

EXTERNAL (for general distribution)

AI Index: AMR 53/04/94

Distr: UA/SC

UA 66/95

Arbitrary Detention / Fear of Torture

15 March 1995

VENEZUELA

Williams HERNÁNDEZ

Edith RIVERO (f)

Eduardo SOLÓRZANO

Paván de LÓPEZ (f)

15 members of the Revolutionary Bolivarian 200 Movement

Reports indicate that the above-named persons were arbitrarily detained by members of the *Dirección de los Servicios de Inteligencia y Prevención (DISIP)*, Directorate of Intelligence and Prevention Services, between 13 and 14 March 1995. A national day of protest has been called for 16 March by various organizations in response to growing economic and social problems. The authorities have claimed that the people arrested had been planning to destabilize the country.

Williams Hernández, a student of Economics at the University of Carabobo is being held at the DISIP headquarters in the city of Puerto Cabello, state of Aragua. Edith Rivero and Eduardo Solorzano, both from Maracay, state of Aragua are being held at DISIP headquarters in Aragua. Paván de López, wife of a former political prisoner is being held by the DISIP in San Felipe.

Fifteen activists belonging to the *Movimiento Bolivariano Revolucionario 200 (MBR-200)*, Venezuela's Revolutionary Bolivarian 200 Movement, led by former military coup leader, Lieutenant-Colonel Hugo Chávez, were also reportedly arrested.

Amnesty International fears that the detainees may be tortured while in detention. A number of people held by the DISIP in the past reported having been subjected to torture.

BACKGROUND INFORMATION

Amnesty International has repeatedly complained to the Venezuelan authorities about the widespread use of torture and ill-treatment, and about the lack of safeguards provided to people held in preventive detention. By law, police are allowed to hold a detainee in custody for up to eight days before they need be presented to a judge. This is far in excess of what could be considered safe to prevent conditions which facilitate the use of torture. Together with the inoperability in practice of the writ of *habeas corpus*, detainees are left almost completely at the mercy of those holding them. Amnesty International believes the principal reason for the persistence of torture in Venezuela is the impunity enjoyed by the perpetrators.

Several constitutional safeguards were suspended by President Caldera in June 1994 following a serious banking crisis in the country. These included the right not to be arrested or imprisoned unless caught *in flagranti delicto*, the right to non-interference in the home and to freedom of movement.

This lack of clarity persists to this day and leaves the door open to arbitrary acts by the security forces with little chance of redress for the victims.

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

- expressing serious concern for the physical safety of Williams Hernández, Paván de López, Edith Rivero and Eduardo Solórzano, who have been held by *Dirección de los Servicios de Inteligencia y Prevención* since their arrest between 13 and 14 of March 1995;
- seeking assurances that all the detainees are being treated humanely in accordance with international standards;
 - urging that they be granted immediate access to relatives, lawyers, a representative from the attorney general's office (*Fiscalía General de la República*) and that they receive an independent medical examination.

APPEALS TO:

1) Minister of Interior

Dr. Ramón Escovar Salom
 Ministro de Relaciones Interiores
 Ministerio de Relaciones Interiores
 Carmelitas a Santa Capilla
 Caracas, Venezuela

Telegrams: Ministro Interior, Caracas, Venezuela

Telexes: 26429 EXTER VC

Faxes: +58 2 815796

Salutation: Sr. Ministro/Dear Minister

2) Attorney General

Dr. Iván Darío Badell
 Fiscal General de la República
 La Candelaria, Caracas, Venezuela

Telegrams: Ministro del Interior, Caracas, Venezuela

Telexes: 24787 EXTER VC

COPIES OF YOUR APPEALS TO:

Human rights group

Sres.
 Asociación de Defensa de los Derechos Humanos
 Edif. Facultad de Derecho
 Apartado Postal 548
 Zona Postal 2001-A
 Valencia
 Estado Carabobo, Venezuela

Faxes: + 58 41 576149 (this is a shared fax/phone line: please dial and ask, "Me da tono de fax por favor")

Daily newspaper

Sres.
 El Diario Nacional
 Puente Nuevo a Puerto Escondido
 Ed. El Nacional
 Caracas, Venezuela

Faxes: + 58 41 5624648/5645020

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 of April 1995.