

EXTERNAL

AI Index: AMR 53/14/95

EXTRA 144/95Health concern / Ill-treatment / Legal concern 21 November 1995

VENEZUELA Daniel José Urbano Frisneda, aged 30, scrap dealer

Daniel José Urbano Frisneda, arbitrarily arrested and allegedly beaten in incommunicado detention, is now reportedly being denied medical care in a prison notorious for its appalling conditions. Administratively detained under a law which infringes international standards for fair trial, he should be immediately released and given the medical attention he needs.

On 6 November 1995 Daniel José was arrested in Catia, Caracas, by members of the *Guardia Nacional*, National Guard, who beat him as they took him away. For the next six days, Daniel José was reportedly held incommunicado in a special sub-station of the National Guard at La Vega in Caracas, and again beaten. During this time, his name did not appear on the lists of detainees, which his father checked in his attempts to locate his son.

On 11 November Daniel José, who is paralysed on the right side of his body, was transferred to the prison *Retén de Catia*, one of the most notorious prisons in Venezuela. It is technically a temporary holding centre, but the majority of inmates have been there longer than a year. Built for 750 inmates, it is said to hold over 2,575 prisoners in conditions that are reported to be appalling, and which may amount to cruel, inhuman and degrading treatment. Daniel José's father has visited his son and has reportedly said that he is being deprived of all medical attention, worsening his health condition.

Daniel José has been forced to sign a document which he was not allowed to read and which reportedly stipulates that his sentence is to be one of eight months in a special centre for re-education and work. This administrative detention was made under the Law of Vagrants and Crooks (*Ley de Vagos y Maleantes*).

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 Daniel José Urbano Frisneda was beaten in incommunicado detention by members of the National Guard, and for those responsible for the beatings to be brought to justice;
- seeking assurances that Daniel José is being treated humanely while in detention in *Retén de Catia* in accordance with international standards, and calling for him to be immediately given an independent medical examination and treatment;

- calling for him to be immediately released and granted appropriate compensation for his arbitrary detention and ill-treatment;
- 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 from doctors and other health professionals would be welcome.

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) Attorney General

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

Faxes: + 58 2 5647461

Telegrams: Ministro del Interior, Caracas, Venezuela

Telexes: 24787 EXTER VC

Salutation: Señor Fiscal General / Dear Attorney General

COPIES TO:

1) Human Rights Organization

Sres. Red de Apoyo por la Justicia y la Paz
Apartado Postal N 17.476
Parque Central.
Caracas 1015-A

Faxes: +58 2 5748005 (if voice, ask "me da tono de fax, por favor")

2) Daily newspapers

Sres. El Nacional
Edificio El Nacional
Puente Nuevo a Puerto Escondido
Caracas, VENEZUELA

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your Section office, if sending appeals after 25 December 1995.