

AMNESTY INTERNATIONAL

Public Statement

AI Index: AMR.51/157/2005 (Public)
News Service No: 259
27 September 2005

USA: Amnesty International calls for independent inquiry into shooting of Filiberto Ojeda Ríos

Amnesty International today called for an independent investigation into the fatal shooting of Puerto Rican activist Filiberto Ojeda Ríos by the FBI, citing troubling questions about the circumstances in which he died.

AI said that in the interests of public confidence, transparency and the integrity of all involved, an investigation into the shooting must be seen to be conducted with the utmost impartiality. It should review all the circumstances and make the findings public at the earliest opportunity.

Amnesty International noted that FBI Director Robert S. Muller has called on the Justice Department to investigate the shooting. The organization is seeking more information on whether this would meet the standards for a full, impartial and independent inquiry.

Filiberto Ojeda Ríos, a prominent Puerto Rican independence activist wanted for offences in the USA, was shot last Friday after FBI agents had surrounded the farmhouse where he and his wife were hiding. According to the FBI, he was killed during an exchange of gunfire in which an agent was wounded.

However, Ojeda Ríos' body was not recovered until the FBI entered the house the following day, some 20 hours after the shoot-out. An autopsy reportedly found that Ojeda Ríos did not die in the shoot-out but bled to death sometime later.

The FBI denied any wrongdoing, stating that its agents were instructed to wait for backup before entering the house because of a fear that it might contain explosives. However, the circumstances have been further disputed by Ojeda Ríos' wife (the only other witness to the incident) who has reportedly claimed that agents went inside the farmhouse and shot Ojeda Ríos during the initial confrontation.

If the FBI deliberately killed Filiberto Ojeda Ríos or deliberately left him to die, when they could have arrested him, this would be an "extra-judicial execution", Amnesty International said, stressing that such a judgement could not be made without a full assessment of the facts.

Under international standards, law enforcement officers should only use firearms in response to an immediate threat of death or serious injury when non-violent measures have been exhausted or are ineffective. Warnings should be given if possible where firearms are used, and anyone injured by force or firearms should receive prompt medical attention.

Background

Filiberto Ojeda Ríos, aged 72, was a well-known activist in the Puerto Rico independence movement, and a member of a nationalist group, the Macheteros (Cane Cutters). He had been on the run from the US

authorities since 1990, when he escaped while waiting trial for the robbery of \$7.2 million from a Wells Fargo depot in Connecticut, USA. He was convicted in absentia in 1992 on charges connected to the robbery and sentenced to 55 years in prison. The FBI is reported to have increased a reward for information leading to Ojeda Ríos' capture earlier this year.