

PUBLIC

AI Index: AMR 28/012/2003

UA 316/03

Fear for Safety/Death Threats

03 November 2003

ECUADOR

Wilmer Lucio León Murillo (m)

Amnesty International is concerned for the safety of Wilmer Lucio León Murillo, a merchant from Quevedo town, Los Ríos Province. He has reportedly been subjected to death threats on several occasions, after he filed a complaint for torture and ill-treatment against five police officers on 24 July.

Wilmer Lucio León Murillo was interviewed by an Amnesty International delegation visiting Ecuador on 31 October. He told them how on 21 July, he and three other individuals were detained by police as they travelled in a car in the town of Quevedo. The police apparently suspected them of belonging to a well-known armed gang, but did not have a detention order against them, nor were they detained whilst committing a crime.

The four men were placed in a police car with their shirts over their heads and driven to an unknown open space outside Quevedo. Their eyes were then covered with newspaper and tape. According to Wilmer Lucio León Murillo, he was then beaten, kicked and punched. He was also tied up and made to lay on a concrete floor where two officers held him down while a third one covered his mouth and poured water into his nose with a hose until he lost consciousness. A few hours later, he was taken to a police station, but later released after the prosecutor stated there was no evidence against him and that his detention had been illegal.

An investigation has been opened against the police officers who allegedly tortured and ill-treated Wilmer Lucio León Murillo. However, on 26 October one of officers told one of Wilmer's friends: "I am going to kill that son of a bitch and nobody will notice".

BACKGROUND INFORMATION

In the last ten years, Amnesty International has received scores of complaints regarding grave human rights violations by members of the Ecuadorian security forces. The most frequent cases refer to the torture and ill-treatment of detainees, including cases of death in custody. The organization is extremely concerned that when police perpetrators are tried in police courts, they mostly go unpunished. In addition, victims, their families, and witnesses often receive death threats in attempt to make them withdraw their accusations.

From 24 October to 2 November 2003 an Amnesty International delegation visited Ecuador to present the report *Ecuador: With no independent and impartial justice there can be no rule of law*, (AMR 28/010/2003, October 2003) to the government, the media and members of civil society. The delegation urged the authorities to send a clear message that human rights violations by members of the security forces will not be tolerated, to encourage people to report such incidents and to protect those who file complaints. The delegation also urged the authorities to ensure that human rights violations by members of the police are investigated thoroughly and independently, and those accused of responsibility are tried in independent civilian courts. (The report is currently only available in Spanish. The English version is expected to be released on 10 November 2003)

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

- expressing concern for the safety of Wilmer Lucio León Murillo following the death threats against him as well as his alleged torture and ill-treatment;

- calling on the authorities to guarantee his safety and to thoroughly and impartially investigate the complaint of torture and ill-treatment made by Wilmer Lucio León Murillo;
- urging that the police officers accused of the crime are tried in a civilian court, according to international standards and the Ecuadorian Constitution;
- urging the authorities to send a clear message that torture and ill-treatment will not be tolerated and to encourage people to report such incidents when they take place;
- calling on the authorities to take all necessary steps to guarantee the safety of victims, their relatives and witnesses.

APPEALS TO:

Minister of the Interior

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

Telegram: **Ministro de Gobierno, Quito, Ecuador**

Fax: **+593 2 258 0067**

Salutation: **Sr. Ministro/ Dear Minister**

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**

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: **+5932 255 9447**

Salutation: **Sra. Ministra Fiscal General/ Dear Attorney General**

COPIES TO:

Human Rights Organization

Comisión Ecuatólica de Derechos Humanos (CEDHU)
Carlos Ibarra 176 y 10 de Agosto
Edificio Yuraj Pirca 9 Piso
Quito, Ecuador

Fax: **+ 593 2 258 9272**

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 15 December 2003.