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TORTURE

VENEZUELA'S STATE POLICY

A VOC REPORT WITH THE COALITION FOR
HUMAN RIGHTS AND DEMOCRACY



VICTIMS OF COMMUNISM
MEMORIAL FOUNDATION™

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Executive Summary

This report outlines the systematic use of torture by the Venezuelan government as a tool to instill fear and suppress dissent. Intelligence and counterintelligence agencies such as the Bolivarian National Intelligence Service (SEBIN) and the Directorate General of Military Counterintelligence (DGCIM) execute these practices under direct orders from the President of Venezuela.

The report, compiled by the Coalition for Human Rights and Democracy, draws on data from 80 political prisoners out of a documented 298 cases. It highlights the widespread use of torture and inhumane treatment in detention centers operated by SEBIN, DGCIM, and the Special Actions Forces (FAES). Prisoners have reported arbitrary detention, forced disappearances, physical and psychological torture, denial of medical care, and violations of legal rights, among other abuses.

Key findings include:

- **Methods of Torture:** Prisoners were subjected to extreme isolation, physical assault, deprivation of sleep, lack of access to basic hygiene, food, and water, and were often denied medical treatment. Many experienced electric shocks, beatings, suffocation, and sexual violence.
- **Judicial Complicity:** The judiciary system in Venezuela is deeply influenced by the executive branch, with judges deferring decisions to political leaders. Torture complaints are often ignored, and judges actively discourage prisoners from recounting their torture experiences.
- **Impunity:** Law enforcement officials responsible for torture face little to no accountability, as investigations into these cases are systematically delayed or blocked by prosecutors and judges.
- **Specific Cases:** The report details the experiences of individuals such as Emirhendris Benítez, who lost her pregnancy due to physical torture, and Captain Juan Carlos Caguaripano, who suffered severe genital mutilation.

The report also documents the deaths of several political prisoners who died in custody due to neglect and lack of medical care, highlighting a broader pattern of human rights violations in Venezuela's detention centers.

This report paints a grim picture of the state-sanctioned torture used as a political tool, with little to no recourse for victims under the current legal and political system.

Torture: Venezuela's State Policy

Torture has become the main tool of the State in Venezuela to generate fear and intimidate dissent, crippling various sectors in the country by denying them respect and violating their human rights. Venezuelan citizens have become accustomed to avoidance of speaking out against the State by taking more moderate positions lest they suffer imprisonment and other punishments by the State, that have included torture.

The use of torture is not an isolated practice within intelligence and counterintelligence bodies, as evidenced by the organizational structure of entities like the Bolivarian National Intelligence Service and the General Directorate of Military Counterintelligence, which functionally depend on orders issued by the President of the Republic of Venezuela.

Article 1 of the UN's Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment defines torture as:

*"... any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity."*¹

The UN's Convention against Torture (CAT) has been ratified by 173 countries, including Venezuela. This convention asserts that every state needs to include in their criminal law prohibitions against the act of torture and the attempted use of torture, and that each signatory state must inform, educate, and train all law enforcement personnel, civil or military, as well as medical personnel, public officials and other people that might be in charge of any person in custody about the prohibitions in the convention.

However, **95% of the prison guards** of Venezuela General Directorate of Military Counterintelligence (DGCIM, Dirección General de Contra Inteligencia Militar in Spanish) and of the Bolivarian National Intelligence Service (SEBIN, Servicio Bolivariano de Inteligencia Nacional in Spanish) **did not pass the psycho-technical nor psychological tests and none of them have any preparation, training, or foundational formation to be a prison guard.**² None of these prison guards have been educated in neither the international law or in their own nation's laws regarding the prohibition of torture.

The following report was made by the non-governmental organization (NGO) Coalición por los Derechos Humanos y la Democracia (Coalition for Human Rights and Democracy,) and the data in this report obtained from the cases managed and represented by the organization.³

1 United Nations. Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. 1984 (December). <https://www.ohchr.org/en/instruments-mechanisms/instruments/convention-against-torture-and-other-cruel-inhuman-or-degrading>

2 Coalición por los Derechos Humanos y la Democracia. 2024. <https://lacoalicionddhh.org/>

3 Ibid.

Methodologies

The combined methodologies of **qualitative** (close-ended questions), **quantitative** (open-ended questions, interviews, research, and comparative methods), and **triangulation** (the use of qualitative and quantitative methods, and the analysis and evaluation of various sources) were used in the making of this retrospective case study.)

The sample consisted of **80 political prisoners**, in a **universe of 298** individuals deprived of liberty according to the data obtained in the investigation by the end of October 2023. This number is probably much higher by the time of this report's release. The report covers the **period from July 2022 to October 2023** and focuses on documenting and analyzing the circumstances in which political prisoners were victims of torture, cruel, inhumane, and degrading treatment by officials from **the DGCIM, SEBIN, and the Special Actions Forces (FAES), affiliated with the Bolivarian National Police.**

The acquisition of the information was accomplished through:

- direct interviews with political prisoners,
- interviews with former political prisoners who have been released,
- interviews with the families of political prisoners,
- interviews with defense attorneys representing political prisoners
- analysis of journalistic and research work, and
- reports presented by human rights protection organizations.

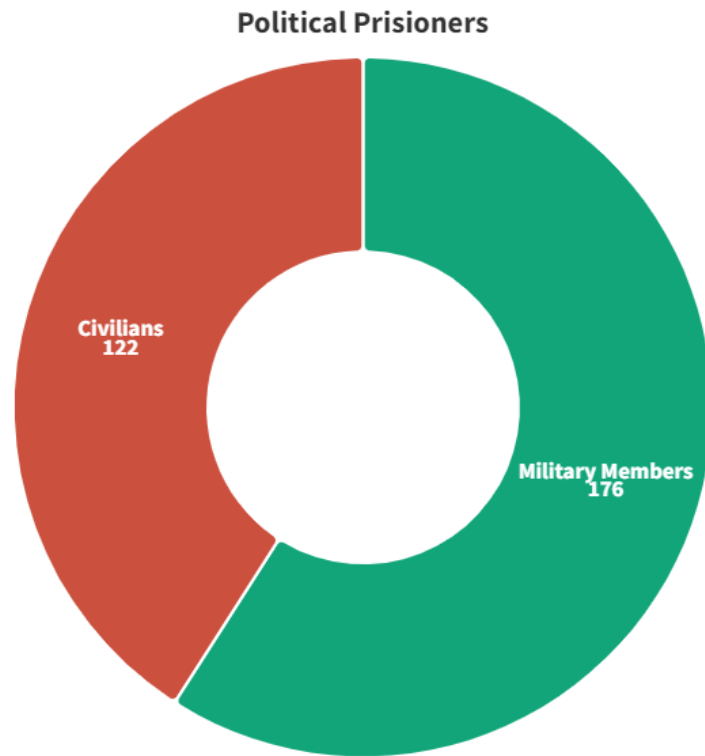
From the sample, 75% of the cases were submitted to international bodies such as the Inter-American Commission on Human Rights (IACHR), the Working Group on Arbitrary Detention, the Working Group on Enforced or Involuntary Disappearances, the Committee against Torture, and the United Nations Special Rapporteur on Torture.

Types of torture reported

The population studied consisted of a group of citizens who were deprived of liberty for political reasons, and who during their detention were subjected to various acts that violate human rights, such as:

- arbitrary detention;
- forced disappearance;
- torture, cruel, inhuman, and degrading treatment;
- lack of medical attention;
- prolonged isolation;
- violations of due process; and
- violation of the right to legal defense.

During the process of compiling the report, **evidence was gathered confirming the existence of 298 political prisoners**. This number has probably gone up since 2023. Upon systematizing, analyzing, and comparing the information obtained, **20 patterns of torture, cruel, inhuman, and degrading treatment** were identified and documented (see chart below).



1. Deprivation of medical attention	6. Physical assaults	11. Intentional sleep deprivation	16. Loss of the sense of time
2. Violations and lascivious acts	7. Death threats and verbal aggressions	12. Deprivation of communication with family and defense lawyers	17. Discrimination of ideologic reasons
3. Prolonged isolations in punishment cells	8. Sudden transfers to inhospitable locations where they are tortured	13. Threats to the security and integrity of the prisoner's family, friends, and acquaintances	18. Restrictions to showers and other personal hygiene means
4. Deprivation of sunlight and adequate ventilation	9. Impacts on genitals	14. Access to restrooms and water denied	19. Access to practice their own religion denied
5. Exposure to extreme temperatures	10. Deprivation of liquids and/or food	15. Replacement of the name with a number or nickname, leading to the loss of identity	20. Forcibly subjected to close-order drill practices

Case Study Sample

The study was conducted based on a sample of **80 political prisoners** who remain in detention and were divided into two groups. The first group, identified as “**Group A**,” consists of victims who have been **convicted**, while the second group, identified as “**Group B**,” consisted of victims who are defendants and continue to be **held in preventive detention**.

A Corrupted Judicial System

Judges

The judiciary system turns judges into an appendage of political power, following the mandates of the ruling party’s leaders and high-ranking officials, sidelining the application of the law by using political rather than legal criteria. The influence of the executive branch on judicial decisions is absolute, as political prisoners interviewed noted that judicial officials, in every case, defer their decisions until consulting with officials from the high circles of the executive branch.

There are frequent instances when, in all politically motivated cases, high-ranking officials from the State structure or the ruling party make public statements about specific political prisoners on national broadcasts. Such statements by political officials compromise the principle of ‘the presumption of innocence,’ as such statements become a form of pre-judgment.

The Venezuelan judicial system has a clear lack of guarantees to ensure due process. Judges do not follow the procedures established by law when informed of cases involving torture, cruel, degrading, or inhumane treatment. Instead, they take a stance that revictimizes the victims of torture by urging them not to recount the acts of torture they were subjected to when providing testimony.

The reporting of acts of torture has been criminalized by judges in **Terrorism Courts and Military Courts**, where trials against political prisoners are held. In the first quarter of 2023, 120 attacks were recorded against lawyers and victims of torture for requesting the opening of investigative procedures. These attacks included:

- Administrative sanctions (imposing fines on legal professionals);
- Depriving political prisoners of their right to have legal defense by limiting the access of legal professionals to hearings;
- Depriving the victims of their right to testify freely without coercion, by interrupting them when they recount such events; and/or
- Suspending hearings to avoid putting the complaints on record.

The law enforcement personnel responsible for carrying out acts of torture against political prisoners, in 45% of cases, have attended the victims’ hearings to testify about their actions. In none of these hearings have the judges ordered the

Public Prosecutor's Office to start an investigation, nor have they notified the Office of the Ombudsman. This situation creates a state of impunity and tolerance for acts of torture.

The members of the Venezuelan judicial branch have established a policy of tolerance toward torture, making them responsible for neglecting their duty to report by failing to process complaints regarding torture, cruel, inhumane, or degrading treatment.

Prosecutors

Prosecutors, like the judges, fail to process complaints related to torture. The interviews with the victims and the resulting analyses showed that the prosecutors from the Public Prosecutor's Office, in 100% of cases, lacked autonomy and independence. Consequently, the investigations do not adhere to the principles of impartiality for the following reasons:

1. The prosecutors from the Public Prosecutor's Office, in 100% of cases, lack autonomy and independence, and consequently, the investigations are not characterized by impartiality.
2. The officials conducting the investigations entered the prosecutorial career in violation of the legal procedures established in the Organic Law of the Public Prosecutor's Office.
3. There is a deliberate lack of promptness in the investigation processes.
4. Political prisoners, when being interviewed to investigate cases of torture, are treated as 'enemies of the state,' which casts doubt on their status as victims

Only 20% of the cases documented in this report were reported to the National Commission for the Prevention of Torture and Other Cruel, Inhuman, or Degrading Treatment. From these:

- 8% were filed in 2017.
- 10% were submitted in 2019.
- 2% were submitted in 2021.

Patterns of Torture, Cruel, Inhumane, and Degrading Treatment Found

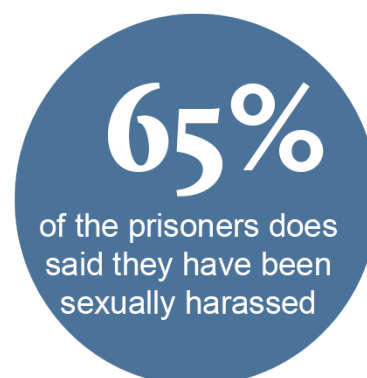
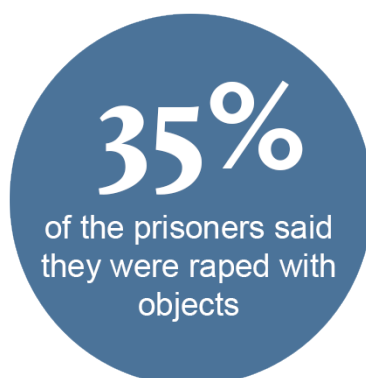
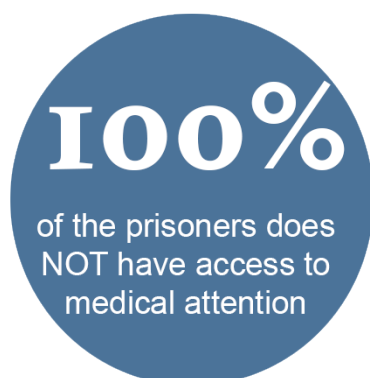
Based upon the interviews of detainees in 100% of the cases documented here concerning the violation of the right to physical, mental, and moral integrity, mistreatment was inflicted for political reasons in SEBIN and DGCIM detention centers for the following three reasons according to detainees, including:

1. To obtain a forced confession about the charges against them;
2. To punish them for their status as political dissidents; and/or
3. To weaken their physical, mental, and moral resistance to the point where the victims themselves would inflict harm to themselves, such as self-injury or even suicide.

The most common torture methods reported by detainees included:

- Reduction of space, no more than 2 x 2 meters;
- Subjection to extremely low temperatures ranging from 2°C (35°F);
- Lack of ventilation--in some cases, there are high concentrations of carbon monoxide, severely affecting the detainees respiratory system;
- No access to sunlight such that in some cases, detainees are kept completely in the dark, and in other cases, a light bulb is the only form of light and remains on for 24 hours a day; and
- Poor hygiene conditions because political prisoners must relieve themselves in the same cell, leading to putrid odors and the presence of degrading insects such as cockroaches.

Deprivation of medical attention, rape, and lascivious acts.



“They would put a bag full of pepper spray or tear gas over our heads to suffocate us.”
(Villca Fernández, former political prisoner)

The first 15 days of imprisonment for detainees:

100% of the prisoners said they were put in small cells (2 mt x 2mt). They either are exposed to extremely hot temperatures, with bad ventilation and accumulation of carbon monoxide, or extremely low temperatures (2°C or 35.6°F). They are also deprived of sunlight, which in the long run creates serious health issues. All prisoners said they spend the first 15 days in the dark or with a light bulb that is left on 24/7 to deprive them of sleep.

Physical aggression

All the prisoners in the sample said they had been heavily hit on their face, limbs, ribs, etc., while receiving death threats and insults. All prisoners that were former members of the Armed Forces received electric shocks; four out of five were tortured by receiving several cuts in their feet with knives, scissors, nail clippers, and other sharp-edged objects. Some of the non-military prisoners also received electric shocks or similar methods of torture, which included:

- Strangulation: pressure on the neck area with hands or with a rope;
- Hanging--suspension of the body accompanied by pressure on the neck area with a rope or similar object;
- Suffocation--obstruction of the airways by submerging them in containers with water or in a bag;
- Electric shocks--on extremities, torso and genitals, inflicting tremendous pain and damage to these areas;
- Beatings--he prisoners were hit in genital area, stomach, head, and joints; causing fractures, hematomas, among other physical injuries;
- Deprivation of sleep--intentional deprivation of sleep by use of low temperatures, constant lighting, and/or directly waking up the prisoners;
- Rape and sexual assault--prisoners are sexually assaulted and some of them have been raped and have had object being inserted in their genitals and/or in the annal areas of to men and women; and
- Being forced to seeing and/or hearing when other detainees are being tortured.

Physical torture is usually accompanied by verbal abuse, death threats, and/or insults. The prisoners are constantly told that their family members, friends, and acquaintances are going to be caught, tortured, and then killed if they don't provide the police with the information they want. In many cases, it is information the prisoners simply do not have.

Lack of access to restrooms, basic hygiene products, water, and food

Political prisoners spend months in the same cell, having to relieve themselves in the same cell. They do not have access to showers or sinks to wash themselves.

This results in serious skin conditions such as scabies, fungi, and infected wounds.

“I got sick with scabies. The skin was falling off my fingers until I could see [the] tendons.” (Jesús Alemán, former political prisoner)

Access to food is restricted, and when the prisoners have access to food, it is usually spoiled, has insects, or it is not adequate for human consumption. This, added to the lack of access to drinkable water, creates gastrointestinal problems in the prisoners; nor do they have access to medical attention or medicine.

Sudden transfers to unknown and inhospitable locations where detainees are tortured

Aside from the official and known jails, the prisoners are moved to 19 different locations where they are heavily tortured. In 93% of documented cases, political prisoners were transferred to unknown and inhospitable places. These locations are spread throughout the country; but mostly in Caracas and around the capital city. These torture jails also included some military compounds like Fuerte Tiuna.

Deprivation of communication with family and defense lawyers

Prisoners have limited access, if any, to their lawyers. In many cases, the family members spend days looking for their loved ones, until someone at the police station decides to tell them if the person they are looking for is alive and still detained, and where he or she is being detained.

Loss of identity

Prisoners are usually called by a number, or a nickname that is not related to their real names. Not calling political prisoners by their name is intended to dehumanize them to generate a distortion of their human identity, allowing their custodians to have absolute control over the will of political prisoners.

Loss of the sense of time

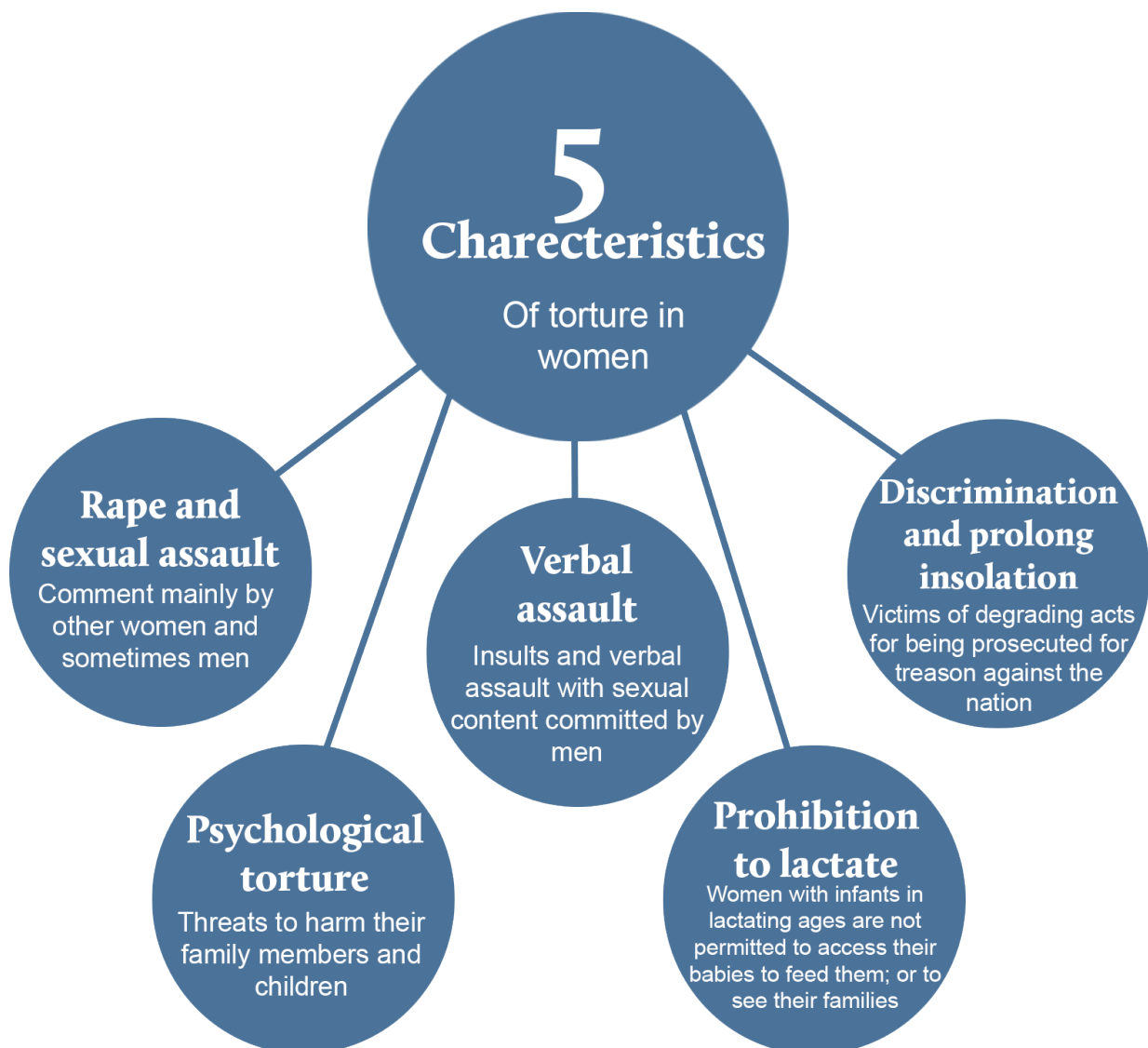
The physical and psychological torture the political prisoners endure results in the loss of the sense of time. Aggravated guards and police use this tactic as a form of psychological torture.

Diseases and physical problems

Physical torture, lack of access to sunlight, terrible hygiene conditions, and the poor quality of the water and food detainees are given has resulted in skin problems such as scabies, in gastrointestinal problems, pain, and problems in articulations and bones, respiratory diseases, among other permanent and non-permanent physical conditions. There has been a case of electric shock torture that resulted in the detachment of a male detainee's testicles.

Torturing Women

We have calculated, despite of the Chavista Regime's attempt to hide information, that there are around 50 women currently deprived of their liberty for political reasons. These women are persecuted for expressing their ideas regarding the governance of the State, for human rights activism, or for their relation to an activist.



“I saw how they grabbed the female political prisoners and threw them among the male common prisoners.” (Villca Fernández, former political prisoner)

Specific Torture Cases

Emirlendris Benítez

Arrested on August 5, 2018, in the Portuguesa State, for her alleged involvement in the supposed “assassination attempt” against Nicolás Maduro, since the incarceration of Emirlendris, she spent approximately a year at the General Directorate of Military Counterintelligence (DGCIM) in Boleíta, Caracas, where she was physically and verbally assaulted. Her torturers caused the loss of her pregnancy with blows they inflicted during torture sessions. Currently, she is at the National Institute of Female Orientation (INOF, Instituto Nacional de Orientación Femenina in Spanish) in Los Teques, Miranda State, where she continues to be a victim of harassment and discrimination.

Captain Juan Carlos Caguaripano

The Captain of the National Guard, Juan Carlos Caguaripano Scott, was subjected to torture by his captors, who, filled with joy, exclaimed, “We crushed his testicles and now he won’t be able to have children.” Indeed, Captain Caguaripano had his testicles detached as a result of the beatings and electric shocks inflicted upon him. He needed three surgeries to heal the area, because he did not receive the medical attention needed on time.

97% of political prisoners have gone without proper medical care for over a year.

In 97% of documented cases of torture against political prisoners, physical consequences have been observed, including injuries that have gone untreated. These include broken ribs, cranial injuries, foot deformities, bleeding upon urination, decreased mobility, and dysfunctionality of the hands, knee injuries, as well as decreased vision and hearing. In 100% of the documented cases, the victims of torture, inhumane, and degrading treatment suffer from post-traumatic stress disorder (PTSD), insomnia, depression, and/or anxiety.

Death Under State Custody

Carlos Andrés García

Carlos Andrés García, an elected councilman from the political party Primero Justicia, in Guasualito, Apure, was detained in the headquarters of the National Bolivarian Intelligence Service since December 2016. He died from a cardiovascular accident in 2017 due to lack of medical attention. Officials claimed that he was just pretending to be sick to be able to escape.

Salvador Franco

A member of the indigenous Pemon tribe, Salvador was arrested for allegedly participating in an uprising against Nicolás Maduro's regime back in 2019. His family and various Pemon and other tribal leaders said that his health was deteriorating and he had severe anemia. A judge had ordered his transfer to a medical facility, but the judge's order was never fulfilled.⁴

José Humberto Hernández Torres

José Humberto was the security guard at the Aeroclub in Barquisimeto, Lara State. He was accused of drug trafficking, and he was found not guilty. But his liberation order was lost in the system. He died after five years in jail without a just trial. A few months before his passing, he had pleural effusion in his lungs, which caused respiratory problems. He died from a respiratory arrest due to having tuberculosis. He also had grade three prostatitis and two hernias. When he was admitted in the hospital, it was too late.⁵

Gabriel Medina

Gabriel Medina was an opposition leader in Maturín State in the Northeastern region of Venezuela. He was detained with eight other people who were all accused of planning to kidnap Diosdado Cabello, "illegitimate president of Venezuela's Constituent National Assembly."¹ After waiting for a month to receive medical attention, Gabriel was admitted to a hospital, but it was too late for the 39-year-old activist, who died from respiratory complications due to tuberculosis.⁶

These are some of the cases the research yielded, which are illustrative of the consistent pattern by Venezuelan authorities denying access to medical consultations, evaluations, and necessary exams, as well as obstructing access to or interrupting medical treatments, regardless of the severity of the conditions or the urgency of the need for medical treatment or medications. The medical cases of these detainees add to the terrible conditions in which political prisoners live, including lack of hygiene and sanitation; and to the routinary physical and mental torture sessions which may also be the cause of some of their medical conditions for which they have been denied treatment.

4 "El preso político indígena Salvador Franco murió por falta de atención médica en una cárcel del régimen de Maduro." <https://www.infobae.com/america/venezuela/2021/01/03/el-presos-politico-indigena-salvador-franco-murio-por-desnutricion-y-falta-de-atencion-medica-en-una-carcel-del-regimen-de-maduro/>

5 "Fallece vigilante de Aeroclub Barquisimeto preso con medidas cautelares de la CIDH." <https://elpitazo.net/occidente/fallece-vigilante-de-aeroclub-barquisimeto-presos-con-medidas-cautelares-de-la-cidh/>

6 "Fallece Gabriel Medina, preso político imputado por 'intentar secuestrar' a Diosdado Cabello." <https://runrun.es/noticias/453289/fallece-gabriel-medina-presos-politico-imputado-por-intentar-secuestrar-a-diosdado-cabello/>