

Ecuador Sees First Conviction for Race-Based Hatred



Quito, July 11 (RHC-teleSUR), -- The Criminal Chamber of the National Court of Justice upheld a lower court sentence in the conviction of a military official, identified as Fernando E., for the crime of race-based hatred toward Michael Arce, a former cadet at the Eloy Alfaro Military School.

The news was confirmed by Ecuador's Office of the Attorney General earlier this week. Ecuadorean courts found that Fernando E., an instructor at the military school, targeted the ex-cadet based on his race. Arce was subjected to physical, psychological, and verbal abuse.

This was the first trial in Ecuadorean history to address race-based hatred and discrimination.

“With the ruling in favor of Michael Arce we have set a precedent against the crime of racial hatred and violations of human rights,” said Ecuadorean Attorney General Galo Chiriboga in a tweet.

Evidence presented at trial showed that Arce was forced to endure more difficult challenges than the rest of his colleagues.

He was often made to endure sleep deprivation, an act considered a form of torture, and denied the ability to eat his food, being given only 30 seconds to eat while his colleagues enjoyed a half hour for lunch.

At one point, Arce was made to spar against four other cadets, who he said beat him mercilessly. His instructor, Fernando E., often would call him a “Black slacker” during drills.

In another galling example, Arce was forced to dive into an icy pool. He fainted as a result and suffered hypothermia.

Despite the mistreatment, Arce was among the top 200 in his class.

However, according to Arce, the abuse became so severe, he felt he could not complete the three month integration process. He presented his complaint after eight weeks and also asked to leave military service.

Officials from the Eloy Alfaro Military School argued during the trial that his treatment was not discrimination and that Arce was simply not up to the challenge of being in the military.

Although the case dealt with the actions of an individual, the fact the accused was serving in an institutional capacity made it so that the court felt compelled to order the military school to apologize.

A lower court said the apology could be conducted during a private military ceremony, however the Criminal Chamber of the National Court of Justice modified the sentence and said the apology must be public and be published in media outlets.

Arce said his case should indeed be seen as a precedent so that more victims of race-based discrimination come forward.

This case also serves an example of how to combat racism within state institutions at a time when Black Lives Matter activists in the United States have posed the question of racism in policing.

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