



VENEZUELA: VICTIMS OF HUMAN RIGHTS VIOLATIONS DURING PROTESTS DEMAND JUSTICE

ROSMIT MANTILLA MUST BE RELEASED

Rosmit Mantilla, a lesbian, gay, bisexual transgender and intersex (LGBTI) rights activist and member of the opposition Popular Will (Voluntad Popular) party, has been detained for nearly a year by the National Intelligence Service (Servicio Bolivariano de Inteligencia Nacional, SEBIN). On the 30th of January 2015, after nine months of procedural delays during which the committal hearing was postponed 11 times, and despite the lack of credible evidence, the judge ordered that Rosmit Mantilla should face trial.

On the 2nd of May 2014, Rosmit Mantilla was detained at his home in the capital, Caracas, by SEBIN officers. The basis of the detention order was a statement by an unidentified individual alleging that Rosmit Mantilla had received funds from a group of businessmen in order to finance the anti-government protests taking place in Caracas at the time. SEBIN officials claim that during a search of Rosmit Mantilla's home on the day he was detained, they found leaflets urging people to join the anti-government protests and envelopes containing money. Both Rosmit Mantilla and his family deny these allegations. According to their statements, the officials went into his bedroom, put money in some envelopes on which they wrote the names of the two squares where protesters, mostly students, had set up camp as a symbol of protest against the government.

The Public Prosecution Service has accused Rosmit Mantilla of public incitement and intimidation, obstructing a public highway, arson involving public and private buildings, violent damage and conspiracy to commit a crime. These offences carry a maximum penalty of six years' imprisonment.

Amnesty International has been given access to the charges brought by the Public Prosecution Service. The main basis for the charges is the testimony of an unidentified individual and the evidence that SEBIN officers claim to have discovered in Rosmit Mantilla's home. Amnesty International believes that to date the Public Prosecution Service has failed to present credible evidence linking Rosmit Mantilla to the crimes of which he is accused. For example, according to the Public Prosecution Service report, the authorities have based the charges of incitement, arson involving public and private buildings and violent damage on the fact that Rosmit Mantilla, according to SEBIN's version of events, was in possession of leaflets calling for anti-government student protests.

At least 43 people died and 878 were injured in the pro and anti-government protests that took place between February and July of 2014. In addition, 3,300 people were detained. The vast majority have been released, although some are facing prosecution for their alleged involvement in violence during the protests.¹ According to the Ombudsperson's Office, more than 30 people remain in detention awaiting trial.² The UN Working Group on Arbitrary Detention has analysed two of these cases. It found that these individuals were arbitrarily detained and called for their immediate release. The UN High Commissioner for Human Rights echoed this call and urged the Venezuelan authorities to release all those arbitrarily detained in the context of the

¹ For more information on the February to July 2014 events, see the following Amnesty International reports: *Venezuela: Human rights at risk amid protests* (Index: AMR 53/009/2014), available at <http://amnesty.org/en/library/info/AMR53/009/2014/en>; and *Venezuela: Briefing to the UN Committee Against Torture, 53rd session, November 2014* (Index: AMR 53/020/2014), available at <http://amnesty.org/en/library/info/AMR53/020/2014/en>.

² *Ultimas noticias*, "Defensor dice que quedan 51 detenidos por protestas de 2014", 16 January 2015, available at <http://www.ultimasnoticias.com.ve/noticias/actualidad/politica/defensor-dice-que-quedan-51-detenidos-por-protesta.aspx>.

protests.³

Amnesty International also shares these concerns. It is also very concerned that the pre-trial detention of more than 30 people may be politically motivated.

³ UN News Centre, "Venezuela: UN rights chief calls for immediate release of opposition leader, politicians", 20 October 2014, available at <http://www.un.org/apps/news/story.asp?NewsID=49120#.VNYDb2SsWIM> .

ACT NOW!

Write to the Venezuelan authorities urging them to:

- Release Rosmit Mantilla given the absence of credible evidence to support the charges against him.

Send your appeals to:

Vicepresident of the Republic

Sr. Jorge Arreaza
Vicepresidencia de la República
Esq. Carmelitas, Avenida Urdaneta,
Caracas, Venezuela.
Email: vicepresidencia@venezuela.gov.ve
ciudadano@vicepresidencia.gov.ve
Salutation: Dear Vice-president

Attorney General of the Republic

Dra. Luisa Ortega Díaz
Edificio Sede Principal del Ministerio Público,
Esquinas de Misericordia a Pele El Ojo
Caracas, Venezuela
Email: ministeriopublico@mp.gob.ve
Fax: +58 212 578 3239
Salutation: Dear Attorney General

Minister of the Interior, Justice and Peace

Almirante en Jefa Carmen Teresa Meléndez Rivas
Ministerio del Poder Popular para las
Relaciones Interiores, Justicia y Paz.
Edificio Sede del Ministerio, Avenida México
Caracas, Venezuela
Email: mijcudecon@gmail.com
Fax: +58 212 506-1558
Salutation: Dear Minister

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