

PUBLIC

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UA 156/04

Fear for safety/Death threats

26 April 2004

ECUADOR

José Serrano Salgado (m)

Other staff at *Centro de Derechos Económicos y Sociales (CDES)*, Economic and Social Rights Centre – Human Rights Organization

José Serrano Salgado, a member of the Ecuadorian non-governmental organization (NGO) *Centro de Derechos Económicos y Sociales (CDES)*, Economic and Social Rights Centre, was reportedly threatened with death on 23 April. The threats are believed to be linked to the organization's support for the Sarayaku indigenous community in Pastaza province, which opposes plans by a foreign oil company to drill in their territory. Amnesty International is concerned for his safety and the safety of all other members of the organization.

José Serrano Salgado was travelling in his car on the North-South Road (*Vía Norte-Sur*), in the capital Quito, Pichincha province, when he was forced to stop by three unknown individuals in a green vehicle with no number plates. The three men were wearing balaclavas and civilian clothes and at least one of them was carrying a revolver. When José Serrano Salgado stopped the car, one of the men sat in the passenger's seat of his vehicle and told him: "*Hijo de puta, hijo de puta, bajáte del carro*" ("get out of the car you son of a bitch, son of a bitch"). When José Serrano Salgado got out of his car, one of the men put a revolver to his arm while the others said: "*hijo de puta, ya para esto, ya no puedes continuar con esto, oíste, ya no puedes continuar*" ("you have to stop this, you son of a bitch, you cannot continue with this anymore, you hear me, you can not continue with this").

José Serrano Salgado was then forced into the driver's seat of his car while the three assailants sat on the passenger and back seats. While the man in the passenger's seat pointed a revolver at José Serrano Salgado, another on the back seat told him to remove his shirt and shoes and to give them his watch and wallet. Thinking that it was a robbery, José Serrano told the men to take the car, but they said that they were not interested, and asked him to give them his mobile phone. When José Serrano Salgado told them that he did not have a mobile phone, the assailants said: "*sabemos que tienes un celular, danos el celular*" ("we know you have a mobile phone, give it to us"). When José Serrano insisted that his mobile phone was at home, one of the men on the back seat replied: "*cuidado, si haces algo te matamos, pero ya para hijo de puta, ya paren. ¿Para qué vas al Puyo carbon? ¿Para qué?*" ("be careful, if you try anything we will kill you, stop already you son of a bitch, stop it. Bastard, why are you going to Puyo [the capital of Pastaza province where the territory of the Sarayaku indigenous community is]? What for?").

Before leaving, the assailants told José Serrano Salgado "*hijo de puta, esta vez te decimos así, pero la próxima te matamos, oyes carbon, les matamos*" ("son of a bitch, this time we tell you, but the next we will kill you, you hear me bastard, we will kill you"). They then took his car keys and told him to wait for 20 minutes before leaving or he would be killed. José Serrano Salgado and members of CDES filed a complaint on 24 April.

BACKGROUND INFORMATION

The Sarayaku indigenous community of Pastaza province have been the object of a campaign of intimidation and defamation, apparently because they oppose the concession given to oil companies to start drilling in their territory (see UA 59/03 (AI Index AMR 28/005/2003, 28 February 2003, further information AMR 28/007/2004, 3 March 2004; and press statement (AI Index AMR 28/003/2004)).

The Sarayaku community argue that oil extraction in their territory will damage their environment and way of life, which they do not want to abandon. They have proposed alternative, sustainable development in their territory so that their culture will not suffer.

In May and again in December 2003, the Inter-American Commission of Human Rights (IACHR), part of the Organization of American States (OAS), ordered Ecuador to protect the Sarayaku community, because some of their leaders had received death threats; and some of their members were physically and verbally assaulted during a demonstration in December 2003. However, in January 2004 Ecuador's Minister of Energy and Mines reportedly responded to the IACHR's precautionary measures by stating that "the OAS does not give orders here" ("*la OEA no manda aquí*") and said that the Ecuadorian state would respect the agreement with the CGC and continue its plans to allow oil exploitation in the area. Local human rights organizations that support the Sarayaku community have also reportedly received death threats in the last three months (see *UA 75/04, AMR 28/005/2004, 20 February 2004* and follow-ups). To date, Amnesty International is not aware of any investigation by the Attorney General's office into any of the death threats received by these organizations.

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

- expressing concern for the safety of José Serrano Salgado who was threatened with death by three unknown armed individuals on 23 April 2004; and the staff of the non-governmental organization Centro de Derechos Económicos y Sociales;
- pointing out that this death threat appears to be linked to the organization's long standing support for the Sarayaku indigenous community in Pastaza province and their campaign against oil exploitation in their territory;
- urging the authorities to guarantee the safety of José Serrano Salgado and members of *Centro de Derechos Económicos y Sociales*, in line with their international obligations and according to the wishes of those who need protection;
- calling on the authorities to open an immediate investigation into the alleged death threat reported by José Serrano Salgado and *Centro de Derechos Económicos y Sociales* on 24 April, and bring those responsible to justice;
- stating that this is the latest in a series of death threats and acts of intimidations against members and leaders of the Sarayaku indigenous community and local human rights organizations campaigning on their behalf, which have been reported to Amnesty International since February 2003;
- asking whether any investigations into these death threats and acts of intimidation has been carried out;
- reminding the authorities of their duty to ensure that human rights violations are investigated and punished.

APPEALS TO:

Minister of 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

Salutation: Dear 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 7 June 2004.