

UA 448/94

Harassment / Fear for safety

21 December 1994

ECUADOR

Hugo ESPAÑA TORRES, former police officer  
and human rights activists

Amnesty International is concerned for the safety of Hugo España Torres, a former police officer in the Ecuadorian National Police, who is reportedly being subjected to repeated harassment and threats by civilian-dressed and uniformed members of the police. A complaint detailing the harassment and threats is reported to have been filed before the *Tribunal de Garantías Constitucionales*, Tribunal for Constitutional Guarantees. Hugo España played a key part in informing the authorities that police officers had been responsible for the detention and "disappearance", in January 1988, of teenage brothers Carlos Santiago and Pedro Andrés Restrepo.

The organization is also concerned about the numerous reports regarding the harassment, apparently by the police, of human rights activists pressing the authorities to clarify unresolved cases of "disappearance". The activists, who continue to congregate in a peaceful vigil once a week in the *Plaza de Gobierno*, Government Square, are reported to have been "threatened with suffering a simulated accident, beatings, rape, and attacks" ("*amenazado con la provocación de "accidentes", golpizas, violaciones y atentados"*). According to reports, complaints about this pattern of persistent harassment of those participating in the vigil have been filed before the authorities by human rights organizations and individuals.

#### BACKGROUND INFORMATION

During the government of former president León Febres Cordero (1984-88), in the context of the armed activities of the guerrilla group *Alfaro Vive, Carajo*, Alfaro Lives, Dammit, numerous complaints of "disappearance" and extrajudicial execution were filed before the authorities. The vast majority of these complaints were never thoroughly investigated, and the alleged perpetrators were never brought to justice. One of the "disappearance" cases denounced at the time, and which was later to take on national and international notoriety, was the "disappearance" of the Restrepo brothers. Similarly, but on a reduced scale, complaints of "disappearance" and extrajudicial execution have been filed before the authorities during the administration of former president Rodrigo Borja (1988-92) and the present administration of President Sixto Durán Ballén, who assumed the presidency in August 1992.

In September 1991 an official commission of inquiry into the "disappearance" of the Restrepo brothers concluded that the *Servicio de Investigación Criminal*, Criminal Investigation Service, a branch of the National Police, were responsible for the "disappearance" and death of the brothers. The testimony of former policeman Hugo España was a key element in the commission arriving at their conclusion.

Following a protracted judicial investigation and trial, in November 1994 the Supreme Court of Justice sentenced seven officers from the National Police - including a retired director of the National Police and two active duty generals - to prison terms ranging between two and 16 years, for being implicated in the abduction, torture and murder of the Restrepo brothers. The Supreme Court of Justice also ordered three officials to be put on trial for having hindered the investigation into the case.

Against the background outlined above, relatives, their friends and sympathizers, and independent human rights organizations, have persistently pressed the authorities to investigate the fate of the "disappeared".

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

- expressing concern about the reported harassment, intimidation and threats by members of the police directed against former policeman Hugo España Torres, apparently because he denounced former colleagues for having abducted and "disappeared" the Restrepo brothers;
- calling on the authorities to take all necessary measures to ensure his physical safety, and urging that the *Tribunal de Garantías Constitucionales* ensures a prompt, full and independent investigation into the allegations and that the findings be made public;
- expressing concern about reports that human rights activists, who peacefully and regularly assemble publicly in the *Plaza de Gobierno* to demand that the authorities clarify unresolved human rights cases, are being harassed and intimidated by members of the security forces;
- calling on the authorities to ensure that human rights activists and organizations are able to conduct their legitimate activities freely and without fear.

**APPEALS TO**

Presidente Sixto Durán Ballén  
 Presidente de la República  
 Palacio Presidencial  
 García Moreno y Chile,  
 Quito, ECUADOR

**Telexes: 22375/22201 prrep ed**  
**Faxes: + (5932) 580142 or 580750 or 580716**  
**Telegrams: Presidente Ballén, Quito, Ecuador**  
**Salutation: Dear President/Señor Presidente**

Dr. Marcelo Santos Vera  
 Ministro de Gobierno y Policía  
 Ministerio de Gobierno y Policía  
 García Moreno y Chile  
 Quito, ECUADOR

**Telexes: 22354 mingob ed**  
**Faxes: + (5932) 580067**  
**Telegrams: Ministro Santos Vera, Quito, Ecuador**  
**Salutation: Dear Minister/Señor Ministro**

**COPIES OF YOUR APPEALS TO:**

Sr. Alexis Ponce  
 Asamblea Permanente de Derechos Humanos  
 Tarqui 315 y 6 de Diciembre  
 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 5 February 1995.