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Venezuela: Kidnapping and extortion in rural and urban areas, particularly in Caracas, and state protection available to victims (2003-Mar. 2005)

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General situation

In 2001, 113 kidnappings were recorded in Venezuela, while there were 131 during the first five months of 2004 alone (*El Universal* 15 June 2004). Criminologist Javier Gorriño said that, in 1999, Venezuela ranked sixth among the Latin American countries in terms of the number of kidnappings, but that this type of crime has increased in recent years (*ibid.*). According to Ivan Simonovis, who was formerly responsible for security in the city of Caracas, 250 people were still in the hands of their kidnappers at the end of 2003 (AFP 30 Dec. 2003).

An Inter-American Development Bank (IDB) survey revealed that 3.4 per cent of adults in Caracas [translation] "said that a relative or they themselves had been kidnapped, while in Cali, one of the most dangerous cities in Colombia, this figure was only 1.4 per cent" (*ibid.*). According to data from the Ministry of the Interior and Justice (Ministerio del Interior y Justicia), in 2002, there were 56 kidnappings and 41 cases of extortion in the metropolitan district of Caracas (Venezuela n.d.). In that same year, in the northern border regions, there were 18 kidnappings and 86 cases of extortion in Tachira and 32 kidnappings and 19 cases of extortion in Zulia, while there were 201 kidnappings and 245 cases of extortion in the entire country (*ibid.*).

According to data from the Tachira Cattle Ranchers' Association (Asociación de Ganaderos del Estado Táchira, ASOGATA), 50 kidnappings took place in Tachira in 2003, while there were 41 in 2002 and 23 in 2001 (*El Universal* 4 Aug. 2003). An 18 September 2004 Agence France Presse (AFP) report indicated that there were over 50 kidnappings in Tachira in 2004, while only one took place on the Colombian side of the border. The presence of Revolutionary Armed Forces of Columbia (Fuerzas Armadas Revolucionarias de Colombia, FARC) training camps near the border, in Venezuela, is also mentioned in the report (AFP 18 Sept. 2004).

The president of the Maracaibo Lake Basin Cattlemen's Federation (Federación de Ganaderos de la Cuenca del Lago, FEGALAGO) stated that the majority of kidnappings in Venezuela's history "have occurred in the area south of Maracaibo Lake, Tachira State, and [in] parts of Merida and Barinas States" (*El Universal* 4 Aug. 2003).

According to the National Cattle Ranchers Federation (Federación Nacional de Ganaderos de Venezuela, FEDENAGA), from January to August 2004, 88 ranchers were kidnapped (*Country Reports 2004* 28 Feb. 2005, Sec. 1b). According to FEDENAGA, Venezuelan criminal gangs and the Bolivarian Liberation Forces (Fuerzas Bolivarias de Liberación, FBL)-an organization composed of militant supporters of President Chavez-were responsible for the increase in kidnappings, although "Colombian terrorist organizations" have been a part of the problem for decades (*ibid.*). An article in the Caracas daily *El Universal* indicated that the FBL could have been behind several kidnappings in Tachira in 2003 and 2004 (11 Oct. 2004). On 3 October 2004, President Chavez recognized the existence of the FBL; he stated that he did not need their support, and he asked that they hand over their weapons (*Miami Herald* 4 Oct. 2004).

In September 2004, the head of the Investigative and Criminal Police Corps (Cuerpo de Investigaciones Científicas, Penales y Criminalísticas, CICPC) for Tachira told reporters that "some police and National Guard officers collaborated with kidnappers" (*Country Reports 2004* 28 Feb. 2005, Sec. 1b).

In November 2004, when five Italians were kidnapped, a report from the Italian Ministry of Foreign Affairs warned its citizens against the risks involved in travelling to Venezuela because [translation] "kidnappings for extortion had recently increased" (*El Universal* 17 Nov. 2004).

Specific cases

Several specific kidnappings were reported by the media: the mother of the professional baseball player Ugueth Urbina (AFP 19 Feb. 2005), farmers and ranchers (some Italian) (AP 20 Dec. 2004; ANSA 16 Nov. 2004), a French student (AFP 24 Jan. 2004) and Japanese residents (Kyodo News International 5 July 2003). The baseball player's mother was released during a commando operation after she had been held captive for six months (AFP 19 Feb. 2005).

El Universal also indicated that several Chinese citizens were kidnapped or murdered (11 Nov. 2004).

Sergio Oscar Calderón, a former governor of Tachira and opposition leader in that region, was released in August 2003, almost one month after being kidnapped (PROVEA 15-18 Aug. 2003). According to the victim, the young kidnapers had a Colombian accent, which indicates that they could have been Colombian guerrillas (ibid.). The article dismissed the possibility that Sergio Oscar Calderón was kidnapped for political reasons (ibid.). Another political leader, Ramon Romero, was kidnapped by the FBL in Apure State in December 2004, and witnesses claimed that this kidnapping was politically motivated (*El Universal* 22 Dec. 2004).

State protection

According to *El Universal*, statistics indicate that kidnappings are on the rise; however, Efrén Marín, chief of the CICPC's Anti-Kidnapping Division (División Anti-Secuestro), said that kidnappings in Venezuela had increased over the past several years, but had decreased by 60 per cent in 2004 (*El Universal* 9 July 2004). According to him, this decrease was due to measures taken in Tachira and Barinas States, where the majority of the kidnappings happen (ibid.).

According to Ivan Simonovis, the CICPC's Anti-Extortion and Kidnapping Directorate has 40 officers, while the Tachira unit has only 10, which explains the high number of kidnappings in that state (*El Universal* 4 Aug. 2003). Furthermore, according to FEGALAGO, in August 2003, the government still had not moved the three military brigades promised to Tachira, even though it had announced this measure three months beforehand in order to reduce the kidnapping, extortion and "protection payments" cases (ibid.).

The Venezuelan Minister of Defence, Jorge Luis Garcia Carneiro, said recently that the troops in the border region, [translation] "one of the regions most affected by kidnappings," would not be increased, and that, instead, intelligence measures would be improved (*El Universal* 11 Mar. 2005).

In May 2004, the Italian government sent two experts to Venezuela [translation] "to work with the Venezuelan authorities on the kidnapping and hostage-taking cases" (AFP 20 Dec. 2004). In December 2004, the experts' mission was extended in order to ensure the release of two other Italian citizens (ibid.).

Country Reports 2004 indicated that police often fired at suspects in kidnapping cases and when rescuing kidnap victims (28 Feb. 2005, Sec. 1a).

In October 2004, eight kidnapers, including two Colombians, were killed during a police operation to rescue a young man abducted in southeast Caracas (ACAN-EFE 28 Oct. 2004). Government representatives indicated that "the powerful gang of robbers and kidnapers" had ties to several members of the Caracas metropolitan police (ibid.).

Three Monagas state police officers, who were allegedly behind at least two kidnappings and one murder, were killed on 15 November 2003 during a shootout with undercover officers (AP 16 Nov. 2003). The three police officers had been under surveillance by the anti-kidnapping division for several days (ibid.).

Although a plan exists to fight crime (*plan antidelictivo*), according to criminologist Javier Gorriño, it remains a secret and is unknown to local police (*El Universal* 15 June 2004). Javier Gorriño said that crime is higher because of the lack of punishment and because of insufficient financial resources to cope with the increase (ibid.). In December 2004, the Venezuelan Ministry of the Interior and Justice spoke highly of the merits of its [translation] "citizen security plan" (Venezuela 10 Dec. 2004). According to the report, a pilot of the citizen security plan, which is carried out at local levels, has already shown results in nine municipalities; the officers are currently analyzing the data gathered (ibid.).

Recent developments

On 5 March 2005, the Ministry of the Interior and Justice announced the implementation of a police and military team which will monitor the border zone, where the presence of paramilitary groups [translation] "has alerted the Venezuelan authorities" (Agencia Bolivariana de Noticias 5 Mar. 2005).

In March 2005, the Venezuelan National Assembly amended the penal code, and prison sentences for

involvement in a kidnapping are now 20 to 30 years (Venezuela 3 Mar. 2005). Since the 20 October 2000 amendment, the Venezuelan Penal Code provided for 15 to 25 years in prison for involvement in kidnappings (ibid. 20 Oct. 2000). At the start of July 2004, during a Venezuelan American Chamber of Commerce (Cámara de Comercio Venezolano-Americana) forum on kidnappings, Fernando Fernandez, a legal expert specializing in kidnappings, claimed that the length of the sentence does not matter if the prisons have no room for the criminals (*El Universal* 9 July 2004).

In addition, a meeting of executive, legislative, judicial and civil representatives led to two recommendations for fighting the problem of kidnappings: the creation of special tribunals and the coordination of information from defence and security organizations in Venezuela (ibid. 11 Mar. 2005). The same article indicated that a bill against kidnappings and extortion is currently under review in the Venezuelan National Assembly (ibid.).

No additional information on kidnappings and extortions in rural and urban areas or on state protection available to victims could be found among the sources consulted by the Research Directorate within the time constraints for this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of additional sources consulted in researching this Information Request.

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