

EXTERNAL

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Ill-treatment / fear of physical  
reprisals

20 March 1997

ECUADOR Lincoln Polit  
Luis Lavalle  
Francisco Sánchez  
Roberto Agustín García  
Jaime Martínez  
Arturo Bermudez

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and other prisoners in the García Moreno Prison, Quito

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Prisoners held in the *Penal García Moreno*, García Moreno Prison, Quito, the capital, fear further physical reprisals at the hands of the police, following the reported ill-treatment of the above inmates on the night of 17 March 1997. The inmates were physically ill-treated by hooded policemen after they had initiated a peaceful hunger strike because the authorities reneged on a promise to improve the wages of the prison's kitchen staff and rejected the prisoners' petition for the prison director, Dr. Ernesto Pazmiño, to remain in post.

According to a report of the *Comisión Ecuémica de Derechos Humanos* (CEDHU), Human Rights Ecumenic Commission, several hooded members of the *Policía Nacional*, National Police, entered the prison and assaulted many of the inmates with sticks, tubes and a type of firearm which fires *perdigones*, pellets. As a result, Lincoln Polit and Luis Lavalle suffered pellet wounds on different parts of their bodies, Francisco Sánchez and Roberto Agustín García sustained injuries on their cheeks, Jaime Martínez suffered bruising on his body and Arturo Bermudez suffered a possible broken arm. Other inmates may also have been ill-treated and suffered injuries during the police incursion.

The police claimed the motive for the incursion was a prison uprising. However, CEDHU has been told by inmates that the incursion and abuses followed the initiation of the peaceful hunger strike, and that the inmates experienced "*una noche de terror*", "a night of terror".

Human rights defenders working with CEDHU, a member of the *Comisión de Derechos Humanos del Tribunal de Garantías Constitucionales*, (TGC), Human Rights Commission of the Tribunal of Constitutional Guarantees, and Dr. Rosendo Rojas, a congressman, made a joint visit to the prison and spoke to some of the inmates after hearing about the police incursion. Members of the *Comité de Internos*, Inmates' Committee, informed them that the hunger-striking prisoners feared further reprisals.

CEDHU has called on *médicos legistas*, official forensic experts, to carry out a full check on those prisoners who claim to have been assaulted. CEDHU has also filed a complaint about the police incursion and the subsequent assault of several inmates with the Ministry of Government and Police.

## BACKGROUND INFORMATION

Over the years Amnesty International has received hundreds of reports of prisoners having been tortured and ill-treated in some of Ecuador's police and military establishments, and in establishments under the direction of the penitentiary authorities. The abuses sustained by the

victims include beatings, electric shock treatment, asphyxiation (as a result of hoods being placed over the heads of detainees into which gas is inserted), near-drowning, being suspended by the arms or thumbs, food deprivation, and intimidation and death threats. Most of these reports implicate members of the police responsible for detaining and interrogating criminal suspects.

A widespread and on-going practice of torture and ill-treatment is also prevalent in Ecuador's prisons. In 1990, the TGC's Human Rights Commission published their findings into conditions in 20 of Ecuador's prisons. The Commission made reference to "*el trato despótico y abuso de autoridad que ejercen los funcionarios, guías o personal de vigilancia que arremeten a palo y garrote a los internos, se lo mira como una forma normal para alcanzar la disciplina*", "the despotic treatment and abuse of authority by officials and prison guards who attack inmates with sticks and clubs, and who regard this treatment as a normal way of securing discipline".

In July 1996, the *Fundación Regional de Asesoría en Derechos Humanos*, (FUNREDH), Regional Advisory Foundation on Human Rights, published an in-depth study on torture and ill-treatment in Ecuador, in which a sample of 109 male and 15 female ex-prison inmates were interviewed. FUNREDH reported that 110 (88.7%) of the 124 men and women were subjected to some form of torture or ill-treatment. FUNREDH concluded that "*la tortura, por su magnitud, comien[za] a expresarse como un problema epidémico*", "torture, by virtue of its extent, is beginning to express itself as a problem of epidemic proportions".

In July 1996, Amnesty International sent an open letter to the then president-elect, Abdalá Bucaram Ortiz, urging him to set up an urgent review of procedures and conditions in Ecuador's detention centres and prisons, and that this review be designed to ensure the prevention of torture and ill-treatment. President Bucaram, who began his term of office in August 1996 but was deposed by Congress in February 1997, failed to take any steps towards carrying out such a review. Amnesty International urges interim President Fabián Alarcón to take steps to set up such a review.

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

- urging the authorities to take all the necessary measures to prevent any reprisals by the police or other authorities against prisoners in the García Moreno Prison, following the reported assault on several inmates by hooded members of the National Police on 17 March 1997;
- calling on the authorities to suspend all the members of the police who participated in the incursion into the García Moreno Prison, pending a full and independent inquiry into the incident;
- calling on the authorities to conduct a prompt, independent and effective judicial inquiry into allegations that hooded members of the National Police entered the García Moreno Prison on 17 March 1997 and assaulted inmates participating in a hunger strike protest, causing them physical injuries (name some or all of the prisoners listed above);
- urging that the results of the inquiry be made public and that those found responsible for the ill-treatment of the prisoners be promptly brought to justice;
- urging the authorities to set up an urgent review of procedures and conditions prevailing in detention centres and prisons to ensure the prevention of torture and ill-treatment.

**APPEALS TO:**

President  
 Presidente Fabián Alarcón  
 Presidente de la República  
 Palacio de Gobierno

García Moreno 1043  
Quito, Ecuador  
Fax: + 595 2 580 142/ 580 750/ 580 716  
Telex: 22375/22201 prrep ed  
Salutation: Dear President / Sr. Presidente

Minister of Government and Police

Dr. César Verduga  
Ministro de Gobierno y Policía  
Ministerio de Gobierno y Policía  
Espejo y Benalcazar  
Quito, Ecuador  
Fax: + 593 2 580 067  
Telex: 22354 mingob ed  
Salutation: Dear Minister / Sr. Ministro

**COPIES TO:**

Comisión Episcopal de Derechos Humanos  
Carlos Ibarra 176 y 10 de Agosto  
Edificio Yuraj Pirca  
Piso 9o.  
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 1 May 1997.