

£VENEZUELA

@Villagers of Cararabo tortured by security forces

On 26 February 1995 members of the Colombian guerrilla group, the National Liberation Army, (*ELN, Ejército de Liberación Nacional*) crossed the border with Venezuela and launched a surprise attack against a naval base in Cararabo, Apure State, killing eight Venezuelan marines.

Following the killings, some of which may have been extrajudicial executions, the navy arrested twenty four people from Cararabo and the surrounding area. Many of the people detained were subjected to torture and ill-treatment and one of the detainees, Juan Vicente Palmero, is reported to have "disappeared". It is alleged that he died under torture.

The navy claimed that the villagers had been involved in the attack but by 15 March 1995, all the detainees had been released without charge. The physical treatment they suffered at the hands of the marines included severe beatings with sticks and other sharp objects, mock execution, semi-asphyxiation and burning. A pregnant woman reportedly suffered a miscarriage as a result of her ordeal while another of the detainees was threatened with rape by a dog. According to a representative from a human rights organization who interviewed the villagers, the members of the security forces blindfolded 24-year-old Luis Navarro, *'put a plastic bag over his head, threatened to use electricity and, after undressing him, showed him a dog 'trained to rape people'*. (*le colocaron una bolsa plástica en la cabeza, lo amenazaron con aplicarle electricidad y, tras desnudarlo, le mostraron un perro 'entrenado para violar a la gente'*).

Many of villagers were also subjected to psychological torture including death threats to themselves and their families. Two health professionals - possibly doctors - were allegedly present at the torture of two minors. The two youths are said to have been particularly affected by the torture they suffered. Both of them sustained fractures and one of them was branded with a piece of burning wood. On 10 March 1995, the head of the human rights office of the Attorney General's Office (*Fiscalía General de la República*), Father Luis Olaso, visited Puerto Ayacucho, Amazonas State to interview the detainees who had been transferred between 28 February and 4 March to various locations in the town. Father Olaso reported his findings to the press, stating, *"you could see the signs of torture. Their buttocks had been destroyed by beatings with sticks. Other bruises on their faces"*. (*se podían observar señales de tortura. Tenían las nalgas destrozadas por golpes de peinillas. Otros moretones en la cara...*)

On 29 March a government spokesman announced the government's decision to investigate the case "to its ultimate consequences" (*hasta sus últimas consecuencias*) and said there would be "the most categoric and energetic sanctions against any of those responsible" (*habrá las sanciones más categóricas y más enérgicas contra cualquiera de los responsables*). A week later, the Minister of Defence, Division General Moisés Orozco Graterol echoed the government's earlier statement on television, acknowledging, "the sound indications of the guilt of a navy captain, a first sergeant and two corporals ... in allegedly violating the human rights of residents of this region" and went on, "I am determined firmly, personally and institutionally to keep my commitment to the nation to pursue the current investigations to their ultimate consequences, in order to determine unequivocally just who is guilty and to not allow them to hide from judicial proceedings and public opinion".

During the first week of April, investigations led by the military judge (*juez militar*) Lieutenant Colonel Nieto Carrillo of the military court of first instance in Puerto Ayacucho resulted in the arrest of four members of the navy in connection with the "disappearance" of Juan Vicente Palmero. At the time of writing, however, none of the members of the security forces involved in the arbitrary arrest and torture of the other villagers have been brought to justice nor been suspended pending investigation. Amnesty International is seriously concerned that a pattern of impunity for the perpetrators of gross human rights violations documented by the organization in Venezuela might benefit those responsible for the violations documented in this report.

In the aftermath of the Cararabo attack, the border area between Venezuela and Colombia has become increasingly militarized. Scores of Colombians living in Venezuela without work permits have been expelled from the country and there are reports that some of those deported were ill-treated by members of the Venezuelan National Guard (*Guardia Nacional*). Several people, including journalists, have been denied access to the border area. This further compromises the security of the local population already vulnerable as a result of the suspension of several constitutional guarantees in June 1994. (The guarantees suspended include the right to non-interference in the home and the right not to be arrested unless caught *in flagranti delicto*. In practice, this has resulted in numerous arbitrary acts on the part of the security forces and the short-term detention of hundreds of people who have not committed any offence.)

Amnesty International condemns the killings of the Venezuelan marines ambushed by members of the ELN and calls for those responsible to be brought to justice. The organization recognizes the legitimate concern of the Venezuelan Government to take appropriate steps to protect its borders from incursions by armed opposition groups from neighbouring Colombia, but believes any action taken should not compromise its obligations to guarantee full protection

to citizens and foreigners alike. Amnesty International remains concerned that without the reinforcement of proper safeguards - including an effective end to impunity - the security forces will continue to commit human rights violations. On a visit to the state of Zulia - another of the states bordering Colombia - in May 1994, Amnesty International noted that large areas of land appeared to be under the control of the military. The delegation learned of a number of instances where soldiers and other members of the security forces had committed serious violations, leaving the local population in a state of terror and without recourse to any form of redress.

Detainees tortured

Amnesty International has received details concerning the treatment received by some of the detainees. Representatives from the torture rehabilitation program of the *Red de Apoyo por la Justicia y la Paz*, (Support Network for Justice and Peace) visited Puerto Ayacucho in the state of Amazonas on 17 and 18 March to interview and assist the victims. The villagers had previously had good relations with the marines in the naval base; some of them had been employed by the base. The village is now practically abandoned. The majority of the villagers interviewed by the *Red de Apoyo* reportedly bore signs of the serious beatings they had sustained with bruises and swelling to various parts of the body. The two minors sustained fractures to their legs. A number of them were also said to be suffering psychological after effects of torture, including depression, anxiety attacks and nightmares.

Kevys Wilfredo Palmera, 14, and **Francisco Javier Beltrán**, 17, were arrested together with **Juan Vicente Palmero** (see page 5) on 26 February at the marine base. They were reportedly beaten and kicked as they lay on the ground in the sun. Kevys Palmera was allegedly beaten with sharp objects. He was subjected to semi-asphyxiation with a plastic bag over his head and earth was put up his nose and mouth so that he could not breathe. He was threatened with death and was shown the body of Juan Vicente Palmero who has since "disappeared". **Francisco Beltrán** was beaten with sticks and helmets and burnt with a torch. The marines also subjected the two youths to psychological torture, reportedly telling them that they awaited the same fate as Juan Vicente Palmero who reportedly died under torture.

Amnesty International is concerned at reports that two health professionals - possibly doctors - were present while Kevys Palmera and Francisco Beltrán were being tortured; one dressed in military uniform, the other in civilian clothes. The latter is reported to have abused the two verbally. Both minors are said to have been severely affected by the torture they suffered. Kevys Palmera sustained a fracture to his left leg and serious wounds to his right leg. He is also reported to be suffering from deep depression. As a result of the torture he suffered, Francisco

Beltrán is said to have sustained a fracture to his left leg, burns to his left arm, wounds to the chest and various other bruises and grazes. His ordeal was said to have left him with a stutter and suffering from depression and palpitations.

Keyvs Wilfredo Palmera (14 years old)

Francisco Javier Beltrán (17 years old)

Luis Alberto Macualo, 50, Colombian. He was arrested on 28 February at the marine base in Cararabo. He was reportedly kicked, punched and beaten with sticks on various parts of the body and banged against a lamp-post. He was subjected to other acts of humiliation such as having his face urinated on.

Luis Navarro, 24, was detained on 4 March from his home and taken to the naval base in Cararabo where he was reportedly beaten with a stick and punched and kicked in the stomach. A plastic bag was placed over his head. He was threatened with electricity. At one point he was made to undress and lie down on the floor. He was then shown a dog and reportedly told that the dog was going to rape him. The threat was not carried out.

Juan Rojas, 56, was detained on 26 February at the marine base in Cararabo. He was reportedly beaten and kicked in the stomach, head, back and buttocks. He was also threatened and cicadas (small insects) were put in his ears.

Luis Bracca, 39, was arrested on 28 February at the marine base in Cararabo and reportedly beaten with sharp objects.

Neira Casilda Bona de Salazar, 41, an employee with the Navy. She was arrested on 26 February on an estate belonging to the army in Cararabo. She was allegedly subjected to a mock execution.

Yonny Alberto Salazar Bona, 19, was arrested on 26 February at the navy post in Cararabo. He was reportedly kicked, punched and hit with helmets. He was tied to a bed and urinated on.

Yunny Javier Salazar Bona, 18, was arrested on 1 March at the navy post in Cararabo. He was reportedly punched, kicked and hit with sticks. A sharp object was dug into him.

Cruz Antonio Martínez, 25, was detained on 28 February at the marine base. He was reportedly kicked, beaten round the head, hit with sticks and threatened with death.

Wilson Manuel Fajardo Acosta, 22, was arrested in Cararabo. He was reportedly beaten with sticks and another sharp object, punched and kicked. He was threatened with the use of electricity and death.

Jenny Jelitza Salazar Bona, 20, was arrested on 26 February at the marine base in Cararabo. She was reportedly put into a hole in the ground and forced to stay there for some time. She suffered a miscarriage shortly after her release.

Allela Cortéz Camacho, 32, Colombian, mother of five. She was detained on 26 February at the marine base in Cararabo and subjected to psychological torture including threats of execution and injury to her children.

Several other people were arrested in connection with the attack on the marine base, some of whom were reportedly subjected to ill-treatment. However, Amnesty International has received no further information about their cases.

"Disappearance" of Juan Vicente Palmero

Juan Vicente Palmero was arrested with Kevys Palmera and Francisco Beltrán on 26 January 1995. His whereabouts remain unknown and the military authorities have failed to give any information regarding his fate. According to witnesses (**Kevys Palmera** and **Francisco Beltrán**), Juan Palmero was severely beaten and was seen lying motionless and bleeding on the ground, apparently dead. In March, an anonymous letter was reportedly delivered to the family alleging that Juan Palmero had died as a result of the beatings he had sustained and that his body had been thrown into the River Meta. The writer said that he had witnessed the event but was too scared to go public.

Conclusion

Amnesty International calls on the Venezuelan Government to ensure that all those responsible for the arbitrary arrest and torture of a number of inhabitants of Cararabo are brought to justice. The four officers of the navy currently under investigation should be immediately suspended from duty while awaiting trial. In addition, a thorough and impartial investigation should be conducted into the allegations that health professionals were present during the torture of the two minors. Disciplinary proceedings should be instituted against them if it is found that they have breached the United Nations Principles of Medical Ethics. Any criminal act found to have been committed should be referred to the courts.

Amnesty International welcomes the statements made by the government in connection with the case. The organization would point out, however, that to its knowledge, none of the

judicial investigations conducted by the military courts in recent years have resulted in convictions against members of the army or the security forces accused of involvement¹ in human rights violations and seeks assurances from the Venezuelan Government that all those involved in the torture of the villagers from Cararabo as well as the "disappearance" of Juan Vicente Palmero will be brought to justice.

The organization urges the authorities to conduct immediate investigations to clarify the fate and whereabouts of Juan Vicente Palmero; to guarantee the safety of the villagers of Cararabo and to provide reparations to the victims and their families for the economic and material loss they have incurred and for the trauma they have suffered at the hands of the security forces.

More generally, the organization calls on the Venezuelan Government to send a clear and unequivocal message to the security forces operating in border areas that human rights violations including torture, extrajudicial execution and "disappearance" will not be tolerated. Where information is received that members of the army and security forces have been involved in human rights abuses, they should be immediately suspended pending a full investigation into their conduct and should be brought to justice if the allegations against them are substantiated.

¹ See, for example, the killing of 14 fishermen by the security forces at El Amparo in 1988 (*The Amparo Massacre: Four Years On*, AMR 53/04/93) the arbitrary killing of a number of unarmed civilians by the army and security forces during massive disturbances at the beginning of 1989 (*Arbitrary killings in February/March 1989: Victims Exhumed from Mass Graves*, AMR 53/02/91), the extrajudicial execution of four students during the coup attempt in February 1992 (*Torture and Other Human Rights Violations*, AMR 53/05/92), death in custody of 16-year-old Jose Luis Palomares at a military training school in 1987 (*Arbitrary Killings by Police and Military Personnel*, AMR 53/06/89), and the killing of medical student, Luis Enrique Landa Diaz in September 1992 (*The Eclipse of Human Rights*, AMR 53/07/93). All of these cases were investigated by military courts. In each and every case, the courts failed to bring any of the perpetrators to justice.

INTERNAL (for AI members only)

AI Index: AMR 53/07/95

Distr: SC/CO/GR

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VILLAGERS OF CARARABO TORTURED BY SECURITY FORCES**

RECOMMENDED ACTIONS

Please ensure that all relevant people in the section have received copies for their attention, and that the document is centrally filed for future reference. Please distribute to relevant target section groups and to the press.

DISTRIBUTION BY THE IS

This document has been sent direct by the IS to Sections, North Andean RAN coordinators/coordination groups and Venezuela coordinators for distribution to groups. A more complete set of recommended actions, AMR 53/08/95 (NARAN 05/95) has been sent to relevant sections and the North Andean RAN.