

PUBLIC

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Death threats/fear for safety

28 February 2003

ECUADOR

**Franco Viteri (m) indigenous leader
José Gualinga (m) indigenous leader
The whole of the Sarayacu indigenous community, Pastaza province**

Amnesty International is concerned for the safety of Franco Viteri, José Gualinga, and the indigenous Sarayacu community in the province of Pastaza. On 21 February, a local radio station received a fax asking for a message to be transmitted stating that the two men, both leaders within the Sarayacu community, had died in a car accident. The message was allegedly signed by other members of the Sarayacu community.

However, two days later on 23 February, an Amnesty International delegation was able to speak with both men, who claimed that the message was intended to intimidate them and create a state of fear in the community. This follows earlier death threats. On 16 January, Franco Viteri received a threatening phone call in which the caller stated "*te vamos a volar la cabeza*", "we'll blow your head off". José Gualinga also informed the delegation that he has also been threatened with death on the streets.

The two men strongly oppose the *Compañía General de Combustibles* (CGC), General Fuel Company, the Argentine oil company which has been granted a concession to extract oil in the region. They fear the threats are a direct result of this opposition. This follows a "state of alert" declared by the Sarayacu Community in November 2002 to mobilise against the incursion of the CGC in their territory. The community has reportedly been the object of a campaign of intimidation and defamation ever since and fear this to be a tactic used by the CGC so that the Sarayacu people accept that their territory is used for oil extraction. The CGC has reportedly convinced other surrounding communities to surrender part of their land by offering them financial and other benefits, such as employment and schools. The CGC has also tried to convince individuals in the Sarayacu community to accept such a deal. According to the Sarayacu community, this has, however, created divisions and confrontations within the Sarayacu people even leading to death threats amongst the community itself. The CGC has also increased its security arrangements which has meant a greater presence of armed security guards in the area, which according to the leaders interviewed by Amnesty International, has created a strong sense of fear within the community.

BACKGROUND INFORMATION

In 2000, the CGC managed to reach agreement with some communities in the area by offering financial compensation. The Sarayacu community has not accepted any financial deal and argue that oil extraction in their territory will damage their environment and way of life which they do not want to surrender. They have proposed alternative ways of sustainable development in their territory in which their culture will not suffer. In November 2002, the Governor of the Province of Pastaza, the CGC, the Police and the Indigenous organizations, reportedly signed an agreement, stating that the ancestral territories of the Sarayacu would be respected and that the presence of CGC personnel in the Sarayacu territory was considered a violation of this agreement. The agreement also stated that the Ecuadorian authorities were responsible for the implementation of the agreement. However, there is concern in the community that the authorities are not ensuring that the agreement is respected, and the community feels under threat and fears that the CGC will not respect their territory.

Amnesty International considers that it is the responsibility of the Ecuadorian state to ensure the safety of the Sarayacu community within this conflict.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Spanish or your own language:

Recommendations to the Ecuadorian authorities:

- expressing concern for the safety Franco Viteri, José Gualinga, and the whole of the Sarayacu indigenous community in the province of Pastaza and urging the authorities guarantee their safety in line with their international obligations;
- calling for an immediate investigation into the alleged death threats;
- reminding the authorities of their duty to ensure that human rights violations are investigated and punished.

Recommendations to the *Compañía General de Combustibles*:

- requesting the CGC to cooperate with the Ecuadorian government which should carry out an investigation to identify the parties responsible for threatening anyone of the Sarayacu community;
- calling on the CGC to ensure that any private security agents exercising law enforcement under their control abide by the human rights provisions contained in the Code of Conduct for Law Enforcement Officials, adopted by the General Assembly Resolution 34/169 of Dec 17, 1979, and the Basic Principles on the Use of Force and Firearms;
- urging the *Compañía General de Combustibles* (CGC) to conduct consultation with the indigenous community in a free and fair manner and without threat to their security, in line with international standards on indigenous people's rights.

APPEALS TO:

Minister of the Interior and Police:

Dr. Mario Canessa
Ministerio de Gobierno y Policía
Benalcázar y Espejo
Quito
ECUADOR

Fax: + 593 2 2 580 067
Telegram: Ministerio de Gobierno y Policía, Quito, Ecuador
Salutation: Señor Ministro/ Dear Minister

Minister of Energy and Mines:

Coronel (r) Carlos Arboleda Heredia
Ministerio de Energía y Minas
Juan Leon Mera N26-220
Quito
ECUADOR

Telegram: Ministerio de Energía y Minas, Quito, Ecuador
Fax: + 593 2 2906 350 (If someone answers, please ask for the fax: "fax por favor")
Salutation: Señor Ministro/Dear Minister

The General Fuel Company

Ing. Ricardo Nicolás
Director
Compañía General Combustibles
Avenida 12 de Octubre y Lincoln
Edificio Torre 1492, piso 6, of 602 y 603
Quito, Ecuador

Fax: + 593 2 298 65 37
email: jeanette_corona@cgc.com.ec
Salutation: Dear Mr Nicolás / Señor Director

COPIES TO:

Sarayacu Community
email: sarayacu_pastaza@yahoo.com
FAX: + 593 2 250 3028 / +593 3 886978

and to diplomatic representatives of ECUADOR accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after