

DEFENDING THE RIGHT TO EDUCATION IN VENEZUELA

JOSÉ LUIS URBANO AND THE FOUNDATION FOR
THE DEFENCE OF THE RIGHT TO EDUCATION

HUMAN RIGHTS
DEFENDERS
AMNESTY
INTERNATIONAL



'EDUCATION IS A HUMAN RIGHT AND A FUNDAMENTAL SOCIAL DUTY, IT IS DEMOCRATIC, FREE OF CHARGE AND OBLIGATORY.'

Article 102 of the Venezuelan Constitution

The Foundation for the Defence of the Right to Education (Asociación Pro-Defensa del Derecho a la Educación) is an NGO working to promote and defend the right to free education for all as it is enshrined in Venezuela's Constitution.

The Foundation works to ensure that the right to free education is respected in the public sector, so that all children have equal access to education, without discrimination. It publicly exposes irregularities and allegations of corruption in public schools where it appears that the school is illegally demanding payment from families in order to allow children to attend classes, effectively excluding children living in poverty. The Foundation also campaigns for adequate provision of school facilities,

equipment and teaching resources in those areas where the standard of education is thought to be inadequate

Formed in 2005 in Anzoátegui state to voice the concerns and aspirations of the many families whose children are not able to attend school for financial reasons, the Foundation has now expanded its remit and operates throughout the country in areas where families are facing similar difficulties. Its President, José Luis Urbano, routinely travels to different regions of the country at the invitation of families who want to report irregularities in the school system. For many families, the Foundation is the only channel through which they can make themselves heard.

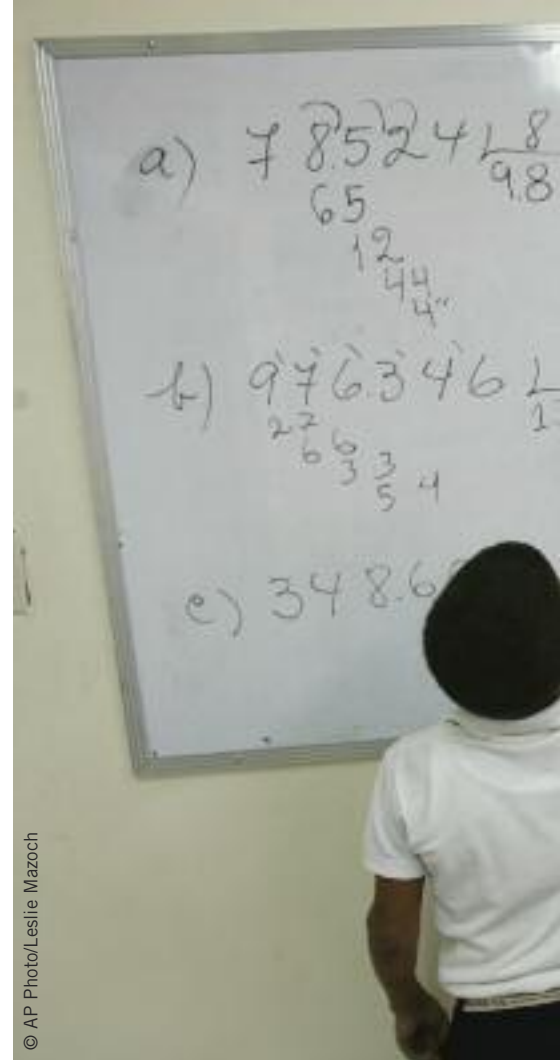
THREATS AND ATTACKS



Private © José Luis Urbano (left) and other members of the Foundation for the Defence of the Right to Education have repeatedly been

targeted because they have publicly condemned corruption and violations of the right to free education in Venezuela.

On 9 February 2007, the Foundation held a press conference to publicize the poor quality of the state education available to poor children in Anzoátegui state. It alleged that the education provided was grossly inadequate and that charges were being levied. Later that day, José Luis Urbano



© AP Photo/Leslie Mazoch

received an anonymous telephone threat warning him to "stop fishing for information, because something could happen to you". The following day, as José Luis Urbano and his wife were driving from their home to the centre of the town of Barcelona in Anzoátegui state, a black car pulled up next to them. Two men got out, and one stuck a gun through the window on José Luis Urbano's side. The other said, "Shoot him, it's the guy from Pro-defensa". José Luis Urbano managed to grab the gun barrel but the man fired and hit him in the stomach.

The People's Ombudsman ensured that José Luis Urbano was given police protection while he was in hospital. However, this stopped as soon as he left hospital on 20 February 2007, despite the fact that his wife had made an official complaint about the attack to the police and to the Ombudsman's Office the day before he was discharged. Nobody has yet been brought to justice for the attempted killing of José Luis Urbano.

On 3 May 2008, during a programme on local radio in Anzoátegui state, José Luis

Ten years after the adoption of the UN Declaration on **Human Rights Defenders** (Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms), they continue to face restrictions on their work, harassment, intimidation and abuse. Yet despite the risks and challenges, human rights defenders continue to make a real difference to the lives of individuals around the world.

Human rights defenders strive to close the gap between the promise of justice and equality in dignity and rights set out in the Universal Declaration of Human Rights (UDHR) and the reality of continuing human rights abuses today. Their work is vital for the realization of human rights for all.



Two students grapple with long division during class, Caracas, Venezuela, January 2007.

The Declaration on Human Rights

Defenders was adopted by the UN General Assembly on 9 December 1998. The term “human rights defender” is used to describe people who act in many different ways and in different capacities to protect and promote human rights.

Some defenders work against particular abuses, such as torture or forced eviction. Others work for the rights of specific groups or sectors of the population facing discrimination and disadvantage, such as Indigenous People, ethnic or religious minorities, rural women, street children, or lesbian, gay, bisexual and transgender people.

For all their diversity, human rights defenders whoever they are and whatever they do have several characteristics in common. They all uphold the fundamental principle of universality – that all human beings are equal in dignity and rights, regardless of gender, race, ethnicity, or any other status. All are committed to respecting the rights and freedoms of others in their own actions.

Urbano alleged that a school in the town of Barcelona was illegally demanding payments. Following the radio programme, the director of the school reportedly threatened José Luis Urbano and called for attacks on him.

On 20 May 2008, José Luis Urbano received a telephone death threat. The anonymous caller said: “if you don’t let the [school] directors eat, we are going to make you eat dirt and if you say something about this your family will suffer pain”. On 22 May, José Luis Urbano was chased by men in a Toyota Corolla without number plates; he was riding his motorbike at the time. He feared for his life, but managed to escape.

On 29 September 2008, at around 2pm, at least 30 members of the Immediate Response Police Group of the Anzoátegui state attempted to force their way into the house of José Luis Urbano’s sister, but they failed as the fence was too strong. She refused to let the police in and repeatedly asked them to show her a search warrant. In response, they shouted at her, “tell your

brother that we know he is hiding in there, tell him to come out and tell him that he owes us”. They also warned her not to report the incident to the authorities. Later that day, José Luis Urbano’s sister filed a complaint with the local Prosecutor’s Office. The incident appears to be linked with a formal complaint that José Luis Urbano made before the state Prosecutor’s Office against a member of the Immediate Response Police Group for acts of harassment against him.

As a result of the persistent threats and the attacks on his life, José Luis Urbano has had to leave his home and to change his addresses repeatedly. He has reported the threats and attacks to the Public Prosecutor’s Office and to other authorities, but to Amnesty International’s knowledge no measures have been taken to investigate these incidents. No protection measures to ensure the safety of José Luis Urbano, his family and other members of the Foundation have been put in place, despite requests to the Public Prosecutor’s Office, including a request for protection made on 18 June 2008.



9 DECEMBER 2008 MARKS THE 10TH ANNIVERSARY OF THE UN DECLARATION ON HUMAN RIGHTS DEFENDERS. IT IS AN OPPORTUNITY TO PUBLICLY ACKNOWLEDGE THE LEGITIMATE WORK OF HUMAN RIGHTS DEFENDERS AND TAKE ACTION TO SUPPORT AND PROTECT THEM

Cover image: Two boys walk home from school, Chamiza village, Lara state, Venezuela.



'DEFENDING HUMAN RIGHTS IN A CHANGING WORLD'

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TAKE ACTION NOW

PLEASE WRITE TO THE VENEZUELAN AUTHORITIES:

- Highlighting the important contribution made by the Foundation for the Defence of the Right to Education and its President, José Luis Urbano, in defending and promoting the right to free education for all in Venezuela, and calling on the authorities to respect and acknowledge their legitimate work;

- Expressing concern for the safety of José Luis Urbano and his family, and that of other members of the Foundation for the Defence of the Right to Education, in the light of the repeated threats and intimidation;

- Calling for an immediate and thorough investigation into the shooting of José Luis Urbano in February 2007 and the subsequent threats and intimidation, and for those responsible to be brought to justice promptly;

- Urging the authorities to provide prompt, adequate and concrete protection measures for

José Luis Urbano, his family and members of the Foundation for the Defence of the Right to Education, in strict accordance to his wishes;

- Reminding them of their obligation – set out in the UN Declaration on Human Rights Defenders – to recognize the legitimacy of the activities of human rights defenders and defenders' right to carry out their activities without obstacles or fear of reprisals.

PLEASE SEND APPEALS TO:

Minister of Justice and the Interior
Tareck El Aissami
Ministerio del Poder Popular para Relaciones Interiores y Justicia
Av. Urdaneta, Edif. Sede MIJ, Piso 1, Carmelitas, Caracas, Venezuela
Fax: +58 212 506 1685
Salutation: Señor Ministro/
Dear Minister

Minister of Education
Ministerio del Poder Popular para la Educación
Héctor Augusto Navarro Díaz
Esq. de Salas a Caja de Agua, Edif. Sede del ME Parroquia Altigracia, Caracas, Dto. Capital, Venezuela
Fax: +58 212 506 8999/506 8998
Salutation: Señor Ministro/
Dear Minister

Attorney General
Fiscal General
Luisa Ortega Díaz
Edificio Sede del Despacho de la Fiscal General de la República, Esquinas de Misericordia a Pele El Ojo Avenida México, Caracas, Venezuela
Fax: +58 212 509 7211/509 7464
Salutation: Señora Fiscal/
Dear Attorney General

HUMAN RIGHTS
DEFENDERS
**AMNESTY
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Amnesty International is a global movement of 2.2 million people in more than 150 countries and territories who campaign to end grave abuses of human rights.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion – funded mainly by our membership and public donations.

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