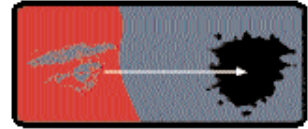




EVIDENCE OF THE TERRIBLE TORTURE SUFFERED BY IRATXE SORZABAL, A BASQUE WOMAN, AT THE HANDS OF THE GUARDIA CIVIL



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The Basque youth Iratxe Sorzabal, 29, was arrested on March 30th 2001 by plain clothes agents of the Guardia Civil (Civil Guard, military police) at 9:30 in the morning as she left her house in Hernani (Gipuzkoa). She was held *incommunicado* under anti-terrorist legislation and transferred to Madrid. This law allows for the maximum detention of 72 hours, but this timeframe can be extended by another 48 hours if the police require it and the judge accepts it. In Iratxe's case this extension was accepted in spite of the fact that Sorzabal had to be taken to hospital as a consequence of the treatment she was receiving. Additionally, Sorzabal was brought before a judge of the Audiencia Nacional (a special court mainly dealing with trials related the conflict in the Basque country) at 11:00 on the morning of April 4th, exceeding by two hours the maximum time limit for detention according to the law. Sorzabal was brought *incommunicado* before the judge, that is, without the assistance of a lawyer of her choice, and therefore she refused to make a statement, but she did tell Judge Ismael Moreno the treatment she had received.

Testimony

In a detailed account of what had happened to her, Iratxe tells of the hair raising torture that she suffered at the hands of the Guardia Civil over the five days being held *incommunicado*, especially in the first three days, as the rest were used to make her learn the statement that they wanted her to give. We have a part of the testimony of Iratxe Sorzabal, taken from the complaint made by her to the judge.

" We were five people in the car, 4 Guardia Civil and me. I was in the back between two of them. I could see the face of two who went in the front and the one on my left. As soon as I entered the car the boss said "well, here is where all that nonsense of rights, courts and shit like that ends. From now on you are going to find out what is good for you! Have you heard, bitch?" He hit me in the head. Then they put a blindfold on me and continued with the blows to the head, insults and threats. Apart from the driver, the other three beat me hard around the head. The one who was on my right took at some device which he was holding between his legs and began to give me electric shocks to the right side. Whilst this was happening the one on my left took out a plastic bag and put it over my head impeding my breathing to a point where I almost fainted. The punches to the head which I received from the one in the front were continuous. Also the one who travelled on my right hand side rubbed my chest. All of that, the electrodes, the "bag", the touching and beating were continuous amongst shout, insults and threats. I lost consciousness on at least two occasions and I wet myself. Before losing consciousness I managed to rip the bag with my teeth but they put another one on. Finally, when they noted my ability to rip the bags they started to put them on three by three.

They told me that what they were doing was pretty calm and that when we got to Madrid I was going to find out what suffering was, that the ones in Madrid were animals. The one on my right said that the batteries had run out on the machine, he changed them and began to give me shocks once again. On a few occasions he passed the instrument to the one on my left and he gave me shocks to the left side. The shocks were constant, as were slaps, the bag, the touching , shouts , insults and threats, all at the same time (...).

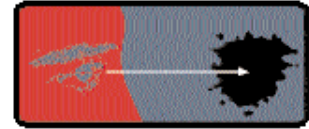
"One of the Guardia Civil told me that they were going to do what they had done to Geresta or what they had done to Basajaun, that they would take me to a mountain and kill me. They stopped the car (they said that we were in the mountain) and they put a pistol in my hands. I didn't want to take it and they continued to hit me, forcing me to take the gun. They told me get out of the car and run, that then they would shoot me and later say that I had tried to escape and they had to shoot and kill me. They forced me to take the gun and get out of the car. They shouted at me to run, but I couldn't move and I didn't run. They put me in the car while one of them said "lets go, lets go to the car , there are people coming, put her in the car there are people coming. You've been lucky bitch that there are people coming because otherwise we would kill you here right now".

At about 19:30 the doctor left (later I would find out that he really was a doctor), and they returned me to the floor below. Once the doctor had left they put the blindfold on again. From this moment until midday the following day this is what happened (for 16 hours without a rest): they put me in a room they called "room A", in order to torture me. They put bags on my head until I almost smothered...to do so one of them held me from behind and each time I lost consciousness they prevented me from falling to the ground, the blows to the head were continuous (with the hand, a telephone book-they told me themselves what it was-with a rolled up magazine- I saw that myself-...). They tied my





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wrists and feet, they put rubber protection on them so marks wouldn't be left. Then they rolled me in a blanket, and secured it with tape. They lay me on the ground face upwards (only my head was outside the blanket), a guardia civil got on top of me and smothered me repeatedly with the bag. They forced the bag into my mouth until it reached the back of my throat and they covered my nose until I started retching. They took turns in doing this to me, in reality they took turns in doing everything to me. They stripped me (they did in a very violent manner as I had no strength left), and they got in a circle, leaving me in the middle. They make me do exercises of all types. Raising and lowering the body, others raising and lowering the arms. While I was doing the exercises they beat me around the head, and begin to touch me all over the body, especially in the chest, the backside and the pubis. They took a pole and told me they were going to stick it up my backside, they forced me down onto all fours above the blanket, they slapped my face...



This happened over a period of 16 hours, amongst constant shouts, insults and threats. They took turns themselves and kept saying "now the really bad ones are coming...". The constantly threaten to rape me...one of them took off his belt and opened his zip (as I have the blindfold on I don't see him, but I feel it), he then says that "now you are going to suck my dick"... while the others say "now we are going to fuck you, one by one taking turns...etc. The threats related to my family are constant... one of them pretends to be giving the order by telephone to arrest my sister, my mother too and that they are going to rape her too (later I would find out that all this was a lie). I hear shouts and they tell me that it is a friend, that is also being tortured (I would later find out that this too was a lie). They tell me that they are going to take me away in a helicopter and through me from it, they tell me that I have to learn what they want me to say or they will continue until they kill me... they threaten me with the "bath" and the "rack" saying that they are the only things which I have left to try...they question me amongst shouts, telling me again and again the answers that they want to hear, and when I say anything that they don't like the hit me harder, and tell me the answers so that I learn them.

(...)

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...

red...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.

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:

1. 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.

2. 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.

3. 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 any rights and that I have to choose one of the three options. I'm physically and psychologically destroyed and I tell them that I will make the statement that they want".

Medical analysis of the injuries from torture

Iratxe Sorzabal was visited by a doctor from the Audiencia Nacional on March 30th but Sorzabal thought he was a Guardia Civil and anytime he would come close to her, she began to shake and couldn't speak. Thus the doctor noted that Sorzabal told him not to touch her and also notes that she was "highly emotionally charged".

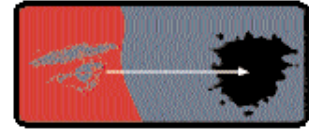
When she was returned to see the doctor she was absolutely destroyed, and so she risked telling him of the treatment she was receiving, although she still doubted his real identity. The doctor notes the injuries and decides to transfer her to hospital. The different medical reports made in San Carlos Hospital, Madrid, note:

· Migraine headache and extreme neck pains, that according to the patient was produced by aggression received and for having to maintain the head bent over many hours.





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- Cervical contracture without evidence of bruising or traumatic hyperaemia.
- Erythemas of the sides.
- x-ray of the spinal column:
 - rectification of the curvature of the spine
 - lower dislocation C3-C4
- TAC of the skull: No significant alterations.

The doctor, Itxaso Idoiaga concludes her analysis saying that there are objective findings on:

- The application of electric shocks: Because the analysis of a burn of 10 centimetres in width on the back from the coccyx to the neck, above all on the right side but also on the left one can deduce that it is vesicular dermatitis by electric burning. Additionally the injuries coincide with the description given in an extensive bibliography on electric burns.
- Cervical Traumatism, with forced bending of the cervical column: The neck injuries are recent and compatible with the mechanism of forced bending of the neck maintained over a number of hours.

She also concludes that there is subjective evidence regarding:

- Smothering with a plastic bag
- Other alleged forms.



To come to these conclusions, Itxaso Idoiaga notes that the psychological state of Sorzabal coincides fully with what was reported by the doctor on his first visit. Additionally, there is consistency in the statements made by Sorzabal, between the symptomatology related by her and the medical findings, and between the

symptomatology related by her and the methods of torture described.

Present situation

Iratxe Sorzabal has made complaints of torture to the Judge, but in spite of everything she was imprisoned by Judge Ismael Moreno, head of the Central Court no. 3 of the Audiencia Nacional (Special Crimes Court). The judge accused Iratxe during the hearings 148/01 of membership of an armed band. After various months in prison, Iratxe Sorzabal was released without any bail payment, and merely obliged to present herself to the court nearest to her home every 15 days. During this period, statements have been taken from her as a suspect in two other cases of crimes of terrorism, all this without the head Judge of the Central Court no.3 of the Audiencia Nacional having ordered her imprisonment in either of the two

cases. We would like to point out that Iratxe Sorzabal was a prisoner in France and despite the fact that there were no case opened against her in the Audiencia Nacional, and for this reason Spain had not made a request for her extradition, she was handed over to the Spanish authorities when she finished her sentence. As Iratxe Sorzabal was on hunger and thirst strike in order to avoid torture at the hands of the Spanish police, she wasn't arrested.

Background

Cases of torture in the stations of the different Spanish police bodies are not new, and we should remember that some people have even died as a result of the torture endured and many still suffer irreparable after effects.

However, without going through the history we would like to remind you of the most recent cases, given that some are a few days or hours before the arrest of Iratxe Sorzabal. We should remember the case of Alicia Saez de la Cuesta, that was taken before the Audiencia Nacional a day before Sorzabal. She had spent two days in the hands of the Guardia Civil- the Judge of the Audiencia Nacional decided to postpone the taking of her statement because of the poor physical and psychological state that she found her in. Alicia Saez de la Cuesta related all types of beatings, mistreatment, threats and humiliation.

We want to underline the complaints against torture that have been made by Basque citizens in recent years:

1992- 131 cases	1997- 121 cases
1993- 83 cases	1998- 97 cases
1994- 112 cases	1999- 48 cases
1995-98 cases	2000- 77 cases
1996- 123 cases	2001- 55 cases in six months

Evaluation

We at TAT (Group against Torture) want to verify once again the existence of torture in Spanish police stations. The photos obviously show what in other cases is difficult to prove. Iratxe Sorzabal made a hair-raising account of the torture she suffered and today we have amongst us the most palpable piece of evidence.

We want to make clear that, disgracefully, torture has not ceased to be used, and there have been, and are, many cases of Basque citizens who have suffered and suffer it. We believe that it is the present system that allows for the use of torture in police custody, and for this reason TAT has made a proposal that is based on nine points for the eradication of torture.

We call on all bodies to take measures to end these situations, and once and for all to show the will and commitment to eradicate this disgrace that is the use of torture.