

EXTERNAL (for general distribution)

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UA 326/93 Ill-treatment

15 September 1993

DOMINICAN REPUBLIC: 24 unnamed prisoners

Amnesty International is concerned about the reported ill-treatment being meted out to some or all of 24 unnamed prisoners who are on hunger-strike in the Penitenciaría Nacional de la Victoria, La Victoria National Penitentiary, near Santo Domingo, the capital. The reports indicate that these prisoners have been deliberately beaten by members of the security forces attached to the Policía Nacional, National Police, as a reprisal for their participation in the hunger-strike.

According to reports, on 9 August 1993 a group of prisoners representing 54 inmates held in La Victoria National Penitentiary launched a hunger-strike. The strike is in protest at what the 54 prisoners claim to be their continued illegal detention, having either completed their prison sentences or following decisions by the judicial courts ordering their release. The prisoners on hunger-strike are alleging that members of the National Police are responsible for the beatings.

BACKGROUND INFORMATION

From time to time, Amnesty International has received reports from the Dominican Republic, of prisoners being denied their freedom despite judicial orders granting it. If the prisoners have been imprisoned for criminal acts for which there are no grounds to believe that either the crime or the imprisonment were politically motivated, Amnesty International does not take any action, even if the prisoners are being unjustly held.

Should there be evidence of a political element in the case of a detainee who is being held illegally, Amnesty International would intercede. Such is the case with Luis Lizardo Cabrera, a political activist, who was arrested on 7 May 1989 for alleged involvement in a bombing (see UA 153/89, AMR 27/01/89, dated 2 June 1989 and AMR 27/02/89, dated 5 July 1989, and AMR 27/01/91, dated 7 March 1991. On three occasions, twice in 1989 and once in 1991, the judiciary ordered his release. However, according to reports, in January 1992 the Chief of Police stated publicly that as long as he held his post, Luis Lizardo would not be released. By March 1993 Luis Lizardo continued to be held in the Penitenciaría Nacional de la Victoria, the same prison where the hunger-strike is taking place. Amnesty International does not know whether he is one of the 24 prisoners involved in the hunger-strike and allegedly beaten.

A hunger-strike is not in itself grounds for an Amnesty International intercession. The refusal of a prisoner to take food does not constitute any human rights violation in the organization's mandate. By the same token, Amnesty International does not urge the authorities to yield to the demands of hunger-striking prisoners, unless those demands coincide with demands Amnesty

International would make according to its statutory objects, and on the information it has at its disposal. However, Amnesty International does take action on cases of ill-treatment and torture of prisoners, whatever the reason for their detention or imprisonment.

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

- expressing concern at the reported beating of some or all of the 24 prisoners in the Penitenciaría Nacional de La Victoria, La Victoria National Penitentiary, in Santo Domingo;

- requesting that all the necessary steps be taken to ensure that the prisoners involved in the hunger-strike are given immediate access to lawyers, doctors and relatives;

- requesting that a full and independent inquiry into the reports be carried out, the findings be made public and, should there be evidence of the prisoners having been ill-treated or tortured, those responsible be brought to justice.

APPEALS TO:

1) President

Dr Joaquín Balaguer
Presidente de la República
Palacio Nacional
Santo Domingo
Dominican Republic

Telegrams: President Balaguer, Santo Domingo, Dominican Republic

Telexes: 8-202-202-0011

Salutation: Su Excelencia Señor Presidente

2) Attorney General

Sr. Efraín Reyes Duluc
Procurador General de la República
Centro de los Héroes de Constanza
Santo Domingo
Dominican Republic

Telegrams: Procurador General, Santo Domingo, Dominican Republic

Salutation: Señor Procurador General

COPIES TO:

Comité Dominicano de los Derechos Humanos
Calle Duarte 286, Zona 1,
Póximo a la Calle Las Mercedes,
Sector Colonial,
Apartado 2110,
Santo Domingo,
Dominican Republic.

and to diplomatic representatives of the Dominican Republic accredited to your

country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 27 October 1993.