

PUBLIC

AI Index: AMR 53/011/2003

30 June 2003

Further Information on UA 32/03 (AMR 53/004/2003, 29 January 2003) Fear for Safety

VENEZUELA

**César Emilio Machado (m)
Killed: Rush Alexander Varela (m)**

At midnight on 28 June, Rush Alexander Valera was shot and killed by unknown men near his house in the city of Maracay, Aragua State. He was a key witness to the apparently motiveless shooting and beating of César Emilio Machado by the Girardot Municipal Police in Aragua State on 21 December 2001.

Since he was shot and beaten, César Emilio Machado has been threatened and intimidated, reportedly by members of the Girardot Municipal Police, with the apparent aim of preventing him from testifying in the case being brought against his alleged attackers, who have not yet been apprehended and remain on official duty. The most recent attack took place on 9 December 2002, on the same day that César Emilio Machado was to appear in court to testify against the Municipal Police in the preliminary hearing of his case. As a result of the campaign of threats and intimidation, César Emilio Machado has been forced to move house.

On the morning of 28 June, the day Rush Alexander Valera was killed, both he and César Emilio Machado had received orders that they were to testify in the preliminary hearing of César Emilio Machado's case, to be held on 30 June. Amnesty International is seriously concerned that the killing of Rush Alexander Valera is related to his status as a key witness in the case.

The authorities have not yet taken any measures to provide protection for César Emilio Machado and other witnesses in his case, despite repeated requests from non-governmental organizations representing César Emilio Machado and the other witnesses in both Aragua State and the capital Caracas.

FURTHER RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish, English or your own language:

- expressing grave concern at the killing by unidentified men of Rush Alexander Valera on 28 June;
- expressing renewed concern for the safety of Cesar Emilio Machado and asking the authorities to take effective action to protect him;
- calling on the authorities to carry out a full, prompt and impartial investigation into the killing of Rush Alexander Valera, to publish the results and bring those responsible to justice;
- calling on the authorities to carry out a full, prompt and impartial investigation into the threats and intimidation experienced by César Emilio Machado, to publish the results and bring those responsible to justice;
- expressing concern that Cesar Emilio Machado's attackers are still at large and urging the authorities to ensure progress in the case;
- remind the authorities of their responsibility to ensure the safety of witnesses in such criminal cases and to institute an effective witness protection programme.

APPEALS TO:

Attorney General
Fiscal General de la República,
Dr. Isaías Rodríguez
Avenida Universidad,

Esquina Pele el ojo a Misericordia, frente a Parque Carabobo,
Caracas, VENEZUELA

Telegram: Fiscal General de la República, Caracas, Venezuela
Fax: + 58 212 576 44 19
Salutation: Estimado Señor Fiscal General/Dear Attorney General

Local Governor

Gobernador de del estado Aragua
Sr. Didalco Bolívar
Palacio de Gobierno

Maracay, Estado de Aragua, VENEZUELA

Telegram: Gobernador del estado, Aragua, Maracay, Estado de Aragua, Venezuela
Fax: + 58 243 2377002 (it may be difficult to get through; please keep trying)
E-mail: didalco@gobernacion.arg.gov.ve
Salutation: Estimado Señor/Dear Sir

Local Police Chief

Comandante de la policía de Aragua
Comisario Angel Mercado

Telegram: Comandante de la policía de Aragua, Maracay, Estado de Aragua, Venezuela
Fax: + 58 243 235 1220
Salutation: Estimado Señor Comisario/Dear Sir

Human Rights Ombudsman

Defensoría del Pueblo
Dr. Germán Mundaraín

Bellas Artes comienzo Avenida México frente al Ateneo de Caracas
Plaza Morelos, Caracas, VENEZUELA

Telegram: Defensoría del Pueblo, Caracas, Venezuela
Fax: + 58 212 575 4467 (if a voice answers, say "tono de fax por favor")
Email: gmundarain@defensoria.gov.ve
Salutation: Estimado Señor/Dear Sir

COPIES TO:

Commission for Human Rights, Justice and Peace for the State of Aragua

Comisión de Derechos Humanos de Justicia y Paz del Estado Aragua

Calle Negro Primero, Oeste N 98, frente al Liceo 'Valentin Espinal', Cruce con Av. Ayacucho, Maracay
Estado Aragua, VENEZUELA

Fax: + 58 243 233 6363 (if a voice answers, say "tono de fax por favor")

and to diplomatic representatives of Venezuela accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 11 August 2003.