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Second UA: 038/23 Index: AMR 53/6930/2023 Venezuela of June 27, 2023

VENEZUELA

DETAINEE, EMIRLENDRIS BENITEZ'S LIFE & INTEGRITY AT RISK

Emirlendris Benítez is a 42-year-old mother and tradeswoman who in August 2018 was arbitrarily detained and subjected to torture in Venezuela. She faces an unjust 30-year prison sentence in inhumane detention conditions and her need for urgent medical care has been repeatedly denied by penitentiary authorities based on procedural issues.

The severe consequences of the torture she was subjected to, and a period of incommunicado detention are now putting her integrity and life at risk.

We call for Emirlendris' release, and while in custody, for authorities to guarantee the adequate and trusted medical care she urgently needs.

Write to the Minister of Penitentiary Affairs urging her to:

- Promptly grant the request filed by Emirlendris' lawyers and to ensure she receives immediate, adequate, and trusted medical care.
- Ensure that Emirlendris Benítez is immediately released and the torture and other grave human rights violations she's suffered fully investigated and punished.

Write to:

Celsa Bautista Ontiveros
Minister of Penitentiary Affairs
Ministerio del Poder Popular para Asuntos Penitenciarios,
Avenida Venezuela, Edificio Platinum,
Urbanización El Rosal, Municipio Chacao,
Caracas, Venezuela

Twitter: @CelsaBautistaO

Salutation: Dear Mrs. Bautista Ontiveros

And copy:

Embassy of the Bolivarian Republic of Venezuela
32 Range Road
Ottawa, ON K1N 8J4
Tel: (613) 235-5151/ (613) 447-4576 (24h) Fax: (613) 235-3205
Email: consular@misionvenezuela.org

ADDITIONAL INFORMATION

Emirlendris Benitez is a Venezuelan mother, sister, and tradeswomen. Since her arrest in August 2018, she has been a victim of countless human rights violations; including arbitrary detention, torture, gender-based violence, discrimination, unfair trial, and inhuman detention conditions. She is an

example of the Venezuelan government's terrifying policy of repression. Although she had not undertaken any form of political activism, she was incriminated in a political case and was not allowed to exercise her right to a fair trial.

On August 5, 2018, Emirlendris was arbitrarily detained on fabricated grounds. Authorities falsely linked her to acts of violence committed against high-profile political leaders in Venezuela; an accusation for which there is no evidence and which she has consistently stated that she had no part in.

In custody, she was subjected to torture while pregnant. A few weeks after her arrest, she was forcibly transferred to a medical facility and her pregnancy was terminated without her knowledge or consent. The torture she was subjected to left her needing the long-term use of a wheelchair for mobility. In 2022, she was sentenced to a 30-year prison sentence by a partial and politically motivated court.

The prison conditions she is currently enduring are so dire that her family has to provide her with her basic needs, including water, food and medication. This is further complicated by the humanitarian emergency that is currently crippling Venezuela, as it severely limits their own access to food, medicines, and transportation (she is imprisoned approximately 30 km away from Caracas, where her family lives).

In the last few weeks, authorities at her detention center have delayed her transfer to a medical center based on bureaucratic justifications that are unacceptable given her critical condition. She has experienced multiple episodes of fainting and endured sudden rises in blood pressure, despite not having a history of hypertension.

Emirlendris should never have been detained, as it is believed the charges are politically motivated. Furthermore, the draconian sentence against her should be revoked and she must be immediately released.

Nicolás Maduro's government has continually harassed, prosecuted, and censored activists and civil society organizations working to protect the rights of Venezuelans amidst a complex humanitarian emergency and a deep human rights crisis that is making Venezuelans flee in unprecedented numbers in search of safety and protection. By March 2023, over 7.24 million had fled the country.

Since 2020, three reports from the independent international fact-finding mission on the Bolivarian Republic of Venezuela have thoroughly documented hundreds of cases of extrajudicial executions; enforced disappearances; arbitrary detentions; and torture and other cruel, inhuman or degrading treatment committed in the country since 2014; as well as the ways in which the justice system serves as a tool for the government's policy of repression, and concluded that these grave human rights violations may amount to crimes against humanity.