

Alternative Network of Human Rights SURDH

Supplementary Report of the **Alternative Network of Human Rights SURDH** to the regular report of the Bolivarian Republic of Venezuela on the implementation of the International Covenant on Civil and Political Rights

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SurDH report:

The "South" by **SurDH** is not only a geographical reference to the place where the vast poor majority of the planet lives but also an ethical and political reference that involves the option for those the colonial context, patriarchal domain capital over life, has excluded and/or subordinated: women, grassroots, indigenous peoples, Afro communities, farmers / as, sexodiversas people and nature.

SurDH is a space for articulation of human rights activists, mostly over 20 years of experience in the promotion and defense of human rights, which aims to think and act with the South, accompanying and encouraging struggles for a dignified life and a radically democratic economic, political, social and cultural context that enables it.

In effect, the Alternative Network of Human Rights, SURDH in fulfilling its original mandate has decided to present additional report about the one submitted by the Government of the Bolivarian Republic of Venezuela under the International Covenant on Civil and Political Rights.

It is Important to notice, throughout the period covered by the report presented by the Venezuelan government, in addition to public policies and existing institutions to satisfy the human rights enshrined in the Constitution of the Bolivarian Republic of Venezuela, the state has made great economic and human efforts that allowed initiating a process of creation, renovation and alteration of some institutions responsible for implementation and realization of human rights, when it refers specifically to the right to public safety. The design of the national public policy on police matters has been one of the most important and consistent Venezuelan State therefore approaches methodology as for its implementation projects. But major challenges still remain to be exhibited as recommendations in this report.

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We can point as radical turning point between the old and the new police model, 2006, when the National Commission for Police Reform (Conarepol) is installed whose primary mission was diagnosed the situation and design a new police model. The initial strategy was to create a database to achieve the characterization of the police forces of Venezuela. This task was accomplished from an instrument administered to the 123 state and in the country at that time municipal police forces. In addition, a national consultation was also carried out: aimed at police, national guards, police directors, governors, mayors, religious, victims and relatives of victims, human rights organizations, criminal operators, ombudsmen, unions, workers and organized workers, children and adolescents, peasants, farmers, fishermen, fisherwomen, transporters, students, businessmen, entrepreneurs, social movements, grassroots communities, criminally sanctioned individuals, organized youth and women. This query was applied to 70.176 people, who expressed their views on the police we had and the police they wanted. Similarly, specialized academic studies yielded recommendations for improving the various areas that make up the police service, for their adaptation to the principles of respect for human rights, citizen participation and solidarity.

The work was important to begin a process of transformation of the prevailing police model already so far from there was implemented a public policy to comply with all recommendations of the Conarepol. In addition, the developed work favored a national public debate on police issues in the country, allowing the model conquered legitimacy both politically and also in public.

Creating a legal and institutional framework through the Organic Law of the Police Service and the Bolivarian National Police Corps and the Law on Police Function Statute of 2008 was instrumental in the birth of Venezuelan police law and to lay bases and principles that will guide the way forward.

Another key to the design of the new police model success was the creation of the General Police Council as an advisory body in policing, marking a momentous impetus for the further development of the

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model and specifically the police law. This Council was created with the purpose of advancing a series of public policies that standardize the police for their suitability to police model. Since this instance was developed and laid the foundations of the Venezuelan police law, through the creation of parameters for policing, by issuing resolutions, manuals and guides that served to guide the daily work of the police forces.

Also born in 2009 Bolivarian National Police Corps to respond to a series of problems identified in the diagnosis and with the mission of being a predominantly preventive body, with civil and professional nature, in order to protect and guarantee the rights of the people, respect for their guarantees, social peace and harmonious coexistence.

Subsequently created in that same year the Deputy Minister of the Integrated Police, an instance of articulation of the bodies and entities who exercise this service through the development of a structure to ensure efficient management of law enforcement agencies, by meeting principles, rules and common rules on training, career, operational performance, levels and performance criteria, powers, duties and oversight mechanisms and control.

Developing a Strategic Information and Police Transparency System for the management of police forces in the country also allowed for indicators and inputs for both the design of public policy to social control.

Another area of importance was the setting of the Citizens Police Control Committees as instances of community organization to exercise the external comptroller of police institutions.

A major achievement was the creation of the National Experimental Security University as the academic institution specializing directed to basic and continuing education of the country's security forces (police investigation, ostensive police, *firefighters*, civil defense and prison guards). The University had a major challenge that was the establishment of a staff of teachers and researchers to assume this

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task, as the creation of national training programs for each of the security organs and police were keeping the New Model and guidelines of the Ministry of People's Power competent in university matters.

Legislative development also extended to the police investigation bureau and in 2012 the Organic Law of the Police Service of Investigation, the Body of Scientific, Penal and Criminal Investigations and the National Forensic Medicine and Science and the Statute Law dictates Police Function Research, governing the framework for action for the development of these functions in research.

Finally, the Venezuelan state also would regulate the work of public order exercised by the armed force and issued in 2015 Resolution No. 8610, the Ministry of Popular Power for Defense, by which establishes the Standards for performance of the Force Bolivarian National Armed acting control of public order, social peace and peaceful coexistence in public meetings and demonstrations. This resolution in our country, is a very positive aspect as it will regulate the activities of the military component on public order from the perspective established in international human rights agreements with a democratic vision for the control of internal order and also in fully consistence with the standards previously issued in respect of the police service to control public meetings and demonstrations. The body of the rule in comment accomplish the terms defined in the Bolivarian Republic of Venezuela, the International Covenant on Civil and Political Rights and the American Convention on Human Rights, with regard to the exercise of the right to demonstrate and paper the State should play in controlling demonstrations which do not comply with its fundamental characteristic understood as an exercise of rights: be peaceful and unarmed.

All this development of the Police model in Venezuela is reflected in laws, resolutions, handbooks and guides for action which are in full tunes with the resolutions and recommendations of the United Nations in relation to the actions of the police against the citizens, the adequate equipment, the rate of panning, progressive and differentiated use of force, use of firearms, police training, training and citizen participation in the control of policing.

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The path in the almost ten years and the achievements in the police field in Venezuela are undeniable, as have also been possible because there has been a political and financial will of the Bolivarian government to move in this direction; but also by the action of the Legislature that has accompanied through approval of laws to install a permanent policing model respectful of human rights. Progress also responded to a comprehensive, not fragmented vision of the reform and of all areas that make up the police service. Finally, the constitution of a team of workers and professionals from different disciplines dedicated to support the design and implementation of all this public policy was needed, and who supported the consultation process, diagnostics, studies yielded the creation of new police model.

Recommendations for strengthening the Venezuelan police model:

1. Continue the process of adapting to the new policing model for all police forces in our country, particularly for the State to continue complying with the recommendations threw all studies and consultations made in this area from the Conarepol, the General Police Council and the National Experimental University of Security.
2. Continue to strengthen the leadership of the Ministry of People's Power competent in matters of public safety in the police service, to ensure that all the police forces of our country adjust to the new Venezuelan police model.
3. Continue to strengthen the National Experimental University for Security as ideal for the professionalization of the police forces, particularly for training on respect and protection of human rights in the police space.
4. Continue efforts in police training in methods of progressive and differentiated use of force and the use of potentially lethal force. This

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material is presented as one of the most important challenges for all police forces.

5. Continue strengthening the various bodies and internal control mechanisms of the police forces in order to generate an adequate performance monitoring and eradicating added divergent police practices and acts of corruption that may arise, which although they have been disappearing progressively, they must be completely eradicated.

6. Continue promoting spaces of popular participation and social control in the police service, especially Citizens Police Control Committees.

7. Continue to deploy community police service and service to the victim in all police forces in the country, so that the police develop a closer and closer community service.

8. Continue to develop the deployment of the Bolivarian National Police throughout the country and it is accompanied by a process of staffing and equipment necessary, and the appropriate infrastructure for optimal performance.

9. To promote the restructuring of the Scientific, Criminal and Criminological Research considering the recommendations they produced the specialized studies in the field as well as strengthening the Department of Medicine and Forensic Science.

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