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Legal Concern

23 October 1990

**VENEZUELA: Second Anniversary of El Amparo Killings**

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On 29 October 1988, fourteen peasants from El Amparo in the state of Apure were killed by a combined unit of military personnel and members of the security forces near the border with Colombia (see UA 26/89 (AMR 53/02/89, 25 January, and follow-ups AMR 53/04/89, 7 April, AMR 53/05/89, 5 May, and AMR 53/07/89, 26 October).

In the two years that have passed since the incident took place, there has been little progress in the proceedings and the military courts conducting the investigations have issued a series of often controversial rulings. However, according to reports, the case is currently being studied by President Carlos Andrés Pérez who, as Commander-in-Chief of the Armed Forces (the highest authority for appeals in the military courts), can decide whether the case should continue or not, and it is thought that appeals and publicity at this stage could result in the case being kept open.

A decision by the Supreme Court (Corte Suprema de Justicia) on 26 June 1990, brought renewed hope to the relatives of the victims. The maximum court annulled as inappropriate three rulings by the military court of appeal (Corte Marcial) which had favoured the 19 members of the unit implicated in the incident. In addition, the Supreme Court confirmed that charges of homicidio intencional (murder) should be brought against the 19 men, thereby ratifying the Permanent War Council of San Cristóbal's (Consejo de Guerra Permanente de San Cristóbal) decision at the end of 1988 to issue arrest warrants against the 19 men.

According to reports, 14 of the 19 members of the unit are in detention in the Cárcel de Santa Ana (Santa Ana Prison) in San Cristóbal in the State of Táchira. The defence lawyers acting on behalf of the survivors and the relatives of the fourteen victims, have presented formal complaints of homicidio intencional, uso indebido de arma de fuego y simulación de hecho punible (homicide, unlawful use of firearms and of falsifying evidence) against the 19 members of the unit before the Permanent War Council of San Cristóbal.

**RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:**

- expressing serious concern at the long delays in the court proceedings and that two years after the incident took place and in spite of the strong evidence that the fourteen peasants were the victims of extrajudicial execution, those responsible have not yet been brought to justice;

- noting the Supreme Court's decision to uphold the charges against the 19 members of the unit implicated in the killings and expressing the hope that the case will proceed without further delays and that those responsible will be brought to justice.

**APPEALS TO:**

Sr. Carlos Andrés Pérez  
Presidente de la República de Venezuela  
Palacio de Miraflores  
Caracas, VENEZUELA

Telegrams: Presidente Perez, Caracas, Venezuela  
Faxes: 838239  
Telexes: 26429 EXTER VC (via Ministry of External Affairs)

Sr. Ministro  
Enrique Tejera París  
Ministro de Relaciones Exteriores  
Ministerio de Relaciones Exteriores  
Casa Amarilla, esq. Principal  
Caracas, VENEZUELA

Telexes: 26429 EXTER VC  
Telegrams: Ministro Relaciones Exteriores, Caracas, Venezuela

**COPIES TO:**

Dr. Otto Marín Gómez  
Presidente de la Corte Suprema de Justicia  
Avenida Baralt (Extremo Norte)  
Esquina de Dos Pilitas  
Foro Libertador  
Caracas, VENEZUELA

Coronel del Ejército  
Yamil Jiménez  
Consejo de Guerra Permanente de San Cristóbal  
San Cristóbal  
Estado Táchira  
VENEZUELA

Sres.  
Provea  
Apartado Postal 5156  
Caracas, VENEZUELA

and to diplomatic representatives of Venezuela in your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat,  
or your section office, if sending appeals after 6 December 1990.

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