

# *amnesty international*

## ECUADOR

### @TORTURE OF INDIAN LEADER

JULY 1991

AI INDEX: AMR 28/03/91

DISTR: 06/91

Amnesty International is concerned about the reported torture of Indian leader José María Cabascango.

José María Cabascango, 28-year-old human rights' secretary of CONAIE, Confederación de Nacionalidades Indígenas del Ecuador, Confederation of Indigenous Nationalities of Ecuador, was detained by members of the army together with other leaders of Ecuadorean Indian communities on 11 June 1991. The detention took place in Cajas, Imbabura province while he and the other leaders were travelling in a car of CONAIE, visiting local indigenous communities. According to reports, he and the others were handcuffed, blindfolded and driven to Ibarra, where they were transferred to the custody of the Servicio de Inteligencia Criminal, SIC, the Ecuadorian investigative police.

According to reports, most of the detainees were released on 12 June. José María Cabascango however, was held in detention until 13 June. The reports also indicate that while in the custody of the SIC, Cabascango was subjected to torture, including being hung from the thumbs, blows to the ears (teléfono), mock executions and death threats.

#### BACKGROUND

During the last few years there have been numerous incidents of land conflicts in the province of Imbabura involving Indian communities, some of which have resulted in the expulsion of these communities from the land on which they were living. In this context, reports have been received of the killing, torture and harassment of many community members and leaders. A large number of paramilitary groups have emerged in the area which appear to act with the direct cooperation or with the acquiescence of the government. Some reports indicate that combined operations of these paramilitary groups and the army or police have taken place against Indian communities. In the past Amnesty International has written to the Ecuadorean authorities expressing the organization's concern about the reported human rights violations against leaders of Indian communities.

The immediate background to the arrest and reported torture of José María Cabascango was as follows:

On 11 June 1991, the Indian communities of the province of Imbabura declared a 48 hour strike. Although strikes of Indian communities usually involve road blocks they do not normally result in violence against people and generally, including in this case, have the support of the local church, student unions and other organizations. According to reports, during the two day strike, 17 indigenous people, including José María Cabascango, were detained, and about a dozen injured, reportedly by members of the security forces. The purpose of the strike was:

- To request the intervention of the state into the numerous land conflicts that exist in the area which affect Indian communities;
- To request the disbanding of paramilitary groups;
- To request the sanction of those responsible for the 1990 killing of another Indian leader, Julio Cabascango <sup>1</sup>;
- To request government investment in the region in infrastructure;
- To request assistance for the growing problem of cholera in the area.

Amnesty International does not take sides in land conflicts. The organization, however, is concerned that group leaders involved in such conflicts may be detained and subjected to torture or other human rights violations.

Ecuadorean legislation forbids the use of torture and the Ecuadorean government has ratified international treaties that oppose its use, including the United Nations Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (1984). This Convention states that each state party is to prevent torture and make it a punishable offence.

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<sup>1</sup> On 19 December 1990 Indian leader Julio Cabascango (not related to José María), was killed, apparently killed by a paramilitary group. The government initiated an enquiry and detained two people (one of whom escaped), believed to be responsible for the murder. Indian leaders are requesting not only that those responsible for the shooting be brought to trial but also those on whose behalf they acted.