TORTURE
in Basque Country

TAT
TORTURAREN AURKAKO TALDEA

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in Basque Country

REPORT 2001

Editor: TAT - Group against torture

This report has been made based on the testimonyes of torture of 68 basque citizen, in 2001, by TAT - Group against torture.

Graphic produced and covert: Monti

The object of the present document is to dennounce and give to know the tortures used by the spanish and french satate against basque country.
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PRESENTATION

Despite having entered the XXI century torture continues to be used in Euskal Herria (Basque Country), and at the end of 2001 torture continues to be used with all its cruelty. This is the balance of 2001. Nothing new. At the end of the last century torturers murdered Joxe Arregi; Mikel Arrrastia lost his life fleeing from torture, they killed Esteban Muruetagoiena, Mikel Zabalza, Xabier Kalparsoro, Gurutze Iantzi... Having already entered the XXI century we have seen the evidence of the torture of Iratxe Sorzabal, Unai Romano… We have the accounts of 100 people who have been victims of torture during 2001. The Basque Country continues to suffer under torture. Those who use torture in absolute impunity take away the life of all bit by bit. With the approval of the Spanish Audiencia Nacional, the protection and "pardon" of the authorities, with the media ignoring or legitimising it and the silence of the majority of politicians, the torturers do their deeds. And nothing happens!

After a long time we have been able to prove the use of torture through graphic images. And what? The same day that we released the photos that showed the consequences of torture, Basque citizens held incommunicado were being tortured. Later, more people were to be tortured, and if somebody doesn't do something today or tomorrow more Basque citizens will be victims of torture.

The power of the Audiencia Nacional, the refusal to allow the detainee to choose their lawyer, the refusal to allow the detainee to communicate with the family, not being able to be seen by a doctor of confidence, the pointlessness of making a legal complaint, the pardons awarded by the executive to those guilty of torture. Definitively, the existence of conditions that allow torture to happen and the impunity that those who use torture enjoy are the fundamental elements that allow torture to exist today.

This can be stopped, the Basque Country has a voice. We have made a 9 point proposal to Basque society. Fortunately, more and more people and organisations are supporting the proposal but disgracefully it still isn't enough. It is vital to create a giant wave of repulsion that will get rid of torture once and for all. To make that wave we need all those little drops of water. You and us. We are the water and if we join together for this objective we will create this huge wave.

In the meantime, when they arrest someone and hold them incommunicado remember the brutalised body of Iratxe Sorzabal, remember the terrible accounts that this report contains.

TESTIMONIES

The TESTIMONIES are the principal section of the report. It contains the spine chilling accounts of those who were held incommunicado during 2001.

Unfortunately, due to the limited space we were forced to considerably reduce the size of the personal accounts.

We are aware that extracting parts of an account affects the impact of the account itself. But in the majority of cases we prefered, we prefered to leave the account in the first person as a third person account would further adversely affect the impact of the testimony

In the charts that follow, you can find information on the date and place of arrests, the police body that carried out the arrests, the time that the detainees were held incommunicado, the destiny of each person and the Judges decisions.

In order to better understand the charts we offer you some additional information.

JUDGES OF THE CENTRAL CRIMINAL COURTS:

JCI Nº 1: GUILLERMO RUIZ POLANCO
JCI Nº 2: ISMAEL MORENO
JCI Nº 3: Mª TERESA PALACIOS
JCI Nº 4: CARLOS DIVAR (until December 2001)
JCI Nº 5: BALTASAR GARZON
JCI Nº 6: JUAN DEL OLMO

SITUATION: In this part we clarify the destiny that the Judges of the Audiencia Nacional decide for the named person and we place this immediately after the part which shows where the court appearance was held. This situation could have changed over time. It is possible that some of the people cited, who were in prison at the time of making the testimony,are now out on bail. On the other hand there are those who were initially released without charges who are now imprisoned.

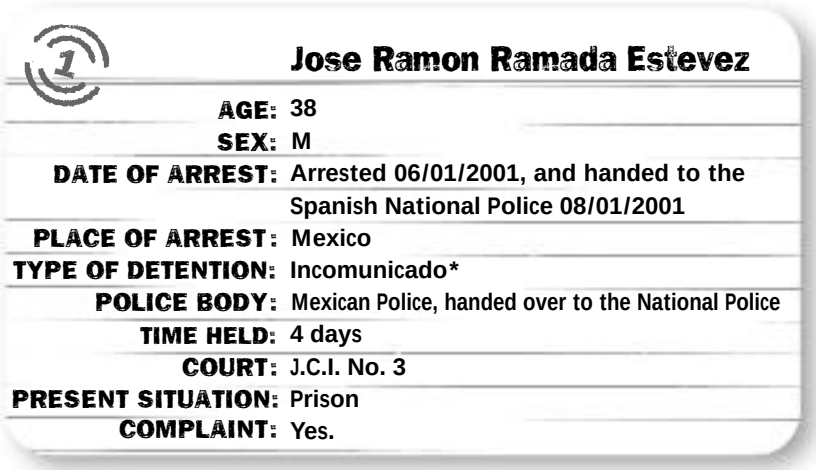
To end this brief introduction we would like to say that the cases published hear don't represent the entire collection of accounts received by TAT. There are many people who, for obvious reasons, don't want their accounts to be made public. In some accounts, it has been requested to respect the anonimity of the person.

Due to communication difficulties, we have not been able to collect all the cases of torture. In many cases, victims of torture are still being held in prison. and their accounts have not reached us in time due to the hurdles put up to hinder fluid communication. These accounts will be published in future reports.

The testimonies of IRATXE SORZABAL OR UNAI ROMANO will be dealt with in seperate reports. Both cases are proof of the reality of torture. Together with their full accounts you will find the evidence that ratifies what they claim. Photographs and medical reports, as well as reports on the attitude of the Judge of the Audiencia Nacional that were responsible for instructing each of the cases.

* ***Incomunicado***: when a detainee is held without the possibility of being visited and his/her whereabouts and situation is unknown to all but the police.

* ***Guardia Civil***: Civil Guard or military police



Jose Ramon Ramada Estevez

AGE:	38
SEX:	M
DATE OF ARREST:	Arrested 06/01/2001, and handed to the Spanish National Police 08/01/2001
PLACE OF ARREST:	Mexico
TYPE OF DETENTION:	Incomunicado*
POLICE BODY:	Mexican Police, handed over to the National Police
TIME HELD:	4 days
COURT:	J.C.I. No. 3
PRESENT SITUATION:	Prison
COMPLAINT:	Yes.

They arrested us in México... on the plane I denounced our situation to the passengers saying that we were political refugees and were being extradited to Spain where we would be tortured. They violently brought me down, covering my mouth and twisting my wrist. When we arrived in Madrid two Spanish policemen arrived and took us off the plane.

The treatment in the DGS was very tough, specially the continuous psychological torture. That was tougher to deal with than the physical torture. It consisted in humiliating me, saying that my friend was suffering because I wanted her to, that if I didn't make a statement they would get what they wanted from her, that if they had to torture her they would that it didn't matter to them if they had to destroy her. That was more than I could take. I couldn't handle that they were going to torture her. They came down heavy on me, questions over many hours. The constant interrogation was exhausting.

At a physical level I received a lot of blows. On the head with a photo album and a telephone directory, slaps on the ears that would knock you out. Continuous slaps on the face. The pulling of my hair, moustache and side-burns were frequent and caused a lot of pain. They did karate kicks to the neck and the chest, they grabbed me by the hair and violently shook my head from side to side. Blows to the stomach and testicles. In the end I was wrecked, crying and begging that they leave Mila alone. I was in bits because my girlfriend couldn't stop crying. I was in bits and totally confused.

2 Lierni Armendariz Gonzalez de Langarika

AGE:	27
SEX:	F
DATE OF ARREST:	11/01/2001
PLACE OF ARREST:	Barcelona
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Municipal police who handed him over to the national police
TIME HELD:	5 days*
COURT:	No.3
PRESENT SITUATION:	Prison
COMPLAINT:	yes.

Boxes on the head, forced to stand straight, pulling of hair, shoved against the walls…theytook me out again and once again they began to beat me, another one came and th same story.

I was forced to squat down and walk. When I turn around I realise how humiliating it is, I stand up and the police hurl themselves at me forcing me to do as I am told. They throw me to the floor and oblige me to go down on my knees. One holds me from the back. Then another policeman enters carrying an iron bar with four sides. They put the bar on the ground and force me to kneel on it. The pain is immense. I move my legs to get off the bar. All the while one policeman is pulling my hair, the other hits me in the ears and another pulls the handcuffs upwards and twists my wrists.

Then they begin on the body, saying that its not bad, that I am a nice girl… One says that he was looking forward to being alone with me while he slaps my breasts. He put his hand on my neck, lifts my t-shirt and starts touching my breasts once again.

They pressed the back of my ears and began to lift me up by my ear-lobes, to the point where I was on tip-toe and caused such pain that I almost fainted. They did the same under the jaw.

I heard that a cell was being opened. They came for Iñaki and when he passed by I shouted “keep strong Iñaki” and he replied the same but with a voice that was trembling.

I noticed that he was in a bad way and that left me destroyed.

3 Iñaki Krutxaga

AGE:	37
SEX:	M
DATE OF ARREST:	11/01/2001
PLACE OF ARREST:	
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Municipal police handed him over to the National police
TIME HELD:	5 days*
COURT:	J.C.I. No 3
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

(...) They were all asking questions at once and then the threats began…one of the policemen took the initiative and began hitting me on the head and face… Then the other police began to hit me… They put a plastic bag over my head while another began hitting me in the face until my nose began to bleed.

A policeman was called, on called “touching balls”, and he began to hit me all over the body, the kidneys, stomach, chest, I was thrown against the wall, the back, on the spine… They began to punch me on the testicles and they hold me up against the wall so I wouldn’t fall to the ground.

They stripped me from the waist down and threw me on a table with my legs hanging…”touching balls” put on some gloves and began to squeeze my testicles. I was extremely tired and was aching all over, testicles, wrists, back… all while they hit me with a telephone book on the head.

(…) the boss put a bag over my head… while they beat me with the telephone book… They put me kneeling down and put the bag on me. Even though I couldn’t take it anymore, they continued hitting

me with the telephone book on the head without taking the bag off. They left me lying there on the floor. This was repeated on three or four occasions… They said that the other detainees were suffering the same treatment that they were doing the same to them as to me. A policeman said that they were going to throw me down the stairs and to prove it to me they held half of my body over the banisters while they shoved me downwards. They said that they would say that I threw myself over.

4 E.G.M.

AGE:	20
SEX:	M
DATE OF ARREST:	17/01/2001
PLACE OF ARREST:	Arrasate
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Ertzaintza
TIME HELD:	2 days*
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes.

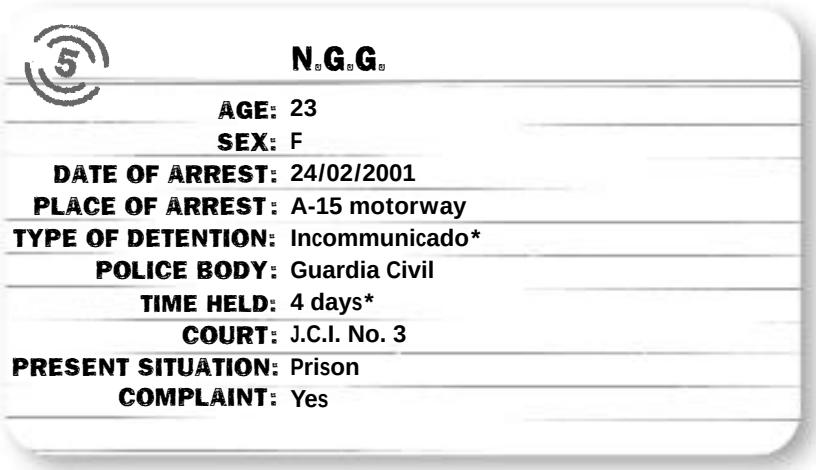
They took me to the station in Durango. They were constantly moving me from one place to another, they put me in one room and then they took me out... The light was on all the time and they didn't let me sleep.

The interrogations were constant, long, one after another. They were wrecking my head. They took me from the cell to interrogate me and this lasted half an hour and they put me back in a cell and after a while they interrogated me again. This was continuous. I didn't have any idea of the time, whether it was day or night. I lost all notion of time.

Although they beat me and constantly tried to psychologically damage me, it all began calmly and over time it became more violent. They were constantly threatening me about my family, about my girlfriend, saying that I had broken up the family "you have fucked up the life of your parents", that my parents would have nothing to do with me. This created bad feelings and it was getting to me. They didn't let me sleep.

They said that I was two days in the station but I had no idea how long I was there for.

In the station I made a statement, they asked me questions and in the end I signed it and in the Audiencia Nacional I ratified the statement. You see….



5 N.G.G.

AGE:	23
SEX:	F
DATE OF ARREST:	24/02/2001
PLACE OF ARREST:	A-15 motorway
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days*
COURT:	J.C.I. No. 3
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

(...) Once I got into the car threats, questions and the bag began. If that was just the beginning, I thought I was going to die, I wasn't going to be able to hold on. We stopped in a field..they forced me to stand against a wall. They began to shout in my ears, they came close and hit my head against the wall. One told me that he had raped another detainee and that now it was my turn and another said that the other guy was "really hot". Then they took me to the cell, they said that the bed was really comfortable and that they would return within half an hour. They ordered me to take my clothes off from the

waist up. They felt my breasts and said that they were going to rape me like they had done it with my friend. I was totally panic-stricken.

They made me do exercises until I fell to the ground and couldn't take it anymore. Once again the bag. They said that they were going to put me in the bath and I could hear the sound of water…They began to hit me with a book or something hard in the head. In the end I shouted at them out of desperation to choke me there. Then because I couldn't say anything 'cause I knew nothing. They told me to take my trousers down, get down on my all fours and to walk along like that. One of them told me to pull up my trousers "because it made him sick to look at me". I was having my period and they insulted me calling me "a slob, a pig"…

The first few days were constant physical mistreatment. After making the statement they didn't hit me anymore but they continued to attack me psychologically. The threats were constant. The psychological treatment that I suffered was tough. The shouts were worse, I heard how they were torturing the others, how they were hitting them…

6 O.G.F.

AGE:	27
SEX:	F
DATE OF ARREST:	24/02/2001
PLACE OF ARREST:	Orereta
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days
COURT:	J.C.I. No. 3
PRESENT SITUATION:	Prison
COMPLAINT:	Yes.

(...) they began hitting me in the head, pulling my hair, putting the bag on me. Then they began feeling me, insulting and threatening me.

One of them made me do physical exercises. They made me raise and lower my legs and arms. After a while I couldn't take it anymore and I fell. But they forced me to get up. As I wasn't able to get up they grabbed me from the back and they raised and lowered me. They put the bag back on me and I wetted myself. They didn't noticed it at the begining but when they did, they started calling me "pig" and things like that. They were constantly hitting and shouting at me. I could hear shouts coming from other rooms.

I was very thirsty. They asked me if I was thirsty. When I said yes, they poured some drops of water on my face, but they didn't give me anything to drink.

The worst part was the bag. Each time they began with the bag I got really scared. They put the electrodes on my sides.

The threats were constant, that they were going to put a stick inside me that wouldn't leave any marks, that they were going to rape me. They began taking my clothes off. They tied my legs and arms with sellotape and began to take my trousers off. I didn't let them, they were pulling them down and I was pulling them up. The interrogations were endless and constant. I had to remain standing and they made deafening shouts. When I was in the cell I could hear shouts, doors opening and closing. The tension was constant.

After I made a police statement the treatment got eased a bit.

7 A young woman

AGE:	20
SEX:	F
DATE OF ARREST:	24/02/2001
PLACE OF ARREST:	A-15 motorway
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	
TIME HELD:	4 days*
COURT:	J.C.I. No. 3
PRESENT SITUATION:	Free
COMPLAINT:	No

" I am going to read you your rights" said one. He began to read and immediately went "bla, bla, bla". They put me in a car and made me keep my head bent. I think we went to Intxaurrondo. They put me in a room and I had to keep looking at the ground. They interrogated me…

They took me to Madrid. I had to go the whole journey with my head bent. When I got there I was interrogated again…

When they took me to a cell they wouldn't let me lie down, they kept looking through the peep-hole, I could hear shouts…

More interrogations. They put a blindfold on me. They told me that my sister and other friends were also arrested. They asked a lot of questions about my friends. It seemed like they knew everything about me. The one who was being the "good cop" said "you know what torture is: the bag, electrodes and a pistol in your vagina". When they were taking me again to the cell I saw panties on the floor, which shocked me. They told me that I had to collaborate with them; that it was easy and nobody would find out and that all I had to do was give names. I made a statement on the third day I think. I heard the shouts of others. Outside the cell there was a policeman who was taking the piss out of me.

8 Miren Okariz

AGE:	27
SEX:	F
DATE OF ARREST:	25/02/2001
PLACE OF ARREST:	Between Orereta-Tolosa
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days*
COURT:	J.C.I. No 3
PRESENT SITUATION:	Released on 28/02/2001 without appearing in court
COMPLAINT:	No

On reaching Madrid they stuck me in a cell. The door had a little peep-hole through which they looked at me every now and again. The interrogations began early and they were constant…

The first two days were the worst, the rest were calmer. During some of the interrogations I had to stand in the corner facing the wall. On other occasions I was seated facing the wall. I don't know how many Guardia civil were there for the interrogations. Their attitude was quite violent, they were shouting continuously and they hit, shouted and shoved me around. On one occasion they forced me to take my trousers down. One of them had a baton and felt my body with it. They made me do exercises until I physically couldn't take it any more and they kept asking me questions. I had muscle cramps. You get scared, you feel alone, well, you are alone, you don't know what they are going to do, you are in their hands… They threatened me, mentioning my friends… The humiliation and insults were constant. They tried to make me collaborate suggesting that "if you collaborate you are going to walk free…".

I made a statement according to what they had told me. They forced me to do as they said…

In the end they took me to the doctor who told me that I was being released…

9 E.B.

AGE:	26
SEX:	F
DATE OF ARREST:	25/02/2001
PLACE OF ARREST:	Tolosa
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days*
COURT:	J.C.I. No.3
PRESENT SITUATION:	Released 28/02/2001 without appearing in court.
COMPLAINT:	will be made.

(...) I don't know how many interrogations I would have had because I lost the notion of time quite early. But I do know that they were almost continuous, and some were longer than others. When I was in the cell I don't know if I slept or not… I felt totally lost.

During the interrogations they forced me to stand facing the corner…They hit me, mostly on the back of the head. They put the bag over my head two or three times until I fainted. I fainted on three occasions and I almost fell to the ground on all three occasions. Although they beat me and put the bag over my head, I think that the worst was the psychological torture. On one occasion they made me touch something, I didn't know what it was because I couldn't see it, but later I noticed that it was a mobile telephone. The Civil Guard had a glove on and started saying that the mobile had been used for an attack. I immediately threw it away… you see, you don't know what to think, but you know that they are capable of doing anything, you are in their hands…

The threats were constant… most of them were about my family and friends… For me the worst thing was the psychological torture. The humiliation and insults were constant. On one occasion they made me take my trousers and pants down and they touched me, but above all they touched my breasts through my jumper…

During an interrogation they made me look at them and open my mouth, they then threw some powder into my face. I don't know if it was some kind of drug but I don't think it had any effect on me. I think it was mainly to scare me.

10 Jose Manuel Zubillaga

AGE:	40
SEX:	M
DATE OF ARREST:	25/02/2001
PLACE OF ARREST:	Arribe
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days*
COURT:	J.C.I. No 3
PRESENT SITUATION:	released
COMPLAINT:	Yes

(...) they began to psychologically pressurise me. During the first interrogation they didn't hit me, but ld begin talking. They brought me to a cell and made me stand facing a wall.

They told me that my wife was also arrested. I could hear her voice from the next room. Due to this they were able to put a lot of pressure on me. When I was being taken from the cell I was able to hear my wife crying, maybe it was a recording, I'm not sure but it sounded like my wife. They hit me around the head with something made of paper but hard. I couldn't see because I had a hood on me. When I was in the cell that night I could hear my wife crying. They said that if I made a statement they would let her go. When I made a statement saying what they wanted me to say I stopped hearing the voice and cries of my wife. When the interrogations began again they got worse. They began to put the bag on me. Then another group came and made me strip from the waist up and threatened to use the electrodes on me. In the end they didn't. The blows on the head were continuous, they threatened me constantly, they put pressure on me in relation to my wife and my mother, but specially my wife.

I think they put something in my water, I'm not sure but I think they put some kind of a drug it because when I urinated it smelt really strong and that's not normal.

11 Peio Goikoetxea

AGE:	28
SEX:	M
DATE OF ARREST:	25/02/2001
PLACE OF ARREST:	on the Tolosa -Arribe road
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days*
COURT:	J.C.I. No 3
PRESENT SITUATION:	Released
COMPLAINT:	Yes

(...)they put me in a cell but the interrogation began soon afterwards. They were constant, day and night. On the first two nights I couldn't sleep, the last few I slept a bit but I was exhausted…

They put me standing against the wall with a woolen hood. There were usually about four or five, some left and others entered, shouts… the threats were continuous, that they would put the electrodes on me. They put the connections on me but they didn't discharge. I was desperate.

They put the bag on me, the beating was continuous, above all on the head with something resembling to a magazine.They made me do physical exercise for a long time and forced me to stand while they hit me. Exercises again and beatings until I couldn't handle anymore and I couldn't feel my legs.

I think they drugged me. I had hallucinations and I thought that my body was covered in insects. This scared me. After a while I didn't know where I was. I felt like I was in the mountains, later in the street surrounded by people… I don't know what happened but I woke up in the cell, I don't know how I got there, maybe I lost consciousness.

They forced me to remain with my arms raised. When I couldn't take it any more and lowered my arms they forced me to raise them again. They told me they were going to strip me if I didn't hold them up. When I couldn't bear it anymore they made me strip from the waist down, making me keep my arms raised. I felt totally humiliated. I was constantly hooded.

12 Leire Gallastegi

AGE:	
SEX:	F
DATE OF ARREST:	26/02/2001
PLACE OF ARREST:	Donostia
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days
COURT:	J.C.I. No 3
PRESENT SITUATION:	Prison, released on 26/10/2001
COMPLAINT:	Yes

(...) They said that if I answered the questions wrong they would take my clothes off. They

made me take my clothes off from the waist up on two occasions. The shoves against the wall, the slaps on the head and the threats referring to my mother were constant. They threatened me with electrodes, they wetted my left hand and gave me a rope…

More questions. I was seated and they lifted the seat saying that they were going to throw me into the bath. They hit me around the head with a telephone directory. I had to choose between a number of offers: the arrest of my mother, electrodes or sexual abuse with the handle of a brush. I had to choose so I chose the brush. They put it into my hands so that I could imagine what was coming. Once again they repeated "the clothes game", I was stripped to the waist. They started to take my trousers down to introduce the handle, they opened a button but they didn't finish it off. They said that they were going to do what was done to Kristina Gete….

I was once again given a choice, the brush or one of them (a man). I was totally lost and didn't know what to choose and so I chose one of them… Again the "clothes game" and one of them said that he was going to have a good time with me. He took me to the cell, put his hands all over me, he was touching my breasts and put my hand on his genitals and said that he was all hot.

After stripping me from the waist upwards he put a gun on my mouth and made me open my eyes. I didn't care anymore. He made me kneel down. One said that he had put two bullets in the gun and each time I gave a wrong answer he took the safety catch off. They forced me to run up and down the corridor while they pointed at me with the gun.

13 Jon Zubiaurre Agirre

AGE:	20
SEX:	M
DATE OF ARREST:	09/03/2001
PLACE OF ARREST:	Donostia
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Ertzaintza
TIME HELD:	4 days
COURT:	J.C.I. No 5
PRESENT SITUATION:	Prison
COMPLAINT:	Yes.

As time went on they got more and more annoyed, the interrogation was speeded up and they began hitting me on the head. They made me bend my knees. At the beginning I could hold out but then I began to get tired. I was getting more and more tired, and they were beginning to hit me harder on the head, shouts and threats… During the interrogation there were shouts, threats, insults, punches on the head, slagging, beatings-above all on the head, but also on the legs, stomach, back- with an open hand and with the fist. I was getting increasingly tired and I noticed that my head was getting slower, I was becoming confused. When I fell because I collapsed they lifted me up by the hair. The treatment was brutal. They put a helmet on me and made me stand up. Even if I was wering the helmet the blows hurt me a lot and made me feel like fainting. I couldn't stand any more and ended up on the ground. They dragged me to the cell. I was very nervous, I had a headache, my face was trembling and I was humiliated. They put me in the car and brought me to hospital.

When I got back to the room they put the helmet on again. These were the most difficult moments, the treatment was brutal. As time went on I noticed that my mouth was dry. They hit me on the head and I was counting the blows but now I can't remember. They stood on me, put their shoes in my mouth and threw the cigarette ashes at me. The dragged me back to the cell. I was totally out of it. They put me in the car and took me to hospital again. Once again to Oiartzun but the treatment changed.

14 Aitor Garcia Justo

AGE:	26
SEX:	M
DATE OF ARREST:	09/03/2001
PLACE OF ARREST:	Donostia
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Ertzaintza
TIME HELD:	4 days*
COURT:	J.C.I. No 5
PRESENT SITUATION:	Released
COMPLAINT:	No

For the first interrogation I was forced to stand against a wall with my knees bent for a few hours. Another interrogation that I had was in the same style and the one on the last day was a little shorter.

The second day, they came by the cell every now and then and looked through the peep-hole. In the cell the light was constantly switched on and it was very cold. For the first day and a bit I was without a blanket. They brought me rolls to eat, although the first day they didn't bring me anything. The worst was that I could hear what was happening to the others, and each time I heard steps I began to shake thinking that they were coming for me. I tried to prepare myself psychologically. I thought it would be better to be receiving the punches than hear the one's the others were receiving.

The second day was the day I heard most shouts. They were knocking someone against walls, against furniture and it seemed that he had a helmet on because you couldn't hear breathing. I know that he vomited once or twice and that they were threatening him. On other days I continued to hear shouts and they carriedsomeone off somewhere. They didn't let the others sleep, constantly looking through the peep-hole, insulting them, making them stand up…

They put some straps on my wrist and put the cuffs on, they told me to be calm, not to stoop (until then I had to walk with my head down looking to the ground).

I managed to see my brother on the day we were going to Madrid and he was wearing dark glasses. They have arrested me on two other occasions but that time was the worst.

15 Asier Garcia Justo

AGE:	24 años
SEX:	M
DATE OF ARREST:	09/03/2001
PLACE OF ARREST:	Donostia
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Ertzaintza
TIME HELD:	4 days
COURT:	J.C.I. No. 5
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

After being in the cell for 10 or 15 minutes two ertzainas came and took me to a room where they hada table and a couple of chairs. They told me to face the wall, with my head facing the ground, and they made me bend my knees. If I didn't do it they began hitting me with their fists on the head, on the back and side of the head, they also pulled my hair.

The threats that they made during the interrogations consisted of saying that they were going to do the same to us as we had done to one of theirs, that they were going to arrest my parents and that they would do the same to them as they were doing to us, that they would arrest my ex-girlfriends, that I was going to prison and that there they would take me from behind. I felt totally humiliated and terribly afraid. They also said that if I made a complaint to the courts that one day I would pass through the prison of Martutene and that I would find out about it, or alternatively they would talk to the wardens there and that they would make life impossible for me. I was totally disorientated, didn't know the time, whether it was night or day. I could only orientate myself from the medical visits.

16 X.A.I.

AGE:	24
SEX:	M
DATE OF ARREST:	11/03/2001
PLACE OF ARREST:	Bergara
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	3 days*
COURT:	J.C.I. No. 5
PRESENT SITUATION:	Prison. Released on 23/06/2001 after paying bail of 5 million pesetas.
COMPLAINT:	No

When we arrived they told me more than once what happened to "Txato". They sat me down on a chair beside a window, and told me laughing that it was for my own security, so that I wouldn't jump out the window. " so that you don't say that we threw you out the window". I felt powerless and I was really scared. After a while they put me into a car again and took me to Madrid. They made me go with my head bent between my legs. One of them lent on me for the whole journey.

When we arrived to the station they made me strip naked and do physical exercises. I tried to sleep but they didn't let me, when they saw that I was falling asleep they took me to the interrogation room, taking advantage of the fact that I was dazed. As the interrogations went om I heard noises and I took that some others were arrested. They began to make comments along those lines. I could also hear the sound of a tap, and I began to relate this with the "bath". I could also hear shouts.

I was terrified that I would be treated like the other detainee. I felt like some kind of instrument, there were moments when I believed what they were saying more than what I was telling myself. I felt like a puppet, they could do what they wanted with me. The situation was unbearable, really bad. They managed to destroy me and totally humiliate me.

When they took me to the Audiencia Nacional I had totally lost my mind and I made the statement that they made me learn at the station.

17 Zigor Goikoetxea

AGE:	22
SEX:	M
DATE OF ARREST:	20/03/2001
PLACE OF ARREST:	Algorta
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	3 days*
COURT:	J.C.I. No. 5
PRESENT SITUATION:	Released
COMPLAINT:	Yes

They made me travel with my head bent and handcuffed until we got to Indautxu. They continuously hit me in the back of the head.

In the station they kept me standing facing the wall in a room. The boss came in and began threatening me…I told them that I didn't know anything and then they gave me the first blow on the testicles saying that that might refresh my memory. I tried to pull myself together, keeping my spirit up, another policeman came grabbed me and began hitting me. They began to move me from one place to another. They grabbed me by the hair and hit me. There was one time when they almost threw me down the stairs.

They asked me once more if I wanted to make a statement and then they said "we are going to take you for a spin". They put me in a car and I didn't know where we were going…they forced me to travel with my head bent and they pulled my hair.

During one of the interrogations two policemen entered, one was continuously asking questions, and each time I didn't reply they punched me on the face or on the testicles…The first day was very intense.

The second day was calmer with regard to physical treatment but the psychological pressure was constant… they were continuously trying to psychologically destroy me and the insults never stopped. At times one played the role of the good cop but he also was pressurising me. I had the impression that I wouldn't be able to last another day due to the pressure. They constantly took me from the cell to interrogate me, then again to the cell, then once again they took me from the cell. The pressure was fierce during the interrogations. On the last night they had me in a room with a window and they were psychologically destroying me over six or seven hours.

18 Urtzi Murueta

AGE:	22
SEX:	M
DATE OF ARREST:	20/03/2001
PLACE OF ARREST:	Leioa
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	3 days*
COURT:	J.C.I. No 5
PRESENT SITUATION:	prison
COMPLAINT:	Yes.

They took me down stairs and began threatening me...

The first two times they made me keep my hands on my back and my head lowered against a wall without actually touching it. Later they allowed me to keep my head raised but I had to continue facing the wall and my arms behind my back. As I got very tired I could hardly support myself, but they stopped me. I heard noises that came from the next rooms: punches, things being dragged around, shouts…and they commented "look how they are dealing with him, I wonder who is going to clean the blood up, we're going to Madrid, he's really getting it…"

They told me that I was taking the piss out of them and they hit me on the testicles with an open hand. At one point I replied "for fuck sake I don't know anything", and I got a serious blow to my ear.

They dragged me to the cell punching me on the stomach. They dragged me by the neck and as they punched me I was knocked slightly backwards and they persisted in dragging me forward by the neck. In the cell they continued to hit me. They gave me three or four punches and some knocks on the back of the head. The punches to the stomach were with the fist but the blows on the back of my head were with an open hand. The blows were strong and while they hit me they threatened and shouted at me.

In the afternoon they took me from the cell once again. They began to threaten me and give me a beating, they told me that they were getting weary and then a masked policeman came in…

19 U.P.

AGE:	20
SEX:	M
DATE OF ARREST:	20/03/2001
PLACE OF ARREST:	Algorta
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	3 days*
COURT:	J.C.I. No 5
PRESENT SITUATION:	Released
COMPLAINT:	Yes

They took me to the station in Indautxu. They kept me on the landing where I was kept for a while, handcuffed and facing the wall. There was a policeman that was constantly pulling on the handcuffs. They brought me to a room where I was cuffed to a chair. They interrogated me for a short space of time and took me to Madrid. On the way there I was forced to keep my head lowered and my arms were cuffed behind my back.

The threats to me and my family were constant. We reached Madrid and immediately they took me to my first interrogation. They threw me to the ground whilst shouting at me, they then threw me on a table, they opened my legs and punched me on the testicles. The beat me, threw me to the ground, knocked me against a wall. They hit me, then stopped, and began to threaten me again. I had many interrogations and they seemed constant.

Between interrogations I had hardly time to rest, and I couldn't sleep because I could hear footsteps, you could hear when they were about to interrogate another detainee, at times I could hear them interrogating others.

I made a statement but they made me sign another one. They took me to another room, grabbed my neck, threw me to the ground and made threats against me and made me sign the statement. Later they put me in a cell and a policeman came in and said that we were going before a judge and that I was going to say what I had to. Then he made some more threats.

The face of the two policemen that interrogated me is something that I will never forget.

20 Jorge del Campo

AGE:	22
SEX:	M
DATE OF ARREST:	20/03/2001
PLACE OF ARREST:	Berango
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	3 days*
COURT:	no. 5
PRESENT SITUATION:	Prison. Released on April 6th after payinga million pesetas for bail.
COMPLAINT:	Yes.

Once I reached the station they began to interrogate and threaten me. I asked them for some water as I felt like vomiting, but they didn't want to give it to me. They told me that if I wanted water I had to tell them what I was doing with "such and such". I was sick and really wasn't feeling well. In the end I had to accept what they wanted and they gave me water. They had me that way for two or three hours standing against a wall.

When they took me to interrogate me, they made me keep my head bent and they hit my head against the wall. I was ill but they didn't let me rest or sleep at night. They came every few minutes to wake me up banging the door of the cell.

The threats were constant, and they said that they were going to arrest my girlfriend and my parents, if I didn't say such and such a thing.,They twisted my arm to hurt me…They told me that there was two ways of doing things the easy way or the hard way "you either say what we want or we are going to break your balls, if you get out of this we are going to arrest you every six months, do you want to go through this again?…". they were constantly threatening me.

The first two days I couldn't sleep at all, they were continuously hitting the door, they woke me up and I couldn't get back to sleep. From the start I lost the notion of time and didn't know if it was day or night.

During the interrogation one played the role of the bad cop, constantly threatening me, shouting, sometimes making me lower my head and close my eyes and he threatened me that if he saw me opening my eyes he would break my face.

I made a statement to the police saying what they told me to say. When I made the statement the treatment softened and they left me alone. The last night they let me sleep and they only came to take me to the doctor. Before bringing me to the Audiencia Nacional, they threatened me again telling me to confirm the statement because later I was going to be in their hands.

21 Jose Cruz Sarasola

AGE:	71
SEX:	M
DATE OF ARREST:	23/03/2001
PLACE OF ARREST:	Orereta
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Released
COMPLAINT:	No

They interrogated me many times, I don't know how many, between shouts of children and women. I heard all that from a cassette that they put over my ears.

One day two policemen came in and sat beside me. They put my arms behind my back and they hit me on the back of the head for about an hour.

The threats were constant, they said they would arrest my whole family that they might let my wife go so that she could take care of the children. I had to hear the same over and over again for 5 days and that caused me a lot of pain. That was more painful than the punches. I have been arrested five times and they have always hit me but the psychological pressure this time was extremely tough. I felt humiliated.

I heard shouts from the other detainees and one of them was shouting that they would prefer if they killed him. I heard all sorts of things, people being thrown against presses for an hour.

22 Joxe Elizegi

AGE:	37
SEX:	M
DATE OF ARREST:	23/03/2001
PLACE OF ARREST:	Oiartzun
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

While one grabbed my testicles, another put the bag over my head and a third punched me on the head.

Due to fear I wetted myself. The journey to Madrid was extremely long as they threatened me continuously "you'll see when we get there because here there isn't the space".

They grabbed me between three or four Guardia Civil and began to put the bag on me and to threaten me.

Shortly after they gave me a pistol and told me to touch it. Then they said that they had the evidence needed to link me to an action that was carried out with that pistol.

Blows on the head, electrodes all over the body, I was pushed from one side to the other. Later they threatened to put me in the "bath" and they tied my body by putting sellotape around my waist. They took, my trousers down and threatened to stick a baton up my backside. They continued that way until they got bored. Then they took the sellotape off and allowed me to pull up my trousers.

After another while others came and beat me once again, they put the bag over my head again. They tied up my hands and legs and then they used the electrodes. Punches on the head and on the testicles.

When I was at the point of smothering I defecated and wetted myself. I had blood in my mouth due to the punches on the face.

23 Bixente Goia Etxebeste

AGE:	35
SEX:	M
DATE OF ARREST:	23/03/2001
PLACE OF ARREST:	Bera
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days*
COURT:	J.C.I. No 1
PRESENT SITUATION:	free
COMPLAINT:	Yes

They began to ask me questions while the one that was on my right began hitting me on the head and the one on the left on the chest. I went that way all the way to Madrid. In Madrid they put me in a cell. At that moment I heard shouts and threats. Soon after they brought me to a room and the interrogation began. As I didn't make a response they began to hit me ceaselessly and they didn't stop threatening me. They pulled my hair, and once again they put me in a cell.

They put the bag on me, wetted my feet and hair and put the electrodes on my feet. They hit me and made me do exercises.

They showed me a paper saying that they had taken it from my house and trying to implicate my wife. In the end they made me open by hand and put a pistol on it saying that the gun had been used to kill a councillor and if I didn't make a statement they would accuse me of the murder.

In the morning two of them came in and took me to a new room. They put two bags on me, made me strip naked from the waist down and began beating me. They tightened the bag and with the bag on my head they left me in the cell until breakfast. They took the bag off and made me stand against a wall until lunchtime. Another arrived and said that they were going to leave me alone and they did it.

24 Jose Angel Altzuguren

AGE:	35
SEX:	M
DATE OF ARREST:	23/03/2001
PLACE OF ARREST:	Bera
TYPE OF DETENTION:	Incomunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days*
COURT:	No1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

The first session of torture began in Madrid. They put the bag over my head, while they had my eyes covered. They kept the bag on my head until I suffocated, and if one bag wasn't enough they would put a second one on until I choked.

They injured my toes and they were bleeding, when they took me to the judge I had to go in socks because I couldn't put my shoes on.

During one session they were really angry and they hit me endlessly. They put the bag on me and two guards hit me ceaselessly. They lifted me up from the floor by the two ears. Since then I can't hear very well from my left ear. On another occasion they wetted my whole body and applied electrodes.

They were going on a lot about my mother, they said that she had broken her hip and that she had died. They said that I had destroyed my family because of the arrest. Before I appeared in the Audiencia, they put a gun into my hand and said that if I didn't make the statement that they wanted to, they would accuse me of murdering somebody with that gun.

25 Imanol Larrañaga Alberdi

AGE:	32
SEX:	M
DATE OF ARREST:	23/03/2001
PLACE OF ARREST:	Road between Sara and Bera
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days
COURT:	J.C.I. No 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes.

They took me to the cell and made me remain standing. After a little while they took me to a room, where there were two people. Once there they put a blanket over my head, a bag over that and something else. The interrogation began with beatings, they took me from one place to another, and they made me carry out exercises. They put electrodes on my hands saying that they were going to switch them on, but in the end they didn't.

I had another interrogation. They made me do the actions to the "birdie" song and dance. Two Guardia civil passed by and laughed at me. It was very humiliating. There were three Guardia civil and they put the bag on me. They took me to the cell but forced me to keep the bag on. Later they brought me out again. They put a pistol on my hands, put the bag onver my head, took off my shoes and socks, wetted my feet and put the electrodes over them. They didn't switch it on. At night I was beaten up again and they told me that my brother and girlfriend were arrested…all this until I said what they wanted me to. say. The next day I said that everything I had stated was a lie and then the interrogations got worse. They put the bag on me but I didn't loose consciousness. I don't know what happened but I couldn't move my hands or feet. They gave me water but I couldn't take the bottle.

From then on they didn't put the bag over me, although the punches were constant. They didn't let me sleep and on the last night they threatened me with the bag.

26 Eider Perez Aristizabal

AGE:	23
SEX:	F
DATE OF ARREST:	26/03/2001
PLACE OF ARREST:	Orereta
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days*
COURT:	J.C.I.No 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

They tied my hands and ankles with rubber sponge and put the bag on me there and then. One held me with the bag and the other two hit me with a newspaper. I felt the movements of many people.

With the bag on my head they put me in the car. They told me that the journey would be a long one. During the journey they hit me hard. They tightened the bag between two Guardia Civil until I felt a sense of asphyxia , then they loosened it. With time I managed to rip the bag with my teeth. Then they put another one on. I moved and managed to undo some of the bonds they had on me. The one on the passenger seat put his fist into my mouth until I nearly choked. They threatened to kill me and the sense of smothering was immense. I lost all my strength. They loosened the bag and took my blood pressure. I was fainting and that was the way it stayed all the way to Madrid, with blows and the bag.

There were five or six Guardia civil in the room, one sitting at the desk and the other two ceaselessly hitting me. The rest were going from one side of the room to the other. One kept on threatening me. Once again they made me turn around and tied my hand with sponge. Then, the bag went on and on that way.

27 Aitor Olaizola Baseta

AGE:	35
SEX:	M
DATE OF ARREST:	26/03/2001
PLACE OF ARREST:	Irun
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days*
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

From here to Madrid the journey was the same, punches on the head and stomach. The one sitting at my right kept hitting me in a wound I had on my face. They tightened the bag at the neck and when I had no air they covered my mouth with their hand.

They forced me to strip naked and they cuffed my hands behind my back. They tied my legs and wrapped me in a blanket. They put the bag on me and threw me to the ground and then began kicking me. They were standing on me and kicking me. When the sweat was running off me on the floor they took the blankets off and began to put the electrodes on me on the corner of the room where we were. “Relax, the marks wont show on this guy, give him a bit more heat”, they said this so many times and they continued applying electrodes.

Again, the bag on the head and rolled up in a blanket. It seemed like an electric blanket because once I had it on it was giving off heat. They threw me to the ground and put the electrodes on all over my body, they said “put them on his balls, if he’s so brave”.

They put some sponge on my wrist as they were cut and bleeding. This had happened while I was on the ground and they were standing on me. They put a sponge collar on me, very tightly, and began hitting me with a baton over the head, back, genitals, well, over the whole body.

28 Alicia Saez de la Cuesta Martinez de San Vicente

AGE:	27
SEX:	F
DATE OF ARREST:	26/03/2001
PLACE OF ARREST:	A Coruña
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

The blows stop, the physical pain goes away, bruses cant be noticed anymore but what remains will take time to go away. You are a doll and they play with you as they wish to. They wipe you out and humiliate you.

When they arrested me they put me in a van, 2 or 3 came with me, I was lying face down and had two of them on me, one holding my legs and the other in charge of the head. I had a hood on me and my hands were tied at the back. At this time they were hitting me and pulling my hair endlessly. There were also insults and references to parts of my body while one of them felt my behind. They stopped on occasion and talked about taking me to some wasteland. There was a change of transport and they put us in a car and there the beating continued. Then, I had the bag put on me for the first time, they did it a few times and informed me that it was just a hint of what was to come.

They mixed blows with physical exercise. I had to do three exercises: one was to support my hands against a wall and spread out my body until I was supporting myself on the tips of my legs and until my arms were exhausted, if you took your hands away the hit you and you had to begin again. This exercise was modified. They threw water over me and on the floor and then if I moved my leg a little I would slip and fall to the ground.

They made me strip naked and sit down, tying my arms and legs behind me. They began to hit me strongly on the head and shout in my ear. Blow, shout, shout, blow… Afterwards they put the bag on me I don't know how many time and at the end I really thought I was going to die.

29 Ainara Fresneda Etxebarria

AGE:	26
SEX:	F
DATE OF ARREST:	27/03/2001
PLACE OF ARREST:	Behobia
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days*
COURT:	J.C.I. No 2
PRESENT SITUATION:	Prison. Remained under house arrest until July 10th. On the 24th of August was totally freed after paying 500,000 pesetas.
COMPLAINT:	Yes.

They put me in a car and I was blindfolded all the way to Madrid. They kept hitting me during the whole journey.

They took me to a room and started putting the bag over my head for long periods of time. They made me strip and do exercises. My eyes were covered for the whole trip. I asked them to give me some water but they threw it over my body (I was still naked), and they told me that they were going to put electrodes on my backside and that they were going to put me in a water basin.

They took me again to another room where there were many people. One shouted at me in the ear, they whistled and punched me. I was seatting and they began to hit me in the head and put the bag over my head. They put a gun in my hand.

They stripped me to the waist and began to feel my breasts. I was still standing and they continued to hit me in the head with a telephone directory or something similar. They took me to the cell and forced me to stand with the bag over my head. After a while they took me to another room, threatened my family, put the bag over my head and hit me hard around the head. I defecated and wetted myself.

They took me once again to another room where they shouted at me. They said that they were going to rape me, that they were going to put the handle of a brush inside me from the front and from the back. They made me feel the brush with my hand.

Once again they put the bag on me and beat me around the head. They made get into my pant and do exercises. When I couldn't any more and fell to the ground they began pulling my hair and shoving me around. I noticed that my head was swollen and full of bumps. Each time they hit me I felt like I was going to explode.

30 Ibai Martinez de Treviño

AGE:	18
SEX:	M
DATE OF ARREST:	28/04/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	3 days*
COURT:	No 6
PRESENT SITUATION:	Prison. Released on 18/06/2001 after paying bail of 5 million pesetas.
COMPLAINT:	will be made in the coming days.

When they arrested me they didn't identify themselves, but they put me in a car and placed a hood over my head. I think they took me to Sansomendi, they made me travel with my head between my legs. They put me against a wall and hit my head against it. They punched me in the head, hit me in the testicles. I began to cry with pain. They threw me to the ground and began to kick me, I heard them loading a gun and one of them put it against my head. Once again they put me against a wall, hit me and took me to the cell. At the beginning they made me face the wall.

Some Civil Guards came, woke me up with blows and took me to the toilet where they made me stand facing a wall for a long time, to such a point that I asked them to let me sit down because I couldn't stand up any longer. They came two at a time and I heard mobiles ringing and I was going mad. Then they started to hit me again and threaten me that I would be tortured... in the cell they knocked me against the door... for lunch they brought me food that had gone off.

The next day they took me to Madrid, they threatened to take me to the mountains. In Madrid the treatment wasn't as brutal as in Sansomendi. On one occasion the Civil Guards from Gasteiz came and put the hood over me again and placed me against the wall, they put something over my back asked me if had ever heard of torture.

In the Audiencia Nacional I asked a policeman for a cigarette and he said no and gave me two punches in the head.

31 Oier Gomez Mielgo

AGE:	17
SEX:	M
DATE OF ARREST:	28/04/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	1 day *
COURT:	J.C.I. No. 6
PRESENT SITUATION:	interned in the Juvenile prison El Madroño, Madrid
COMPLAINT:	Yes.

They began with insults, threats, blows on the head and ribs… They put a hood on me and put me in the car.

We got to a sort of garage and they made me kneel down with my head bent. Then there were more punches on the ribs, insults and threats. One of them said that I was in a good position for him to take me from behind. He came over and took down my trousers and underwear…

On the way to the cells they knocked me against all the doors. They put me in a cell and forced me to remain kneeling with my head bent for about two hours. In the end I lost all feeling on my legs. As I couldn't support myself on my legs they lifted me between two of them and put me facing a wall. They began asking questions. If I didn't say what they wanted they hit me on the head and neck with their fists and some other object. When they stopped hitting me I calmed a bit, but then one came over and hit me with a book. While they hit me they threatened me and insulted me.

I was sitting for about 15 minutes more or less. They covered my head and began interrogating me. They punched me on the head, neck and ribs. During all this the threats and insults were constant. When they were hitting me with the book I began to faint, my vision began to become blurred and I was about to collapse on several occasions. They told me that they would give me a real good beating if I fell. As they continued their questions and continued hitting me with the book my ear began to bleed.

Urko Arroyo Lopez de Erentxun

AGE:	17
SEX:	M
DATE OF ARREST:	28/04/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	1day*
COURT:	J.C.I. No. 6
PRESENT SITUATION:	interned in the juvenile centre El Madroño, Madrid
COMPLAINT:	Yes

They put me, hooded, into a car and we arrived to a garage. There they took me from the car and threw me to the floor. They made me do press ups and as I did them they said things like: “long live Spain, I’m a bastard Basque warrior”. They began to beat me heavily with the fist, with books and other heavy objects. They put me in the car once again and began the interrogation. When I replied that I didn’t know they put the bag over my head.

In the first half hour I was in the car (with my head bent between my legs) they put the bag on me eleven times (on three occasions I lost consciousness and on another two I began to shake violently and couldn’t control my body).

They made me do physical exercises, but I couldn’t, because each time they made me stand I fainted.

After three hours in the garage they took me to a room where the interrogation began. Once they began to interrogate me they began threatening to arrest members of my family (only females: my mother, grandmother and my cousin) and threatening to rape my girlfriend (also arrested). Then they put me in the car again and gave me a terrible beating in the back seat.

The Guardia Civil kept me over night in Legutio. They threw me on a mattress that was on the ground and they told me to sleep with my face down. Later another civil guard came, shoved me to the floor, took the mattress and told me that I didn’t need any mattress.

Premin Sampedro

AGE:	26
SEX:	M
DATE OF ARREST:	14/06/2001
PLACE OF ARREST:	Arrasate
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	5 days*
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

They entered the house after breaking down the door. At that time I was in bed with my girlfriend and they pointed their guns at us and told us to show our hands. They made me move to another room and they searched me and tied my hands with a type of bridle. They told us that we were being held incommunicado and they proceeded to search the house leaving it upside down.

After carrying out the search we went to Zarautz to the house of my father. On the journey the ceaselessly threatened me saying that they were going to bring me to Intxaurrondo and that they would put me in the “bath” and give me the electrodes, that I had no way out. They transferred me and they beat me around the neck, shouted at me and threatened me.

Once I was in police custody in Madrid the interrogations began. They threatened to beat my girlfriend up who was also arrested if I didn’t talk. They said that she would have to take the worst of it. On the first night I spent a long time being questioned, without letting me sleep nor rest at all.

They interrogated me day and night, they made me repeat the same things again and again. I made two statements and before making them they made me repeat what I was going to say- while they threatened and hit me.

34 Arantza Martin

AGE:	22
SEX:	F
DATE OF ARREST:	14/08/2001
PLACE OF ARREST:	Bilbo
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Ertzaintza
TIME HELD:	3 days*
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

During the interrogations they put pressure on me by referring to my brother Aitor (who is ill), saying that he was implicated and that he was also arrested. They said that they had him with a helmet on and were slapping his head against the wall of the cell. They said he was pleading for help and they tried to blackmail me to tell "what I knew" and they would let him go.

The insults and humiliation were continuous. They called me a "pig, a horrible slut…" and they said that "I was fucking" a bloke who was having a relationship with a girl that I know and that I get on with, they insulted this bloke and said that I was submissive because I brought clothes to his house, as if I was his housemaid.

They brought me clothes and took me to be identified. They said that my mother was behind the glass and that they were going to arrest her shortly. They said that I was an informer for the National Police because I didn't want to "help the good Basque police". They told me that I didn't care about my family and that I had destroyed them, that we were all going to jail, and that my house was sealed off.

35 Santi Aragon

AGE:	26
SEX:	M
DATE OF ARREST:	22/08/2001
PLACE OF ARREST:	Zizurkil
TYPE OF DETENTION:	incommunicado*
POLICE BODY:	Ertzaintza (Basque Autonomous Police)
TIME HELD:	5 days*
COURT:	No. 5
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

They put me in a corner and 3 of them stayed behind me. One began to ask questions and the other two began to shout, they began to bang the walls close to me, all this while shouting to give them an answer. They threatened to kill me, telling me that I deserved it.

They made me bend my knees. I don't know how long I was like that but I reached the stage where my knees were shaking and I felt that the walls were moving.

The atmosphere was becoming more tense, they shouted at me, began to throw empty water bottles at me. One of them threw a chair against the wall right next to where I was… every now and then one would approach me and begin to shout at me for not speaking, asking if I was dumb and saying that they were going to teach me how to say YES and NO. He began to slap the wall and began to hit the upper part of my head, saying that that was YES. He repeated the slaps but hitting my head from one side to the other saying that that was NO. I was exhausted and any time I lowered my arms they raised them again. One of them sat down and put his legs at the back of my knees so that I wouldn't straighten them. The insults and threats began again. I was like that until my legs shook and I couldn't keep my arms raised any longer. The insults continued…eventually I collapsed and they raised me and I collapsed again. Then they sat me. After that interrogation the other one's were more "relaxed".

36 Oskarbi Jauregi

AGE:	25
SEX:	F
DATE OF ARREST:	22/08/2001
PLACE OF ARREST:	Zaldibia
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Ertzaintza
TIME HELD:	5 days
COURT:	J.C.I. No 5
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

They threw me down the stairs, handcuffed me behind and covered my eyes with a blindfold. They brusquely put me in the car. They took me to the station in Oiartzun making me travel with my head bent between my legs.

The interrogations were held in three different rooms although they made me face the wall in everytime. They made me carry out exercises and maintain uncomfortable positions, like keeping the legs bent for long periods, or with my arms raised and my head bent. After a long period of time I couldn't lift my head. They also made me go down on all fours on the ground while one of them sat on me. On certain occasions when I tried to get up I fell to the ground. They forced me to walk around a garage for a long time with my head bent and doing exercises.

The psychological torture was terrible. On one occasion they reconstructed a letter bomb and when I opened it they threw a banger. For a while I couldn't hear anything. Inside the letter was a pair of gloves with missing fingers.

The threats were almost always against my family, my flatmates. The humiliation was constant from the time of detention, comments about your body, about sexual relationships with other detainees, and as the next day my period began there were comments about that. During the interrogations there were "good ertzainas" and "bad ertzainas", the latter slammed the presses, the walls and shouted after every answer I gave.

37 Peru Alvarez Fernandez de Mendibil

AGE:	
SEX:	M
DATE OF ARREST:	24/08/2001
PLACE OF ARREST:	Barcelona
TYPE OF DETENTION:	Incomunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days*
COURT:	No. 5
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

The threats began. They put me in a car with my hands cuffed behind my back and my eyes covered. The first punches began, above all on the head. They made me keep my head between my legs.

They threatened to stop the car at a corner if I didn't say what they wanted. During the journey they put a pistol on my head over and over again.

They hit mmy head with a directory or a newspaper repeatedly and kicked my ribs and backside. They threw me to the floor and continued to beat me. The threats were constant, one of which was to rape my girlfriend.

They wrapped my back and arms in some kind of foam so they would not leave any marks.

The blows, threats and shouts began. They pulled my testicles saying that they would pull my heart out.

They tied my legs, wrapped me in a blanket and threw me to the ground. One stood on top of my legs, one on my trunk and the other one on my back. The last one took a plastic

bag and put it over my head. The sensation of choking was fierce. I lost the notion of time, I don't know if I lost consciousness. I wetted myself. Laughs and jokes continued and the blows increased. They hit my head with a newspaper. They drew two lines on the ground and every time they hit me if I crossed the lines they would hit me harder.

38 Unai Lopez de Okariz Lopez

AGE:	25
SEX:	M
DATE OF ARREST:	24/08/2001
PLACE OF ARREST:	Barcelona
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days*
COURT:	J.C.I. No 5
PRESENT SITUATION:	Prison
COMPLAINT:	Yes.

They took off the handcuffs, put some rubber foam on my wrists and put the cuffs on again very tight. They began to hit me on the head. After hitting me a few times they put the bag over my head…They also said that they had found a number of inhalers (I'm asmathic), and that they could kill me without getting punished as had happened with Gurutze…

On the way they didn't stop hitting me on the head and applying the bag.

In Madrid they took me to a room, loosened the cuffs a bit and sat me down. They gathered around me, shouted in my ear all at once. They said that the Guardia Civil had arrested me and were going to kill me. I was very frightened as I knew they were capable of it. I slightly wetted myself. Then I noticed that there were people in the other room and I heared their shouts. They began to hit me with rolled up magazines. When they got tired they put a blanket around my body that gave a lot of heat. They tied the blanket with sellotape. They introduced me to the famous thermal blanket and put the bag on again. Over a long period of time they intermittently put the bag over my head and beat me with newspapers…

The doctor said that I was quite nervous but that otherwise I was o.k. I told him that they were hitting me and he said that if there were no marks then he couldn't do anything.

One of them was called "Animal" and he made me strip naked and open my legs up while the others grabbed my arms. He put on a pair of rubber gloves and grabbed my testicles and began to pull, tighten and twist them.

39 Fernando Garcia Jodra

AGE:	29
SEX:	M
DATE OF ARREST:	24/08/2001
PLACE OF ARREST:	Barcelona
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days
COURT:	No 5
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

I was taken handcuffed for the whole journey and when marks began to appear they put some foam on mywrists and taped them together. The blood circulation was much worse but it avoided leaving marks. My eyes were covered by a blindfold and I was beaten for the duration of the journey. Punches to the head and face, slaps to the face and around the ears, blows with what I believe was a baton wrapped with newspaper in order to avoid marks to the head. Punches and squeezing testicles. And threats "this is nothing, when we are comfortable the best is going to come, whether you talk or not we are going to torture you the same…".

Blows to the head, face, testicles, during which I was nude on some occasions. They began with the bag. They threw me to the ground and wrapped me in a blanket. The first sessions were used to frighten me. I could break the bags with my teeth and I could move my arms a bit, even though I had a Guardia Civil on top of me.

I was face down with a cushion on my chest but my head was in the air, my hands were tied behind my back. My legs were also tied together and they had the bag on my head. Then I couldn't defend myself and they could decide the time. When you use all of the air that you have in you lungs the sensation of smothering is unbearable. You try to breath but there is no air in the bag, you begin to lose consciousness. at the beginning you think they won't carry it out until its final consequences but between one bag and another (you rip one and immediately they have another) the time you have is reduced, then you began to wonder.

40 Nerea Bengoa Ziarsolo

AGE:	29
SEX:	F
DATE OF ARREST:	24/08/2001
PLACE OF ARREST:	Barcelona
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days
COURT:	J.C.I. No 5
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

They put on the bag until I couldn't breath, they hit me around the head. On certain occasions they put two bags on me and began to shout and threaten me.

When they took me out of the van and brought me along a corridor there was a "reception committee", "hmm, what nice tits, how I like them…". One felt my breasts and the others laughed.

They made noise with bags while they put rolls of bags into my hands. They put me against a wall with my head against it and kicked me in the backside. They sat me down, tied my hands and legs with foam and tape. They began with the bag but when one broke they put on another, or two more… They smacked me in the head with a heavy object. On occasions they made me count the blows. I began to notice that drops were falling on my neck but I didn't know if it was sweat or blood but the consistency seemed too thick to be sweat.

They made me strip naked and while I was seated they hit me in the head, the stomach, they put the bag on, they touched my breasts with a stick. They told me that they were going to call Fernando so that he could see me and on one occasion they brought somebody while I was naked, seated with a bag on my head and them shouting and beating me.

Once again they made me strip naked and told me to masturbate myself or that they would do it for me. I told them to do it. They threw me onto a table with my legs wide open amidst shouts, questions and them touching me, above all on my legs up to the thighs. On two occasions I wet myself when they hit me so violently.

They began putting a powder all over my body.

41 Izate Etxeberria Lafita

AGE:	24
SEX:	F
DATE OF ARREST:	27/08/2001
PLACE OF ARREST:	Benalmádena
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	3 days*
COURT:	J.C.I. No. 5
PRESENT SITUATION:	Released on 29/08/2001 without appearing in court
COMPLAINT:	Yes

They threw me down the stairs. They took me to the cell and made me stand . "you are going to learn well, I am going to mark the line, do some press-ups", one said to me and I began doing them. They made me raise my arms to eye level and began lowering and raising my body. " You are going to do them one hundred times, one, one, one… two, two, two…". They took me for my first interrogation. The blows to the head began, the exercises. Anytime I fell they hit me again. I was blindfolded but I could see that papers were falling- even if they were hitting me hard and hurting me- I don't think they were just hitting me with paper. They also hit me with their hands. They were going on quite a bit about my family, about my parents and Eneko. They had Eneko in another room and they forced me to hear his screams. I was constantly standing for the interrogations. At times they told me to sit down but when I went to do so they would pull the chair from under myself. When they brought me from one place to another they knocked me against all the doors.

They destroyed me physically and more importantly psychologically.

In the end they make you feel like shit. Each time they came they made an infinite amount of sexist comments, "what does our little slut say, you do nothing else but open your legs, you open your legs on the sight of a guy, don't you?". The insults were always similar, "little slut, you open your legs straight away…". That sort of stuff hurts.

42 Eneko Balantzategi Coca

AGE:	24
SEX:	M
DATE OF ARREST:	27/08/2001
PLACE OF ARREST:	Benalmádena
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	3 days
COURT:	J.C.I. No. 5
PRESENT SITUATION:	Released on 29/8/2001, at 01:30 without making a statement before the judge.
COMPLAINT:	Yes.

All the blows were directed to the head. They told me to strip so that they could do what they call the "lift", whi are press-ups. They made me strip bit by bit until I was completely naked. They threw water over me and I felt a sensation of coldness go over over my testicles and they said it was electrodes. They didn't switch it on but they threatened to do so on many occasions.

The "bag" began. In the end I had to do press-ups with the bag over me, up and down, and when I stopped I had to stay kneeling. I stayed for a long time with the bag over my head. During the next interrogation they did the same many times. On one occasion they blew cigarrete smoke in the bag.

The worst was that when I was doing press ups, I had to repeat "down" when going down and "up" whenwards going upwards. Then they would shout "punch" and they would hit me. I can't recall how many times this happen but in three occasions instead of hitting my head they hit my testicles. They forced me to strip during all interrogations.

During the interrogation many Guardia Civil participated, including women. One woman offered me a deal. To force me to accept the deal l they put something on my body and one of them said "plug it in" and the other said "no, no don't it's got a new battery and you'll fry him, if you put it on his balls you'll burn his pubic hair". They also punched me until finally I accepted their deal. On another occasion they asked me "do you know what the 'bath' is? well we are going to give you a bath".

43 Jose Ramon Acedo Espina

AGE:	24
SEX:	M
DATE OF ARREST:	29/08/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incomunicado *
POLICE BODY:	Guardia Civil*
TIME HELD:	5 days
COURT:	No. 6
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

They took me to the headquarters of the Guardia Civil in Palencia (at least I think so), and when I got there they shoved me into a room, amid shouts, and there the shouts, questions and threats got worse. At times they hit me around the head with something that felt like a book or a rolled up telephone directory. I had a hood on me at all times from the arrest and they put one or two balaclavas on me as well, so I couldn't see anything. The questions continued as did the blows on the head. They asked me if I wanted something to eat or drink which I refused but they came with a bottle of water and made me drink it.

They put me the hood on again and they took me to a room. I could here people and they began to question me and to beat me all over, specially in the head with something like a rolled up telephone directory.

They constantly threatened me, shouted at me and hit me. I didn't know for how long I had been awake but could hardly stand. They forced me to get undressed, they laughed at me and continued to hit me, and at that moment they began to make use of the "bag". I was hooded, naked, tired and shivering. They put the bag over my head and I couldn't breath. It went on like that until I collapsed. My breathing became difficult and I begged them to leave me alone and I even asked them to shoot me so that it would all end. They answered, that, would happen later.

44 Jon Etxeberria Oiarbide

AGE:	23
SEX:	M
DATE OF ARREST:	02/09/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

They were beating, insulting and threatening me for the whole journey. They said that I was done, that they were going to kill me. They made it clear that it was easy for them to stop on the mountains and leave me there dead. They put a bag over my head and tightened it. They stopped the car somewhere, opened the doors and threatened to shoot me and leave me there.

They made me do physical exercises while they continued beating me until I fell down with tiredness. They made me strip and they threw freezing water over my head, back and chest. They opened and closed the door of the room creating freezing cold draughts. They forced me to lie on the ground, threw water on my testicles and they brought something close to my ear, it made a strange noise, it was electrodes. They said that if I hadn't experienced them yet, I would have had the opportunity to try them as the session had only begun.

Once again interrogations, beatings, exercises, obliged to remain nude and wet. The first three days were the same, beatings, exercises, insults, the bag, threats, all without being allowed to sleep and lie down.

The last two days weren't as physically difficult. But the worst was to come. There had been more arrests, and during those more "relaxed" days I could constantly hear shouts and cries.of other detainees. I didn't feel their punches anymore. My head was so sore that the beatings didn't hurt me but they tortured me to hear the screams. When one of them stopped another one would began all over again.

45 Juan Carlos Subijana

AGE:	38
SEX:	M
DATE OF ARREST:	04/09/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days*
COURT:	J.C.I. No 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

(...) the one who was beside me began interrogating me and hitting me hard on the head with a magazine. When the interrogation and the threats raised in tone they told the driver to pull over to the entrance of a laneway. The one who was at my side opened the door, the driver got out and opened my side. I received punches on the testicles and on the head. We carried on and death threats started. In Madrid interrogated straight away. I could hear the shouts of other detainees. They began hitting me on the head with a telephone book and with batons wrapped in newspapers. The blows on the head were so hard that they managed to partially rip a part of the telephone directory and to break a piece of the baton. They never ceased threatening me with the bath, the electrodes and the bag. They put a gun on my head and tightend the finger on the trigger.

They put two hoods on, then they put 3 blankets over my body and tied them with sellotape. This resulted on my whole body and clothes being totally drenched in sweat… they began to put the bag on me constantly until I could hardly breath. 7 or 8 times until I was about to faint. At that point they hold me up. After that night, more or less, they stop hitting me on the head as they seemed to get a little scared at the way they left me. They started giving me some tablets, putting on a cream, ice and a towel drenched in cold water.

During the interrogations they used the bag and the electrodes, sometimes both at once. The electrodes were used after they wetted me. I was shaking uncontrollably.

46 Raul Vallinas Aduna

AGE:	19
SEX:	M
DATE OF ARREST:	04/09/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Freed
COMPLAINT:	Yes

The interrogation began. The first few days were the most savage. There were four or five of them around me, they put the bag on me, made me strip naked, and being naked and standing they made me do exercises. They began to interrogate me and hit me with something hard on the head. I was made to stand for the whole time. Then they forced me to lean against the wall with my head hooded. I was naked and they began to splash some liquid onto my legs. I could hear the sound of sparks and I felt a pain around the groin, then in the arm, they told me that that was nothing and I'd know all about it when they switched the machine up. When they noticed that I was quite weak they took me to the cell and had me looking at the ground with my hands behind my back.

The interrogations were constants, as were the blows to the head. There was less tension when the "good cop" came telling me to collaborate for my own good. In the adjoining rooms there were more detainees. They took me to a room with another detainee so that we could self-incriminate ourselves. We were facing each other but we couldn't see each other, this was terrible. They took me to another room, put a hood over my head and tightened it. I noticed how everything was getting blurred, I began to fall and one of them grabbed me. They took me somewhere else.

The first two days were full of interrogations. The last two were tough, they didn't let me sleep, I could hear shouts. I felt like shit, I wasn't worth anything. I would have preferred to be out rather than hear the shouts. All this was having a psychological effect.

47 Sendoa Dominguez

AGE:	22 years
SEX:	M
DATE OF ARREST:	04/09/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incommunicado
POLICE BODY:	Guardia Civil
TIME HELD:	4 days
COURT:	J.C.I. Nº 1
PRESENT SITUATION:	Free. He is called to decalre on 07/11 and the judge orders to remand him in custody.
COMPLAINT:	Yes

As soon as we started the journey to Madrid, they started hitting me, particularly ont he head. Blows were constant throughout the journey and were mainly given with an open hand. I had to travel all the way to Madrid in very uncomfortable positions with my head between my legs. They put a hood over my head straight away and at one oint while I was hooded they spread some spray over my face. I don't know what it was but I have a feeling that it was some kind of a drug, because I felt very stunned.

They did the "bag" every time I didn't say what they wanted to hear. They forced me to stay naked while I was doing press ups until exhaustion, until they realised I couldn't take it any more. They hit me with some kind of a roled book, as if it was a baton. They hit my head with a phone book (they told me it was a phone book, I was still hooded), they kept hitting me on the testicles with hands and with the paper stick... Blows were mainly directed to my head. It looked like they didn't want to leave any marks on me, but they were bery painful, as they hit me with all their strength. There were really painful blows... At one point I realised that my head was covered with lumps.

More than once, they applied something on my ears, so I could hear the noise it made. They said it was electrodes. Then they applied electrical discharges on my necks. I felt like small discharges. But what they abused the most of was the "bag". They used it so many times until I suffocated.

48 Aitor Duran

AGE:	20
SEX:	M
DATE OF ARREST:	04/09/2001
PLACE OF ARREST:	Lekeitio
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Free
COMPLAINT:	Yes

As soon as I arrived they put me against the wall, they searched me and they started threatening me by saying that they would kill me and that I was going to suffer during my incommunication period. They said that I had no rights.

Throughout the journey they kept threatening me with stoping the car and shooting me.

They started hitting me, they brought me to another room with a hood over my head. They strip naked me and one of them asked if I "prefered to suck his cock or to fuck him".

They threw 3 or 4 blankets over me, I took them off. So they sellotaped them over my legs and bust, and they beat me. Then, they put something noisy on my ears. They said it was electrodes. I still had the hood on, so I could not see what was that noisy thing, I had never heard the noise of electrodes before. Then I felt some kind of a pinch on my back and my arms. I realised later on that Ielectrodes left a mark on my arm. On the meantime, I was on the floor, they were hitting my head as well as kicking me.

They used the "bag" twice. The first time they used it, they told me that time was up, that the oxygen in the bag was finishing and that I would end up suffocating. They said that, while they tightened the bag and I was suffocating. They ttok the bag off, in the end, but continued beating me until I ended on the floor again.

Threats were constant, "we will rape your girlfriend", "your friends are fucking your girlfriend".

49 Iban Ortigosa

AGE:	23
SEX:	M
DATE OF ARREST:	04/09/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	4 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Released. Later imprisoned
COMPLAINT:	Yes

They put a hood on me and put me in the car. The blows began there and then, above all on the head. They were continuously punching me on the back of the head and the questions were constant. They were shouting at me "you son of a bitch you are fucking up my hand", and then they hit me with the other hand. In the car there were two at the back and two women at the front. They just laughed, and the one beside me was the one hitting me constantly. They said that they were going to kill me and "we are going to rape your girlfriend".

They made me keep my head bent all the time and they hit me consistently on the head. I was humiliated and was furious. The women were constantly laughing. I was what they most hated. When I replied "I don't know", they said " are you the stupid one or what?". The feeling of being constantly humiliated was the worst. You really feel shit at that point. The laughs were worse than the punches.

I heard shouts, insults "son of a bitch, here's another son of a bitch…", I was punched constantly. Every now and then a "good cop" came and said "tell me something because if you don't they are going to kill you" and then the "bad cop" came. They interrogated me in one room and forced me to stand against a wall but without touching it. They were hitting me with something that later I found out was a a rolled up telephone directory with sponge around it and wood or something down the middle.

50 Joseba Gorosarri Ramos

AGE:	26
SEX:	M
DATE OF ARREST:	05/09/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

(...) They put a hood on me and began hitting me with a telephone book, or something similar. They combined blows with questions and threats.They forced me to strip and to do physical exercises until I couldn't lift myself up anymore.

The questions began, as did the blows until I fell on the ground. More of then came in and told me to get dressed, then they took me to my cell where they put me facing the wall and told me to remain standing. They put the hood on me and brought me to another room, they told me that I was going to find out, what they say about the Guardia Civil was true. They said they were going to kill me and my girlfriend. They ordered me to strip, I refused, and they began hitting me on the head with a stick or a telephone book. I fell many times and I think I lost consciousness, because when I woke up I was lying on the ground naked. They forced me to stand…they put the bag over my head at it began to smother me. The interrogation alternated between the bag and questions. They wetted me with freezing cold water and applied the electrodes on my neck, back and testicles. They told me that either I started talking or they were going to shoot me. They put a gun against my head.

The interrogation continued on the same format, blows, bag and electrodes, questions and threats. They combined the interrogation with torture and beatings and moments when the "good cop" appeared.

The interrogations got worse. Bag, electrodes, punches. They wrapped me up in a blanket and beat me all over the body.

On the fourth or fifth day I told them that I would sign whatever they wanted. Then they told me what they wanted me to say….

51 O.I.A.

AGE:	21
SEX:	F
DATE OF ARREST:	18/10/2001
PLACE OF ARREST:	Ondarru
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	2 days
COURT:	J.C.I. No 1
PRESENT SITUATION:	Released on 19/10/2001
COMPLAINT:	No

When they came to arrest my father they decided to arrest me too, although there was no detention order for me, but one of the cars was in my name and they arrested me. When the search was completed i was transferred to the hospital in Basurto so that they could do a check-up on me, and almost immediately I was transferred to Madrid. The threats began at that moment "when we reach Madrid you are going to talk because i'm going to beat you up so bad..."

The first interrogation was calm enough but the following ones were more violent. They shouted, put pressure on me and threatened me. I told them to take it easy with my dad because he had had a heart attack and they said "fuck sake, everyone in this family has something wrong..." (in reference to the fact that i had said to the doctor that I suffer from epilepsy). During the interrogations the humiliation was constant. On one occasion

I had to say which of the policemen I found the most attractive under the threat of keeping me there the whole night interrogating me, or to be five days incommunicado. They pressurised me about my family, my boyfriend, that myself and my father were going to prison and that we werent going to see my grandfather alive again. They pressurised me a lot in relation to my father who was also arrested and i had no idea how he was. They said that my mother would have to visit all the prisons in order to be able to visit us both. It's difficult to explain but the psychological pressure was terrible.

The shouts, threats, humiliation, insults, and not knowing how my father was...

52 Luis Mariñelarena Garziandia

AGE:	26
SEX:	M
DATE OF ARREST:	18/10/2001
PLACE OF ARREST:	Soraluze
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	4 days*
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

They were continuously insulting and threatening me. They began to ask me questions and to beat me around the head and testicles. All that while they were threatening me, saying that they were going to take me to the mountains and shoot me, that they were going to torture me….until the boss came. At times other policemen came and insulted me and threatened me. On the way to Donostia I was handcuffed behind my back and they made me keep my head between my legs. Once arrived, they took me to the medical centre.

The journey to Madrid was full of constant threats and insults. This was the same for the five days that I was held incommunicado. Each day I had two or three interrogations, during which they constantly threatened me.

They told me that if I didn't make a statement I wouldn't get out from there alive, that they would pull out my liver. After making the statement the treatment relaxed a little, less threats and more insults. They insulted me and my friends. The light of the cell was continuously on.

53 Roberto Lebrero Panizo

AGE:	26
SEX:	M
DATE OF ARREST:	18/10/2001
PLACE OF ARREST:	Soraluze
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	4 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes.

At 2.00am more or less, they broke the door with an explosive device. A load of National Police came in and members of the special forces were there too. I was sleeping and had hardly any time to move. I was in bed and they violently threw me to the ground. They hit me on the head whilst making me repeat my name over and over again.

During the search various agents threatened me whispering "we know more about you than you do yourself", or "you'll find out what is waiting for you now".

On the journey to Donostia and Madrid they assaulted me with questions and at times they hit me on the head and continued with questions.

Once in Madrid the interrogations were continuous, as were the threats when I said something that they didn't like. I got a couple of blows on the head as they shouted, insulted and threatened me "Do you think that I'm stupid or what? Fucking terrorist…" or "you are aware that this could be much worse, aren't you?".

They threatened me that if I didn't make the two statements that I would find out what torture really was.

54

Asier Altuna Epelde

AGE:	27
SEX:	M
DATE OF ARREST:	18/10/2001
PLACE OF ARREST:	Azkoitia
TYPE OF DETENTION:	Incommunicado *
POLICE BODY:	National Police
TIME HELD:	4 days*
COURT:	No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	one will be made in the next few days

They threw me to the ground while another policeman shoved my head around. This resulted on me having a sore chin for 5 days. The chiefs came in immediately and forced me to get dressed. They searched the bedroom and the studio. The house was full of police. They later searched the sitting room and as they didn't find anything they started threatening me, shouting at me to start talking, that Igone was on her way to Madrid.

With my hands handcuffed tightly behind my back they put me in the car and took me to the health clinic in Donostia. On the journey they continuously threatened me, urging me to speak, saying that stronger people than me had passed through the doors of the car and they were forced to talk. Questions and threats were constant. We went to the Civil Governor in Donostia but we were soon on our way to Madrid, during which the treatment of questions and threats remained the same.

The second day I had three interrogations. The pressure was fierce in all of them, they told me that my girlfriend was having a really hard time. During the third interrogation they told me that I was going to make a police statement the next day. They blackmailed me, they would release her if I admitted guilt. If I refused we would both end up in prison.

On the third day I had more interrogations. They said I had to make a statement or else my girlfriend would be imprisoned. For all those reasons I made the statement that they wanted.

55

Angel Murgoitio Ribera

AGE:	39
SEX:	M
DATE OF ARREST:	18/10/2001
PLACE OF ARREST:	Soraluze
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	4 days*
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

(...) When we arrived in Madrid the interrogation began. In the beginning it was quite relaxed, there were only threats.

Once I had made the first police statement with the State appointed lawyer they took me for a new interrogattion and two new people appeared. They began to hit me on the head, stomach and testicles…

The next day I made another statement with a different lawyer. After making the statement the treatment was the same. They took me from the cell to be interrogated and another person came along. He said that I was old enough and that I had been involved for long enough and that he wanted names. As he noticed that I wasn't saying anything he said that they would get it out of me later and continued to slap me around the head.

Later they took for a new interrogation. The whole story was repeated but this time without actually hitting me. They told me that I had ten minutes to say what they wanted or else they were going to begin torturing me. One policeman said that they were going to take me to the Guardia Civil, that they were worse and that with them there was no pussy-footing. Another said that they were going to arrest my niece… it was then that I couldn't take anymore and I told them to give me the blank piece of paper and I would sign it and then they could put whatever they wanted. After a while they took me once again to the cell but they threatened me that would call again that night.

56 Igone Bastarrika Salegi

AGE:	22
SEX:	F
DATE OF ARREST:	18/10/2001
PLACE OF ARREST:	Azkoitia
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	4 days
COURT:	J.C.I. No.1
PRESENT SITUATION:	Free
COMPLAINT:	No

On the journey they were shouting.angrily They took me to the police station in Amara, they left the car in the car park and forced me to remain in it for about an hour. Some police agents remained in the car with me asking me questions, threatening me and insulting me…

In Madrid, they didn't hit me during the interrogation. I expected to be hit because others seemed they were doing so to the others.

During the interrogations they sat me at a table and asked me questions. A woman who was standing said "you seem very calm, you don't cry or anything?". I said to them over and over again that I hadn't done nothing wrong. They pressurised me a lot about Asier.

In one interrogation they said that I had fooled them and that they didn't believe me, they made me sit looking at the table and one of them sat at the table putting his legs on my knees. He put his hand on my neck as if he was going to start squeezing but he didn't.

They began to shout. The one on my left was hadside was huge and shouted at me in a brutal manner. Until then I had managed to keep myself together and then they told me "go to your cell now and cry".

The interrogation room had a mirror in one of the walls. They threatened me by saying that Asier was at the other side and that if there was any contraction in our versions they would dosoemthing to Asier.

I didn't eat anything. On the first day, they asked me if I wnated to eat and I said yes. But they brought me a tin of beens canned on the 6th of June which smelled rotten.

57 Simone Begiristain Lasa

AGE:	38
SEX:	M
DATE OF ARREST:	19/10/2001
PLACE OF ARREST:	Eibar
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	5 days*
COURT:	J.C.I. No.1
PRESENT SITUATION:	Prison
COMPLAINT:	One will be made in the coming days.

During the interrogation they were shouting at me, and insulting me, saying they had enough time to achieve what they wanted. They made me listen to the voices of those who were in the next room, the insults… I heard Rikar crying and when they realised that I was getting nervous, they began to make comments again about him, they stopped when I made my first statement.

From then on they told me that I was too comfortable and they made me stand up. They were standing around me. They began to shove me, ordering me to keep straight and to look at whoever was speaking to me. They got on top of me, they insulted me, they questioned and threatened me… the one who was standing behind me stuck a pen into the back of my head, they stood on my feet and any time I slumped a little they hit me, they shook my head and ordered me to look at them. The pain in my back was increasing and I couldn't keep my head up due to tiredness and from being knocked about so much.

I made another statement thinking that they would leave us alone but they continued to threaten us. I was seated and one of them kicked me viciously. The sessions were long and I didn't have time to sleep and I was becoming very weak. One of them told me to start telling everything and the other gave me a punch in the head breaking a false tooth I had. Once again I was told to tell everything, and I received another two punches-one in the ear and one in the head. It felt like they had broken something. They told me they would start all over again. I was shaking due to pressure and beatings I began to say things and I repeated them, over and over again until daybreak.20

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Julen Ereñaga Azkarate

AGE:	36
SEX:	M
DATE OF ARREST:	19/10/2001
PLACE OF ARREST:	Eibar
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	5 days
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

(...) one of them began to threaten me, to beat me up, he pulled my nipples and hair many times with great force. He took off my handcuffs and invited me to hit me.

They transferred me to Madrid. As I didn't answer their questions they made me put my head between my legs for the whole journey.

When we reached Madrid and I got out of the car I almost fainted due to the disorientation I was feeling.

They put me in a cell, and they left me there until midday Saturday when the interrogations began. I refused to answer their questions and the secretary and the instructor began to threaten to beat me and torture me…They threatened to accuse me of belonging to an armed organisation if I didn't talk… On Saturday afternoon they also interrogated me and reconstructed events to make me remember.

At night on Saturday I heard shouts and punches, my cell was opposite to the corridor, where the interrogation rooms were. I thought I recognised the voice of Roberto. The secretary ordered the instructor to tell them to stop. The State appointed lawyer didn't even blink.

On Monday afternoon they interrogated me again… They threatened me with all type of torture and even with death.

I told the doctor about the threats. The next day they took me to the Audiencia Nacional.

59

Ricardo Aranburu Gerenabarrena

AGE:	40
SEX:	M
DATE OF ARREST:	19/10/2001
PLACE OF ARREST:	Eibar
TYPE OF DETENTION:	Incomunicado*
POLICE BODY:	National Police
TIME HELD:	5 days*
COURT:	No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	one will be made within the next few days.

(...) the blows began to the face, to the chest with the knuckles, against the knee, the leg, to the back of the head…, along with great psychological pressure: shouting in the ear, threats and insults. They forced me to pull down my trousers…

More blows, hard ones, intimidation, blows to the groin, kidneys, ribs, head and forehead. This were delivered with an open and closed fist.

They forced me to remain on tiptoes for between 35 and 40 minutes, and when they saw me lowering they shouted at me to return to the previous position. One started to kick me in the heels and ankles so that my legs would widen. They made me stay that way for a long time.

They began to say that they "might fuck Simone", amongst shouts to the ear and insults, entering and leaving, slamming the door, threats… Shouts could be heard in the next room. They said that they were sick of hearing nonsense and the person next door was on his way to the room where I was being interrogated. While saying this they made the sign of a gun and pointed it at me.

More interrogation and punches, shouts to the ear, pulling of hair and the sideburns, slaps to the head. In the beginning the beginning every so often but later more constant. I was forced down on my hunkers, they shouted loudly in my ear and hit me continuous blows to the head, at least 50, and to finish off they hit me hard three times in the testicles. In the end they threatened that that night they were going to take me from the cell, not them but tougher guys, and I was going to be taken downstairs…

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L.P.S.

AGE:	20
SEX:	M
DATE OF ARREST:	05/11/2001
PLACE OF ARREST:	Iruñea
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	3 days*
COURT:	J.C.I. No. 4
PRESENT SITUATION:	Prison. Was released on 21/11/2001 after paying bail of 100,000 pesetas.
COMPLAINT:	About to make one.

Two policemen came to get me to bring me to the interrogation room. They took me between the two of them, they made me go with my head bent and took me to the second floor. They put me in front of a door that was closed and said “lift your head”. I lifted my head and saw five masked policemen, and they began to push me, threaten me and insult me. “you son of a bitch you are going to die, we are going to kill you”. They began to shout claiming that the “night is our ally, nobody can hear you”. They made me very nervous.

They shouted on my face, shoved me around, hit me on the back of the head and then the questions.

They forced me to kneel down and take off my shirt saying that they were going to apply the electrodes. They passed a machine that made a funny noise over my back and shoulders and said “that’s it, now we can apply the electrodes”. But they didn’t switch them on. They forced me to sit down and two of them sat on the other side of the table and the rest of the police agents were walking around behind me. They began the questions. One of them got down on his knees in front of me and began shouting at me at which point I went to move back, however he grabbed me by the neck and wouldn’t let me move. They told me they were going to bring me to the mountain and shoot me there. They put a blanket over my head when they brought me to the cell. The one who brought me to the cell threatened me along the way. When we reached the cell he pushed me so hard that I fell to the floor. Now and again they came to the cell door and threatened me through the hatch. The threats were made constantly against my family, myself, my parents, that I would go to prison for 15 years….

67

Jokin Zerain

AGE:	
SEX:	M
DATE OF ARREST:	06/11/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	with communication
POLICE BODY:	Guardia Civil
TIME HELD:	a few hours
COURT:	J.C.I. No 1
PRESENT SITUATION:	Prison
COMPLAINT:	to be made.

They began to hit me in the back of the head and began to threaten me by saying that they would shoot me. The one that was on the passenger seat turned around, took the bag from my hands and put it on my head but didn’t tighten it. The punches on the head continued and they pointed a pistol at me. The one who was seated at the back with me tightened the bag around the neck, I shouted and he shouted at me not to break it. Later he opened it but closed it again after a while.

At a particular time one of them said to me that we were going to do some mountain clinbing and they were going to shoot me. Then we left the motorway and we stopped. Three guardia civil got out of the car and took me with them. I still had both hoods on, a rubbish bag over that and my hands cuffed around my leg.

We reached the station in Madrid and they took the bag off my head as well as one of the hoods. They took me to a small room with a small bed and a chair. I sat in the chair and they left me alone. I was left with the handcuffs on.

A guardia civil came in and asked me whether I would prefer “to take it up my backside or to suck cock”.

I didn’t say anything and he opened his zip and put a pistol to my head. He threatened to shoot me “if you bite me”. He pulled his zip up and put away his pistol. He then forced me to strip from the waist down and made me put my hands on the bed and stick my backside out. He made me stay in that position for a few minutes while he laughed at me.

62 Ana Belen Egues Gurrutxaga

AGE:	
SEX:	F
DATE OF ARREST:	07/11/2001
PLACE OF ARREST:	Madrid
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	National Police
TIME HELD:	5 days*
COURT:	J.C.I. No. 4
PRESENT SITUATION:	Prison
COMPLAINT:	Yes

(...) They told me to kneel down looking at the wall, they pushed me and I fell on my knees. One of them tightened my handcuffs and the other one, or himself I don't know, stood on my legs. While some of them held my hair and pulled up my head others forced me to lower down… I began to hear the noise of a door banging against something, while someone said "the party begins now, he won't talk, so the crazy one is going to kill him, you can speak too". A man made me stand up, and put a jumper over my head, while another one behind me made me lift my arms up and hit me hard on the head. I noticed that I was beginning to lose my sight, and I was having difficulties focussing. They let me go and put me in a room that was full of people. Before we went into the room, one of them kept asking leave alone me with him so he could kill me. They called the crazy guy, put the jumper over my head and he began to hit me again. One pulled my arms upwards and backwards, while another guy kicked me in the legs, and another two or three hit me on the head while the "crazy" guy was slapping my face… Another one hit my left ear and blocked it up. They said to me that what I wanted was to be treated me like an animal… They gathered around me began hitting me again threatening that things would get worse the next day if I didn't talk.

During one of the interrogations one of the policemen left a gun on the table and told the other policeman to open the window…

The interrogations went on all day…

63 Jorge Olaiz Rodriguez

AGE:	23
SEX:	M
DATE OF ARREST:	26/11/2001
PLACE OF ARREST:	Iruñea
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days*
COURT:	J.C.I. No. 1
PRESENT SITUATION:	Prison
COMPLAINT:	to be made.

Once I had arrived at the station in Iruñea the beatings began, punches over the whole body but most of all on the head. They produced an open wound that began to bleed.

They made me do leg exercises which I refused to do, this resulted in an officer grabbing me by the genitals and squeezing them. They put the bag on me three or four times, closed it tight with one of them holding me and punching me on the ribs.

The journey to Madrid was tense. They told me on many occasion that they were going to put the electrodes on me. Once we arrived the blows began, all on the head with a baton that had rubber foam around it. This situation was continuous until they forced me to take my clothes off. They tied my arms and legs with tape and rubber foam, they made me put my face down, one of them got on top and they put two bags on my head. The treatment was the same for the first three days until I made the first statement according to their wishes.

They taught me what to say, I was seated, naked and when I said something that they didn't like they threw cold water over me. I was shivering and they continuously hit me onthe head.

The insults, humiliation and threats were continuous, electrodes, threats to arrest my mother and my sister, that they were going to break my arm whilst they were twisting it, that they were going to kill me… For the first day and a half they didn't let me relax and thus I was exhausted. I was hooded for the whole time. Once the doctor went they put the bag on again, began hitting and threatening me.

64 Aitor Sola Esteban

AGE:	23
SEX:	M
DATE OF ARREST:	29/11/2001
PLACE OF ARREST:	Iruñea
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days
COURT:	J.C.I. No 1
PRESENT SITUATION:	prison
COMPLAINT:	to be made

Once I got to Madrid they began to hit me around the head with rolls of carton and newspapers, and blows were becoming stronger. As I kept saying that I didn't know anything, one of them said that they would use the bag on me. I told them that I was asthmatic and not to do it but they tied me to a chair and did it four or five times. I managed to get free but they tied me to the chair once again this time with sponges so as it wouldn't leave any marks. They put a double bag on me. I could hear my girlfriend's cries. They mademe take off my runners and socks and I stood up while they threw water over my legs. They made me take a cable in one hand while they wrapped the other one around the finger of my other hand and said that they were going to switch the electrodes on. In the end they didn't do it. Afterwards they put me on the ground face down, without trousers, my legs and my hands tied behind my back and one of them put the bag on me.

I struggled, they got annoyed and one called on the others to hold me down. It was a nightmare. I thought I was going to die. They put a pistol on my hands on a number of occasions.

The second day I saw the doctor and my head was really swollen. I couldn't open an eye and the other one was going the same way. He told me that I would have to be taken to hospital. I didn't want to go because I didn't want to leave Leire alone. However he told me that if I didn't go I might lose my sight.

When we returned to the station I was allowed to recover with tablets, creams, ice-bags.

65 Leire Markina

AGE:	21
SEX:	F
DATE OF ARREST:	29/11/2001
PLACE OF ARREST:	Iruñea
TYPE OF DETENTION:	Incommunicado*
POLICE BODY:	Guardia Civil
TIME HELD:	5 days*
COURT:	J.C.I No. 1
PRESENT SITUATION:	Prison. Released on 28/12/2001 after paying bail of 200,000 pesetas.
COMPLAINT:	To be made.

When we arrived to the station they put me in a cell where i was forced to remain standing for hours. I told them that I was exhausted and asked them if I could sit down they said that I could squat down.

The transfer to Madrid began and the police women started of by being nice, but as time went on they began to get violent and started threatening me. They started humiliating me, hitting me on the head and pulling my hair. We had to stop a few times so I could get sick. When we got to Madrid I noticed a very strong smell. They said that it was the smell of fear and then they began the interrogation. They sat me down on a seat against a wall and started hitting me with something that was cushioned.

They put the bag over my and I broke it with my hands. They tied my hands and legs to a chair. They did this on a number of occasions. They threatened me with the bath, electrodes, and with sticking a baton inside me…They forced me to take a pistol saying that now, my hand prints were over it. Once again they took me to be interrogated. They stripped me while they threatened me with the baton. They made me sing the "national anthem" on many occasions. I heared Aitor in the next room. They said that they were whacking him on the testicles and said that they were going to arrest my parents. The blows on the head were continuous, then threats of being put in the bath strated. They forced me to hit myself and they put the bag over my head. They stripped me and they said that they would rape me but "that I could give them syphilis".

They calmed a bit but immediately the shouts began again, they made me strip again and made me do physical exercises with the bag over my head. They told me to stop and one of them got behind me and opened his zip, they felt me from behind and touched my breasts. Once again they said that they "wouldn't put (their) dick in but maybe something else".

The last few days were physically calmer but the pressure increased. It was really a heavy time. I lost 8 kilos and when I entered prison I had to ask for tranquillisers in order to sleep.

66

Zigor Bravo

AGE:	
SEX:	M
DATE OF ARREST:	06/11/2001
PLACE OF ARREST:	Gasteiz
TYPE OF DETENTION:	with communication
POLICE BODY:	Guardia Civil
TIME HELD:	some hours
COURT:	J.C.I. No 1.
PRESENT SITUATION:	Prison
COMPLAINT:	one will be made in the coming days.

The questions began with slaps on the head. They said to me that if I thought I was hard, they had time to soften me over the five days. They began to slap me on the head with a type of thick book or a telephone book. They told me that they had arrested my girlfriend and that if I didn't cooperate I would see what they would do to her. They began with the bag. They put it on me from behind and closed it. They had to hold me up between two of them because I fell to the ground. This happened on 5 or 6 occasions and they continued to make threats referring to my girlfriend. They asked if I wanted to see what "they were doing to my girlfriend" because of me.

They put me in a car with a hood on me, they threatened to stop the car, take me out and shoot me. They continued to smack me around the head. They stopped a few times after turning off the road but we never got out…

When we got to Madrid the interrogation was led by a woman playing the role of the good cop, and another man who constantly shouted at me and hit me in the head. They continued to threaten me…They threatened to use electrodes and they made me touch a pistol telling me that I knew what would happen if I didn't cooperate.

A Guardia Civil came and took me to a type of patio. He was the one who hit me the hardest on the head and he constantly shouted at me. When we returned he made me kneel and he said that "I was going to suck his cock and that if I bit him he'd shoot me", I could hear him lowering his zip.

That particular man made me cry…

TORTURE METHODS

When we refer to torture we are talking of the suffering inflicted on a person, something that can be either physical or psychological exercised by a civil servant or by a person with public functions. There are various objectives behind these actions:

1. To achieve information that can be used as evidence to charge the tortured person or a third party. The important thing is to get the evidence, regardless of this is true or not.
2. To punish a person for acts that he/she has carried out or is suspected of carrying out.
3. Intimidate and terrorise the tortured person and by extensión paralyse society.
4. Torture is specially directed against the destruction of personality, the denial of human dignity in an attempt to destroy the personality of the individual with its long term effects being more psychological than physical.

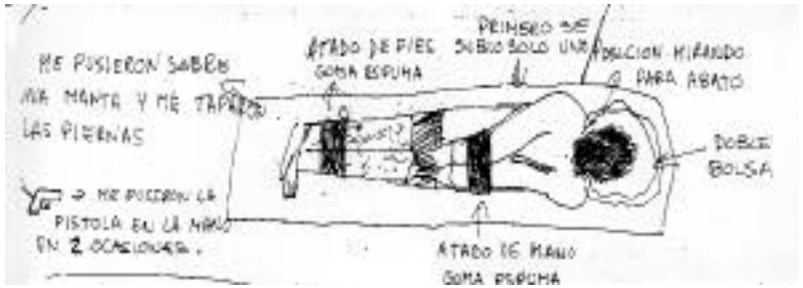
The torture methods are scientifically tested to obtain more efficiency in the objectives laid out. The experience of torture implies a process where one's own identity is put into question, to the extent that it attacks the personality of the victim as wellas his feelings towards his group of friends, family, society. Torture

methods and the whole process from the moment of arrest are directed towards this objective.

Torture methods have been changing over the years. Nowadays more sophisticated forms are used, forms designed to avoid leaving visible marks on the body and more often using techniques that could be called psychological.

Torture methods have been habitually classified as physical or psychological. The former are those applied through physical methods and cause physical pain, intense physical exhaustion, a feeling of dying, asphyxia... Psychological methods are those that, without physical aggression, produce an alteration in the psychological state of the person. For this reason many techniques of psychological torture may be more effective in dragging the torture victim towards a situation of total discontrol and achieve what they want in this way. However, it has to be recognised that all physical suffering brings with it some psychological suffering and that many methods of torture can be considered as a combination of both. Among the methods most often used today and told to TAT by the victims are :

Drawing handed in by Aitor Sola together with his testimony



1. Physical methods:

a) ***Blows and punches***. Are the most often used methods. The instrument used to hit the detainee varies according to the zone in which they are being hit; hand, baton, telephone book, rolled up newspaper, sticks... The zones hit also vary: head, face, stomach, ribs, genitals, pushes, knocks against the wall

b) ***Electric shocks***. Use of electric shocks in sensitive zones of the body: temples, testicles, penis, ears, groin.

c) ***Asphyxiation techniques***. Denial of oxygen during a certain period of time, often reaching the point of loss of consciousness, where one feels like he/she is dying. A plastic bag is generally used.

d) ***Techniques of physical exhaustion***. Forced to remain standing for long periods of time without supporting oneself, or with the knees bent. Forced to do

physical exercises until exhaustion (pressups, situps…) forced to keep strange positions.

2. Psychological methods:

e) ***Manipulation of the senses***: impeding vision by placing a mask or blindfold on the detainee. Or, the detainee is forced to close his eyes and keep his head bent looking at the floor. Forcing the detainee to listen or be present whilst acts of torture are taking place, drugs are used, lights are constantly left on.

f) ***The restriction or supression of basic needs***: food, drink, sleep, toilet...

g) ***Threats***: against the person (death threts, "to go on to a second phase", of torturing more...), against the family (the arrest of close family, or to torture those who are the closest), against friends.

h) ***Humiliation, insults***: forced to sing fascist songs, forced to shout "long live" the particular police body that carried out the arrest, humiliation of a sexual character, "you smell terrible"…

i) ***Good cop / bad cop***

j) ***Constant long interrogations***.

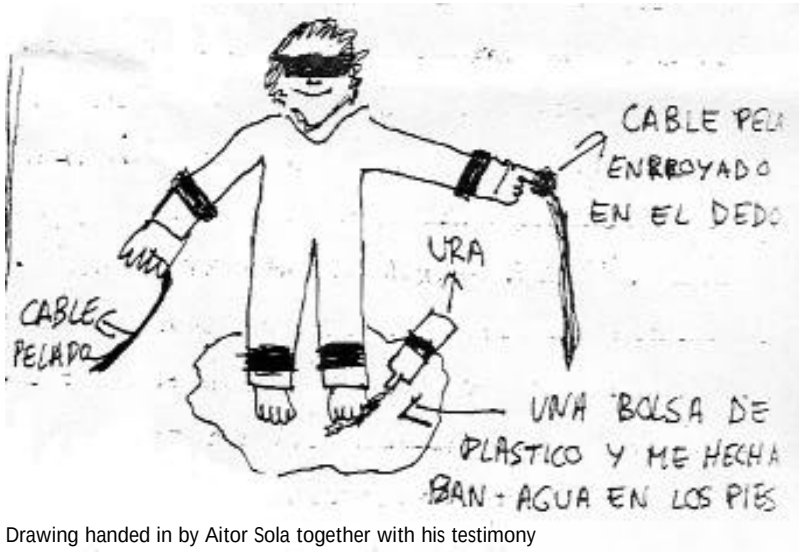
k) Forced to ***choose between the different methods of torture***, talk about torture...

l) ***Sexual Torture***, this may be oral (threats, insults and threats of rape), violence against sexual organs (blows, electric shocks), forced nudity, touching and feeling...

m) ***Use of imaginary possiblilities*** ("if you don't talk we'll take you to a cell and we'll return later"), leaving the tortured person unsure of what is going to happen afterwards.

n) ***Create feelings of guilt*** ("you have destroyed your family"...)

o) ***Simulations of torture*** (putting wires onto the detainee whilst saying that electric shocks are going to



Drawing handed in by Aitor Sola together with his testimony

be given, putting a bag on the head of the detainee without smothering them), ***simulations of execution***.

p) ***Expose the detainee to the shouts of other detainees that are being tortured***

Whether the methods are psychological or physical they cannot be seperated because they aren't made in isolation. When one is physically cruel to someone this doesn't eliminate psychological torture, but both are applied simultaneously, as the damage inflicted on a person results in a break down of both psychological and physical defences. And also because physical torture has an element of psychological torture. Additionally various techniques are used on a person simultaneously.

TORTURE METHODS OF EACH OF THE POLICE BODIES

In order to carry out a study of the methods of torture used by each police body we had to take into consideration the accounts of all those arrested and tortured throughout last year. Those are the testimonies of 73 people arrested in 2001 (52 men and 21 women), some of them are mentioned in this book, others did not want to publish their accounts for obvious reasons.

We have classified these testimonies under different police bodies (Etzaintza, National Police and Civil Guard) and by gender of the totured person (women and men) and by methods of torture.

ERTZAINTZA
(BASQUE AUTONOMOUS POLICE)

Among the methods used by the Ertzaintza, we should underline the use of psychological torture as we have often find that psychological torture is used without any kind of aggression. However in half of the cases physical torture is combined with psychological torture.

Amongst the torture methods used by the Ertzaintza we want to underline the following: pushes, forced to self inflict physical torture (forced ot carry out physical exercises and to remain in strange and uncomfortable positions), slaps with an open hand (intimidation more than anything else, and slaps seeking to cause pain in sensitive the parts)

Among the most commonly used psychological methods are, threats (against family, to be handed over to the Guardia Civil, to be tortured…),humilliation, shouts, refusing sleep and rest, impeding vision (forcing the detainee to look at the floor with eyes closed).

NATIONAL POLICE

There are differences in the accounts made by detainees who have been arrested by the National Police and accounts of the methods used by the Ertzaintza.

Psychological torture was used in 50% of the cases involving women, this is reduced to 25% in the case of men. We see that physical and psychological methods are used against women in 50% of the cases and this increases to 75% in the cases of men.

Amongst the psychological methods most frequently used by the national Police we want to emphasise ***threats***, ***humilliation***, ***impeding sleep***, ***using close friends or relatives*** (threats to arrest or hurt them), ***hearing shouts of other detainees***, ***discussions about torture*** (that is bringing up the topic of torture methods during the interrogations), ***being held naked***, ***impeding vision***.

Among the physical torture methods most frequently used by this police body we should metion ***beatings*** (with hands, books, telephone books) habitually to areas such as, head, genitals, stomach, chest; ***pulling of hair***, ***self-infliction of physical torture*** (forced to do exhausting physical exercises, and hold strange positions to the point of exhaustion).

CIVIL GUARD

This police body is characterised for its brutality as can be seen from the accounts that have reached us. There was only one case of a woman that was only tortured psychologically and didn't suffer any physical aggression. For the rest, both men and women, suffered a combination of physical and psychological methods used were.

Amongst psychological methods used by the Guardia Civil, we should note, ***obstructing vision*** (from the arrest the detainee has the vision impeded through applying a blindfold or hood), ***threats***, ***insults***, ***sexual torture by touching or feeling*** (particularly if the detainee is a woman), ***enforced nudity***, ***election of the torture methods to be used***, ***impeding sleep***, ***request for collaboration***.

Amongst physical torture methods that need emphasised are ***blows*** (using diverse objects such as books, sticks, handle of a gun…), ***smothering through the application of the bag***, ***electric shocks*** (ears, genitals, stomach, temples, neck…) ***physical***

exhaustion (forcing to carry out physical exercises, bending legs, arms, remain standing for long periods of time), ***dampening the detainees with freezing water*** …

Drawing handed in by Aitor Sola together with his testimony

SITUATION OF THE COMPLAINTS

In this section we recount briefly the situation with regard to complaints made, by those who were tortured and by TAT to the courts in the normal jurisdiction.

Continuing the work that was published at the beginning of 2001 (publication of the book TORTURE IN THE BASQUE COUNTRY. REPORT 2000), the first part we complement the work done in 2000 with additional information with regard to the complaints made by the people tortured during that year. In the second part we publish the complaints that have been made over the year 2001 and their situation at the time of writing the report.

If you are interested in receiving additional information do not hesitate to contact us.

2000

1 IZARO LOPEZ BIDAGUREN

DATE FILED: 25th February 2000
COURT: Hearing no.6 Bilbao
PROCEEDINGS NUMBER: D.P 550/00
LAWYERS: Begoña de la Cal, Arantza Zulueta, Aintzane Ayastuy
STATE OF PROCEEDINGS: Made reform appeal and ancillary appeal on November 13th 2000, the reform appeal is rejected but the formal filing of the appeal is accepted. Finally the Court votes on the appeal and decides to Archive (archivar la causa) it

2 JON URRETABIZKAIA SAUQUILLO

DATE FILED: 25th February 2000
COURT: Instruction no. 7 Bilbao
PROCEEDINGS NUMBER: D.P. 733/00
LAWYERS: Begoña de la Cal, Arantza Zulueta, Aintzane Ayastuy
STATE OF PROCEEDINGS: On December 20th a reform appeal is made against the dismissal and provisional archiving of the case. The reform is rejected and the appeal is pending.

3 JULEN URIARTE ITURRIAGA

DATE FILED: March 7th 2000
COURT: Instruction no. 3 Bilbao
PROCEEDINGS NUMBER: 703/00
LAWYERS: Begoña de la Cal, Arantza Zulueta, Aintzane Ayastuy
STATE OF PROCEEDINGS: Appeal and ancillary appeal is made on June 1st 2000. On July 3rd the Court rejects the appeal for reform but permits the appeal. On September 18th the date for the verdict of the appeal is set for October 25th 2000. Vote is taken and the complaint is archived on 16/12/00.

4 MIKEL ARRIETA LLOPIS

DATE FILED: September 8th 2000
COURT: Instruction no. 1 Donostia
PROCEEDINGS NUMBER: 2586/00
LAWYERS: Aintzane Ayastuy, Arantza Zulueta, Iñaki Goioaga
STATE OF PROCEEDINGS: Withdrawn to Court no. 10, Madrid, proceedings no. 1266/00. Reform appeal and ancillary appeal against the dismissal of the complaint.

5 JOSU GOTZON LARREA ELORRIAGA

DATE FILED:
COURT: Instruction no 9 Madrid
PROCEEDINGS NUMBER: D.P 5935/00
LAWYERS: Aintzane Ayastuy
STATE OF PROCEEDINGS: Request for police proceedings on 9/04/01

6 MIKEL LUJANBIO

DATE FILED:
COURT: Instruction No. 3 Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS: ARCHIVED

7 GARIKOITZ GASTESI

DATE FILED: May 25th, 2000
COURT: Instruction no. 2 Donostia
PROCEEDINGS NUMBER: 1266/00
LAWYERS: Zigor Reizabal, Ainhoa Baglietto, Aitor Ibero, Aintzane Ayastuy
STATE OF PROCEEDINGS: Appeal made and appeal against the provisional dismissal of the case. Both are rejected. ARCHIVED.

8 EGOITZ URBE

DATE FILED: May 25th, 2000
COURT: Instruction no. 2 Donostia
PROCEEDINGS NUMBER: 1259/00
LAWYERS: Zigor Reizabal, Ainhoa Baglietto, Aitor Ibero, Aintzane Ayastuy
STATE OF PROCEEDINGS: Appeal and ancillary appeal made against the dismissal of the complaint. Both appeals are rejected and the complaint is archived. ARCHIVED.

9 MIKEL OSTOLAZA

DATE FILED: November 7th, 2000
COURT: Instruction no. 3, Donostia
PROCEEDINGS NUMBER: 2687/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Ruling to transfer the complaint. Date: 24/11/00. Petition to the A.N for a testimony of proceedings. Date: 15/12/00. Response to the Ertzantza, Date: 22/02/01. Dismissal dated 30/04/01.

10 JOKIN SOLANO SALABERRIA

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3089/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Request for letters requisitory on 16/01/01. Appeal against the stay of proceedings. Date: 06/04/01. Judgement on the appeal date 23/04/01.

11 INAKI MINER CANFLACA

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3099/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Ruling for pre hearings and request for translation, date 25/11/01. Requisitory letters sent to Madrid on 09/01/01. Appeal against the dismissal ruling on 24/04/01. Judgement on recourse on 04/05/01

12 UNAI KIJERA

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3087/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Judgement and letters requesting appearance on 12/01/01. Dismissal ruling 09/04/01. Ruling on the presentation of the appeal on 02/05/01.

13 AHILETZ ZULOAGA LARREA

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3086/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Ruling for pre-hearing and translation on 25/11/01. Requisitory letters sent to Madrid on 10/0101. Dismissal ruling on 06/04/01. Appeal on dismissal 23/04/01.

14 IÑAKI GURRUTXAGA RAFAEL

DATE FILED: November 7th 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3095/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Ruling for pre-hearing and translation on 25/11/00. Requisitory letter requested 09/01/01. Appeal for annulment of the dismissal ruling on 24/01/01.

15 IMANOL GORROTXATEGI

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3092/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Ruling for pre-hearing and translation on 25/11/00. Requisitory letters sent to Madrid on 09/01/01. Appeal for the annulment of dismissal ruling 24/04/01.

16 ANGEL TELLERIA LUJANBIO

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3093/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Ruling for appearance sent 12/01/01. Dismissal ruling 12/02/01. Appeal for overturning of ruling 24/04/01. Judgement of the presentation of the appeal 02/05/01.

17 URTZI AIRA URRUZOLA

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3090/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Pre-hearing opened and request for translation 25/11/00. Requisitory letters sent to A.N requesting the medical reports from the 10/01/01. Decision of dismissal made 6/04/01. Judgement requesting the proceeding of the Doctor on 23/04/01.

18 JON GASAMANES

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3091/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Ruling made for pre-hearing and request for translation on 25/11/00. appeal to overturn the archiving of the case 24/04/01. Judgement on the presentation of the appeal on 03/05/01.

19 GOTZON ARANBURU

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3085/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Ruling on pre-hearing and translation on 25/11/00. Requisitory letters sent to Madrid on 09/01/01. Appeal for the overturning of the archiving of the case 24/04/01.

20 IÑAKI LORENZO QUINTELA

DATE FILED: November 7th, 2000
COURT: Instruction no. 4, Donostia
PROCEEDINGS NUMBER: 3096/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Aintzane Ayastuy
STATE OF PROCEEDINGS: Judgement dismissing the case 05/04/01. Reform and ancillary appeal made 23/04/01.

21 ENEKO ALONSO

DATE FILED: May 18th, 2000
COURT: Instruction no. 2 Donostia
PROCEEDINGS NUMBER: 1196/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro
STATE OF PROCEEDINGS: October 6th 2000 a stay of proceedings is announced. October 26th appeal and ancillary appeal made against the archiving of the case. November 9th the reform appeal is accepted. November 23rd is called to appear as an injured party. 12/02/01 Ruling calls on the Ertzantza to make statements and the Ertzantza reply giving the number of agents that took part in the arrest and interrogation of Eneko. Appeal made. Date: 07/06/01.

22 XABIER ZUNIGA

DATE FILED: November 7th, 2000
COURT: Instruction no. 2, Donostia
PROCEEDINGS NUMBER: 2720/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Case archived 12/01/01. Appeal for overruling of the dismissal. 17/01/01. Rejected 06/02/01. ARCHIVED. Date: 06/06/01.

23 IRATXE APAOLAZA

DATE FILED: November 7th, 2000
COURT: Instruction no. 3, Donostia
PROCEEDINGS NUMBER: 2680/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Aintzane Ayastuy
STATE OF PROCEEDINGS: Dismissal ruling 14/04/01. Appeal for the overruling of the dismissal and ancillary appeal made 30/04/01.

24 JOKIN APEZETXEA

DATE FILED: November 7th, 2000
COURT: Instruction no.2, Donostia
PROCEEDINGS NUMBER: 2721/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy.
STATE OF PROCEEDINGS: letters sent to Madrid requesting medical reports. Date: 27/12/00 Appeal on the stay of proceedings ruling: Date: 23/04/01 Appeal rejected. Date: 24/05/01.

25 IKER INIGO

DATE FILED: August 31st, 2000
COURT: Instruction no. 1, Iruñea
PROCEEDINGS NUMBER: Abbreviated proceedings no. 5307/2000
LAWYERS: LAWYERS. Amaia Izko
STATE OF PROCEEDINGS: September 15th Judge requests the National Police for a report on what happened during the detention of June 2nd 2000. The Court rules a stay of proceedings in the case. Appeal and ancillary appeal against the stay of proceedings made . Finally the complaint is archived on 08/06/01 when the appeals are rejected.

26 AITOR DOMEZAIN ARTOLA

DATE FILED: October 24th, 2000
COURT: Instruction no. 1, Donostia.
PROCEEDINGS NUMBER: 3086/00
LAWYERS: Ainhoa Baglietto
STATE OF PROCEEDINGS: Decision to hold proceedings. Appeal and subsidiary appeal presented on 29/02/01. Appeal rejected. ARCHIVED on 28/06/01.

27 LARTAUN RODRIGUEZ ALDANONDO

DATE FILED: October 24th, 2000
COURT: Instruction no. 1, Donostia
PROCEEDINGS NUMBER: 3086/00
LAWYERS: Aintzane Ayastuy, Ainhoa, Aitor
STATE OF PROCEEDINGS: Ruled a stay of proceedings and an appeal and ancillary is made on 29/05/00. the appeal is rejected and the case is archived on 28/06/01.

28 AITOR ABANDA PAGOLA

DATE FILED: September 8th, 2000
COURT: Central Instruction no. 3 , Madrid
PROCEEDINGS NUMBER: D.P 148/00
LAWYERS: Ainhoa Baglietto, Aitor Ibero, Aintzane Ayastuy
STATE OF PROCEEDINGS: Complaint and withdrawal to Madrid. Institution no. 29.

29 GARIKOITZ MENDIZABAL

DATE FILED: September 8th, 2000
COURT: Instruction no. 5, Donostia
PROCEEDINGS NUMBER: 2472/00
LAWYERS: Ainhoa Baglietto, Aitor Ibero, Aintzane Ayastuy
STATE OF PROCEEDINGS: Withdrawal to Instruction no. 4, Madrid, D.P 1539/01.

30 JOXEAN ASTIGARRAGA

DATE FILED: October 3rd, 2000
COURT: Instruction no. 1, Donostia
PROCEEDINGS NUMBER: 2914/00
LAWYERS: Ainhoa Baglietto, Aitor Ibero, Aintzane Ayastuy
STATE OF PROCEEDINGS: Provisional holding and archiving of proceedings, November 10th, 2000, Right to appeal accepted December 18th, 2000. Appeals rejected. Date: 19/02/01. ARCHIVED. Date: 10/03/01.

31 GORKA IRURETAGOIENA MUJIKA

DATE FILED: November 7th, 2000
COURT: Court no. 1 Donostia
PROCEEDINGS NUMBER: 3184/00
LAWYERS: Aitor Ibero, Ainhoa Baglietto, Aintzane Ayastuy
STATE OF PROCEEDINGS: Stay of proceedings declared. Reform and subsidiary appeals made. Both appeals rejected. ARCHIVED Date: 28/06/01.

32 GAIZKA GARCIA URBIETA

DATE FILED: September 22nd, 2000
COURT: Instruction no. 4, Donostia.
PROCEEDINGS NUMBER: 1756/00
LAWYERS: Ainhoa Baglietto
STATE OF PROCEEDINGS: Report of Dept. of Public Prosecution November 3rd, 2000. Stay of proceedings declared. Reform and subsidiary appeals made on 01/03/01. Waiting for decision.

33 LEIRE MARTINEZ PEREZ

DATE FILED: September 8th, 2000
COURT: Instruction no. 2, Durango.
PROCEEDINGS NUMBER: 0963/00
LAWYERS: Arantza Zulueta, Iñaki Goiaga, Aintzane Ayastuy
STATE OF PROCEEDINGS: Withdrawn to Madrid, Instruction no. 16, and D.P 5674/00. Stay of proceedings declared. Reform and subsidiary appeals made.

34 AITOR LORENTE

DATE FILED: September 6th, 2000.
COURT: Instruction no. 1, Bilbao
PROCEEDINGS NUMBER: 2501/00
LAWYERS: Arantza Zulueta, Iñaki Goiaga, Aintzane Ayastuy
STATE OF PROCEEDINGS: Case withdrawn to Zaragoza. Court no 5, D.P 3768/00. Report by the Ministry of Public Prosecution on September 29th, 2000. Archived December 15th, 2000. Appearance to be informed of the archiving and later proceedings on December 27th, 2000. Reform and subsidiary appeal made on 23/02/01. Both appeals rejected 03/09/01. Archived 03/09/01.

35 JON KARRO

DATE FILED: September 29th, 2000.
COURT: Instruction no. 9, Bilbao
PROCEEDINGS NUMBER: 2768/00
LAWYERS: Arantza Zulueta, Iñaki Goiaga, Aintzane Ayastuy
STATE OF PROCEEDINGS: November 9th 2000 statement made by injured party. Stay of proceedings ruled. Date: 11/01/01. Reform and subsidiary appeal made 18/01/01. Appeals rejected. ARCHIVED on 25/06/01.

36 OSKAR AMARO

DATE FILED: September 29th, 2000
COURT: Instruction no. 7, Bilbao
PROCEEDINGS NUMBER: 2886/00
LAWYERS: Arantza Zulueta, Iñaki Goiaga, Aintzane Ayastuy
STATE OF PROCEEDINGS: December 26th, 2000 proceedings provisionally archived. Reform and subsidiary appeal made 28/12/00. appeals rejected. ARCHIVED. Date: 08/06/01

37 ENEKO ZESTAU ARANIBAR

DATE FILED: September 8th, 2000
COURT: court of Instruction no. 1, Iruñea
PROCEEDINGS NUMBER: DP 5369/00
LAWYERS: Amaia Izko
STATE OF PROCEEDINGS: Stay of proceedings. Date: 16/01/01. Reform and ancillary appeals made. Appeal rejected. ARCHIVED. Date: 15/11/01.

38 XABIER RESANO ARANIBAR

DATE FILED: September 8th, 2000
COURT: Instruction no. 1, Iruñea.
PROCEEDINGS NUMBER: DP 5369/00
LAWYERS: Amaia Izko
STATE OF PROCEEDINGS: Stay of proceedings declared. Date: 16/01/01. Reform and subsidiary appeal made. Appeals rejected. ARCHIVED. Date: 15/11/01.

39 IBON BELOKI ORTUZAR

DATE FILED: November 23rd, 2000
COURT: Instruction no. 3, Durango.
PROCEEDINGS NUMBER: 1038/00
LAWYERS: Aintzane Ayastuy, Arantza Zulueta, Iñaki Goiaga
STATE OF PROCEEDINGS: Instruction withdrawn to Bilbao. D.P 2819/00. Date: 29/11/00. Stay of proceedings notified on 10/05/01.

40 GORKA URTEAGA ARDOIA

DATE FILED:
COURT: Instruction no. 27, Madrid.
PROCEEDINGS NUMBER: D.P no. 1309/00
LAWYERS: Amaia Izko
STATE OF PROCEEDINGS: Stay of proceedings dated 26/10/01. Reform and ancillary appeals made. Date: 08/11/01. Reform rejected , awaiting appeal decision. Date: 14/12/01.

41 JUAN TRECET SASTRE

DATE FILED: December 29th, 2000
COURT: Instruction no. 1, Donostia.
PROCEEDINGS NUMBER: D.P no. 2883/00
LAWYERS: Aitor Ibero
STATE OF PROCEEDINGS: Case withdrawn to Madrid, Instruction no. 6. Date: 09/01/01. Case returned to Donostia no. 1. D.P no. 2883/00 on 16/02/01.

42 AMAIA PASCUAL

DATE FILED: November 23rd, 2000
COURT: Instruction no. 1, Donostia.
PROCEEDINGS NUMBER: 3280/00
LAWYERS: Ainhoa Baglietto, Aitor Ibero, Zigor Reizabal, Iñigo Elkoro, Aintzane Ayastuy
STATE OF PROCEEDINGS: Case withdrawn to Madrid, November 29th, 2000. Stay of proceedings declared. Reform and subsidiary appeal made.

43 JON IGOR SOLANA

DATE FILED: December 21st, 2000
COURT: Instruction no. 7, Bilbo
PROCEEDINGS NUMBER: D.P no. 3562/00
LAWYERS: Arantza Zulueta
STATE OF PROCEEDINGS: Stay of proceedings. Date: 13/08/01. Reform and subsidiary appeal made. Date: 10/09/01

44 HARRIET IRAGI

DATE FILED: December 22nd, 2000
COURT: No. 8, Bilbo
PROCEEDINGS NUMBER: D.P no 3345/00
LAWYERS: Arantza Zulueta, Iñaki Goioaga, Aintzane Ayastuy
STATE OF PROCEEDINGS: Case withdrawn to Seville, Instruction no. 11. D.P 205/01. Date: 21/12/00. Papers sent to Audiencia Nacional requesting medical reports.

45 IBON MUNOA

DATE FILED: December 15th, 2000
COURT: Court no. 3, Donostia
PROCEEDINGS NUMBER: 135/2000
LAWYERS: Ainhoa Baglietto, Aitor Ibero, Zigor Reizabal, Iñigo Elkoro, Joseba Agudo, Aintzane Ayastuy
STATE OF PROCEEDINGS: Withdrawn to Madrid. Date: 10/05/01

46 MIKEL ZULUAGA

DATE FILED:
COURT: Instruction no. 8, Bilbo
PROCEEDINGS NUMBER: D.P 479/01
LAWYERS:
STATE OF PROCEEDINGS: Stay of proceedings ruled. Reform appeal and ancillary made.

47 VICTOR GONI

DATE FILED: December 28th, 2000
COURT: Court no. 3, Gasteiz.
PROCEEDINGS NUMBER: D.P no. 3305/00
LAWYERS:
STATE OF PROCEEDINGS: Withdrawal of case to Court no. 6, Madrid. D.P 3940/01. Date: 29/06/01. Statements to lawyers and doctors. Date 12/09/01

48 NEREA GARRO

DATE FILED: December 29th, 2000
COURT: Court no. 2, Donostia
PROCEEDINGS NUMBER: D.P 5/2001
LAWYERS: Zigor Reizabal y Joseba Agudo
STATE OF PROCEEDINGS: Request for medical reports made to A.N. Date: 29/05/01. Ruling for a stay of proceedings. Reform and subsidiary appeal made on 04/09/01.

49 ASIER KARRERA

DATE FILED:
COURT: Instruction no. 5, Bilbo.
PROCEEDINGS NUMBER: D.P. 1072/01
LAWYERS:
STATE OF PROCEEDINGS: Stay of proceedings ruled. Appeal made.

50 IGOR MARTINEZ DE OSABA

DATE FILED: December 28th, 2000
COURT: Instruction no. 3, Gasteiz.
PROCEEDINGS NUMBER: D.P 251/01
LAWYERS:
STATE OF PROCEEDINGS: Stay of proceedings declared. Date:02/05/01. Reform appeal and subsidiary appeal made. Reform appeal rejected.

51 ROBERTO EZIOLAZA

DATE FILED:
COURT: Instruction no. 1, Gasteiz
PROCEEDINGS NUMBER: D.P no. 295/01
LAWYERS:
STATE OF PROCEEDINGS: Letters sent to Navalcarnero requesting medical reports, dated 23/05/01.

52 ASIER URRETABIZKAIA

DATE FILED: 29th December 2000
COURT: Court of Instruction no. 2 Donostia
PROCEEDINGS NUMBER: D.P no 3490/00
LAWYERS: Aintzane Ayastuy
STATE OF PROCEEDINGS: Initiation of ante hearing and withdrawal of case to the penal Court, Madrid on 04/01/01. Later it is passed on to Court no. 6 Madrid on 13/03/01

2001

1 JOSE RAMON RAMADA ESTEVEZ

DATE FILED: July 1st, 2001
COURT: Court no. 1, Donostia. Withdrawn to Madrid, Court no. 8, Madrid, date 14/05/01
PROCEEDINGS NUMBER: DP 2682/0
LAWYERS:
STATE OF PROCEEDINGS: Appearance in Madrid. Documents given to the translator's office.

2 IÑAKI KRUTZAGA

DATE FILED: July 26th, 2001
COURT: Court no. 4, Bilbao
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

3 LIERNI ARMENDARIZ GONZALEZ DE LANGARIKA

DATE FILED: April 5th, 2001
COURT: Court no. 1 Donostia- D.P. 923/01. Withdrawn to Barcelona. Court no. 26
PROCEEDINGS NUMBER: D. P.1557/01
LAWYERS:
STATE OF PROCEEDINGS: Confirmation of the complaint. Medical reports supplied.

4 NEREA GOIKOETXEA GASTESI

DATE FILED: October 2nd, 2001
COURT: Court no. 5, Donostia
PROCEEDINGS NUMBER: D. P. 2691/01
LAWYERS:
STATE OF PROCEEDINGS: Withdrawn to High Court, Madrid on 3/11/01.

5 OLATZ GALARRAGA FRAILE

DATE FILED: October 2nd, 2001
COURT: Court no. 3, Donostia
PROCEEDINGS NUMBER: D.P. 2765/01
LAWYERS:
STATE OF PROCEEDINGS: Letters sent to Madrid requesting reports and identification of officers of the Guardia Civil on 25/10/01.

6 JOSE MANUEL ZUBILLAGA

DATE FILED: April 4th, 2001
COURT: Court no. 1, Iruña. Withdrawn to Madrid, Court no. 33 on 26/06/01.
PROCEEDINGS NUMBER: D.P. 5291/01
LAWYERS:
STATE OF PROCEEDINGS:

7 PEIO GOIKOETXEA

DATE FILED: April 4th, 2001.
COURT: Court no. 1, Iruña. Withdrawn to Madrid, Court no. 42 on 26/06/01.
PROCEEDINGS NUMBER: D.P. 4232/01
LAWYERS:
STATE OF PROCEEDINGS: Confirmation of the case and letters sent to Madrid requesting expansion of documentation on 15/10/01.

8 ENAUT LERMA

DATE FILED: May 22nd, 2001.
COURT: Court no. 3, Donostia.
PROCEEDINGS NUMBER: 1282/01
LAWYERS:
STATE OF PROCEEDINGS: Reform and subsidiary appeals made on 13/12/01.

9 LEIRE GALLASTEGI

DATE FILED: April 3rd, 2001.
COURT: Court no. 3, Donostia. Withdrawn to Madrid, Court no. 43 on 19/04/01.
PROCEEDINGS NUMBER: D. P. 857/01
LAWYERS:
STATE OF PROCEEDINGS: Petition of witness on 12/06/01

10 JON ZUBIAURRE AGIRRE

DATE FILED: April 4th, 2001
COURT: Court no. 2, Donostia.
PROCEEDINGS NUMBER: D.P.674/01
LAWYERS:
STATE OF PROCEEDINGS: Reform and subsidiary appeal made against the archiving
of the case on 21/11/01

11 ASIER GARCIA

DATE FILED: June 4th, 2001.
COURT: Court no. 4, Donostia
PROCEEDINGS NUMBER: 2046/01
LAWYERS:
STATE OF PROCEEDINGS: Formal request made to Madrid for the medical reports on 7/08/01.

12 ZIGOR GOIKOETXEA

DATE FILED: June 14th, 2001
COURT: Court no. 3, Bilbao
PROCEEDINGS NUMBER: 1537/01
LAWYERS:
STATE OF PROCEEDINGS: Stay of proceedings and archiving of the case ruled on 12/07/01
Reform and subsidiary appeal presented on 20/07/01

13 URTZI MURUETA

DATE FILED: June 8th, 2001
COURT: Court no. 10, Bilbao. Withdrawn to Madrid on 23/10/01
PROCEEDINGS NUMBER: D. P. 3758/01
LAWYERS:
STATE OF PROCEEDINGS:

14 URTZI PAUL

DATE FILED: June 8th, 2001.
COURT: Court no. 9, Bilbao. Withdrawn to Court no. 2, Getxo on 22/06/01.
PROCEEDINGS NUMBER: D.P. 722/01
LAWYERS:
STATE OF PROCEEDINGS: Formal request for medical reports have been made to the A.N on 29/11/01.

15 JORGE DEL CAMPO

DATE FILED: June 8th, 2001.
COURT: Court no. 1, Bilbo. Withdrawn to Madrid, Court no. 2.
PROCEEDINGS NUMBER: D.P.5405/01
LAWYERS:
STATE OF PROCEEDINGS: Statement to ratify the complaint made in Getxo on 26/06/01

16 IMANOL LARRANAGA

DATE FILED: April 28th, 2001
COURT: Court no. 1, Iruñea. Withdrawn to Madrid, Court no. 28, on 26/06/01
PROCEEDINGS NUMBER: D.P. 4292/01
LAWYERS:
STATE OF PROCEEDINGS: Statement ratifying complaint on 31/07/01

17 JOSE ANGEL ALTZUGUREN

DATE FILED: April 28th, 2001
COURT: Court no. 1, Iruñea. Withdrawn to Madrid, Court no. 14 on 26/06/01.
PROCEEDINGS NUMBER: D.P. 5578/01.
LAWYERS:
STATE OF PROCEEDINGS: Appearance to identify the Guardia Civil presumed responsible. Request for medical reports on 26/10/01

18 EIDER PEREZ

DATE FILED: June 13th, 2001.
COURT: Court no. 1, Donostia
PROCEEDINGS NUMBER: D.P. 1642/01
LAWYERS:
STATE OF PROCEEDINGS: Request for medical reports on 9/07/01. Prison medical reports supplied on 20/07/01.

19 AITOR OLAIZOLA

DATE FILED: May 15th, 2001
COURT: Court no. 4, Donostia. Withdrawn to Madrid, Court no. 15 on 1/06/01.
PROCEEDINGS NUMBER: D.P. 503/01
LAWYERS:
STATE OF PROCEEDINGS: Medical reports requested.

20 ALICIA SÁEZ DE LA CUESTA

DATE FILED: April 25th, 2001
COURT: Court no. 1, withdrawn to Madrid, Court no. 16 on 07/05/01.
PROCEEDINGS NUMBER: D. P. 2745/01
LAWYERS:
STATE OF PROCEEDINGS: Appeared before the Guardia Civil to identify those presumed responsible on 14/12/01.
Prison medical reports supplied on 30/03/01.

21 AINARA FRESNEDA

DATE FILED: April 28th, 2001
COURT: Court no. 1, Iruñea. Withdrawn to Madrid, Court no. 12 on 26/06/01
PROCEEDINGS NUMBER: D.P. 4197/01
LAWYERS:
STATE OF PROCEEDINGS: Formal ratification of complaint on 24/09/01.
Stay of proceedings ruled on 19/11/01.
Reform and subsidiary appeal made on 26/11/01.

22 IRATXE SORZABAL DIAZ

DATE FILED: April 28th, 2001
COURT: No. 13, Madrid
PROCEEDINGS NUMBER: D.P. 2664/01
LAWYERS:
STATE OF PROCEEDINGS: Photographic evidence supplied. Expansion of medical report. Request for prison reports. Identification in the Hospital of San Carlos on 31/03/01

23 URKO ARROYO

DATE FILED: April 5th, 2001
COURT: Court no. 4, Gasteiz
PROCEEDINGS NUMBER: D.P. 1268/01
LAWYERS:
STATE OF PROCEEDINGS: Request for medical reports. Appearance on 3/04/01

24 OIER GOMEZ

DATE FILED: June 4th, 2001
COURT: Court no. 4, Gasteiz.
PROCEEDINGS NUMBER: D.P. 1197/01
LAWYERS:
STATE OF PROCEEDINGS: Request for medical reports on 3/04/01.

PREMIN SANPEDRO

DATE FILED: September 12th, 2001
COURT: Court no. 4, Donostia
PROCEEDINGS NUMBER: D.P. 231/01
LAWYERS:
STATE OF PROCEEDINGS:

ARANTZA MARTIN

DATE FILED: October 2nd, 2001
COURT: Court no. 4, Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

PERU ALVAREZ FERNANDEZ DE MENDIBIL

DATE FILED: October 2nd, 2001
COURT: Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

UNAI LOPEZ DE OKARIZ

DATE FILED: October 2nd, 2001
COURT: Court no. 4, Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

FERNANDO GARCIA JODRA

DATE FILED: October 9th, 2001
COURT: Court no. 4, Donostia. Withdrawn to Barcelona.
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS: Letters rogatory 826/01. Ratifying statement 14/12/01. Prison medical report given on 29/08/01.

NEREA BENGOA

DATE FILED: October 22nd, 2001
COURT: Court no. 2, Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS: Prison medical reports provided on 29/08/01

IZATE ETXEBERRIA

DATE FILED: August 8th, 2001
COURT: Court no.8, Gasteiz
PROCEEDINGS NUMBER: D.P. 2878/01
LAWYERS:
STATE OF PROCEEDINGS: Ratification of complaint.

ENEKO BALANTZATEGI

DATE FILED: August 8th, 2001
COURT: Court no.2, Gasteiz
PROCEEDINGS NUMBER: D.P. 2877/01
LAWYERS:
STATE OF PROCEEDINGS: Complaint is ratified and a medical check up is carried out on 3/11/01.

JUAN CARLOS SUBIJANA

DATE FILED: October 2nd, 2001
COURT: Court no. 4, Donostia
PROCEEDINGS NUMBER: D.P. 2472/01
LAWYERS:
STATE OF PROCEEDINGS: Withdrawn to Madrid on 5/10/01. The prison medical reports are provided on 24/10/01

JOSÉ RAMÓN ACEDO

DATE FILED: October 22nd 2001.
COURT: Court no. 2, Donostia. Withdrawn to Court no. 1, Palencia on 29/08/01
PROCEEDINGS NUMBER: D.P. P.A. 1749/01
LAWYERS:
STATE OF PROCEEDINGS: Request made to the Audiencia Nacional for medical reports on 19/12/01.

RAÚL VALLINAS

DATE FILED: October 9th, 2001
COURT: Gasteiz
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS: Prison medical reports provided on 7/09/01.

SENDOA DOMINGUEZ

DATE FILED: October 2nd, 2001
COURT: Court no. 2, Gasteiz
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS: Complaint ratified on 11/12/01.

37 AITOR DURAN

DATE FILED: October 10th, 2001
COURT: Gasteiz.
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

38 IBAN ORTIGOSA

DATE FILED: October 10th, 2001
COURT: Court no. 4, Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

39 UNAI ROMANO

DATE FILED: October 10th, 2001
COURT: Court no. 4, Donostia. Withdrawn to Madrid, court no. 25
PROCEEDINGS NUMBER: D.P 5544/01
LAWYERS:
STATE OF PROCEEDINGS: Medical reports. Clinical records. Doctor's statement and witnesses on 29/01/01.
Statements made by the accused Guardia Civil on 22/01/01

40 JOKIN ZERAIN

DATE FILED: December 13th, 2001
COURT: Court no. 4 Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

41 OSKARBI JAUREGI

DATE FILED: December 13th, 2001
COURT: Court no. 4, Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

42 ROBERTO LEBRERO

DATE FILED: December 13th, 2001
COURT: Court no. 4 Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

43 SANTI ARAGON

DATE FILED: October 22nd, 2001
COURT: Court no. 3, Donostia
PROCEEDINGS NUMBER: D.P.2838/01
LAWYERS:
STATE OF PROCEEDINGS: Medical reports provided on 16/11/01. Ertzainas appear for recognition on 12/11/01

44 BIXENTE GOIA

DATE FILED: April 28th, 2001
COURT: Court no. 1, Iruñea. Withdrawn to Madrid on
PROCEEDINGS NUMBER: 26/06/01
LAWYERS: D.P.5566/01
STATE OF PROCEEDINGS: Guardia Civil called and request for medical report on 21/10/01

45 JOXE ELIZEGI

DATE FILED: April 26th, 2001
COURT: Court no. 3, Donostia
PROCEEDINGS NUMBER: D.P.1159/01
LAWYERS:
STATE OF PROCEEDINGS:

46 RICARDO ARANBURU

DATE FILED: December 28th, 2001
COURT: Court no. 1, Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

47 ANGEL MURGOITIO

DATE FILED: December 28th, 2001
COURT: Court no. 1, Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

48 JULEN ERENAGA

DATE FILED: December 28th, 2001.
COURT: Court no. 1, Donostia.
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

THE INVISIBLE MARKS OF TORTURE

49 ANA BELÉN EGUES

DATE FILED: December 28th, 2001
COURT: Court no. 1, Donostia
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

50 ASIER ALTUNA

DATE FILED: December 28th, 2001
COURT: Court no. 1, Donostia.
PROCEEDINGS NUMBER:
LAWYERS:
STATE OF PROCEEDINGS:

"The beatings pass, as does the physical pain, the bruises fade... but what stays with you inside will take its time in passing. You ar e a doll and they play with you as they want to. They wiped me out and humiliated me. For them that day they won...".

Alicia Saez de la Cuesta.

"...the physical pain is one thing, but in reality there are two... Above all it is the psychological pain. The physical pain goes. What remains is the psychological pain... Thinking that, it could happen again, and also thinking of what they have done, what they made you sign, being forced to give names of friends, sign everything they say... In the end, they win, in the sense that they achieve what they want. They put a statement in front of you, make you memorise it, sign it ... The physical marks of torture fade after the sixth day...".

Extract of an interview made with Iratxe Sorzabal in "Euskaldunon Egunkaria", on December 16th.

The use of physical torture can be seen, it leaves marks, parts of the bodies swollen, broken or wounded. But there are other types of torture and that is psychological torture, the use of which is hidden. The marks remain on the inside, they are not to be seen at first glance, but they are there. On many occasions it is believed that if a detainee hasn't been beaten, hasn't had the bag or electrodes used on him/her, then that is a "calm" period

of detention and the person hasn't been tortured. But they always try to use methods that won't leave visible marks. Holding detainees incommunicado allows detainees to receive despicable treatment including: threats, insults, mock executions, interminable interrogations and aggressions towards the sexual identity of the person.

An infinite number of diverse and well known psychological scars are left, in the short and long term, as a result of this treatment. These are scars that the person keeps inside and deals with alone. For this reason, and because thousands of citizens have gone through, that, we believe that it is important to inform and educate society about torture.

After an arrest what is left is the psychological damage. This pain turns into psychological scars, and it may slowly heal with time until finally disappearing, but in some cases it can turn into something chronic. This is what we call a post-traumatic stress.

Post-traumatic stress appears abruptly and many years may pass between the time of detention and the moment of its appearance. These are the different symptoms that may arise:

1) Reliving the trauma. The subject re-lives the trauma. That is, the person doesn't remember it but re-lives it once again. The re-living of the trauma includes the following symptoms: uncontrolled thoughts related to the trauma, recurring nightmares, sensation of reliving the deed through "flashbacks", hallucinations etc. Intense psychological and physical reactions of uneasiness when confronted with something that reminds one of the deeds.

In this situation the subject finds himself/herself repeating the trauma, re-exposed to the traumatic situation, as she/he re-lives the situation time and again

2) Avoidance. There are two types of symptoms in this category:

a) Symptoms of avoidance: that is, people and places are avoided that remind one of the deeds.

b) Sysmptoms of dissociation: a psychological bottling up occurs in this case.

This involves the following: inability to remember anything related to the traumatic event, a loss of interest in things related to the traumatic event, a loss of interest in activities that were significant, sensations of detachment from others, inability to feel positive feelings and feelings that the future is desolate and desperate.

The subject develops these symptoms in an attempt to protect himself from intolerable emotions, or even avoiding all that reminds him of the trauma, or anesthysing oneself emotionally.

3) Hyperactivity. Hyperactivity consists in always being "on guard", in order to avoid a repetition of the traumatic event. The subject never feels safe. The symptoms include disturbed sleep, difficulties in concentrating, irritability, over caution and exaggerated reactions.

In order to be able to diagnose post-traumatic stress the subject ought to present a series of symptoms:

1.- Symptoms of re-living the trauma.

2.- Three symptoms of avoidance.

3.- Two symptoms of hyperactivity.

Up to a certain point all the above symptoms appear contradictory: Those who suffer post-traumatic stress related disturbances seem to have been frozen in time, focussing on the arrest and being condemned to repeat it over and over again (in an apparent attempt to process it and put it aside), and on the other hand trying to avoid it, forget it, and/or numb ones feelings and reactions in order to avoid suffering. But these symptoms seem to have an adaptive function: on the one hand to protect the individual from being exposed to the traumatic act, and on the other hand, a frustrated attempt to integrate emotional memory with verbal memory.

The investigations into the nature of the traumatic memories indicate that the trauma interferes in the processes connected to the memory. This means that there is almost a collapse in the area related to the codifying of the experience in words. Simulta-

neously, it increases the activity in the area related to emotional memory. Therefore, the traumatic event is principally put into implicit memory, and less so into explicit memory or narrative. For this reason the trauma is also called terror without words.

Implicit memory doesn't remember, but it re-lives, and doesn't recognise the event as something of the past. Only by putting the memories into Narrative memory (putting words to events) can the symptoms disappear. For this reason it is important that the person who has been arrested and tortured gets the proper resources, that are purposely created so that they can relate and speak about their experience.

Work carried out by psycologists cooprating with TAT

TWO ILLUSTRATIVE CASES

In this section we highlight two significant cases of torture that were suffered in 2001: Iratxe Sorzabal and Unai Romano. The clarity of these cases, the actions of Judges Ismael Moreno and Guillermo Ruiz Polanco of the Audiencia Nacional, the medical reports from the hospitals and the prison, the "surprising" actions of the doctors assigned to the Audiencia Nacional..., are elements that we consider important when demonstrating the reality of torture.

There are many cases in which there are medical reports of injuries, cases that are still being processed which we could highlight. TAT is in possession of this material and would be more than happy to facilitate those interested with the information.

We will include, for the demonstrative value that they have, the full accounts of these victims, and reproduce some of the medical reports, both of the G.P's and the hospital reports, which we consider to be most explicit and illustrative.

IRATXE SORZABAL

FULL ACCOUNT

I was arrested in Hernani by the Guardia Civil on March 30th and I spent 5 days in their hands.

30/03/2001, Friday: The arrest took place at 9.10 in the morning, when I left my house. Three people approached me, took out their badges and identified themselves and then put me in a car. They told me that we were going to Intxaurrondo. " You know where we are going? To Intxaurrondo! You know what that means, don't you?!" We arrived there (I was obliged to keep my head bent for the duration of the journey), they put in a building and put on a blindfold to impede vision. They took my prints, but I don't know on what paper they were put because I couldn't see anything. A woman came and began to search me. There were two men beside me and the made me take off my bra as they made me strip waist upwards. They then began to touch my breasts, whilst saying "look at those tits" and things like that. I began to struggle and then began to wretch, they began to laugh, and half-laughing they told me to stop making a show. After telling me to dress again they read me my rights. They took me from there in a car to Hernani to begin the search of my house.

They stopped the car at the door and took me from the car with a jumper over my head (before leaving the car they took the blindfold off me). There were many civil guards (Guardia Ci-

vil) and their was a judge and his secretary. They searched the whole house in my presence and that of the judge. They also searched the store room, and to do so broke down the door. Before reaching the house to carry out the search they told me that I would go first when we entered the house and that I should take care because if there was anyone there I would get what's coming (this they said in a threatening manner).

When the search had ended they gave me the search warrant to sign, I didn't sign it. The Judge and the secretary gave me a copy which the guardia civil took from me and I haven't seen since. They put the jumper over my head once again, took me from the house and put me in the car. It was about 15.00, and once in the car we began the journey to Madrid.

There were five people in the car, 4 civil guards and myself. I travelled in the back seat between two of them. I could see the faces of those in the front seat and the civil guard to my left. Once in the car the boss said to me "Well, here ends all that nonsense of rights, judges and shit, from now on you are going to find out what is good! Have you heard, bitch!"? He punched me in the head. From then on they put the blindfold on and the punches to the head, insults and threats were constant. Apart from the driver the others beat me heavily around the head. The agent beside me took out a device which he was carrying between his legs and began to give off discharges to my right flank. The one on my left took a plastic bag and put it over my had impeding my breathing to a point of almost suffocation. The punches that I received from the one travelling in the front were continuous. In addition, the one who was travelling on my right felt my breast. All that, electrodes, the bag, the molesting and the punches happened whilst they continuously shouted, insulted and threatened me. I lost consciousness on at least two occasions and I wet myself. On a few occasions I managed to tear the bag using my teeth before losing consciousness, but then they replaced it with another. On seeing my ability to tear the bags they began applying them three at a time.

They told me that what they were doing was soft, that when we arrived to Madrid I would find out what suffering was. They said those in Madrid were animals. The one on my right said that

the batteries of the device had run out, so he changed them and the discharges began once again. He passed the device to the one sitting on my left on a couple of occasions and he too applied the discharges, on my left hand side. The shocks from the electrodes were constant, as were the blows, the bag, the touching, the shouts, threats and insults. And all at the one time.

They stopped the car (at what they said was a petrol station), and we were there for two or three minutes. They stopped torturing me for the duration. One left the car and came back with more bags, saying that I had torn all the others but that it didn't matter because they would have enough bags to kill me with. We got going again and more of the same: the bag, electrodes, insults, touching, shouts and blows...

One of them told me that they were going to do the same as they did with Geresta or with Basajaun, that they would take me to the mountains and kill me. They stopped the car (they said that we were in the mountain) and they put a gun in my hand. I didn't want to take it but they continued to hit me and forced me to take it. They told me to get out of the car and to run, that they would shoot me and then they would say that I had tried to escape and that they had to shoot. They forced me to get out of the car with the gun. They shouted at me to move but I couldn't move, and I didn't run. They put me in the car once as one said "lets go, people are coming, get into the car there are people coming. You are lucky bitch, because if people hadn't of come we would have killed you right here."

From this point on the same story as before began: the bag, electrodes, molesting (tocamientos), shouts, blows and threats...they said all types of things to me " fat bitch, we have left you penetrated (te hemos dejado cebarte)...how much did you weigh a year ago, 38 kilos? Look at how you've put weight on...you'll find out when we get to Madrid...you're going to shit yourself... it'll be much worse there...the colleagues awaiting you there are animals...you'll see... you can' t work properly here in the car, but there we'll have more than enough time and space to work happily... we're going to kill you bit by bit..."

We arrived to Madrid, later I would find out that we were in the Headquarters of the Guardia Civil, where I received an al-

mighty beating from 6 or 7 Civil Guards in the corridor. They said it was my “welcome”. While they beat me (blows to the head above all else), the blindfold was slightly removed and I could see that it was 6 or 7 men, the ones who had brought me there and two or three others that had balaclavas on. The beating was brutal but it was short, it lasted about 20 seconds. They beat me with their hands and something hard.

They threw me towards the cell, left me there for about a quarter of an hour, and came for me again. They brought me along the corridor and up some stairs to a room. Before putting me in the room they removed the blindfold. There was a man there who said he was a doctor and he showed me his identification card. I was very nervous and I didn’t believe him. I thought it was a Guardia Civil and that he was fooling around. Each time he came towards me I jumped with shock because of the fear I had. I am shaking and I can’t speak, I’m crying and shaking...he tries to calm me down but I don’t believe him, I’m very scared. I ‘m about a half an hour in that room, sitting in the chair, shaking, without being able to speak and I’m crying.

At about 19.30 the doctor goes (later I was to find out that it was actually a real doctor), and they take me downstairs. Once the doctor had left they put the blindfold back on. From then until midday the next day this is what happens (16 hours non-stop, without a break): they put me in room which they call “room A”, where there are lots of men, around 10. They take turn torturing me. They continuously put a bag over my head until I almost smother...to do this one of them supports me from behind and so when I lose consciousness I don’t fall to the ground, the blows to the head are continuous (with their hands, the telephone book- they told me what it is- with a rolled up magazine- I can see this...). They tie my wrists and my legs, they put foam on so that marks aren’t left. Then they wrap me in a blanket, and prevent me from moving with sealing tape. They lie me on the ground with my face upwards (only me head is free), then a civil guard gets on top of me and suffocates me again with the bag. They put the bag into my mouth to the very back of my throat and they cover my nose, until I get sick. They take turns in doing so, in reality taking turns in doing everything. They strip me (they

do it in a very violent manner as I don't have any energy left), gather in a circle, leaving me in the middle. They make me do all types of exercises. Some raising and lowering the body, others raising and lowering the arms. While I'm doing the exercises they hit me around the head, they begin touching my body, especially my breasts, behind and pubis. They take a pole and tell me that they are going to shove it into my behind, they force me to get down on all fours on the blanket, they slap me...

This takes place over a 16 hour period, amongst constant shouts, threats and insults. They took turns amongst themselves and told me "now the really bad ones are coming". They constantly threaten me with rape... one of them takes off his belt and unzips his zip (as I have a blindfold on I can't see him but I feel it), and he says "now you are going to suck my dick..." while the others say "now we are going to fuck you, one by one, we're going to take turns.." etc . The threats are also constant in relation to my family, saying they are going to arrest my sister and my mother and they are going to rape her... one of them acted as if he was giving the order by telephone to have my mother arrested and to bring her to Madrid (later I would find out it was a lie). I hear shouts and they say that it is a friend of mine and that she is being tortured too (I later found out that this too was a lie). They tell me that they are going to take me in a helicopter and throw me from it, and tell me that I have to learn what they are going to tell me, if not they are going to continue in that way until they kill me...they threaten me with the "bath" and the "rack" saying that its the only things left that I have to try. They ask me questions amongst shouts, saying time and again the answers they want to hear, and when I say something they don't like they hit me hard. They tell me the answers so I can learn them.

In those 16 hours they took me on three occasions to what they called "room B". It's next to "room A". Each time they take me there I am forced to sit on a chair and they begin to interrogate me, with them telling me what I have to answer. Each time I don't answer one of their questions to their satisfaction they take me back to "room A" where they continue to torture me. When I'm in "room B" it seems to me that the same people are there that are in the other room, judging by the voices. In this room they take of the blindfold and I can recognise those that were in the car amongst them, but the rest have their faces covered.

All of this occurs between Friday afternoon and midday Saturday.

31/03/2001, Saturday: At around midday they take me to the cell, and after around a quarter of an hour they take me to the doctor upstairs. I still have doubts about him, I don't know if he's really a doctor, but I am destroyed and I risk telling him about the treatment I am being subjected to. I believe that if he's really a doctor he is going to help me and if not, we to be honest, it's impossible that they do anything worse to me than I have already suffered...I am very scared but I can't stand any more...my head felt like it was going to explode, a terribly sore neck, extreme physical exhaustion and so I began showing him the marks that had been left by the application of electrodes. When he saw me he told me he was going to take me to hospital, he left the room and another doctor, who said he was a Guardia Civil doctor, came but he couldn't overrule the decision and I was taken to hospital, to emergencies. They kept me there until around 19.00 carrying out different tests.

Firstly a doctor of internal medicine observes me, makes a report of the injuries that I have, I tell him they have been caused by the treatment I have received from the Guardia Civil..electrodes, beatings...he examines me and send me to have different tests, a scan, a cervical plate. A dermatologist comes to take photographs of the marks that the electrodes have left, they do a biopsy of the injured skin. When the doctor of internal medicine returns he tells me that both cervicals have been moved and sends me to the traumatologist. Is seems certain that they are going to have to put on a collar.The traumatologist after examining my neck, and without paying me much attention, merely prescribes me some tablets (paracetemol)

The doctor tells me that he is going to give the tests and reports to the judge, but to this day I still haven't heard anything about those tests.

When we leave the hospital they take me once again to the Guardia Civil barracks. As soon as I get out of the car one of them says to me "you are going to shit yourself". They take me straight to "room B", without the blindfold, and sit me down on a chair in front of the boss behind the table. Behind me there are civil guards but I can only see three because any time I look back they shout at me not to look at them.

The chief begins to speak to me, he says that they are very angry with me. They say that in future I have to do what they order me to do, that I have to make a statement repeating word for word what they tell me. They tell me that I have three options:If I don't make the police statement, they are going to continue as they did until then, that is by torturing me without ceasing; the bag, electrodes, blows...that his superiors are well aware of the treatment that she is receiving and they don't have any problem with that.

If I don't make a statement repeating word for word what they tell me to say, the treatment is going to get worse, worse than I have suffered to that point, that they still have three days to make me suffer so much that they kill me.

If I make a statement like they tell me, they won't lay another hand on me and will let me sleep after it.

They tell me that I don't have rights and that I have to choose between the three options. I am physically and psychologically destroyed and I tell them that I will make the statement that they want. The force me to repeat it time and time again, then they take me to another room with my eyes closed and looking at the ground. I have half my body bent due to the pain in my neck. I can't look at the ground by merely bending my neck. In this room there is a man seated who says he is a State appointed lawyer. I sit in a chair that is in front of him, in front of me there is a table with chairs where the instructor (who had until that point said he was the boss) and a man with a computer are seated. I state what they have forced me to learn by heart due to my fear.

01/04/2001, Sunday: In the morning I have an interrogation that last almost four hours in "room B". They force me to learn new things, and tell me that that afternoon I have to make another statement. Once again they give me the three options that they gave me the previous day. They take me to the cell and give me a tablet for the pain. I take it because the pain in my head and neck are unbearable.

At midday the medical doctor comes to examine me, sees that I have physically improved, but I don't dare to tell him that they are pressurising me to make a statement that they want me to, because I am terrified that if I say anything they will begin the treatment again which resulted in me having to be taken to hospital.

In the evening I make a second police declaration, as they have forced me to learn. The State appointed lawyer notices that I'm in a bad state because two Guardia Civil have to help me stand up from the chair, and he asks me if anything is wrong. The two Civil Guards tell him that I'm fine and nothings wrong. He asks me again directly but as I am so terrified I tell him I'm fine, although I don't believe I could actually feel any worse.

The rest of the days I spend like Sunday, the take me from the cell to "room B", I learn what they want me to say and I go again to make further statements..All this as they consistently threaten me.

The doctor comes everyday, but I don't dare to tell him about the threats, because I don't want to receive the treatment of the first few day...The last few days I am tortured psychologically, through threats etc. On Sunday, two Civil Guards enter the cell and begin shouting at me and hitting me around the head, but apart from that, the last few days they didn't torture me physically. Although they offer me food, I can't eat hardly anything, and as a result I am physically even weaker.

On Tuesday, at night, the chief comes into the cell and without shouting, he threatens me once again saying that the next day they are going to take me to the High Court, and that all I have to do is confirm the police statements. If I don't they say they will arrest my family, my mother and that they will receive the same treatment that I have received, and in addition they will

add collaboration. That this won't happen, he says, is in my hands. I, still terrified, tell him that I will do what he wants.

On Tuesday at 6 in the morning they tell me to change my clothes, the chief threatens me once again to make the required statement to the Judge. They put me in a van and take me to the High Court. Previously I am examined by the medical doctor.

I make a statement to the judge in a incommunicado situation, without the presence of a lawyer of my choice. Then I know that after spending 5 days in the hands of the GC, that I won't be returned to them, and so I refuse to make a statement, because my lawyer of confidence isn' t present. I tell the Judge of the treatment I have been subjected to.

I return to the cells of the High Court and once again I am visited by the doctor for an examination of my injuries. The lift the incommunicado order and I am allowed to be with my lawyer again, and I tell him the treatment I have received.

I receive the order to be imprisoned in Soto del Real. They treated another part of the injuries because the marks of the torture I have received are still visible.

MEDICAL REPORTS

Dr. M. Itxaso Idoyaga Hoyos
Registered no. 4808584
Medical College of Bizkaia

MEDICAL REPORT OF MS. IRATXE SORZABAL DIAZ

Due to the impossibility of carrying out a probe of the patient the following report is being made based on the following elements.

- Iratxe's written personal account
- Medical reports by the doctor of the Audiencia Nacional Angel Canaleda
- Reports from the San Carlos Surgical Hospital Madrid: internal medicine, traumatology and dermotology.
- Anatomical report
- Dr.Taisir Taufiq Hamdan's report
- Report by the on-duty doctor at the Madrid V prison.

ANAMNESIS

From the testimony of Iratxe Sorzabal the following facts can be deduced.

Ms. Sorazabal has indicated that the Guardia Civil (Civil Guard) arrested her at her home on March 30th 2001, at around 9.10am. On the journey in the car to a place they said was the Intxaurrondo barracks, she was forced to travel with her head bent. When they arrived they put on a blindfold to impede her vision. She claims that she was forced to strip from the waist up and that two men felt her breasts while saying "look at those tits" and such things. She claims that she struggled and began to feel sick. Later they made her dress and then she was taken to her home to carry out the search.

At around 15.00 she was again put in the car and transferred to Madrid. She has indicated that on the journey she received a number of blows, insults and threats. She has described how a Guardia Civil, that was travelling on her right, took out an instrument that he was carrying between his legs and began to discharge the instrument into her right side. Meanwhile the Guardia Civil that was travelling on her left took a plastic bag and put it over her head, impeding her breathing and almost suffocating her. She received continuous blows from the guardia civil that was travelling in the front passenger seat. She recounts how the one travelling on her right also felt her breasts. She recounts how everything, the electrodes, the bag, the touching and the blows were continuous, mixed with shouts, insults and threats. She has pointed out that she lost consciousness on at least two occasions and that she wet herself. Before losing consciousness she managed to rip the bag on a few occasions using her teeth, and that they put a new one on. Finally, seeing that she was managing to rip the bags, they put the bags on three by three.

She has spoken of how the policeman on her right said that the batteries of the instrument for giving electric shocks has run out, how they changed them and that the shocks began once again. On a few occasions the instrument was passed to the

agent on her left, and that he too applied shocks to her left hand side. She has related how the electrodes, the blows, the bag, the touching, shouts, insults and threats were constant and all at the same time. She tells of how they stopped the car at one point, put a pistol in her hand and told her to run, but that she couldn't move. When the journey to Madrid began again so too did the treatment that she had received earlier.

She tells of how, when she arrived to Madrid, she was brought along a corridor where 6 or 7 guardia civil gave her a fierce beating, but which was of a short duration. Whilst they were beating her around the head the blindfold was moved and so she could see that it was 6 or 7 men. She has pointed out that after that she was taken to a cell and left there for about a quarter of an hour. Later they took off the blindfold and they took her to someone who they said was a doctor. He showed her his card, but she was so nervous that she couldn't read. She related that each time the doctor moved closer to her, she jumped back in fear because she thought he was a guardia civil. She was shaking and crying and she couldn't speak.

When the doctor left they put the blindfold back on. Every now and then they took her to a room to interrogate her, where there were around 10 men judging by the voices. They took turns in putting bags on her head to suffocate her, she was being held up from behind so that she wouldn't fall to the ground when she lost consciousness. She tells of how the beatings were continuous (..with their hands, with a telephone book or with a rolled up magazine). They tied up her hands and feet, and they put rubber foam on her so that marks wouldn't be left. She tells of how they rolled her up in a blanket and secured it with tape. They threw her to the ground, left her lying face upwards, her head being the only part of her body free of the blanket. A guardia civil got on top of her and smothered her time and again with the bag, putting the bag into her mouth to her throat; they covered her nose in order to make her sick.

She told of how they stripped her in a particularly violent manner because she had no energy left at that stage. They made a circle around her. They made her do exercises of all types: some raising and lowering the body and others raising and lowe-

ring the arms. She points out that while she was trying to do these they beat her around the head. They began to touch her body, especially her breasts, her backside and her pubis. They picked up a baton and said they were going to introduce it up her backside. She tells of how they made her get on the floor on all fours and how they slapped her around the body.

She relates of how they constantly threatened her with rape. One of them took of his belt and opened the zip of his trousers. She didn't see this because of the blindfold, but she could hear and feel it. This civil guard said that she had to carry out fellatio with him, while the others said that they were going to rape her one by one. She told of how the threats against her family were constant, that they were going to arrest her sister, and that they were going to rape her mother... She heard one speaking on the phone, giving the order to arrest her mother. She heard shouts and they said that they were torturing her friend. They also said that they were going to take her up in a helicopter and throw her from it. They threatened her with the "bath" and also said they were going to put her on the "rack". They shouted questions at her, saying to her time and again the answers that they wanted to hear, and when they heard something they didn't like they hit her harder. They repeated again the answers they wanted so that she could memorise them. She indicated that they interrogated her in one room and they brutalised her in another.

When she was returned to see the doctor she was absolutely destroyed, and so she risked telling him of the treatment she was receiving, although she still doubted his real identity. She told of how her head and neck hurt her, that she felt an extreme physical exhaustion and she showed him the marks that had been left by the use of electrodes. Later she was taken to hospital, she was examined by a dermatologist, and internal doctor and a traumatologist. After x-rays, scans, photographs and a biopsy of the injuries she was prescribed paracetamol.

She recounts that when she returned to the station the interrogations continued, but without the earlier type of treatment. She was ordered to look at the floor and she had to bend from the waist because she couldn't look at the ground by merely bending the neck. She tells of how she was made learn the statement

as they insulted and threatened her. They beat her around the head again, but said, over the following three days they didn't physically torture her any more.

MEDICAL REPORTS

30.03.2001 Doctor Angel Canelada reports that the patient reacts with "don't touch me" as he tries to take her blood pressure. In addition he claims that she "is very emotionally charged".

31.03.2001. Medical report indicates that Ms. Sorzabal suffers bruising which she claims has been caused by an instrument. The report contains he allegations of having received blows to the head. Decides on her transfer to hospital.

Notes that from the consultation with the traumatologist, dermatologist and internal medical doctors that no clinical importance can be deduced from the injuries. The injuries are photographed and a biopsy of the skin is taken. A TAC (examen cervical) is made, which shows the absence bone and neurological wounds. Cervical x-rays are taken which "confirm the absence of bone wounds but the existence of muscle contracture possibly related to a chronic process".

31.03.2001. Internal Medical Report of the San Carlos Hospital. Notes the presence of:

- Migraine headache and extreme neck pains, (cefalea con cervicalgia mecánica) that according to the patient was produced by aggression received and for having to maintain the head bent over many hours.
- Cervical contracture without evidence of bruising or traumatic hyperaemia.
- Erythemas of the sides (flancos).
- x-ray of the spinal column:
  - rectification of the curvature of the spine
  - lower dislocation C3-C4
- TAC of the skull: No significant alterations.

31.03.2001. Traumatology Report of the San Pedro Hospital. Finds muscular contracture probably related to a chronic process. The X-Ray of the neck indicates that there is no bone wounds nor criteria of instability in the spinal column.

31.03.2001. Report of a student (residente de segundoi año) in the second year of Dermatology of the San Carlos Hospital, due to the impossibility of finding a colleague (adjunto). Describe an area of approximately Xx 10cms on the right part of her body with injuries of a reticulate aspect and of a erythema-violet like- dark red colouring that at certain points micro-vesicular. On the left side of her body there are isolated injuries of the same characteristics but in a small number. Biopsy is taken of the right part of her body. Lists the pathologies that aren't accounted for in the injuries: shingle herpes, curative rash, viral rash, psoriasis, chronic eczema, infectious pathologies like impetigo or scalpel pemphigus.

01.04.2001 Medical report indicates that the patient is feeling better. Reports that she has had dinner, slept and had breakfast. Underline that the injuries that were photographed were "drying" without complications.

02.04.2001.Medical report observes that the skin injuries are drying and healing. Normal blood pressure and heart and lung auscultation.

03.04.2001 Medical report states that Ms. Sorzabal is feeling better, more relaxed, and denies that she has received ill-treatment in the previous days. Indicates that she is suffering from migraine. Recovery normal. Blood pressure and lung and heart normal.

04.04.2001 Medical report shows that injuries continue to dry out, with some scabs peeling off. Blood pressure and heart and lung capacity normal.

04.04.2001 Medical report of the Penitentiary Centre of Madrid V. In the examination superficial injuries to the right part of her body are shown and a biopsy is taken in the hospital, there are also injuries, but fewer, on the left hand side of her body. Suffering from pain in the cervical and parietal region.

21.04.2001 Medical report of Dr. Taisir Taufiq Hamdan he observes marks on her right hand side and corresponding scars to the marks that have healed. Notes a bald patch on the scalp in the occipital region. The patient complains of neck (cervical) pains. From the rest of the tests that were made the only diagnosis he made was the contracture of the trapezium muscle probably related to a chronic process. He orders the beginning of a heat treatment and paracetemol.

24.04.2001 Reports pathological anatomy. Indicates that the microscopic examination of the surface injury shows the presence of inflamations due to polimorphonuclear neutrophiles in the dermoepidermic union with breaking off of the epidermis. Part necrosis in the epithelia have been observed. Concludes that they are unspecific findings that require clinical microscopic correlation as well as an evaluation of the evolution it.

EVALUATION

A) Allegation of ill-treatment according to the IRCT protocol

2.1.2.1.1. Scheme of psychological torture methods

1. Deprivation
   01.10 Sensual Deprivation
   1.1.1. Application of a blindfold

1. Coercive techniques

02.05 Obliged to make a confession

2. Threats

2.10. Threats directed to the victim

2.51. Threats directed against the family

2.52. Threats against friends

2.1. Undignified humiliation and lowering of self-respect

5. Sexual torture: abuse and touching

06.00 Communicative techniques

5.20. Bad/good answers constitute a motive for continuing the ill-treatment

2.1.2.2.1 Scheme of physical torture methods

1. Punches: above all to the head

5.1 Forced to hold strange postures: maintenance of flexed neck muscles

5.2 Exhausting exercises: press ups

6.2 Suffocation: by placing a plastic bag over the head and obstructing breathing

9. Application of electric shocks

A) Evaluation of surface skin injuries.

On the basis of macro and micro analysis described we are dealing with a dermatitis with the development of sub-epidermal cells with necrosis of the epithelium.

After excluding those illnesses that arise as dermatitis with sub-epidermal cells that transmit with the epidermis intact, and those that exist inflammatory ones with the predominance of eosonophilic and lymphocytes, only a few pathologies enter into the examination of the injury. On the basis of the absence of previous of self immune, metabolic, allergic and dermatological cases, and the non existence of radiodermitis nor the taking of medication, the location of, and type of injuries, and the development of the injuries in later days, the cause of the injuries is diagnosed as ***vesicular dermatitis due to burns from an electrical current***.

In the extensive bibliography on pathological dermatology that was consulted, the description described by Ms. Iratxe Sorzabal coincide: the electrical current separates the epidermis from the dermis (subepidermic blisters) and necrosis of the epithelium. It is a burn that is similar to second degree burns from the sun. The appearance of polinuclear neutrophile. Exactly the same as that described in the biopsy carried out by Ms. Iratxe Sorzabal.

The localisation of the injuries coincides totally with the account given: injuries to the sides, more intense on the right side, where the detainee said that the electrical discharges were more frequent.

The instrument with batteries and the morphology described (small pointed injuries that peel after 3-4 days) are similar to those gathered in the 1994 report of the CPT (Committee for the Prevention of Torture, European Council)

B) Evaluation of cervical injuries.

Cervical clinic, examination of a cervical contracture (contracture of neck muscles) and x-rays with rectification of the curvature of the spine and subluxation C3-C4.

The lack of previous cervical complaints, of arthritis and other inflammatory processes, the age of the patient, and above all the absence of any findings through x-rays of degenerative and/or chronic complaints (absence of the calcification of the spinal or vertebral ligaments, absence of arthritis of the joints, absence of signs of degeneration of the cartilage or the discs) rule out chronic pathology. It thus deals with ***recent traumatism***.

The existence of subluxation with discrete dislocation, and due to the absence of other causes (traffic accidents principally) make its presence compatible with being forced to carry out bodily exercises over many hours- something that was referred to by the patient. The injury is stable and of an immediate form, given that the muscular spasm (contracture of neck muscles) assists in the immobilatory process.

C) Types of ill-treatment that don't cause objective injuries

The patient has indicated other types of ill-treatment that don't leave obvious marks: slaps with an open hand, blows with flat objects, blows with protective measures taken not to leave marks (wrapped up in a blanket, wrapping in rubber foam), sexual touching, threats, insults, privation of vision...

With regard to the smothering caused by the placing of a plastic bag over the head of the patient, the patient describe the symptoms in detail: sensation of asphyxiation, mechanisms used to allow breathing – breaking the bag using the teeth,- temporary loss of consciousness, the relaxation of the sphincter muscles. All of which is credible from a theoretical- clinical point of view.

With regard to the psychological state of the patient, her account (I jumped every time they touched me, I was shaking, crying and couldn't speak), coincides with that of the doctor's on

his first visit ("don't touch me" when he tried to take her blood pressure, "she is highly emotionally charged").

D) Other facts on the reliability of the testimony

In spite of it not being possible to interview the doctor, the written account and the judicial statement are detailed, with:

- Consistency in the two statements given
- Consistency in the symtomatology (both physical and psychological) and reflected in medical reports
- Consistency in the symtomatology given by the patient and the objective medical findings
- Consistency in the symtomatolgy given by the patient and the torture methods described
- Consistency in the forms of torture described by her and those described by others arrested by the Guardia Civil (collected in the CPT reports and so on).

Limitations at the time of carrying out the report:

- No access has been allowed with the patient
- Haven't had access to the photographic study of the dermatological wounds
- The histological preparation hasn't been seen

CONCLUSIONS

The allegations of mistreatment are consistent with the results of the medical examinations carried out.

There exists objective findings on:

- The application of electric shocks (electrodes)
- Cervical traumatism, the forced exercise of the cervical column.

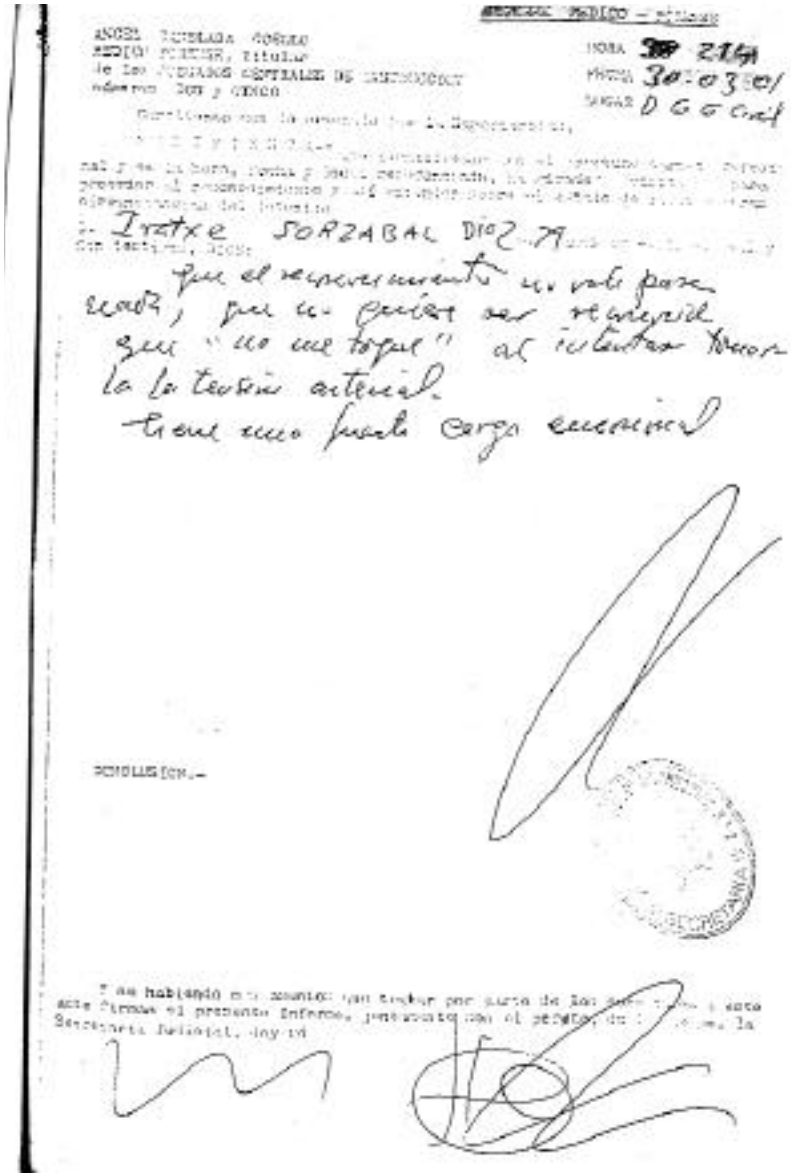
There exists subjective evidence on:

- Asphyxiation with a plastic bag
- Other alleged forms.

It would have been desirable to carry out other complementary tests such as the specifying of enzymes of damaged muscles in the blood, a more detailed description of the dermatological injuries and the allegations of mistreatment made by the doctor.

Bilbao, 11th May 2001

Fdo. Dra. Itxaso Idoyaga Hoyos



Medical report made by the forensic doctor of the Audiencia Nacional

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INFORME MEDICO FORENSE

ANGEL CANELADA COELLO, Medico Forense titular de los JUZGADOS CENTRALES DE INSTRUCCION, numeros DOS y CINCO CUMPLIENDO con lo ordenado por la Superioridad

M A N I F I E S T A.- Que identificado con el oportuno carnet profesional; a las 11 2m horas, en la fecha 31-03-2001 y local D.G.G. Civil al que acabamos de referirnos, ha girado visita para proceder al RECONOCIMIENTO y así entender sobre el estado de salud y otras circunstancias del detenido D. Iratxe SORZABAL DIAZ de 29 años de edad, de profesion u oficio el cual y sin testigos, DICE: que le aplicaron un aparato y la han provocado unas deformaciones que dentro de la imputabilidad al juzgado se lleva al Hospital Clinico de la Universitaria igualmente dice que la han pegado [illegible] cabeza.

De la exploración en el Servicio de Medicina Interna Traumatología y dermatología no se desprende alteración alguna.

Se fotografían las lesiones obtenidas en contacto obteniendo el siguiente [illegible] Igualmente gráfica TAC que se acompaña (cortes axiales y coronales) y radiografía especial para cráneo y no existe lesión ósea aguda y no contraindica la práctica del reconocimiento médico forense.

Y no habiendo mas asuntos que tratar por parte de los comparecientes a este acto, firman el presente informe, juntamente con el perito de lo que yo, la Secretaria Judicial, doy fe.

SECRETARIA

Medical report made by the forensic doctor of the Audiencia Nacional

JUZGADO CENTRAL DE INSTRUCCION Nº

FECHA: 04-04-01

LUGAR: Aud. Nacional

ANGEL CANELADA COELLO, Medico Forense, titular de los Juzgados Centrales de Instruccion, numeros DOS y CINCO, de esta AUDIENCIA NACIONAL,

Cumpliendo con lo ordenado por la Superioridad

MANIFIESTA.- Que identificado con el oportuno carnet profesional y en la hora, fecha y lugar referenciado, ha girado Visita para proceder al Reconocimiento y así entender sobre el estado de salud y otras circunstancias del detenido D. Iratxe Sorzabal Diaz de 29 años y profesion u oficio al cual y sin testigos, DICE: Que [illegible] bien

ANAMNESIS.- Sin aparatos significativos

Exploracion.- T.A.: 17/8 y 86 ppm

La auscultación cardio-pulmonar normal.

La domicilio en Francia recuerda y explicando ya la epicrisis.

CONCLUSION.- Apto a todas sus condiciones de Exploración clínica. Tolerará en 48 o 72 horas por las puntos de sutura así como vigilar la evolución de su dermatitis en tanto llega los fotografías y el estado anatomo-patológico y para valorar sus alteraciones.

Y no existiendo mas asuntos que tratar por parte de los comparecientes a este acto, firman el presente informe, juntamente con el Perito, de lo que yo, la Secretaria Judicial, doy fe.

SECRETARIA

Medical report made by the forensic doctor of the Audiencia Nacional

MINISTERIO DEL INTERIOR
DIRECCION GENERAL DE INSTITUCIONES PENITENCIARIAS

DON A:327
MÉDICO DE GUARDIA DEL CENTRO PENITENCIARIO MADRID V

CERTIFICO:

que a las 21:15 horas del día 4-Abril-2001 he asistido al (1) interno de este Centro Don Iratxe Sorzabal Díaz, hijo de ..., y de ..., nacido el ..., en ..., y cuya identidad (2) se me acredita ..., y una vez reconocido en la oficina:

Presenta lesiones flemetológicas en costado y pierna derecha Biopsiadas en hospital el 31-3-2001 y en mayor cantidad en costado izdo (pendiente de resultados histopatología) Aporta documentación original y copia privada, la cual valorada por personal médico y vuelta a hospital el 3-4-2001

La lesión es de pronóstico (3) Pendiente resultados hospitales

Y para que conste, firmo el presente en Madrid IV a 4 de Abril de 2001.

El Médico

n.º Colegiado:

Recibí copia

Sr. JUEZ

EXCMO. SR. JUEZ

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INSTITUTO ANATOMICO FORENSE MADRID
N.º REGISTRO 460
24 ABR. 2001
SALIDA

MINISTERIO DE JUSTICIA

INFORME ANATOMOPATOLÓGICO que interesa al Juzgado de Instrucción Central de la Audiencia Nacional, sobre el estudio de la muestra remitida a este Centro, perteneciente a Dña. Sorzabal Díaz Irache, registradas en este laboratorio con el nº. 01.

MUESTRA RECIBIDA: Biopsia de piel.

INFORME

Se recibe biopsia de piel de 3 mlm., correspondiente a la detenida Dña. Sorzabal Díaz Iraché

El examen microscópico de la lesión, muestra la presencia de infiltrado inflamatorio constituido por polimorfonucleares neutrófilos en la unión dermoepidérmica, con despegamiento de la epidermis. Se ha observado, necrosis parcelar del epitelio.

Los hallazgos microscópicos descritos son inespecíficos, por lo que para llegar a un posible diagnóstico de la lesión, así como del posible agente etiológico causal de la misma, sería necesario la correlación clínica macroscópica, así como la evaluación de la evolución de la misma.

Es todo cuanto tienen que informar a V.I.

Madrid, a veinticuatro de abril de dos mil uno.

Los Médicos Forenses Anatomopatólogos

171

Medical report carried out in Madrid IV prison on entering

Medical report carried out by the National Institute of toxicology

JUZGADO DE INSTRUCCION Nº 13
MADRID

PLAZA DE CASTILLA, Nº 1, PLANTA 8ª
Teléfono: 91 - 397 09 67/ 68 Fax: 91 - 397 09 68

Número de Identificación Único: 28079 2 0159159 /2001
DILIGENCIAS PREVIAS PROC. ABREVIADO 2664 /2001

INFORME MEDICO FORENSE

ASUNTO: DILIGENCIAS PREVIAS PROC. ABREVIADO 2664 /2001

INFORME MEDICO FORENSE.- En MADRID , a veintiuno de Abril de dos mil uno .

Ante S.S.ª, con mi asistencia comparece el Sr. Médico Forense Dr. D. TAISIR TAUFIQ HAMDAN quien en virtud del Juramento que tiene prestado de cumplir bien y fielmente su cargo y cumplimentando lo ordenado por el Juzgado, informa:

Que en el día de la fecha ha reconocido a IRATXE SORZABAL DIAZ, de 29 años de edad, con el objeto de determinar la sanidad y las posibles lesiones sufridas, asimismo se estudio los documentos medicos obrantes en los autos llegando a las conclusiones siguientes:

En la exploración se la observa en el flanco derecho manchas dermatologicas y una cicatriz correspondiente a la toma de muestra de alguna de las manchas dermatologicas.

Asimismo se observa una alopecia en el cuero cabelludo en la región occipital.

Y según refiere se aquella de dolor cervical.

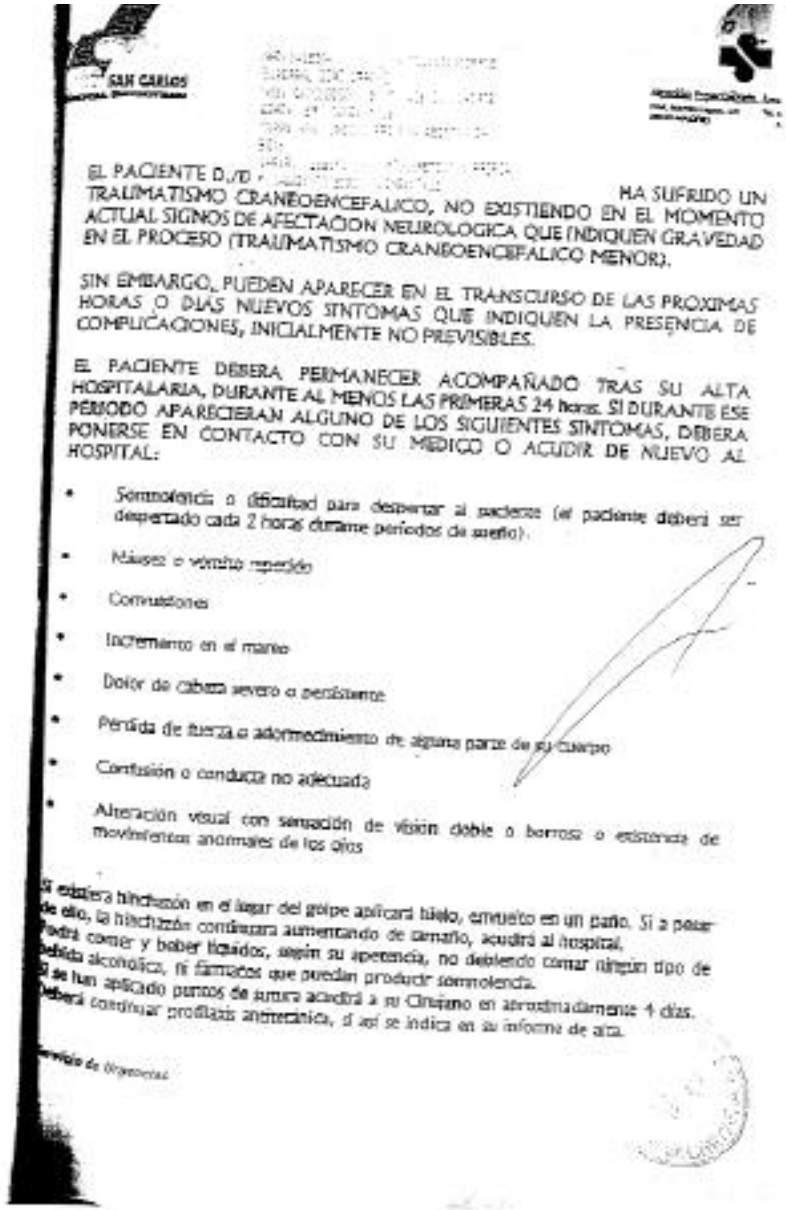
CONSIDERACIONES MEDICO LEGALES:

Por el estudio de la documentación medica obrante en los autos, asimismo de las pruebas complementarias practicadas a la informada como escaner, y del traumatologo y del de medicina interna y de dermatologia, se deprende lo siguiente: Que el unico diagnostico que tenia era una contractura de los musculos de trapecio en probable relación con proceso cronico que es donde se la aplico tratamiento de calor y paracetamol (500 miligramos cada 6 horas).

El resto de las pruebas complementarias normales queda pendiente hasta recibir el resultado de la biopsia de la lesión dermatologica para la determinación de la etiologia de la misma, por lo tanto no presentaba lesiones de naturaleza de violencia externa.

Leída, se afirma, ratifica y firma con S.S*, doy fe.

Medical report carried out by the doctor of the Court no. 13, Madrid.



SAN CARLOS

EL PACIENTE D./Dª [redacted] HA SUFRIDO UN TRAUMATISMO CRANEOENCEFALICO, NO EXISTIENDO EN EL MOMENTO ACTUAL SIGNOS DE AFECTACION NEUROLOGICA QUE INDIQUEN GRAVEDAD EN EL PROCESO (TRAUMATISMO CRANEOENCEFALICO MENOR).

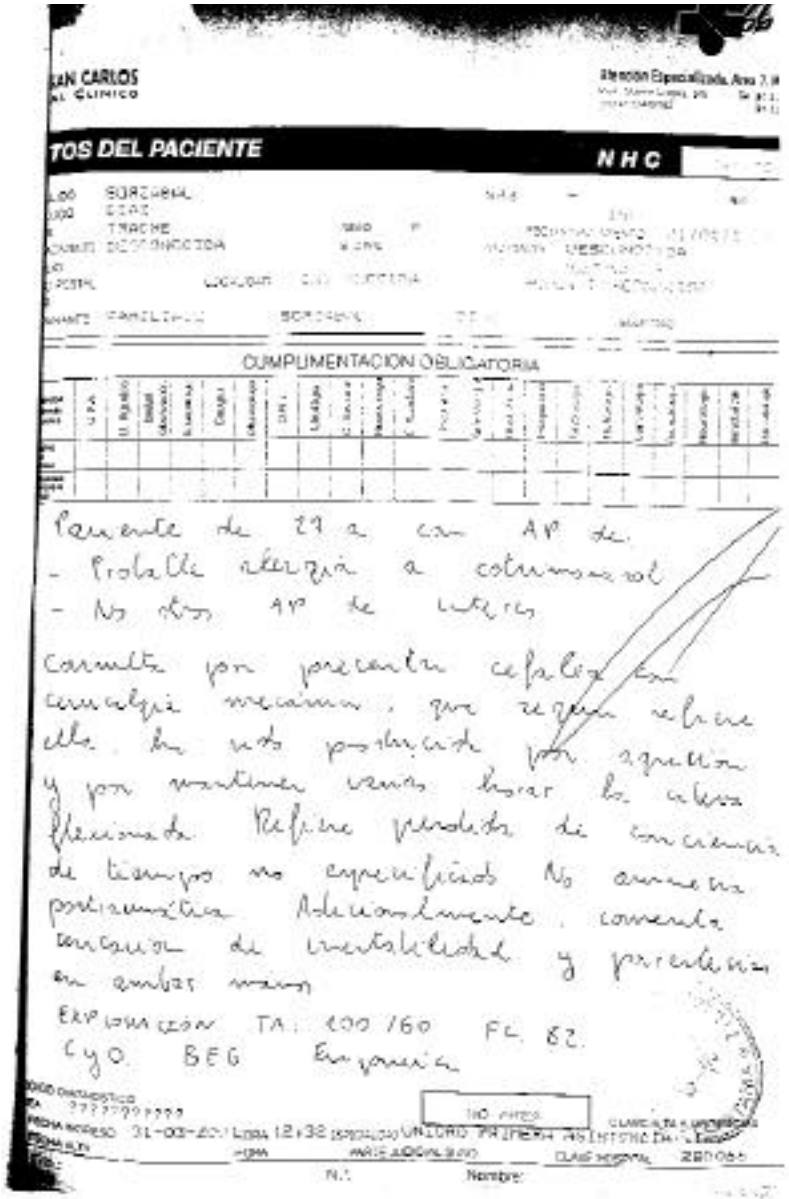
SIN EMBARGO, PUEDEN APARECER EN EL TRANSCURSO DE LAS PROXIMAS HORAS O DIAS NUEVOS SINTOMAS QUE INDIQUEN LA PRESENCIA DE COMPLICACIONES, INICIALMENTE NO PREVISIBLES.

EL PACIENTE DEBERA PERMANECER ACOMPAÑADO TRAS SU ALTA HOSPITALARIA, DURANTE AL MENOS LAS PRIMERAS 24 horas. SI DURANTE ESE PERIODO APARECIERAN ALGUNO DE LOS SIGUIENTES SINTOMAS, DEBERA PONERSE EN CONTACTO CON SU MEDICO O ACUDIR DE NUEVO AL HOSPITAL:

- Somnolencia o dificultad para despertar al paciente (el paciente deberá ser despertado cada 2 horas durante periodos de sueño).
- Náuseas o vómito repetido
- Convulsiones
- Incremento en el mareo
- Dolor de cabeza severo o persistente
- Pérdida de fuerza o adormecimiento de alguna parte de su cuerpo
- Confusión o conducta no adecuada
- Alteración visual con sensación de visión doble o borrosa o existencia de movimientos anormales de los ojos

Si existiera hinchazón en el lugar del golpe aplicará hielo, envuelto en un paño. Si a pesar de ello, la hinchazón continuara aumentando de tamaño, acudirá al hospital.
Podrá comer y beber líquidos, según su apetencia, no debiendo tomar ningún tipo de bebida alcohólica, ni fármacos que puedan producir somnolencia.
Si se han aplicado puntos de sutura acudirá a su Cirujano en aproximadamente 4 días.
Deberá continuar profilaxis antitetánica, si así se indica en su informe de alta.

Servicio de Urgencias



SAN CARLOS
CLÍNICO

Atención Especializada. Área 7

TOS DEL PACIENTE

NHC

CUMPLIMENTACION OBLIGATORIA

Paciente de 29 a con AP de:
- Probable alergia a cotrimoxazol
- No otros AP de interés

Consulta por presentar cefalea en ... alergia mecánica, que refiere ... ha sido provocada por ... y por mantener ... horas la misma ... Refiere pérdida de conciencia de tiempo no especificado. No amnesia postraumática. Adicionalmente ... somnolencia ... de irritabilidad y pérdida ... en ambas manos

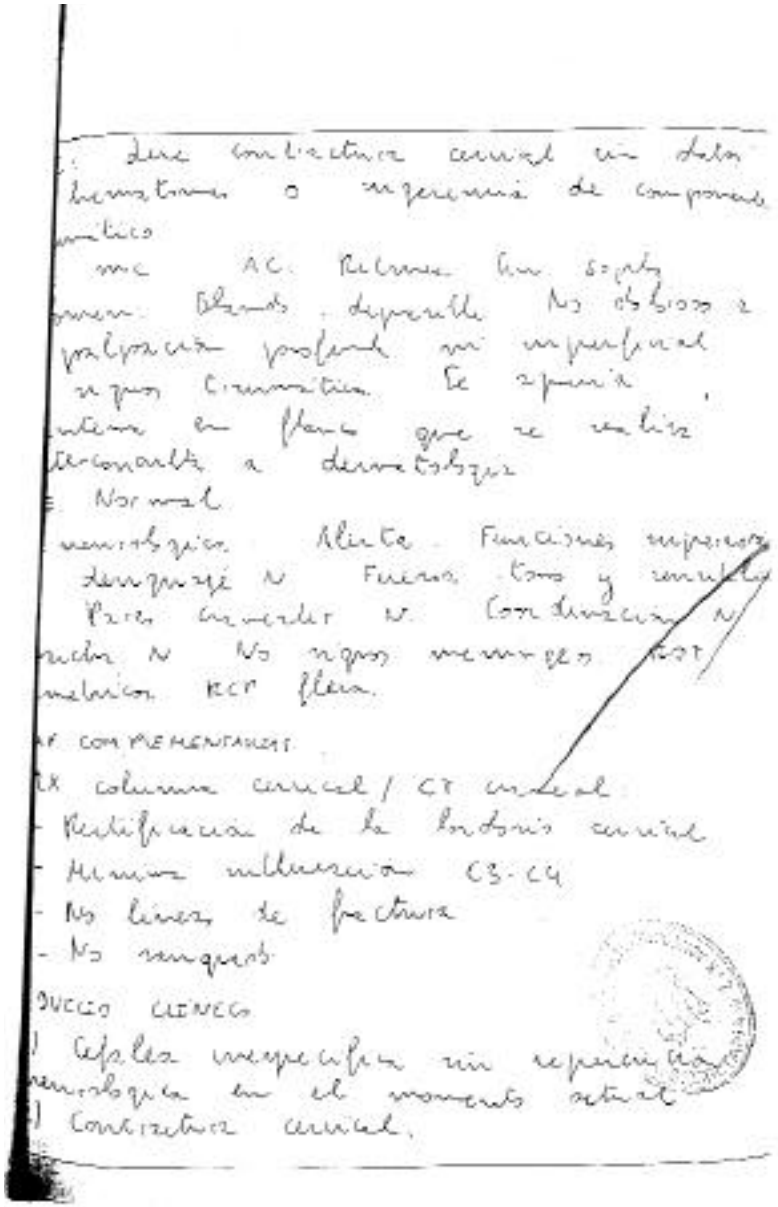
EXPLORACIÓN TA: 100/60 FC: 82
CyO BEG Eupneica

NO ALERGIAS

FECHA INGRESO 31-03-20 Hora 12:38 PROCEDENCIA UNIDAD PRIMERA ASISTENCIA

N.I. Nombre:

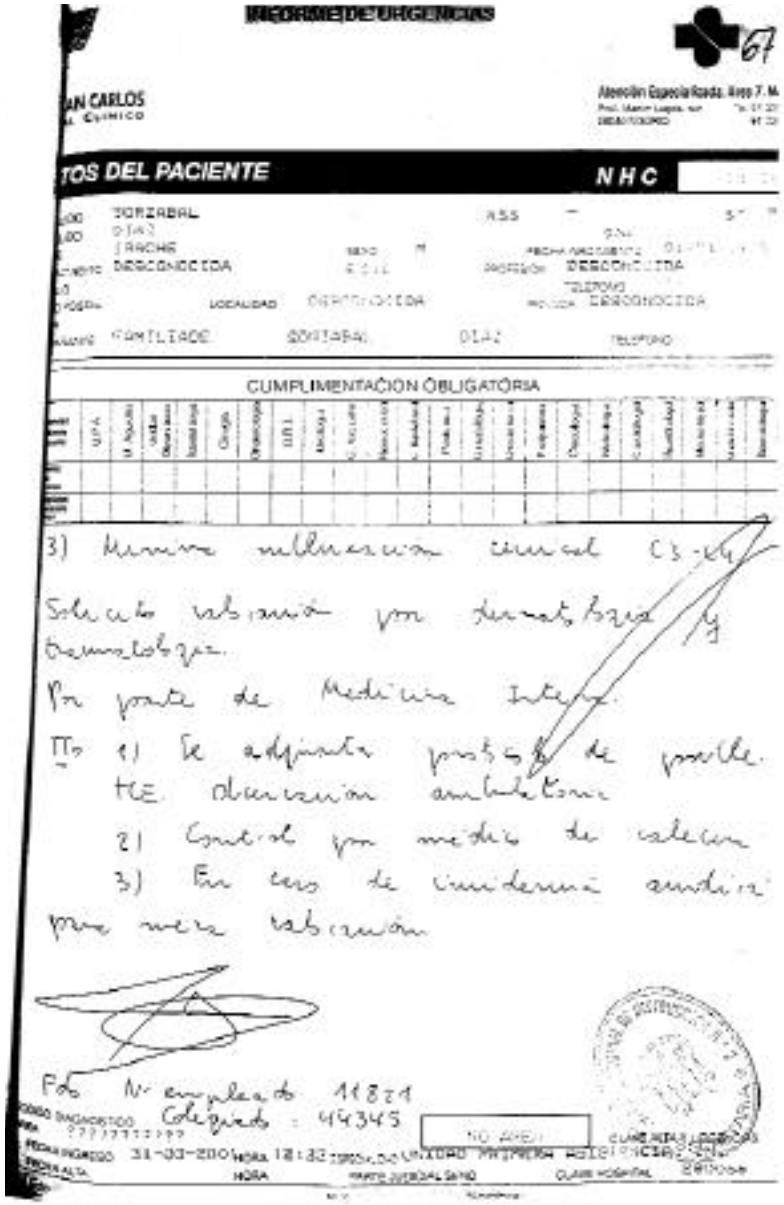
Medical report carried out by the emergency services in the San Carlos Hospital while Iratxe was being held incommunicado



Dice contractura cervical en dolor
hematoma o ingerencia de componente
mic AC Relieves Con Soplo
pueden Blandos, dependiendo No obstante a
palpación profunda no importante
ngos Cicatriz. Se aprecia
ntorno en plano que se realiza
lecionarla a dermatología
Normal
ermatológico Alerta Funciones superiores
denguaje N Fuerza tono y sensibilidad
Pares craneales N Coordinación N/
rcha N No signos meningeos RCP
mbrion RCP flexia.

AP COMPLEMENTARIAS
RX columna cervical / CT cervical
- Rectificación de la lordosis cervical
- Hernia subluxación C3-C4
- No líneas de fractura
- No sangrado

JUICIO CLINICO
) Cefalea inespecífica sin repercusión
neurológica en el momento actual
) Contractura cervical.



HOJA DE URGENCIAS

67

AN CARLOS
. CLINICO

Atención Especializada. Área 7. M.

TOS DEL PACIENTE NHC

SORZABAL ASS
DIAZ
IRACHE SEXO M
DESCONOCIDA
LOCALIDAD DESCONOCIDA
FAMILIARES SORZABAL DIAZ TELEFONO

CUMPLIMENTACIÓN OBLIGATORIA

3) Hernia subluxación cervical C3-C4
Solicito valoración por dermatología y
Dermatología.
Por parte de Medicina Interna.
Pto 1) Se adjunta prueba de parche.
HCE Observación ambulatoria
2) Control por medico de calecera
3) En caso de incidencia acudir
para nueva valoración

Fdo Nº empleado 11821
Colegiado : 44345

NO APTO

Residente 2º año Dermatología

Paciente presenta lesiones cutáneas que paso
a describir: ...vado
el costado derecho en un area de aprox
x 10 cm presenta lesiones de aspecto reticulado
coloración eritemato-violaceo-marronaceo que
algunos puntos hace microvesiculación. En el
resto del costado presenta lesiones similares
pero mas caracteristicas en pequeño numero.

Toma biopsia de costado
derecho y realizo
fotografía.

Dado que no me considero capacitada para
emitir un juicio diagnostico, hablado con
el jefe de Hospital y ante la imposibilidad
de localizar a ningún adjunto de Dermatol
paso a enumerar las patologías que NO
me parecen encajar con las lesiones presentadas
por la paciente: Herpes Zoster, erupción
medicamentosa, exantema viral, prurigo, eczema
crónico, psoriasis, eyaculaciones como exantema o tinea
corporis, ni otras lesiones inflamatorias como
penfigo o penfigoide.

Nº empleado 15170
nº col. 28 28 52390

Fdo Enfermera de Residente de 2 años
de Dermatología ante la ausencia de
Adjunto de Guardia de ~~Dermatología~~
Dermatología

MFN
Nº empleado: 11821
Colegiado 28784545
(Especialista en Med Interna)

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INFORME DE URGENCIAS

68

SAN CARLOS
...L CLINICO

Atención Especializada. Área 7. IRA

DATOS DEL PACIENTE — NHC

APELLIDO SORIANO — NAS —
NOMBRE ITZIAR
DIRECCION IRACHE — SEXO M — FECHA NACIMIENTO
POBLACION PAMPLONA — PROVINCIA NAVARRA — TELEFONO
LOCALIDAD DE PAMPLONA — AREA PAMPLONA
PARIENTE FAMILIARES SORIANO TIRAL TELEFONO

CUMPLIMENTACION OBLIGATORIA

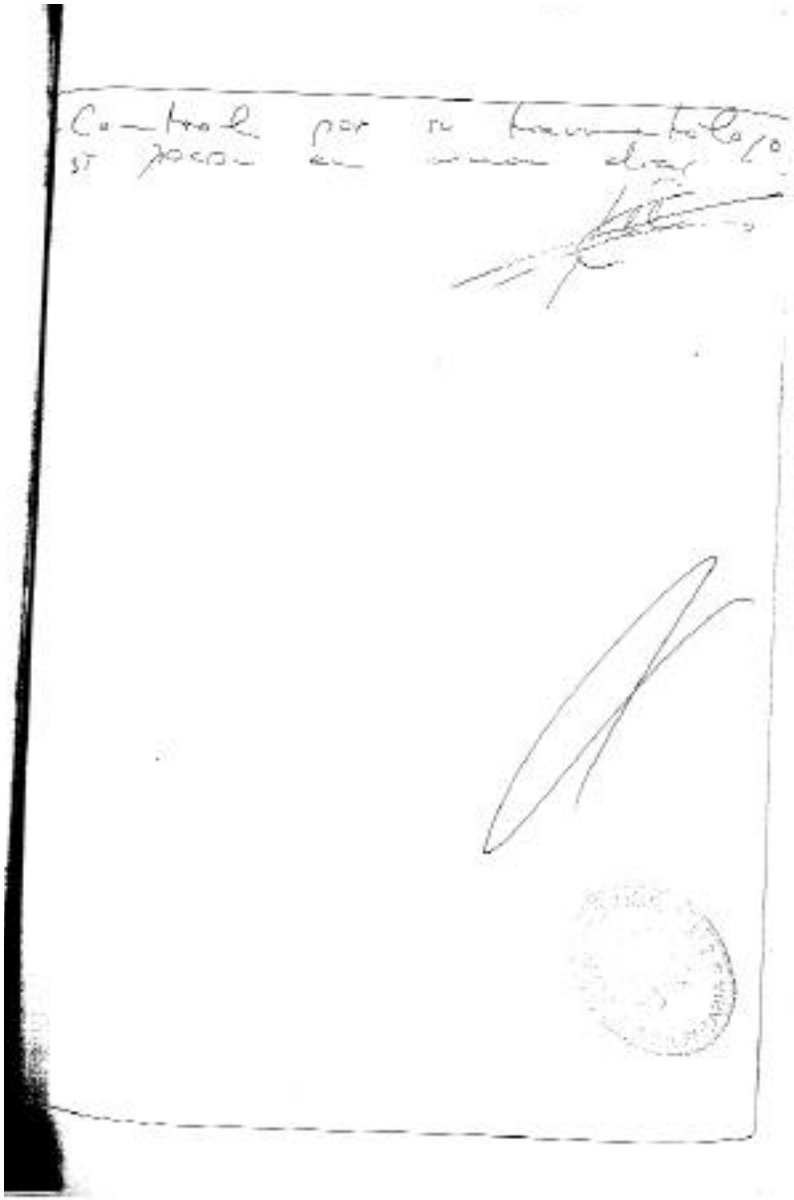
COT
Molestias cuando toma pelicula
No alt neurológica valorable

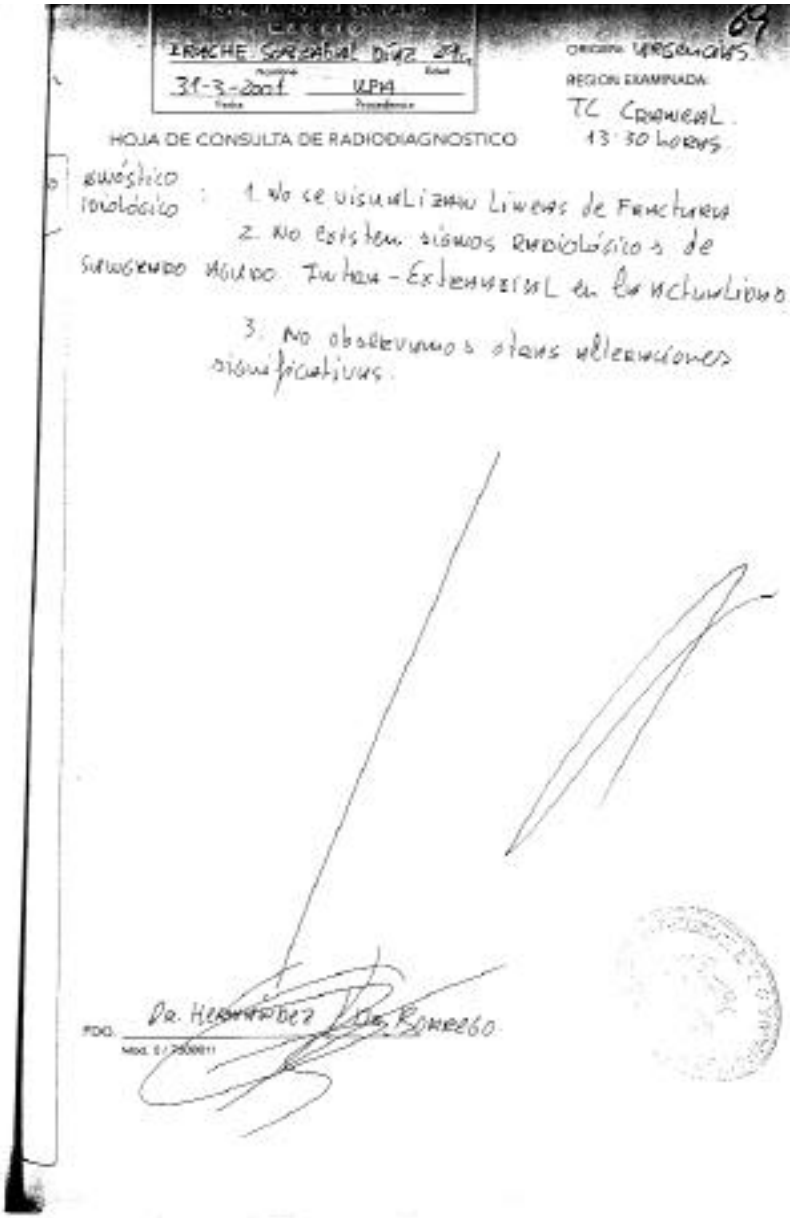
Rx: No lesión ósea aguda
ni criterios de inestabilidad en columna cervical.

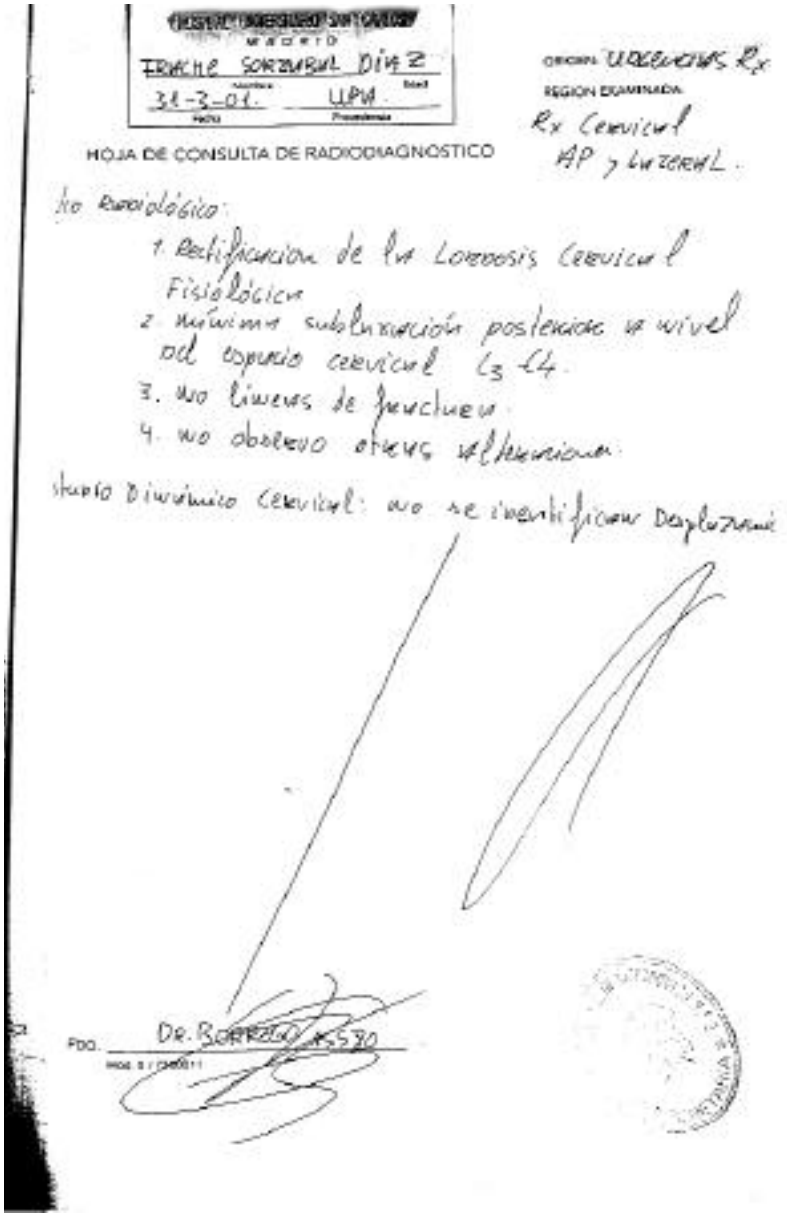
JD: Contractura muscular
probable relacionada con
procesa cervical

Tto: Calor local
Analgesia 1er paso
- Paracetamol - Nolotil

IC ALTA — CLAVE HOSPITAL
FECHA INGRESO 31-03-2005 HORA 16:24 — ESPECIALIDAD URGENCIA PRIMERA ASISTENCIA
FECHA ALTA — HORA — PARTE JUDICIAL SI/NO — CLASE HOSPITAL
Nº ... Navarra




IRACHE SORZABAL DIAZ 29
31-3-2001
UPH
69
URGENCIAS
REGION EXAMINADA:
TC CRANEAL
13:50 horas
HOJA DE CONSULTA DE RADIODIAGNOSTICO
1. No se visualizan Lineas de Fracturas
2. No existen signos Radiológicos de
3. No observamos otras alteraciones
significativas.
FDO. Dr. HERNANDEZ Dr. ROMERO


MADRID

IRACHE SORZABAL DIAZ

31-3-01 ULIA

HOJA DE CONSULTA DE RADIODIAGNOSTICO

ORIGEN URGENCIAS Rx

REGION EXAMINADA

Rx Cervical AP y Lateral.

Dx Radiológico:

1. Rectificación de la Lordosis Cervical Fisiológica
2. Mínima subluxación posterior a nivel del cuerpo cervical C3 C4.
3. No líneas de fractura.
4. No observo otras alteraciones.

Estudio Dinámico Cervical: no se identifican Desplazamie

FDO. DR. BARRIO 45370

THE "SORZABAL CASE" AND THE MEDIA

In the 80's, with the impact of the death of Joseba Arregi in police custody, a group composed of about a hundred Spanish intellectuals headed by José Luis López Aranguren published a manifesto in "El País" in which they came out against the use of torture in Spanish Police stations and they announced that if any other cases came to light of mistreatment in police custody they would publicly condemn it. Unfortunately, that group of intellectuals never repeated that statement in the Madrid newspaper perhaps because, among other things, it was from those years onwards when torture and ill-treatment in stations became an unpublishable story, as were the sentences against police officers and members of the Guardia Civil. And although invariably since then each and every year there have been some of the most horrendous crimes the press has put aside the complaints, evidence and accounts of torture to such a point that they have been minimalised and converted into news items requiring a certain use of language which will set seeds of doubt in the mind of the reader or will make the reader read the item with absolute distance.

One of the most recent and most exemplerary deeds in reference to the treatment that is systematically used by the Spanish media in relation to the use of torture is the so called "Sorzabal case". The treatment of this case, the flagrant case of torture inflicted on a Basque citizen, could be perfectly described as scan-

dalous and bordering on political and professional shamelessness with regard to its processing and treatment in the news.

One only has to have a glance at the newspapers to see a series of objective facts that are worthy of such strong words. A look at what has been published by the print press, that speak in two very different tones, gives a clear reflection and outlines clearly the political criteria used by the Spanish "media" to exploit the news about the persecution of Basque political dissidents. In the case which we are outlining here we can show, without any danger of not being objective, the existence of an enormous and disproportionate difference between the media attention given to Iratxe Sorzabal, the "Sorzabal Case" when she was arrested and their fleeting treatment given to her complaint. Objectively speaking, the case gained spectacular characteristics due photos being taken when she was being treated incommunicado in a Madrid hospital.

Lets be clear, cases as cruel and as tough as Iratxe Sorzabal's are frequently denounced in Court. However in the case of this Basque citizen the marks left after being tortured hit the public domain thanks to the opportune appearance of photos that showed her injuries with total clarity.

Arrest

Iratxe Sorzabal was arrested on March 30th, 2001, at 8:45 a.m., when she was heading towards a town in Guipuzkoa to give a press conference in the name of Gestoras pro-Amnistia, the anti-repressive body for which she worked. Her arrest was the last in a large raid that had been carried out in Gipuzkoa and that had first of all resulted in the presentation of various complaints of torture. They were supported by the testimonies of some of those detainees who were later released or brought before the courts.

Iratxe Sorzabal's, work colleagues became concerned that she could be subjected to torture or ill-treatment in hands of the Guardia Civil, and published a press release highlighting their

concern. From the beginning, Iratxe's arrest, received a large coverage on the written, radio and television media. The day after her arrest in Hernani, March 31st, the Basque newspaper Egunkaria, covered the story on page 9 in a four column piece of about 30 lines, accompanied by a photo. The Gara newspaper covered the story on page 13, in a piece of 5 columns and including photos. It pointed out in its report that the arrest of the youth was happening at a time when "serious accusations of torture" were being made by others that had been detained in the police operation over those days. The arrest of Sorzabal was dealt with by Deia, the daily produced in Bilbao, on page 14 in an article of about 20 lines. "El Correo Español" only included a "brief" piece on page 24, while its sister newspaper, the Diario Vasco of San Sebastián, dedicated 20 lines to it on page 7. The "Diario de Navarra" included this news item, but gave it more emphasis, dedicating 20 lines in three columns to it on page 3. The Madrid newspaper "El País" opted for the same criteria developing the piece over 25 lines, in three columns on page 13. This initial information on the arrest of Iratxe Sorzabal was also included in the pages of "El Mundo", on page 8 over 8 paragraphs including news of the police operation carried out in Gipuzkoa. Similarly, ABC inserted a column on page 22. The following day, April 1st, only Gara published information related to the fact that Iratxe Sorzabal was waiting to be transferred to the Audiencia Nacional. On April 3rd the press began to give some new information which, without doubt, came from leaks from the police to the newspapers they favoured. Nationalist newspapers Egunkaria, Deia and Gara limited their story by reminding readers, in short pieces that the Basque citizen was still being held in police custody and that the flat of a friend had been searched in Irun.

El Correo Español covered in 2 columns on page 19 the first serious charges against the detainee who was still in police custody. Just like its sister newspaper in Bilbao the "Diario Vasco" printed the same in a column on page 2; whilst in Madrid "El Mundo" printed the charges in a paragraph. ABC gave greater coverage and more complete police information on the serious charges being made against Iratxe on page 20 and over 3 columns.

The next day, April 4th, a flood of accusations were made against Sorzabal. On that day "El Correo Español" covered the charges that the police were making against Sorzabal, without waiting until a legal report had been made. The headline said everything: "Leader of Gestoras in Gipuzkoa is accused of belonging to the commando that has carried out 20 criminal assaults". The information provided by "Diario Vasco" was of the same tone and nature on page 7.

From Madrid, it was "El País" that provided the information that had been leaked by the police. The headline of the article, on page 15, was also quite explicit. "The police attributes more than 20 criminal assaults to the commando to which the Gestora's spokesperson belonged to". Iratxe Sorzabal had in a short period gone from being the spokesperson for Gestoras to being in charge of a commando that had supposedly carried out countless armed attacks.

On April 5th, day in which the incommunication period run out, the news reports offered by the written press forked in two directions with regard to the future of Iratxe Sorzabal. On that day, unconsciously, public opinion could observe, the two types of journalism that exist in the Spanish State: one that doesn't question institutional sources of information and others that, in addition to institutional sources, report other sources and question precisely that information that emanates from the established power.

On that same day, Egunkaria reported over five columns on page 10 that Iratxe Sorzabal had been brought to hospital in Madrid as a consequence, of the tortures she received during her detention period. Gara, on page 15 and over four columns, and with a photo of the youth, headlined the article "Sorzabal is hospitalised showing evidence of torture".

The Bilbao newspaper "Deia" preferred to put it away on page 11, informing in a column that "Iratxe Sorazabal's imprisonment is ordered". Deia left out the note sent by Gestoras in which they dealt with the complaints of torture and informed that Sorzabal had been hospitalised during her arrest.

The rest of the media didn't report the information that reached them, and in the case of "El Correo Español", not only they

didn't report the information provided by Gestoras but their efforts went in another direction. The Bilbao based newspaper dedicated the whole of page 20 to propagating police information. Thus, without any reservations, nor professional precaution, or any legal vigilance, they declared in their headline that "one of the leaders of Gestoras traced the movements of businessmen and members of the PP". So that the news item would have greater impact they placed quotes from the widow of a victim of actions supposedly carried out by Iratxe Sorzabal. Under the photo of the Cristina Sagazazu, widow of the Ertzaina Montxo Doral, responded to questions by "El Correo" declaring the guilt of Iratxe Sorzabal in the title, "there is one murderer less in the streets".

The presumption of innocence of the detainee didn't seem appear to exist in the media. Neither did it exist in the Madrid based "El País" newspaper. In the edition of that day 30 lines were dedicated on page 15 in a column that was headed: "the spokesperson for Gestoras, now an ETA informer, imprisoned for two murders".

Other media, like the "Diario de Navarra", "El Mundo", "La Razón" and ABC limited themselves to publishing the final judicial decision and leaking the police information that had been given to them. Their headlines reflected the imprisonment of the youth and the police charges.

Four months later, on September 13th, Iratxe Sorzabal was released. Hardly any newspaper that had made such serious accusations felt that it was newsworthy writing anything about her release.. In an act of professional ineptitude these journalists didn't put the question forward as to why a person had been released who a short time before had been accused of spying on businessmen and PP representatives, being in charge of a commando unit, of informing ETA, of having carried out 20 criminal attacks, of murdering amongst other people a Basque policeman. The old adage was repeated, which is that in journalism no true facts should destroy a good headline.

Evidence of torture

On October 20th, 2001 in a press conference by Torturaren Aurka Taldea (TAT) the direct implication of the press in the survival of torture was pointed out by the group. On that day, the spokes people of this collective gave the public, in addition to copies of the complaints of torture made by Iratxe, some spine chilling photos of her injured body, marked by the electric shocks received while in hands of the Guardia Civil. Many copies of the photos, including enlargements, were handed out one by one to the reporters of all the media that came to the press conference held in a conference hall of a hotel in San Sebastian.

The photos, as was explained then, were taken by a doctor at the time of her examination in the San Carlos hospital, Madrid, the day after being arrested by the Guardia Civil in Hernani. What can be seen in the photos leaves no room for doubt: they are burns produced by the application of electric shocks. This reflection wasn't reflected in many media

Gara included on the front page, a photo of the injured body of Sorzabal with the epigraph: "the marks of the electrodes". In addition, the newspaper edited in Donostia wrote an editorial piece about the case under the title "Evidence of…," and two full pages (10 and 11) about the press conference given by TAT with the general title "Photographs corroborate the claim that electric shocks were used on Iratxe Sorzabal".

Together with the information there were various photos that had been distributed by TAT. Gara dedicated another page, page 12, to making a commentary- analysis of the exceptional circumstances where photos of the crime had been taken.

Egunkaria also dealt with the subject. Its first page was of 5 columns and a photo despite the fact that important news from Afghanistan was also demanding attention (this was the day when U.S troops entered into direct combat in Afganhistan). They dedicated pages 6 and 7 to the press conference, and placed some small photos. Page 8 was dedicated to a press conference made in Baiona where some refugees rejected publicly the possibility of being expelled from the French State to the Spanish State and, like Iratxe Sorzabal, be savagely tortured.

In contrast to the information provided by Gara and Egunkaria, the near absence of attention by other communication media was scandalous, both at a political and a professional level as was already demonstrated when the events took place.

On that day only two other media echoed what was said at the TAT press conference: "Diario Vasco" and "El Mundo". The rest, including one of a Basque ambit, Deia, didn't even report one line.

The newspaper edited in Donosita "Diario Vasco" inserted on page 6, over two columns, information which covered over about 25 lines about the TAT press conference. It spoke of the existence of some photos, but didn't show them, and limited the title to "complaint made against supposed torture of a detainee in March".

The "El Mundo" newspaper preferred to treat the press conference over three columns on page 19, and surprinsingly, without including photos they titled the article "Photos presented of the supposed torture of a youth belonging to Gestoras" . On the 22nd of October the newspaper Gara dealt with the media silence regarding the press conference. they titled the article "Silence in the face of marks of torture on Iratxe Sorzabal".

On the 22nd, with a delay of 24 hours, enough time for editors other media to read the edition of Gara and Egunkaria, "El Correo Español" reported on page 20, in one column, the content of the press conference carried out the day before. "Complaint made of supposed torture of a detained Gestoras militant". They spoke of photos being presented but didn't publish them.

On October 23rd Gara published an article of five columns on page 23 about the autonomous Government of Gasteiz taking up the case. "Lakua will request explanations about the Sorzabal case, but won't take measures against torture" was the title. The information was accompanied by statements from a head of Amnesty International that affirmed: " we have other cases but this is, really, very worrying". Egunkaria gave similar information and dealt with the subject in its editorial. In both newspapers they

emphasised the statement of the Human Rights Commission of the Basque Parliament, of the Justice councillor Joseba Azkarraga, and of Ararteko.

For the first time since the press conference offered by TAT, the newspaper Deia, based in Bilbao, informed over 3 columns on page 12 of "Justice studies the complaints of torture made by Sorzabal". In the case of "El Correo Español" they merely added a brief notice of 8 lines on page 24 under "Supposed torture/the Basque government is studying possible intervention".

After a gap the case was taken up again on November 11th. As was reflected in both newspapers Ararteko tried to judicially move the case. Gara, on page 12, dedicated three columns to inform that "Ararteko studies transferring the case to Europe". This time, with the information coming from official and institutional sources, the news item was taken up in Diario Vasco on page 8 and was developed over about 40 lines. "El Mundo" also included the item in their edition on page 24. The rest preferred to keep quiet.

On November 12th "El País"took up the case and informed on page 27 that "the Basque Government requests explanations from Interior about a supposed case of torture". As can be seen from this article there are huge linguistic efforts made throughout the article to frequently refer to Iratxe Sorzabal as "an ETA informer", and the term "supposed" is used substantially to talk about the subject of torture.

On November 14th the evidence begins to build and the same newspaper, El Pais", maintains the public attention on the case by informing, over 25 lines on page 22, that "Amnesty International investigates if Sorzabal was tortured".

"La Razón" also came to the fore on November 16th. On that day they informed us all that " Interior hands over the medical reports in order to refute the torture of Iratxe Sorzabal". In dealing with the information the Madrid based paper reported the answer given by the State Security Secretary, Pedro Morenés , to the director of Human Rights and Cooperation with Justice of the Government of Gasteiz, Juan José Martínez Leunda. Amongst other questions, Morenés confirmed that the marks on Iratxe Sorzabal's skin were due to "dermatitis" and that it was for that reason

that she was taken to hospital. Seven days later Gara dedicated an entire page to informing about the actions taken up by the Human Rights Commission of Gasteiz: "Human Rights rejects the use of torture but doesn't take any action in preventing it". And on one side of the page another article entitled: "Lakua asks Rajoy to cooperate in the case of Sorzabal". Egunkaria made similar statements and Deia put emphasis on the fact that "the Basque parliament passes a resolution against the use of torture".

The rest of the media were silent so the reality of the "Sorzabal case" didn't destroy any headline.

INTERVIEW
EUSKALDUNON EGUNKARIA

Published by Euskaldunon egunkaria in 16 december 2001
(original version in Euskara)

What is your present situation?

I don't have a normal life. Time has passed since I was released but I don't have a normal life. I can't. I don't go out. I'm afraid.

Fear of being arrested again?

Yes. I still have it all present in my mind. If I go out I think that I am going to be arrested at any time and that everything is going to start again.

What is it, fear because evidence has been published? Or is it another kind of fear?

Both, everything. Definitely, that they will do again what they did to me before, or what has been done in the past to countless Basque people. It seems that for being a patriot they can come at any time. I have those days in my mind. I can't. I can't…

How did you handle those five days in the police station?

I remember it as a sensation. A load of images come to my mind, everything that they did to me. Looking at it …I begin to remember and…

Afterwards did you fully take in what had happened to you?

Yes, Yes. With time you become aware of what happened and see it from a distance. It is over but the scars don't disappear in five days, more so after the sixth. Then you begin to think about everything that has happened. From then on you are another person.

After what happened in the police station can your life be as it was before?

Of course it can, I can get over it and I will get over it. Life goes on and you have to get over it. You know where you are and why they did what they did to you. Torture is an arm of the State. But a different one. You see things from another perspective. At the moment I can't carry on with a normal life so it would be fair to say that something has changed.

Previously there had been other accounts of tortur e. Until it happened to you, could you imagine what it was like?

You can't imagine it. I have read testimonies over the last few years and I have spoken with people who have been tortured. It is always that fear of the unknown. Until you experience it you can't explain it. You can't explain what one feels. I felt something that I had never felt before. I had never felt such physical pain. I never imagined I could feel such pain and that I would be able to handle it. And I never felt such fear. Until you experience it you can't imagine what its like. Then you realise what it's about.

At that moment did you fear dying?

Yes, yes, but more than fear of dying you desire it. I didn't fear dying I really wanted to die. You can't but if you could! That is what you feel like doing at the time. Later, with time, I shocked myself in thinking that I wanted to die. I had never wished to die before and now I don't want it either. But at that time I did, as if it would be a liberation or at least it would stop all I was going through. That is why you can't explain these things, these feelings - wanting to die- are experiences.

Apart from physical pain do you feel hatred towar ds those who tortured you, can you fully get over both the moral and physical pain?

No, no. Physical pain is one thing but it is both together. The psychological pain is worse. Physical pain disappears. What you are left with is the psychological pain. The thought that it could all happen again, the thought of what happened, having to give the names of friends, all they made me sign, sign everything they say… In fact, they have broken you and have achieved what they wanted. They put a statement in front of you and they make you sign it and they win.

You said that you resisted. Was it possible to resist?

I knew that it was five days and then I would be brought before a judge and that would be the end of it. You don't really control the notion of time. You don't know how many days have passed. In addition to that it's not just 5 days it's five days and five nights. Outside you think that five days fly by. But those five days and five nights seemed longer than the two years I spent in prison. There's no rest. Days, hours, minutes…

The first time you saw the doctor you didn't dare to tell him anything

No. The first time I didn't believe that it was a doctor. I thought it was a policeman like the rest. At one point they took me to a room. A chap appeared and said he was a doctor. I didn't believe him. I was in a bad state and each time he approached me I jumped back. I didn't want him to touch me, I wanted him to leave me alone. He told me to calm down. I was half an hour in a chair, shaking, without saying anything. I couldn't…

The seconed time...

The next day I spoke to him. The first day, when he left, they took me to another interrogation, they were all laughing at the doctor in the corridor. He had told them that I was in a bad shape and very nervous and that I needed some peace and quiet and some sleep.

I realised then that he must have been a doctor. The next day I was in bits. I didn't care about anything, I couldn't take any more. When they took me to him I thought that it was likely to be a doctor and that he could do something. I showed him my injuries. It was then I realised the extent of my injuries. Until then they had been consistently torturing me and I hadnt had a chan-

ce to examine my own body. I showed them to him and he was shocked. He told me that they would have to take me to the hospital. The Guardia Civil didn't want it. But another doctor came to see me and the Guardia Civil could not refuse to transfer me to hospital.

Were you held incomunicado in the hospital?

Yes, but on top of that they took me to a doctor and there were two Guardia Civil beside me. The doctor was asking me questions but how could I say anything with the two men were beside me? I couldn't speak. In the end he asked them to leave.

While you were being held incomunicado did you see the state appointed lawyer. What was his attitude?

The police made me make statements and every time there was someone who they said, was the State appointed lawyer. I remember a woman. I reached a room and there was a table. Opposite to me there were two Guardia Civil and she (the lawyer) was behind me, and I couldn't look at her. When they brought me into the room I couldn't even walk. They carried me in between them and they sat me down in a chair and made me make a statement, they lifted me up, sat me in another chair and made me make another statement. I remember that the woman realised that this wasn't normal behaviour. She asked me if something was going on. Immediately one of the Guardia Civil told her to "relax, relax, she's just a bit tired". Then the woman asked me directly. I was afraid to even look at her because they told me not to even look at her. At that time I didn't have to explain what happened to me. I didn't know what still awaited me. I looked at her with a face of panic.

Did you go before the Judge. What was his attitude?

Fffff! The Judge hardly looked at me. He read the charges that were hanging over me and asked me if I was going to make a statement. But he didn't want to look…

Because he knew what you had gone through?

Sure he knew. I am absolutely sure. Him and all the other judges of the Audiencia Nacional.

When you were in prison (in the French State) you went on hunger strike so that you wouldn't be expelled from the country and be tortured. They arrested you after a few months. Did you fear that something like that could happen?

Yes, I did. And they also remembered and they reminded me. They went on and on about the hunger strike, laughing. They reminded me of how I was after the hunger strike, weighing 38kilos. They said that they had waited a while to let me recover before arresting me.

After the publication of the photos how do you evaluate the attitude of the Basque Government?

Weak. They know very well that people are tortured here, that their police torture people.

Later you compare it with other cases, cases where with the very least suspicion against someone and there is a search. When you put a case of torture before them the reply is "well, we'll have to see…we'll have to see what the evidence is…". And that is with photos and medical reports. It shouldn't be that way. There are very few cases where photos are produced. I have a priviliged position in this respect. It seems that in the Basque Country only Iratxe Sorzabal has been tortured and that annoys me. How many people have they tortured this year? And for them it seems that there has only been one case. Look at all the complaints that have been made! Asking the Spanish minister for facts in order to investigate…what is it that they want to investigate? They can come and speak to me, but not just to me!

And what is the position of the Spanish Government?

It is clear. They have always used torture. It is a weapon used on a daily basis.It is the only one that they don't recognise in public as they want to maintain the appearance of being democrats.But that is their strategy, it's nothing new.

Have measures at an international level been taken to condemn the Spanish State?

When I was in prison- in Soto- the CPT came. They were with some Basque prisoners and they asked about what happened to us. We still have not seen the report as it is not published yet. The Spanish Government has the power of veto. Amnesty International is also investigating the case.

In the last few weeks a European order for arrest and hand-over is being negotiated.

Will this increase the risk of torture?

It still isn't clear what they will do. But it is clear that it will be another repressive step. All these new steps, along with the legitimisation of the attitude of the Spanish Government, will always give cover to repression and torture.

This new Euro-law mentions that States ought to respect the basic rules with regard to human rights. If Spain doesn't fullfil this Europe has the power to punish it?

That has been so for a long time. At present that legislation exists in Europe, as it does with relation to expulsions as well. A person cannot be expelled to a State that doesn't respect fundamental rights. In the Spanish State these basic rights aren't respected and how many expulsions have been made by the French State? In fact they are all accomplices.

The fact that the French Government continues on that line means that they want to close their eyes?

No, no. The attitude of the French Government isn't one of accomplice but of full involvement in the conflict. It arrests and hand-overs Basques. It is part of the oppression. The oppression is seen in Lapurdi, Zuberoa y Nafarroa Beherea.

Has the evidence of torture been brought to the French Government? Have they responded to the case?

No, not that I know of. The expulsion proceedings against me are still there. The majority of expulsions, which are declared illegal by Administative Courts, happen years after the expulsion takes place. By then the person has already been expelled, tortured and imprisoned.

UNAI ROMANO

FULL ACCOUNT

At around 4.00am on the 6/09/01, I was sleeping and was awaken by some noise. I walked into the hall and saw some Civil Guards with their helmets on, body protection and I think they had their guns out, arguing with my parents. They approached me and asked me if I was Unai Romano, to which I said I was. They grabbed me and took me from the house and tied my hands with a rope. When they took me away my sister, brother and my parents began to leave too. All of us were outside and we could hear the noise of the wardrobe doors. My brother asked for some chairs for my parents as they are elderly. They told me that I was charged of cooperating with an armed band. At that moment Civil Guards dressed with plain clothes went upstairs, along with the Court secretary. They put handcuffs on me and said they were going to search the house. They began in my room. My parents were witnesses with me, the secretary and the three guardia civil were looking at everything. There were two other Guardia Civil watching me. They looked through all my papers, books, and music.

The search of my room took an eternity as there were many things belonging to my father mixed with my own things. My mother often complains that we never throw anything out. They began to put on the table everything they were interested in : pa-

pers with telephone numbers of friends, telephone bills, two mobile phone cards, car keys, work papers and a load of other stuff belonging to me and to my father. Later they took everything and we went to another room. It isn't anybody's room but my brother, Gerardo Romano, sleeps there. They spent quite a while in this room and took my brothers address book and something else which I can't remember. The secretary begins to get tired and the Guardia Civil in charge tells the others to start working quicker. It is taking longer than it should because of the number of presses we have in the house.

They continue with the bathroom, my sister's room, my parents room, the living room and hall, the kitchen and terrace. They did the last few rooms very quickly and the only thing they took, I think, was an address book with my friends numbers on it.

During the search my brother and sister went to work. At this time the treatment that we received was fine and my mother spent the whole time crying and trying to hug me. Everything seemed to be finished when they remembered the attic. I was taken up in the lift with two Guardia Civil and the rest walked up the stairs. As we entered the attic they seemed to have doubts and shield themselves using my body as cover, they kept their hands on their holsters. They didn't take anything and when we went down to my brother's house he was at home. They allowed me to shower, get dressed and say goodbye to my family, but without saying a word. We had to be silent throughout the entire the entire search.

They took me down to the porch and put me in a corner while they argued about how to take me: whether it would be with one or two of them, in what car, whether I should get in, whether they would get in, whether to cover me…In the end they covered me and two of them travelled with me. I am sure that there would be a media presence and that's why they were going on so much about preparations. They put me in the car at 10.30am of the 6/09/01, I think.

The car took me to some unknown destination. I had to keep my head bent between my legs for the whole journey, and I was silent for it. As they took me out of the car there were some stairs but they didn't warn me about them and I fell onto my

knees. They put me in a cell with a balaclava and put me standing against a wall. I was finding hard to breath and the civil guard that was watching me told me that I didn't have the right to breath.

After a while they put me in a van, and without handcuffing me they took me to Madrid. We did the journey at high speed, or this is what I deduced from the noise the engine was making. During the transfer somebody came back to where I was and asked me why I thought I had been arrested, and I said it was because I knew some person who had been arrested before. He advised me to collaborate, that up to that point they had treated me well and that I should collaborate.

They took me to some police station, they searched me and gave me 4 very important pieces of advice: to obey them, keep my eyes closed, not to look at them in the face and that if I crossed paths with any other detainees I was not to look at them in the face. They put me in a cell and forced me to remain standing.

After a while the interrogations began. They asked me continuously to collaborate, while they beat me around the head with some sticks that had foam and sellotape around it. Did I know such and such, did I planted a car bomb, did I shoot someone. They told me that I had done all sorts of things, which I roundly denied. Each time I denied something they hit me three or four times with the batons. The blows were continuous on the head (by head I mean the area where we have hair) and forehead.

Later they repeated the questions. When I was feeling groggy they stopped and asked me about my relatives, my group of friends, where I drank in the old part of Vitoria, waiters, things related to work, politics, Basque schools, squatted houses. When I relaxed a little, and after they had given me some water (water that seemed to revitalise me, I'm not sure if it was drugged or something), the interrogations began again; did I know such and such, how many kilos the bomb had, how many times I was in France,did the bomb had a pendulum or not.

I was blindfolded through all the interrogation period. As time went on the interrogations

became tougher and they ended up putting three balaclavas on me. I think it was to soften the blows, but the feeling of exhaustion was immense. I couldn't stop sweating.

They also put the "bag" on me, and fastened it tight until I started shaking. They did it abouteight times. Later, they repeated the process, and when I was "spaced" out they started asking questions about my way of life, with who I hung out and where. They gave me some water and they began again.

They also made me carry out exercises, I was standing and they made me squat down (this they called the elevator) and then stand up, up and down. They kept me doing this for a long time and I ended up being totally covered in sweat. At that time they made me sign a piece of paper for the court, as I remember, and I had to repeat the process as I left the page soaking wet due the sweat falling from my head and my hands and arms. They made me wipe away the sweat before I signed the second page.

During the interrogations I heard the cries of pain of others that had been arrested, I didn't know who they were, or whether it was the Guardia Civil doing it, but the sound was shivering. I supposed that it was from other detainees who were being tortured at the same time.

After one interrogation when they had left me standing in the cell one of them came in and put the blindfold on me. He brought me up stairs and btook me to a room where there was a woman. She identified herself as a forensic doctor and showed me her i.d. The card was dated 1989 and she wore glasses in the photo. The young woman didn't have any glasses and I doubted that she was a real doctor, but I answered her questions. Her name was Leonor and I can't remember her surname. She asked me about my general state of health and I told her that I was physically wrecked, and told her about blows on the head. She examined me and said that she couldn't see anything. I can't remember if I told her about the bag or not. She asked me about the operations I had had and I told her about my a symptomatic heartbeat. She told me that it was 20.45 of Thursday 6/09/01, as I remember. She asked me if I wanted some water and I drank four or five glasses like I had never drank water before. She insisted that I drink the water slowly but I couldn't slow down. This time the water didn't produce any special sensations, for that reason I believe that the water they were giving me during the interrogations was drugged or doped. The room in which the doctor examined me was two metres wide by 5, it had a chair, a small bed where she had some medical equipment and a sink. Some Guardia civil were outside the door and I suppose they could here us as well as we could hear them. She told me that she would be back the next morning and she told the Guardia Civil to take me away.

They put me in a cell and after a few minutes they put the blindfold and a balaclava on me. They put me somewhere and began asking me what I had said to the doctor, I began to tell them and one of them interrupted me shouting madly that he knew exactly what I had said. At that moment they began to hit me about 20 times, one after the other, with those sticks. The interrogations began again and they were much more savage than the earlier ones. The questions were the same or very similar, if I knew such and such when was I with him, about the car bomb, if I was an activist or a collaborator, how many times and when I was in France. Whenever I answered no they hit me hard. I was standing up. They constantly asked me questions and the blows came down on me much harder, now they were moving me from place to place and taking turns, over here, then over there…All of this was done as they were asking me questions. Two Civil Guards got up on some chairs and began hitting me from above. They were increasingly aggressive and they hit me really hard. These were always on the head and the forehead. I don't know how long this went on for nor what time it was. They could see that I was about to collapse so they let me rest, more water, more questions about where I hang out and we began again. Then they had me doing physical exercises, standing, squatting, at one stage while I was squatting down one of them punched me on the head and I fell to the ground although they caught me before I fully fell to the ground, put me standing and it all began again. This went on until I physically couldn't take it any more. They let me rest and told me that I was the only "son of a bitch that hadn't said anything and as I was not going to tell

them anything I was going to end up like “that Lasa fella” that they killed. One of them told me that he spent three years in prison due to the Lasa and Zabala case and that it was all the same to him to kill me or skin me alive. More water, more questions and we began again. They had me sitting now with arms rests because I was feeling increasingly groggy and they didn’t want me to faint. When they saw that I was about to faint they controlled themselves a bit. One of them spoke softly into my ear telling me to say anything, to invent it, that that was their job and that was mine and that I had 20 or 30 seconds or a little longer to think about it. He came back later and I said that I hadn’t done anything, he became hysterical and said that from then on I was going to pray, they would kill me. They grabbed me between a few of them and hit me fiercely around the head, as they got tired someone else took over. They started giving me electric shocks from some sort of electric club, the type that you see on TV, on the genitals, the penis, the upper part of the ear and behind the ear. They also put the bag on me and continued hitting me.

I was broken and they began to threaten me saying that my girlfriend and my brother were on their way and that they were going to do to them twice what they had done to me. They brought somebody to the room who said that they knew me and gave something to me. At this point they threatened to kill me if I opened my mouth. Immediately when this person left they said that they had his statement and that no matter what it was I better started saying something. I didn’t know who that person was, maybe it was one of them.

The blows continued while they grabbed me amongst them and began saying that they arrested my mother and that she was on her way to the station in Vitoria. The blows continued, I begged them to let my mother go as she had never done anything. They said that she was doing the “elevator” at the reservoir, her legs tied and in the water. Calls could be heard as if they were talking with those at the reservoir, one of them shouted and everybody shut up. They sat me down in a chair and one of them told me that my mother had died. Everybody was quiet and

talked low. I didn’t understand what they were saying. They didn’t hit me anymore.

They took me to a cell and left me there for around an hour. The situation was brutal, my head was swelling at a very fast rate and already I couldn’t see anything. My mind was playing tricks on me and I believed what they said about my mother. My head was on fire and all I wanted to do was to get out of there. Suddenly one of them came and saw that I was getting up from the bed. He told me that I was going to find out about it and hit me.

Then he saw my face and told me to turn around. He got quiet and left. After a bit another one came and told me to turn around, I turned around and he told me to lie down on the bed. I was in that state until around six of them were around me. My whole head was burning, it was thumping and was totally swollen, my eyes were hurting and I felt like my head was going to explode. What they had said about my mother had left me hysterical and I decided to injure myself by biting my wrists. I had, or I noticed that I had some small marks on my wrist and I started with my fingers but later with my mouth to cut myself. I don’t know to what point.

Suddenly one of them came and told me to get up and go with him. He put my hands behind my back and noticed my wrists. They brought me through the corridor, up the stairs and put me in a room. The doctor was shocked, she asked me what happened what they had done to me. The civil guard told her about my wrists and then left. They left me with her, I was hysterical, I didn’t recognise the voice of the woman and I couldn’t see her. I I began to touch her things and I remembered that the day before she had a bag with a badge in the corner of it. I touched it and realised that it was the same doctor as the day before. She told me to sit down and asked me how I was, to which I told her that my head was going to explode. It was 10.00am on 7/09/01. She called for a car urgently and we headed towards the hospital. One of the Guardia Civil drove and she went on the passenger seat, I was on the back seat between two Guardia Civil. They wanted to take me to the military hospital but the doctor said no that we had to go to I don’t know which university. On the way I went hysterical and I told the doctor that they had

murdered my mother and that someone should ring home. She insisted that this could not be true and grabbed my hand strongly and held to it for the whole journey.

We reached the hospital, emergencies I think. They put me in a wheelchair and they treated my wrists. The doctor went off to speak to other doctors and someone whispered in my ear questions about my wrists (I think it was a Guardia civil), I said to him that I was wondering what they had done to my eyes, he didn't say anything and cleared off. Later the doctor came and said that the Judge had rung to say that nothing had happened to my mother. The doctor continued to hold my hand and calmed me down.

They began to carry out tests on me. Their biggest worry was that they may have cracked my skull. They carried out two different head scans, a resonance, a cervical test, head, neck and back x-rays and a number of different x-rays of my mouth. I may have forgotten some of the tests that they carried out. The doctor was worried about the length of time I was there until they began carrying out the tests, she made various complaints to the hospital staff but they replied saying that everybody was working and that we had to wait. I don't know how many hours they had me there for but the doctor told me that I would be kept in, and that she had been in touch with the Judge and that he knew what had happened.

Each time they finished a test the doctor came to tell me that I didn't have a skull fracture. The pain was killing me but they didn't want to give me any pain killers until they had the results of all tests. She continued to hold my hand. After a while they told me that I didn't have a fractured skull but that I had an edema and muscular contraction of the neck. The doctors told me that my whole head was purple and my eyes were black but that this was normal with an edema. They wanted to put a collar on me but my neck was so swollen that none of the ones they had were of any use. After about an hour they found one that they could put on me.

At one point I told the doctor what they had done to me. When I told her of the electric shocks she looked at my ear. She told me that the upper part was burnt and the back was swollen.

They gave me an injection and I don't know how many tablets, and after a while the pain calmed down. They did a full medical check-up, with all type of co-ordination tests (move the arm and touch your nose with your finger, knee reflexes etc.) I still had to see the oculist as I couldn't open my eyes. Leonor (the doctor) came and said that they were going to take me to a prison hospital, but that first I had to go to the police station where I had been earlier and then they would take me to prison. I got extremely nervous but she calmed me down saying that the Judge knew everything and that they didn't going to do anything to me and that she would be with me for as long as she could. The doctor was given some tablets for me and they said that I should apply some ice.

They took me to the station and put myself and the doctor into a room. She requested the most comfortable chair that they had but they brought one that had no armrests. I sat in it. They brought me ice and I applied it on the areas that I thought needed it for a few seconds. If I put it on for longer it hurt me and thus I had to move it from one area to another constantly. My meal consisted of two yogurts and a sandwich. The doctor sat beside me and fed me, I couldn't chew the sandwich so I didn't eat it. She (the doctor) had to go to Court and she left me alone for about two hours. During this time two Guardia Civil stayed outside the room looking and laughing at me. They took turns laughing at the state of my face, and made comments that I looked like a pig, a monster and things like that. I remained still and only moved to apply the ice. They pretended to hit me but didn't actually do it. They didn't touch me in the slightest while I was in that room. The pain persisted and the only thing that relieved it slightly was the ice and staying still.

The doctor returned and told me that she had to see other detainees and I was left alone. The slags and laughs continued. I heard how one came shouting that he was bringing my dinner and I heard them shaking yogurts and drinking them as they laughed. A long time passed and the pain began to increase again. I complained about the pain and they sent some of them to find the doctor, but nobody appeared. Suddenly one of them came with a flask and said that it was for me. I didn't trust them

so I only took a small sup and when I heard that he was heading off again I threw the water over one of those padded chairs that was on my right hand side. I didn't know whether he saw me but he didn't say anything. This medicine was very strong and that bit I drank produced a huge desire to sleep and I had to make a huge effort not to fall asleep.

At a certain time they put me in a car and began to act the fool as we head towards I don't know where. They accelerated and braked sharply, put the sirens on and travelled in a zig zag. They had the music on really loud and they stopped the car on a number of occasions, the ones at the front got out open the door for me but later we continued our journey. On one occasion when we were doing a zig zag I had to support my head on the window in order to avoid hitting it, and then I noticed that the window had a curtain. They continued to act the fool, putting the car into first, second and slamming on the brakes. I didn't know what they were trying to do but I was busy enough trying to avoid falling asleep and preventing my head from flying in every way.

We stopped and the Civil Guard who was travelling alongside asked me if I wanted to talk to the Guardia Civil. I said that I didn't and they took me from the car. I began to hear the sounds of doors that open and close continuously. I began to think that I was in prison but I was not sure. They took two photos of me and my fingerprints. They said something in my ear about my belongings and I answered saying that something was missing. He said that that was what they had. I was totally blind and a little bit spaced and they brought me to the doctor. They looked at me, asked me something and said that they were going to put someone in the cell to help me . They put me in a cell with two beds, a toilet, a sink and a shower. My helper was a Colombian man who put me to bed, helped me to go to the toilet and to get up. They gave me some more tablets and I slept for a few hours, at least according to the Colombian. We talked in the morning and he told me that my whole face was swollen, that my eyes were black and all the rest was purple, except for the tip of my nose and my lips which had their natural colour. They changed the aid and they gave me another Colombian who told me

the exact same thing in relation to my face. I found out that I reached the prison on 8/09/01, at about one in the morning. I was in Soto del Real, in the sick bay, in the isolation area.

Two hours after the second Colombian arrived they told me that I was being held incommunicado and that I was not allowed to have an aid. It was 11'o clock on the 8/9/01. From this moment on I had to feel around for everything, in order to go to the toilet, to bed, to eat something. During these days I realised what its like to be blind.

The doctors took my blood pressure, pulse and temperature. They gave me Espidifen 600, nolotil and two tablets for the muscular contraction. My blood pressure was taken twice a day, and my medication was given to me three times. At night they gave me another tablet to protect my stomach.

Saturday 8th went by as did Sunday 9th. It was the afternoon and I had a shower and began to start seeing things again. In the beginning it was all blurred but after a couple of hours it improved. Around my eyes it was black, the white part of the eyes were bleeding (red), my whole face was swollen and purple, and the neck and shoulders were discoloured to the chest level. I noticed how the swelling was going down, slowly but surely, but the pain and the feeling that my head was burning continued. I couldn't sleep because on supporting my head on the pillow my head really hurt and I asked the doctor to increase my medication. It was decided to give me two nolotil, but they gave me a green and white tablet that was far too strong. I was about to collapse on two occasions and I told them that I didn't want any more and that I wanted some nolotil instead.

I was locked in the cell of the sick bay 24 hours a day, as they didn't want anyone to see me due to the spectacular state in which they had left my face in. This was what the aids told me anyway when they came to feed me. I continued to sleep badly.

On Monday 10/09/01 another doctor from the Court came (I can't remember his name but he has a face like that quite famous Spanish actor with the bags under his eyes), and was accompanied by a young woman who said she was the Court secretary. They said they were there to see if I was in a fit state to go before the Courts the next day and they did a medical check-up. The

doctor noted down my state, above all the face and neck and when I wanted to make a comment to him he said that all that was mere formalities in order to be able to go before the judge. We agreed that I was fit enough, not in good condition but good enough. They told me that night that I had to be up at seven the next day. 11/09/01

I was given breakfast and handed to the Guardia Civil to be taken to the Audiencia Nacional. I told the Civil Guard who was about to put handcuffs on me that my wrists were injured and asked him not to put the cuffs on. He asked me if I had a medical certificate to say so. I didn't. Thus he cuffed my hands behind my back. The journey to the Audiencia was quite tough as I was not feeling well. Once I was there they handed me over to the National Police and one of them said to the other that they had done "the octopus" on me (due to the blows I've received) and they put me in a cell. After a while they took me away to see a woman who said she was the Judge's secretary and read me my rights (she had to read them twice because I was still a bit spaced and couldn't grasp everything the first time). I designated Iker Urbina as my lawyer and I said I wanted to see a doctor. They took me to a cell and after a while took me out to see a doctor. I told him that I had a new pain in the middle of my chest that got worse as I moved and left me breathless for two or three seconds. He took notes and examined me. I told him about the torture and mistreatment I had endured in great detail and he took notes. He told me to say all that to the Judge. I asked him if I could read what he had written and he refused but he reluctantly summarised it for me. He took me to the cell and after a while I was brought before the judge.

The journey from the cell the office of the judge was made with a jacket over my head that impeded my vision. I started making my statement. I responded to questions and denied the accusations. When he asked me if I wanted to add anything I mentioned the torture and abuse and began to tell him. After half a minute he interrupted me and said that he had been working with the Guardia Civil for many years and many people had said that they had suffered torture but he didn't believe them. Additionally he said that as there was no statement made to the police

then it wasn't the place to be making a complaint and that I would have to go to the appropriate court to make a complaint. I was confused. I looked at the secretary and she nodded her head, my state appointed lawyer couldn't get his eyes off my face (obviously shocked by the marks) but also said nothing. When the statement was almost finished they did a writing test and told me that I could be with my lawyer and that some papers would be given to me and my lawyer.They took me down again with the jacket over my head and they put me in a Guardia Civil van and took me to prison again. I hoped to see my lawyer but it seemed that they didn't want anyone to see my face.

Once in prison I told them that I wanted to make a phone call that I was allowed to makeit as I was not held incommunicado anymore. They told me that I couldn't make it until notification arrived. They had me in sick bay and I was still held in isolation.

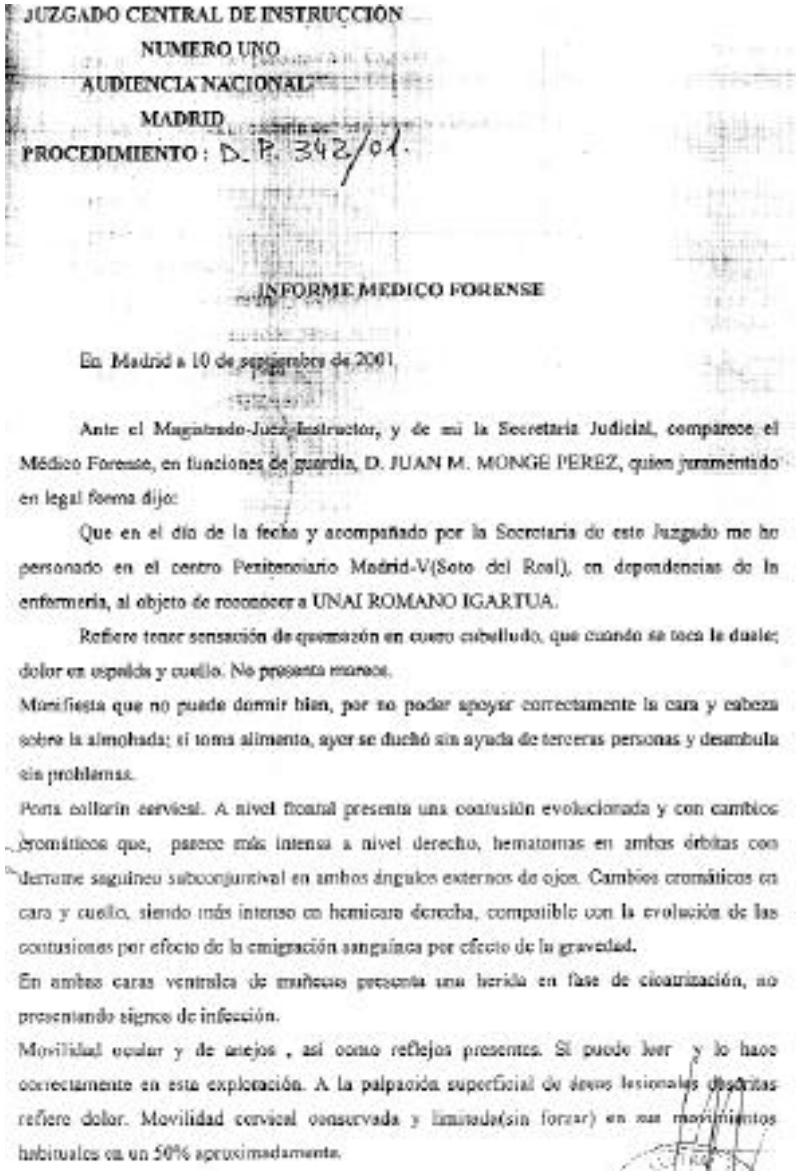
In the afternoon my lawyer arrived to see me and observed the sorry state that I was in. I was returned to sick bay, I told them about the call and they told me that I could make it the next day.

They took me out of isolation and to an area with men within the sick bay. The next morning the doctor came by and said that I couldn't leave the sick area until all the facial marks disappeared. They had removed the collar and bit by bit I stopped taking the medication as the pain started to ease. This was with the consent of the doctor. For the 14/09 I hoped to be in good enough condition to be transferred to the modules but they didn't transfer me until the 18/09 which was when all the marks had disappeared, or more or less all.

I didn't get my telephone call until Thursday 13th in the afternoon.

Now I was in module 2, Soto del Real. It was the 20/09/01. It took me a long time to start writing because every time I tried to write I got very nervous and had to take it bit by bit.

I forgot to mention that during the interrogations they made be remain naked for long periods of time. The Guardia civil took part in this and constantly took turns.



JUZGADO CENTRAL DE INSTRUCCION
NUMERO UNO
AUDIENCIA NACIONAL
MADRID
PROCEDIMIENTO : D. P. 342/01.

INFORME MEDICO FORENSE

En Madrid a 10 de septiembre de 2001

Ante el Magistrado-Juez Instructor, y de mi la Secretaria Judicial, comparece el Médico Forense, en funciones de guardia, D. JUAN M. MONGE PEREZ, quien juramentado en legal forma dijo:

Que en el día de la fecha y acompañado por la Secretaria de este Juzgado me he personado en el centro Penitenciario Madrid-V(Soto del Real), en dependencias de la enfermería, al objeto de reconocer a UNAI ROMANO IGARTUA.

Refiere tener sensación de quemazón en cuero cabelludo, que cuando se toca le duele; dolor en espalda y cuello. No presenta mareos.

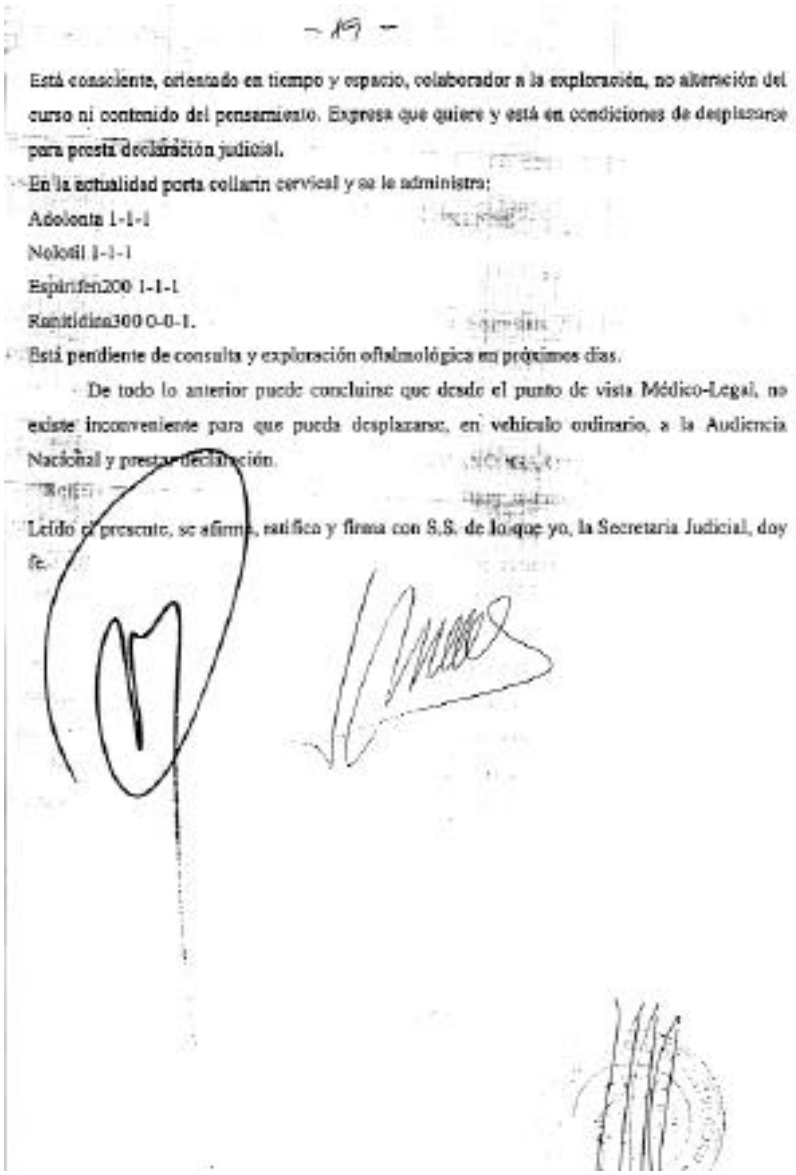
Manifiesta que no puede dormir bien, por no poder apoyar correctamente la cara y cabeza sobre la almohada; si toma alimento, ayer se duchó sin ayuda de terceras personas y deambula sin problemas.

Porta collarín cervical. A nivel frontal presenta una contusión evolucionada y con cambios cromáticos que, parece más intensa a nivel derecho, hematomas en ambas órbitas con derrame sanguíneo subconjuntival en ambos ángulos externos de ojos. Cambios cromáticos en cara y cuello, siendo más intenso en hemicara derecha, compatible con la evolución de las contusiones por efecto de la emigración sanguínea por efecto de la gravedad.

En ambas caras ventrales de muñecas presenta una herida en fase de cicatrización, no presentando signos de infección.

Movilidad ocular y de anejos , así como reflejos presentes. Si puede leer y lo hace correctamente en esta exploración. A la palpación superficial de áreas lesionales descritas refiere dolor. Movilidad cervical conservada y limitada(sin forzar) en sus movimientos habituales en un 50% aproximadamente.

Medical report made by the forensic doctor of the Audiencia Nacional



- 19 -

Está consciente, orientado en tiempo y espacio, colaborador a la exploración, no alteración del curso ni contenido del pensamiento. Expresa que quiere y está en condiciones de desplazarse para prestar declaración judicial.

En la actualidad porta collarín cervical y se le administra:

Adolonta 1-1-1

Nolotil 1-1-1

Espidifen200 1-1-1

Ranitidina300 0-0-1.

Está pendiente de consulta y exploración oftalmológica en próximos días.

De todo lo anterior puede concluirse que desde el punto de vista Médico-Legal, no existe inconveniente para que pueda desplazarse, en vehículo ordinario, a la Audiencia Nacional y prestar declaración.

Leído el presente, se afirma, ratifica y firma con S.S. de lo que yo, la Secretaria Judicial, doy fe.

MINISTERIO DEL INTERIOR
DIRECCIÓN GENERAL DE
INSTITUCIONES PENITENCIARIAS
CP PENITENCIARIO MADRID V

Soto del Real, 11 de septiembre de 2001

JDO CENTRAL INSTRUCC Nº1
MADRID

Teniendo prevista su comparecencia en ese Juzgado el/los próximo/s día/s 11/09/01 el interno/s de este Centro.

ROMANO IGARTUA, UNAI D.P. 342/01

Se informa sobre la peligrosidad del mismo y la posibilidad que pueda/n protagonizar algún tipo de incidente.

Señalar que dicho interno está incomunicado.

EL DIRECTOR

Medical report made by the forensic doctor of the Audiencia Nacional

NUMERO UNO

AUDIENCIA NACIONAL

MADRID

Procedimiento :

INFORME MÉDICO FORENSE

En Madrid a 11 de septiembre de 2001

Ante el Magistrado-Juez Instructor, y de mí la Secretaria Judicial, comparece el Médico Forense, en funciones de guardia, Dr. JUAN M. MONGE PEREZ, quien juramentado en legal forma dijo:

Que siendo las 10.45h. del día de la fecha, me he personado en los calabozos de esta Audiencia Nacional, al objeto de reconocer a UNAI ROMANO IGARTUA.

Refiere encontrarse mejor que en el día de ayer, sigue durmiendo con dificultad, y sentir dolor a nivel inferior de esternón al realizar giros con el cuerpo.

Quiere manifestar que la detención en Vitoria no fue violenta, que tras ella recibió unos golpes el las rodillas, al empujarle contra el suelo. En Madrid después del 1º reconocimiento Médico-Forense y hasta el 2º, le golpearon con un palo o una porra forrada con algo, en cabeza y cuello, mientras le forzaban a realizar flexiones sobre las rodillas y estando sentado en una silla, en esta última posición, dice que no podía defenderse; que le colocaron electrodos en testículos y retroauricularmente, así como que le amenazaron con hacerle daño a sus familiares, sobre todo hacia la persona de su madre, haciéndole creer que estaba muerta. En este 2º reconocimiento la Médico Forense le remitió inmediatamente al hospital.

Las lesiones descritas en el anterior reconocimiento, han disminuido en intensidad, evolucionando favorablemente hacia la curación; a la palpación presenta dolorimiento en región frontal derecha y en occipucio. A nivel genital no presenta lesiones ni marcas retroauriculares. No lesiones en rodillas.

T.A. 130/70, frecuencia cardiaca78p.m. leve arritmia que le diagnosticaron en reconocimiento laboral como asintomática y que no precisa tratamiento. Está consciente, orientado en tiempo y espacio, discurso coherente. No existiendo inconveniente para que preste declaración.

Deberá seguir con el tratamiento pautado hasta nueva valoración

Leído el presente, se afirma, ratifica y firma con S.S. de lo que yo, la Secretaria Judicial, doy

Medical report made by the forensic doctor of the Audiencia Nacional

Juzgado Central de Instrucción nº 1 de la Audiencia Nacional .
diligencias previas 342/01.guardia

ACTA DE DECLARACIÓN.

En la villa de Madrid, martes 11 de septiembre de 2001.

Ante el Ilmo. sr. Magistrado de este juzgado, con mi asistencia y la del Ministerio Fiscal, comparece quien dice ser y acredita llamarse **UNAI ROMANO IGARTUA, identificado en estas actuaciones**, asistido del letrado del turno de oficio, doña María Teresa Ramiro Arcas, colegiada 18257 de Madrid; para la práctica de la declaración de aquél, a quien se instruye de sus derechos constitucionales y más concretamente del que tiene de guardar silencio, no confesarse culpable, y no contestar a las preguntas que se le formulen, excepto el de nombrar abogado de su elección, dada su condición de incomunicado.

Abierto el acto por el Instructor, es preguntado si está dispuesto a prestar declaración, y manifiesta que sí.

Preguntado si conoce a Juan Carlos Subijana, manifiesta que no. Tampoco conoce a nadie apodado "Champi".

Se le pone de manifiesto la declaración prestada por Subijana ante este juzgado y las imputaciones que vierte contra el detenido relacionadas con labores de captación para la organización terrorista ETA y contactos con miembros de ETA, donde dice que Unai Romano tuvo contactos con miembros de ETA para restablecer el contacto a efectos de una nueva captación. Preguntado por el Instructor si todo esto es cierto, manifiesta que no ha tenido ningún contacto con miembros de ETA. Todo es totalmente falso.

Preguntado por el Ministerio fiscal si conoce a Zigor Bravo, responde que cree saber quién es. Era camarero de un bar. No conoce a José Manuel Cortazar. No sabe quién es Unai López de Ocariz, ni Aitor García Arriaga, ni José Antonio Cortés, ni Susana Achacrandio, ni Joseba Gorosarri.

Preguntado por su actividad laboral, manifiesta que trabaja en la empresa de automoción de Mercedes, en Vitoria. No ha recibido nunca ninguna propuesta de captación para la banda terrorista ETA. Tampoco ha colaborado con la organización ETA. No encuentra explicación para que Subijana haga estas imputaciones contra el declarante porque no existen causas de enemistad entre ambos.

Statement of Unai Romano in the Audiencia Nacional before Central Court Judge Guillermo Ruiz Polanco.

Preguntado si estaría dispuesto a practicar una diligencia de cuerpo de escritura para contrastarla luego con textos manuscritos hallados en registros domiciliarios en Vitoria, manifiesta que no tiene, en principio, ningún inconveniente en practicar ese cuerpo de escritura.

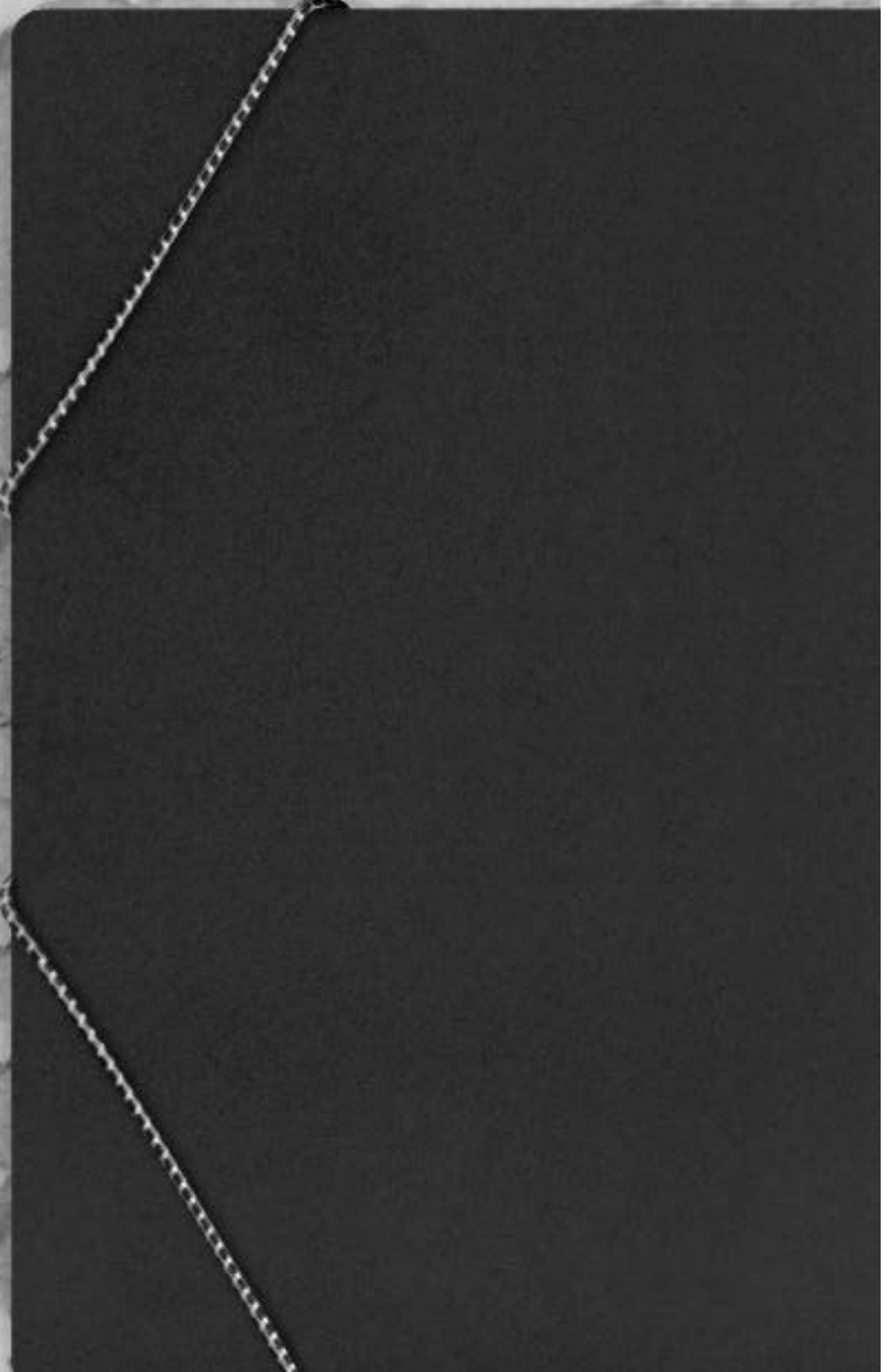
Preguntado por s.S*, si pertenece a ETA, manifiesta que no.

Por la defensa no hay preguntas.

El detenido quiere dejar constancia de los malos tratos que ha sufrido ante la Guardia Civil. El momento de la detención fue correcto; el registro en casa de sus padres fue correcto; el primer traslado a dependencias policiales fue correcto hasta que le trajeron a Madrid. El trayecto también fue correcto. En un calabozo empezaron los interrogatorios con unos cuantos golpes en la cabeza con porras o palos. Se lo comentó a la médico forense, y ésta le dijo que no tenía marcas. Le bajaron nuevamente a los calabozos y empezaron a pegarle nuevamente. Le pegaban en la cabeza y cuando estaba "medio grogui" le dejaban recuperarse un rato. Le obligaron a efectuar flexiones verticalmente y le golpeaban cuando estaba abajo. Tampoco dejaban que perdiera el conocimiento. Le sentaban en una silla y se cebaban realmente.

Se le indica que este juzgado no es competente para conocer de esta denuncia, y solamente lo sería si hubiera prestado declaración policial. Al no existir declaración policial en relación con estos hechos, el conocimiento de estos hechos corresponde al Juzgado de Instrucción ordinario de Madrid.

Así se dio por terminado el acto, y leída la presente y hallada conforme se firma por los asistentes y s.S*, de que doy fe.



EIGTH CIVIL GUARDS POUND GUILTY OF HAVING TORTURED BASQUE CITIZENS IN 1980

Between June 18th and 20th of 2001 the trial of the ten Civi Guards, accused of torturing seven Basque residents of Zornotza in 1980, took place in the Provincial Court of Bizkaia. On July 27th the Court sentenced eight of the ten civil guards to serve between four and twenty months imprisonment and between four and twenty years of disqualification. They are obliged to pay a million pesetas indemnity to each victim and to pay the costs of the trial. The Court considered proven that those making the claim were tortured by the Guardia Civil.

Between the 19th of November and the 1st of December 1980 the Guardia Civil carried out an extensive operation in Zornotza, in which Ernesto Alberdi, Jon Urrutia, Juan José Larrinaga, Roberto Zabala, Fernando Irakulis, Juan Luis Irakulis, Agustín Gisasola and others were arrested and in the majority of cases the doctors dealing with the detainees confirmed they had suffered injuries. In spite of this, some of those tortured were imprisoned and later sentenced, and two of these are still in prison, based almost exclusively on statements made under torture. However, those victims had to wait more than 20 years to see the accused guardia civil seeting in the dock.

THE CONVICTED

Lucio de Sosa Robledo: was found guilty on five counts of torture to Fernando Irakulis, Jose Luis Irakulis, Ernesto Alberdi, Roberto Zabala y Jon Larrinaga. The sentence consists of five months of imprinsonment and four years suspension from service or public service for each crime. Therefore, he has been sentenced to 20 months arrest and 20 years suspension from employment and public service.

Lucio de Sosa was identified by Roberto Zabala, Ernesto Alberdi y Juan José Larrinaga as one of the people who tortured them. He acted as instructor in the case of Juan José Larrinaga and Fernando Irakulis. During the trial he refused to answer the individual and popular charges*. He responded to the public Minister and his Lawyers. He maintains that he doesn't remember anything about the police operation in which the Basque citizens were arrested. He declared that in his professional life he had always respected the rights of the detainees in his care. However, during the oral hearing he was identified by three of the people that he tortured. Lucio de Sosa had already been found guilty on two other occasions of torturing Basque citizens: the Linaza case in 1981 and the case of Torre Altonaga in 1980.

At the beginning of the oral hearing, the public prosecutor had requested the absolution of all the accused. But in the end he found it was proven that Lucio de Sosa tortured Juan José Larrinaga, Roberto Zabala y Ernesto Alberdi, and the public prosecutor requested a months imprisonment, disqualification from office for the course of the sentence and obligation to indemnify each victim with 50,000 pesetas.

Both the popular case and the individual case requested 36 months imprisonment and 36 years of disqualification from his position for crimes of causing injuries in the course of a police investigation, with the aim of obtaining confessions and for another 3 for allowing mistreatment to happen.

José García Maldonado: was found guilty of the crime of torturing Ernesto Alberdi. The sentence consists of four months

Press conference offered by TAT with those tortured and their lawyers

imprisonment and four years suspension of employment and public service.

He refused to answer the individual and popular charges. He replied to the public minister and his Lawyers. He maintains that he can't remember anything about the police operation in which Basque citizens were arrested. He was identified by Ernesto Alberdi as one of those who tortured him both in a police identification line up as well as in the oral hearing.

The public prosecutor had initially requested the absolution of all the accused at the beginning of the oral hearing but in the end fit was proven that José García Maldonado tortured Ernesto Alberdi and requested a months imprisonment, disqualification from office during the course of the sentence and obligation to indemnify each person tortured with 50,000 pesetas.

Those making the case requested 6 months imprisonment and 6 years disqualification from his position for crimes of causing injuries in the course of a police investigation with the aim of obtaining confessions.

Antonio Arias Carnero: was found guilty of the crime of torturing Ernesto Alberdi. The sentence consists of four months imprisonment and four years suspension of employment and public service.

He refused to answer the indidual and popular charges. He replied to the public minister and his Lawyers. He maintains that he can't remember anything about the police operation in which Basque citizens were arrested. He was present during the interrogation of Ernesto Alberdi and didn't do anything to avoid this ill-treatment. Alberdi identified him.

The prosecutor requested his absolution because his participation wasn't proven.

Those making the case requested 6 months imprisonment and 6 years disqualification for allowing ill-treatment to happen.

José Vázquez Domínguez: was found guilty of the crime of torturing Juan Luis Irakulis y Ernesto Alberdi. The sentence consists of eight months imprisonment and eight years suspension of employment and public service.

He acted as instructor in the cases of Juan Luis Irakulis and Ernesto Alberdi. He refused to answer individual and popular charges. He replied to the public minister and his Lawyers. He maintains that he can't remember anything about the police operation in which Basque citizens were arrested.

The prosecutor requested his absolution because his participation wasn't proven.

Those making the case requested 12 months imprisonment and 12 years disqualification for allowing ill-treatment to happen.

Felipe Mateos Robles: was found guilty of the crime of torturing Jon Urrutia. The sentence consists of four months imprisonment and eight years suspension of employment and public service.

He acted as instructor in the cases of Jon Urrutia. He refused to answer the individual and popular charges. He replied to the public minister and his Lawyers. He maintains that he cant remember anything about the police operation in which Basque citizens were arrested. He was identified in the court by Ernesto Alberdi as one of the Guardia Civil that tortured him and took part in the interrogations in which he was tortured.

The prosecutor requested his absolution because his participation wasn't proven.

Those making the case requested 12 months imprisonment and 12 years disqualification for allowing ill-treatment to happen.

Antonio Beltrán Alcántara: was found guilty of the crime of torturing Jon Urrutia. The sentence consists of four months imprisonment and eight years suspension of employment and public service.

He was the secretary in the proceedings against Jon Urrutia. He refused to answer the individual and popular charges. He replied to the public minister and his Lawyers. He maintains that he can't remember anything about the police operation in which Basque citizens were arrested.

The public prosecutor requested his absolution because his participation wasn't proven.

Those making the case requested six months imprisonment and six years disqualification for allowing ill-treatment to happen.

Paulino Santos Capaña: was found guilty of the crime of torturing Fernando Irakulis y Jon Larrinaga. The sentence consists of four months imprisonment and eight years suspension of employment and public service.

He acted as secretary in the cases of Jon Larrinaga y Fernando Irakulis . He refused to answer the individual and popular charges. He replied to the public minister and his Lawyers. He maintains that he cant remember anything about the police operation in which Basque citizens were arrested. He was identified in the court by Ernesto Alberdi as one of the guardia civil tortured him.

The prosecutor requested his absolution because his participation wasn't proven.

Those making the case requested 12 months imprisonment and 12 years disqualification for allowing ill-treatment to happen.

Antonio Tocón Diez: Was found guilty of acting dishonestly in carrying out public duty and sentenced to 14 years of special disqualification. He refused to answer the individual and popular charges. He replied to the public minister and his Lawyers. He maintains that he can't remember anything about the police operation in which Basque citizens were arrested.

The prosecutor requested his absolution because his participation wasn't proven.

Those bringing the case requested 36 years of disqualification for six infractions of article 359, for maliciously refusing to push the persecution and punishment of the guardia civil involved, failing in the responsibilities of his duties

.

THOSE CLEARED

Antonio Bailo Roche: Was cleared of his charges of crime of torture that he was charged of. He acted as secretary to Roberto Zabala. He refused to answer the individual and popular charges. He replied to the public minister and his Lawyers.

He maintains that he cant remember anything about the police operation in which Basque citizens were arrested.

The prosecutor requested his absolution because his participation wasn't proven.

Those making the case requested 6 months imprisonment and 6 years disqualification for allowing ill-treatment to happen.

Julián González Pomares: Was cleared of his charges of crime of torture . He acted as instructor in the case of Roberto Zabala. He refused to answer the individual and popular charges. He replied to the public minister and claimed that he was in Bilbao at that time.

The prosecutor requested his absolution because his participation wasn't proven.

Those making the case requested 6 months imprisonment and 6 years disqualification for allowing ill-treatment to happen.

TESTIMONIES OF THOSE TORTURED

In order to understand the seriousness of the cases we add some testimonies of those tortured. These have been accepted as proven facts by the Provincial court of Bizkaia.

Sobre Fernando Irakulis- "When I was taken to the La Salve Station, I mentioned to one of the police officers that one of the handcuffs was very tight and was hurting me and that my hand was swollen. Due to this comment they hung me by the handcuff from a ring that was on the wall. In this position I was beaten around both ribs while they interrogated me. I also received blows to the feet. As a result of the blows I lost all feeling in the legs and didn't feel the pain any more. I was then forced to walk on the cold floor until the feeling returned to my feet. They continued with the aforementioned treatment. They left me alone in a cell but forbade me to sit down or lie down. I lay down and some people came in and beat me up for not obeying the orders I had been given. I also received indiscriminate blows with various objects which I believe were batons and baseball bats. They put adhesive tape around my mouth and put a plastic bag over my head."

Sobre Ernesto Alberdi- "They put a plastic bag over my head which produced asphyxiation. They put my head in a dirty washbasin that also produced that feeling of asphyxiation. On one occasion I had some of his beard pulled out, mixed with tobacco and I was given it to eat".

Sobre Agustín Gisasola- "At a given moment I was told to get out of the car, to lie on the ground whilst they accused me of killing a person. I was subjected to blows in the head with the handle of their weapons, as well as kicks on the body. They rai-

sed the hood that covered his head to the height of the nose, put a gun in his mouth and threatened to shoot. As this was happening the detainee believed he heard the sound of a gun shot".

The sentences prove that a whole series of cruel methods of torture were used, taking into account the accounts of the those tortured and the reports of the forensic doctors, as in these the injuries are confirmed.

TAT'S EVALUATION

Torturaren Aurkako Taldea (Group Against Torture) want to emphasise the veracity of the complaints against torture made by the seven detainees.

Firstly we want to denounce the delay in trying this case, given it tooktwenty years for this case to reach the courts. We want to denounce the handling of the case by the accused , given that an identification parade ordered by the Judge in 1983 took five years to be carried. The delay is serious as many of those tortured in this case have spent many years in prison and two of them are still in prison. Thus, two people have been 21 years in prison and the principal basis for their imprisonment is the self-incriminating statements made whilst being tortured. Therefore we want to know what is going to happen to these people and if finally they will receive justice.

On the other hand, in spite of the guilty sentence given to eight civil guards, we want to note that the Spanish Government has no intention of eradicating torture, and we want to let our concern known as to whether the Government will allow the sentence to be carried through, or the men will be pardoned, as usually happens. We want to show our concern as to the posture of the Spanish Government for the following reasons:

- On the one hand because according the penal code itself the punishment for the crimes of ill-treatment and torture are ridiculous.
- Because policemen that have been found guilty of torture remain in their positions, as is the case of Lucio de Sosa, even though this is the third time that he is found guilty of torture.
- Because policemen found guilty of torture are systematically pardoned. This can be seen from the last fourteen pardons that were awarded in January 2001.
- Finally, and above all, because they maintain anti-terrorist legislation. This gives cover to the practice of torture in police stations during the long periods that a detainee is held incommunicado.

These cases of torture took place 21 years ago, then many social agents didn't find the claims of torture credible. Today it has been shown that the complaints were totally true, and we hope that we won't have to wait another twenty years, to have those serious complaints of torture found to be true.

In the Spanish legal system there exist two disticnt form of prosectution, the indivisula and the popular. The individual is when the abused pary initiates a case on his or her own behalf. The popular is a judicial form that does not exist in the anglo-american judicial system. This form of prosecution enables individuals or groups, not directly affected by the crime, to initiate a prosecution under that broader terms of "crime against society".

THE EUROPEAN COMMITTEE FOR PREVENTION OF TORTURE

IN SITU VERIFICATION OF THE COMPLAINTS OF TORTURE

RECOMENDATIONS MADE TO THE SPANISH GOBERNMENT

A delegation of the Committee for the Prevention of Torture (CPT) made up of ***Gisela PERREN-KLINGLER***, a Swiss psychiatrist and head of the delegation and ***Davor STRINOVIC***, a Croatian forensic doctor carried out a visit to Spain in July of this year. The delegation was assisted by ***Mark KELLY***, Director of Human Rights Consultants (expert) and ***Jan MALINOWSKI***, secretary of the CPT.

During the visit they met with Spanish State authorities like ***Pedro MORENES EULATE***, Secretary of State for Security, and ***Eugenio LOPEZ ALVAREZ***, General Technical Secretary, as well as with high ranking civil servants of the Interior Ministry.

In addition to visiting these officials the CPT also paid a visit to the various Basque citizens that have been arrested over the last few years, ones who had made complaints of having been subjected to torture and mistreatment during the period being held incommunicado.

They report that the delegation interviewed 8 Basque citizens amongst whom we can confirm the name of ***IRATXE SORZABAL***, arrested by the Guardia Civil on March 30 2001, and savagely tortured; ***LIERNI ARMENDÁRIZ***, arrested by the Guardia Civil and savagely tortured in January 2001; ***EIDER PEREZ***, arrested by the Guardia Civil in March 2001 and savagely tortured; ***NEREA GARRO***, arrested by the National Police on Novem-

ber 6th 2000 in Madrid and savagely tortured; and ***HARRIET IRAGI***, arrested in Seville on October 16th 2000.

The CPT delegation also visited the courts in order to investigate how they were dealing with the judicial cases brought about as a result of the accusations made by the people named above. In the case of IRATXE SORZABAL in particular, the delegation visited the courts of Plaza de Castilla, Madrid. The paid a visit to Court no. 13, where the proceedings brought about by the complaints of torture made by SORZABAL are being held.

The preceptive report made by the CPT ought to have been given to the Spanish State authorities by now. Whether the report is made public or not will depend on the wishes of the Government.This is because according to the rules of the European Convention for the Prevention of Torture it is the Governments that have exclusive capacity in authorising the publication of the reports

As has happened on other occasions it seems that the wishes of the Spanish Government with respect to this visit follows the line it has maintained in postponing the publication of the report for as long as possible. Due to it being confidential we don't know the conclusions of the report, but we believe that publishing it aids transparency. If torture doesn't exist, if the complaints are false and merely aim to delegitimise the state, what better than an objective report, made by prestigious experts, in order to clarify this. What is it that the Spanish State fears? It wouldn't be that once again there is evidence of the existence of the practice of torture.

In the opinion of TAT, this new visit demonstrates once again the profound preoccupation that exists among international bodies, dedicated to the prevention and eradication of torture, about the situation in the Spanish State. In addition to the CPT other international bodies and NGOs have repeatedly denounced and/or showed concern for the persistence of these practices in the Spanish State, especially against those who have been detained for political reasons. Amongst them we note the ***Committee Against Torture of the United Nations, the Special Rapporteur on torture of the United Nations, The Association for the Prevention of Torture, in Switzerland, Amnesty International, the Human Rights Committee of the United Nations***...

All of those insist, as we in TAT do also, that this situation is due partly to the existence of special anti-terrorist legislation, which allows for detainees to be held totally incommunicado. This together with the lack of investigation by Judges and the Courts into cases where complaints are made, allied with the absolute impunity of the torturers which manifests itself through Government pardons. These are the key reasons why today the use of torture is still a reality in the Spanish State.

We bring it to your attention that this is not the first visit made by the CPT to the Spanish State over the last ten years. They made two ordinary visits, April 1991 and April 1994, as well as an extraordinary visit in June 94. During that visit they met with at least three Basque citizens who had made complaints of being subjected to torture. They are: ***JOSU UNSION PABOLLETA, ENCARNI MARTINEZ and IÑAKI LOPEZ AGIRIANO***. On 17/01/1997 they made a two day urgent visit to interview ***JOSU ARKAUZ ARANA***, a Basque political refugee who was handed over by the French State to the Guardia Civil. They made an ordinary visit between 21/04/1997 and 28/04/1997, another ordinary visit between 22/11/1998 and the 04/12/1998, and finally, a ordinary visit lasting 5 days on July 22nd of this year. During many of these visits the CPT delegation interviewed a variety of Basque citizens arrested for political reasons, some of whom were still in prison others had been released.

CONTENTS OF THE REPORTS ELABORATED BY THE CPT AFTER PREVIOUS VISITS

After each of the visits made by the CPT they made a report with very specific conclusions on the existence of torture in the Spanish State. The Spanish State used on each occasion all in their power to maintain the reports confidential. Only external pressure (including noted members of the CPT and the Committee against Torture) and the fact that the Spanish State would be compared with Turkey, forced the Spanish Administration to aut-

horise the publication of those reports. Still, we should note the time period that elapsed between the visits and the publication of the reports. The report elaborated by the CPT after their visit in 1991 was published on 05/03/1996, the one on the visit of April 1994 was published on 05/03/1996, the one relating to the June visit in 1994 was published on the same date.

The prime focus of the reports is on the period when the detainee is held incommunicado and the guarantees, or rather, lack of guarantees of the rights of the detainee during this period.

In the first, Paragraph 25, they consider that it is "...premature to conclude that torture has been eradicated".

They come to define the "risk areas" for the practice of torture, and in the second report they affirm that they have to: (paragraph 20), "...reiterate in the light of the information that they possess, the comments made in paragraph 25 (Report 1) in the sense that it is premature to conclude that torture has been eradicated in Spain".

The third visit from June 10 to 14 1994 was made as a result of arrests made by the Guardia Civil in Gipuzkoa, which were in turn the result of a hand over of the Basque refugee Domingo Aizpurua by the French State to the Guardia Civil.La última y cuarta visita la realizó desde el 22 de noviembre al 4 de diciembre, donde vuelve a repetir las recomendaciones realizadas en los anteriores informes.

1.- Evidence evaluated by the CPT in Report III:

Firstly, the determine that the evidence given by the detainees is believable, detailed and not stereotypical. This is in opposition to the supposed "instructions" given to make complaints against torture in any case. (Rep. III par. 29)

- Descriptions of open handed blows to the head, testicles, back, abdomen and arms, and punches principally to the stomach. (Rep. III par. 13). They could prove the existence of bruising and ecchymosis in line with what the detainees had alleged. (Rep. III par. 31)

- ***The bag:*** the form of using it was described in detail and technically believable. (Rep. III par. 14)

- ***Electrodes***: Certain people saw them, and their description of them coincides with some instruments that are available of the market in many countries. (Rep. III par. 15-bottom of page). They found a mark on the temple of one person that is compatible with the allegation of having received electric shocks to this part of their body. (Rep. III, par. 31)

The CPT warned that with regard to many types of torture that were alleged it is very difficult to obtain medical evidence, especially if torture has been applied by an expert.

2.- Medical Reports

At the beginning of the section on medical reports the declare that "the doctors observe marks of recent nature in a number of cases, but are of the opinion that they could well have been caused by other sources than mistreatment... (Rep. III, par. 19)...in the context of the present report certain observations have to be made regarding the role played by the doctors" (Rep. III par. 36)

Already in the first report they show their preoccupation with respect to the possible deficiencies in the carrying out of medical examinations, and in paragraph 57 recommend that in the case of being held incommunicado that:

- the detainee be examined, if they so wish, be examined by a doctor chosen from a list put forward by the corresponding professional college (in the case of being held incommunicado)

- All medical examinations be held out of hearing distance, and preferably, out of sight of the police officers.

- lThat the results of the examination be communicated to the detainee.

During their "ad hoc" visit the members of the CPT team saw "deficiencies" in work of the doctors: "Subsequent medical examinations in Madrid I prison revealed injuries that hadn't be-

en noticed by the original doctor, in the case of two people detained between 2 and 7 July 1994; in another case there was more extensive bruising than that noted by the original doctor; and in a fourth case the discrepancies between the extension of the injuries could have been in part due to the poor resources at the disposition of the doctor." (Rep. III par. 38)

They deem it necessary to point out that: " particular attention ought to be paid to the psychological state of the detainee- and more especially to changes in this state during the custodial period- when their situation is being studied." (Rep III, par. 39)

3.- Judicial Resolutions

With respect to effective judicial control in the cases of those held incommunicado we can make the following observations.

Amongst the cases studied in the "ad hoc" visit, the Judge of Central Court no. 5 recognised the existence of signs of violence in some of them, but was of the opinion that they were the result of the circumstances of arrest rather than intentional mistreatment. (Rep. III, par 31)

With regard to the judges, the CPT recommend that in cases where detainees are held incommunicado, that they assist the detainee by visiting or demanding direct information on the detainees (Art 520 bis, 3. Criminal Justice Law). "The CPT considers that regular visits, without being announced by the competent Judge, to the places where the detainees are held could significantly contribute to the prevention of mistreatment. In any case, with the information obtained during the second periodic visit, it would seem clear that these visits rarely happen". (Rep II, par. 72 and 73) This is also confirmed by Amnesty International in their Commentaries to the fourth periodic report (CCPR/C/79/Add.1) pg. 13 par. 2.

Another aspect of the judicial resolutions that demands attention is the following: "According to information facilitated by the Spanish authorities it would appear that the State Security Forces systematically request the holding incommunicado of detainees related to terrorist activities and that the competent judges systematically concede this request". (Rep II, par. 62) The request and concession of holding suspects incommunicado may be motivated but "... it seems that the reasons put forward by the Judge for allowing incommunicado detention tend to be brief and stereotypical and are conceded for the maximum period of detention". In the response by the government they roundly deny this claim with the following facts:

In 1994, of the 119 people arrested for "terrorism", 105 were held incommunicado.

In 1995, of 133 people, 129 were. It doesn't seem consistent the denial that the practice is systematic.

4.- Recommendations to the Spanish Government / Replies received

In the second periodic report, the CPT show their preoccupation about the holding detainees under an incommunicado system, and they make certain recommendations to safeguard against the mistreatment of detainees.

- that the maximum period within which the family or a third person with legitimate interest be told of the arrest and whereabouts of the detainee be reduced to 48 hours. (Rep II, par. 60).

- that detainees have access to a state lawyer from the moment of arrest (evidence of police interrogation without a lawyer) including the right to contact and be visited by a lawyer, in both cases guaranteeing confidentiality. (Rep II, par. 64).

- that the detainees be expressly informed of the possibility of being examined by a second doctor. (Rep II, par. 68).

- that they fulfil the recommendation made in Report I paragraph 69 to draw up a code of conduct for interrogations by the State Security Forces. (Rep II, par. 69 and 70) After making it clear that this has not been done they insist of its necessity because, in addition to numerous allegations of mistreatment, the habitual practice "...(particularly of supposed terrorists) are interrogated for long periods, and their formal declarations are made at night".

- that they reconsider the recommendation of the CPT in their first Report to electronically record the interrogations of the

State Security Forces (Rep. I Par. 71), since "...it would not only represent an important safeguard for the detainees, but would also serve the legitimate interests of SSF. In particular, it would offer a complete and authentic record of the interrogation process, assisting to a large extent to the investigation of complaints of mistreatment, and the assignment of true responsibility".

- that one intelligible model of registering the custody be developed to be used by SSF (Rep II par 76) "...deficiencies in this respect were particularly serious in the General Barracks of the Guardia Civil, Gipuzkoa, in the Basque Country".

The subject matter of the urgent visit carried out in 1997 has to be emphasised. This was in relation to the hand over of the Basque refugee JOSU ARKAUZ ARANA by the French State to the Guardia Civil.

Amongst the conclusions of the Committee we should note that the complaints of torture made to the delegation by him were deemed as technically credible and "the way that he described the sensation of losing consciousness as a result of smothering, through the use of a bag, is particularly convincing. They recommend a full general and impartial investigation into the methods used by members of the Guardia Civil who hold and interrogate people suspected of belonging to armed groups. The CPT show their disagreement with Spanish authorities for not carrying out an investigation. They also requested that judges and magistrates are more active when they receive allegations of mistreatment.

ABOUT THE VISITS OF THE EUROPEAN COMMITTEE FOR THE PREVENTION OF TORTURE (C.P.T.)

In Strasbourg, in July 1987, the member States of the Council of Europe passed the European Convention for the prevention of torture.

This convention tries to establish a system of guaranteeing the fundamental rights of detainees or those imprisoned. Thus they established a COMMITTEE, the CPT, that makes periodic visits to the States that signed the convention.

The CPT, above all, explores the de facto situation in the countries that they visit, and particularly:

Examines the general conditions of the establishments that they have visited;

Observes the attitude of the State security forces, and all other personnel that have responsibility for those deprived of liberty.

Interview those deprived of liberty to understand how they perceive the previous points

Examine the legal and administrative framework on which they base this deprivation of liberty.

This Committee is the only one, at least at a European level, that has the possibility to gain access to the interior of police stations, detention centres and prisons, without the State being able to refuse them permission.

Likewise, the Committee can privately interview any detainee or prisoner, which the State can't impede.

After the visit, the experts and members of the Committee that have carried it out write a report on the situation, making recommendations to the Government to resolve the situations that allow for the violation of human rights. THIS REPORT IS ABSOLUTELY CONFIDENTIAL.

After the elaboration of the report, the Committee give it to the Government to study, to make suggestions and/or corrections pertinent to the situation.

The report cannot be made public by the Committee; this can only by done at the request of the Government.

If however, after the visit and the making of the report, the Committee believes, by a majority of 2/3, that the situation hasn't improved and the violation of human rights continues to be a reality, the Committee can make a public statement. They can then denounce the human rights conditions of detainees and prisoners in the State in question, as well as repeating the recommendations made to the State (the CPT has only made use of this possibility in the case of Turkey).

Another possibility is for the Committee to make AD-HOC visits. That is, in situations that they consider of urgency and/or necessity (given the violation of rights). In this case the government cannot refuse it.

TOWARDS THE ERRADICATION OF TORTURE

Sadly we have to inform you in these pages of the reality of torture in the Spanish State. In the year 2000, according to the figures collected by TAT- Torturaren Aurkako Taldea, Group Against Torture of the Basque Country, more than 77 Basque citizens made complaints torture or mistreatement during incommunication periods. 55 of those made a judicial complaint for being tortured or mistreated. 35 of those have been archived by different courts as they considered that there wasn't sufficient evidence to further the charges. The decision was made without carrying out medical or psychological tests, and without even taking statements from those making those allegations or from the officers involved in their custody during the incommunication period. For 2001 there have so far been 84 people who have been subjected to this suffering, 37 of whom have made legal complaints.

Due to this situation, which has been repeated over the last 24 years TAT- Torturaren Aurkako Taldea- has proposed to take steps towards a legal framework to remove the conditions that provoke and facilitate torture. This ambitious dynamic hopes to join forces around a nine point proposal, on the basis of which present legislation ought to be reformed to secure the rights of detainees. These points have been elaborated taking into account recommendations of different NGO's and international bodies in-

Presentation of the proposal to the media.

to consideration. The proposal, that was made public in June, will be presented to political parties, trade unions, social and popular forces as well as institutions like the Church and the media that operate in the Basque Country. We will request them, to endorse and take ownership of the content as well as to consider it as a working instrument in their respective frames of activity.

In the following pages we will reproduce the contents of the proposal made by TAT-Torturaren Aurkako Taldea

NINE POINTS FOR THE ERRADICATION OF TORTURE

We believe that the present use of torture in a systematic way against Basque citizens by the State Security Force has a legal basis, without which this type of torture would be much more difficult to carry out. The legal basis consists of the anti-terrorist legislation. This legislation is integrated within the present Criminal Law, and is contained in various articles of that Law. These are articles 384 bis, 520 bis, 527 and 553 of the Criminal Law.

The actual text of article 384 bis is as follows:

Sign a judicial decree for the trial and decreeing prison for a crime committed by a person integrated into or related to armed organisations or individual terrorists or rebels, the person being tried that boasts a public office or function will automatically be suspended for the exercise of this for the duration of the spell in prison.

In this article, they determine the spectrum of citizens who they later refer to in the rest of the articles of the anti-terrorist legislation, that is “persons integrated in or related to armed organisations or individual terrorists or rebels”.

The actual text of article 520 is as follows:

1.- Any person arrested as a presumed participant in any of the crimes referred to in article 384 bis will be brought before a competent judge within 72 hours of the arrest. However, the period of detention can be extended to facilitate investigations for a further maximum of 48 hours, if it is authorised by a judge within 24 hours of arrest. Both authorisation and refusal of the extension should be explained.

2.- When a person is arrested for the reason expressed in the previous section, a judge may be requested to allow the holding of the detainee incommunicado. Decision on this matter should be explained within a period of 24 hours. If it is accepted the detainee will be held incommunicado at all times without prejudicing his right to defence and the rights established in articles 520 and 527 until the judge has made the pertinent resolutions.

3.- During the detention, a Judge can request information and personally find out- or through a Judicial delegation- the whereabouts and situation of the detainee.

The actual text of article 527 is as follows:

The detainee or prisoner, whilst being held incommunicado, will not enjoy the rights laid down in the present chapter, with exception of those established in article 520, with the following modification:

a) In all cases the lawyer will be state appointed.

b) They won't have the right to communication laid out in part d/number 2.

c) Neither will they have the right to an interview with their lawyer laid out in part c of number 6.

The actual text of article 553 is as follows:

Police agents may on their own authority proceed with the immediate detention of people when there is an order for their introduction to prison, when they are caught in the act of committing a crime, when a delinquent being pursued by agents of authority, hides or takes refuge in any house, or, in exceptional cases or urgent necessity, when it refers to those presumably involved in actions referred to in article 384 bis, whatever be the place or residence where they hide or take refuge, as well as the searches that, on those occasions, take place in those places and the confiscation of elements and instruments that are found or may be related to the crime being pursued.

When the search has been carried out, conforming with regulations established in the previous paragraph, a competent judge will be informed, indicating the causes which motivated the search and the results of it, with special reference to the arrests that have been made. Also all persons involved in the operation should be identified as well as any incidents that occurred.

In addition to special Anti-terrorist legislation, the assigning of exclusive competency to the Audiencia Nacional (Special Criminal Court) in cases where there exists a suspicion or charge by the State Security Forces of relations with an "armed band," is a key element in ensuring that Torture is still a bloody reality in the Basque in the Basque Country.

The competency of the Audiencia Nacional in the cases determined under article 384 bis of the Criminal Law is established in the Organic Law 4/1988, May 25th, reform of the Criminal Law.

The text of the law is as follows:

The Central Court and the Audiencia Nacional will continue to hold trials in cases of crimes committed by people involved in armed organisations or related to terrorist or rebel elements, when the commission of the crime contributes to their activity, and for those who in any way co-operate with the actions of those

groups or individuals. They will also deal with crimes linked with the aforementioned.

Together with this law article 62 of the Organic Law established the Audiencia Nacional as a body with jurisdictional competency in the whole of the territory of the Spanish State, which means that questions that are their exclusive concern should be dealt with from their headquaters in Madrid.

Together with these two elements the fact that it isn't the Audiencia Nacional but ordinary courts that deal with complaints of torture, the lack of interest and malpractice by these bodies at the time of determining the investigations necessary to clarify the deeds and responsibility, the leniency shown by Judges and Courts and the time of applying sanctions on members of the State Security Forces condemned for torture and the fact that, in the end these convicted torturers are pardoned by successive Spanish State Governments, close the circle of elements that allow that the practice of torture is today a reality.

Faced with all this TAT- Torturaren Aurkako Taldea- propose to society the acceptance of the following points as the first step towards the eradication of the practice of torture. We aren't merely requesting the endorsing of these points. We believe that the responsibility for the eradication of the practice of torture is not merely the domain of those organisations who base their work in this specific field. The fact that today in the Basque Country torture is still being used is the responsibility of society as a whole, or all those bodies, be they political, trade union, social, religious, popular or any other type. Therefore, TAT demands that society commit themselves to fully implicating themselves in the effort to eradicate torture. Thus we ask that in addition to endorse the measures below that they be a working instrument in their sector, the objective of which is to generate sufficient pressure to make the Spanish State adopt it and take the necessary legislative and executive measures so that the eradication of torture is finally a reality.

Measures for overcoming torture

Los agentes y personas que firmamos al final de estas páginas consideramos inadmisibles las prácticas de tortura que se vienen produciendo contra ciudadanos y ciudadanas vascos. Lo sufrido por muchos conciudadanos no tiene ya remedio, pero sí que es posible lograr que en el futuro nadie más se tenga que ver sometido a este tipo de sufrimiento. En ese camino, los firmantes de este manifiesto solicitamos de las Autoridades del estado español que adopten la propuesta contenida en estos nueve puntos al tiempo que manifestamos nuestro firme compromiso de trabajar porque esta propuesta llegue a materializarse. Solamente así lograremos que en el futuro los derechos de las personas detenidas sean garantizados y respetados.

1.- Abolition of Article 520 bis of the Criminal Justice Law. This article establishes the possibility of extending the period of detention of people detained up to a maximum of 5 days, as well as the possibility of holding detainees

2.- Abolition of article 527 of the Criminal Justice Law, due to being the article that established restrictions to the rights of the detainee. Thus we feel it is vital that the right of the relatives to know where the detainee is being held is re-established. Likewise, we believe it to be vital that in all police and judicial proceedings the detainee is assisted by a lawyer of their choice, as well as the right of the detainee to hold an interview in private with his or her defence before the holding of the proceedings of making a statement before the judge.

3.- For the sake of establishing, without any doubt, that physical and mental integrity of the detainee has been respected during the detention, we consider it is necessary that during the period of detention the detainee is seen by doctors of their choice, that will carry out both

check-ups of physical and psychological character in order to establish the physical and psychological state of the detainee.

4.- Elimination of the competency of the Audiencial Nacional in the cases determined by article 384 bis of the Criminal Justice Law established in the Organic Law 4/1988 of the Reform of the Criminal Justice Law of May 25th. As a consequence, the establishment of the right of detained persons that the proceedings and trial be carried out in the proper Courts predetermined within the law.

5.- The proper application of Habeas Corpus, signifying that the Judge at all times is responsible for the true and effective monitoring of the situation of the detained person.

Elimination of paragraph two of Article 2 of the Organic Law 6/1984 of Habeas Corpus. This paragraph leaves the application of Habeas Corpus in the hands of the Judge of the Audiencia Nacional that has agreed to the holding of the detainee incommunicado.

6.- Cancellation of the proceedings carried out in police custody in cases where there exists a minimum possibility that the integrity of the person hasn't been respected. Likewise, we believe that it is vital the joining of the investigations in cases where a detained person has made a complaint of being tortured with the investigation that resulted in the detention and the proceedings being brought against the detainee.

7.- Real and effective investigation by the courts of the complaints made of torture. Immediate reaction to these complaints from the time they are made, ordering the carrying out of the necessary tests in order to determine the certainty or not of the accusations. Likewise, it is vital that accused agents are temporarily suspended from service while the investigations last.

8.- Installation of video cameras in police stations that will record the course of the detention, and registering the entrance and exit of the detained person into and out of their cell, always respecting the intimate space of the detainee, recording all proceedings that are carried out...

9.- An end to the impunity enjoyed by officers that are convicted of carrying out torture. At the moment these officers, in addition to not being temporarily suspended from their duties on these occasions, are promoted to positions of greater responsibility than the ones they held when the complaint of torture was made. On top of that the Government, through decisions made by the council of ministers and later ratified by the King of Spain, consistently award a pardon to the condemned officers. All this creates a situation where the continuation of the practice of torture by police bodies is encouraged.

POSITIONS TO DATE ON THE PROPOSAL MADE BY TAT

In recent months representatives from TAT have met with diverse bodies that work in the Basque Country as well as notable members of various fields. On occasion, in spite of having attempted to organise meetings with some bodies, TAT found their offer being rejected.

In the following lines we offer you the balance of adhesions to our proposal as well as those who rejected our appeal.

It is worth mentioning that bodies and individuals that have accepted the proposal of TAT also showed commitment to adopting the proposal as their own, passing on its contents and trying to attract adhesions and statements in this direction in the workplace.

In addition to the agents that later appear, TAT approached the media, the bishops of the Basque Country, diverse popular movements in the Basque Country and International organisations in defence of human rights and against torture.

In spite of lacking an infinite number of responses, the fact of having received adhesions and commitments encourages us to continue the work that we have begun.

ADHESIONES TO THE PROPOSAL RECEIVED TO DATE

POPULAR MOVEMENTS

ETXERAT, ASKATASUNA, SUMENDI, EKI (EKOLOGISTAK MARTXAN), EHGAM, HERRIA 2000 ELIZA, GAZTE KONSEILUA, IPES, AHT,

TRADE UNIONS

LAB, SINTRAGI, EHNE., ESK, STEE-EILAS.

POLITICAL GROUPS

BATASUNA, ZUTIK, EUSKO ALKARTASUNA, ANV, BATZARRE, ARALAR.

YOUTH MOVEMENTS

SEGI, GAZTE ABERTZALEAK, IKASLE ABERTZALEAK

INSTITUTIONS

UDALBILTZA.

MEDIA

TASTAS IRRATI LIBREA.

INDIVIDUAL ADHESIONS

PEDRO OTAEGI LABAKA, ABELIN LINAZASORO, ARANTXA GURMENDI OLABIAGA, DABID ERRASTI, actors.

REFUSAL TO SUPPORT THE PROPOSAL

EAJ/PNV, ELKARRI, CDN, ELA, EGI

ANSWER STILL TO BE REEIVED

GESTO POR LA PAZ, IZQUIERDA UNIDA

REFUSAL TO MEET TAT

PP, PSOE, UPN.
UGT, CCOO.

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