

PUBLIC

AI Index: AMR 28/009/2004

15 March 2004

Further Information on UA 75/04 (AMR 28/005/2004, 28 February 2004) Death Threats/Fear for safety

ECUADOR **Members of the human rights organization *Fundación Pachamama* (Pachamama Foundation)**

New names: **Pablo Xavier Ortiz (m) academic and adviser at the indigenous organization *Instituto Amazanga* (Amazanga Institute)
All staff at the *Instituto Amazanga***

Pablo Xavier Ortiz, member of the indigenous organization *Instituto Amazanga* (Amazanga Institute), has reportedly received a series of anonymous threatening telephone calls over the past month. The threats are believed to be linked to the organization's long-standing support of the Sarayaku indigenous community in Pastaza province, which opposes plans by a foreign oil company to drill for oil in their territory.

On 12 February, Pablo Ortiz received a threatening phone call in a hotel in the town of Puyo where he was working. The caller told him, "you will see what we do to you, you son of a bitch" ("*vas a ver hijo de puta que te hacemos*").

On 18 February, a caller shouted at Pablo Ortiz when he answered the phone, "Son of a bitch, who supports the Indians of Puyo [in Pastaza province], we have been following you for a long time, you will see what happens to you if you continue bothering us" ("*hijo de puta, vos que andas con los indios del Puyo, te tenemos chequeado desde hace rato, vas a ver que te pasa si sigues jodiendo*").

The most recent call came on 1 March, when a man called his home while he was out, and tried to find out where he was, and other phone numbers where he could be reached, saying that Pablo Ortiz had a meeting with the Minister of Foreign Affairs.

Pablo Ortiz had previously been threatened from a car while he was taking part in a demonstration organised by the Sarayaku indigenous community to protest against oil exploitation in their territory in March 2003 (see AI press statement AMR 28/003/2004). On this occasion someone in a white car with no license plates and tinted windows told him, "We are going to kill you, you bastard son of a bitch" ("*te vamos a virar cabron hijo de puta*").

BACKGROUND INFORMATION

The Sarayaku indigenous community of Pastaza province have been subjected to a campaign of intimidation and defamation, apparently because of their opposition to the concession given to oil companies to start drilling in their territory.

On 27 February 2004 Amnesty International received a letter from the Ecuadorian Ministry of Energy and Mining in response to this Urgent Action, stating that the safety of all Ecuadorian citizens at *Fundación Pachamama* is guaranteed by the Ecuadorian State and that it is a priority for the Ecuadorian government to ensure the wellbeing of all its citizens. However, the letter does not state whether the Ecuadorian authorities have opened any investigation into the complaints filed by the members of *Fundación Pachamama*, nor does it mention what measures the Ecuadorian state will take to ensure their safety and to guarantee that such acts are not repeated.

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

- expressing concern for the safety of Pablo Xavier Ortiz and all the staff at *Instituto Amazanga*;
- urging the authorities to guarantee their safety, in line with their international obligations;
- calling on the authorities to open an immediate investigation into the alleged death threats and bring those responsible to justice;
- pointing that in May 2003 and again in December 2003, the Inter-American Commission on Human Rights ordered the Ecuadorian government to protect the Sarayaku indigenous community, after some of their members received death threats, and were physically and verbally assaulted during a demonstration, and that until now the Ecuadorian State has failed to do so;
- pointing that in February 2004 Amnesty International received a letter from the Ministry of Energy and Mining in which the Ecuadorian authorities stated that the rights of all members of *Fundación Pachamama* are guaranteed by the Ecuadorian State, but did not mention what measures the Ecuadorian authorities will take to ensure the safety of those threatened, or whether the authorities have carried out any investigation into the death threats to bring those responsible to justice;
- reminding the authorities of their duty to ensure that human rights violations are investigated and punished.

APPEALS TO:

Minister of the Interior

Ing. Raúl Baca Carbo

Ministro de Gobierno, Policía, Justicia, Cultos y Municipalidades

Ministerio de Gobierno y Policía

Benalcázar y Espejo

Quito, ECUADOR

Telegrams: Ministro de Gobierno, Quito, Ecuador

Fax: + 593 2 2580 067 (if someone answers, say "Tono de fax, por favor")

Salutation: Dear Mr. Minister / Estimado Sr. Ministro

Attorney General

Dra. Mariana Yépez de Velasco

Ministra Fiscal General del Estado Fiscalía General del Estado

Av. Eloy Alfaro N°32-240 y República

Quito, ECUADOR

Telegrams: Attorney General, Quito, Ecuador

Fax: + 593 2 2558 561 (if someone answers, say "Tono de fax, por favor")

Salutation: Dear Attorney General / Sra. Fiscal General

COPIES TO:

Human Rights Organization

Centro de Derechos Económicos y Sociales - CDES

Lizardo García 512 y Diego de Almagro, 6to. piso

Quito, Ecuador

PO Box/Casilla: 17-07-8808

Quito, Ecuador

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 26 April 2004.