

PUBLIC

AI Index: AMR 28/015/2003

26 November 2003

Further Information on UA 344/03 (AMR 28/014/2003, 24 November 2003) Fear for safety/Possible "disappearance"

ECUADOR                      Jhonny Elías Gómez Balda (m)  
   César Augusto Mata Valenzuela (m)

New Names:                      Edwin Daniel Vivar Palma (m)  
   Seidi Natalia Vélez Falcón (f)

---

According to reports, Jhonny Elias Gomez Balda and Cesar Augusto Mata Valenzuela were detained by police on 19 November in connection with a robbery at a chemist in the city of Guayaquil. A third man, Edwin Daniel Vivar Palma, has also reportedly been detained in connection with the robbery. Their whereabouts are unknown and there are fears for their safety.

Police have confirmed that Seidi Natalia Vélez Falcón, the niece of Edwin Daniel Vivar Palma, is detained at a police station in Guayaquil in connection with the same case. She is denied access to a lawyer. It is not known if she has been charged with any offence. Amnesty International is concerned for her safety.

On 19 November, Edwin Daniel Vivar Palma reportedly rang his wife, Mireya Vélez Falcones, on his mobile telephone and said: "*Estoy preso, hundido, salven a Seidi, cuida a mi hijo, me van a quitar el celular*", ("I am detained, in deep trouble, save Seidy, take care of my son, they are going to take my mobile phone away").

Police in Guayaquil have denied that they are holding Edwin Daniel Vivar Palma, Jhonny Elias Gomez Balda and Cesar Augusto Mata Valenzuela, leading to fears that they may have "disappeared". Both Jhonny Elias Gomez Balda and Cesar Augusto Mata Valenzuela had telephoned relatives shortly after their arrest on 19 November to tell them they were being held at the Judicial Police Headquarters (*Cuartel de la Policía Judicial*) in Guayaquil.

According to his wife Mireya Vélez Falcones, when Edwin Daniel Vivar Palma was arrested, he was on his way to meet Seidi Natalia Vélez Falcón, in order to help her find a job.

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

- expressing concern for the safety of Edwin Daniel Vivar Palma and Seidi Natalia Vélez Falcón who were reportedly detained by members of the police in the city of Guayaquil, Guayas province, on 19 November;
- urging the authorities to do everything within their power to establish the fate and whereabouts of Edwin Daniel Vivar Palma, César Augusto Mata Valenzuela and Jhonny Elías Gómez Balda, who have not been seen since 19 November;
- calling for Seidi Natalia Vélez Falcón to be given immediate access to a lawyer, to relatives and any medical treatment she may require, and calling on the authorities to guarantee that she is treated humanely in detention and not subjected to torture or ill-treatment;
- calling for her immediate release unless she is to be charged with a recognizably criminal offence;
- urging that Edwin Daniel Vivar Palma, César Augusto Mata Valenzuela and Jhonny Elías Gómez Balda they be treated humanely if they are in custody and not subjected to torture or ill-treatment;
- urging the authorities to grant them immediate access to their relatives, lawyers, and any medical attention they may require;

- calling for them to be immediately and unconditionally released or charged with a recognizably criminal offence.

**APPEALS TO:**

Minister of the Interior

Dr. Felipe Mantilla Huerta  
Ministro de Gobierno, Policía, Justicia, Cultos y  
Municipalidades  
Ministerio de Gobierno y Policía  
Benalcazar y Espejo  
Quito, Ecuador

**Telegram:**     **Ministro de Gobierno, Quito, Ecuador**  
**Fax:**            **+ 593 2 258 0067**  
**Salutation:**   **Sr. Ministro/Dear Minister**

Attorney General

Dra Mariana Yépez de Velasco  
Ministra Fiscal General del Estado  
Fiscalía General del Estado  
Av. Eloy Alfaro no. 32/240 y República  
Quito, Ecuador

**Telegram:**     **Ministra Fiscal General del Estado, Quito, Ecuador**  
**Fax:**            **+ 593 2 2559447 (please keep trying; if a voice answers, say "tono de fax, por favor")**  
**Salutation:**   **Sra Ministra Fiscal General/ Dear Attorney General**

Head of the National Police

Lcdo. Jorge Poveda Zúñiga  
Comandante General de la Policía Nacional  
Ramírez Dávalos 612 y Av. 10 de Agosto  
Quito, Ecuador

**Telegram:**     **Comandante General de la Policía Nacional, Quito, Ecuador**  
**Fax:**            **+ 593 2 250 6066**  
**Salutation:**   **Sr. Comandante General/Dear Commander General**

**COPIES TO:**

Human rights organization

Comité Permanente por la Defensa de los Derechos Humanos  
Quisquis 1207 y Esmeraldas 4° piso Oficina 403  
Guayaquil, Ecuador

**E-mail:**         **cdhgye@telconet.net**

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 January 2004.