

URGENT ACTION

SENTENCED AFTER POSSIBLE UNFAIR TRIAL

Twenty-one people among those detained during anti-government protests in Quito, the capital of Ecuador, have been sentenced following concerns of violations of their right to a fair trial. Amnesty International received reports during the protests of excessive use of force and clashes between the security forces and protestors, as well as arbitrary detentions.

On 3 December demonstrations took place in Quito to protest against a series of proposed constitutional reforms. Scores of people, including police officers, were injured and 32 detained amid concerns that the police used excessive force and arbitrarily detained demonstrators and passers-by. As the Ecuadorian National Assembly approved controversial constitutional reforms at around 6pm, clashes broke out between the police and protestors. The Interior Ministry reported 13 police officers were injured after being hit by sticks and stones.

According to reports from a human rights organization, 32 people were detained by the police and they remain in custody. The majority of them claim that they were not participating in the protests and were detained as they were traveling to their homes. The detainees complained that they were denied access to a lawyer while in police custody until they were brought before the prosecutors.

On 4 December, 21 of the detainees were sentenced to 15 days' imprisonment and a \$USD 200 fine. There are concerns that they did not receive a fair trial and were charged in spite of the lack of any credible evidence against them. According to human rights NGOs representing the detainees, the public prosecutor did not present any evidence to prove beyond any reasonable doubt the individual responsibility of any of the accused. Most of them were passers-by and none were identified by the police officers as their assailants.

Please write immediately in Spanish, English or your own language:

- Calling on the authorities to release the 21 people, unless they are tried in proceedings which meet international standards of fairness;
- Acknowledging that while the state has a duty to maintain public order, it should never use excessive force and must guarantee the right to freedom of peaceful assembly and fair trial;
- Calling for prompt and impartial investigations into all allegations of excessive use of force and arbitrary detentions, and for those found responsible to be brought to justice.

PLEASE SEND APPEALS BEFORE 22 JANUARY 2016 TO:

President of Ecuador

Rafael Correa Delgado
 Presidente de la República
 Garcia Moreno N10-43 entre Chile y
 Espejo, Quito, Pichincha, Ecuador
 Twitter: @MashiRafael

**Salutation: Dear President / Señor
 Presidente**

Minister of Justice

Dra. Ledy Zúñiga Rocha
 Ministra de Justicia, Derechos humanos
 y Cultos
 Av. Colón entre Diego de Almagro y
 Reina Victoria. Edif Torres de Almagro.
 Quito, Ecuador

**Salutation: Dear Minister/ Señora
 Ministra**

And copies to:

Local human rights organization

Comisión Ecuémica de Derechos
 Humanos (CEDHU)
 Carlos Ibarra 176 y 10 de Agosto
 Edificio Yuraj Pirca Piso 9
 Quito, Ecuador
 Email: cedhu@cedhu.org

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
 INTERNATIONAL**



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ADDITIONAL INFORMATION

On 3 December the Ecuadorian National Assembly voted in favour of 15 constitutional amendments proposed by the executive, which included authorizing the use of the military to respond to internal public security situations, and enabling the indefinite re-election of the president and other authorities.

Amnesty International has raised concerns in the past about the Ecuadorian authorities' efforts to clamp down on anti-government protests using excessive use of force and unfounded criminal proceedings against those who voice criticism against government policies, as there seems to be a deliberate attempt to curb the right to freedom of expression, association and assembly.

In August, nationwide protests took place led by trade unions, Indigenous Peoples' organizations and civil society groups to protest against a range of government policies, including those on the use of natural resources, the agreed Free Trade Agreement with the European Union and the proposed constitutional amendments. These protests were marked by clashes between the security forces and protestors and reports of excessive use of force and arbitrary arrests by the security forces. For more information please see: <https://www.amnesty.org/en/documents/amr28/2312/2015/en/>.

Amnesty International has documented cases of Indigenous and *campesino* (peasant farmer) leaders in Ecuador who have faced unfounded charges, criminal prosecutions, arbitrary arrests and stringent bail conditions in an attempt to discourage them from voicing their opposition and protesting against government laws and policies (See the report: '*So that no one can demand anything*': *Criminalizing the right to protest in Ecuador?*, <https://www.amnesty.org/es/documents/amr28/002/2012/en>)

Amnesty International recognizes that the state has a duty to maintain public order, apprehend suspects and protect public safety, however security forces may use force only when strictly necessary and proportionate to a legitimate purpose. Violence from some protesters should not be used to quell the right to peaceful assembly of the majority and authorities should ensure that those who are protesting peacefully are able to continue to do so and do not face arbitrary arrest or unfair trials.

Name: Protestors at demonstration in Quito, Ecuador

Gender m/f: Both

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