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DEL ESTADO ZULIA  
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# **GENERAL SITUATION OF HUMAN RIGHTS IN ZULIA DEATHS DUE TO POLICE VIOLENCE SECOND SEMESTER 2022**

# GENERAL SITUATION OF HUMAN RIGHTS IN ZULIA

## DEATHS DUE TO POLICE VIOLENCE ~ SECOND SEMESTER 2022

Commission for Human Rights of Zulia state (Codhez)  
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Maracaibo, Venezuela

# OVERVIEW

This bulletin on the human rights situation in Zulia documents alleged extrajudicial executions and police violence. The study covers the period from July-December 2022, based on a monitoring of national and regional media that usually record this type of actions of the Venezuelan State, due to the opacity of information and official data on this topic.

In 2021<sup>1</sup> there were 228 deaths as a result of 178 acts of police violence. For the year 2022, a total of 108 alleged extrajudicial executions or potentially unlawful deaths were recorded in the context of 88 acts of violence with the intervention of Venezuelan State security organs (national, state, and municipal). These figures imply a decrease, between one year and the other, of -52.63% in the number of deaths, and -50.56% in the number of violent incidents that occurred.

Specifically, in the first half of 2022<sup>2</sup>, 80 alleged potentially unlawful deaths were verified<sup>3</sup>, while in the second half of the year, 28 were recorded, showing a decrease of -65.00%. Regarding violent incidents produced by police actions, during the first semester of 2022<sup>4</sup>, 64 events of this type were recorded<sup>5</sup>, meanwhile, for the second semester about 24 violent incidents were monitored, representing a drop of -62.50% of these cases.

It is ratified the note made in previous reports, in the fact that these figures are those known and published by the investigated media. These figures are not invariable; on the contrary, it is estimated that there are cases that for various reasons (fear, intimidation, threats, among others) are not reported or made visible.

In view of these actions, far from guaranteeing life and personal integrity, the State becomes an author and accomplice by failing to apply mechanisms of prevention and punishment in the face of excessive use of public force and firearms that result in hundreds of deaths, not only in the Zulian region but in the entire country. It is necessary for the State to assume its responsibilities in terms of the ethical, integral, and rule-of-law training of its officials, with an incentive to uprightness and observance of human values and respect for fundamental rights.

In addition, the State is under a constitutional and international duty to undertake investigations that lead to the determination of the responsibilities of the material and intellectual authors of these potentially unlawful deaths, that they are subjected to trials governed by due process, that they receive fair judgments, that they are punished in an exemplary manner but following the law, and that the victims are compensated for the damages caused to their rights and property. The objective of all this is to achieve zero figures in these human rights violations —common in authoritarian and anti-democratic systems— and to fight against impunity so that a clear message is sent to society and the security organs with the power of public force: to punish this type of behavior, and to value the right to life, due process and the integrity of persons.

## 1. ACTS OF POLICE VIOLENCE

Human rights violations in the context of police operations are a reality in everyday life in Venezuela, particularly in the Zulian region. In this regard, the *September 2022 Report of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela* stated its concern about “consistent killings with previously documented patterns of extrajudicial executions and other violations in the context of security

*operations in low-income urban neighborhoods in several parts of the country. These events require further investigation, but the available information indicates that these killings have continued at a disturbing level*<sup>6</sup>. It should be noted that on October 7, 2022, the United Nations Human Rights Council approved the resolution renewing the mandate of this Mission in the country, which allows for the expansion of investigations into the occurrence of serious human rights violations, including alleged extrajudicial executions committed by Venezuelan State security forces.

In addition, there are reports of acts of torture and cruel, inhuman, and degrading treatment, including sexual and gender violence, applied by security forces and intelligence services of the Venezuelan State against detainees and their families, including indigenous people. Also, the *“...persecution, intimidation, and constant arbitrary detentions against those working in the media, civil society organizations, human rights defenders and persons practicing law”*<sup>7</sup>.

### **Violation of the right to life: potentially unlawful deaths**

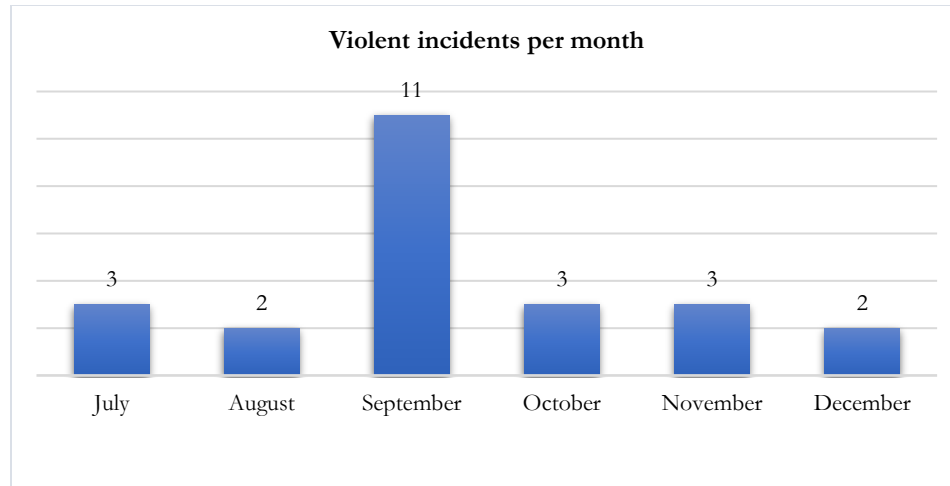
The right to life, recognized in the current constitutional text and several international treaties, represents the fundamental requirement for the exercise of the rest of human rights and, in this sense, its active protection must involve *“...all state institutions, including those who must safeguard security, whether they are police forces or armed forces”*<sup>8</sup>.

The Inter-American Court of Human Rights has repeatedly expressed in reference to the right to life regulated in Article 4 of the *American Convention on Human Rights*<sup>9</sup> connected with the States' obligations in section 1.1. Eiusdem, that its observance *“...not only presupposes that no person shall be arbitrarily deprived of his life (negative obligation), but also requires States to adopt all appropriate measures to protect and preserve the right to life (positive obligation), in accordance with the duty to guarantee the full and free exercise of the rights of all persons under their jurisdiction”*<sup>10</sup>.

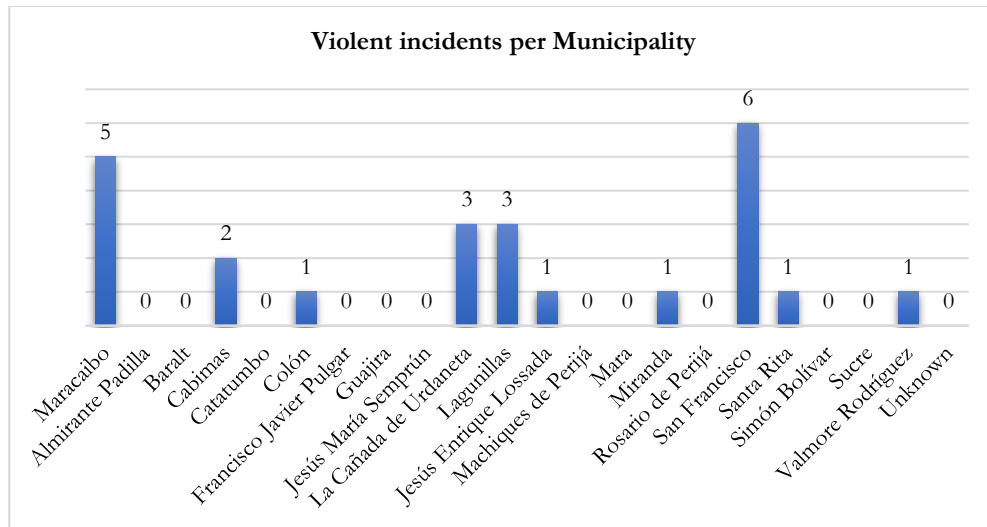
With respect to these State obligations on the right to life, in a recent report, dated August 2022, the *Special Rapporteur on extrajudicial, summary or arbitrary executions* noted that while *“...there is an overwhelming normative consensus on matters of principle and a broad public commitment to implement [international standards to prevent and investigate unlawful killings and contribute to their promotion and effective enforcement], however, in national legislation remains beneath the surface an implementation gap that still requires concerted action by the international community, States, civil society, academia as well as the private sector to give effect to the absolute and universal prohibition of unlawful killings and the duty to protect the right to life. As part of this effort, the work of independent investigations and the implementation of preventive measures should be enhanced by adopting appropriate legal regimes and providing adequate resources”*<sup>11</sup>.

In the state of Zulia, according to data collected in the national and regional media, for the second semester of the year 2022, 24 violent incidents involving the intervention of Venezuelan State security forces were recorded, which shows a decrease compared to the first semester of that year, during which an estimated 64 of these incidents took place<sup>12</sup>. When comparing the data of July-December 2022 with those of the second semester of 2021, a decrease of 57.14% in police violence is evidenced, given that at that time 56 cases of violence were reported with the participation of officers assigned to the security forces of the Venezuelan State.

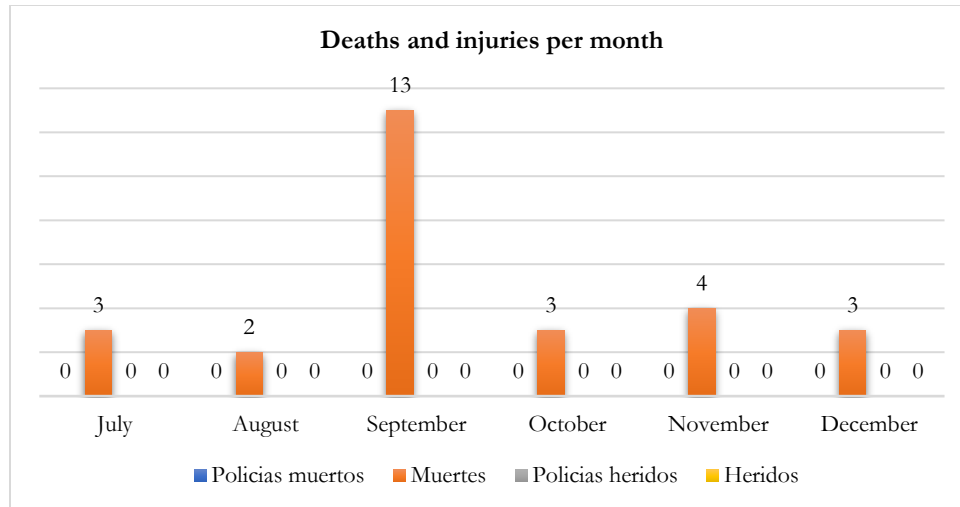
In terms of the most violent months during the second half of 2022, September stands out with 11 incidents of police violence.



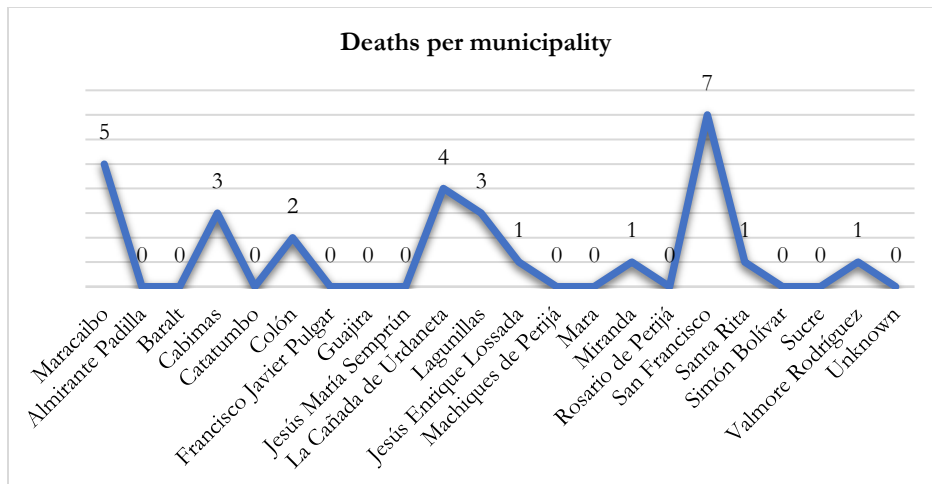
San Francisco accumulated 6 incidents (25.00%) in which Venezuelan State security agents acted with excessive force, occupying the first place. Maracaibo was next with 5 violent incidents (20.83%). Meanwhile, La Cañada de Urdaneta (12.50%) and Lagunillas (12.50%) experienced 3 cases of police violence each. Cabimas reported 2 violent incidents (8.33%). Other municipalities such as Colon, Jesus Enrique Lossada, Miranda, Santa Rita, and Valmore Rodriguez also suffered from these violent incidents, reporting one event each (4.17%).



Unfortunately, these excessive behaviors by State security agents resulted in the death of 28 people, classified as alleged criminals by the competent authorities. During this period, no deaths or injuries belonging to the State security forces were reported. September represented the month with the highest number of alleged extrajudicial executions with 13 people killed, that is, 46.43% of the total number of people killed from July to December 2022. It is followed by November with 4 people killed in contexts of police violence (14.29%). The third place is shared by July (10.71%), October (10.71%), and December (10.71%), with 3 deaths in each month. In August, 2 deaths were verified, which represents 7.14% of known deaths due to police violence in the second half of 2022.

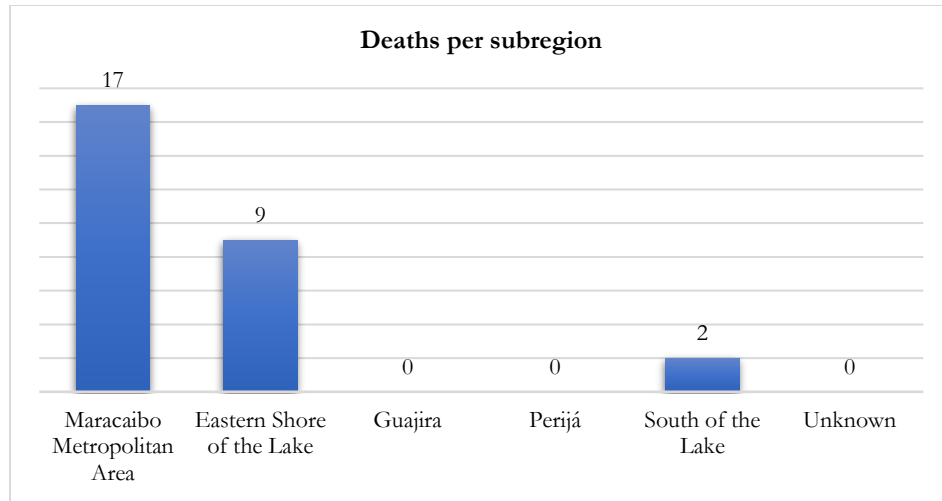


Regarding the number of deaths per municipality, again, San Francisco and Maracaibo reported the highest number of deaths: 7 (25.00%) in San Francisco and 5 (17.86%) in Maracaibo. La Cañada de Urdaneta registered 4 (14.29%), while in the municipalities of Cabimas (10.71%) and Lagunillas (10.71%) 3 deaths were reported each. In Colón, 2 deaths were reported (7.14%). Meanwhile, in Jesús Enrique Lossada (3.57%), Miranda (3.57%), Santa Rita (3.57%), and Valmore Rodríguez (3.57%), 1 death was verified in each of them. In the municipalities of Almirante Padilla, Baralt, Catatumbo, Francisco Javier Pulgar, Guajira, Jesús María Semprún, Machiques de Perijá, Mara, Rosario de Perijá, Simón Bolívar, and Sucre, there were no known deaths due to police violence during the reported period.

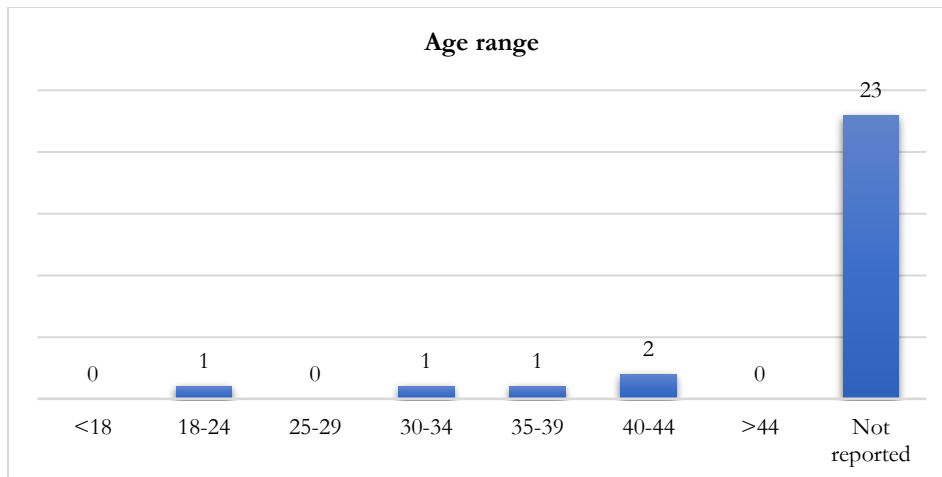


Considering the number of deaths distributed by subregion, the Maracaibo Metropolitan Area (Maracaibo, San Francisco, La Cañada de Urdaneta, Mara, and Jesús Enrique Lossada) accounted for a total of 17 (60.71%). In the case of the subregion Costa Oriental del Lago —Eastern Shore of the Lake— (Miranda, Cabimas, Lagunillas, Valmore Rodríguez, Baralt, Simón Bolívar, Santa Rita, and Sucre), there were 9 deaths due to police violence (32.14%). Meanwhile, in the subregion Sur del Lago —South of the Lake— (Colón, Catatumbo, Jesús María Semprún, and Francisco Javier Pulgar) there were 2 (7.14%). On this occasion, the Guajira subregion (Guajira and Almirante Padilla) and the Perijá

subregion (Machiques de Perijá and Rosario de Perijá) did not report any deaths of this type during the period analyzed.



Given the little public information and the almost non-existent official information, of the people who died during the second half of 2022, 23 (82.14%) could not be identified as to their ages. This information is necessary to know the age group most vulnerable to this type of violent action by the Venezuelan State. Thus, the ages of only 5 people were identified: 1 between 18 and 24 years old (3.57%); 1 between 30 and 34 years old (3.57%); 1 between 35 and 39 years old (3.57%); and 2 between 40 and 44 years old (7.14%).



In the second half of 2022, no deaths of women due to police violence were reported.

**Excessive use of public force: failure to comply with the principles of legality, necessity, proportionality, and accountability.**

Potentially unlawful killings are the consequence of excessive or abusive use of public force by State security agencies. While it is true that they have the function to deal with certain situations that require, exceptionally, the application of extreme measures to maintain order and enforce the law, this does not justify, at any time and under any circumstances, actions that arbitrarily take the life of a

person. Therefore, it is necessary, although it may be considered repetitive, to insist on the need for police training in accordance with the principles of the supremacy of life and the valuation of human rights, together with a legal-practical framework that regulates the scope of discretion that officers have regarding the use of public force.

At the international level, there are *international human rights principles that regulate the use of force and firearms*<sup>13</sup>, which can be summarized in four:

- **Legality**, which refers to the necessary legal basis for the use of force and firearms by police officers, in the sense that any use of force and firearms must pursue some legitimate objective, i.e., a lawful law enforcement purpose devoid of any arbitrary decision by State security agents, and without any discriminatory bias.
- **Necessity**, which implies the determination of whether or not to use public force, and the measure of that force; in other words, this guiding principle alludes to the need to apply public force when other less severe or less lethal means are insufficient to guarantee the legitimate objective sought, based on three components: qualitative (determining the use of public force), quantitative (level of force used), and temporal (the use of public force is limited in time).
- **Proportionality**, this principle is important because it allows the determination of the balance and moderation of the use of public force by the gravity of the situation and the legitimate objective pursued.
- **Accountability**, refers to the determination of responsibilities for actions or omissions and their conformity with the legal framework; this accountability obligation is not only applicable to the officer in the field or police operations, but also extends to higher-ranking officers who issue orders, supervise or control. Accountability includes measures ranging from oversight of compliance with policies and procedures regarding the use of public force, training in skills and professional performance, and implementation of systems of controls and evaluations, to the determination of responsibilities and recognition of reparations for victims.

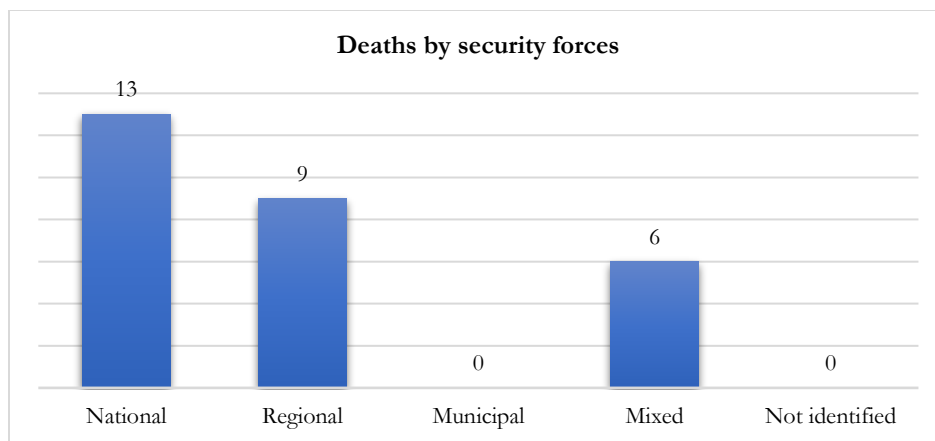
In 2020, the *Office of the United Nations High Commissioner for Human Rights* published the *United Nations Human Rights Guidance on the Use of Less Lethal Weapons in Law Enforcement*. This is a compendium of recommendations and guidance on the prudent and controlled use of less lethal or less severe weapons by State security agencies, given that, as stated in the Guidance, “...*less-lethal weapons and related equipment may also kill or inflict serious injury, especially when they are not used by trained personnel in accordance with the specifications, with general principles on the use of force, or with international human rights law. In addition, extrajudicial killings and acts of torture or other forms of cruel, inhuman or degrading treatment or punishment — serious violations of international law— have been perpetrated using less lethal weapons and certain forms of related equipment*”<sup>14</sup>.

In these same Guidelines, the principles of precaution and non-discrimination are added as general principles on the use of force. The first refers to the importance of taking measures to avoid or minimize the risk of State security agencies resorting to force in order to minimize the severity of the damage; likewise, special attention must be paid to people who are particularly vulnerable in the context of the use of public force, such as children, pregnant women, the elderly, people with disabilities, among others. Meanwhile, the second is related to equal treatment and non-discrimination on grounds of race, ethnicity, color, sex, sexual orientation, language, religion, political or other opinions, national or social origin, disability, patrimony, birth or other reasons of people subjected to police action or public force, for which extreme caution must be exercised with respect to people who may be more vulnerable to the effects of a particular weapon<sup>15</sup>.

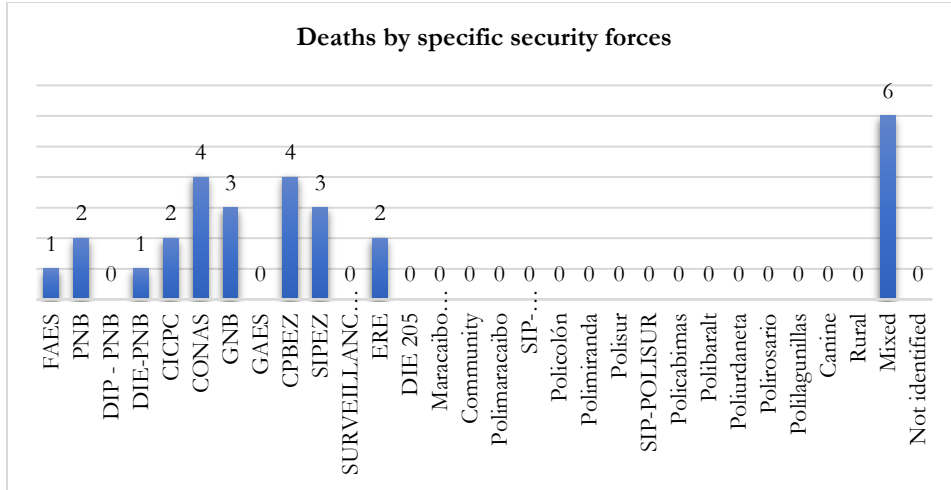


This issue of the use of public force in the Venezuelan context is regulated in the *Organic Law of the Police Service and the National Police Corps*<sup>16</sup>, based on two basic principles: respect for human rights and proportional action by the State security forces. This regulation created the *General Police Council*, which has defined the criteria of proportionality, progressivity, minimization, instrumentality, and differentiated use for graduating the use of the police force<sup>17</sup>. These criteria are developed for consultation and application by the State security forces in the document called “*Your force is my measure. Manual for the Progressive and Differentiated Use of Police Force*”, which establishes a set of parameters to formally regulate the use of police force. In other words, this manual has “...the objective of establishing standards and procedures for action within the framework of respect for human rights related to the use of police force, and to regulate it under the new concept of Police Service established in the Law governing the matter, prevailing respect for the principles of legality, necessity, and proportionality, based on professional ethics. In this sense, it constitutes a tool of mandatory use, without any distinction by reason of level of hierarchical organization, rank, or position in the exercise of the function, as well as in the formation, training, and police specialization to be applied throughout the national, state and municipal political territorial scope”<sup>18</sup>.

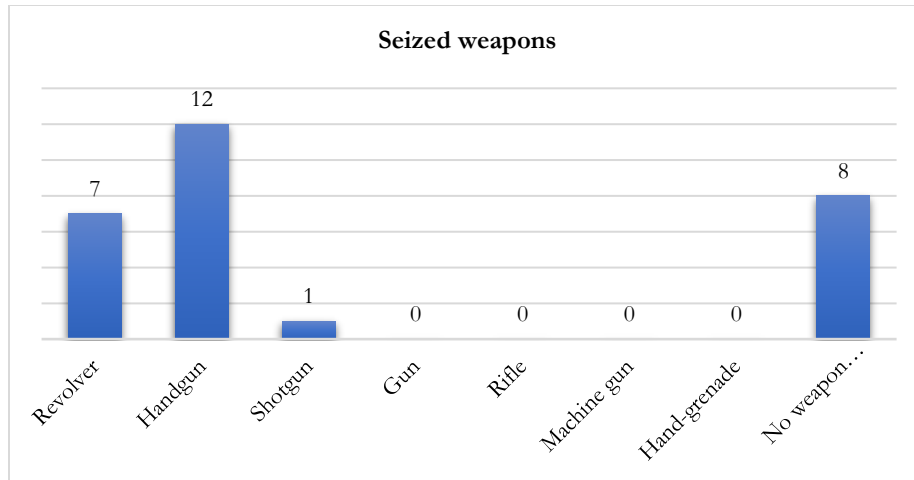
Notwithstanding this broad regulation, as mentioned, between July and December 2022 there were 28 alleged extrajudicial executions. 13 of these deaths are attributable to State security forces attached to the national government, which represents 46.43% of the total number of deaths registered in this period. The regional security forces attached to the Governor's Office of the State of Zulia caused 9 deaths in contexts of police violence (32.14%), while the so-called mixed commissions were responsible for the deaths of 6 people (21.43%).



Regarding the specific security corps, the joint actions of the Mixed Commissions caused the highest number of deaths: 6 (21.43%). The CONAS<sup>19</sup>, attached to the national government, caused the death of 4 people (14.29%); likewise, the CPBEZ<sup>20</sup>, attached to the regional government, caused the death of another 4 people (14.29%). The GNB<sup>21</sup> (10.71%) and the SIPEZ<sup>22</sup> (10.71%) caused the death of 3 people each. Also, the PNB<sup>23</sup> (7.14%), the CICPC<sup>24</sup> (7.14%), and the ERE<sup>25</sup> (7.14%), caused the death of 2 people each. Meanwhile, the FAES<sup>26</sup> (3.57%) and the DIE-PNB<sup>27</sup> (3.57%) are reported to have caused the death of 1 person each between July and December 2022.



In these police operations, firearms are normally seized from alleged criminals reported by the security forces. During the second semester of 2022, a total of 28 firearms of different types and calibers were seized. A total of 8 were not identified, meaning that their peculiar characteristics were not specified (28.57%). There were 12 pistols (42.86%), 7 revolvers (25.00%), and 1 shotgun (3.57%).



### Impunity and revictimization

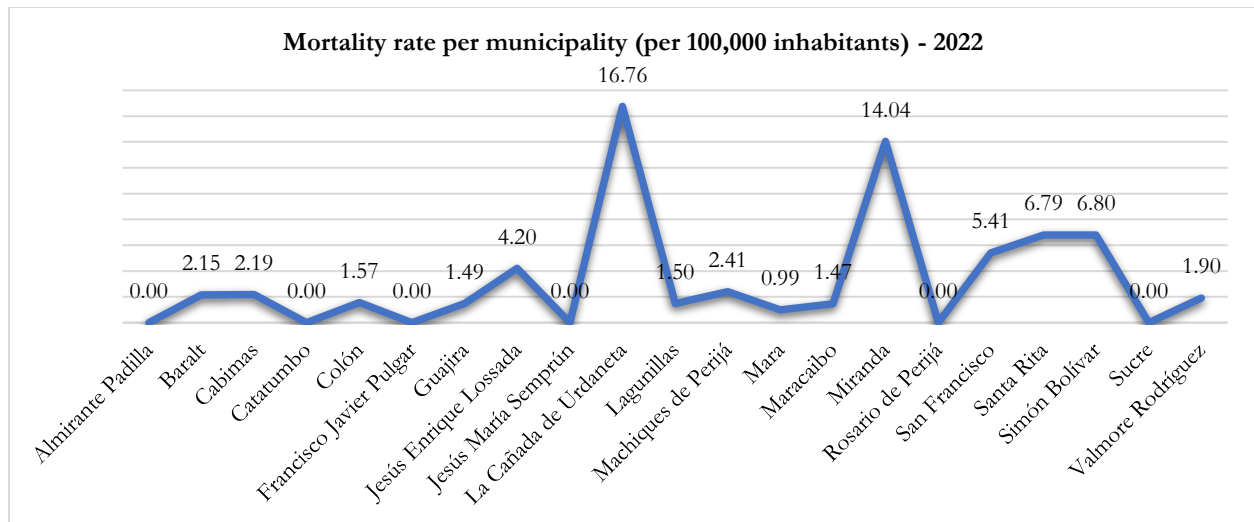
Regarding accountability and responsibility attribution, the *Inter-American Court of Human Rights* has been insistent in highlighting the obligation of the States to regulate and make available to the victims effective resources based on due process to guarantee the search for and obtaining of truth and justice. This obligation must be firmly fulfilled by the State, especially in cases of disproportionate and arbitrary use of public force by its agents: *“Once it is known that security agents have made use of firearms with lethal consequences, the State is obliged to initiate ex officio and without delay a serious, independent, impartial and effective investigation to determine whether or not the deprivation of life was arbitrary. This obligation constitutes a fundamental and conditioning element for the protection of the right to life, which is nullified in such situations. Moreover, if the human rights violations are not investigated seriously, they would be, in a way, favored by the public authorities, which compromises the international responsibility of the State”*<sup>28</sup>.

Acting contrary to these indications implies encouraging impunity and re-victimization, creating spaces and circumstances favorable to the repetition of aberrant acts committed by State

security agents and resulting in the unlawful deprivation of life of people. Therefore, it is essential that the States assume ex officio, without waiting for complaints or procedural initiatives from the victims, the activation of serious, impartial, timely<sup>29</sup>, and effective investigations to achieve the arrest, prosecution, and, if necessary, the application of appropriate sanctions against the perpetrators.

In this sense, the Public Prosecutor's Office<sup>30</sup> must initiate investigations related to alleged extrajudicial executions in accordance with Article 285.1 of the Constitution: *"The Public Prosecutor's Office has the following powers: 1. To ensure the respect of constitutional rights and guarantees in judicial proceedings, as well as international treaties, conventions, and agreements signed by the Republic"*; in addition, according to Article 281.5 Eiusdem, it is responsible for: *"Pursuing actions to enforce civil, labor, military, criminal, administrative, or disciplinary liability of public sector officials due to the exercise of their functions"*<sup>31</sup>.

Regarding the mortality rate due to police violence in 2022, per 100,000 inhabitants in the corresponding municipality<sup>32</sup>, the municipality of La Cañada de Urdaneta had a rate of 16.76 in 2022, based on its population. It is followed by Miranda with a rate of 14.04 deaths, and Simón Bolívar with a rate of 6.80 deaths. Although the municipalities of San Francisco (25) and Maracaibo (23) had the highest number of deaths due to alleged police violence in the year, from the point of view of the population rate, per 100,000 inhabitants, their averages for this year were 5.41 and 1.47, respectively.



In general, in the state of Zulia, the mortality rate caused in the context of police violence was 2.82 deaths.

## 2. REPORT OF INCIDENTS OF POLICE VIOLENCE BY MONTH OF OCCURRENCE

### July

In July there were 3 violent incidents with the participation of officers of State security organs, all of them qualified by the authorities as alleged clashes between alleged criminals and security forces, resulting in 3 deaths, with no casualties among State agents. That is to say, there were on average 0.10 violent incidents per day with the intervention of the State security organs, and 10.71% of the deaths were due to police violence in the second semester of 2022. Similarly, for this month, the number of violent incidents and deaths by subregion is distributed as follows:

- Maracaibo Metropolitan Area:
  - 2 violent incidents (13.33% of the total for the second semester in this sub-region) distributed as follows: in San Francisco.
  - 2 deaths (11.76% of the total for the second semester in this sub-region): in San Francisco.
- Eastern Shore of Lake Maracaibo:
  - 1 violent incident (12.50% of the total for the second semester in this sub-region): in Valmore Rodríguez.
  - 1 death (11.11% of the total for the second semester in this sub-region): in Valmore Rodríguez.

In the subregions of Guajira, Perijá, and South of Lake Maracaibo, there were no incidents or deaths due to police violence.

### August

In August there were 2 violent incidents with the participation of officers of State security organs, all of them qualified by the authorities as alleged clashes between alleged criminals and security forces, resulting in 2 deaths, with no casualties among State agents. That is to say, there were on average 0.07 violent incidents per day with the intervention of the State security organs, and 7.14% of the deaths were due to police violence in the second semester of 2022. Similarly, for this month, the number of violent incidents and deaths by subregion is distributed as follows:

- Maracaibo Metropolitan Area:
  - 1 violent incident (6.67% of the total for the second semester in this sub-region) distributed as follows: in Maracaibo.
  - 1 death (5.88% of the total for the second semester in this sub-region): in Maracaibo.
- Eastern Shore of Lake Maracaibo:
  - 1 violent incident (12.50% of the total for the second semester in this sub-region): in Cabimas.
  - 1 death (11.11% of the total for the second semester in this sub-region): in Cabimas.

In the subregions of Guajira, Perijá, and South of Lake Maracaibo, there were no incidents or deaths due to police violence.

### September

In September there were 11 violent incidents with the participation of officers of State security organs, all of them qualified by the authorities as alleged clashes between alleged criminals and security forces, resulting in 13 deaths, with no casualties among State agents. That is to say, there were on average 0.37 violent incidents per day with the intervention of the State security organs, and 46.43% of the deaths were due to police violence in the second semester of 2022. Similarly, for this month, the number of violent incidents and deaths by subregion is distributed as follows:

- Maracaibo Metropolitan Area:
  - 9 violent incidents (60.00% of the total for the second semester in this sub-region) distributed as follows: 3 in Maracaibo; 3 in San Francisco; 2 in La Cañada de Urdaneta; and 1 in Jesús Enrique Lossada.

- 11 death (64.71% of the total for the second semester in this sub-region): 3 in Maracaibo; 4 in San Francisco; 3 in La Cañada de Urdaneta; and 1 in Jesús Enrique Lossada.
- Eastern Shore of Lake Maracaibo:
  - 2 violent incidents (25.00% of the total for the second semester in this sub-region): in Lagunillas.
  - 2 deaths (22.22% of the total for the second semester in this sub-region): in Lagunillas.

In the subregions of Guajira, Perijá, and South of Lake Maracaibo, there were no incidents or deaths due to police violence.

### October

In October there were 3 violent incidents with the participation of officers of State security organs, all of them qualified by the authorities as alleged clashes between alleged criminals and security forces, resulting in 3 deaths, with no casualties among State agents. That is to say, there were on average 0.10 violent incidents per day with the intervention of the State security organs, and 10.71% of the deaths were due to police violence in the second semester of 2022. Similarly, for this month, the number of violent incidents and deaths by subregion is distributed as follows:

- Maracaibo Metropolitan Area:
  - 1 violent incident (6.67% of the total for the second semester in this sub-region) distributed as follows: in San Francisco.
  - 1 death (5.88% of the total for the second semester in this sub-region): in San Francisco.
- Eastern Shore of Lake Maracaibo:
  - 2 violent incidents (25.00% of the total for the second semester in this sub-region): 1 in Miranda; and 1 in Santa Rita.
  - 2 deaths (22.22% of the total for the second semester in this sub-region): 1 in Miranda; and 1 in Santa Rita.

In the subregions of Guajira, Perijá, and South of Lake Maracaibo, there were no incidents or deaths due to police violence.

### November

In November there were 3 violent incidents with the participation of officers of State security organs, all of them qualified by the authorities as alleged clashes between alleged criminals and security forces, resulting in 4 deaths, with no casualties among State agents. That is to say, there were on average 0.10 violent incidents per day with the intervention of the State security organs, and 14.29% of the deaths were due to police violence in the second semester of 2022. Similarly, for this month, the number of violent incidents and deaths by subregion is distributed as follows:

- Maracaibo Metropolitan Area:
  - 1 violent incident (6.67% of the total for the second semester in this sub-region) distributed as follows: in La Cañada de Urdaneta.
  - 1 death (5.88% of the total for the second semester in this sub-region): in La Cañada de Urdaneta.
- Eastern Shore of Lake Maracaibo:

- 1 violent incident (12.50% of the total for the second semester in this sub-region): in Lagunillas.
- 1 death (11.11% of the total for the second semester in this sub-region): in Lagunillas.
- South of Lake Maracaibo:
  - 1 violent incident (100.00% of the total for the second semester in this sub-region): in Colón.
  - 2 deaths (100.00% of the total for the second semester in this sub-region): in Colón.

In the subregions of Guajira and Perijá, there were no incidents or deaths due to police violence.

## December

In December there were 2 violent incidents with the participation of officers of State security organs, all of them qualified by the authorities as alleged clashes between alleged criminals and security forces, resulting in 3 deaths, with no casualties among State agents. That is to say, there were on average 0.07 violent incidents per day with the intervention of the State security organs, and 10.71% of the deaths were due to police violence in the second semester of 2022. Similarly, for this month, the number of violent incidents and deaths by subregion is distributed as follows:

- Maracaibo Metropolitan Area:
  - 1 violent incident (6.67% of the total for the second semester in this sub-region) distributed as follows: in Maracaibo.
  - 1 death (5.88% of the total for the second semester in this sub-region): in Maracaibo.
- Eastern Shore of Lake Maracaibo:
  - 1 violent incident (12.50% of the total for the second semester in this sub-region): in Cabimas.
  - 2 deaths (22.22% of the total for the second semester in this sub-region): in Cabimas.

In the subregions of Guajira, Perijá, and South of Lake Maracaibo, there were no incidents or deaths due to police violence.

## FINAL CONSIDERATIONS

Zulia is still the epicenter of the excessive use of public force and firearms by security officials assigned to the Venezuelan State. This year 2022 demonstrates the continuity of this type of behavior by public security agents, leading to possible extrajudicial executions of individuals qualified by the authorities as alleged criminals, and justifying their actions in alleged confrontations and resistance to authority.

In the second semester of 2022, in Zulia, the municipalities that staged more incidents of police violence were San Francisco (6 incidents, 25.00%), and Maracaibo (5, 20.83%). In the same way, these municipalities accounted for the highest number of alleged extrajudicial executions: San Francisco reported 7 deaths (25.00%), and Maracaibo 5 (17.86%).

Among the State security forces that were the most lethal in the second semester of 2022, the so-called Mixed Commissions stand out with 6 deaths (21.43%). The security body attached to the national government that registered the highest number of deaths due to alleged police violence was

the CONAS: 4 people were killed (14.29%). Meanwhile, the CPBEZ, attached to the regional government, caused the death of another 4 people (14.29%). On this occasion, the municipal police bodies did not report any potentially unlawful deaths. In general, in the state of Zulia, the mortality rate in the context of police violence was 2.82 deaths.

Given the foregoing, the Venezuelan State must structure and implement a legal framework that punishes and dissuades any type of threat, disregard, or intimidation of the right to life by its agents, through the configuration of a justice system that responds promptly, with certainty, and due diligence, and that ensures the fight against impunity in this type of cases of human rights violations, especially the most fundamental of all, the right to life.

# NOTES

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<sup>1</sup> Codhez (August 2022), *Annual Report 2021. General Situation of Human Rights in the State of Zulia*, at <https://codhez.org/wp-content/uploads/CODHEZ-Informe-Anual-2021.pdf> .

<sup>2</sup> Codhez (November 1st, 2022), *Bulletin on deaths due to police violence. First semester of 2022*, at <https://codhez.org/el-zulia-registro-75-muertes-con-intervencion-policial-durante-el-primer-semester-de-2022/> .

<sup>3</sup> In the Bulletin on the general situation of human rights in the State of Zulia, *Deaths due to Police Violence*, corresponding to the first semester of 2022, the death of 75 people due to alleged police violence was registered, but after subsequent verifications, it was found that in the month of February, 11 of this type of deaths occurred —not 10 as initially reported— and in the month of March, 22 of this type of deaths occurred —not 18 as originally reported—. This implies an adjustment for the number of alleged extrajudicial executions registered during the first half of 2022, in 80 deceased people.

<sup>4</sup> Codhez (November 1st, 2022), *Bulletin on deaths due to police violence. First semester of 2022*, at <https://codhez.org/el-zulia-registro-75-muertes-con-intervencion-policial-durante-el-primer-semester-de-2022/> .

<sup>5</sup> In the Bulletin on the general situation of human rights in the State of Zulia, *Deaths due to Police Violence*, corresponding to the first semester of 2022, 60 incidents of alleged police violence were reported, but after subsequent verifications, it was found that in the month of February, 9 of this type of incidents occurred -not 8 as initially reported- and in the month of March, 21 of this type of incidents occurred -not 18 as originally reported-. This implies an adjustment for the number of alleged police violence incidents that occurred during the first half of 2022, in 64 violent incidents.

<sup>6</sup> United Nations Human Rights Council (September 20, 2022), *Report of the independent international fact-finding mission on the Bolivarian Republic of Venezuela*, on <https://www.ohchr.org/en/hr-bodies/hrc/ffmv/report-ffmv-september2022> .

<sup>7</sup> *Ídem*.

<sup>8</sup> Inter-American Court of Human Rights (2021), *Jurisprudence Booklets of the Inter-American Court of Human Rights No. 21: Right to Life*. Inter-American Court of Human Rights and German Cooperation (GIZ). San José, Costa Rica.

<sup>9</sup> Inter-American Specialized Conference on Human Rights, *American Convention on Human Rights*, at <https://www.oas.org/>, November 22, 1969.

<sup>10</sup> Inter-American Court of Human Rights (2021), *Jurisprudence Booklets of the Inter-American Court of Human Rights No. 21: Right to Life*. Inter-American Court of Human Rights and German Cooperation (GIZ). San José, Costa Rica.

<sup>11</sup> United Nations General Assembly (August 5, 2022), *Report of the Special Rapporteur on extrajudicial, summary or arbitrary executions, Morris Tidball-Binz*, at <https://www.ohchr.org/en/documents/thematic-reports/a77270-report-special-rapporteur-extrajudicial-summary-or-arbitrary> .

<sup>12</sup> Refer to Note 5.

<sup>13</sup> Amnesty International (2016), Use of force. *Guidelines for implementation of the UN basic principles on the use of force and firearms by law enforcement officials. Short version*, at [https://www.amnesty.nl/content/uploads/2017/01/ainl\\_guidelines\\_use\\_of\\_force\\_short\\_version\\_0.pdf?x79902](https://www.amnesty.nl/content/uploads/2017/01/ainl_guidelines_use_of_force_short_version_0.pdf?x79902) .

<sup>14</sup> Office of the United Nations High Commissioner for Human Rights (2020). *United Nations Human Rights Guidance on less-lethal weapons in law enforcement*, at [https://www.ohchr.org/sites/default/files/Documents/HRBodies/CCPR/LLW\\_Guidance.pdf](https://www.ohchr.org/sites/default/files/Documents/HRBodies/CCPR/LLW_Guidance.pdf)

<sup>15</sup> *Ídem*.

<sup>16</sup> National Assembly of the Bolivarian Republic of Venezuela, *Organic Law of the Police Service and the National Police Corps*, in Official Gazette of the Republic number 5,940 Extraordinary, December 7, 2009.

<sup>17</sup> General Police Council, *Progressive and Differentiated Use of Force* (UPDF), at <https://consejogeneraldepolicia.org/updf/>.

<sup>18</sup> General Police Council (2010), *Your force is my measure. Manual for the Progressive and Differentiated Use of Police Force*. Practical Knowledge. Minimum standardization rules for the police forces, at <http://www.unes.edu.ve/wp-content/uploads/2012/03/baquia%20updf.pdf>.

<sup>19</sup> National Anti-Extortion and Kidnapping Command.

<sup>20</sup> Bolivarian Police Corps of the State of Zulia

<sup>21</sup> Bolivarian National Guard.

<sup>22</sup> Police Investigation Service of the State of Zulia, an agency attached to the CPBEZ.

<sup>23</sup> Bolivarian National Police.

<sup>24</sup> Scientific, Criminal and Criminalistic Investigations Corps.

<sup>25</sup> Special Response Team, a unit attached to the CPBEZ.

<sup>26</sup> Special Action Forces, a unit attached to the PNB.

<sup>27</sup> Directorate of Strategic Intelligence, attached to the PNB.

<sup>28</sup> Inter-American Court of Human Rights (2021), *Jurisprudence Booklets of the Inter-American Court of Human Rights No. 12: Due Process*. Inter-American Court of Human Rights and German Cooperation (GIZ). San José, Costa Rica.



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<sup>29</sup> “The legal interests on which the investigation is based make it necessary to redouble efforts in the measures that must be taken to fulfill its objective, since the passage of time is directly proportional to the limitation - and in some cases, the impossibility - of obtaining evidence and/or testimony, making it difficult and even rendering nugatory or ineffective the taking of evidence to clarify the facts under investigation, identify the possible perpetrators and participants, and determine possible criminal liability. Notwithstanding the foregoing, the national authorities are not exempt from making all necessary efforts in compliance with their obligation to investigate. The omission or negligence of the State organs is not compatible with the obligations arising from the American Convention, especially if essential personal property is at stake. Therefore, the States must provide the corresponding authorities with the necessary logistical and scientific resources to collect and process the evidence and, in particular, with the powers to access the relevant documentation and information to investigate the facts denounced and to obtain indications or evidence of the location of the victims” (*Idem*).

<sup>30</sup> In Official Gazette No. 42,058 of January 29, 2021, Resolution No. 1803 of the Office of the Prosecutor General of the Republic, dated December 30, 2020, was published, creating the *Office of Attention to Victims in the Protection of Human Rights*, “...which is responsible for providing comprehensive care to victims, through a multidisciplinary team made up of professionals in the legal, psychological and social areas, in which assistance must be provided, aimed at informing these parties to the proceedings about their status as victims, their rights and how to enforce them, with special attention to the right to be beneficiaries of protective measures against possible attacks against them or their family, on the occasion of their intervention in the current, future or eventual criminal proceedings”.

<sup>31</sup> National Constituent Assembly, *Constitution of the Bolivarian Republic of Venezuela*, in Official Gazette of the Republic number 36,860 of December 30, 1999.

<sup>32</sup> For the calculation of the mortality rate due to police violence in 2022, the population base for each municipality was taken as the one published by Inso-Encovi 2021, *Population and demographic structure*, at <https://insoencovi.ucab.edu.ve/indicadores-demograficos/>.