

# URGENT ACTION

## GOVERNMENT MOVES TO CLOSE ECUADORIAN NGO

**Ecuadorian organization Fundamedios is at risk of being closed down by the authorities. This appears to be an attempt to restrict freedom of association and expression in Ecuador and interfere with the legitimate work of Human rights Defenders and NGOs. Other organizations are at risk of being closed down.**

On 8 September, the National Communication Secretariat (Secretaría Nacional de Comunicación, Secom) notified **Fundamedios**, a national NGO working on freedom of expression issues in Ecuador, that they have started a process to close them down. The notification stated that Fundamedios has violated their own statutes and Executive Decree no. 16, which establishes a series of restrictions and regulations on NGOs. They have 10 days to defend themselves and appeal the decision.

According to the notification, "Fundamedios has disseminated messages, alerts and essays with indisputable political overtones that makes clear the position of this social organization, whose remit should be confined to social communication and journalism". Fundamedios denied engaging in party politics and believes this move by Secom is in reprisal for their work monitoring and reporting on threats to freedom of expression and association in Ecuador.

The notification states that Fundamedios have violated article 26 of Executive Decree no. 16, which establishes that: "Engaging in political activities reserved for political parties and movements registered in the National Electoral Council, that affect the public peace or that interfere in public policies that threaten the internal or external security of the state", is grounds for closing down organizations.

### **Please write immediately in Spanish or your own language:**

- Calling on the authorities to guarantee that Fundamedios are allowed to carry out their legitimate work without interference;
- Expressing concern about Executive Decree no. 16 and urging them to review it and ensure that it is in line with international human rights obligations, including due process of law principles and the recommendations of the UN Human Rights Council Resolution on the Protection of Human Rights Defenders;
- Reminding them that States have a responsibility to protect human rights defenders and create the conditions necessary to ensure that they can carry out their legitimate activities without any unfair restrictions or fear of reprisals, as established in the 1998 UN Declaration on Human Rights Defenders.

### **PLEASE SEND APPEALS BEFORE 23 OCTOBER 2015 TO:**

#### President of Ecuador

Rafael Correa Delgado  
 Presidente de la República  
 García Moreno N10-43 entre Chile y  
 Espejo, Quito, Pichincha, Ecuador  
 Twitter: @MashiRafael

**Salutation: Dear President / Señor  
 Presidente**

#### Minister of Justice

Dra. Ledy Zúñiga Rocha  
 Ministra de Justicia, Derechos humanos  
 y Cultos  
 Av. Colón entre Diego de Almagro y  
 Reina Victoria. Edif Torres de Almagro.  
 Quito, Ecuador

**Salutation: Dear Minister/ Señora  
 Ministra**

#### **And copies to:**

Fundamedios  
 Iñaquito E2-32 y UNP, Edificio UNP,  
 Piso 4, Ofic. 403  
 Quito, Ecuador

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY  
 INTERNATIONAL**



# URGENT ACTION

## GOVERNMENT MOVES TO CLOSE ECUADORIAN NGO

### ADDITIONAL INFORMATION

In June 2013 Ecuador's President Rafael Correa Delgado approved Executive Decree 16, which grants the authorities wide powers to monitor and dissolve non-governmental organizations (NGOs). The Decree does not have a procedure that is respectful of due process for the closure of organizations and does not give NGOs the opportunity to defend themselves and contest the charges before being closed.

A few months after the Decree was issued the Indigenous and environmental rights organization Fundación Pachamama was closed on 4 December 2013. The closure order claimed Fundación Pachamama had violated the Executive Decree which establish the following as grounds for dissolution: "Deviation from the aims and objectives for which it was created" and "Engaging in political activities reserved for political parties and movements registered in the National Electoral Council, that affect the public peace or that interfere in public policies that threaten the internal or external security of the state" (for more information, see *Ecuador: Ecuadorian police shut down NGO*, <http://www.amnesty.org/en/documents/AMR28/003/2013/en/>).

A recent resolution of the UN Human Rights Council on the Protection of Human Rights Defenders calls on States to ensure that legislation designed to guarantee public safety and public order contains clearly defined provisions consistent with international human rights law, and that such legislation is not used to impede or restrict the exercise of any human right, including freedom of expression, association and peaceful assembly, which are essential for the promotion and protection of other rights (A/HRC/RES/22/6).

Name: Fundamedios (NGO)  
Gender m/f: both

UA: 196/15 Index: AMR 28/2433/2015 Issue Date: 11 September 2015