

PUBLIC

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10 February 2009

UA 34/09 Fear for safety/death threats

ECUADOR **Leidy Johanna Vélez Moreira (f), police officer**
Her family

Killed: **Yandry Javier Vélez Moreira (m)**
Juan Miguel Vélez Cedeño (m)

Police Officer, Leidy Johanna Vélez Moreira and her family have been subjected to an ongoing campaign of intimidation by the police since October 2007. The most recent threats took place on 23 and 24 January, when she and her partner were followed by police officers on two separate occasions.

On 23 January, Leidy Vélez Moreira was reportedly followed by a police officer when she attended a meeting with the prosecutor responsible for the investigation into the December 2008 torture and murder of her brothers, Yandry Javier Vélez Moreira and Juan Miguel Vélez Cedeño. A day later, her partner, Neil Wernher Bastante Cardenas, was also followed by police officers in a car with no number plates. They had previously been followed by some of the same officers on 28 December 2008.

The acts of intimidation against, Leidy Vélez Moreira and her family began in October 2007, when their family home in the capital Quito was raided by officers in plain clothes. The officers were apparently looking for Leidy Vélez Moreira's brother, Yandry Javier Vélez Moreira, who they suspected of theft. They did not have search or arrest warrants and reportedly asked Leidy Velez to tell them where her brother was. They also threatened to bring her his head on a silver platter if she did not reveal his whereabouts ("es mejor que me digas donde está tu hermano porque si no te voy a entregar su cabeza en una bandeja de plata"). When Leidy Vélez complained, the officers insulted her and arrested her partner who was detained for 20 days before being released.

Six months later, in June 2008, Leidy Vélez was approached in the street by the police officer in charge of the raid of her home. According to her account of the event, he grabbed her arm and told her: "Where is the son of a bitch of your brother? That son of a bitch has to die ... If you don't tell us we will take your son. And if you tell anyone you will pay. You don't know who I am. You don't know what I am capable of". ("¿Dónde está el hijo de puta de tu hermano? Ese hijo de puta tiene que morir... Y si no nos avisas en dónde está tu hermano nos llevamos inclusive a tu hijo. Si avisas a alguien nos pegamos contigo; no sabes quién soy yo, ni de lo que soy capaz"). Leidy Vélez informed her superiors of all the incidents as they took place. However, up to date they have reportedly not taken any action. In October 2008, she then filed a formal complaint with the Police.

Yandry Javier Vélez Moreira and Juan Miguel Vélez Cedeño were found dead on 12 December 2008. They had been shot and reportedly had signs of having been tortured prior to their death. According to their family, the brothers had left their home the night before and were killed whilst driving their mother's van. A few days before this, they had been travelling with family members in the same van when they were stopped by police officers in plain clothes who asked them for their identity papers. When the officers saw Yandri Vélez's identification they said: "You are the famous Yandri, we have some business with you, you are lucky you are with your family" ("tú eres el famoso Yandri Vélez Moreira, contra ti tenemos una consigna; agradece que estás con tu familia").

The Vélez family has filed several complaints against the Operational Support Group of the police, Grupo de Apoyo Operacional (GAO), including one for the murder and torture of Yandry Javier Vélez Moreira and Juan Miguel Vélez Cedeño, in Montecristi, Manabí province in December 2008.

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

- expressing concern for the safety of Leidy Johanna Vélez Moreira and her family, who have reportedly been threatened and intimidated on several occasions since October 2007;
- urging the authorities to do everything in their power to guarantee their safety, in accordance with their wishes;
- calling for a prompt and impartial investigation into these threats and for those responsible to be brought to justice;
- calling on the authorities to investigate independently and impartially the death of Yandry Javier Vélez Moreira and Juan Miguel Vélez Cedeño, and for those responsible to be brought to justice.

APPEALS TO:

Minister of the Interior

Felipe Abril Mogrovejo
Ministro de Gobierno y Policía
Palacio de Gobierno,
Quito, Ecuador

Fax: +593 2 2580 067

Salutation: Dear Minister/Sr. Ministro

Justice and Human Rights Minister

Dr. Gustavo Jalk,
Ministro de Justicia y Derechos Humanos
Av. Amazonas 4545 y Atahualpa,
Quito, Ecuador

Fax: +593 2 246 4971

Salutation: Dear Minister/Sr. Ministro

Attorney General

Dr. Washington Pesántez Muñoz
Ministro Fiscal General del Estado
Fiscalía General del Estado
Ministerio Público del Ecuador
Av. Eloy Alfaro N° 32-240 y República
Quito, Ecuador

Fax: + 593 2 2558 561 (when the phone is answered ask for 'tono de fax, por favor')

Salutation: Dear Attorney General/ Sr. Fiscal General

COPIES TO:

Human Rights Organization
Comisión Ecuémica de Derechos Humanos (CEDHU)
Carlos Ibarra 176 y 10 de Agosto
Edificio Yurac Pirca Piso 9
Quito, Ecuador

Telefax: + 592 2 257 0561 / 258 0825

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 24 March 2009.