

PUBLIC

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Fear of torture or ill treatment/
health concern

11 February 1999

VENEZUELA Juan Bautista Moreno, human rights defender]
Edgar Carvajal]
Oscar Cáceres] Detained
Guismoldo Eregua]

Claudio Rivas Espinosa (16)]

Asdrubal Lozada]
Wilfredo Bracho] Tortured and released
Santiago Díaz]
Morli Ratia]

Amnesty International is concerned for the safety of the nine people named above, who were detained between 27 and 29 January 1999. All have been ill-treated, and the five who have been released report that they were tortured. Amnesty International is particularly concerned for the safety of Juan Bautista Moreno, who is reportedly in bad health and having difficulty breathing.

The men, all local workers, were detained by members of the police and armed forces. Their detention follows the kidnapping of engineers working for *Petróleos de Venezuela S.A. (PDVSA)*, the Venezuelan National Petroleum company. The kidnappings have been blamed on a Colombian armed opposition group which is active in the region.

All nine were taken to the military headquarters in Guasqualito, Apure state, near the Colombian border, where some were beaten with rifle butts and verbally abused. All were held incommunicado until 1 February, when they were allowed a visit by relatives and members of the *Comité para la Defensa de los Derechos Humanos (CODEHUM)*, Committee for the Defence of Human Rights, an NGO based in Guasqualito, during which they were not allowed to speak. None of them have been given access to proper legal representation.

Asdrubal Lozada, Wilfredo Bracho, Santiago Díaz, Morli Ratia and Claudio Rivas Espinosa (a minor) have been released. They said that they had been severely tortured (*fuertemente torturados*). They now risk further persecution or re-arrest.

Juan Bautista Moreno, a human rights defender who works in collaboration with CODEHUM, has been threatened by the military many times before, and has been arbitrarily detained on several occasions. In November 1998 he was arrested by members of the armed forces and was threatened with "disappearance" (See UA 287/98 (AMR 53/09/98, 6 November 1998); UA 170/96 (AMR 53/13/96, 1 November 1996) and follow-up (AMR 53/14/96, 6 November 1996). His arrest is clearly intended to intimidate the local population and to warn them against reporting violations perpetrated by the Venezuelan army against human rights organisations.

BACKGROUND INFORMATION

The security forces have set up two military zones (*Teatro de Operaciones*), covering parts of Zulia, Tachira, and Apure states. Since 1994, when President Caldera suspended certain constitutional safeguards in these zones, the security forces have been able to arrest people and enter private property without warrants, and to curtail freedom of movement. This has led to arbitrary

human rights violations by the security forces, with little chance of redress for the victims. Human rights defenders, political and community activists have been harassed, intimidated and arbitrarily arrested.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Spanish or your own language:

- expressing deep concern over reports that Juan Bautista Moreno, Edgar Carvajal, Oscar Cáceres, Guismoldo Eregua, Asdrubal Lozada, Wilfredo Bracho, Santiago Díaz, Morli Ratia and Claudio Rivas Espinosa have been tortured during their detention at military headquarters in Guasdualito;
- urging immediate measures to ensure the physical integrity of all those still in detention, and seeking assurances that they are being humanely treated in accordance with international standards of detention;
- urging that those in detention be granted immediate access to their relatives and lawyers, and that all, including those released, be given appropriate medical care;
- urging a thorough and impartial investigation into the allegations of torture and that those responsible be brought to justice, and asking to be kept informed of the outcome of these investigations;

APPEALS TO:

Attorney General

Dr. Ivan Darío Badell Gonzalez
Fiscal General de la República
Manduca a Ferrenquín
La Candelaria
Caracas, Venezuela

Telegrams: Fiscal General, Caracas, Venezuela

Faxes: + 58 2 577 2144 (if someone answers, please say "me puede dar tono de fax, por favor")

Salutation: Sr. Fiscal General / Dear Attorney General

Minister of Defence

General de División (Ej.)
Raúl Salazar
Ministro de Defensa Nacional
Ministerio de Defensa Nacional
Fuerte Tiuna, Conejo Blanco
El Valle,
Caracas, Venezuela

Faxes: + 58 2 662 4078

Salutation: Señor Ministro/ Dear Minister

President of the National Human Rights Commission

Dr. Alfredo Peña
Presidente de la Comisión Nacional de Derechos Humanos
Palacio de Miraflores
Edificio Bicentenario, Nivel Plaza, Of. 206
Caracas, Venezuela

Faxes: + 582 801 39 42

Salutation: Sr. Presidente / Dear President

COPIES TO:

Comité Defensa Derechos Humanos, CODEHUM
Oficina Expreso los Llanos, calle Cedeño N 59
Guasdualito, Estado Apure,

Venezuela

Sres. Red de Apoyo por la Justicia y la Paz
Apartado Postal 17.476,
Parque Central, Caracas,
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 25 March 1999.