

PUBLIC

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29 July 2008

Further Information on UA 46/07 (AMR 53/001/2007, 26 February 2007) Death threats/ harassment/ intimidation

VENEZUELA **Jose Luis Urbano (m), human rights defender**
His family
Members of *Fundación Pro-Defensa del Derecho a la Educación* (Foundation for the Defense of the Right to Education)

Human rights defender Jose Luis Urbano has been threatened as a result of his work as president of the non-governmental organization *Fundación Pro-Defensa del Derecho a la Educación* (Foundation for the Defense of the Right to Education). His life, and the lives of his family and other members of the Foundation, may be at risk.

On 3 May, Jose Luis Urbano spoke on local radio in the state of Anzoátegui. He denounced allegations that a school in the town of Barcelona, Anzoátegui state, was illegally demanding payment for children to attend classes, meaning that many poorer pupils were unable to attend. Following this, the director of the school apparently threatened Jose Luis Urbano and apparently called for attacks against him. Jose Luis Urbano reported this to the Public Prosecutor's office on 13 May.

On the 22 May, Jose Luis Urbano was chased whilst on his motorbike by individuals driving a Toyota Corolla without number plates. He feared for his life, but managed to escape.

On 3 June another school director, whose school is also allegedly charging illegal fees, spoke on local radio against Jose Luis Urbano and announced that she would be suing him. She also threatened to send him to prison and stated that her daughter, who is a prosecutor, would "finish him off".

On 13 June, a statement by Jose Luis Urbano was published in a local newspaper, in which he denounced the exploitation of children in Venezuela. He told Amnesty International that, later that day, he and his wife and children witnessed people driving past their house with the windows wound down and pointing at the house. Feeling threatened by this, on 18 June Jose Luis Urbano asked the local authorities to provide him with protection, but no protective measures have yet been put in place.

In February 2007, Jose Luis Urbano was threatened and then shot, after the Foundation held a press conference criticizing the poor quality of education in Anzoátegui state, and exposing charges allegedly being levied for education, which should be free. Nobody has yet been brought to justice for the shooting.

BACKGROUND INFORMATION

According to article 102 of Venezuela's new constitution (1999), "Education is a human right and a fundamental social duty, it is democratic, free of charge and obligatory". (*La educación es un derecho humano y un deber social fundamental, es democrática, gratuita y obligatoria*).

Human rights defenders are at the forefront of the fight to promote, protect and defend civil, political, economic, cultural and social rights. Across the Americas, human rights defenders have fought, often against the odds, to establish fairer, more equitable societies. In so doing they have enhanced human dignity and

helped alleviate the hardships of many of the most impoverished, marginalised and deprived sectors of the population.

Attacks on human rights defenders and those exercising their right to peaceful assembly reflect hostility towards civil society's role under democratic forms of government and its role as independent observer and critic of government policy on human rights. Meeting criticism and social discontent with violence and repression of human rights defenders, social activists and others can only exacerbate social disquiet, possibly spiralling into more serious scenarios. The growing tendency to meet criticism with repression undermines respect for human rights, corrodes the exercise of fundamental freedoms, weakens accountability and contributes to worsening impunity.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern that Jose Luis Urbano has been threatened and harassed, apparently as a result of his work for the protection of the right to education;
- expressing deep concern for the safety of Jose Luis Urbano, his family and that of other members of the *Fundación Pro-Defensa del Derecho a la Educación* and their families;
- demanding an investigation into the threats and intimidation, which Jose Luis Urbano has reported to the authorities;
- urging the authorities to provide adequate protection for Jose Luis Urbano according to his wishes;
- calling on the authorities to investigate all cases of threats and acts of intimidation against human rights defenders and their families, to bring the perpetrators to justice, and to offer adequate protection to the victims in accordance with their wishes;
- calling on the authorities to produce a policy and plans, in conjunction with human rights defenders, to guarantee their safety according to the principles of the United Nations Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and to make these plans public.

APPEALS TO:

Minister of Justice and the Interior

Ramón Rodríguez Chacín

Ministerio del Poder Popular para Relaciones Interiores y Justicia

Av. Urdaneta, Edif. Sede MIJ, Piso 1, Carmelitas, Caracas, Venezuela

Fax: +58 212 506 1685

Salutation: Señor Ministro/Dear Minister

Minister of Education

Ministerio del Poder Popular para la Educación

Héctor Augusto Navarro Díaz

Esq. de Salas a Caja de Agua, Edif. Sede del ME Parroquia Altigracia, Caracas, Dtto. Capital, Venezuela

Fax: + 58 212 506 89 98

Salutation: Señor Ministro/Dear Minister

Attorney General

Fiscal General

Luisa Ortega Díaz

Edificio Sede del Despacho de la Fiscal General de la República,

Esquinas de Misericordia a Pele El Ojo Avenida México, Caracas, Venezuela

Fax: + 58 212 509 7464

Salutation: Señora Fiscal/Dear Attorney General

COPIES TO:

Fundación Pro-Defensa del Derecho a la Educación

Calle los Olivos 13, La Ponderosa Sector 3, Barcelona, Edo. Anzoátegui, Venezuela

and to diplomatic representatives of Venezuela accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 9 September 2008.