

# URGENT ACTION

## ARRESTED AND PROSECUTED BY MILITARY TRIBUNAL

**Andrés Moreno Febres-Cordero, Marco Trejo, James Mathison and César Cuellar were arrested at the end of September for producing a video for the opposition party Primero Justicia. They are worryingly being tried for peacefully exercising their right to freedom of expression.**

**Marco Trejo, James Mathison and César Cuellar** were arrested on 20 September, and **Andrés Moreno Febres-Cordero** was arrested on 22 September. All four remain in detention in the 'Helicoide' building, the Bolivarian National Intelligence Service (Servicio Bolivariano de Inteligencia Nacional, SEBIN) headquarters in the capital, Caracas. Their case is being brought before military courts and they are accused of crimes under the Organic Code of Military Justice, including disrespecting a sentinel, the flag and the armed forces (crimes against military duty and honour).

The video was shared on 16 September via the Twitter account of the political opposition party Primero Justicia. Amnesty International has seen the video, which shows the daughter of a soldier sending a message to her father to let him know that there is no medicine in the house, and telling him that she is going out to get food. The father (soldier) is at a protest, getting ready to repress protestors. The young girl's message ends with her saying "Dad, remember today that the people they are sending you to repress are going through the same as us. No one can put up with this [situation], you know that." (*papá, hoy recuerda que la gente que te mandan a reprimir están pasando lo mismo que nosotros. Esto no se aguanta, tú lo sabes*).

The arrest of Andrés Moreno, Marco Trejo, James Mathison and César Cuellar constitutes a violation of their right to freedom of expression. Furthermore, it is alarming that this case is being brought before the military courts, that the principle of the 'natural judge' is not being respected and that cases such as this could continue to be repeated.

### Please write immediately in Spanish or your own language:

- Calling for Andrés Moreno, Marco Trejo, James Mathison and César Cuellar to be released in so far as the authorities have not offered proof or evidence of any crime being committed;
- Urging the authorities to ensure Andrés Moreno, Marco Trejo, James Mathison and César Cuellar are protected from torture and other cruel, inhuman or degrading treatment while in detention, and have access to their families and lawyers of their choosing;
- Urging them to protect and guarantee the right to freedom of expression in accordance with Venezuela's international human rights obligations.

### PLEASE SEND APPEALS BEFORE 9 DECEMBER 2016 TO:

#### Minister of Defence

Gral. en Jefe Vladimir Padrino López  
Edificio Sede del Ministerio de la  
Defensa  
Fuerte Tiuna, El Valle  
Caracas, Venezuela  
Fax: +58 212-6071913  
Correo-e:  
consul.mppd@mindefensa.gob.ve  
**Salutation: Dear Minister / Señor  
Ministro**

#### Minister of the Interior and Justice

Gen. (Ej.) Néstor Luis Reverol Torres  
Ministerio del Interior y Justicia  
Avenida Urdaneta Esquina de Platanal  
Edificio Interior y Justicia Despacho del  
Ministro  
Caracas, Venezuela  
Fax: +58 212 506 1685  
**Salutation: Dear Minister / Señor  
Ministro**

#### Attorney General

Dra. Luisa Ortega Díaz  
Fiscalía General de la República  
Avda. México, Manduca a Pelelojo,  
Edif. Sede Fiscalía General de la  
República, La Candelaria  
Caracas, Venezuela  
Fax: +58 212 509 8504  
Email: mp@fiscalia.gob.ve  
**Salutation: Dear Attorney General /  
Señora Fiscal General**

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
INTERNATIONAL**



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### ADDITIONAL INFORMATION

Primero Justicia is an opposition party and member of the Democratic Unity Roundtable (Mesa de Unidad Democrática) coalition, which has promoted the recall referendum on President Nicolás Maduro's presidency.

In recent years the Venezuelan authorities have repeatedly used criminal and military courts as a means of repressing forms of dissidence. During the demonstrations of 2014, many of those who were arrested for exercising their right to freedom of expression and association were brought to trial before military courts.

In 2009 Venezuela was condemned by the Inter-American Court of Human Rights for having violated freedom of expression and was ordered to limit the jurisdiction of the military courts, so that military jurisdiction would only apply to soldiers in active service and crimes committed in the line of duty.

Name: Andrés Moreno, Marco Trejo, James Mathison, César Cuellar and Andrés Moreno Febres-Cordero  
Gender m/f: Male

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