

# VENEZUELA

## **Fear for the safety of the transgendered community in Valencia, Carabobo State** (UPDATE ON URGENT ACTION UA 247/00, AMR 53/09/00)

### **Summary**

Amnesty International has learnt that members of the transgendered community in Valencia, Carabobo State, Venezuela, continues to be harassed and jailed in conditions which may constitute ill-treatment.

According to information obtained by Amnesty International, on 20 September 2000, four transgendered people were detained by police officers belonging to the Parroquia Catedral Command. José Ramón Colmenares Vásquez known as Estrella de los Angeles Alvarez Vásquez, Reinaldo Mora Márquez known as Nicole Mora Márquez, Henderson José Pereira Mejías known as Agatha Josefina Pereira Mejías and Darwin Alexis González known as Luna González, were held in incommunicado detention for two days in the Carabobo Police Headquarters, during which they were not provided with food or drinking water.

The family of one of the detainees filled a legal complaint before the Venezuelan Public Ministry against the High Commander of the Police in Carabobo State, and Prefect of Valencia Municipality.

Furthermore, on 3 October, one of the main Venezuelan newspapers, *El Nacional*, published an article denouncing that on 29 September two more transgendered people, Ronnie Aquino and Julio César Dorante, were detained and were being held in incommunicado detention in the Police Headquarters. Dorante may be also a witness to the murder of Dayana last July (see below). Another witness to this event is reportedly being harassed and threatened by the police.

### **Background information**

On 29 July 2000, José Luis Nieves, a transgendered person known as Dayana, was killed in the city of Valencia, Carabobo State, in circumstances that suggest she was the victim of an extrajudicial execution.

On 9 August, two of Dayana's young, transgendered friends, were reportedly detained by Carabobo Police. They were forced to get undressed in the street and were severely beaten. They were then held in incommunicado detention and were not allowed access to a lawyer, to medical attention or to their families. They were freed some days later.

According to Amnesty International's information, transgendered people are frequently harassed by police in Valencia. Police abuse transgendered people by forcibly cutting their hair and nails. Police sometimes detain them and force them to perform sexual acts in return for release. If they refuse, police will dump them semi-naked at some distance from the city in order to humiliate them. When they are detained, they are reportedly held in incommunicado detention in extremely poor conditions (sleeping on the floor and given inedible food).

### **Amnesty International's action**

On 18 August 2000, Amnesty International issued an Urgent Action, UA 247/00, AMR 53/09/00, which was widely distributed, showing concern for these events and for the safety of the transgendered community in Valencia city.

Many organizations inside and outside Venezuela took part in the action, including the International Gay and Lesbian Human Rights Commission (IGLHRC) and the Latin American and Caribbean Council of Aids Service Organizations (LACCASO).

Amnesty International has been informed that following the publication of the Urgent Action, Venezuelan NGOs have received further information on the situation suffered by sexual minorities in other parts of the country.

On 24 August 2000, *El Nacional* newspaper published an article using the information given by AI in the Urgent Action together with an interview with the Commander of the Carabobo Police in which he is reported as saying that the police detain "prostitutes" because there is a Governor's decree prohibiting prostitution. He also recognizes that there is a police officer involved in the murder of Dayana and that this person was transferred to another command where he is at the disposition of the courts.

Furthermore, in an interview published by the Valencia newspaper *Notitarde* on 6 October 2000, the same Commander states that the police officer involved in the case is a corporal of the state police and that he remains on active service. He also adds that: "homosexuals and prostitutes should be where they have to be: in a brothel or doing a real job".

By October 2000, Amnesty International has not received information that this officer has been charged in connection with this crime.

**TAKE ACTION**

Please send telegrams/telexes/faxes/express/airmail letters in Spanish or your own language (until 31 January 2001):

J expressing concern at the continuing harassment, persecution and detention of transgendered people in Valencia, Carabobo State;

J urging the authorities to take effective measures to ensure that the safety of transgendered people in Carabobo State;

J expressing concern that apparently no one has been charged or brought to justice for the murder of José Luis Nieves (Dayana) and urging the authorities to ensure that those responsible are brought to justice;

J stressing that everyone is entitled to the protection of the law, regardless of their sexual orientation, as article 2 of the Universal Declaration of Human Rights proclaims: "*everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status*".

Appeals to:

Governor of the State of Carabobo  
Sr. Henrique Fernando Salas Feo  
Gobernador del Estado de Carabobo  
Palacio de Gobierno  
Calle Montes de Oca con calle Paez  
Valencia Estado Carabobo, Venezuela  
Fax: + 584 157 0783  
Salutation: Dear Governor / Sr. Gobernador

Sr. Ministro

Commander of the Police Forces in Carabobo  
Coronel Ricardo Salvador Hernandez Lanz  
Comandante General  
Comandancia General de la Policia  
Avenida Navas Espinolas  
entre Paseo Cabriales y Martin Tovar  
Valencia, Estado de Carabobo, Venezuela  
Fax: + 584 159 5940 (If voice answers, say: "Por favor, tono de fax")  
Salutation: Dear Commander General / Sr. Comandante General

Attorney General of the Republic  
Dr. Javier Elechiguerra  
Fiscal General de la República  
Fiscalía General de la República  
Av. Mexico esquina Pele el Ojo a Misericordia  
Edificio del Ministerio Público frente a la Plaza Parque Carabobo  
Caracas, Venezuela  
Fax: + 582 577 2144 (If voice answers, say: "Por favor, tono de fax")  
Salutation: Dear Attorney General / Sr. Fiscal General

COPIES TO:

Minister of the Interior and Justice  
Sr. Luis Alfonso Dávila  
Ministerio del Interior y Justicia  
Ministerio del Interior y Justicia  
Torre Norte, piso 18  
Centro Simón Bolívar  
Caracas, Venezuela  
Fax: + 582 861 1967  
Salutation: Dear Minister /

Human Rights Organizations  
Accion Ciudadana Contra el Sida  
Av. Romulo Gallegos  
Ed. Maracay, Piso 11, Apto 21  
El Marques, Caracas  
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