIV160.



On 2 September 2024, a relative of Nélica Sánchez took the relevant document to El Helicoide for her to sign and for the appointment of her private lawyer to be arranged. El Helicoide officials told him that no documents were allowed to enter or leave the detention centre, so they refused to accept the document. When Sanchez' relative explained that it was a document appointing a private lawyer, the prison authorities replied that this was not permitted either.<sup>411</sup>

### Conclusions

According to the investigation in this case, Nélica Sánchez was detained on 26 August 2024 without a warrant and without being given any explanation for her arrest, on the grounds that she had to accompany SEBIN officials to their headquarters in Los Teques to answer some questions. Sánchez was brought before the judicial authority on 28 August 2024 in a hearing that was not public, without being able to appoint a lawyer of her choosing or having the opportunity to prepare her defence with the public defender assigned to her.

In light of these elements, as well as the fact that Sánchez's arrest follows the same pattern identified in other arrests in the context of the 2024 post-election protests, the Mission has reasonable grounds to believe that Nélica Sánchez was the victim of an arbitrary detention.

### Case 19: *KZ116Q*<sup>412</sup>

#### Sexual and gender-based violence through forced nudity and visual genital inspection

##### Facts

On 8 March 2025—International Women's Day—relatives of a person deprived of his liberty, including a girl, went to visit him at the high-security detention centre where he is serving his sentence.<sup>413</sup>

During the search process prior to the visit, two female custodial officers told KZ116Q's mother that they would also be searching children that day. They made her sign a paper consenting to the search.<sup>414</sup>

According to her testimony to the Mission, KZ116Q's mother thought that the search of KZ116Q would consist of checking her shoes and pockets to ensure that she was not carrying anything that violated the centre's rules. However, once they entered the search room, the officers demanded that KZ116Q strip completely naked as a condition of entering the premises. KZ116Q's mother objected, but the custodial staff insisted that if KZ116Q did not pull down his trousers to allow a visual genital inspection, she would not be allowed to enter and continue with the visit. KZ116Q, in a state of desperation, agreed to do so under threat of not being able to see her relative.

##### Reprisals

After reporting this incident, KZ116Q's mother was banned from entering the prison, and a poster was even placed on the gates indicating “access prohibited indefinitely.” At the same time, the imprisoned relative was sent to solitary confinement in a punishment cell known as “*tigrero*”, similar to the cells described in the chapter on torture in this document, with no apparent reason for punishment other than retaliation for his relative's actions.

On 11 March 2025, KZ116Q's mother filed two complaints with the Public Prosecutor's Office, one regarding the situation experienced by KZ116Q and the other regarding the isolation of her relative in a punishment cell.<sup>415</sup>

<sup>411</sup> *Ibid.*

<sup>412</sup> The victim is anonymised for her protection.

<sup>413</sup> Interview IIIV151.

<sup>414</sup> Interviews IIIV151 and IIIV166.

<sup>415</sup> Document IID174.

In a meeting between KZ116Q's mother and the prison authority, the official warned her that if she continued making public complaints, she would not be allowed to visit her relative again. Furthermore, when she indicated that she had also filed a complaint with the Public Prosecutor's Office, the official simply replied that "nothing will come of it" and that taking such legal action could only have negative consequences for her and her family. Furthermore, the authority downplayed the seriousness of the forced nudity case, claiming that approximately 70 children were searched that day under the same procedures and that she was the only one who complained.<sup>416</sup> Another person confirmed this statement to the Mission, indicating that at the same centre, on the same day, her son was searched, but she had chosen not to complain or report it.<sup>417</sup>

As of the date of this report, there has been no action by the Public Prosecutor's Office on the complaints made by KZ116Q's mother.

## Conclusion

The facts described fall within the scope of the Rome Statute with regard to the category of "other forms of sexual violence" under Article 7(1)(g), which includes acts of a sexual nature committed by force, threat or coercion, such as forced nudity (total or partial), inspections of intimate parts of the body, and their recording or dissemination.<sup>418</sup> On this point, coercion, according to international jurisprudence, may be inherent in certain circumstances such as armed conflict or the presence of security personnel.<sup>419</sup> International standards require that the interpretation of an "act of a sexual nature" take into account the specific context and be informed by the perspective of the survivor of sexual violence.<sup>420</sup> Coercion in this case is presented by an intimidating environment in a high-security detention centre during a search of a girl, under threat of not being allowed to visit her relative.

As explained above in the chapter on sexual and gender-based violence, for these acts to be classified as sexual crimes, the perpetrator must be aware of the factual circumstances that determine their severity,<sup>421</sup> especially in relation to the age or vulnerability of the victim.<sup>422</sup> In this case, the mother refused the search and the custodial staff insisted, knowing the serious impact of their demand.

Furthermore, forced nudity constitutes in itself a form of sexual and gender-based violence, even in the absence of physical contact, when it occurs under coercion, intimidation or threat.<sup>423</sup> The same reasoning should apply to cases of forced nudity in the context of an invasive search for visual examination of the genitals, such as this case, which occurred in

<sup>416</sup> Interview IIIV151.

<sup>417</sup> Interview IIIV166.

<sup>418</sup> Rome Statute of the International Criminal Court, adopted on 17 July 1998, in force since 1 July 2002, Article 7(1)(g).

<sup>419</sup> ICTR, Prosecutor v. Jean-Paul Akayesu, Judgment, ICTR-96-4-T, 2 September 1998, para. 688.

<sup>420</sup> Office of the Prosecutor of the International Criminal Court. (2023). Policy on Gender-Related Crimes, para. 62.

<sup>421</sup> Elements of Crimes, Article 7(1)(g)-6.

<sup>422</sup> ICTR, Akayesu, Jean Paul, ICTR-96-04.

<sup>423</sup> ICTY, Prosecutor v. Dragoljub Kunarac, Radomir Kovac and Zoran Vukovic, Judgment, Case No. IT-96-23/1-T, 22 February 2021, paras. 766-774, 782; ICTR, Prosecutor v. Jean-Paul Akayesu, Judgment, ICTR-96-4-T, 2 September 1998, paras. 10A, 688, 697; Prosecutor v. Kvočka, Judgment, IT-98-30-T, 2 November 2001, para. 170. See also Women's Initiatives for Gender Justice. *The Hague Principles on Sexual Violence*. Civil Society Declaration on Sexual Violence, Principle 5, 2019. Available at: <https://4genderjustice.org/wp-content/uploads/2019/11/The-Hague-Principles-on-Sexual-Violence.pdf>; ICC Office of the Prosecutor Policy Document on Sexual and Gender-Based Crimes, p. 3; ECOSOC, Final Report on Contemporary Forms of Slavery, Systematic Rape, Sexual Slavery and Similar Practices during Armed Conflict, para. 21 (states that "sexual violence encompasses both physical and psychological attacks targeting a person's sexual characteristics, such as forcing a person to undress in public, mutilating a person's genitals, or cutting off a woman's breasts").

the intimidating environment of a high-security detention centre and under threat of denying visits.<sup>424</sup>

Furthermore, when these acts are committed against children, as in this case, they take on an aggravated nature. The Convention on the Rights of the Child and the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belém do Pará) obligate States to protect children against all forms of violence, including sexual violence.<sup>425</sup> Inter-American jurisprudence, in a case very similar to the present one, categorically state that “vaginal searches and inspections are an exceptional and highly intrusive type of search”<sup>426</sup> that can only be carried out exceptionally when four conditions are met: it must be absolutely necessary, there must be no alternative, it must be authorised by a court order, and it must be carried out by health professionals.<sup>427</sup>

As also explained above in the chapter on sexual and gender-based violence, the Mandela Rules establish that invasive body searches of visitors should be avoided and should never be carried out on children.<sup>428</sup> Although body searches are a humiliating and degrading experience for anyone deprived of their liberty, certain groups, such as children, face a disproportionate impact. Factors such as educational level, cultural and religious context—including taboos related to sexuality—can intensify the perception of the search as a form of degrading or humiliating treatment<sup>429</sup>. The European Court of Human Rights has stated that, for a search to be considered degrading or humiliating, it may be sufficient that the person concerned feels humiliated from their own perspective, regardless of how it is perceived by third parties.<sup>430</sup>

In this case, requiring KZ116Q to undress as a condition for enjoying a prison visit constitutes a serious violation of her dignity, physical and psychological integrity, and her right to privacy.

The practice described represents a form of institutional violence with sexual implications, as it violates a child’s bodily space without legitimate justification, contravening international standards. In this case, KZ116Q reported feeling ashamed and a total loss of privacy when she had to undress in front of the custodial staff.

Furthermore, given that she was in a coercive, intimidating and particularly vulnerable situation within a high-security prison, the acts that occurred in this case constitute a form of gender-based violence under international law.<sup>431</sup>

For all these reasons, the Mission has reasonable grounds to believe that the girl was subjected to an act of forced nudity constituting sexual violence.

<sup>424</sup> UK Foreign & Commonwealth Office, *International Protocol on the Documentation and Investigation of Sexual Violence in Conflict: Best Practice on the Documentation of Sexual Violence as a Crime or Violation of International Law*, second edition, March 2017, p. 19. Available at: [https://assets.publishing.service.gov.uk/media/5a803e9640f0b62305b8a06b/International\\_Protocol\\_2\\_017\\_2nd\\_Edition.pdf](https://assets.publishing.service.gov.uk/media/5a803e9640f0b62305b8a06b/International_Protocol_2_017_2nd_Edition.pdf)

<sup>425</sup> Convention on the Rights of the Child, Arts. 3 and 19; Belém do Pará Convention, Art. 7.

<sup>426</sup> Inter-American Commission on Human Rights (IACHR), *Report No. 38/96, Merits, Case 10.506, X and Y (Argentina)*, 15 October 1996, OEA/Ser.L/V/II.95, Doc. 7 rev., para. 71.

<sup>427</sup> *Ibid.* at paras. 71 and 72.

<sup>428</sup> Mandela Rules, Rule 60.

<sup>429</sup> Penal Reform International, *Body Searches: Addressing Risk Factors to Prevent Torture and Ill-Treatment: A Detention Monitoring Tool*, 2013, pp. 6-7.

<sup>430</sup> ECHR, *Tyrer v. United Kingdom*, Application No. 5856/72, 25 April 1978, para. 32.

<sup>431</sup> See International Criminal Court, *Policy Paper on Sexual and Gender-Based Crimes*, June 2014.