

UA 17/00

Fea.

ECUADOR Colonel Lucio Gutiérrez Borbua - army officer
Colonel Celso Andrade - army officer

Colonel Lucio Gutiérrez Borbua, a leader of the "*Junta de Salvación Nacional*", National Salvation Junta, that took over when President Jamil Mahuad Witt was ousted on 21 January 2000, was detained by military intelligence on 22 January after President Gustavo Noboa Bejarano took power. The authorities have not revealed where he is being held, and Amnesty International is seriously concerned for his safety.

Colonel Celso Andrade, an army officer who supported the formation of the National Salvation Junta, is reported to be detained and his whereabouts are also unknown. Amnesty International is seriously concerned for his safety.

Sources at the Ministry of Defense have acknowledged that both colonels are in military police custody, but neither their families nor legal representatives have been told where they are detained. Ecuador is party to the International Covenant on Civil and Political Rights and to the American Convention on Human Rights, which stipulate under articles 9 and 7 respectively that any person who is detained should "be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release".

The same sources have also said that the officers are being charged with the "*delito grave por sedición o rebelión, por desconocer a los poderes constituidos*" "grave crime of sedition or rebellion, because they disregarded constitutional authority" and that this merited a court martial.

BACKGROUND INFORMATION

In the past few weeks trade unions, indigenous groups and grassroots organizations have staged mass demonstrations and protests against the government's economic policy, which included a proposal to legalise the dollar as the official currency and gradually take the *sucre* out of circulation, in an effort to curb the runaway inflation that has led to the devaluation of the currency. Thousands of indigenous people marched into the capital, Quito, last week. By Friday they had overrun Congress and the Supreme Court of Justice, formed the National Salvation Junta and forced President Jamil Mahuad to resign.

The short-lived junta formed by Colonel Gutiérrez, Antonio Vargas, president of the *Confederación de Nacionalidades Indígenas del Ecuador*, Confederation of Indigenous Nationalities of Ecuador, and Carlos Solórzano Constantine, ex-president of the Supreme Court of Justice, was dissolved a few hours after its creation on 22 January by the then Chief of the Joint Command of the Armed Forces, General Carlos Mendoza Poveda. Gustavo Noboa Bejarano, the then Vice-President, backed by General Mendoza, became President shortly afterwards.

The newly appointed president has stated that he will continue President Mahuad's economic policies.

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

- urging the authorities to immediately inform Colonel Lucio Gutiérrez Borbua and Colonel Celso Andrade's relatives and lawyers of their whereabouts, and to give them prompt access to their lawyers and any

medical assistance they may require;

- urging the authorities to ensure that they are not ill-treated or tortured.

APPEALS TO:

President

Dr. Gustavo Noboa Bejarano
Presidente Constitucional de la República del Ecuador
Palacio de Carondelet
García Moreno 1043
Quito
Ecuador

Telegrams: President, Quito, Ecuador

Fax: + 5932 580735/580142/580750/580716

Salutation: Sr. Presidente/Dear President

Chief of the Joint Command of the Armed Forces

Grad. Telmo Sandoval Barona
Jefe del Comando Conjunto de las Fuerzas Armadas
Ministerio de Defensa Nacional
La Exposición 208 (La Recoleta)
Quito
Ecuador

Fax: + 5932 583394/ 580431

Salutation: Sr. General de División/Dear General

COPIES TO:

Human Rights organization

Centro de Documentación en Derechos Humanos
"Segundo Montes Mozo S.J."
Av. 10 e Agosto N26-57 y Gral Vicente Aguirre
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 7 March 2000.