

PUBLIC

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Fear for safety/use of excessive force

04 March 2004

VENEZUELA

Protestors in civil disturbances

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The security forces have reportedly used excessive force, and detained large numbers of opposition supporters, during nationwide street protests against the government of President Hugo Chavez. At least nine people have died and scores of others have been injured, including a number of police officers. Amnesty International is concerned that there may be further politically motivated violence, and disproportionate police response.

The main opposition grouping, the Coodinadora Democrática, claim that up to 350 supporters have been detained around the country, with police allegedly fabricating evidence against a number of protest leaders. The authorities claim the figure is considerably lower, and those detained had participated in or incited violent protests. They have accused opposition leaders and activists of fomenting the violence in an attempt to force the President from office. The authorities have a responsibility maintain public order should also ensure that fundamental human rights are respected. Amnesty International is concerned at reports that the security forces have used excessive force on some occasions and failed to follow correct procedures for detention, and that these allegations are not being adequately investigated.

The street protests began on 27 February after news in the run up to the announcement of the *Consejo Nacional Electoral* (CNE), National Electoral Council's decision that many signatures on an opposition-sponsored petition for a "*referendum revocatorio*" ("recall referendum") to force President Chavez to resign, must be re-authenticated. The opposition required 2.4 million signatures for the petition to succeed in triggering the referendum vote, and claim they collected 3.2 million, but the electoral authority recognised only 1.8 million.

Since then there have been frequent confrontations between opposition supporters and the National Guard in many different parts of the country. While a number of demonstrations have reportedly been violent, with protestors using firearms and other weapons, the National Guard and *the Direccion de Inteligencia Seguridad y Prevención* (DISIP), internal security agency, have allegedly used excessive force to control the situation on a number of occasions. In the capital, Caracas, at least 47 detainees have been brought before a judge and placed in pre-trial detention on charges such as "resisting arrest" (*resistencia a la autoridad*) and "inciting crime" (*instigación a delinquir*). However, many others detained around the country appear not to have been brought before a judge within the legal time limit.

#### **BACKGROUND INFORMATION**

Hugo Chavez was elected president of Venezuela in 1998 and re-elected in 2000 for a six year term. There has been increasing polarization and repeated political violence since 2001, when an opposition movement began to gain strength. In April 2002 at least 50 people died during a failed coup when President Chavez was forced from power for three days. At the end of 2002 a general strike called by the opposition had a dramatic impact on the economy, but failed to force the President from power. Internationally sponsored negotiations led to an agreement in May 2003 committing both sides to seeking a "constitutional, peaceful, democratic and electoral solution" to the crisis. The National Electoral Council's decision on whether to accept the validity of sufficient signatures gathered by the opposition to trigger a recall referendum on President Chavez had been pending since the end of 2003.

The policing of public demonstrations has frequently resulted in human rights violations by the police and security forces in Venezuela over the last 15 years. The authorities have consistently failed to investigate and punish officials responsible for abuses or effectively implement United Nations guidelines on the use of force or firearms. Incidents of political violence, attributed to both government and opposition supporters,

during President Chavez's administration, such as the deaths and injuries during the attempted coup of 11 April 2002, have not been investigated effectively and have gone unpunished. The impunity enjoyed by the perpetrators encourages further human rights violations in a particularly volatile political climate.

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

- calling on the authorities to ensure that all public security policing operations are carried out in line with United Nations standards on the minimum use of force and firearms;
- recognising the duty of the authorities to maintain public order, but calling on them to respect the right to peaceful protest;
- reminding the authorities of their responsibility to ensure that all detentions are carried out in accordance with the law and international standards (which guarantee the right of those detained to be brought before a judge promptly and charged with a recognisably criminal offence or released, and to be allowed access to their families, legal advice and medical attention) and to ensure the right to a fair trial;
- calling for the deaths and injuries that have occurred during the present political violence to be fully and impartially investigated;
- insisting all allegations of human rights violations committed by the police and security forces are investigated promptly, impartially and exhaustively, for the results to be made public and for those found responsible to be brought to justice.

**Please also include in your appeals a line noting that Amnesty International condemns all human rights violations and has called on the opposition to ensure that its protests respect human rights and do not contribute to the increase in political violence and undermine the rule of law.**

**APPEALS TO:**

President of the Republic

Sr. Hugo Chávez Frías  
Presidente de la Republica  
Palacio de Miraflores  
Caracas, Venezuela

**Telegram:** **Presidente de la Republica,  
Caracas, Venezuela**  
**Fax:** **+ 58 212 801 36 44/34 04**  
**Email:** **venezuela@venezuela.gov.ve**  
**Salutation:** **Excelentísimo/ Dear President**

Attorney General of the Republic

Dr. Isaías Rodríguez Díaz  
Fiscal General de la Republica  
Av. México esquina Pele el Ojo a Misericordia  
Edificio del Ministerio Público frente a la Plaza  
Parque Carabobo  
Caracas, Venezuela

**Telegram:** **Fiscal General de la Republica,  
Caracas, Venezuela**  
**Fax:** **+ 58 212 509 81 34/33 11**  
**Salutation:** **Estimado Doctor/Dear Sir**

Minister of Interior and Justice

General Lucas Rincón Romero  
Ministro del Interior y Justicia  
Ministerio del Interior y Justicia  
Avenida Urdaneta Esquina de Platanal  
Edificio Interior y Justicia Despacho del Ministro,  
PISO TRES  
Caracas, Venezuela

**Fax:** **+58 212 506 1557/864 43 34**  
**Salutation:** **Señor Ministro**

**COPIES TO:**

Human Rights Groups

Red de Apoyo por la Justicia y Paz  
Parque Central, Edif. Caroata, Nivel Ofic.2,  
Ofic. 220, Parque Central  
Caracas, VENEZUELA

COFAVIC,  
Apdo Postal 16150  
La Candelaria  
Caracas 1010-A, 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 15 April 2004.