

PUBLIC

AI Index: AMR 28/06/99

EXTRA 25/99

Fear of t

ECUADOR Washington Fernando AGUIRRE FREILE
Christian Steven PONCE
Serguei MERINO
Michel Stalin OÑA ARRIAGA (dead)

Amnesty International is concerned that Washington Aguirre, Christian Ponce and Serguei Merino, who were detained by National Police (*Policía Nacional*) in the capital Quito on 18 or 19 February 1999, are at risk of torture.

Amnesty International is also concerned that the authorities may not conduct a full and independent investigation into the circumstances, manner and cause of death of Michel Oña, also detained in connection with the assassination, who died, allegedly as a result of an armed confrontation with police.

The authorities allege the men are accomplices of those responsible for the assassination of opposition member of parliament Jaime Hurtado and two others in the capital on 17 February (see UA 28/99, AMR 28/04/99, 19 February 1999).

BACKGROUND INFORMATION

Over the years Amnesty International has received hundreds of reports of torture and ill-treatment of detainees and prisoners in police and military establishments, and prisons. These include beatings, electric shocks, asphyxiation as a result of hoods (*fundas*) being placed over the heads of detainees and filled with gas, near drowning, being suspended by the arms or thumbs, starvation and death threats.

In April 1997 the Inter-American Commission on Human Rights (IACHR), responsible for monitoring compliance with the American Convention on Human Rights, published its findings on Ecuador (see IACHR, *Report of the Situation of Human Rights in Ecuador*, April 1997). The IACHR stated: "One area of great concern for the IACHR ... is the treatment of detainees by the police and security forces ... [There] is an institutionalized acceptance among some members of the public forces that mistreatment of detainees constitutes a valid method of investigation in criminal cases." ("*Una de las áreas de mayor preocupación para la CIDH ... es el trato de los detenidos por la policía y las fuerzas de seguridad ... Un aspecto del problema es una aceptación institucionalizada entre algunos miembros de la fuerza pública respecto a que el maltrato a los detenidos constituye un método válido de investigación en casos penales*").

Despite legal reforms passed by the authorities since the report was published, Amnesty International has continued to receive numerous reports of torture and ill-treatment of detainees by Ecuador's security forces.

RECOMMENDED ACTION: Please send telegrams/faxes/express/airmail letters in Spanish or your own language:

- calling on the authorities to ensure that Washington Fernando Aguirre Freile, Christian Steven Ponce and Serguei Merino, detained by police on 18 or 19 February 1999 in Quito for their alleged links to the killers of two opposition members of parliament and one other person on 17 February, are not tortured or ill-treated;
- asking that they have access to lawyers, doctors and their relatives, and that they be charged with a recognizable offence or released;

- noting that Michel Stalin Oña Arriaga, also detained in connection with the assassination, reportedly died after being shot in an armed confrontation with the police;
- calling on the authorities to ensure that the circumstances, manner and cause of death of Michel Oña are the subject of an independent investigation and that the findings are made public.

APPEALS TO:

President of the Republic
Presidente Jamil Mahuad Witt
Palacio de Gobierno
García Moreno 1043 y Chile
QUITO
Ecuador

Telegrams: Presidente, Quito, Ecuador

Faxes: + 593 2 580-735 / 580-774 / 580-142

Salutations: Dear Mr. President / Estimado Sr. Presidente

COPIES TO:

Human Rights Organization
Centro de Documentación en Derechos Humanos
Av. 10 de Agosto 2655
Edif. Tauro, Of. 802
QUITO
Ecuador

and to diplomatic representatives of ECUADOR accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 22 March 1999.