

EXTERNAL (for general distribution)

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*Please bring this action to the attention of the person responsible for refugee coordination in your section.*

UA 316/92

Fear of refoulement

12 October 1992

ECUADOR:

Oscar AMARIS, a Colombian

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Amnesty International is concerned about the possible *refoulement* (forcible return) of Oscar Amaris, a Colombian political refugee, living in Quito, the capital.

According to reports, on 7 October 1992 the security forces detained Oscar Amaris and another Colombian citizen, who was staying with him, at his home. The other Colombian citizen was released after 24 hours.

Oscar Amaris reportedly sought political asylum in Ecuador. Amnesty International believes that if returned to Colombia, he may run the risk of serious human rights violations.

#### **BACKGROUND INFORMATION**

Amnesty International's information on Colombia indicates that there is a pattern of large scale human rights abuses against political opponents such as torture, extrajudicial executions and "disappearances".

Ecuador has signed the 1951 UN Convention on Refugees. Article 33 of the Convention obliges states not to return refugees to a country where they would be at risk of serious human rights violations.

Ecuador has also ratified the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Article 3.1 states that:

"No state party shall expel, return ("*refouler*"), or extradite a person to another State where there are substantial grounds for believing that he would be in danger of being subjected to torture".

**RECOMMENDED ACTION:** Please send telegrams/telexes and airmail letters either in spanish, english or in your own language:

- expressing concern at the detention of Oscar Amaris who may face forcible return to Colombia;

- noting that the Ecuadorian government is obliged under international law to refrain from returning any person to a country where they risk being subjected to human rights violations;

- urging that Oscar Amaris be given immediate access to representatives of the United Nations High Commission for Refugees;

- urging that Oscar Amaris be given access to an independent lawyer, a doctor and relatives.

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**APPEALS TO:**

1) President of Ecuador  
Dr. Sixto Durán Ballen  
Presidente de la República  
del Ecuador  
Palacio de Gobierno  
García Moreno 1043  
Quito  
ECUADOR

**Telegrams: Presidente Ballen, Quito, Ecuador**  
**Telexes: 22375/22201 prerep ed**  
**Salutation: Sr. Presidente/ Dear President**

2) Minister of the Interior and Police  
Sr. Roberto Dunn Barreiro  
Ministro de Gobierno y Policía  
Ministerio de Gobierno y Policía  
Espejo y Benalcázar  
Quito  
ECUADOR

**Telegrams: Ministro Gobierno Barreiro, Quito, Ecuador**  
**Telexes: 22354 mingob ed**  
**Salutation: Sr. Ministro/ Dear Minister**

3) Minister of Foreign Relations  
Dr. Diego Ruben Paredes Peña  
Ministro de Relaciones Exteriores  
Ministerio de Relaciones Exteriores  
10 de Agosto y Carrión  
Quito  
ECUADOR

**Telegrams: Ministro Relaciones Exteriores Peña, Quito, Ecuador**  
**Salutation: Sr. Ministro/Dear Minister**

**COPIES OF YOUR APPEALS TO:**

Human Rights Organization  
Comision Ecumenica de Derechos Humanos (CEDHU)  
Apartado 720 A

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 23 November 1992.