

PUBLIC

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UA 176/06 Incommunicado detention/Fear for safety/
Possible Prisoner of Conscience

23 June 2006

ECUADOR **Wilman Adolfo Jiménez Salazar (m) – member of *Comité de Derechos humanos de Orellana*, Orellana Province Human Rights Committee**

Human rights defender and possible prisoner of conscience, Wilman Adolfo Jiménez Salazar was detained whilst taking part as an observer in a demonstration in Payamino, Orellana Province, eastern Ecuador on 19 June. He was reportedly shot with six rubber bullets after the Ecuadorean National Police broke up the demonstration and he is reportedly being held in incommunicado detention. Amnesty International is seriously concerned for his welfare.

On 19 June, peasant communities from Payamino protested against the environmental impact of an oil company operating in their community. The police and military reportedly used tear gas and rubber bullets to break up the demonstration. Wilman Jiménez Salazar, who is a member of the *Comité de Derechos Humanos de Orellana*, Orellana Province Human Rights Committee and another man were reportedly injured as a result.

Wilman Jiménez Salazar was taken by police to Coca Public Hospital, in Orellana Province, to receive medical treatment for his injuries before being taken to Coca Judicial Police Station. Another man who was detained at the same time as him was released. Fellow human rights defenders went to see Wilman Jiménez Salazar at the police station on 19 June and were given his camera and other personal belongings. However, when they returned to the Judicial Police Station later that day and asked to visit him, they were told that he was not being held there. He had reportedly been transferred to a military brigade in Pastaza province.

A habeas corpus writ was filed on Wilman Jiménez Salazar's behalf on the same day. Though the habeas corpus was granted by the authorities no one has reportedly been allowed to visit him. On 21 June, the Sucumbios District Attorney ordered a medical examination of Wilman Jiménez Salazar. However, according to reports, to date no doctor has been allowed to visit William Jiménez Salazar. Amnesty International would consider adopting William Jiménez Salazar as a prisoner of conscience.

BACKGROUND INFORMATION

A state of emergency was declared in the provinces of Orellana, Napo and Sucumbios in Ecuador, in March 2006. This suspended the right to freedom of expression, movement and association.

The practice of detaining people incommunicado has been condemned by human rights bodies, including the UN Special Rapporteur on Torture, as a human rights violation which can lead to other violations such as torture or ill-treatment or interrogation without due process safeguards. In 2002, the Special Rapporteur on Torture stated that "torture is most frequently practised during incommunicado detention. Incommunicado detention should be illegal and persons held incommunicado should be released without delay" (E/CN.4/2003/68, paragraph 26(g), 17 December 2002).

Amnesty International believes that the Ecuadorean government should ensure that incommunicado detention does not become an opportunity for torture or ill-treatment of detainees. It is vital that all detainees be brought before a judicial authority promptly after being taken into custody and that their relatives, lawyers and doctors have prompt and regular access to them; ensuring that a Public Ministry representative is present while the suspect is being questioned. Prolonged incommunicado detention or solitary confinement can in itself be a form of cruel, inhuman or degrading treatment.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

- expressing concern for safety of human rights defender and possible prisoner of conscience, Wilman Jiménez Salazar who has been held in incommunicado detention since 19 June 2006;
- calling for him to be released immediately and unconditionally unless he is to be charged with a recognizable criminal offence;
- urging the authorities to grant him immediate access to his relatives, lawyers and any medical attention he may require;
- urging the authorities to treat Wilman Jiménez Salazar humanely, whilst in custody, and to ensure he is not subjected to torture or ill-treatment;
- informing the authorities that the practice of detaining people incommunicado has been condemned by human rights bodies, including the UN Special Rapporteur on Torture and that in 2002, the Special Rapporteur on Torture stated that "torture is most frequently practised during incommunicado detention. Incommunicado detention should be illegal and persons held incommunicado should be released without delay".

APPEALS TO:

President

Dr. Alfredo Palacio González
Presidente Constitucional
de La República del Ecuador
Palacio de Carondelet
García Moreno 1043
Quito, Ecuador

Fax: + 593 2 2580 748 (If someone answers, please ask: "Tono de fax, por favor")

Salutation: Dear President/ Sr. Presidente

Minister of Defence

Gral. Oswaldo Jarrín Román
Ministro de Defensa Nacional
Ministerio de Defensa Nacional
La Exposición 208, (La Recoleta).
Quito, Ecuador

Fax: + 593 2 2580 431 (If someone answers, please ask: "Tono de fax, por favor")

Salutation: Dear Minister/Señor Ministro

Commander of the 4^o Amazon Regional Division

Gral. Gonzalo Meza
Comandante de la 4^o División Regional Amazónica
Fuerte Militar Napo
Ciudad Francisco de Orellana
Provincia Francisco de Orellana
Ecuador

Fax: + 593 6 288 1291 / 288 0534 (If someone answers, please ask: "Tono de fax, por favor")

Salutation: Dear General/Señor General

Commander of the 17^o Forest Brigade - Pastaza

Coronel Patricio Ochoa Ullauri
Coronel de Estado Mayor Conjunto
Comandante de la Brigada de Selva N^o 17 – Pastaza
Comandancia de la Brigada de Selva N^o 17
Av. Padre Luis Jacome s/n
Shell, Provincia Pastaza
Ecuador

Fax: + 593 3 279 5045 (If someone answers, please ask: "Tono de fax, por favor")

Salutation: Dear Colonel/Señor Coronel

COPIES TO:

Human Rights Organizations

Comisión Ecuánica de Derechos Humanos (CEDHU)

Carlos Ibarra 176 y 10 de Agosto

Edif. Yuraj Pirca, 9no. piso

Quito, Ecuador

Fax: + 593 2 258 9272 (If someone answers say: 'tono de fax, por favor)

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 4 August.