

UA 135/99

Fear for

ECUADOR Pedro BAQUE and his family (fear for safety)

Pedro Jaramillo Mera] brothers - killed
Carlos Jaramillo Mera]

Amnesty International is seriously concerned for the safety of Pedro Baque and his family. Pedro Baque is the sole witness to the killing of Pedro and his brother Carlos Jaramillo Mera, reportedly by the National Police (*Polícia Nacional*), in February 1999. He and his family have been harassed and intimidated since then, apparently by the police.

On 11 February Pedro Baque and the two Jaramillo brothers were stopped by a red van in Jipijapa, Manabí province. The assailants shot Pedro Jaramillo in the face, killing him instantly. Pedro Baque and Carlos Jaramillo were taken blindfolded to an area of wasteland on the outskirts of the town where Carlos Jaramillo was forced to confess to having killed a policeman in February 1999. He was then shot in the arm and mouth and had his throat slit. Pedro Baque was left for dead after being shot in the head, arm and back as the assailants told him they could not afford to have any witnesses. He was rescued after making it to a main road and taken to Jipijapa hospital and later to a hospital in Manta.

Pedro Baque, who has recognized the assailants as policemen, said in a recent statement to a Quito based newspaper *El Comercio* "...allá en Manta los policías me tienen amenazado desde que sobreviví a su ataque del 11 de febrero..." ("...there in Manta I have been threatened by the police since I survived the attack of 11 February..."). In addition, his father has told Amnesty International that cars without licence plates have been constantly driving by their house and that he recognises the occupants as members of the police.

A complaint about the incident has been formally filed with the authorities.

BACKGROUND INFORMATION

Amnesty International has documented numerous cases of intimidation of witnesses to human rights violations in Ecuador which has consistently failed to implement the United Nations (UN) *Principles on the Effective Prevention and Investigation of Extra-Legal, Arbitrary and Summary Executions*, endorsed by the UN General Assembly in December 1989, and protect witnesses of human rights violations. Article 15 of these Principles clearly states that "Complainants, witnesses, those conducting the investigation and their families shall be protected from violence, threats of violence or any other form of intimidation. Those potentially implicated in extra-legal, arbitrary or summary executions shall be removed from any position of control or power, whether direct or indirect, over complainants, witnesses and their families, as well as over those conducting investigations."

Deaths resulting from the use of firearms by the security forces in the context of anti-crime operations have been of concern to Amnesty International for the past few years. Some of these bear the hallmarks of extrajudicial executions. The organization has urged the authorities to ensure that these human rights violations are promptly and impartially investigated and that those responsible are brought to justice. The authorities, however, do not appear to be serious about ending and preventing these crimes. The vicious

circle of impunity which negates the values of truth and justice and leads to further human rights violations has to be stopped.

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

- expressing concern for the safety of Pedro Baque and his family;
- requesting that all necessary steps be taken to guarantee their safety;
- requesting a prompt and effective investigation into the intimidation of him and his family, that the findings be published, and that those responsible be brought to justice;
- requesting a prompt and effective investigation into the killing of Carlos and Pedro Jaramillo and the attack on Pedro Baque on 11 February 1999 in Jipijapa, Manabí province, that the findings be published, and that those responsible be brought to justice.

APPEALS TO:

President

Dr. Jamil Mahuad Witt
Presidente de la República del Ecuador
Palacio de Gobierno
García Moreno 1043 y Chile
Quito, Ecuador

Telegrams:Presidente, Quito, Ecuador

Faxes: + 593 2 580 735

Salutations:Dear Mr. President / Estimado Sr. Presidente

Minister of Foreign Affairs

Embajador Dr. José Ayala Lasso
Ministro de Relaciones Exteriores
Ministerio de Relaciones Exteriores
Av. 10 de Agosto y Carrión
Quito, Ecuador

Telegrams:Ministro de Relaciones Exteriores, Quito, Ecuador

Faxes:+ 593 2 504 933

Salutations:Dear Minister / Señor Ministro

Head of the National Police

Lic. Jorge Humberto Villarroel Merino
Comandante General de la Policía Nacional
Ramírez Dávalos y Av. 10 de Agosto
Quito, Ecuador

Telegrams:Comandante General de la Policía Nacional, Quito, Ecuador

Faxes:+ 593 2 506 066

Salutations:Dear Chief of the Police / Señor Comandante General

COPIES TO:

Human Rights Organization

Centro de Documentación en Derechos Humanos
Av. 10 de Agosto 2655, Edif. Tauro, Of. 802, 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 22 July 1999.