

**THE HUMAN RIGHTS COMMISSION OF THE VENEZUELAN ASSOCIATION
FOR THE ADVANCEMENT OF SCIENCE (ASOVAC) SETS ITS VIEW ON
THE ARBITRARY ACTION AGAINST
DR. JAIME REQUENA**

Once more Venezuela faces the issue of censorship of the freedom of expression of a member of its scientific community. On this occasion the aggression has been against Dr. Jaime Requena, a Biologist graduated from the Central University of Venezuela (UCV), Ph.D and Doctor of Science by Cambridge University, who has had dissenting criteria regarding the government's scientific policy.

On January 2008 Dr. Requena sent a communication to Nature, the prestigious international scientific journal, stating that his research showed that Venezuela's scientific production was at the lowest point of the past 25 years, in part due to the exclusion of the social sciences from government financing. The conclusions of his research upset the authorities of the Institute for Advanced Studies (IDEA), a government agency where Dr. Requena worked as tenured Professor.

On April 2nd, 2009, Dr. Requena requested from IDEA'S Council of Directors his promotion to the status of Professor Emeritus, according to the by-laws of the institution, as was his due after serving his country in several academic capacities for more the 41 years. His request was not answered, instead 12 days later, Dr. Requena received an official communication signed by IDEA's President dismissing him from his academic post, alleging that he had incurred in lack of probity and immoral behaviour at work, omissions or imprudence and serious fault against the duties imposed by his obligations. It should be mentioned that Dr. Requena was never informed about the specific facts justifying his dismissal nor was he given the opportunity to make use of his right of rebuttal.

Subsequently, at IDEA'S web page (www.idea.gob.ve) a communiqué was published in which its President stated the "official position" on this case. It is therein expressed that Dr. Requena did not fulfil his obligations as a full time Professor at the institution, since he was at the same time holding a management office at Fundación Universidad Metropolitana (FUNDAMENT), a

private institution. On this regard it is ascertained that in 1997 Dr. Requena had been removed from his post as researcher in IDEA, by an illegal action on the part of Idea's authorities and that during most of the period when he was unable to work at this Institution he took a position in the private sector as an employee of FUNDAMET. Dr. Requena took legal action against the authorities of IDEA and after a trial that lasted 12 years, the Supreme Tribunal of Justice of Venezuela, decided in his favour and ordered his reinstatement as a Full Professor at IDEA. Thus Dr. Requena immediately resigned his position at FUNDAMET on January 3rd, 2007, as it is evident from information provided to us.

The President of IDEA dismissed Dr. Requena, without the approval of the Council of Directors, the sole competent body called to decide on his dismissal. The President of IDEA justifies his action, at the Institute's web page, as follows; "since IDEA is an official institution, the rights of the institution's workers fall under Venezuela's Organic Labour Laws, and since there is in the law, no provision for tenured employees, it is not necessary to open previously any administrative procedures for the dismissal of any employee, tenured or not."

Although Dr. Requena has his barristers to press his rights before the law, this Human Rights Commission is bound to state its alarm when observing the use of artifices, e.g. the use of private law legal procedures, to injure the rights of members of the Scientific Community. In effect, the discretionary dismissal without any procedure, allowed under Venezuelan labour legislation, is being applied in his case to the labour relationship of a scientist at the service of the State, thus failing to recognise not only the due process guarantee, but also the right to the social security benefits due to public servants. These facts appear to be a menace against to those who dare dissent the government policy. Thus the right to freedom of expression of all government scientists is forfeited even though the Article 57th of the National Constitution of the Republic of Venezuela, guarantees Freedom of Expression. The article reads as follows: "Censorship against public servants expressing opinion on matters under their responsibility is prohibited".

The Human Rights Commission of the Venezuelan Association for the Advancement of Science raises a strong protest against the use of such criteria

that places our country in a position far removed from the Rule of Law. A position by which, the preservation of the human capital developed during long years in the practice of scientific disciplines until levels of excellence are reached, loses importance.

The Human Rights Commission of the Venezuelan Association for the Advancement of Science expresses its full solidarity to Dr, Jaime Requena and denounces before national and international organisations of the scientific community and before public opinion, an action that injures human dignity and hinders Venezuela's scientific development.