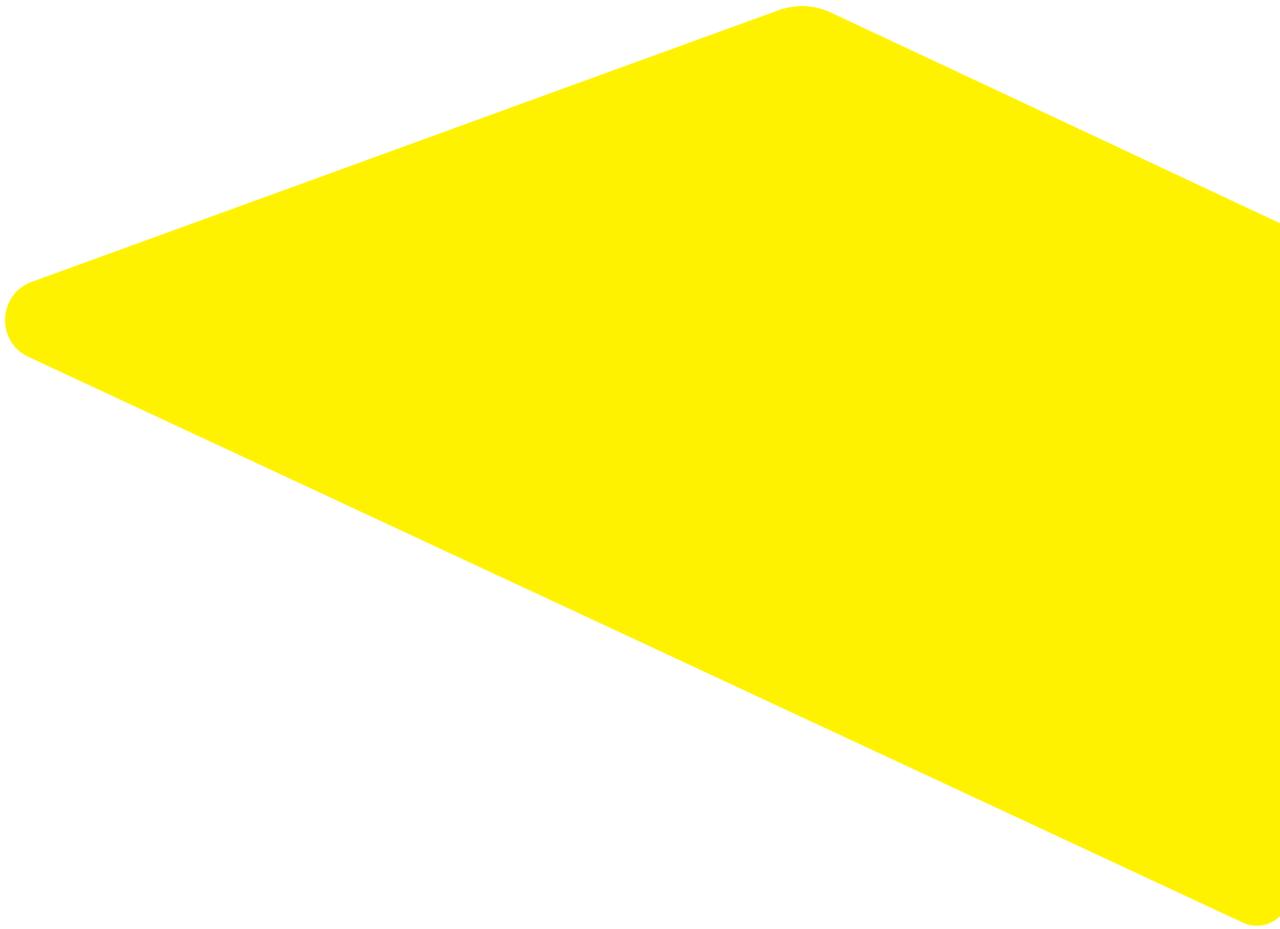


**CASE FILE**

**Gustavo González López**

Command Responsibility,  
Human Rights, and the  
Intelligence Apparatus  
in Venezuela

IZALEZ L





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## EXECUTIVE SUMMARY

The recent appointment of Gustavo González López as Minister of Defense, announced on March 18, 2026, places at the head of the Bolivarian National Armed Forces a figure identified by international bodies in connection with serious human rights violations.

This report analyzes his trajectory at the head of the Bolivarian National Intelligence Service (SEBIN) and assesses his command responsibility based on the findings of the United Nations Independent International Fact-Finding Mission (FFM), as well as other international and national sources.

### Five Key Findings

#### **1. A system of repression existed, not isolated acts**

The FFM documented a systematic pattern of human rights violations in Venezuela, including arbitrary detentions, torture, short-term enforced disappearances, and sexual violence.

*“The violations were committed as part of an attack directed against individuals perceived as opponents.”*

These were not individual excesses, but rather a structured policy of repression.

## **2. SEBIN operated as an instrument of political control**

During González López's leadership, SEBIN functioned as an intelligence apparatus aimed at identifying, monitoring, and neutralizing individuals considered political adversaries.

*"SEBIN carried out most of its arrests against predetermined individuals following a period of surveillance and investigation."*

Intelligence was used as a tool of persecution, not of State protection.

## **3. There are elements to attribute command responsibility**

The FFM found reasonable grounds to believe that González López: ordered operations; had knowledge of the violations; participated in detention and interrogation dynamics; failed to take measures to prevent or sanction abuses.

*"Gustavo González López ordered the operations..."*

*"The Mission found reasonable grounds to believe that [...] he had knowledge, participated, and contributed..."*

These elements establish command responsibility under international standards.

## **4. Repression responded to a political chain of command**

The investigations indicate that SEBIN did not act autonomously, but rather as part of a structure linking political decisions with their operational execution.

*"Orders included whom to detain, release and/or torture..."*

This reinforces that the violations were not individual deviations, but part of a State policy.

## **5. His appointment as Minister of Defense poses risks for a democratic transition**

González López's appointment to the Ministry of Defense projects into the military sphere a trajectory associated with repressive practices.

*"The appointment of González López should set off international alarm bells..."* (Human Rights Watch, 2019)

This appointment suggests continuity — not rupture — with a model of control based on intelligence and coercion.

### **Core Implication**

The elements analyzed allow for the conclusion that there are reasonable grounds to attribute command responsibility to Gustavo González López for serious human rights violations, within the context of a systematic pattern of repression.

His appointment as Minister of Defense poses serious obstacles to: security sector reform; accountability; the construction of guarantees of non-repetition.

### **Key Message**

his is not a discussion about the past, but about the future.

Placing at the head of the military apparatus a figure linked to a system of repression documented by international bodies is incompatible with a democratic transition based on human rights.



## INTRODUCTION

In contexts of potential democratic transition, the assessment of those who hold high-level responsibilities in the security sector is not merely a retrospective exercise, but an essential condition to guarantee the non-repetition of human rights violations and the reconstruction of institutional trust.

In Venezuela, this assessment acquires immediate relevance following the recent appointment of General Gustavo González López as Minister of People's Power for Defense, announced on March 18, 2026, by acting president Delcy Rodríguez. This decision implies that a figure previously identified by international mechanisms in connection with serious human rights violations now assumes direct control over the Bolivarian National Armed Forces.

Various reports by the United Nations Independent International Fact-Finding Mission have documented the existence of systematic patterns of repression in Venezuela, including arbitrary detention, torture, short-term enforced disappearances, and sexual violence, in which intelligence bodies — particularly SEBIN — have played a central role.

Gustavo González López led this agency during key periods of political repression and has been identified by the Mission as a figure with knowledge of, participation in, and contribution to the commission of serious human rights violations.

His appointment as Minister of Defense not only raises questions regarding the continuity of documented practices, but also introduces significant tensions with international standards applicable to democratic transition processes, particularly in relation to security sector reform, accountability, and guarantees of non-repetition.

This report aims to analyze the command responsibility of Gustavo González López in the context of violations documented by international bodies, as well as to assess the implications of his current position at the head of the military apparatus for the democratic future of the country.

# 1. INSTITUTIONAL PROFILE AND TRAJECTORY WITHIN THE STATE SECURITY APPARATUS

## 1.1 Career in intelligence and political control

Gustavo Enrique González López was born on November 2, 1960, in Carrizal, Miranda state. He graduated from the Venezuelan Military Academy in 1982. González López rose through the military ranks and, on July 1, 2017, President Nicolás Maduro promoted him to General-in-Chief, the highest military rank in Venezuela.

His professional profile has developed in the areas of counterintelligence, internal control, and management of political threats, within the framework of the transformation of the security apparatus after 1999.

Between January and May 1991, he attended the School of the Americas in Fort Benning, Georgia, where he received training in “psychological operations” and advanced officer training provided by the United States Army.

Under the orders of Diosdado Cabello in 2003, he was appointed Director General of the Office of Planning and Human Resources Development at the Ministry of Infrastructure. In 2006, he was appointed President of the Caracas Metro. In December 2008, Hugo Chávez appointed him Commander of the 5th Jungle Infantry Division, Operational Theater No. 5, based in Ciudad Bolívar.

On July 30, 2011, he was appointed General Commander of the Bolivarian Militia. He also served as Secretary of the Security and Intelligence Unit of the National Electric System.

He has held, on two occasions, the position of Director General and highest authority of the Bolivarian National Intelligence Service (SEBIN); he served as Minister of Interior, Justice and Peace; he was appointed General Commander of the Presidential Honor Guard; and at the same time served as Director of the General Directorate of Military Counterintelligence (DGCIM). As of March 18, 2026, he has been appointed Minister of Defense.

## 1.2 Leadership of SEBIN during periods of documented repression

González López served as Director General of SEBIN during two periods: 2014–2018 and from 2019 until early 2026.

These periods coincide with phases in which international bodies documented systematic patterns of political repression, including arbitrary detention, torture, and other serious human rights violations.

The continuity of his leadership of SEBIN during different moments of the Venezuelan political conflict reinforces his position as a central actor within the State's repressive apparatus.

### **1.3 Concentration of power in the security sector**

Between 2015 and 2016, González López simultaneously served as Director of SEBIN and Minister of People's Power for Interior, Justice and Peace.

This accumulation of functions granted him control over intelligence services, police forces, and internal security policies.

From the perspective of command responsibility, this concentration of power increases the level of effective control over the structures involved in the commission of violations.

### **1.4 Reconfiguration of power after 3E**

Following the events of January 2026 and the reconfiguration of political power in Venezuela, González López was appointed to strategic positions within the security apparatus, including the leadership of DGCIM and the Presidential Honor Guard.

These appointments reflect his role as a trusted figure within the new balance of power.

### **1.5 Appointment as Minister of Defense (2026)**

On March 18, 2026, Gustavo González López was appointed Minister of People's Power for Defense, assuming control over the main military body of the Venezuelan State.

This appointment represents a qualitative shift in his institutional role: he moves from leading an intelligence agency to commanding the Armed Forces. It also expands his authority over the entirety of the military apparatus.

Analysts have interpreted this decision as a move aimed at consolidating political control over the armed forces and ensuring the loyalty of the security apparatus in a context of high instability and internal institutional fracture within the Armed Forces following the events of 3E.

### **1.6 Implications of his current position**

The appointment of González López as Minister of Defense raises critical implications from a human rights perspective:

- It transfers to the highest level of the military a figure linked to repressive intelligence;
- It further blurs the distinction between defense and political control;
- It reinforces the centrality of the security apparatus in the exercise of power.

In terms of democratic transition, this type of appointment should be interpreted as a structural obstacle to: security sector reform; accountability; the construction of guarantees of non-repetition.

## Chronological matrix of positions held by Gustavo González López

Period	Position	Institution	Notes
Feb 17, 2014 – Oct 26, 2018	Director General	SEBIN	First period in civilian intelligence
Mar 9, 2015 – Aug 2, 2016 (overlapping)	Minister of Interior, Justice and Peace / Administrator of Federal Dependencies	National Executive	Political post held simultaneously with SEBIN
Jan 8, 2019 – Present	Director	Presidential Security and Intelligence Council	Permanent strategic role
Apr 30, 2019 – Oct 18, 2024	Director General	SEBIN	Second period in intelligence
Jan 6, 2026 – Mar 18, 2026	Director	DGCIM	Control of military counterintelligence
Jan 6, 2026 – Mar 18, 2026 (overlapping)	General Commander	Presidential Honor Guard	Direct presidential security
Mar 18, 2026 – Present	Minister of Defense	Bolivarian National Armed Forces	Highest military authority

## **2. SEBIN AND THE LOGIC OF REPRESSION AS STATE POLICY**

### **2.1 SEBIN as an instrument of selective repression**

The Bolivarian National Intelligence Service (SEBIN) has been identified by the United Nations Independent International Fact-Finding Mission as one of the main bodies responsible for political repression in Venezuela.

Its actions were directed toward the neutralization of individuals considered to be opponents or critics of the government, through the use of intelligence mechanisms applied to political control. Unlike other security bodies formally focused on public order or ordinary criminal investigation, SEBIN operated as a structure designed to identify, monitor, detain, and subject individuals perceived as political threats.

### **2.2 Documented patterns of violations**

The Mission has documented that SEBIN participated in the commission of serious human rights violations, including:

- a)** arbitrary detention;
- b)** short-term enforced disappearances;
- c)** torture and cruel, inhuman or degrading treatment;
- d)** sexual violence.

These acts do not constitute isolated incidents, but rather form part of a systematic pattern directed against the civilian population on political grounds.

### **2.3 El Helicoide as a site of repression**

One of the main locations associated with these practices has been El Helicoide, where conditions of detention incompatible with international standards, as well as acts of torture and other inhuman treatment, have been documented.

More than a conventional detention center, El Helicoide appears in international reports as a space where surveillance, isolation, coercion, and interrogation converged within a broader system of control over individuals detained for political reasons, or perceived as such.

## 2.4 Operational logic: intelligence as a tool of political control

SEBIN's operations were characterized by a logic of selective repression based on:

- a) prior identification of political targets;
- b) systematic surveillance;
- c) planned detentions;
- d) coercion during interrogations;
- e) instrumentalization of the judicial system.

According to the Mission:

*"SEBIN carried out most of its arrests against predetermined individuals following a period of surveillance and investigation."*

This finding makes clear that the agency's actions were not primarily oriented toward the investigation of ordinary crimes, but rather toward targeted persecution of individuals previously identified as political objectives.

## 2.5 Integration into a State policy

The Mission's investigations indicate that these practices did not result from individual deviations or isolated excesses, but rather formed part of a State policy aimed at neutralizing dissent.

In this sense, SEBIN operated as an instrument within a broader strategy of political control, in which intelligence was used to identify, pursue, and neutralize individuals considered adversaries. The function of the agency was not limited to producing information, but extended to actively participating in the execution of a policy of selective repression.

## 2.6 Relevance for the current analysis

The structural nature of these practices is central to understanding the present context. The appointment of actors originating from this apparatus to key State institutions suggests the possible continuity of a security model based on intelligence, coercion, and political control.

This raises fundamental questions regarding the viability of a transition grounded in human rights, particularly with respect to:

- Security sector reform;
- Accountability mechanisms;
- Guarantees of non-repetition.

### **3. CHAIN OF COMMAND AND DIRECT RESPONSIBILITY**

Unlike the previous chapter, which describes SEBIN as a structure, this section focuses on the individual responsibility of Gustavo González López within that system, in light of international law standards.

#### **3.1 Position of authority and effective control**

During the periods in which he served as Director General of SEBIN, Gustavo González López held the highest authority within the institution, with control over its operational, hierarchical, and disciplinary structure.

The United Nations Independent International Fact-Finding Mission established that:

*“The Mission received evidence that the chain of command functioned properly within SEBIN; Gustavo González López ordered the operations, and lower-level units and officials carried out those orders.”*

This finding establishes the existence of effective control, a central element in the doctrine of command responsibility. His role cannot therefore be characterized as merely administrative, but rather as a position with real capacity to direct the actions of the agency.

#### **3.2 Operational direction and issuance of orders**

The evidence collected by the Mission indicates that SEBIN’s actions followed a vertical structure in which operational decisions were defined at higher levels and executed by subordinate officials.

In particular, the Mission documented that:

*“SEBIN carried out most of its arrests against predetermined individuals following a period of surveillance and investigation. According to a former SEBIN agent, surveillance was always conducted under the direct orders of the Director General of SEBIN, Gustavo González López. The Director of SEBIN, González López, also gave orders directly to lower-ranking agents. SEBIN agents carried out any kind of work requested by their superiors, including investigations, searches and arrests.”*

Similarly, the Organization of American States, in the 2018 report of the General Secretariat and the Panel of Independent International Experts on the possible commission of crimes against humanity in Venezuela, stated:

*“SEBIN, coordinated from the capital by its Director General Gustavo González López, attempted to arrest, one after another, all magistrates*

*appointed in accordance with the Constitution in their homes. Most fled to neighboring countries or sought refuge and protection in various embassies in Caracas.”*

These elements demonstrate that González López not only held formal authority, but exercised direct operational command, including the planning of arrests and surveillance activities.

In the same vein, PROVEA documented his role within highly questioned security policies such as the “Operaciones de Liberación del Pueblo” (OLP), highlighting:

*“the extensive record of human rights violations accumulated by General Gustavo González López,”*

reinforcing his linkage to State practices characterized by excessive use of force and serious abuses against the civilian population.

### **3.3 Integration into the political chain of command**

The Mission also identified that SEBIN’s operations were articulated with decisions taken by high-level political actors.

In this regard, it stated:

*“Witnesses indicated that Diosdado Cabello has relations of trust with SEBIN officials, in particular with Gustavo González López.”*

It further added:

*“Numerous sources, including former SEBIN agents, told the Mission that Diosdado Cabello gave orders directly to the Director General of SEBIN, González López, and that the Director reported to him unofficially. The orders included whom to detain, release and/or torture, bypassing the Vice Presidency.”*

These elements place González López as a key link in the transmission of orders within a hierarchical structure connecting political decision-making with operational execution, reinforcing his role within a State policy of repression.

### **3.4 Knowledge of violations and direct participation**

A central element of command responsibility is the knowledge — actual or constructive — of violations committed by subordinates.

The Mission concluded that:

*“The Mission found reasonable grounds to believe that Gustavo González López had knowledge of, participated in and contributed to the com-*

*mission of serious violations... including arbitrary detention and torture and other cruel, inhuman or degrading treatment, including acts of sexual violence.”*

Additionally, it documented his direct involvement in specific cases:

*“González López personally went to the detainee’s cell several times to interrogate him.”*

*“Each time González López visited him, he offered things in exchange for information, including conditional release.”*

*“González López said... that he knew the detainee was innocent, but that ‘this was politics’.”*

The OAS report (2018) further states:

*“The Director of SEBIN, Major General Gustavo González López, appeared in the cell to subject him to threats, referring to the vulnerability of his family, his wife, and his minor children, in order to obtain testimony implicating opposition figures...”*

And adds:

*“José Gustavo Arocha was interrogated in prison... at least five times personally by the Director of SEBIN... He was only brought before a judge after agreeing to sign a false statement.”*

These elements establish not only knowledge, but direct participation in coercive practices, as well as awareness of the political nature of the detentions.

### **3.5 Failure to prevent or punish**

The doctrine of command responsibility also encompasses the duty to prevent and punish violations committed by subordinates.

The repeated patterns documented by the Mission — including arbitrary detention, torture, and short-term enforced disappearances — indicate the existence of systematic practices within SEBIN.

In this context, the absence of effective measures to prevent such conduct, investigate those responsible, or sanction perpetrators reinforces the attribution of responsibility to the upper levels of the chain of command.

Given his position, González López had the material and legal capacity to act to prevent these violations. This did not occur in an effective manner.

### 3.6 Establishment of command responsibility

Based on the documented elements, it is possible to identify the core components of command responsibility under international law:

**a) Superior–subordinate relationship**

González López exercised hierarchical authority over SEBIN personnel.

**b) Effective control**

He ordered operations and directed surveillance, detention, and investigative activities.

**c) Knowledge or reason to know**

There are reasonable grounds to believe that he had knowledge of the violations and of their systematic nature.

**d) Failure to prevent or punish**

No effective measures were taken to prevent or sanction such conduct.

These elements place his conduct within the framework of international responsibility for serious human rights violations, without prejudice to determinations by competent judicial bodies.

### 3.7 Relevance in the current context

The analysis of the chain of command acquires particular significance in the current context, in which González López has been appointed Minister of Defense.

The evidence of his role within hierarchical structures used for political repression raises concrete concerns regarding:

- The potential reproduction of such practices within the military sphere;
- The continuity of practices incompatible with democratic standards;
- The viability of a human rights–based security sector reform.

In this sense, his trajectory not only allows for the assessment of past responsibility, but also for anticipating implications for the country's institutional future.



## 4. MODUS OPERANDI AND DOCUMENTED VIOLATIONS

Based on the findings of the United Nations Independent International Fact-Finding Mission, it is possible to identify a set of recurring practices in SEBIN's operations that allow for the reconstruction of its mode of operation in the repression of individuals considered to be opponents or critics of the government.

This section describes these patterns not as isolated acts, but as expressions of a coherent operational scheme, characterized by the use of intelligence as a tool of political control.

### 4.1 Identification and surveillance of targets

SEBIN operations began with the prior identification of individuals considered of interest, based on their political, social, or military activity, or their real or perceived links to opposition actors.

According to the Mission:

*“SEBIN carried out most of its arrests against predetermined individuals following a period of surveillance and investigation.”*

This process included physical tracking, monitoring of communications, and the collection of information on personal and political networks. The selection of targets responded to political criteria rather than the commission of crimes, reinforcing the selective nature of these operations.

### 4.2 Arbitrary detentions and targeted operations

Once the target had been identified, detentions were carried out that, in numerous cases, did not comply with basic due process guarantees.

The Mission documented that:

*“Many of the detentions were carried out without a judicial warrant or in circumstances that did not meet established legal requirements.”*

These detentions were characterized by the absence of a valid judicial order, the disproportionate use of force, and the lack of information regarding the reasons for detention. In many cases, operations were previously planned and coordinated, evidencing a structured pattern of conduct.

### 4.3 Incommunicado detention and short-term enforced disappearances

Following detention, individuals were frequently subjected to periods of incommunicado detention, during which their whereabouts were unknown.

According to the Mission:

*“Victims were held incommunicado for varying periods, during which their families were unaware of their whereabouts.”*

During these periods:

- access to legal counsel was restricted;
- communication with family members was prevented;
- information about the detention was withheld.

These practices have been characterized as short-term enforced disappearances. Incommunicado detention was not a collateral effect, but a functional condition that increased the vulnerability of detainees and facilitated coercive practices.

### 4.4 Coercive interrogations and torture

Within this context of isolation, detainees were subjected to interrogations aimed at obtaining information or confessions.

The Mission documented that:

*“Torture and cruel, inhuman or degrading treatment were used to obtain confessions or information, as well as to punish or intimidate.”*

Reported methods included:

- physical violence;
- asphyxiation;
- threats;
- sexual violence.

These practices were not only aimed at extracting information, but also at breaking the will of the detainee and establishing psychological control.

### 4.5 El Helicoide and “La Tumba” as centers of control and coercion

One of the main locations where these practices took place was El Helicoide.

The Mission stated that:

*“El Helicoide was one of the main centers where acts of torture and other cruel, inhuman or degrading treatment were committed.”*

In this facility, isolation, interrogation, physical control, and psychological pressure were combined, creating a systematic environment of coercion.

Additionally, detainees were held in facilities known as “*La Tumba*”, an underground detention site located in Plaza Venezuela, associated with conditions of extreme isolation.

Testimonies and reports describe these facilities as spaces characterized by:

- cells measuring approximately two by three meters;
- absence of windows;
- permanent artificial lighting;
- continuous surveillance through cameras;
- conditions leading to temporal and psychological disorientation.

These conditions did not correspond to an ordinary detention environment, but rather to a device designed for control, coercion, and the physical and psychological weakening of detainees, particularly in the context of political persecution.

On October 8, 2018, Caracas city councilor Fernando Albán died while in custody of SEBIN during the tenure of González López, after falling from a window of the agency’s headquarters in Plaza Venezuela, where he was being held for political reasons.

Although authorities initially described the event as a “suicide,” the Office of the Attorney General later acknowledged irregularities in the investigation and, years later, admitted that it was a killing carried out by officials while the victim was under State custody.

The case forms part of international scrutiny regarding human rights violations in Venezuela, including within the preliminary examination conducted by the International Criminal Court, which has considered such incidents in the context of possible crimes against humanity.

The United Nations Fact-Finding Mission also found reasonable grounds to believe that Albán’s death constituted an arbitrary deprivation of life.

Following Albán’s death, González López — then Director of SEBIN — remained out of the public spotlight for several months. On January 8, 2019, he reappeared in official functions, being appointed as “*Security Advisor*

to the Presidency,” demonstrating his continuity within power structures despite the gravity of the events that occurred under his leadership.

#### **4.6 Fabrication of cases and judicialization**

After detainees had gone through the cycle of surveillance, detention, and interrogation, a process was initiated to provide an appearance of legality to what had occurred.

The Mission observed that:

*“In several cases, evidence was fabricated or manipulated to justify the detention.”*

This process included the use of broad criminal charges — such as terrorism, conspiracy, or treason — which allowed for prolonged detention. In this way, the judicial system was instrumentalized as part of the repressive framework.

#### **4.7 Punitive function and deterrent effect**

Beyond individual cases, these practices served a broader political function.

According to the Mission:

*“The violations were committed as part of an attack directed against individuals perceived as opponents.”*

This indicates that the objective was not only to obtain information or sanction specific conduct, but also to punish, intimidate, and deter.

The effect of these practices extended to society as a whole, creating an environment of fear that limited political participation and the expression of dissenting views.

#### **4.8 Integration of the operational pattern**

The elements described above reveal a coherent pattern of conduct:

1. identification of the target;
2. prior surveillance;
3. arbitrary detention;
4. incommunicado detention;
5. coercive interrogation;
6. fabrication of evidence;
7. judicialization.

This pattern reflects not only an operational sequence, but an institutional logic that integrates intelligence, coercion, and the instrumental use of the justice system.

#### **4.9 Relevance for individual responsibility**

The repeated and structured nature of these practices supports the conclusion that:

- they were not isolated acts;
- they were foreseeable within the functioning of the institution;
- they responded to an institutional logic.

In this context, individuals in positions of leadership had knowledge — or should have had knowledge — of these dynamics, reinforcing the elements of command responsibility analyzed in the previous chapter.

#### **4.10 Relevance in the current context**

The reconstruction of this modus operandi is particularly relevant in the current context. The appointment of a former SEBIN director as Minister of Defense raises concerns regarding:

- the extension of these practices to other areas of the State apparatus;
- the consolidation of a security model based on intelligence and coercion;
- the difficulty of implementing institutional reforms grounded in human rights.

In this sense, the analysis of these patterns not only allows for an understanding of the functioning of the repressive system in the recent past, but also for the assessment of its possible projections in the present.

## **5. IMPACT ON VICTIMS: EXPERIENCES OF REPRESSION**

Beyond the chain of command and operational patterns described in the previous chapters, the human rights violations documented by the United Nations Independent International Fact-Finding Mission have a direct and profound impact on those who suffer them.

This impact is not limited to the moment of detention, but extends over time, affecting physical integrity, mental health, family relationships, and the ability to participate in public life.

The testimonies collected by the Mission allow for the reconstruction of these experiences from the perspective of the victims, revealing the systematic nature of the practices described.

### **5.1 Detention as rupture**

For many victims, the experience begins with an abrupt detention, often carried out without a judicial warrant and executed by armed officials.

These detentions produce an immediate rupture with everyday life, marked by uncertainty, fear, and lack of information.

In numerous cases, individuals are not informed of the reasons for their detention or the location to which they will be taken, increasing their vulnerability from the outset.

### **5.2 Incommunicado detention and short-term enforced disappearance**

Following detention, victims are frequently subjected to periods of incommunicado detention.

The Mission documented that:

*“Victims were held incommunicado for varying periods, during which their families were unaware of their whereabouts.”*

During these periods:

- access to legal counsel is restricted;
- communication with family members is prevented;
- information regarding the detention is withheld.

This situation has been characterized as short-term enforced disappearance, generating not only distress for the detainee, but also anguish for their family environment.

### **5.3 The body as a site of coercion**

During detention, victims are subjected to interrogations under coercive conditions.

The Mission documented that:

*“Torture and cruel, inhuman or degrading treatment were used to obtain confessions or information, as well as to punish or intimidate.”*

These methods include:

- physical violence;
- threats;
- sleep deprivation;
- sexual violence.

In this context, the victim's body becomes an instrument through which control is imposed, will is broken, and information is extracted.

## 5.4 Awareness of arbitrariness

One of the most significant elements documented by the Mission is the awareness, on the part of officials themselves, of the arbitrary nature of many detentions.

In one documented case, it is reported that:

*“González López said... that he knew the detainee was innocent, but that ‘this was politics’.”*

Such statements reveal that detentions were not necessarily linked to the commission of crimes, but rather to a logic of political control.

For victims, this realization deepens the sense of defenselessness, as it demonstrates the absence of an institutional framework capable of guaranteeing their rights.

## 5.5 Negotiation under coercion

The Mission also documented practices in which detainees were offered benefits in exchange for information or confessions.

In particular, the Mission recorded in 2022:

*“Each time González López visited him, he offered things in exchange for his information, including conditional release.”*

These dynamics create situations of extreme pressure, in which victims are forced to make decisions under coercive conditions, without procedural guarantees.

## 5.6 Psychological and social consequences

The consequences of these experiences extend beyond the period of detention.

Victims may suffer:

- physical aftereffects;
- anxiety disorders and post-traumatic stress;
- difficulties reintegrating into social and professional life.

These practices also have a significant impact on family members, generating fear, uncertainty, and prolonged emotional distress.

### **5.7 Deterrent effect on society**

Beyond individual cases, the documented violations serve a broader political function.

According to the Mission:

*“The violations were committed as part of an attack directed against individuals perceived as opponents.”*

This indicates that the objective is not only to affect the detained individual, but to send a message to society as a whole.

The result is a deterrent effect that restricts political participation, the expression of dissenting views, and the full exercise of freedoms of association and assembly.

### **5.8 Relevance for the assessment of responsibility**

The impact on victims reinforces the elements analyzed in previous chapters.

In particular, it demonstrates that:

- the violations were not incidental;
- they had serious and lasting consequences;
- they formed part of a pattern of conduct.

From this perspective, the analysis of responsibility cannot be separated from its concrete effects on individuals.

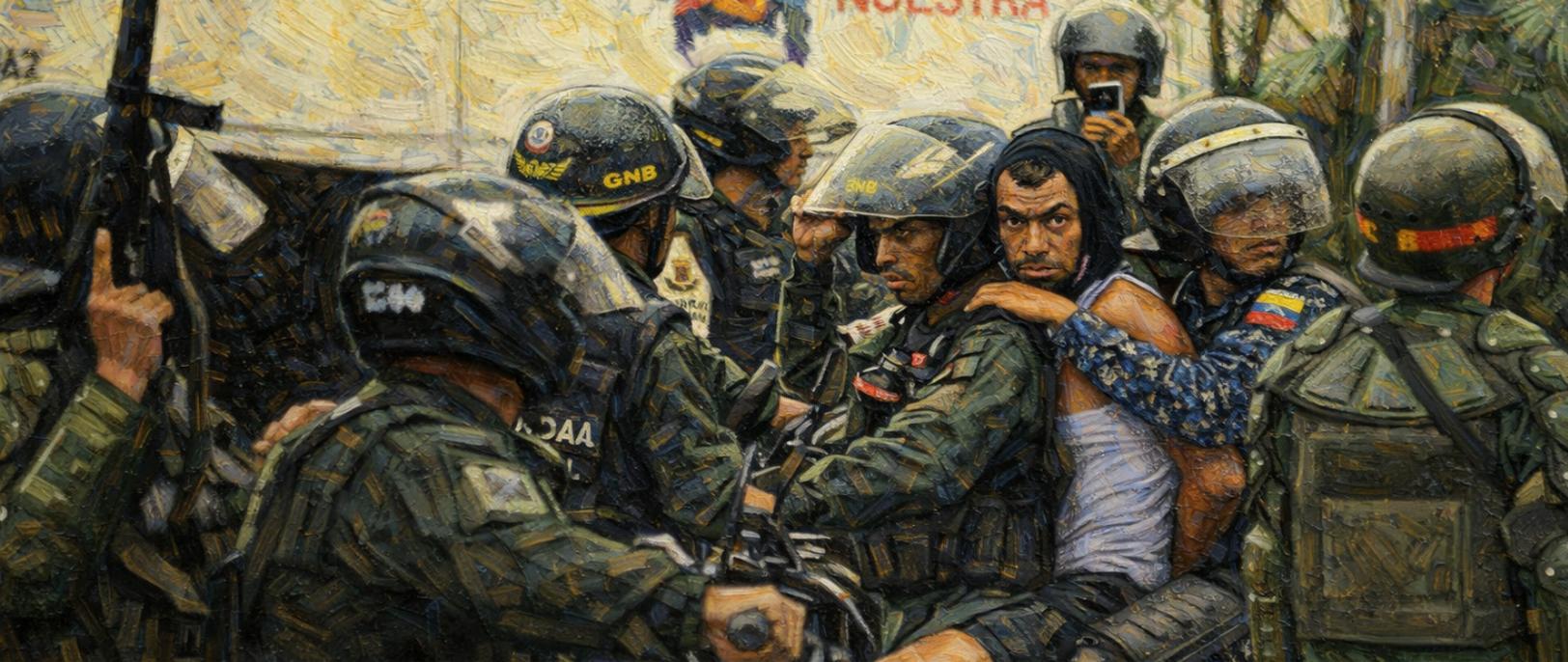
### **5.9 Relevance in the current context**

In the current context, the appointment of an individual linked to these practices as Minister of Defense raises significant concerns.

The experiences documented by the Mission allow for anticipating risks associated with the continuation of these dynamics, particularly regarding:

- the use of coercion as a tool of control;
- the instrumentalization of security structures;
- the persistence of practices incompatible with democratic standards.

In this sense, the impact on victims is not only a matter of the past, but a key indicator for assessing present challenges.



## 6. LEGAL QUALIFICATION AND INTERNATIONAL RESPONSIBILITY

The elements developed in the previous chapters — the structure of SEBIN, the chain of command, the pattern of conduct, and the experiences of victims — allow for a legal qualification of the facts under international human rights law and international criminal law.

This analysis does not replace the role of competent judicial bodies, but it does allow for determining whether the documented conduct fits within recognized international legal categories, as well as for assessing the responsibility of those who held positions of command.

### 6.1 Evidentiary standard: “reasonable grounds to believe”

The United Nations Independent International Fact-Finding Mission applies the standard of “*reasonable grounds to believe*,” which is consistent with international practices in the investigation of serious human rights violations.

In relation to Gustavo González López, the Mission concluded that:

*“The Mission found reasonable grounds to believe that Gustavo González López had knowledge of, participated in and contributed to the commission of serious violations... including arbitrary detention and torture and other cruel, inhuman or degrading treatment, including acts of sexual violence.”*

This standard implies that the information gathered is sufficient to sustain, with a reasonable degree of certainty, the existence of responsibility in the documented events.

### 6.2 Types of human rights violations

The conduct documented in relation to SEBIN includes serious human rights violations widely recognized under international law, including:

- arbitrary detention;

- short-term enforced disappearance;
- torture and cruel, inhuman or degrading treatment;
- sexual violence.

These violations affect fundamental rights enshrined in international instruments, including:

- the right to personal liberty;
- the right to physical and mental integrity;
- the right to due process;
- rights associated with civic space.

The repeated nature of these practices reinforces both their gravity and their legal significance.

### **6.3 Crimes against humanity**

Beyond individual violations, the documented acts may be analyzed within the framework of crimes against humanity under international criminal law.

For conduct to qualify as crimes against humanity, it must be part of a widespread or systematic attack directed against a civilian population, with knowledge of such attack.

The Mission stated that:

*“The violations were committed as part of an attack directed against individuals perceived as opponents.”*

This allows for identifying:

- a systematic pattern;
- a targeted civilian population (individuals perceived as political opponents);
- a political intent.

In this context, practices such as arbitrary detention, torture, and persecution on political grounds may fall within the category of crimes against humanity.

### **6.4 Command responsibility**

International law recognizes command responsibility as a basis for attributing responsibility to superiors for acts committed by their subordinates.

For this responsibility to be established, the following elements must be present:

- a)** a superior–subordinate relationship;
- b)** effective control over the forces or structure;
- c)** knowledge or reason to know of the acts;
- d)** failure to prevent or punish the violations.

The elements documented by the Mission allow for concluding that these conditions are met in the case of Gustavo González López.

In particular, he:

- exercised authority over SEBIN;
- ordered operations;
- had knowledge of the violations;
- failed to take effective measures to prevent or sanction them.

This places his conduct within the framework of command responsibility under international standards.

## **6.5 International sanctions and recognition of responsibility**

Various States have adopted restrictive measures against Gustavo González López in response to his alleged involvement in human rights violations.

These measures include visa restrictions, asset freezes, and financial limitations, and are based on assessments of his role within the Venezuelan State's security apparatus.

While such sanctions do not constitute a judicial determination of criminal responsibility, they do represent a political and international recognition of the seriousness of the allegations, based on evaluations conducted by multiple States.

In this regard, on March 9, 2015, U.S. President Barack Obama issued Executive Order 13692, declaring a “national emergency” with respect to Venezuela:

*“I hereby determine that the situation in Venezuela... including the erosion of human rights guarantees by the Government of Venezuela and the persecution of political opponents... constitutes an unusual and extraordinary threat to the national security and foreign policy of the United States...”*

Gustavo González López was among the first Venezuelan officials sanctioned under this framework, along with other high-ranking officials linked to human rights violations and corruption.

Additional sanctions followed:

- Canada (September 22, 2017), in response to the breakdown of constitutional order;
- Switzerland (March 28, 2018), for responsibility in serious human rights violations, including arbitrary detention and torture;
- Panama (March 30, 2018), identifying him as high risk in relation to money laundering and other financial crimes.

These measures reinforce the existence of sustained international concern regarding his conduct.

The European Union included Gustavo González López in its sanctions regime against Venezuela in January 2018, identifying him, along with other officials, as responsible for the deterioration of democracy and for human rights violations; these measures include a ban on entry into the territory of EU Member States and the freezing of assets.

## **6.6 Implications for democratic transition processes**

In contexts of democratic transition, international standards establish the need to adopt measures aimed at ensuring:

- accountability;
- security sector reform;
- guarantees of non-repetition.

Within this framework, the appointment of individuals identified by international bodies in connection with serious human rights violations to high-level positions in the defense sector raises significant concerns.

In particular, it may affect:

- the credibility of institutions;
- the trust of victims;
- the viability of reform processes.

## **6.7 Incompatibility with international standards**

Based on the elements analyzed, it is possible to conclude that the trajectory of Gustavo González López presents serious incompatibilities with international standards applicable to the exercise of functions within the security sector in democratic contexts.

These incompatibilities stem from:

- his linkage to serious human rights violations;
- his role within structures of repression;
- the absence of accountability mechanisms.

## **6.8 Legal conclusion**

The documented elements allow for concluding that there are reasonable grounds to believe that:

- Gustavo González López participated in the commission of serious human rights violations;
- these violations occurred within the context of a systematic pattern of repression;
- his position within SEBIN allows for the attribution of command responsibility.

In this sense, his trajectory is relevant not only from a historical perspective, but as a determining factor in assessing the conditions necessary for a democratic transition grounded in respect for human rights.



SEBIN





## 7. CONCLUSIONS AND RECOMMENDATIONS

### 7.1 Conclusions

The analysis developed in this report allows for the establishment of a series of relevant conclusions from the perspective of international human rights law and the current Venezuelan context.

#### 1. Existence of a systematic pattern of repression

The facts documented by the United Nations Independent International Fact-Finding Mission demonstrate the existence of a systematic pattern of human rights violations, including arbitrary detention, torture, short-term enforced disappearances, and sexual violence.

In Venezuela, these were not isolated excesses, but rather an organized system of repression. Within this system, Gustavo González López held a relevant position of leadership.

#### 2. SEBIN as a central instrument of political control

The Bolivarian National Intelligence Service operated as a key instrument within this policy, using intelligence to identify, monitor, and neutralize individuals considered opponents or critics of those in power.

Intelligence was used not to protect the State, but to control society. This mode of operation was consolidated and sustained by the agency's directors, including Gustavo González López.

### **3. Command responsibility of Gustavo González López**

The documented elements allow for concluding that, in his capacity as Director General of SEBIN, Gustavo González López exercised effective control over the institution, ordered operations, and had knowledge — or should have had knowledge — of the violations committed.

The Mission found reasonable grounds to believe that he had knowledge of, participated in, and contributed to the commission of serious human rights violations.

This is not merely indirect responsibility: there are elements pointing to control, knowledge, and participation. Organizations such as Human Rights Watch have identified him as one of the high-level officials in charge of structures implicated in abuses.

### **4. Integration into a political chain of command**

SEBIN's actions were articulated with decisions taken at the highest political levels, indicating that the violations formed part of a State policy aimed at repressing dissent.

Repression was not the result of isolated excesses by officials, but of a policy that flowed through the chain of command.

### **5. Legal qualification of the facts**

The documented conduct constitutes serious human rights violations and, in certain cases, may qualify as crimes against humanity, insofar as they form part of a systematic attack against the civilian population.

The elements analyzed allow for concluding that there are reasonable grounds to attribute command responsibility to Gustavo González López, without prejudice to determinations by competent judicial bodies.

### **6. International recognition of the seriousness of the facts**

The imposition of sanctions by multiple jurisdictions — including the United States, Canada, the European Union, Switzerland, and Panama — reflects a consistent assessment of the seriousness of the allegations linked to his conduct.

This is not an isolated accusation, but a sustained concern across different international arenas.

## 7. Implications of his appointment as Minister of Defense

The appointment of Gustavo González López as Minister of Defense implies that an individual identified by international bodies in connection with serious human rights violations assumes control of the Armed Forces.

This decision projects onto the military sphere a trajectory associated with the State's intelligence and repressive apparatus and raises significant risks regarding the continuation of practices incompatible with democratic standards.

As stated by Human Rights Watch in 2019:

*“The appointment of González López should set off international alarm bells due to his deplorable record of past atrocities.”*

This warning acquires renewed relevance in the current context.

## 8. Obstacle to democratic transition

In the context of a potential transition process, the continued presence or appointment of individuals linked to human rights violations in key positions within the security sector constitutes a structural obstacle to institutional reform, accountability, and the construction of guarantees of non-repetition.

The appointment of González López does not signal change, but continuity in a model of governance based on control and coercion.

## 7.2 Recommendations

### 1. Assessment of suitability for public office

It is recommended that any transition process include mechanisms to assess suitability for public office within the security sector, based on human rights standards and the review of individual trajectories.

### 2. Security sector reform

A comprehensive reform of the security sector should be promoted, including:

- a) redefinition of the role of intelligence agencies;
- b) establishment of effective civilian oversight;
- c) creation of independent supervision mechanisms.

### 3. Guarantees of accountability

Mechanisms should be established to:

- a)** investigate documented violations;
- b)** identify those responsible;
- c)** ensure victims' access to justice.

### 4. Guarantees of non-repetition

Public policies should be oriented toward ensuring that the documented practices are not repeated, through:

- a)** human rights training;
- b)** institutional reform;
- c)** strengthening of the rule of law.

### 5. Centrality of victims

Any transition process must recognize victims as central actors, guaranteeing:

- a)** their right to truth;
- b)** their right to justice;
- c)** their right to reparation.



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