

Photos that show the existence of torture

The photos are of Unai Romano, arrested by the Guardia Civil

Photo taken in prison, the next day of his arrest and while he was still kept incomunicado



This report sums up the treatment that UNAI ROMANO received in police custody over the five days he was held incomunicado (police custody, hospital and the Soto del Real penitentiary centre). On September 12th, he was visited by the lawyers Iñigo Elkoro and Juan Karlos Ioldi and his con-

dition was terrible.

UNAI ROMANO, was arrested at 4am of September 6th 2001 by members of the Guardia Civil and his hands were immediately tied. When the search ended they put a hood on him until they reached the station in the capital of Alava. After being held in a cell for about half an hour he

was transferred to the Guardia Civil in Madrid, and the treatment on the way was totally correct.

After being put in a cell, where he spent a short time, they put a balaclava on him and brought him up to another room. During this transfer he was hit with a cushioned baton. In the room the blows to the head continued, while they asked him different questions. When they stopped hitting his head they put a bag over it and closed it around his neck until he suffocated. The bag was put on him on various occasions. They also applied electric shocks to his testicles and to the lobes of the ear. They kept threatening him with the arrest of his girlfriend and his family...

The next day he was allowed to see the doctor and told her about the treatment he was receiving.

Over the second day of detention he received the same treatment as the previous day and the interrogations were held without the presence of a lawyer. In addition to the blows and the application of electric shocks, the police officers made him carry out different physical exercises (press ups, crouching), and when UNAI fell exhausted to the ground he was beaten again. On one occasion an officer approached him and said that he had some bad news, that his mother had died. Immediately they took him to the cell.

In the cell he began to notice that his face and head were swollen, and that he was about to lose his vision. Driven by the circumstances he decided that he had to get out so he began to inflict injuries on himself and started cutting the veins on his wrist, first with his nails and later with his teeth. After a while an officer came in and made him stand up and turn around. He noticed that his head was swollen. He called some other officers and they decided to go to see a doctor, who told the officers that he needed to be rushed to hospital. Once in hospital (probably Carlos III Hospital, Madrid) they carried out a number of tests (X-Rays, TAG) fearing that there may be a skull fracture. However in the hospital they couldn't examine his eyes due to the swelling state of his head.

In spite of the fact that the doctor was encouraging him to be calm telling him that he wouldn't be handed back to the Guardia Civil and that he was going to remain in hospital, he was transferred to the custody of the Guardia Civil in Madrid - to the hospital wing. After spending seven hours there, from 15:30 to 22:25 he was transferred to the Soto Real prison (Madrid). In the prison UNAI told the doctor what had happened and the doctor carried out an examination and took some photos. On the second day in Soto prison he began to regain his vision. On Mon-



Marks that are still present today 6 months after his arrest

the Judge interrupted him saying that he didn't believe anything that he was saying in relation to his claims of being ill treated

day September 10th, he received a visit from the Secretary of Central Court No. 1 and the doctor. On the 11th, he was brought before Judge Guillermo Ruiz Polanco to make a statement. In the cells of the Audiencia Nacional he once again told, the doctor, of the ill treatment he had received in police custody. Once before the court and given the chance to talk UNAI denied the charges and began to recount the treatment he had endured. However, the Judge interrupted him saying that he didn't believe anything that he was saying in relation to his claims of being ill treated.

Before the visit of the lawyers Ioldi and Elkoro,

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he had the opportunity of speaking with a third lawyer, Iker Urbina, who had been chosen by Romano's family to assist UNAI in his statement before the Court. However the Judge decided that the statement would be carried out while being held incomunicado and thus would be made with a state appointed lawyer. When Unai Romano was being brought before the Judge Guillermo Ruiz Polanco, the judge ordered to all those who were not working for the Court to leave the Courtroom. After making a statement, in the prison of Soto del Real, Lawyers put a complaint in the Court of Gasteiz in UNAI ROMANO' behalf. In addition to his testimony they requested for the opening of proceedings, for taking a statement and for handing over reports from Carlos III hospital, the Medical Services of the Madrid Penitentiary Centre (Soto del Real) and the Central Court of Instruction No. 1.

On September 13th, after the visit of the mentioned lawyers both presented a report to the Court in Donostia stating the aspect in which they had found UNAI ROMANO.

In the report, they also presented the following facts to see if they constituted criminal acts:

In the hospital bay of the Soto del Real prison, on the recommendation of Mr. Iker Urbina, the first lawyer to visit him, Unai Romano asked to



Unai Romano before being arrested

The doctor in charge replied that it wasn't Unai's job to tell him how to do his job and consequently refused to carry out these tests

the head doctor to carry out the following tests in order determine the origin of his wounds and injuries.

- Blood test
- Urine test

-Sperm test, to see if there is blood and to determine the vitality of the sperm.

Hearing tests in order to assess the condition of



Unai Romano after 30 hours being held incommunicado by the Guardia Civil

At present, the proceeding has begun as the complaint is still in the hands of the Court no. 25

the eardrum.

The doctor in charge replied that it wasn't Unai's job to tell him how to do his job and consequently refused to carry out these tests, ignoring the request and impeding, this way, to carry out essential tests to

gather vital evidence to support Mr. ROMANO's complaint.

The above mentioned lawyer advised Unai Romano to put his request, for medical tests in writing and to address it the medical sub-director of the prison. The lawyers

made the judicial complaint on September 13th relating the state in which they had found Unai Romano and requesting to carry out immediately medical tests. These vital tests, to find out the origin of the injuries were never carried out.

At present, the proceeding has begun as the complaint is still in the hands of the Court no. 25, Madrid. To date, Mr. Romano has ratified the complaint he made, some agents of the Guardia Civil have been called to make statements, as have the doctor of the Audiencia Nacional who examined Mr. Romano while being held incommunicado. Some prisoners who were also in the hospital bay when Mr. Romano was there have also been called as witnesses. The case remains open and is being investigated.

At around 4.00am on the 6/09/01, I was sleeping and was awoken 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 : papers 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 wor-

king 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 ta-

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 so-

UNAI ROMANO IGARTUA'S TESTIMONY

ken 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,

meone. 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 about eight 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 took 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 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 hear 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 marsh 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

And they hit me continuously, although the questions are less frequent, the blows are constant

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 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

and began saying that they arrested my mother and that she was on her way to the marsh in Vitoria



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 a sleep.

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 a sleep 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

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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 al-

Around my eyes are black, the white of the eye is bloody (red), and my whole face is dark and swollen

most 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 make it as I was not held incomunicado 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 me remain naked for long periods of time. The Guardia civil took part in this and constantly took turns.

He interrupts me saying that he has been many years working with the Guardia Civil and many people say that they have suffered torture and he doesn't believe them

PROCEDIMIENTO:

JUZGADO CENTRAL DE INSTRUCCIÓN
NUMERO UNO
AUDIENCIA NACIONAL
MADRID.

INFORME MEDICO-FORENSE

En Madrid, a siete de septiembre de 2001.

Ante el MAGISTRADO-JUEZ de Instrucción y de mi, el Secretario Judicial, comparece el Médico Forense Doña LEONOR LADRON DE GUEVARA GUERRERO, a quien el referido Sr. Juez hizo saber la obligación que tiene de ser veraz y las penas con que el Código Penal castiga el delito de falso testimonio en causa criminal, le recibió juramento que prestó en legal forma, ofreciendo decir verdad en lo que sepa y se le pregunte, e interrogado convenientemente dijo:

Que en cumplimiento de lo solicitado por S.Sa se ha personado, siendo aproximadamente las 18,45 horas del dia 6 del mes en curso, en Dependencias de la Dirección General de la Guardia Civil con el fin de reconocer a UNAI ROMANO IGARTUA de 24 años de edad, identificándose ante el detenido con el carnet profesional expedido por el Ministerio de Justicia.

Como antecedentes médicos de interés refiere: amigdalectomía, apendicectomía, intervenido de una fistula anal (todo ello en la infancia); un accidente de tráfico con heridas en frente (se aprecian cicatrices) y policontusiones y que hace 4 años le diagnosticaron una ligera arritmia por la que sigue revisiones anuales. En el momento actual dice no estar bajo medicación ni control facultativo. No refiere alergias conocidas. Fumador, dice consumir alcohol los fines de semana y no consumir sustancias de abuso.

Refiere haber sido detenido de madrugada en su casa, sin violencia y haber sido trasladado a Madrid en un furgón y sin esposar.

Dice no haber dormido y no haber recibido alimento.

No quiere contestar sobre el trato recibido y dice que "me han dado golpes en la cabeza y la tengo como hinchada". Se deja reconocer no apreciándose señales de violencia recientes. TA 10/6,5 con 76 ppm siendo el pulso firme y regular. Resto dentro de los parámetros de la normalidad.

Leida la ratifica y firma ante S.S*. Doy fe.

M.F.



First medical report carried out on Unai Romano in the custody of the Guardia Civil 06/09/02



JUZGADO CENTRAL DE INSTRUCCION N° 1 MADRID

DILIGENCIAS PREVIAS 342/01

INFORME MÉDICO-FORENSE

En Madrid, a siete de septiembre de 2001.

Ante el ILTMO. SR. MAGISTRADO-JUEZ Central de Instrucción número uno de la Audiencia Nacional y de mí, la Secretario Judicial, comparece el Médico Forense D^a LEONOR LADRON DE GUEVARA Y GUERRERO a quien el referido Sr Magistrado-Juez hizo saber la obligación que tiene de ser veraz y las penas con que el Código Penal castiga el delito de falso testimonio en causa criminal, le recibió juramento que prestó en legal forma e interrogado convenientemente dijo:

Que en cumplimiento de lo solicitado por S.Sa se ha personado en Dependencias de la Dirección General de la Guardia Civil, siendo aproximadamente las 09,45 horas del día de la fecha, con el fin de reconocer a UNAI ROMANO IGARTUA.

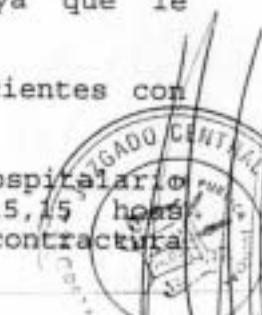
El informado presenta:

- hematoma en anteojos de coloración negruzca con gran edema palpebral
- edema e inflamación a nivel frontal, cigomático y en raíz nasal
- muy ligera equimosis retroauricular bilateral de coloración oscura
- heridas inciso-contusas en ambas muñecas, con marca de dientes

Las lesiones que presenta según refiere son debidas a los golpes sufridos la pasada noche, excepto las de las muñecas que son autolesiones (se mordió ya que le dijeron que su madre estaba muerta).

Las lesiones reseñadas son todas ellas recientes con una data de entre 4 y 8 horas aproximadamente.

Se le traslada inmediatamente a centro hospitalario donde es estudiado, cursando alta a las 15,45 horas aproximadamente, con los diagnósticos de contractura



ISLADA

march 2002

TORTURE

Giza eskubideen Euskal Herriko behatokia
**Behatokia**

cervical, traumatismo craneo-encefálico leve con hematoma de partes blandas.

Se adjunta copias de la historia clínica y del parte judicial.

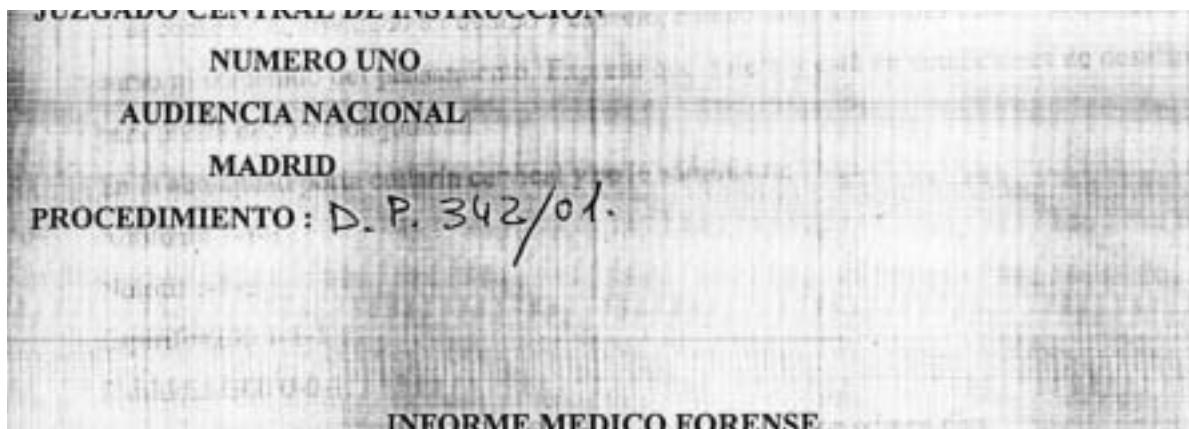
El detenido no reune condiciones para su permanencia en calabozo alguno y tampoco, en el momento actual para prestar declaración. Debería quedar bajo observación e ingresado en la Enfermería del Centro penitenciario en caso de no quedar en libertad. Adjunto la historia clínica completa que deberá ser remitida al centro donde quede ingresado el detenido.

M/
Leida, la ratifica y firma ante S.SA. Doy fe.

Hector de Gortari

Jesús Gómez





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 dia 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 in the Soto del Real prison (Madrid) on 10/09/02

TORTURE

Giza eskubideen Euskal Herriko behatokia
**Behatokia**

- 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 presta declaración judicial.

En la actualidad porta collarín cervical y se le administra:

Addolonta 1-1-1

Nolotil 1-1-1

Espirifén 200 1-1-1

Ranitidina 300 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 presta declaración.

RTT

Leído el presente, se afirma, ratifica y firma con S.S. de lo que yo, la Secretaría Judicial, doy fe.



ISLADA

march 2002



NUMERO UNO

AUDIENCIA NACIONAL

MADRID

Procedimiento :

INFORME MEDICO FORENSE

En Madrid a 11 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 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 en 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 cardíaca 78p.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 fe.

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 Achaerandio, 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.

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.

