

### Argentina

Over 100 journalists have received anonymous death threats against themselves or their families and have been victims of harassment or attacks in a resurgence of violence against journalists.

In a recent case, Hernán López Echague, a reporter of the Buenos Aires daily Página 12, was violently attacked on 25 August. Unidentified men hit him and slashed his face with a flick-knife. On 8 September he was attacked again. On both occasions Hernán López Echague was warned to stop writing his articles otherwise he would be killed. The attacks have followed the publication of his journalistic articles linking leading members of the ruling Peronist party with thugs that attacked journalists on 14 August at the Rural Association (Sociedad Rural) farm fair which President Carlos Menem was addressing.

Although an investigation was initiated on the first attack against Hernán López Echague and, according to reports, some of the journalists threatened have been offered protection by the authorities, Amnesty International is deeply concerned at the pattern of intimidation to members of the press allegedly for their investigative journalism or criticism of the government. AI believes that the authorities have the duty to ensure the freedom of expression by thoroughly investigating all denunciations, of threats and harassment against journalists, bring to justice the perpetrators and effectively guarantee the protection of the journalists and their families.

The Argentine Press Workers Federation (FATPREN), Federación Argentina de Trabajadores de Prensa, has denounced the attacks to the authorities and stated that freedom of expression and the safety of journalists is in great danger in Argentina.

### Bangladesh

Two police constables have been suspended following the rape of a 13-year-old child on the streets of Dhaka. The boy has now disappeared, and no charges have been brought.

Mohammed Shawkat was first sexually assaulted near the place where he had slept on the pavement, then again in Azimapur police station.

He was released the following morning, but after three days' treatment in hospital for injuries sustained during violent sexual assault, Mohammed disappeared without trace.

AI believes that Mohammed may be hiding for fear of retaliation and urges the government to trace and protect the child and to rehabilitate and suitably compensate him. The rape should be promptly investigated and the perpetrators be brought to justice.

The violations of human rights of children reported from Bangladesh, including their unlawful detention, torture, including rape, holding in shackles and the imposition of the death sentence, contravene the provisions of the UN Convention on the Rights of the Child which Bangladesh ratified in 1990.

### Iraq

Hundreds of Kuwaitis and others are still unaccounted for - missing since the end of the Gulf War. Many are believed to be held in secret detention in Iraq. AI has called on the Iraqi Government to clarify their fate and whereabouts.

AI has highlighted the cases of 140 such detainees, 129 of whom are Kuwaitis and 11 others including nationals of Bahrain, Saudi Arabia, Syria, Lebanon and Iran.

Thousands of Kuwaitis and third-country nationals were arrested by Iraqi forces during the 1990-1991 occupation of Kuwait. Despite the repatriation of over 7,000 prisoners of war and civilian detainees after the cease-fire, many are still missing. The Iraqi Government has denied holding any more detainees seized during the conflict, while the Kuwaiti Government maintains that at least 650 remain in Iraqi custody.

AI considers the continued imprisonment of such detainees more than two years after the end of the war, regardless of the original reasons for their arrest, to constitute arbitrary detention. It has called on Iraq to immediately release these detainees as prisoners of conscience, detained solely on account of their ethnic origin or for their association with states considered by Iraq to be its enemies. AI has urged the government to specify their exact whereabouts, allow them access to international humanitarian organizations, and provide reliable verification where it maintains a detainee has been released.

In many cases highlighted in AI's report, there were witnesses to the arrests, while in others the detainees were sighted in detention by fellow detainees who were later repatriated. Among those still missing are: Faisal al-Sane', an entrepreneur and former parliamentarian and Samira Ma'rifi, a university student, both Kuwaitis; and Maysar Oghali, a Syrian and former employee of the Kuwaiti Ministry of Interior.

\* *Iraq: Secret detention of Kuwaitis and third-country nationals* (AI Index: MDE 14/05/93).

## Togo

There has been a dramatic increase in human rights violations committed by the armed forces in Togo. They have benefited from the unconditional support of the head of state and have in effect enjoyed immunity from prosecution, despite killings of peaceful demonstrators last January, and extrajudicial executions of prisoners in March 1993. General Eyadéma was returned to power in August in elections which were widely criticised for being unfair.

The army, which was supposed to be confined to barracks under international supervision during the election period, was nevertheless responsible for violating human rights; yet soldiers reportedly helped arrest 40 people the day after the presidential election in or near the village of Agbandi, central Togo. The arrests followed an outbreak of violence on election day, when local opposition supporters, supporters ransacked voting booths in the Agbandi area. They were angry that some ballot boxes had apparently been filled with false ballot papers in favour of General Eyadema before voting began.

The 40 were taken to cells at the Gendarmerie, in nearby Blitta, where 21 of them died over the next few days. There has been no independent investigation into their death. The authorities claimed that the prisoners were poisoned by eating food apparently brought to them by their relatives. Amnesty International received reports that the prisoners were assaulted following their arrest and were crammed into a small cell, possibly leading some to die of asphyxiation.

\*Togo - Impunity for killings by the military. (AI Index AFR 57/13/93)

## Papua New Guinea

The Government of Papua New Guinea has failed to investigate allegations of serious human rights violations on the island of Bougainville, or to bring to justice the suspected perpetrators, according to a new report by AI.\* Government and military restrictions on access to the island have also meant that the security forces have been virtually free from public scrutiny. In failing to provide a proper framework of accountability and control, the government has created a climate in which human rights violations have been almost inevitable.

The report documents human rights violations which have occurred in the context of armed conflict between government troops and a secessionist group, the Bougainville Revolutionary Army (BRA).

The conflict first erupted in 1989 and continued until early 1990, when government troops were forced to withdraw from the island. Amnesty International documented serious human rights violations during that period and, at the end of 1990, expressed concern that if government troops did return, further violations were likely to occur.

Troops did return to Bougainville in early 1991 and since then there have been persistent reports of killing, torture, rape, beatings and harassment of suspected BRA supporters. At least 60 people, possibly many more, are reported to have been extrajudicially killed by soldiers or members of military-backed "resistance" forces, some of them after being beaten or cut with knives. Dozens of people, including the elderly and young children have reported being fired at with high-powered weapons from the air or from military patrol boats. Some of the shootings have resulted in deaths.

BRA members have also committed serious human rights abuses, including the summary execution, torture, rape and harassment of people accused of "betraying" the independence movement on Bougainville.

\*Papua New Guinea; Under the barrel of a gun, (AI Index: ASA 34/05/93)

### Saudi

Over the past three years hundreds of men, women and children have been arrested by Saudi Arabia's security forces and religious authorities solely for the peaceful expression of their religious and political beliefs. Many were subjected to torture, flogging or other cruel, inhuman or degrading treatment while in detention. A report by AI highlights a pattern of arrest, detention and torture of Christian worshippers and Shi'a Muslims in Saudi Arabia.\*

The vast majority of Saudi Arabian citizens are Sunni Muslims and the official creed of the state is the Wahabi doctrine of Islam. Public and private non-Muslim religious worship is, in practice, banned in Saudi Arabia. Non-Muslim holidays and rituals cannot be publicly observed and the possession of non-Islamic religious material, such as icons and crosses, is prohibited. Christians who meet to worship are often targeted by the religious police. Since August 1990, 329 Christian worshippers are known to have been arrested in the Kingdom, 325 of them nationals of developing countries.

Shi'a Muslims, who make up approximately 10 per cent of the country's population, are also the target of officially sanctioned discrimination and persecution. The public performance of Shi'a Muslim religious rites is closely monitored and generally prohibited. Saudi Arabian Shi'a Muslims risk being arrested and tortured for advocating freedom of religion and thought and equal rights for their community.

AI has urged the government of Saudi Arabia to put an end to the pattern of arbitrary arrest, detention and torture of religious minorities and to enact legislation guaranteeing the right to freedom of thought, conscience and religion. \*(Saudi Arabia - Religious Intolerance: The arrest, detention and torture of Christian worshippers and Shi'a Muslims, AI Index: MDE 23/06/93)

### Ethiopia

A district court in Atlanta, Georgia has awarded compensatory damages to three Ethiopian women refugees against their former torturer, after one of them found him working in the same hotel.

In a civil suit assisted by US civil rights groups, Kelbesso Negewo, also a refugee, was found responsible for detaining and torturing the three women. He was ordered to pay them half-a-million dollars each, although he is unable to pay up.

The Ethiopian government sent the court documents supporting the suit, and is seeking his extradition for trial in Ethiopia. Negewo was a former chairman of an urban-dwellers association (kebele) in Addis Ababa during the former government's murderous "Red Terror" campaign against alleged anti-revolutionaries in the late 1970s.

Over 1,500 former officials are currently detained in Ethiopia for alleged involvement in extrajudicial executions, torture and other human rights abuses under the government of Mengistu Haile-Mariam, but none has yet been charged or tried.

### Brazil

AI is calling for a radical review of police forces throughout Brazil - following the third massacre to be attributed to military police in a year and a pattern of gross human rights violations by police forces in most Brazilian states.

Twenty-one residents were killed when about 30 hooded and heavily armed men mounted an assault on the Vigário Geral shanty-town in Rio de Janeiro on 30 August. The group indiscriminately fired at residents, killing seven men playing cards in a bar, eight members of a family of 13 and six other men in the street. One of the female victims had given birth the month before and another was killed on the eve of her 16th birthday. The state Governor decried the massacre as an act of revenge for the killing of four military policemen, in unclarified circumstances, near the shanty-town on 28 August. Subsequent investigations have implicated civil and military police in the massacre.

Brazil has a federal police force, and police forces at a state level divided into civil and military branches. Helio Bicudo, a federal Congressman, who has proposed that the latter be de-militarized, has received death threats.

## Cambodia

The Khmer Rouge have renewed their campaign of terror against ethnic Vietnamese, including broadcasts on radio inciting racial violence. At least 130 ethnic Vietnamese civilians, including women and children, have been killed and another 75 injured in the past 18 months by Khmer Rouge forces. A number of others are missing and are presumed to have been killed.

These killings are occurring in a context of widespread violence and a judicial system which is incapable of serious enforcement of any existing legal code.

The United Nations Transitional Authority in Cambodia (UNTAC) has placed responsibility for the attacks in nearly all cases with the forces of the **Partie** of Democratic Kampuchea (PDK), or Khmer Rouge.

UNTAC was set up to implement the 1991 Paris Peace Agreements and oversee elections held in May 1993. It is scheduled to complete its withdrawal by mid-November.

With confusion over the future role of the PDK in national structures and the prospect of continued fighting between government and PDK forces, AI has expressed its fear that acts of military violence may become part of the political manoeuvring during the coming months.

The ethnic Vietnamese living in Cambodia are the most vulnerable and frequent targets of such violence, and have become a tool for maintaining a state of terror and endemic violence in many parts of the country. AI condemns as a matter of principle the killing of prisoners by anyone, including armed opposition groups such as the PDK.

## Worldwide Appeals

### Bahrain

Mohammed Jamil 'Abd al-Amir al-Jamri, the 33 year old civil engineer arrested in 1988 and reportedly tortured to force him to confess to spying for Iran, continues to serve the 10 year prison sentence handed down by the State Security Court after an unfair trial in 1990.

In June, the Bahrain authorities denied allegations of torture and maintained that the charges were properly brought under the Bahrain penal code.

Although Amnesty International welcomes the assurances that he received a fair trial and was not subjected to torture, the organization has not received details of any investigations into his torture allegations. A request for the court's judgment has also not been forthcoming. (See Worldwide Appeal, April 1993).

### Guatemala

Indigenous soldier Nicolás Gutiérrez Cruz may face the death penalty following the decision by the Guatemalan Constitutional Court to turn down his appeal.

Nicolás Gutiérrez Cruz and Eliseo Suchité Hernández were initially convicted by a military court and sentenced to 30 years imprisonment for the killing on 17 January 1992 of four members of indigenous displaced families, in Ciudad Peronia, municipality of Villa Nueva, Sololá department.

Both soldiers escaped from the military barracks, but Nicolás Gutiérrez was recaptured. Subsequently, the Public Ministry appealed against the military court's sentence and the case was transferred to the Fourth Court of Appeals, which revoked the sentence and issued the death penalty.

An appeal was then made to the Supreme Court, which in August 1992 confirmed the death penalty sentence. On 29 April 1993 Nicolás Gutierrez's lawyer filed an injunction, but this was denied by the Constitutional Court.

It appears that the only remaining possibility of overturning the death penalty is a presidential pardon. The last executions carried out in Guatemala were in 1982 and 1983, on charges such as kidnapping and "subversion" under an emergency decree promulgated under the *de facto* administration of General Efraín Ríos Montt, which established secret military tribunals empowered to impose the death penalty for a wide range of political offences.

Please send appeals urging the Guatemalan Government to commute the death sentence of Nicolás Gutiérrez Cruz and not to take a retrograde step in the protection of human rights by resuming the use of the death penalty, and furthermore to issue a powerful message for human rights by abolishing the death penalty altogether,

to:

S.E. Ramiro de León Carpio  
 Presidente de la República de Guatemala  
 Palacio Nacional, Guatemala, GUATEMALA

#### Equatorial Guinea

Pedro Motú Mamiaga, a former army lieutenant and member of the *Unión Popular* (UP), Popular Union party, died in police custody in Malabo, the capital of Equatorial Guinea on Bioko island, after his arrest on 22 August 1993.

On 23 August the authorities announced that he had committed suicide in prison and accused him of planning a military rebellion. The following day another military officer died in police custody. Released detainees reported that both men had been severely tortured.

Since Equatorial Guinea adopted a multi-party political system in January 1992, hundreds of political activists have been arrested and briefly detained and tortured. Many have been forced to join the ruling Equatorial Guinean Democratic Party.

In late July opposition parties announced that they would boycott elections, which had been set for September 1993, as the electoral law severely limited freedom of expression and association. Elections were rescheduled for 21 November but political repression increased and scores of more political activists and military personnel, including retired officers, have been arrested and tortured. Some retired officers were confined to their villages.

Pedro Motú Mamiaga was among dozens of civilians and military officers arrested between 21 and 24 August in Malabo. He was arrested while visiting the leader of the UP, who had returned from exile the previous day. Since the present government came to power in 1979 he had been detained on several occasions and spent many years confined to his home village in the mainland province of Río Muni.

Please send appeals, in Spanish if possible, expressing concern about the death of Pedro Motú Mamiaga in police custody and calling for an independent and impartial inquiry into his death and for those responsible to be brought to justice, to: Su Excelencia, General de Brigada Teodoro Obiang Nguema, Presidente de la República, Gabinete del Presidente, Malabo, Republic of Equatorial Guinea

#### Trinidad and Tobago

AI is concerned at renewed attempts to resume executions after fourteen years, and has criticised a statement by the Minister of National Security attacking lawyers who intervene in death penalty cases. The public outcry over the murder of Commissioner of Prisons, Michael Hercules in August and the increasing crime rate in the country has brought about renewed calls for hanging to be resumed. Days later,

Michael Bullock and Irvin Phillips, convicted of murder in 1983 and 1988 respectively, were issued with death warrants for their execution on 24 August. AI has appealed to the government to commute the sentences.

AI has also written to the Prime Minister, Patrick Manning, expressing deep concern about the statement by Minister of National Security Russell Huggins, who advises the government on clemency. His statement amounts to a call to prevent lawyers from performing their professional duties and could endanger their personal security.

In the statement he called on the public to protest "against certain persons...overly concerned with the rights of the criminal", clearly referring to lawyers who intervene in death penalty cases. He added, "So...when they file their motions to stop the hangings you must get up and let your voices be heard".

As a result of this covert attempt to intimidate lawyers it became more difficult to secure legal representation to stop the executions than in previous cases. Eventually, four attorneys-at-law submitted a constitutional motion to the High Court and secured stays of execution just hours before they were due to take place.

AI brought to the Prime Minister's attention the Basic Principles on the Role of Lawyers which provides, among other things, guarantees for the functioning of lawyers. The organization said that it found the Minister's statements "outrageous as they may put lawyers at risk" and found that "his conduct was certainly unbecoming to a senior member of government".

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Focus

### VENEZUELA: THE ECLIPSE OF HUMAN RIGHTS

"I buried half my life when I buried my son. I have not recovered from the death of my son, from this nightmare. And I believe that no father can recover from the death of a son who was cut down in a way that is as drastic and as violent as this. My wish is for these things to stop happening in this country."

These are the words of Hipólito Landa Torres. His son, Luis Enrique Landa Díaz, a 21-year-old medical student, was shot dead by members of Venezuela's National Guard in September 1992. No one has yet been brought to justice for his death, and Hipólito himself has been threatened repeatedly and shot.

Venezuela stands out in Latin America as one of the few countries which has been ruled by democratically elected civilian governments without interruption for over 35 years. What is less well known, particularly outside the region, is the extent to which the human rights of its 20 million citizens have been persistently and seriously violated over the years.

Venezuelan governments have often expressed their commitment to defending human rights. Inside the country, however, state officials have been allowed to violate those rights with virtual impunity.

Rising social and political tensions have led to a marked deterioration in the situation, particularly since February and March 1989, when hundreds of people were killed during widespread and sometimes violent protests against austerity measures introduced by the new government of President Carlos Andrés Pérez. Many were shot dead, deliberately or indiscriminately, by the police and army. Further extrajudicial executions were committed in 1992, particularly in the wake of two attempted military coups in February and November.

The government responded to each political crisis by suspending a wide range of constitutional guarantees of individual human rights. In May 1993, against a background of growing political unrest, the Senate suspended President Carlos Andrés Pérez from office after the Supreme Court ruled that he should stand trial for corruption. In June, Ramón José Velásquez was elected by Congress as Venezuela's interim President. Ramón Velásquez is expected to remain in the office until February 1994, when a new administration will take over following general elections scheduled for December 1993.

AI has monitored the human rights situation in Venezuela for many years. It has conducted fact finding missions, published reports, campaigned against violations and repeatedly conveyed its concerns to successive governments. The authorities have rarely bothered to respond.

#### Human rights violations in Venezuela

Torture and ill-treatment by police and National Guard are frequently reported. Criminal suspects, especially those living in poor neighbourhoods (*barrios*), are routinely tortured to extract confessions. Political, student and grassroots activists are also targeted.

Moreover, during periods of heightened political tension the security forces have carried out extrajudicial executions with little fear of being brought to account for their actions.

The administration of justice is marked by serious shortcomings. Investigations into human rights violations are inadequate or non-existent. Trial proceedings are routinely and arbitrarily delayed, frequently beyond legal limits. Defendants are meanwhile kept in prison, usually in extremely harsh conditions where they are often beaten and sometimes tortured.

In addition, hundreds of people continue to be administratively detained for up to five years under the Law of Vagrants and Crooks. Those detained under this law have no access to a judicial hearing or defence lawyers, and are denied many other basic rights.

#### TORTURE AND ILL-TREATMENT

Torture and severe ill-treatment, sometimes resulting in death, have been frequently reported over the years.

Most of the victims have been criminal suspects -- particularly the poor and marginalized -- as well as student and political activists.

The authorities at the highest levels have repeatedly condemned torture and ill-treatment, which are clearly prohibited by Venezuelan law and by international standards the government has sworn to uphold. But the reality bears little resemblance to the government's promises and proclamations.

Methods of torture used in Venezuela are designed to cause maximum pain and minimum scars. Beatings are common, both in police custody and in prisons throughout the country. The victims suffer punches, kicks and blows with batons to sensitive parts of the body such as the abdomen, genitals and head. Some prisoners are subjected to simultaneous blows to both ears, which produces excruciating pain and often ruptures the ear drums.

Near-asphyxiation with a plastic bag is also commonly reported. Irritants such as ammonia, powdered soap and insecticide are often added to the bag to increase the distress of the victim.

Other victims have their heads held under water, frequently containing debris or excrement.

Electric torture has also been repeatedly reported. The torturers apply cattle prods to sensitive parts of the body, and suspend victims for prolonged periods by the wrists, so that their feet barely touch the ground.

Torture methods are often used in combination, most frequently by subjecting the victims to beatings during or after near-asphyxiation with a plastic bag.

#### Criminal suspects

Most victims of torture and ill-treatment are criminal suspects -- including minors -- who are tortured to force them to confess to a crime.

José Blondell was arrested on the morning of 9 March 1992 by the Criminal Investigations Police when he went to a police station in Caracas to testify in a murder case. He said four police officers kicked and beat him and accused him of involvement in the murder, which he denied. As the day wore on his treatment got worse. The police put a plastic bag over his head and he was again beaten.

The following day, he was subjected to the same forms of torture, as well as death threats. In the afternoon, he was taken out of his cell, sprayed with a fire extinguisher -- which causes an acute burning sensation -- and beaten with a metal bar.

He was eventually released on 16 March without charge and after being denied medical attention. To AI's knowledge those responsible for his torture and ill-treatment have not been brought to justice.

#### The poor

The inhabitants of the *barrios* of Caracas suffer not just from poverty, disease and unemployment, but also from persistent police brutality. They are often detained without charge for short periods by the security forces during raids, and then tortured or ill-treated before release.

In October 1991 nearly 200 people, including children as young as 13, were arrested and subsequently tortured after mass raids by the Metropolitan Police and National Guard in the *barrios* of La Vega and "23 de Enero". The raids followed the killing of two members of the security forces.

People living in the neighbourhoods reported that the police showed no search or arrest warrants when they entered houses and that some wore hoods to hide their identity. Witnesses alleged that the police beat several people and destroyed property during house-to-house searches.

In one instance, 20-year-old Kodiast Ascanio was beaten and suspended from the 12th-floor balcony of a block of flats. The police held him incommunicado for four days, during which he was beaten with a baseball bat and subjected to a mock execution. He was released without charge. **WHEN?**

#### Political activists and students

In the wake of the two attempted coups in February and November 1992, the security forces carried out widespread raids. Student leaders, members of political parties and community activists were arbitrarily arrested. Most of them were later released without charge, although dozens were tortured in custody.

Complaints were submitted to the authorities, but by July 1993 none of those responsible for illegal arrests, torture or ill-treatment had been brought to justice, and the victims had not received compensation.

In February 1992, 22 civilians, many of them students, were arrested by the Carabobo State Police [*policía del estado*]. They were reportedly made to crouch down facing the wall for several hours and were beaten repeatedly and subjected to electric shocks with a cattle prod. The 22 detainees were held incommunicado until 12 February. They were reportedly given no medical attention despite the injuries many had sustained during the beatings. One of them, Cecilio Benítez, told the police that he needed special medication for a neurological illness: he received it only after suffering two epileptic seizures. Another detainee, Carmen

Alicia Gómez Potellá, who was four months pregnant, suffered symptoms of a miscarriage as a result of beatings. She was eventually taken to hospital. All the detainees were released unconditionally in March. Scores of students and political activists suspected of supporting the 27 November attempted coup were tortured and ill-treated following their arrest. Most were released within a few weeks without charge. Several victims required medical treatment for the injuries they suffered.

Those who later submitted complaints to the authorities said they were kept incommunicado and tortured during the first days of detention. They were reportedly beaten, deprived of food and water, and threatened with death. Many said they had been suspended by the wrists for long periods and nearly asphyxiated with plastic bags, sometimes containing ammonia or other irritants. In most cases, those allegedly responsible were members of the Directorate of Intelligence of the Army and Directorate of Military Intelligence. None have been brought to justice.

A number of people have reportedly been tortured to death - or "executed" after being severely injured - by members of the security forces. Freddy Miguel Franquis Aguilar, a bricklayer and grassroots activist in the poor neighbourhood of La Laguna in Caracas, was abducted by members of the Metropolitan Police on 25 February 1992. A week later his body was discovered by his relatives in the morgue of a local hospital. He had been beaten and burned with cigarettes before being shot at close range.

According to reports, three members of the Metropolitan Police were accused of the crime and suspended from duty pending investigation. AI has received no further information about the investigation.

Torture continues in part because the perpetrators are rarely punished. The courts consistently fail to investigate properly complaints of torture and other serious human rights violations or bring those responsible to justice. Very few torture charges have resulted in convictions. Even when convictions have been secured, they have often been based on lenient charges; the punishments are usually suspended sentences or conditional releases.

The police are allowed to hold people for up to eight days in preventive detention. During this period the police can collect evidence, including confessions. Defendants have frequently been convicted solely on the basis of confessions, despite allegations that the confession was obtained under torture.

Constitutional safeguards expressly prohibiting incommunicado detention are routinely violated. In some cases, relatives have been told that the police were not holding the person in question. Other detainees have been transferred from one police station to another, making it difficult for relatives to trace them. Detainees' rights are further undermined because judges invariably fail to accept writs of *habeas corpus* for detainees in police custody during the first eight days of custody, when torture most frequently occurs.

### **EXTRAJUDICIAL EXECUTIONS**

As political tensions have increased in Venezuela in recent years, so have reports of extrajudicial executions. Some members of the security forces have felt free to kill with impunity when law and order have been challenged. In almost all cases, the judiciary has failed to bring those responsible to justice and in some cases has obstructed efforts by relatives to uncover the truth.

In February and March 1989, against a background of mass protest at the government's economic policies, hundreds of people were killed. Some died in the general violence, but many were extrajudicially executed by the police or military. Some were shot dead in the street while in police custody. Others died when shots were fired indiscriminately into crowds or homes.

The government maintains that 276 people died, of whom 87 remain unidentified. Human rights groups compiled a list of some 400 people who they say were killed or went missing during the disturbances. The bodies of many of the dead were buried in common graves in a Caracas cemetery before they could be identified.

In November 1990, after months of appeals, a civilian judge ordered the exhumation of the remains. By April 1991, 68 bodies had been exhumed. Forensic examinations revealed that most were young men aged between 16 and 25 who had been buried at or around the same time. Three bodies were positively identified, two of whom had reportedly been extrajudicially executed during the 1989 protests.

One of those identified was José del Carmen Pirela León, a 16-year-old artisan. He was reportedly shot and injured by members of the Metropolitan Police while shopping with a friend on 28 February 1989.

Forensic scientists established that he had died from a bullet wound in the forehead, an injury consistent with an extrajudicial execution. Investigations into his death have not passed their preliminary stages.

Information has since come to light about many others killed during the 1989 protests. In several cases, official explanations of the cause of death have proved to be lies.

Virtually none of those responsible for the arbitrary killings and extrajudicial executions during February and March 1989 been brought to justice, nor have the relatives of the victims received compensation.

On 4 February 1992, during the attempted military coup, an armed confrontation broke out between rebel soldiers and members of the state police outside Canaima police station in Valencia. When the shooting stopped, a convoy of National Guard rounded up rebel soldiers who had surrendered. They ordered civilians to come out of nearby houses and wait in the street.

Members of the Directorate of Intelligence and Prevention Services (DISIP) arrived and began to beat some of the civilians who had been handcuffed and forced to lie down in the street. A wounded soldier was dragged towards the civilians. According to reports, a member of DISIP said: "Since you have been wounded in the leg, we might as well kill you". He then shot him dead at close range. Witnesses said another soldier was also shot dead at close range. The identity of the two soldiers is not known.

The same day five other people -- four students and a soldier -- were reportedly executed extrajudicially in Valencia.

All of these cases were transferred to military courts: those responsible for the killings have not been brought to justice and no compensation has been paid.

Many people were killed in the wake of the 27 November 1992 attempted coup. An unknown number of military personnel and civilians died in combat, in cross-fire or as a result of bombs being dropped on populated areas. Dozens of people were extrajudicially executed by the security forces.

In one incident on 27 November a number of prisoners, possibly hundreds, were killed by the police during an attempted escape from *Retén de Catia*, a prison in Caracas. The death toll is still disputed. The Ministry of Justice says it was 47; the Attorney General's Office claims that 63 died and more than 20 remain unaccounted for; and inmates and witnesses believe that up to 560 prisoners were killed.

The attorneys in charge of the investigation and witnesses interviewed by AI say that many of those killed were executed after they had been captured by the security forces. By July 1993 none of those responsible for the killings had been brought to justice.

In recent years, the security forces have killed many criminal suspects, particularly in the *barrios*, in circumstances suggesting that they used firearms unnecessarily or with the deliberate intention of killing or causing serious injury without cause. Geovanni Celestino Monné Meza was killed during a raid by members of the Metropolitan Police on 1 May 1993 in La Vega, Caracas. He was working with two colleagues when police ordered them to open the door of their workshop. As they did so, a police officer opened fire with a sub machine-gun. Geovanni Celestino fell to the floor critically injured, but the police reportedly ignored him and assaulted the other two men. Geovanni Celestino was taken to hospital where he died on arrival. The other two men were arrested and held for five days before being released without charge.

#### Journalists and demonstrators

Human rights issues in Venezuela have in the past received wide coverage in the local media, a reflection of the country's long tradition of a free press. This coverage is now under threat. Journalists have increasingly been harassed, attacked and even murdered by the security forces, particularly during anti-government demonstrations.

For example, a soldier shot and killed Virgilio Fernández, a reporter for *El Universal* newspaper, while he was covering the military uprising of 27 November 1992. According to reports, the soldier deliberately fired on a parked car bearing the newspaper's logo, killing Virgilio Fernández and injuring a colleague.

#### Failure of the law

By and large, extrajudicial executions are not investigated properly and few of the perpetrators are ever brought to court, let alone to justice.

For example, over four years after the events of early 1989, more than 200 cases of unclarified deaths and serious injury by state agents reported in 1989 are still unresolved.

In only one case, that of Eleazar Mavares, has the person reported responsible been prosecuted. Eleazar Mavares was shot dead by a member of the Metropolitan Police in March 1989 as he was walking across a bridge. The policeman was reportedly convicted of homicide and sentenced to 12 to 18 years' imprisonment. He appealed and there are reports that the sentence may be reduced. He is said to be held in a special police precinct and allowed out at weekends.

AI has submitted a series of 16 recommendations to the Venezuelan authorities. If adopted, they would greatly enhance the protection of human rights in Venezuela. Until then, Venezuela's citizens, especially the poor, remain at risk.

#### BOX: PRISON CONDITIONS

Prison conditions throughout the country continue to be extremely harsh, in many cases amounting to cruel, inhuman and degrading treatment.

Harsh conditions include the arbitrary use of punishment cells, inadequate food, poor sanitary conditions and lack of proper medical care. The authorities have acknowledged the grave situation in many prisons, but have failed to implement effective remedial measures.

Overcrowding and lack of security in prisons has led to many deaths. For example, in *Centro Penitenciario de Valencia*, a prison known as *El Tocuyito*, an average of 14 prisoners reportedly died every month between January 1989 and February 1990, most of them killed in violent incidents. Despite official announcements of measures being taken to prevent further deaths, at least 29 inmates were killed in the same prison between January and June 1993.

#### BOX: LAW OF VAGRANTS AND CROOKS

The Law of Vagrants and Crooks (*Ley de Vagos y Maleantes*) permits the administrative detention for up to five years, without judicial appeal or review, of people deemed by the authorities to be a danger to society but against whom there is usually no evidence of punishable crimes. The law, which has been used in the past for detaining political dissidents, is still widely used in many states to intimidate and arbitrarily detain people living in poor neighbourhoods.

It is time to repeal this law, which violates individual rights and the international human rights standards that Venezuela has promised to respect.

END BOX