

PUBLIC

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UA 135/05 Fear for safety

VENEZUELA Carmen Alicia Mota de Hernández (f)
Roberto Carlos Hernández Mota (m)]
Carlos Arturo Hernández Mota (m)] her sons
Other members of her family

Killed: Arturo Hernández Ortega (m), husband of Carmen Alicia Mota de Hernández

The family of a man allegedly murdered by police in the state of Guárico in central Venezuela have apparently been subject to a campaign of threats and intimidation. The authorities have reportedly not implemented any measures to guarantee their safety. Amnesty International is concerned that their lives may be in danger.

Carmen Alicia Mota de Hernández and her family have been threatened and intimidated since April 2004, when they reported the alleged police killing of her husband Arturo Hernández Ortega to the Public Prosecutor's office (*Fiscal Superior*) of Guárico State. Most recently, on 16 May 2005, two uniformed police officers were seen watching the family's business in the town of Valle de la Pascua, Guárico State. On 5 May as Roberto Carlos Hernández Mota, son of Carmen Alicia Mota de Hernández, was driving, four uniformed police officers on two motorcycles pulled in front of him, forcing him to brake. Again on 9 May, Roberto Carlos Hernández Mota was followed in his car by uniformed police officers.

These incidents follow a death threat received by Carmen Alicia Mota de Hernández in June 2004. Two days after she was interviewed about the murder of her husband on a radio programme, two men entered the family's business and robbed her son Roberto Carlos Hernández Mota of his wallet and mobile telephone. Three other employees who were present were not robbed. When Carmen Alicia Mota de Hernández called the stolen mobile phone, the person who answered said, "damn you, we're going to kill you, we know who you and your family are...watch out" ("*maldita vieja, te vamos a matar...te tenemos identificada a tí y a tu familia...cuídate*").

Arturo Hernández Ortega was killed on 12 April 2004 in Valle de la Pascua. Witnesses stated his truck was chased by a vehicle containing a police officer and driven by another person. The occupants of the car reportedly fired at the truck several times. Arturo Hernández Ortega apparently stopped his car to challenge his pursuers who then reportedly shot him five times. According to reports, the murder was linked to his refusal to pay protection money to members of the state police. Five members of the Intervention and Assistance Squad (*Brigada de Intervención y Apoyo*) of the Guárico state police were arrested on 16 March 2005 in relation to the murder.

On 13 September 2004 Arturo Hernández Ortega's family reported the murder to the Attorney General's Office, *Fiscal General de la República* in the capital, Caracas. As a consequence of this report they were allegedly intimidated by members of the Guárico State police, who followed the family on several occasions. As a result of this intimidation, on 23 September the Valle de la Pascua Criminal Court (*Tribunal Penal*) granted police protection to Carmen Alicia Mota de Hernández and her family. This protection was reportedly never implemented. To Amnesty International's knowledge, no investigation has been carried out into the family's complaints of intimidation.

BACKGROUND INFORMATION

Amnesty International has documented police intimidation of relatives of the victims of human rights violations committed by police and the failure to grant them protection or implement effective protection as

well as the failure to investigate complaints of threats. Venezuelan human rights organizations have documented over 100 police killings in Guárico State in recent years. Many Venezuelan states have a similar history of police abuse.

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

- expressing concern for the safety of Carmen Alicia Mota de Hernández and her family, who have been subject to a campaign of threats and intimidation;
- urging the authorities to implement the police protection measures granted by the Valle de la Pascua Criminal Court in order provide Carmen Alicia Mota de Hernández and her family with adequate protection and to guarantee their safety, according to their wishes;
- calling on the authorities to carry out a full, prompt and impartial investigation into all the complaints of threats and harassment the family have made, to make the results public and bring those responsible to justice;
- calling on the authorities to bring the perpetrators of the murder of Arturo Hernández Ortega to justice and punish them according to the gravity of their offences.

APPEALS TO:

Governor of Guárico State

Sr. Gobernador del Estado Guárico, Sr. Eduardo Manuitt
Palacio de Gobierno, Avenida Monseñor Sendrea
Municipio Juan Germán Roscio, San Juan de los Morros
Estado Guárico, VENEZUELA

Fax: + 58 246 431 5117

Salutation: Estimado Señor Gobernador/Dear Governor

Chief Public Prosecutor of Guárico State

Fiscal Superior del Estado Guárico, Dr. José Alberto Morillo
Fiscalía Superior del Estado Guárico, Avenida Los Llanos, Edificio Sede del Ministerio Público.
San Juan de los Morros, Estado Guárico, VENEZUELA

Fax: + 58 246 431 8905 / 432 0311 (if a voice answers, say “tono de fax por favor”)

Salutation: Estimada Señor Fiscal Superior/Dear Public Prosecutor

COPIES TO:

Guárico State Representative of the Human Rights Ombudsman’s Office

Delegado estatal de la Defensoría del Pueblo, Sr. Juan Sierra Abreu
Avenida Los Llanos, Edificio Don Enrique, P.B., frente a la Farmacia Capital y diagonal al Ministerio Público,
San Juan de los Morros, VENEZUELA

Fax: + 58 246 431 8935 (if a voice answers, say “tono de fax por favor”)

Human Rights Organization.

Red de Apoyo por la Justicia y la Paz
Parque Central, Edif. Caroata, nivel 2, ofic. 220, Apdo. Postal 17476, Caracas, 1015-A, 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 5 July 2005.