

PUBLIC

AI Index: AMR 53/001/2002

UA 42/02

Possible extrajudicial execution/
Fear for safety

12 February 2002

VENEZUELA

Paola Sánchez
Vicky Martínez
Kevin Capote
Gabriela Ojeda
Maury Oviedo
Other transgender people in Valencia, Carabobo State

Killed: Michelle Paz

Amnesty International is concerned for the safety of those named above and other transgender people in the city of Valencia, Carabobo State. They have been threatened, attacked and arrested following the murder of transgender activist Michelle Paz (legal name Janny Paz) in Valencia on 11 January, reportedly by police officers.

Two days later, a man in civilian clothes believed to be a police officer fired shots at another transgender activist, Paola Sánchez, (legal name unknown) in the street. She managed to escape unharmed, but a few hours later police entered her house without a search warrant and arrested her. She was released without charge three days later.

Vicky Martínez (legal name unknown) and Kevin Capote, both transgender activists were arrested on 16 January and held for three days at the local prison, La Isabelica. Kevin Capote reported being severely beaten by police officers before being taken to prison.

On 5 February, police officers belonging to the *Comando de la Parroquia Catedral*, forced Gabriela Ojeda (legal name Ronny Ojeda), a transgender friend of the murdered Michelle Paz, into a police car. She was reportedly taken to the police headquarters, where she was interrogated about the whereabouts of Maury Oviedo, the President of the transsexual organization *Respeto a la Personalidad*, Respect for the Personality.

On 8 February the intelligence department of *La comandancia General de Policia*, the Carabobo Police headquarters, issued a search warrant for Maury Oviedo. In October 2000, Maury Oviedo filed a complaint with the Inter-American Commission on Human Rights, alleging that a police officer had killed transgender person Dayana Nieves (legal name José Luis Nieves), a prominent figure in the transgender community (See UA 247/00, AMR 53/09/00, 18 August 2000). Maury Oviedo is presently in hiding and fears for her life.

BACKGROUND INFORMATION

Transgender identity refers to a compelling sense that's one's gender identity is not in conformity with the physiological characteristics of the sex one is born with.

Despite Venezuelan law which states that it is illegal for individuals to be arbitrarily arrested unless they are caught committing a crime, Valencia's lesbian, gay, bisexual and transgender (LGBT) community are at constant risk of harassment, ill-treatment and arbitrary detention by police. The Governor of Carabobo state, Henrique Salas Feo-Römer, has reportedly refused to address the problem.

The commander of police in Carabobo has said that "*los homosexuales y prostitutas en Carabobo tienen que regirse por un código policial, no pueden moverse libremente por la calle*" "homosexuals and prostitutes are to be ruled by a police code. They cannot move freely in the streets". In effect, this means that police use administrative detentions widely. The transgendered community believes it is being persecuted for publically denouncing abuse by police to the international community.

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

- expressing concern at the killing of Michelle Paz in circumstances suggesting that this was an extrajudicial execution;
- calling on the authorities to carry out a full and prompt investigation into the murder and ensure that those responsible are brought to justice;
- expressing concern at the continuing harassment and apparently unwarranted detention of transgendered people in Carabobo State, in particular the recent cases of Paola Sanchez, Vicky Martínez, Kevin Capote and Gabriela Ojeada;
- calling on the authorities to investigate allegations of abuse and unfair treatment reported by transgendered people during detention;
- expressing concern that an arrest warrant has been issued for Maury Oviedo and stressing that everyone is entitled to the protection of the law, regardless of their sexual orientation or gender identity;
- urging the authorities to take effective measures to ensure the safety of transgendered people in Carabobo State.

APPEALS TO:

Governor of the State of Carabobo
Econ. Henrique Fernando Salas Feo-Römer
Gobernador del Estado de Carabobo
Palacio de Gobierno
Calle Montes de Oca con calle Paez
Valencia
Estado Carabobo,
República Bolivariana de Venezuela

Fax: + 58 241 857 0783

Salutation: Dear Governor/Estimado Sr. Gobernador

Commander of the Police Forces in Carabobo
Jesús Manuel Ramírez
Comisario General de la PTJ
Avenida Navas Espinolas
entre Paseo Cabriales y Martin Tovar
Valencia
Estado de Carabobo,
República Bolivariana de Venezuela

Fax: + 58 241 859 5940 (if voice answers, say "por favor, tono de fax")

Salutation: Dear Commander General/Estimado Comandante General

Minister of the Interior and Justice
Sr. Ramón Rodríguez Chacín
Ministro del Interior y Justicia
Ministerio del Interior y Justicia
Avenida Urdaneta, esquina de Platanal
Parroquia Candelaria, municipio Libertador
Caracas,
República Bolivariana de Venezuela

Fax: + 58 212 861 1967 (Please keep trying to get through)

Salutation: Dear Minister/Estimado Sr. Ministro

Human Rights Ombudsman
Defensoría del Pueblo
Dr. Germán Mundarain
Bellas Artes Comienzo Avenida México
Plaza Morelos
Caracas

República Bolivariana de Venezuela

Fax: + 58 212 575 4467

E-mail: gmondarain@defensoria.gov.ve

Salutation: Dear Sir/Estimado Señor

COPIES TO:LGBT Organization

Respeto a la Personalidad, Avenida Martin Tovar 99-51, Valencia, Estado Carabobo, República Bolivariana de 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 26 March 2002.