

PUBLIC

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"Disappearance"/ Fear for safety

12 October 2004

ECUADOR

Luis Alberto Sabando Veliz (m)
Lenin Alberto Cedeño Treviño (m)

Luis Alberto Sabando Veliz and Lenin Alberto Cedeño Treviño were reportedly detained on 29 September in Buena Fe town, Los Ríos province. Lenin Alberto Cedeño Treviño is still in custody, but according to police, Luis Sabando Veliz escaped the day after the men were arrested. At the time he was being transported in handcuffs, in the custody of four police officers. Amnesty International believes he has "disappeared", and is concerned for both men's safety.

The two men had been travelling in Lenin Cedeño Treviño's car when they were stopped by armed police officers. The police searched the car and arrested both of them when they found a gun, which belonged to Lenin Cedeño Treviño. The police took them to Quevedo town pre-trial detention centre. Although Lenin Cedeño Treviño had a licence for the gun, and showed it to the police, both men were charged with illegal possession of a firearm.

Luis Sabando Veliz's mother went to the detention centre to visit her son on 30 September. The police apparently told her that her son had escaped while he was being taken to Buena Fe town to help with the police investigation into the charges against him. When she asked how a man in handcuffs could have escaped from four police officers, they had no answer. That same day Luis Sabando Veliz's family filed a complaint with the Attorney General's office about his "disappearance".

When Luis Sabando Veliz's mother returned to the Attorney General's office on 4 October, a prosecutor told her that the office had been sent a police report dated 1 October, saying that her son and Lenin Cedeña Treviño had been arrested in connection with a robbery and a murder. However, the crimes in question had not been reported until 30 September, when both men were already in police custody. The report also stated that neither man had any previous police record.

BACKGROUND INFORMATION

Police officers accused of committing human rights violations are usually tried in police courts where they mostly go unpunished. Victims, their families and witnesses often receive death threats in an attempt to make them withdraw their accusations. There appears to be a lack of political will to end police brutality and impunity in Ecuador.

An Amnesty International delegation visited Ecuador in October 2003 to launch the campaign against this impunity and the use of police courts to try human rights violations, and the report *Ecuador: With no independent and impartial justice there can be no rule of law* (AMR 28/010/2003, October 2003). The delegation met with the relevant authorities, most of whom agreed that members of the security forces charged with human rights violations must be tried in civil courts, and they committed themselves to ensuring that this would be the case. The only ones who disagreed were the leaders of the National Police. Despite this official undertaking, Amnesty International is still receiving reports of serious human rights violations by the police, including torture, which in some cases has led to deaths in custody, extrajudicial executions and "disappearances". Many of these cases continue to be tried in police courts.

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

- expressing concern for the safety of Luis Alberto Sabando Veliz and Lenin Alberto Cedeño Treviño, who were reportedly detained by police in the town of Buena Fe, Los Ríos Province, on 29 September;

- urging the authorities to do everything possible to find out what has happened to Luis Alberto Sabando Veliz, who has not been seen since 29 September;
- calling for Lenin Alberto Cedeño Treviño to be given immediate access to a lawyer, his family and any medical treatment he may require, and calling on the authorities to guarantee that he will be treated humanely in detention and not tortured or ill-treated;
- calling for him to be released immediately unless he is to be charged with a recognizably criminal offence;
- urging that Luis Alberto Sabando Veliz be treated humanely if he is in custody and not tortured or ill-treated, and calling for him to be released immediately and unconditionally unless he is to be charged with a recognizably criminal offence.

APPEALS TO:

Minister of the Interior and Police

Ing. Raúl Baca Carbo
Ministro de Gobierno, Policía,
Justicia, Cultos y Municipalidades
Ministerio de Gobierno y Policía
Benalcázar y Espejo
Quito, ECUADOR

Fax: + 593 2 2580 067

Salutation: Dear Minister / Sr. Ministro

Attorney General

Dra. Mariana Yépez de Velasco
Ministra Fiscal General del Estado
Fiscalía General del Estado
Av. Eloy Alfaro N° 32-240 y República
Quito, ECUADOR

Fax: + 593 2 2558 561 (If voice answers, ask "el tono de fax, por favor")

Salutation: Dear Attorney General/ Sra. Fiscal General

Head of the National Police

Lcdo. Jorge Poveda Zúñiga
Comandante General
de la Policía Nacional
Av. Amazonas N° 35-113 y Corea
Quito, ECUADOR

Fax: + 593 2 2463 036

Salutation: Dear Commander General/Sr. Comandante 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 23 November 2004.