

EXTERNAL (for general distribution)

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UA 403/93 Torture and Ill-treatment

15 November 1993

ECUADOR: Danilo JARA

Amnesty International is concerned about the reported torture and ill-treatment of Danilo Jara by members of the *Policía Nacional*, National Police.

Danilo Jara, alleged to be a common criminal, was detained by three uniformed members of the police on 31 October 1993 in Quito, the capital. Immediately following his arrest, Danilo Jara was reportedly kicked and beaten with a tyre spanner. He was then handcuffed and driven to the *Centro de Detención Provisional*, CDP, Provisional Detention Centre. On 2 November he was taken to the *Oficina de Investigación del Delito*, OID, Office of Crime Investigation in Quito, to be questioned.

According to reports, Danilo Jara was kept handcuffed and blindfolded at the OID, had a bag forced over his head into which tear gas was pumped, and had his head submerged in a water tank. The information also indicates that Danilo Jara was hung from his feet, had electricity applied to him, and had his testicles squeezed. A forensic doctor attached to the *Procuraduría General del Estado*, Office of the General Attorney of the State, saw Danilo Jara in the *Centro de Rehabilitación de Varones N° 2*, Male Rehabilitation Centre N°2. On 9 November the forensic doctor is reported to have told an independent human rights organization that Danilo Jara "*ha sido severamente golpeado*" "has been severely beaten". On 10 November a human rights defender interviewed him in the prison.

Danilo Jara reported that his testicles were swollen and that he passed blood on urinating.

BACKGROUND

Information received by Amnesty International over the years indicates that torture and ill-treatment of criminal suspects by the police is common practice.

In June 1993 the *Tribunal de Garantías Constitucionales*, TGC, Tribunal of Constitutional Guarantees, inspected the police centre run by the OID, in Quito, to which Danilo Jara was taken on 2 November. Following the visit, the president of the TGC wrote to the Minister for Government and Police stating that the TGC had found torture instruments in the centre and that "*no hay duda que existen presunciones de que aún...se mantienen prácticas de tortura*" "...there is no doubt as to the presumption...that torture practices continue to be used". As a result a number of officers were dismissed. A newly appointed commander general of the police was reported as saying in September that the investigative work of the police would be based on a respect for human rights.

Ecuadorian legislation forbids the use of torture and the government has ratified international treaties that oppose its use, including the United Nations Convention Against Cruel, Inhuman and Degrading Treatment or Punishment.

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

- Expressing concern about the reported ill-treatment by members of the uniformed police who detained Danilo Jara on 31 October 1993.

- Expressing concern about the reported torture of Danilo Jara by members of the *Oficina de Investigación del Delito*, of Quito.

- Asking for a full and independent investigation into the reported torture and ill-treatment of Danilo Jara, that the results of the investigation be made public and, should the allegation be sustained, that those responsible be brought to justice.

APPEALS TO

1) President of Ecuador

Sr. Sixto Durán Ballén
 Presidente de la República
 del Ecuador
 Palacio de Gobierno
 García Moreno 1043
 Quito
 Ecuador

Telegrams: Presidente Ballén, Quito, Ecuador

Telexes: 22375/22201 prrep ed

Salutation: Sr Presidente/Dear President

2) Minister of Government and Police

Sr. Ministro Marcelo Santos
 Ministerio de Gobierno y Policía
 Espejo y Benalcázar
 Quito
 ECUADOR

Telegrams: Ministro Santos, Quito, Ecuador

Telexes: 22354 mingob ed

Salutation: Sr. Ministro Ministro de Gobierno y Policía/Dear Minister

COPIES OF YOUR APPEALS TO:

Human rights organization:
 Comisión Ecuménica de Derechos Humanos
 Apartado 720 A
 Quito
 ECUADOR

and to diplomatic representatives of Ecuador accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with International Secretariat, or your section office, if sending appeals after 27 December 1993.