

**SPECIAL REPORT**  
**SITUATION OF HUMAN RIGHTS**  
**IN VENEZUELA IN THE CONTEXT**  
**OF PUBLIC DEMONSTRATIONS**  
**AND ACTS OF POLITICAL VIOLENCE**

April - July 2017

**Sures is a Venezuelan civil association, dedicated to the study, promotion, education and defense of human rights, from critical, emancipatory and alternative visions. It is an independent non-governmental non-profit organization, non-partisan and non-denominational. Sures's mandate extends to all environmental, civil, cultural, economic, social and political human rights recognized in the Constitution of the**

**Bolivarian Republic of Venezuela and in treaties ratified by our country. It prioritizes its action to those groups of people in situation of greater exclusion, poverty and discrimination.**



## **BACKGROUND AND COUNTRY CONTEXT**

Violations of human rights in the context of public demonstrations and acts of political violence that have occurred in Venezuela during the months of April to June 2017 have their origin and are connected with the events of violence that occurred on April 13th 2013, when Mr. Nicolás Maduro was democratically elected as President of the Republic. On that day the candidate who lost the election, Mr. Henrique Capriles Radonsky, shortly after the Electoral Power announced the final results of the election process, called and instructed his supporters to express their rejection to these results through of the exercise of violence. In this sense, he explicitly called through television, radio and digital media they had to express their “arrechera”<sup>1</sup> on the street against the electoral results that were adverse to him.

This call through the media immediately generated that people who supported his candidacy, including militants of the opposition political parties, began to carry out acts of violence against those who celebrated in the streets the victory of the recently elected President, as well as against goods and facilities aimed at providing essential public services. These events of political violence unprecedented in the recent history of our country had resulted in the intentional homicide of nine (9) persons, including children and adolescents, as well as dozens of injured and wounded. It is important to note that these actions included the use of firearms and that in many cases were premeditated.

From that day on, opposition political parties and organizations have planned and led actions aimed to overthrow President Nicolas Maduro, many times through means not provided in the current Constitution. These actions have included the free and fair exercise of political human rights, such as freedom of expression, the call for a recall referendum and public demonstrations. Unfortunately, at the same time some sectors of the Venezuelan opposition have carried out violent actions against persons, public services and goods, which have included the use of firearms and explosives. These violent actions for political aims have been developed in a progressive escalation and increasingly in greater contravention of the Venezuelan legal system.

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1. In our country the word “arrechera” refers to anger, hatred, rage and violence.

Thus, a few months later, on February 12nd, 2014, very important opposition party leaders, including Leopoldo López, María Corina Machado and Antonio Ledezma, began the implementation of a new plan to overthrow President Nicolás Maduro named “La Salida”, which had been publicly and previously presented inside and outside the national territory. That day, in the context of a demonstration convened and led by opposition sectors in Caracas, groups of people attacked the main headquarters of the Public Ministry with blunt objects, rocks, firearms and incendiary bombs. In these events, there were the two first victims by firearms under this Plan, a supporter of the opposition sectors and other supporter of the national government.

During the coming months until June 2014, the opposition sectors convened and developed peaceful and unarmed public demonstrations by large sectors of the Venezuelan population, mainly in the cities of Caracas, Barquisimeto, Maracaibo, Maracay, Mérida, San Cristóbal and Valencia. These demonstrations demanded, among others, the overthrow and immediate termination of office of President Nicolás Maduro.

At the same time, however, in these same cities there were actions of violence clearly planned and, in many cases, with the personal and public participation of leaders of opposition political parties and organizations, including some persons who exercised positions of popular election in the states and municipalities. These actions included assaults to people, as well as attacks and fires to: infrastructure of public health, education, electricity and transport services; subsidized food distribution networks; headquarters of public institutions, including the judiciary; public and private goods. Thus, our country witnessed killings for political motivations and the destruction of welfare centers, schools, universities, libraries and even a kindergarten, that at the time of the attack had inside the building eighty-nine (89) children under six (6) years. In addition, entire communities were confined within their limits by threats and violent actions to their life and their integrity, affecting the human rights of thousands of people who for weeks could not leave their homes to do their shopping (right to food), to take their children to school (right to education), to go to a doctor (right to health care) or to attend work (right to free transit and right to work).

In the context of these public demonstrations and violent actions, citizen security officers responsible for ensuring public order, committed diverse deviations in the exercise of their powers and, in particular, serious violations of human rights, including life and personal integrity. According to the public statements

by the highest authorities of the National Executive Power, these were exceptional cases, which were publicly rejected and subsequently investigated and duly sanctioned by the Justice System.

During the events of February to June 2014, forty-three (43) persons died and eight hundred and seventy-eight (878) were injured. Of the forty-three dead people, twenty-six (26) did not participate in the demonstrations, but died as a consequence of them, (attempts to remove barricades, accidents with objects thrown away on the public highway, among others), seven (7) people were demonstrators, nine (9) were security officers victims of gunshot wounds and a Public Prosecutor died in the exercise of his functions<sup>2</sup>.

This year, starting on March 31st, the opposition political parties that had organized, led and implemented the Plan “La Salida” once again called for a series of demonstrations in order to demand the dismissal of the judges and magistrates of the Supreme Court of Justice (TSJ), because they are in disagreement with two decisions emanating from its Constitutional Chamber, identified with Numbers 155 and 156, which outlined the exceptional situation of contempt of the National Assembly to the previous sentences of the Maximum Court of the Judicial Power and to the parliamentary immunity. These opposition parties called these sentences a “coup d’état”.

Subsequently, the Defense Council of the Nation asked the TSJ to clarify some controversial points of these judgments, including those that were objected by the Attorney General of the Republic and the opposition political parties, which were clarified by the Constitutional Chamber of the TSJ. However, despite these explanations that dealt with all the controversial aspects of decisions 155 and 156, opposition political parties decided to continue organizing, planning and holding demonstrations many of which resulted in acts of violence.

From April 2017 to July 2017, the calls to make these demonstrations and other political actions changed their objective. Even though they were initially organized to express their rejection of two controversial decisions of the TSJ and to demand the exit of the magistrates and judges who adopted these, in a short time the opposition political parties presented as an objective the resign of President Nicolás Maduro and his replacement through means not provided for in the Constitution by a new government of national unity.

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2. Report on acts of violence, 2014, prepared by the Public Ministry.

At present, the actions of opposition political parties are very similar, if not identical, to the events that occurred during the years 2013 and 2014. The leaders, objectives and means are the same. That is, they combine the free exercise of political rights and peaceful public and unarmed demonstrations, with acts of political violence clearly planned. At the same time, again were registered various deviations in the performance of citizen security officers, resulting in serious violations of human rights.

In view of this situation, President Nicolás Maduro calls a National Constituent Assembly (ANC) with diverse objectives, but fundamentally to reach a space of dialogue that modifies the conditions of conflict and reach the necessary agreements to get out of the crisis.

This call had the almost unanimous rejection of the political factors of opposition to the national government and some countries that suggested not calling the ANC. However, eighteen thousand nine hundred and seventy-six (18,976) candidates were registered for territorial elections where three hundred and sixty-four (364) representatives and thirty-five thousand four hundred thirty-eight (35,438) candidates for sectoral elections would be elected, to elect one hundred and seventy-three (173) representatives, additionally eight (8) indigenous representatives would be voted, for a total of five hundred and forty five (545) constituents.

Finally, on July 30, the elections for the ANC were carried out, with a total of eight million eighty-nine thousand three hundred and twenty (8,089,320) participants, which represents a 41.53% of the electoral register. On August 4, the National Constituent Assembly was installed with its five hundred forty-five (545) constituents in the middle of an act that featured demonstrations in favor and against it. A striking fact is that after the ANC was installed the political violence in the country stopped, as well as the acts of violent protests and the barricades installed in the urban developments of several cities. The country is looking forward to the first steps of this new political and institutional actor and the impact it will have on national life.

## **THE HUMAN RIGHT TO PEACEFUL MANIFESTATION AND WITHOUT WEAPONS IN VENEZUELAN LEGAL ORDER**

Article 68 of the Constitution of the Bolivarian Republic of Venezuela recognizes the right to peaceful demonstration and without arms. This constitutional provision expressly prohibits the use of firearms and toxic substances in the control of demonstrations. That is, the Constitution subjects the human right to the demonstration since it is peaceful and unarmed.

For its part, the Law on Political Parties, Public Meetings and Manifestations, establishes in its Article 36 the right of persons to meet in public places or to demonstrate. Equally Article 42 states that the authorities shall ensure the normal conduct of public meetings and demonstrations for whose fulfillment they would have fulfilled the legal requirements. It also points out that organizers of public meetings or demonstrations must notify about these in writing at least twenty-four (24) hours before, in duplicate, in working hours, to the first civil authority of the jurisdiction with indication of the chosen place or route, day, time and general object that is pursued, and the authorities, in the same act, must stamp on the copy which they deliver to the organizers, acceptance of the site or itinerary and time.

Although the right to peaceful demonstration is fully enshrined in the national legal order, it cannot be absolute but is subject to a series of restrictions in accordance with the provisions of the international human rights system. Some of these obligations are: the guarantee of the rights to personal integrity (articles 46 of the CRBV and 7 of the International Covenant on Civil and Political Rights); freedom of movement (article 12 And 13 of the ICCPR); education (article 102 of the CRBV, 13 of the International Covenant on Economic, Social and Cultural Rights and 28 of the Convention on the Rights of the Child); freedom and security (Articles 44 and 55 of the CRBV, Article 9 ICCPR, among others).

In this sense, violent or armed actions as well as those that contravene legislation are not covered by this right, so that the acts of violence that have been occurring since April 2017, for example, assaults on people, homicides, attacks on education and health centers, cannot be understood as peaceful demonstrations. Indeed, in many cases these behaviors involve serious violations of human rights and constitute offenses established in the Venezuelan criminal law.

## **CHARACTERIZATION OF EVENTS FROM APRIL TO JULY 2017 AND ITS CONSEQUENCES**

Through different instances of the State four reports have been publicly presented on the facts of violence that have taken place since April 2017, on which this report is based:

1. The report entitled “Balance of deceased and injured during the Demonstrations in April - July 2017” prepared by the Public Ministry (MP), it accounts for one hundred nine (109) people who died during that period and one thousand nine hundred and thirty-nine injured people (1939).
2. The report prepared by the Ombudsman’s Office (DdP) that has accounted until July 2017, for ninety-eight (98) deceased and nineteen hundred one thousand nine hundred and thirty-nine people injured (1939).
3. The research developed by the Ministry of People’s Power for Communication and Information (MINCI) which expresses that in the context of political violence initiated in April 2017 until September 15, 2017, there were one hundred and seventy-two (172) fatal victims.
4. The report made by the National Council of Human Rights (CNDH) notes that up to July 30, 2017, one hundred and twenty-one (121) persons were registered deceased and one thousand nine hundred and fifty-eight (1958) were injured.

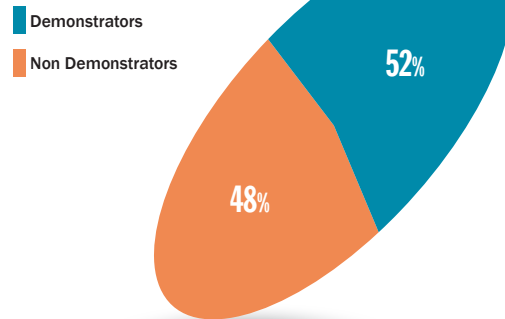
### **SUMMARY MADE BY THE PUBLIC MINISTRY**

#### **People participating in violent demonstrations and protests**

According to the analysis made of the report presented by the Public Ministry, it is recorded that fifty-seven people (57) died during demonstrations or protests and fifty-two people (52) died without participating in demonstrations or acts of protest.



### Demonstrators and Non Demonstrators deceased

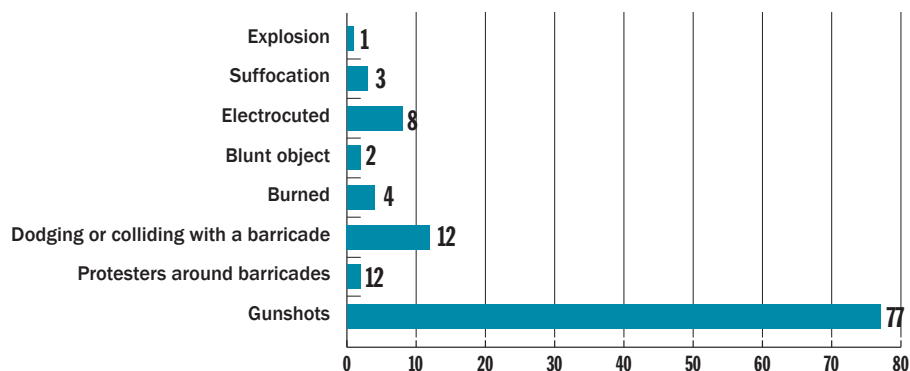


Source: Public Ministry

The description of the facts that is made in the report of the Public Ministry indicates that in twelve (12) cases there was responsibility of officials of the State security bodies in the death of the victims and in two (2) cases it is stated that they were security officers dressed as civilians.

Of these one hundred and nine people (109) deceased, seventy seven (77) were as a result of shots by firearms, twelve (12) by dodging or colliding with a barricade, eight (8) electrocuted when trying to illegally enter a bakery, four (4) were burned by protesters, three (3) died by suffocation, two (2) because of a blow with a blunt object, two (2) for the actions of protesters who were stationed in a barricade, and one (1) for a explosion when trying to launch a homemade bomb.

### Death cause



Source: Public Ministry

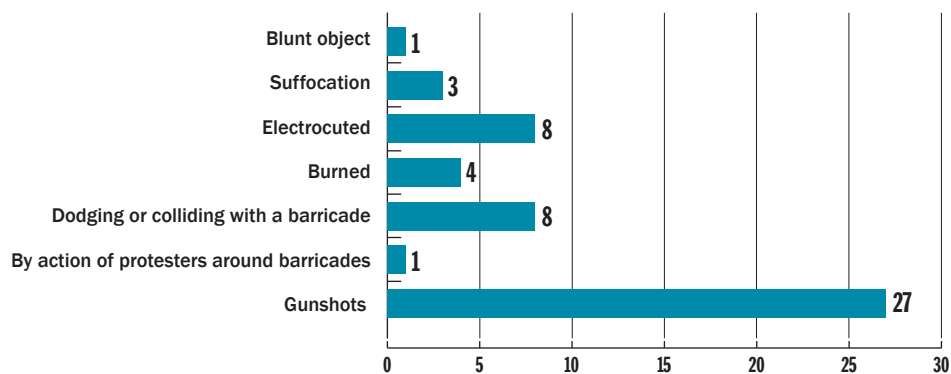
### Officers of the State security forces deceased

Seven (7) officers of the State security forces were killed in the frame of their tasks of control of public order, all as a result of gunshots.

### People who did not participate in demonstrations and lost their lives

The summary made by the Public Ministry indicates that fifty-two (52) people who did not participate in the demonstrations lost their lives because of or as a result of these. Eight (8) people were electrocuted when trying to illegally enter a bakery, eight (08) by dodging or colliding against a barricade, four (4) were burned by protesters, three (3) died from suffocation, one (1) due to a blow with a blunt object, one (1) due to the action of protester who were stationed in a barricade.

#### Death cause of people who were not participating in demonstrations



Source: Public Ministry

### REPORT BY THE OMBUDSMAN

#### Dead people participating in demonstrations and violent protests

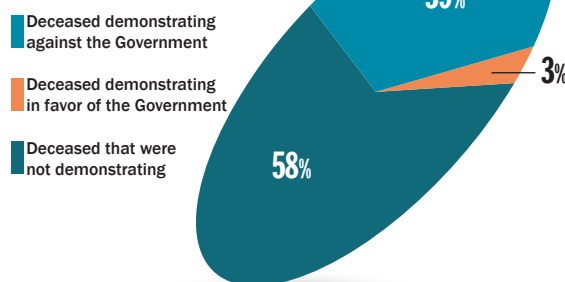
The report of the Ombudsman's Office updated until July 27, 2017, makes reference to ninety eight (98) fatal victims of the acts of violence and also describes sixteen (16) people deceased in during vandalism, according to the categorization that it performs.

### Characterization of deaths

According to the description of the facts that is made in the report of the Ombudsman’s Office about the acts of violence between April 1 and July 27, 2017, one hundred and fourteen (114) people lost their lives, classified as follows:

- 45 people died in demonstrations against the government
- 3 people died in pro-government demonstrations
- 59 people died without participating in demonstrations
- 7 were officers of the State security forces

#### Deceased according to their participation in demonstrations or protests



Source: Ombudsman’s Office

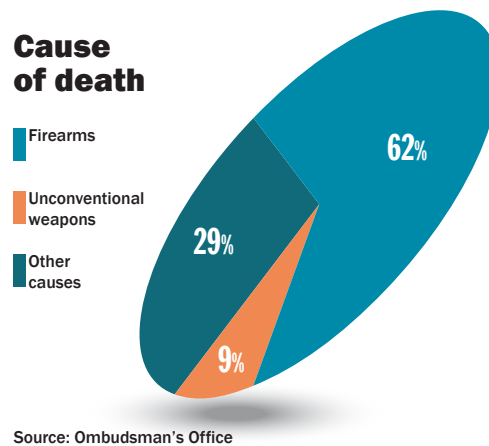
Based on this we can see that 39% of the deceased were participating in demonstrations against the government and 61% of the deceased did not participate in demonstrations against the government.

### Cause of death

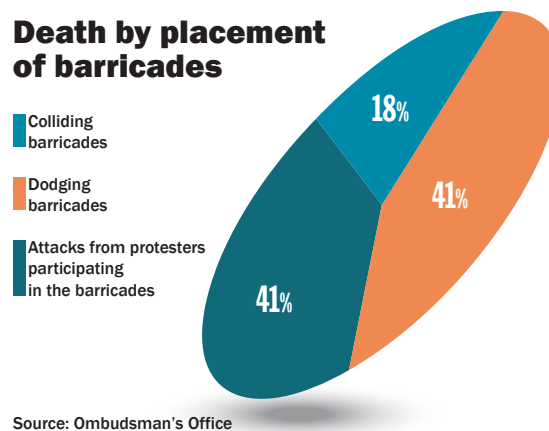
- 72 people were killed by gunfire
- 11 people died as a result of unconventional weapons
- 7 people died due to the actions of people who were in the barricades (4 shots with firearms)
- 10 people died for colliding or dodging barricades
- 5 people died burned

- 9 people were electrocuted during the commission of criminal acts
- 6 people died in the frame of the commission of criminal acts (for shots with firearms)
- 2 people died from lynching
- 1 person was killed by the launching of a blunt object from a building
- 1 person died for suffocation

The violent nature of street actions is demonstrated by the fact that the majority of deaths were due to gunshots:

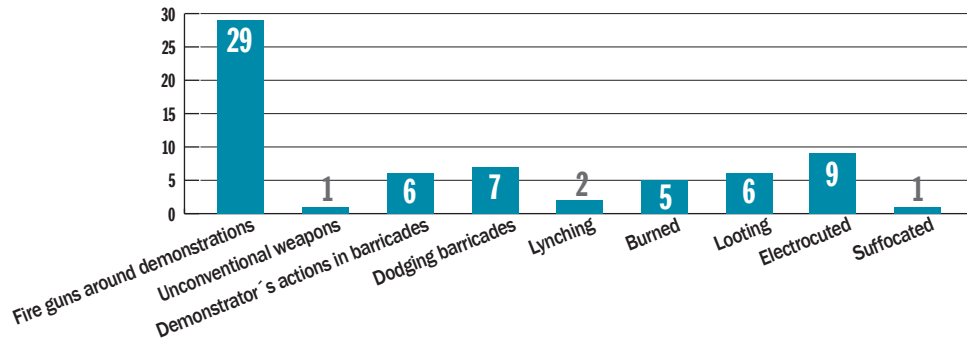


Also the placement of barricades on public roads to hinder the passage of people caused the death of seventeen (17), according to the following chart:



If we analyze the causes of death of people who were not participating in demonstrations or protest actions we can visualize the following:

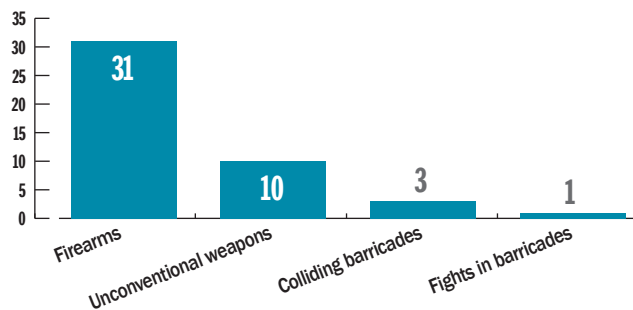
### Causes of death of people who were not demonstrating



Source: Ombudsman's Office

In the case of people who were killed in the context of their participation in demonstrations we can observe the following:

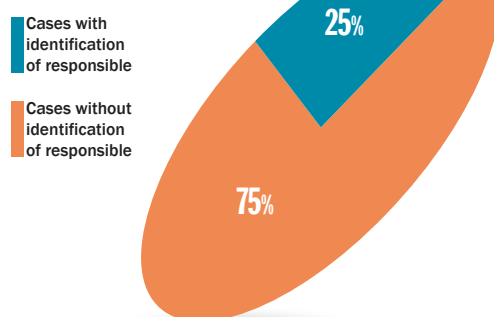
### Cause of death of demonstrators



Source: Ombudsman's Office

The report of the Ombudsman makes a review of the progress of the investigations in the cases mentioned above and the actions of the judicial bodies, being able to verify that in 75% of the cases have not been identified those responsible for the facts, there being imputations in only 28 cases, which corresponds to 25% of the total cases.

### Cases with and without identification of responsible



Source: Ombudsman's Office

Of the actions whose responsible were identified in court, sixteen (16) cases were charged to officials of the State security bodies and in twelve (12) cases to civilians. From the analysis of the report of the Ombudsman's Office we can see that 14% of the cases are attributable to officials of State security forces and 11% to civilians.

Finally, the number of people injured was one thousand nine hundred and thirty-four (1,934) people, of which five hundred and seven (507) are officials of the State security forces.

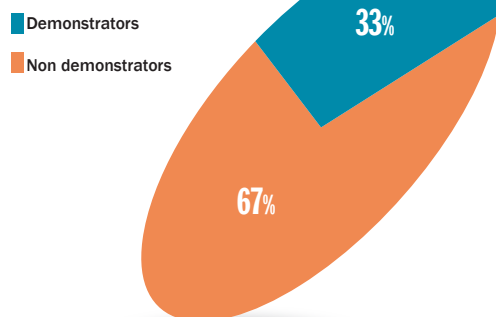
## REPORT PRESENTED BY THE MINISTRY OF PEOPLE'S POWER FOR COMMUNICATION AND INFORMATION

The journalistic investigation carried out by this Ministry on the deaths framed in the context of political violence initiated in April 2017 reaches a total of one hundred and seventy two (172) people killed until September 15, 2017.

### Victims who were active in demonstrations against the Government

According to the report of this body, of the one hundred seventy-two (172) fatal victims, fifty-seven (33%) are located in the context of a demonstration against the Government, as noted in the balance of the Public Ministry and press releases of the same entity, without any communication media having published testimony to the contrary by family member or witness.

### Percentage of demonstrating people



Source: Ministry of People´s Power for Communication and Information

This report, unlike the others aforementioned, identifies thirty (30) citizens who died before, during or after the election day of July 30, 2017 to elect the members to the National Constituent Assembly.

### Deceased victims who did not participate in a demonstration against the Government

Of the one hundred and seventy-two (172) fatalities, one hundred and fifteen (115), corresponding to 67%, were not an active part of a demonstration against the government at the time of their death or the fact that caused it, according to the balance of the Public Ministry and/or testimonies of relatives or witnesses, published in the media.

### Classification of dead people who were not protesting

According to the description made by the Ministry of People´s Power for Communication and Information, it reported two (2) people burned alive, one (1) person lynched, one (1) deceased for an impact of blunt object, three (3) militants of the PSUV murdered, ten (10) officials of the state security organs death, six (6) hired assassination victims; eighteen (18) victims in barricades; nine (9) victims electrocuted in looting; twenty (20) victims that the Ministry Public does not describe as demonstrators; forty-three (43) victims who did not demonstrate against government; one (1) person killed in a brawl between protesters; and one (1) person deceased by a steel wire placed on public roads.

## REPORT OF THE NATIONAL HUMAN RIGHTS COUNCIL

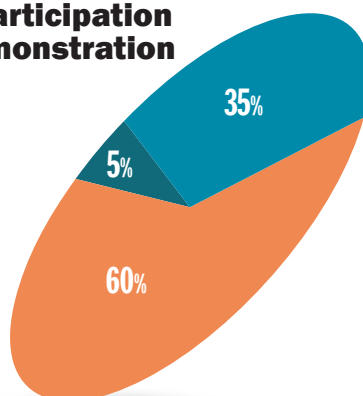
According to the information provided by this organization until July 30, 2017, a hundred and twenty-one (121) people were killed and one thousand nine hundred and fifty-eight (1,958) injured according to the data published by the Public Ministry. These events focused on forty-three (43) of the three hundred and thirty-five (335) municipalities of the country.

### Participation of fatal victims in violent actions

Seventy-two (72) of the murdered people did not participate in the violent actions of the opposition, what corresponds to 60% of the total of deceased victims; that is, most of the victims were alien to the political conflict. Forty-two (42) of the deceased (35%) participated actively in these acts and seven (7) of the victims (5%) have not determined their participation in these violent calls.

#### Classification according to their participation in the demonstration

- Participating in demonstration
- Non participating in demonstration
- To be determined



Source: National Human Rights Council

### Participation of fatal victims in violent actions

Nineteen (19) victims of violent actions in opposition demonstrations, due to the impact of fire weapons while participating in acts of violence; eighteen (18) victims of barricades and deadly traps on public roads; eighteen (18) victims of looting and other illicit acts; nineteen (16) victims of disproportionate use of force by law enforcement officials of the State in work of public order; fourteen (14) victims of violent actions around opposition demonstrations; nine (9) victims of attacks while carrying out public order functions (security officials); seven (7) victims of attacks against polling stations authorized for the elections of the National Constituent Assembly; seven (7)



victims of crimes of hate; six (6) victims of attacks with homemade weapons or explosives; two (2) victims of lack of skill in the use of explosives against security forces; two (2) victims of exposure to tear gas; one (1) victim of attacks on public entities that guarantee human rights; one (1) victim of opposition hidden shooter; and one (1) victim of action to be determined.

### **Status of the investigations**

Until July 31, 2017, the alleged responsible of twenty-eight (28) deaths (22% of the causes) were charged by the Public Ministry. In most cases, this agency of criminal investigation did not advance the corresponding actions to guarantee justice, beyond the designation of prosecutors to initiate investigations. This report also states that out of the 13% of the cases have been attributed responsibilities to officials of the State security forces.

In conclusion, we can see three of the mentioned reports realize that most people who lost their lives were not participating in the violent protests called by the opposition; only that of the Public Ministry indicates a different data, placing that the majority of deceased people were in a demonstration at the time of death (included in this those who demonstrated in favor of the national government).

### **Deceased who were not protesting**

Public Ministry report	Ombudsman Office report	National Human Rights Council report	Ministry of People's Power for Communication and Information report
48%	61%	60%	67%

### **Place where protests, violence and deaths occurred**

According to the report of the National Human Rights Council, which seeks to collect information indicated in the other reports, it is indicated that the violent demonstrations and protests occurred in 43 of the 335 municipalities of the country; this is in 13% of the entire national territory. Most of the municipalities where there were acts of violence by opposition sectors since April 2017, they are under the authority of mayors of the coalition of opposition called "Democratic Unity Table (MUD)" and allied parties to these.

The mayors of these municipalities have participated directly in the events of violence or maintained a tolerant attitude towards the sectors that committed these violent acts. Also, they did not fulfill their obligation to issue instructions to the police bodies under their charge to contain the demonstrations, but on the contrary, they encouraged their inaction and lack of protection for citizens that were within the scope of their competence.

This situation resulted in the Constitutional Chamber of the Supreme Court of Justice (TSJ) ordered by judgments No. 376/2017 and 377/2017 dated May 31, 2017, two precautionary constitutional protections against José Luis Machín Machín, Mayor of Barinas Municipality of Barinas State and Gustavo Eduardo Marcano Antunez, Mayor of Municipality Licenciado Diego Bautista Urbaneja of Anzoátegui State so that within the Municipalities of their competence they could exercise all actions and use the necessary human and material resources, within the framework of the Constitution and the Law, in order to avoid placing obstacles in the public way that prevent the free transit of people and vehicles; likewise, that they proceed to the immediate removal of such obstacles and maintaining the roads and areas adjacent to them, free of barricades, waste, debris and any other element that may be used to obstruct urban roads, and that they exercised the protection of the neighbors and inhabitants of their Municipality, preventing meetings in public roads that restrict free transit, among other actions.

## **DESTRUCTION OF PUBLIC, PRIVATE PROPERTY AND HUMAN RIGHTS INSTITUTIONS**

These violent actions were targeted against educational centers, generating affectations to the right to the education of children and adolescents because of the obstruction of roads to access to them, in addition to attacks against some campuses (Gustavo Herrera, La Salle, Ramón Ignacio Guerra, among many others) and the suspension of activities arbitrarily and irresponsible by private colleges and schools, despite the call of the Minister of People's Power for Education to continue teaching classes.

Therefore, the Ministry of People's Power for Education in order to guarantee the human right to education, issued a statement on April 25, 2017, in which he urged the educational institutions to comply with the school calendar, and not to suspend classes, because "no organization, natural person or legal entity is entitled to suspend school activities, in unilateral and discretionary way",

under penalty of applying the respective sanctions established in the Organic Law Of Education<sup>3</sup>, first transitional provision numerals 2 and 4.

There have also been attacks on public health centers by opposition demonstrators that threw stones, bottles, sticks, and other blunt objects against them, burning waste and installing barricades in front of hospital facilities. An example of this were the attacks suffered by the Centro de Diagnóstico Integral, the Hospital Materno Infantil “Hugo Chavez” or the Maternidad de Carrizal, among others, affecting the right to health of the population, in addition of the danger to patients who were hospitalized. There were also burnt two deposits of medicines, which caused the total loss of medical supplies and equipment.

It is important to mention that in the violent calls promoted by sectors of the opposition, sabotages and damages to public services were evidenced, such as those that occurred to the National Phone Company of Venezuela (CANTV), and the National Electric Corporation (Corpoelec), responsible for providing electricity to the country, which suffered eight (8) attacks on both its offices and to the power plants in the States Carabobo, Falcón, Mérida, Miranda, Nueva Esparta, Lara, Táchira and Zulia. These attacks were concentrated in the burning of their administrative and commercial headquarters, damage to the capacitors of power plants, wiring cut, burning of documentation of the company and damages to the furniture.

Similarly, public transport was one of the sectors that has been seriously affected, by the launching of incendiary bombs and blunt objects against buses. Also, attacks on drinking water service were reported in the state-owned company Hidroportuguesa, which affected different communities.

Violent acts against institutions of the National Public Power were accompanied by fires or detonations of homemade explosive devices (Molotov cocktails). Among the public institutions under attack are: the Executive Directorate of the Magistrate, the Ombudsman’s Office (10 regional offices were attacked), the Ministry of People’s Power for Housing, the National Electoral Council, the National Institute of Nutrition, the National Superintendence for the Defense of Socioeconomic Rights, the National Institute of Civil Aviation, the National Integrated Service of Customs and Tax Administration, among others.

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3. Organic Law on Education, published in the Official Gazette 5,929 of Saturday, August 15, 2009.

Other attacks can also be mentioned on the premises of State security forces: Bolivarian National Armed Forces and Police Coordination Centers, by launching of explosives and other blunt objects and the burning of vehicles for the control of public order. It should be noted that in addition to the damages caused, these actions constitute offenses established in the Organic Code of Military Justice and in the Criminal Code.

Finally, it highlights the acts of violence against political organizations, non-governmental organizations, residential areas and commercial premises. One of the most emblematic cases is that of the Latin American Foundation for Human Rights and the Development (Fundalatin), a long-standing organization in the country that has received prizes such as the United Nations Messenger of Peace (UN), was recognized in 1987 as an Organization of Civil Society before the Organization of American States (OAS) and as an Organization in Special Consultative Status granted by the Economic and Social Council of the United Nations, from 2015. This Organization was besieged and there were several attempts to burn its headquarters.

## **CONCLUSIONS**

From the analysis of all the information available and collected in this report, from SURES we want provide some conclusions that allow us to identify patterns of action of the different actors during this period:

1. From the analysis of the reports made by the different instances of the State and the review carried out by our organization, it can be verified that there are two very different situations: peaceful demonstrations covered by national legislation and treaties and international conventions on human rights, and violent demonstrations convened by opposition sectors that are far from the legitimate right to demonstrate.
2. From the available information analyzed in this report, it shows that a number of deaths were due to actions of State security agencies as well as of persons who participated in the mobilizations convened by the opposition. All available information shows that most of the deceased persons are due to the actions of individuals.
3. Of the reports analyzed we can see that most of the deceased persons did not lose their lives in the context of their participation in public demonstrations, but for other causes related

(collision against objects placed on the public road, being nearby demonstrations, among others). In other words, these were people who did not voluntarily decide to exercise the right to demonstrate were killed by the actions of third parties, whether State officers or civilians.

4. The development of demonstrations from April 2013 to July 2017 has been increasing the number of people killed and injured.
5. In this context, there have been serious cases of police abuse and excessive use of force in the control of public gatherings and demonstrations and in violent demonstrations, causing violations of the human rights of demonstrators. Most of the cases have been duly identified and their perpetrators arrested. This indicates that it is not a systematic action to violate human rights, but since the last years the same pattern of isolated police deviations has been verified.
6. It has been established, in the case of persons engaging in violence during these events, that there have been important changes in the form of the exercise of violence, watching with alarm the use of firearms, homemade weapons, incendiary bombs, explosives, burning of people, and urban guerrilla tactics.
7. These actions, in addition to being inexcusable in themselves, constitute serious violations to human rights of individuals, as well as criminal offenses that must be sanctioned at national level and condemned by the international instances of protection of human rights upon their immediate cessation.
8. We have observed with great concern the appearance of hate crimes, mainly executed by sectors of opposition against people perceived as chavistas, including people who participated in their own demonstrations.
9. The use of children and adolescents in violence actions is also visualized as a pattern that begins to appear during this period under study. The most serious issue was the legitimization of important political leaders of this situation. This has generated demonstrations of concern and / or condemnation of international rights bodies human rights, such as UNICEF and the Inter-American Commission on Human Rights.
10. It should be also highlighted that with the election of candidates for the National Constituent Assembly, and its installation, political violence ceased. Also the Participation in elections to

the governorates of all political parties, including those of opposition, it has been perceived as a way to consolidate peace and solution of conflicts through the democratic way.

## **RECOMMENDATIONS**

Faced with this situation, and in light of our organization's commitment to human rights of the majorities, we state in the following terms:

1. We request all persons to exercise with responsibility the right to demonstrate, refraining from using violence, regardless of their political orientation.
2. We call upon all political parties and organizations to commit themselves to peace and with democracy, avoiding new calls for violence that may lead to new innocent victims.
3. We reject practices that constitute violations of human rights by the State security forces and that are contrary to the conquests achieved in recent years in this area, which impose the progressive and differentiated force use model, among other mechanisms consolidated as guarantees of human rights.
4. We request the Public Ministry to open all relevant investigations against civilians as well as officers of the State Security Corps and to accelerate investigations in order to avoid impunity and ensure sanctions to those responsible.
5. That criminal and disciplinary investigations be carried out with the greatest diligence, celerity and effectiveness to punish the material and intellectual authors of the violations and those who encouraged and politically directed these actions.
6. All actions should be encouraged to make full reparations to the victims of human rights violations, including health care and social security, especially those persons and families who have been left in situation of helplessness due to the loss of family members or with temporary disability or permanent damage resulting from injuries to their physical integrity.
7. We request that the Commission for Truth, Justice, Peace and Public Tranquility proceed to initiate investigations into the acts of violence occurred between April and July 2017 with priority to the most remote events and that are also part of its mandate.

8. We propose a condemnation and joint agreement of all parties not to use children, girls and adolescents in violence actions.
9. We support all measures that are issued to prevent and eradicate crimes of hate; including the approval of a constitutional law against hatred and in favor of tolerance, to strengthen preventive and training standards, before those that contain a punitive orientation.
10. Finally, we call on all sectors to seek a healthy understanding through dialogue, for the construction of peace and civic coexistence.

# Sures

ESTUDIOS y DEFENSA en **DERECHOS HUMANOS**

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