

**Report issued by the Network for the Human Rights of Children and Adolescents (REDHNNNA)**

**Report for the Third Cycle of the Universal Periodic Review of Venezuela for the  
40th Period of Sessions 2022, of the United Nations Human Rights Council**

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# **OBLIGATIONS OF THE STATE TOWARD ADOLESCENTS IN CONFLICT WITH CRIMINAL LAW IN VENEZUELA**

## **Authors:**

- The Network for the Human Rights of Children and Adolescents (REDHNNNA) is a coalition of 14 social, academic and community organizations, research centers and institutes and defenders of the rights of children and adolescents (CHA)<sup>1</sup>, founded and operational since 2006 for the defense and enforceability of the rights of children and adolescents, based on democratic participation, aimed at promoting the Best Interest of the Child inclusively and with openness to dialogue with various actors. REDHNNNA and its members have issued reports and raised complaints to competent authorities before both the Universal and Inter-American Human Rights Systems, regarding the threats and violations against human rights and guarantees suffered by CHA in the country and their families, based on the information collected while dealing directly with cases as well as on the research carried out to document the various situations as they arise.
- The Institute of Judicial Investigation belongs to the Law School of the Andrés Bello Catholic University and, since 1975, it seeks to carry out judicial research with a scientific approach and rigor, that contribute to the knowledge and effective application of the Law, fostering interdisciplinary work and the strengthening of the Rule of Law, democracy and justice in Venezuela, promoting respect for Human Rights. These research topics stand out in its purview: Rights of CHA, Administration of Justice, Citizen Security and Crime Control.

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<sup>1</sup> <https://www.redhnnna.org/miembros>

## Executive Briefing

1. This report concerns the human rights situation of adolescents in conflict with criminal law, who are protected by the guarantees enshrined in Articles 37 and 40 of the Convention on the Rights of the Child (Convention), the Juvenile Justice Standards, the Beijing Rules and special legislation on the matter. According to the national law of child protection in Venezuela, adolescents are criminally liable between 14 and less than 18 years of age. Those younger than 14 and responsible for committing a punishable offence, must be referred to the National Governing System for the Integral Protection of Children and Adolescents.
2. The data, analyses and recommendations presented here are based on the processing of qualitative and quantitative information from primary and secondary sources, which are part of the work performed by the institutions that issue this report, as well as the data collected by institutions specialized on the matter of arbitrary arrests and deprivation of liberty.
3. This report is structured in 6 sections: institutional performance; official information in the area; situation of adolescents who have been deprived of liberty; adolescents arrested in the context of demonstrations; adolescents in conflict with criminal law during the pandemic and recommendations.

### Institutional Performance:

4. In 2015 the reform of Title V of the Framework Law for the Protection of Children and Adolescents (LOPNNA in Spanish) was approved. This section concerns the Criminal System of Liability of Adolescents (SIPRA in Spanish). That action was a legal setback regarding the human rights of adolescents subjected to criminal justice, as it incorporated rules that include the punishment of deprivation of liberty for “terrorist” acts, the inclusion into SIPRA membership of non-specialized structures such as the Communal Councils<sup>2</sup>, which violates the criteria of special justice that this population requires, and the non-differentiation between the Protection System and the Criminal System, among other aspects. It has since been confirmed that one of the main reasons for this reform was the adequation of the LOPNNA for the control and criminalization of civic protests spearheaded by adolescents and youths<sup>3</sup>.
5. The SIPRA does not indicate which authority regulates it, which means that it is unclear what body is responsible for guaranteeing human rights on this matter; in fact, it increases the confusion by integrating protection bodies and authorities in functions and attributions of juvenile justice. Similarly, there is no information through any channels about public policies and investments, national and regional plans for the prevention of juvenile delinquency or for intervention when the punishable offences have already been committed; there are no known specialized programs in the execution of socio-educational measures, nor about the selection, training, sensitization and supervision of the personnel that is in contact with adolescents who have allegedly committed punishable offences, including the police, administrative and judicial authorities, and multidisciplinary service teams.

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<sup>2</sup> Article 2 of the Law of Communal Councils of 2006, defines them as: “instances for participation, articulation and integration between various community organizations, social groups and citizens, that allow the organized population to exercise direct management of public policies...” <https://www.acnur.org/fileadmin/Documentos/BDL/2008/6641.pdf>

<sup>3</sup> El Estímulo (2019). Van 77 adolescentes presos por protestas desde el 21 de enero. <https://elestimulo.com/77-adolescentes-detenido-por-protestas-desde-el-21-de-enero/>

6. None of the 14 authorities regarded as responsible for this matter since the aforementioned reform<sup>4</sup>, publishes data or information that might be consulted in a public, periodic, updated and disaggregated manner for variables such as: age, sex, geographic location, types of crimes and socio-educational measures, their compliance and reincidence rate. Apparently, in order to correct the lack of clarity with respect to the regulating body, the Plenary of the Supreme Tribunal of Justice (TSJ) appointed a judge from the Criminal Cassation Chamber as national coordinator of SIPRA. This National Coordination, created through a resolution issued on May 3rd, 2017, formally establishes that it will “*develop and design judicial policies aimed at improving and optimizing the system for administering justice on the matter and its goal will be strengthening the SIPRA.*” However, there are no public references about the performance of this Coordination, and there is no evidence about its results or the mechanisms of articulation and joint work among the members of SIPRA.

### Official information in the area:

7. Among the most recent references regarding the topic, there are two publications from the Ombudsman’s Office: the first deals with a monitoring report on the situation of the Bolivarian Republic of Venezuela regarding international indicators of juvenile justice of the United Nations Office on Drugs and Crime (UNDOC) with special emphasis on the application of alternative measures for adolescents (2015)<sup>5</sup>; and the second, a defender diagnostic of measures not involving deprivation of liberty of the criminal system of liability of adolescents (2016)<sup>6</sup>. In addition to these, there is a Newsletter of the TSJ’s National Coordination of SIPRA from 2018<sup>7</sup>, indicating that by that time, 8,346 adolescents (males and females) were prosecuted and 14% were deprived of their liberty. The most common crimes were: 36% against property and 24% against people.
8. The schematic information offered by the newsletter published by the TSJ does not mention which socio-educational programs have been developed for attending this population or what are their main results. There is no legal definition or institutional guidelines regarding the competence for the approval and control of management (standards, monitoring and evaluation) of service programs and entities where measures of deprivation of liberty or semi-liberty programs take place.

<sup>4</sup> LOPNNA (2015). Article 527. Composition: The Criminal System of adolescents is composed of: The Constitutional Chamber and the Criminal Cassation Chamber of the Supreme Tribunal of Justice. Adolescent section of the Criminal Court. Specialized Prosecutor’s Office. Ministry of People’s Power with competence on the matter of integral protection of children and adolescents. Ministry of People’s Power with competence on the matter of the Interior, Justice and Peace. Ministry of People’s Power with competence on the matter of penitentiary service, for the attention of adolescents with criminal law. Ministry of People’s Power with competence on the matter of youth. Ministry of People’s Power with competence on the matter of education. Autonomous Service of specialized Public Defense. Investigative police and specialized police services. Ombudsman’s Office. Communal Councils and other forms of popular organization. The legitimate authorities of native peoples and communities in proceedings that involve native adolescents.  
<https://elucabista.com/wp-content/uploads/2015/10/LOPNNA-REFORMADA.pdf>

<sup>5</sup> Limón, Omar and Edward Ferrazza (2016) Informe de seguimiento en la República Bolivariana de Venezuela de los indicadores internacionales de justicia juvenil de la UNODC, con especial énfasis en la aplicación de medidas privativas y no privativas de libertad - 2015, Caracas, Ombudsman’s Office.

<sup>6</sup> For reference: <https://www.unicef.org/venezuela/media/541/file/Diagno%CC%81stico-Defensorial-medidas-No-privativas-de-libertad-Sistema-Penal-de-Responsabilidad-de-Adolescentes.pdf>

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<https://www.unicef.org/venezuela/media/401/file/Bolet%3%ADn%20Informativo%20del%20Sistema%20Penal%20de%20Responsabilidad%20Adolescente.pdf>

9. According to Article 170-A, literal K of the LOPNNA, the Ombudsman's Office must perform a periodic inspection of the programs and centers for deprivation of liberty and semi-liberty, and guarantee the human rights of adolescents in the SIPRA, but there is no information about these operations since 2017 to the present.
10. The only Monitoring Report of Indicators of Juvenile Justice that the Ombudsman's Office is known to have issued (2015) highlights that there are two administrative models in Venezuela to enforce measures of deprivation of liberty for adolescents: one centralized in the Ministry of People's Power for the Penitentiary Service (MPPSP), which manages 32 socio-educational entities in 16 states of Venezuela and a decentralized one developed under the administration of Institutions or Autonomous Offices belonging to each Governor's Office in 8 states of the country.

### **Situation of adolescents who have been deprived of liberty:**

11. In their study about the situation of citizens deprived of liberty in detention centers for adolescents in conflict with criminal law in Venezuela (2018)<sup>8</sup>, the CSO Una Ventana a la Libertad (UVL) confirms that a considerable number of adolescents are awaiting trial and even those who have been sentenced are detained in police stations beyond the appropriate legal periods. There are no minimal infrastructural conditions for the separation from adult detainees because these spaces have proliferated in an improvised manner due to the increase in the penitentiary population. Through a monitoring review carried out in 2017, UVL reported up to 182 adolescents cohabitating with adult detainees, exposed to diseases or violent episodes that are frequent in these "preventive"<sup>9</sup> centers. This practice violates the rules established in the Convention and the LOPNNA (Articles 548, 549.)
12. In their study from 2018, UVL reveals that the entities belonging to the MPPSP work with a disciplinary regime inspired by the military and a strong indoctrination component, known as "*military drill*" aimed at "*modifying the behavior of adolescents.*" This regime seeks more to impose political-partisan slogans and affirmations than to educate, once again violating the Convention.
13. Investigations carried out by journalists and CSO, as well as statements from mothers, representatives and even those issued by the General Office of Socio-Educational Programs of the MPPSP, reveal the routine practice of subjecting adolescents arriving in detention centers to between 15 and 21 days of isolation.
14. As a relevant example, early in the morning of June 26th, 2018, there was a riot among the detainees of the headquarters of the Chacao Police (Miranda state)<sup>10</sup>. The violent protest was marked by the threat to assault the adolescents held there. According to police sources, the prisoners took three adolescent detainees as hostages as well as another prisoner and threatened to harm them with piercing objects if they were not transferred to a different location. After about three hours, the situation was resolved but two detainees were injured.

<sup>8</sup> Downloadable in the reports section of UVL's website: <https://unaventanaalalibertad.org/uval/>

<sup>9</sup> UVL "La muerte y la violencia asedian a los privados de libertad. Situación de los derechos humanos en los centros de detención preventiva en Venezuela" (2017), page 22.

<sup>10</sup> News report can be consulted in: <http://efectococuyo.com/sucesos/presos-en-polichacao-toman-de-rehenes-a-adolescentes-detenido/>

15. Although the maximum period of time for deprivation of liberty was increased to 10 years in the reform of the LOPNNA (2015) and the fact that, according to information supplied by the Ombudsman's Office, the predominant age for the commission of criminal offences is 17 years, no spaces have been prepared for the transfer of *young adults* once they reach legal age to conclude their sentences. Therefore, they are taken to centers for adults, which violates the international regulations regarding juvenile justice.

### **Adolescents arrested in the context of public demonstrations:**

16. In the period encompassed by this report, there have been cases of adolescents deprived of liberty for political reasons in Caracas, Zulia and other places in the country, several of them arrested by the State's political police, the Bolivarian Service of National Intelligence (SEBIN) and imprisoned in El Helicoide (Caracas), a place widely criticized for being the scenario of tortures<sup>11</sup>.
17. The CSO Foro Penal reports that, in general, these adolescents are kept from getting in touch with their relatives or legal representatives, held together with prisoners for common crimes and adults, and frequently subjected to physical and verbal abuse and forced physical exercises. In many cases, the Court has ordered the adolescents released on bail, but the measures have been ignored by the police forces holding them.
18. The situation of Jickson Rodríguez, a 14-year old child with epilepsy, was an iconic expression of this<sup>12</sup>. He was arrested near his home in Bolívar state and his mother managed to locate him 18 hours after his arrest. He was held for 6 days in a post of the Bolivarian National Guard (GNB) and suffered several seizures, to the point that he had to be taken to a hospital. Ultimately, he was released on parole with the obligation to report to court every 30 days.
19. Arbitrary arrests of adolescents in Venezuela, assisted and recorded by Foro Penal especially in the context of the right to peaceful demonstration, show how SIPRA, through its various national circuits, is also criminalizing citizen protests and has engaged in the practice of opening criminal proceedings and condemning many CHA without firm foundation. Out of the 521 arrests for political reasons during 2018, 38 cases (7%) involve adolescents. 25 of them were released with precautionary measures and only 9 received full freedom. 4 adolescents were deprived of their liberty but then allowed to present guarantors and are now free under precautionary measures.
20. Similarly, between January 21st and the start of February 2019, a total of 1,003 people were arrested in the country in the context of demonstrations and 137 of them (14%) were adolescents. 67 (49%) were deprived of their liberty via judicial warrant. By the end of 2020 the figure of prisoners for political reasons reported by Foro Penal was 351, among them 13 Pemon natives (Bolívar state), 124 military officers, 26 women and 2 adolescents<sup>13</sup>.
21. A Pemon adolescent was accused for alleged terrorist acts and transferred to Caracas to be tried by courts with no native jurisdiction. He was arrested in late 2019 and suffered periods of isolation, cruel treatment, held incommunicado from their relatives and lawyers and without an interpreter in his language for hearings, thus violating the guarantees of special protection that

<sup>11</sup> Among other reports, consult: <https://www.bbc.com/mundo/noticias-america-latina-46978545>

<sup>12</sup> The following article can be consulted about this case: <http://correodelcaroni.com/index.php/ciudad/1186-le-decia-a-los-guardias-por-que-nos-dan-golpes-si-ya-estamos-presos-y-lo-que-hizo-fue-darme-una-cachetada>

<sup>13</sup> See: <https://foropenal.com/reporte-sobre-la-represion-en-venezuela-ano-2020/>

he was entitled to by current legislation as a native and an adolescent (LOPNNA, Art. 88, 526, 546 and 550.)

22. Another relevant case is that of Ediluh Guedez Ochoa, a judge of first instance of the 1st Court of Control on Criminal Liability of Adolescents of Yaracuy state, who denounced through a video posted on social networks that she was coerced in January 2019 by Lorena Sánchez Nieto, head of the judicial circuit<sup>14</sup>, to issue a measure to deprive 11 adolescents of their liberty for protesting against the government even though as a judge, she thought there was no solid reason to arrest them and decided to release them. Later, after the public outrage for this arrest, Lorena Sánchez called for a public event to release the detained adolescents, thus highlighting the lack of support for their imprisonment. They received substitute measures and parole.
23. The CSO CECODAP, in alliance with the website La Vida de Nos, researched and published the case of a 16-year old adolescent arrested along with other partners in the context of public demonstrations, who explained that he was thrown with them on the backs of unidentified trucks and told to “lower the head”. An officer struck one of them with his service weapon and several girls were threatened with sexual violence<sup>15</sup>. They were only allowed to eat and go to the restroom the following morning while their parents and lawyers were kept in the dark. This report exemplifies how SIPRA criminalizes protests and violates the legitimate right of adolescents to demonstrate, indicting them for sui generis offences such as hate crimes, terrorism, instigation to commit crimes, disturbing public order and concocting destabilizing plots.
24. In the preliminary hearings of adolescents arrested in the context of demonstrations, Foro Penal reports that, in general, they are not usually treated by the State as accused, but as “enemies of the country” who must be persecuted. Although in police reports officers seldom confiscate evidence related to crimes such as terrorism, hate or instigation to commit crimes, among others, the decision is often incarceration, the presentation of several guarantors and, after securing release, obligation to report to court every 30 days.
25. Investigative journalists from the website Armando.info examine in their article “The week when the advocates of horror clamped down on minors”<sup>16</sup> (2019), the profiles of several judges and itinerant prosecutors appointed on the fly and temporarily, charged with the administration of justice in cases of adolescents arrested for protesting. Most of these officials are militant members of the government party and their careers in the Venezuelan judicial system fail to fulfill the regulatory requirements for sufficient professional credentials.
26. Many adolescents have been arbitrarily arrested, they have suffered tortures and persecution, imprisonment, unfair trials and reporting regime before courts in violation of due process. They have witnessed friends being murdered, abused or jailed, isolated and subjected to cruel and degrading treatments. Documentation on these experiences shows that they can promote feelings of powerlessness, resentment and desires for revenge<sup>17</sup>.

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<sup>14</sup> See: <https://www.laprensalarara.com.ve/nota/-1644/19/01/juez-denuncia-coaccion>

<sup>15</sup> Available in Spanish through this link: <https://www.lavidadenos.com/vi-llorar-a-mi-mama-y-supe-que-nos-dejarian-presos/>

<sup>16</sup> Available in Spanish through this link: <https://armando.info/Reportajes/Details/2529>

<sup>17</sup> Briceño, L., Meléndez, C. and Perdomo, G. (2019) *Actores y procesos de la violencia en las protestas políticas*. En: **Los nuevos rostros de la violencia (Empobrecimiento y Letalidad Policial)**, Editorial Alfa, pp. 96-121. <https://observatoriodeviolencia.org.ve/publicaciones/libros/los-nuevos-rostros-de-la-violencia/>

## Adolescents in conflict with law during the pandemic:

27. In a study carried out in 2020 by REDHNNA documenting the actions of the main bodies of the Child Protection System and the SIPRA regarding the right to special protection in the current context<sup>18</sup>, sources consulted within the Criminal Section for Adolescents and the Prosecutor's Office have reported that, since the start of the humanitarian crisis, access to legal services has declined mainly due to the great amount of hearings that have had to be postponed because of difficulties in transporting detained adolescents caused by the lack of adequate vehicles; the high rotation of officials spurred by emigration and the reduction of the workweek to a maximum of three days for public employees, so they can engage in other activities to earn their keep, to the detriment of the administration of justice in Venezuela. Almost 60% of those consulted acknowledged that protection services for children and adolescents have declined since the onset of the humanitarian crisis.
28. Among the main reasons that prevent children and adolescents from accessing protection and SIPRA services, the study (REDHNNA, 2020) mentions: a) the high rotation of officials due to emigration (64.7%), b) movement restrictions caused by lack of fuel and public transport (52.9%); c) the high cost of living coupled by impoverished wages and d) constraints in the access to public services such as cooking gas, water supply and electricity. According to members of SIPRA, the social restrictions imposed by the quarantine in response to the COVID-19 pandemic and the high rotation of personnel have resulted in the decline of the service.
29. Regarding the sudden closure of protection services for children and adolescents starting on March 16th, 2020, with the beginning of the social quarantine decreed by the government, according to the study of REDHNNA (2020) over 50% of respondents said that the service never fully stopped, while at least 35% took more than a month to restore it. In this respect, 53% said that they did not have an adequate Action Plan for a critical context and that they have continued working with the same operational roadmaps without adjusting them to the humanitarian emergency.
30. For the bodies and services belonging to SIPRA consulted by REDHNNA (2020), the right they find most difficult to guarantee is the right of adolescents to have direct contact with their parents or representatives, considering that the measures adopted by the MPPSP have promoted the isolation of adolescents deprived of liberty. The right to the safeguarding of personal integrity and the right to denounce threats and rights violations are next in degree of relevance among those that are not guaranteed.
31. Respondents (REDHNNA, 2020) also report that detained adolescents are forced into extended periods of isolation and show signs of general anemia among the population due to the lack of proteins in the food offered to them; similarly, they are constantly exposed to ailments such as malaria, dengue, diarrhea, abscesses, flus and stains on their skin; additionally, they denounce that their public defenders do nothing to secure detainees the benefits established by Law.
32. Since 2020, REDHNNA has been carrying out a review of news reports on various Venezuelan outlets about situations of adolescents in conflict with criminal law, published in the series "Paper

<sup>18</sup> Redhna (2020). *Actuación de integrantes de los Sistemas de Protección de NNA y de Responsabilidad Penal de Adolescentes en Venezuela con relación al derecho a la protección especial en contexto de emergencia humanitaria compleja*. <https://drive.google.com/file/d/1GV8o-w0oL--KAni-Naa2iZw42jCQetDD/view?usp=sharing>

Promises”<sup>19</sup>. Out of the 145 cases processed during this period, 30% involved adolescents committing very serious crimes such as homicide. Between January and April, 2021, there were at least 49 adolescents allegedly responsible for various crimes: 31% for homicide, 22% for theft/robbery, 18% for sexual crimes, and 13% fugitives from SIPRA. These figures show the failure of the State and society in guaranteeing opportunities for education and integral development for a population that lives in contexts of violence and exclusion, with institutions, procedures and cohabitation spaces that are neither exemplary nor guarantors of human rights and the respect or ponderation of compliance with institutional and legal regulations.

33. There are also reports of use of excessive force by police officers and cases of dead adolescents that police/military bodies say had “resisted authority.” In Apure, relatives of an adolescent arrested by the Special Action Forces (FAES) of the National Bolivarian Police (PNB) in El Ripial community denounce that the agents took 17-year old Jeferson Ramírez and his family alive, and then their four bodies were found in guerrilla attire, with grenades in their hands, in what they presume was a police setup<sup>20</sup>.
34. During the pandemic lockdown, authorities of some Municipal Rights Councils, Councils for the Protection of Children and Adolescents and Mayor’s Offices, have imposed regulations on free transit that violate the Integral Protection Doctrine, since they include criminal sanctions for behaviors that are not considered crimes. Sanitary oversight for the prevention of COVID-19 has been left to police bodies which have a punitive approach that threatens CHA. The review of news reports revealed that many adolescents were arrested for failing to comply with social quarantine in Aragua, Vargas, Miranda and other states, and were targeted with sanctions and measures that can be considered humiliating treatments and abuse.
35. A recent academic research<sup>21</sup> performed with a qualitative approach by interviewing 18 adolescents deprived of liberty for the crime of homicide, showed the following about SIPRA: regarding police involvement during the investigation phase, a general impression of physical and psychical abuse, including forms of torture, manifested both in the instrumentality to obtain self-inculpation and in the vehemence to express censure and denigration, perhaps fostered by the fact that the adolescents are seen as morally damaged. Regarding the admission of transgressions as an alternative for a contradictory trial, there is a general prevalence conditioned by explicit or implicit coercion; various authorities (public and private defenders, prosecutors and judges) work in tandem to get the result they want, while the freedom of choice of the accused is left severely compromised.
36. Regarding the criminal process in general, there is a perception of an unending sequence of procedures, most of them incomprehensible, where detainees have no opportunity to participate or be heard while agents from various operational backgrounds decide upon developments that end up causing an agonizing effect on the adolescents who, in their desperation to find a way out, even end up confessing to false accusations. In their view, the criminal system they experienced was not characterized by basing its decisions strictly on available evidence or the applicable laws,

<sup>19</sup> See: <https://www.redhna.org/noticias/paper-promises>; <https://www.redhna.org/noticias/alleged-justice>

<sup>20</sup> <https://www.elnacional.com/venezuela/politica/enfrentamientos-en-apure-los-indicios-que-hacen-presumir-que-la-faes-monto-un-falso-positivo-en-el-asesinato-de-una-familia-en-el-ripial/>

<sup>21</sup> Gabaldón, Luis and Carla Serrano (2021) “Informalidad, coacción y garantías procesales: percepciones de adolescentes condenados por homicidio”, Espacio Abierto (in print.)

nor by determining liability through elements of crime, which completely negates the principles of the Integral Protection Doctrine.

### **Recommendations:**

37. Attending to and implementing the recommendations accepted in the Universal Periodic Review 2016 **A/HRC/34/6/Add.1-Para. section II, para. 6. 133.55, 133.60, 133.61** regarding the completion of the National Action Plan for children and adolescents, as well as the recommendation **A/HRC/34/6/Add.1-Para. section II, para. 6. 133.147** regarding the improvement of the rights protection system and the adoption of measures for the prevention of juvenile delinquency.
38. Attending to and implementing the recommendation accepted in the Universal Periodic Review 2016 **A/HRC/34/6/Add.1-Para. section II, para. 6. 133.127** regarding the use of a humane treatment in compliance with the minimum regulations and ensuring that conditions in all detention centers fulfill the international human rights regulations. Authorities are urged to discard the practices of the so-called “new penitentiary regime” in the specialized jurisdiction of adolescents in conflict with the law, which violate the Convention. The military model contradicts the observations made to the Venezuelan State by the Committee on the Rights of the Child (2014) which explicitly requested that the use of military training as part of that kind of programs be prohibited<sup>22</sup>.
39. Promoting actions for an adequate social reinsertion through measures such as the reparation of the damage caused, community service or assisted liberty, accompanied by infrastructure in accordance with the current regulation for guarantees, respectful to human dignity and promoting the true transformation of adolescents who have committed punishable offences.
40. Complying with the principle of separating adults from adolescents in preventive detention centers and in all attention entities where detainees carry out their sentences.
41. Implementing a system of information that records, preserves and publishes data about the population being attended and indicators of the management of institutions that belong to SIPRA, with disaggregation by age groups and geographic location, and with information that allows the review of rights regulations enshrined in the current legislation.
42. Urging the Ombudsman’s Office to fully comply with its attributions on the matter, to resume the publication of updated data and to propitiate its cooperation with the Prosecutor’s Office to guarantee that isolation and military drills are not used as mechanisms to modify the behavior of adolescents.
43. Prioritizing solutions for the situation of adolescents deprived of liberty in police stations at a national level for periods beyond lawful parameters.
44. Prosecuting police officers for contempt when they refuse to execute release warrants issued by the courts of the Republic, in the regrettable cases of adolescents treated as political prisoners.
45. Attending to and implementing the recommendations accepted in the Universal Periodic Review 2016 **A/HRC/34/6/Add.1-Para. section II, para. 6. 133.118, 133.119, 133.120 and 133.121**. Establishing the liabilities of acting officials for cruel, humiliating and degrading treatments

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<sup>22</sup> Office of the United Nations High Commissioner for Human Rights. Committee on the Rights of the Child. Final observations about the combined third and fifth periodic reports of the Bolivarian Republic of Venezuela. Paragraph 74. 2014

against detained adolescents, as well as for keeping them isolated from their lawyers, relatives and representatives, with restrictions on food, rest and personal hygiene.

46. Implementing the recommendation accepted in the Universal Periodic Review 2016 **A/HRC/34/6/Add.1-Para. section II, para. 6. 133.72** regarding the training of members of institutions and programs specialized in criminal justice for adolescents. Guaranteeing an appropriate selection to ensure the fulfillment of human rights regulations and updated approaches in inclusive education and in the psychology of human development.
47. Demanding that State officials and authorities respect, protect and defend the right of adolescents to engage in public demonstrations.
48. Fulfilling the guidelines of the Committee on the Rights of the Child<sup>23</sup> regarding lawful treatment, urging the prevention of the arrest of CHA for violating rules related to COVID-19 and immediately returning them to their families.

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<sup>23</sup> [https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/1\\_Global/INT\\_CRC\\_STA\\_9095\\_S.pdf](https://tbinternet.ohchr.org/Treaties/CRC/Shared%20Documents/1_Global/INT_CRC_STA_9095_S.pdf)