

AMNESTY INTERNATIONAL – PUBLIC STATEMENT

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VENEZUELA: IMPUNITY IN THE FACE OF LETHAL POLICY OF SOCIAL CONTROL

Amnesty International received credible and consistent reports that alleged extrajudicial executions were committed between 6-9 January 2021, in La Vega parish, southwestern Caracas. There is still no official public information on the investigation into these events by the Attorney General's Office or by the Office of the Ombudsman.

Amnesty International investigated the reports of extrajudicial executions between 6-9 January 2021 in La Vega parish, Caracas, using open sources and its Crisis Evidence Lab, and concluded that, although the malicious intent on the part of the authorities could not be confirmed in every case, there are enough indications to conclude that the facts in question belong to a pattern of extrajudicial executions that have been condemned for years by international bodies and organizations and Venezuelan civil society.

EVENTS BETWEEN 6 AND 9 JANUARY 2021

On 6 January 2021, an alleged clash between armed gangs and security forces in La Vega parish, Caracas, was made public. According to information published by the media, an alleged armed gang that responds to a leader nicknamed "El Coqui" tried to take control of the La Vega parish.¹ These alleged clashes were not reported by police officials nor was their intervention known until 8 January, in the morning, when via different official social media accounts, they reported on the actions of the Special Action Forces (FAES) of the Bolivarian National Police (PNB), who were in the area.²

The information published by the PNB reports that 650 police officers, from various units, the FAES and the PNB's Directorate of Criminal Investigations (DIP) were deployed for the operation.³

Amnesty International verified nine videos filmed between 8 and 9 January showing police activity in the La Vega area. Videos filmed on the morning of January 8 show a convoy of police vehicles driving south on Avenida O'Higgins in Caracas towards the La Vega area.



Image 1 – Police presence: Videos filmed on the morning of 8 January show a convoy of police vehicles driving south down Avenida O'Higgins in Caracas toward the La Vega area.

¹ El Pitazo, Inhabitants of La Vega report clash between officials and the delinquents, 7 January 2021. Available at: elpitazo.net/gran-caracas/habitantes-de-la-vega-reportaron-enfrentamiento-entre-funcionarios-y-delincuentes/.

² Bolivarian National Police Corps, Facebook post, 8 January 2021. Available at: www.facebook.com/permalink.php?story_fbid=1357999437878806&id=231509720527789.

³ Bolivarian National Police Corps, Facebook post, 8 January 2021. Available at: www.facebook.com/permalink.php?story_fbid=1357999437878806&id=231509720527789.

Another video shows police officers in their vehicles on Avenida Guzmán Blanco, on the edge of the La Vega parish.



Image 2 – Police presence. Venezuelan police and their vehicles seen further south by Av. Guzmán Blanco, at the border of the La Vega parish on the morning of Jan 8.

A video published by local media also on 8 January shows a strong police presence near the Gimnasio Vertical in La Vega parish. Police vehicles, weapons, armor, and the acronym UOTE (Special Tactical Operations Unit of the FAES) are also visible in the video.⁴



Image 3 – Police presence: Footage shows a heavy police presence near the Gimnasio Vertical in La Vega parish on 8 January. Clips also show the police vehicles, weapons, armour and UOTE badges.

⁴ Also, the presence of UOTE was verified through via an Instagram post by the Special Actions Forces' National Directorate, Instagram post by the @faespn account, 8 January 2021. Available at: www.instagram.com/p/CJzYj99jpgB/?utm_source=ig_web_copy_link, Oscar, Twitter post, personal account @OscarPrz365 (verified by Amnesty International), 8 January 2021. Available at: twitter.com/OscarPrz365/status/1347556571379867650.

Another video filmed on 8 January shows the scene in Calle los Bloques near the center of La Vega in which shots are heard. A photograph taken from the same vantagepoint reveals that the vehicles shown in the video are police trucks and that there is a heavy police presence in the area.⁵

Another video uploaded around the incidents in La Vega was filmed around Calle 1 de Mayo, deep in La Vega. At about the 20-second mark, a gunshot can be heard and a police officer crouches down. At about the 30-second mark, the same officer can be seen aiming the gun as he moves behind cover where other police officers are waiting. The insignia of the Bolivarian National Police Corps (CPNB, its Spanish acronym) and the Bolivarian National Police can be clearly seen on some of the uniforms.

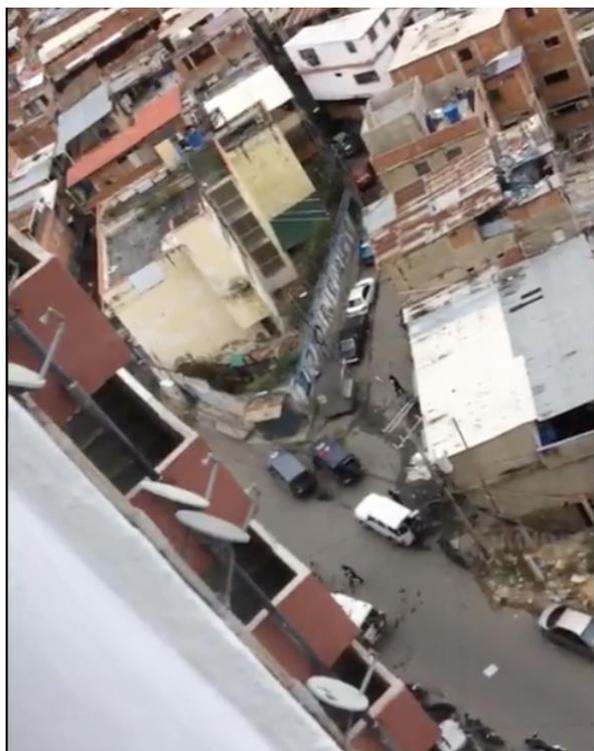


Image 4 - Gunshots: In scenes filmed on 8 January at Calle los Bloques, gunshots can be heard. Photographs captured from the same vantage point reveal that the vehicles shown in the video are police trucks and that there is a heavy police presence in the area.



Image 5 - Gunshots: Heavily armed police were filmed on Calle 1 de Mayo, deep in La Vega. At about the 20-second mark of this video, a gunshot can be heard and a police officer ducks. At the 35-second mark, he can be seen aiming his gun while moving to go behind cover where other police are waiting. CPNB and Policia Nacional Bolivariana can be clearly seen on some of the uniforms.

⁵ Caraotadigital.net, Coqui's accomplices tried to take La Vega: six criminals killed, YouTube post (verified by Amnesty International), 8 January 2021. Available at: www.youtube.com/watch?v=yH100cah2rY. El Pitazo, La Vega | Number of people killed in Faes operation rises to 13, posted on YouTube (verified by Amnesty International), 8 January 2021. Available at: www.youtube.com/watch?v=iE88FCi9f6A.

Other videos show the same street where the shots were fired, one of these videos shows armed police patrolling the area. A final video, shot from above street level, shows a police pick-up truck driving west on Calle Zulia outside the La Vega parish with what appear to be bodies in the back.

Image 6 – Transported body: A video, filmed from above street level on Calle Zulia, shows a police pick-up truck driving westward out of La Vega parish with what appears to be a dead body in the rear.



The sequence of events shared on security forces' official channels mention that the operation was carried out after the supposed criminal groups took hold of the area, and that the events corresponded to a clash between security forces and said groups. These events resulted in several deaths and arrests. In his social networks, Miguel Domínguez, commander of the FAES, published on the night of 8 January 2021 that "15 alleged criminals [had been] killed, [there were] 2 innocent victims and 15 people [had been] arrested after shooting in La Vega".⁶

On 9 January, a photograph was also published on Instagram, the caption of which states that "Our #FAES and other services of our #CPNB continue (sic) fighting the criminal groups that intend to end peace in the La Vega parish in Caracas".⁷ However, no new figures for those killed or detained on this date were made public.

In the only police report on the balance of the alleged clashes, there is no mention that police officers were injured or killed during these events.

HUMAN RIGHTS CONCERNS

On 10 January 2021, that is, immediately after the police operation in La Vega ceased, several human rights organizations, and residents of the area, denounced that the deaths that had been reported as a result of an alleged clash, had mostly been extrajudicial executions. That is to say, some of the deaths were due to the intentionally lethal use of force by the police forces, and other cases to "stray bullets".

The Victims Monitor group, from the media outlet Runrun.es and the organization Caracas Mi Convive, collected and circulated testimonies from relatives of the deceased who came to the headquarters of the morgue in Caracas, on 9 and 10 January. Among the stories they collected, one relative expressed that: "the thing is that there was no shooting. They came into the houses to kill".⁸

Another civil society organization, PROVEA, condemned the events and classified them as the public security operation with the highest death toll known in recent years in Venezuela.⁹

⁶ Miguel Domínguez, Twitter post on personal account @MiguelDFAES, 8 January 2021. Available at: twitter.com/MiguelDFAES/status/1347722269464940546.

⁷ National Directorate of the Special Actions Forces, Instagram post by @faespn account, 9 January 2021. Available at: www.instagram.com/p/CJ17RMtDRiX/?utm_source=ig_web_copy_link.

⁸ Tal Cual, #MonitorDeVictimas | La Vega massacre: "Anyone they saw making a face, they put in" , 10 January 2021. Available at: talcualdigital.com/monitor-de-victimas-masacre-de-la-vega/

⁹ Provea, La Vega massacre and social control, 13 January 2021. Available at: provea.org/opinion/masacre-en-la-vega-y-control-social/.

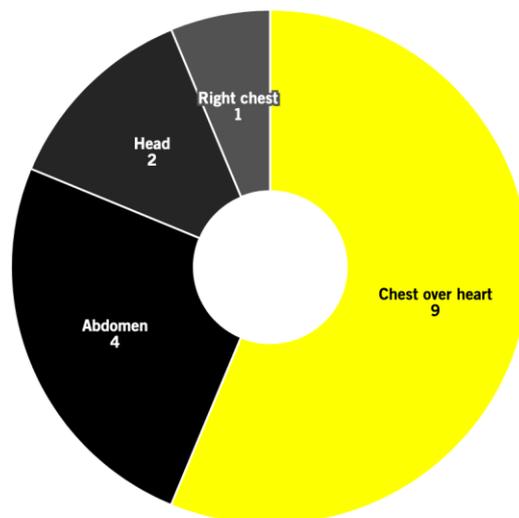
EXTRAJUDICIAL EXECUTIONS

Amnesty International has had access to images that seemingly belong to the bodies of 14 people who would have lost their lives between 6 and 9 January 2021. After a forensic analysis of these images, there are different findings that raise serious concerns regarding human rights and the possibility that these events are part of a systematic pattern of extrajudicial executions against young men living in poverty with the goal of maintaining social control over low-income areas.

Within the elements that stand out in these images, it can be noted that:

- Five of the bodies have a single wound on the chest, in the area close to the heart;
- One of the bodies has a wound close to the heart and another on the right side of the thorax;
- One of the bodies has two gunshot wounds, one in the abdomen and the other in the chest, close to the heart;
- Two of the bodies have gunshot wounds in the thoracic area above the heart;
- Two of the bodies have a single gunshot wound to the head (one with an entrance hole in the right eyebrow and the other with an exit hole in the back of the left ear);
- One of the bodies has a gunshot wound to the upper right abdomen;
- One of the bodies has two gunshot wounds to the abdomen;
- One of the bodies' wounds could not be located because it was dressed, but the clothing on the upper part of the body was stained with what appears to be blood.

Probable extrajudicial executions in La Vega, January 6-9, 2021 Gunshot wounds identified on 14 men



Source: Amnesty International research



The analysis of the photographic evidence indicates that the use of force by police officers would have been intentionally lethal, which does not adhere to the standards on the use of force. The fact that the wounds occurred in areas of probable fatality, and that there were one or two gunshot wounds in each case, make the version that these deaths occurred in a clash less credible.

From the abovementioned, it can be inferred that there are well-founded reasons to believe that these deaths are the result of extrajudicial executions committed by agents who acted under the orders, or with the tolerance of the Venezuelan authorities. These executions and other crimes under international law that have been and are regularly committed in Venezuela appear to respond to a plan or policy preconceived by its authorities to control the population.

Reports from organizations in Venezuela totaled between 20 and 24 victims,¹⁰ that is, at least ten other victims of the police operation in La Vega between 6 and 9 January. Most of the victims would have lost their lives on 8 and 9 January.

On those same dates, images and videos of police officers transporting some people who were either unconscious or deceased were made public, which is clear from the way in which the police officers transported them, as well as the disposition of the bodies.¹¹ Amnesty International has not been able to corroborate that the people being transferred were dead or in need of assistance. However, the organization has documented other events with the same characteristics in which police officers alter the crime scene and transfer deceased people to hospitals to simulate medical care. This, in order to evade criminal investigation procedures such as the analysis of the crime scene, the inspection of the scene, the reconstruction of the events, among others.

A POLICY AGAINST A CIVILIAN POPULATION

Several civil society organizations had access to the testimonies of victims' relatives and many of the accounts concur with the *modus operandi* that Amnesty International has repeatedly documented in the past. That is, where police officers enter homes without an arrest warrant or search warrant, immobilize the young person inside the home, without any confrontation taking place, they are forcibly apprehended, and taken out of the home -or even inside the home-, they execute them with one or two shots in a highly lethal area of the body such as the thorax or the head. Subsequently, the officials alter the crime scene, simulate a clash, or transfer the body to avoid criminal proceedings, and classify the death as "resistance to authority".¹²

These civil society organizations in Venezuela have denounced that among the victims are -at least- two 17-year-olds and the rest of the victims¹³ -including those who appear in the images to which Amnesty International had access- would be young men in poverty. This is consistent with Amnesty International's previous findings that have established that the victims of extrajudicial executions in Venezuela are usually young men living in poverty.

This pattern of extrajudicial executions carried out by state security forces, and which Amnesty International has been able to corroborate, has been widely condemned by international organizations and human rights organizations for several years. In particular, the United Nations High Commissioner for Human Rights, Michelle Bachelet, has recommended the dissolution of the FAES of the PNB due to the numerous complaints of extrajudicial executions since its creation.¹⁴ Furthermore, the United Nations' Fact-Finding Mission for Venezuela determined in its first report that: "the extrajudicial executions [carried out by the FAES and the Scientific, Criminal and Criminal Investigations Corps] have not [been] isolated acts, committed by individuals acting alone. There is information about an agreed practice to kill individuals with criminal records even if they offered no resistance during detention, including in order to demonstrate "results" in the fight against criminality".¹⁵ This Mission determined that between 2014 and 2020, in Venezuela existed "a policy to combat crime, including by eliminating individuals perceived as "criminals" through extrajudicial execution".¹⁶

¹⁰ Provea, La Vega massacre and social control, 13 January 2021. Available at: provea.org/opinion/masacre-en-la-vega-y-control-social/. IACHR, posted on Twitter @CIDH, 12 January 2021. Available at: twitter.com/CIDH/status/1349062156076126212?s=20. ABC Internacional, Shooting between Special Forces and criminal gang leaves at least 23 dead in Caracas, 11 January 2021. Available at: www.abc.es/internacional/abci-tiroteo-entre-fuerzas-especiales-y-banda-202101111620_noticia.html.

¹¹ GenteActivaNews, posted on Instagram @genteactivanews, 11 January 2021. Available at: <https://www.instagram.com/p/CJ50Kh1jHA-/>. David Glock, posted on Instagram @davidglock_, Last accessed: 7 February 2021.

¹² AMR 53/8975/2018, Venezuela: This is no way to live: Public security and right to life in Venezuela, 20 September 2018. Available at: <https://www.amnesty.org/en/documents/amr53/8975/2018/en/>. AMR 53/0222/2019, Hunger for Justice: Crimes against humanity in Venezuela, 14 May 2019. Available at: <https://www.amnesty.org/en/documents/amr53/0222/2019/en/>

¹³ Tal Cual, #MonitorDeVíctimas | La Vega massacre: "Anyone they saw making a face, they put in", 10 January 2021. Available at: talcualdigital.com/monitor-de-victimas-masacre-de-la-vega/.

¹⁴ A/HRC/41/18, Report of the United Nations High Commissioner for Human Rights on human rights in the Bolivarian Republic of Venezuela. 9 October 2019, para. 81(i). Available at: undocs.org/en/A/HRC/41/18.

¹⁵ A/HRC/45/33CRP.11, Detailed findings of the independent international factfinding mission on the Bolivarian Republic of Venezuela, 15 September 2020, para. 2039. Available at: www.ohchr.org/Documents/HRBodies/HRCouncil/FFMV/A_HRC_45_CRP.11.pdf.

¹⁶ A/HRC/45/33, Report of the independent international fact-finding mission on the Bolivarian Republic of Venezuela, 25 September 2020, para. 160. Available at: undocs.org/en/A/HRC/45/33.

For Amnesty International, the alleged extrajudicial executions that occurred in the La Vega parish in Caracas could constitute crimes against humanity, as they belong to a systematic pattern of crimes under international law - and that are part of a policy of social control of the population, particularly directed against young men living in poverty, a policy that has been identified and denounced by the United Nations' Fact-Finding Mission for Venezuela.

IMPUNITY

At the time of writing, there had been no public statements by the investigative authorities on justice or human rights issues. Neither the Attorney General's Office nor the Ombudsman's Office have announced or made public independent, prompt, and impartial investigations to clarify the truth and responsibilities regarding these events.

According to the analysis of the evidence gathered, the events of La Vega were widely known at the national and international level, due to the multiple public statements by national and international organizations.¹⁷ Amnesty International also noted that, in the social media accounts where the events were referenced, many of the publications tagged senior officials of the National Assembly, representatives of the United Socialist Party of Venezuela (PSUV) and different ministers in Nicolás Maduro's government.¹⁸

The absence of an investigation by competent authorities to clarify the facts, as well as by authorities in command of the police, reflects once again the policy of impunity and cover-up that surrounds them. Nor has any explanation been given nor statement made on the fate of the 12 people who were allegedly arrested in the context of these events.

The possible extrajudicial execution of at least 14 people, in the framework of a police operation with high levels of violence, is emblematic of a policy that involves the chains of command up to the highest levels. However, the absence of convictions and investigation by the authorities indicates the inability or unwillingness to criminally investigate, charge, prosecute, and punish those responsible for these atrocities.

Amnesty International has denounced for years this inactivity of the judiciary and justice institutions in Venezuela. From the above, it could be concluded that the international justice system is the only possible answer for victims of crimes under international law and serious human rights violations committed by the Venezuelan authorities.¹⁹

CONCLUSION

The -at least- 14 alleged extrajudicial executions that would have occurred in La Vega were not isolated events, and they seem to respond to a systematic pattern of executions and other crimes under international law by Venezuelan security forces, to which the high authorities within the Venezuelan state do not seem to be alien. In addition, it should be noted that they were part of a policy of executions of young men living in poverty with the aim of controlling society by force, and that there is currently no national justice mechanism able to meet the demand for truth, justice, reparation and guarantees of non-repetition for the victims and to evaluate the responsibility for these events, at all levels of the chain of command.

Therefore, these events, as well as other extrajudicial executions that Amnesty International has denounced in the past, must be carefully considered and analyzed in the preliminary examination that the Office of the Prosecutor of the International Criminal Court has opened on the situation in Venezuela and in the investigation carried out by the United Nations' Fact-Finding Mission for Venezuela, all with a view to establish responsibilities for these facts.

¹⁷ Provea, La Vega massacre and social control, 13 January 2021. Available at: provea.org/opinion/masacre-en-la-vega-y-control-social/. IACHR, posted on Twitter @CIDH, 12 January 2021. Available at: twitter.com/CIDH/status/1349062156076126212?s=20.

¹⁸ FAES PNB, posted on Instagram account @faespnb, 11 January 2021. Available at: www.instagram.com/p/CJ7C9xkDD1y/?utm_source=ig_web_copy_link. Faesnoticias, posted on Instagram account @faesnoticias, 13 January 2021. Available at: https://www.instagram.com/p/CJ_p06ahqNk/?utm_source=ig_web_copy_link.

¹⁹ AMR 53/0222/2019, Hunger for Justice: Crimes against humanity in Venezuela, 14 May 2019. Available at: www.amnesty.org/en/documents/amr53/0222/2019/en/. AMR 53/2909/2020, Venezuela: Dying before a judge: the arbitrary detention, enforced disappearance, torture and death of Rafael Acosta Arévalo, 4 September 2020. Available at: www.amnesty.org/en/documents/amr53/2909/2020/en/.