

EXTERNAL

AI Index: AMR 53/11/95

EXTRA 123/95

Fear of torture / Legal concern

23 October 1995

VENEZUELA

Carlos José González  
Osman José Colina Hernández  
Guillermo Tamayo Rivas  
Juan José Villamizar  
Luis Gerónimo Velásquez  
José Vargas Pérez

- students

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On 17 October 1995, the six students named above were reported to have been arbitrarily detained by members of the *Guardia Nacional*, National Guard, in Naguanagua, Valencia, State of Carabobo, at a reportedly peaceful student demonstration. Fears for their safety have been heightened by reports that they have been beaten in detention.

The six, together with two other students (both aged under 18), were reportedly arrested without a warrant during a raid on the premises of Carabobo University by the *Guardia Nacional*. The two minors were released unharmed shortly afterwards, but the six others were transferred to a state police remand centre in Valencia. They were seen on 18 October by representatives of the local university and a member of the *Comisión de Defensa de los Derechos Ciudadanos*, CODDECIUC, Commission for the Defence of Citizens' Rights, a local NGO. Although they were found to be in satisfactory health, at least one of the detainees, Juan José Villamizar, had been injured during arrest, and they were being held in overcrowded cells. Following the visit they were moved to a cell with better conditions. However, on 19 October, they were reportedly beaten by wardens during their transfer to the local town hall, where they were reportedly charged under the Law of Vagrants and Crooks for their student activism.

Amnesty International is seriously concerned at the reported announcements by local military authorities that the students will be imprisoned under the Law of Vagrants and Crooks (see below).

#### BACKGROUND INFORMATION

Amnesty International has repeatedly called for the abolition of the Law of Vagrants and Crooks which enables administrative authorities to imprison people without trial for up to five years, under vague charges, including long-term unemployment, practising witchcraft, and having a past penal record. The law continues to be used to suppress political and popular dissent, although it is applied most frequently to members of the poorer sectors of the population, also suggesting discrimination on the basis of social origin. The law infringes the defendant's fundamental right to a fair, prompt and impartial trial, as established under the International Covenant on Civil and Political Rights (ICCPR), and the American Convention on Human Rights. Both instruments have been adopted by Venezuela.

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

- expressing serious concern at reports that the six students (naming some or all) were reportedly beaten by wardens, and calling for immediate measures to ensure their safety, and for those responsible for the beatings to be brought to justice;
- calling for the students to be immediately and unconditionally released as prisoners of conscience;

- expressing serious concern about the use of the Law for Vagrants and Crooks to quell political or social dissent, and urging the authorities to repeal the law, which infringes international standards for fair trial, as proclaimed in the International Covenant on Civil and Political Rights and the American Convention on Human Rights, to which Venezuela is a state party.

**APPEALS TO**

1) Minister of Interior

Ramón Escovar Salom

Ministro de Relaciones Interiores

Ministerio de Relaciones Interiores

Carmelitas a Santa Capilla

Caracas, Venezuela

**Faxes: +58 2 833633; 815796**

**Telexes: 29694 MRI**

**Telegrams: Ministro Interiores, Caracas, Venezuela**

**Salutation: Señor Ministro / Dear Minister**

2) Governor of the State of Carabobo

Henrique Salas Romer

Gobernador del Estado

Carabobo

Palacio de Gobierno

Valencia

Estado de Carabobo

Venezuela

**Telegrams: Gobernador Romer, Valencia, Carabobo, Venezuela**

**Faxes: +58 41 570783 and 577861**

**Salutation: Señor Gobernador / Dear Governor**

**COPIES TO**

1) **CODDECIUC**

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Valencia 2001, Venezuela

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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 25 November 1995.