

Press Release 71/2024 English

ECUADOR IS RESPONSIBLE FOR THE VIOLATION OF THE RIGHTS TO LIFE AND PERSONAL INTEGRITY DUE TO THE EXTRAJUDICIAL KILLING AND TORTURE OF GUSTAVO WASHINGTON HIDALGO

San José, Costa Rica, October 25, 2024. – In the Judgment in the *Case of Hidalgo et al. v. Ecuador*, notified today, the Inter-American Court of Human Rights, after considering the facts, declared the international responsibility of the State of Ecuador for the violation of the rights to life and personal integrity to the detriment of Gustavo Washington Hidalgo, who was tortured and extrajudicially killed by state agents while in their custody. Moreover, it declared the responsibility of the State for the violation of the rights to judicial guarantees and judicial protection as a result of the lack of due diligence in the investigation of the facts, and the violation of the rights to personal integrity and the rights of the child, to the detriment of his next of kin.

The official summary and the full text of the judgment can be accessed [here](#).

On December 8, 1992, in the town of Tosagua, Manabí province, at approximately 22:00, Gustavo Washington Hidalgo, who was drunk, tried to enter the “Las Palmas” dance hall, where there were public celebrations as part of the religious festivities of Tosagua, but he was denied entry by the event organizers. Four police officers came to the location. In these circumstances a physical altercation began between Mr. Hidalgo and the four policemen who tried to stop him. Mr. Hidalgo resisted, and the policemen punched and kicked him, and dragged him three blocks to the police station. Once at the police station, Mr. Hidalgo was taken to the holding pen and subjected to more hitting and insults until he stopped complaining. His brother, Alonzo Lucas Hidalgo, upon finding out what had happened, went to the police station and the Sargeant in charge let him go inside to see him. Alonzo Lucas asked his brother Miguel Lucas, who was waiting outside, to call a doctor. The doctor examined him and determined that he was dead. The recognition of the body and autopsy took place the same day, based on which it was confirmed, as per the legal medical report of the December 11 of that same year, that the causes of his death were: 1) “closed trauma to the abdomen,” 2) “acute internal abdominal hemorrhage,” and 3) “hypovolemic shock.”

On December 10, 1992, the National Commissary of Tosagua Canton issued the “warrant to initiate proceedings” that opened the investigation into the facts that resulted in the death of Washington Gustavo Hidalgo. On August 20, 2002, the Second Judge decided that the crime under investigation was punishable by imprisonment, and due to the time elapsed he declared statute of limitations of the criminal action, which was confirmed by the Superior Court of Justice of Portoviejo on February 5, 2003.

In view of the violations declared and the acknowledgment of responsibility of the State, the Court ordered several reparation measures.



The Court's composition for the issuing of this Judgment was as follows: Judge Nancy Hernández López, President (Costa Rica); Judge Rodrigo Mudrovitsch, Vice-President (Brazil); Judge Humberto Antonio Sierra Porto (Colombia); Judge Eduardo Ferrer Mac-Gregor Poisot (México); Judge Ricardo C. Pérez Manrique (Uruguay); Judge Verónica Gómez (Argentina) and Judge Patricia Pérez Goldberg (Chile).

This press release was drafted by the Registrar's Office of the Inter-American Court of Human Rights; it is solely responsible for this document.

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