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Venezuela: The silent cry -- children as young as 12 brutally tortured and killed by the security forces

The Venezuelan security forces are conducting anti-crime operations with complete disregard for the life and well-being of children and adolescents, in actions characteristic of "social cleansing", Amnesty International said in a new report issued today.

"Perceived criminal suspects, usually those from the poorest sectors of society, are singled out for elimination, and the anonymity of the victims often means that the truth is never known," Amnesty International said. "Minors in Venezuela are also at risk of torture, ill-treatment and arbitrary detention through the failure of the authorities to provide the special protection they need."

While Venezuela has increasingly been under the spotlight of international public attention for the serious human rights violations suffered by members of its adult population, the extraordinary fact that children and adolescents are also at serious risk has remained all but unreported. In the context of police and army operations purported to curb crime and control border areas, minors from the poorest sectors of society become the silent victims.

So far this year, Amnesty International has received at least 10 unconfirmed reports of the killing and torture of minors by security force agents in Venezuela. On 8 May, 16 year-old Erick Jean Lucena was apparently shot by members of the Metropolitan Police in Caracas, who attempted to cover up the crime by making the victim appear to be a criminal. In June, Ronald Rafael Guillén Dugarte, also 16, was reportedly badly beaten and tortured by members of the Military Intelligence Division (DIM) and the National Guard in Mérida.

Minors are often held alongside adults in police stations due to lack of space in the juvenile detention centres, where conditions are also far from ideal. During one of many visits to one such centre, an Amnesty International delegation found dozens of children as young as 12 enduring up to two months living in degrading conditions, including lack of water, sanitation and adequate food, with no access to medical care or legal assistance.

According to a forensic expert on the delegation, "all the children were subjected daily to brutal beaten by the wardens. Many showed signs of torture and even fractured bones."

During police and army operations, children are random targets of extreme violence by members of the security forces. They are discredited and criminalized both for their age and social class, so that they appear to be legitimate targets of attack. Firearms are often planted by the police on the victim or they are falsely accused of initiating a shoot-out against security force agents.

The extent of such violations may be much greater than available figures indicate, since many cases are apparently not being reported to the authorities. The poorer victims, often living on the fringes of society, remain anonymous and forgotten.

Abuses -- including torture -- often occur at the time of arrest or in police stations during interrogation sessions or in the context of quelling supposed discontent or disturbances in the detention centre. In other instances, minors suffer unnecessary pain and duress amounting to cruel and inhumane treatment, which occasionally results in death as a result of inadequate sanitary conditions or lack of adequate medical treatment.

Attempts to bring those responsible before the courts are hampered by a lack of independent investigations and the fact that cases involving the security forces are subject to internal investigations before a criminal investigation can be opened.

With respect to such internal investigations, the United Nations Special Rapporteur on Torture noted in December 1996 that "although the Special Rapporteur asked each of the police forces for detailed statistical information to obtain an idea of how many officials had been punished for ill-treatment of detainees and what types of sanction had been applied, the information was either not supplied or supplied in an incomplete form."

If not for the efforts of Venezuelan human rights activists, many cases involving abuses against minors would be forgotten. One leading non-governmental organization, for instance, has been working for seven years on the case of 16 year-old José William, shot by a police agent in Caracas in 1990. Despite witness testimony to the effect that a weapon was placed near the victim's head to simulate a confrontation, no-one has been successfully prosecuted.

Such investigations are also slow and often characterised by tampering with evidence or intimidation of those involved in the proceedings. The President of the Venezuelan Supreme Court told the Special Rapporteur on Torture that "a judge who receives a complaint against a police body might easily be intimidated by the *esprit de corps* of the police and fail to process the complaint". The Rapporteur added that "it might help judges feel more secure if they felt that the police was genuinely interested in purging itself".

The Minors Protection Act -- which regulates the rights of Venezuelan children -- grants judges very extensive discretionary powers. Judges can, for instance, hold hearings in which the judge and the defendant are the only ones present, depriving the child of legal representation or assistance. They also allow the authorities to detain a child for an unlimited discretionary period, which can often be of up to three months.

"The Venezuelan Government's failure to take effective steps to halt human rights violations against minors is indicative of a negligence tantamount to full responsibility," Amnesty International said. "We urge President Rafael Caldera to take 1997, the 'Year of Human Rights in Venezuela', as an opportunity to implement the recommendations outlined in our report -- which could substantially improve the human rights situation of children in the country -- and make effective the country's commitments before the UN Convention of the Rights of the Child."

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For further information, to receive a copy of the report (*The silent cry: gross human rights violations against children and adolescents*, AI INDEX: AMR 53/17/97) or to arrange an interview, please phone Soraya Bermejo, Americas Press Officer, +44 171 413 562