

PUBLIC

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07 March 2005

UA 54/05 Fear for Safety/ death threats

ECUADOR **Francisco Peña (m), director of the *Fundación Mariana de Jesús*, Mariana de Jesús Foundation
All staff at the *Fundación Mariana de Jesús***

On 2 March, the staff of the *Fundación Mariana de Jesús*, Mariana de Jesús Foundation, a religious aid and development organization, were threatened that a bomb would be activated in their office in the capital Quito if the organization's director, Francisco Peña, did not resign. Francisco Peña and the other staff of the *Fundación Mariana de Jesús* are in grave danger.

Francisco Peña's secretary received an anonymous telephone call at the organization's office on 2 March. The caller said, "*Escuche con atención, dígame al Ingeniero Peña que tiene tres días para renunciar: hoy, el jueves y el viernes. Caso contrario que se atenga a las consecuencias. Tenemos una bomba en el edificio. Si no renuncia hasta el día viernes vamos a activar la bomba*" ("Listen very carefully, tell Peña that he has three days to resign: today, Thursday and Friday. If he does not resign he should expect consequences. We have put a bomb in the building. If he does not resign by Friday we will activate the bomb"). The organization reported the threat to the police, who searched the building but found no evidence of any explosives.

On 17 February, Francisco Peña was reportedly attacked and shot at by three men in a car park near the office of the *Fundación Mariana de Jesús*, after he refused to give them the documents and laptop computer he was carrying in his brief case. The shots missed Francisco Peña, and he was unharmed. After the attack, Amnesty International urged the authorities to investigate this incident and to take the necessary steps to guarantee that all human rights defenders and activists can carry out their work without fear of reprisal (see AI press release, AMR 28/001/2005, 18 February 2005).

In February 2005, Ecuador's Ministry of Social Welfare began an investigation that threatened to close the *Fundación Mariana de Jesús*, after the organization criticised the way the Ministry was run. Following increasing national and international opposition, the authorities announced the closure of the investigation. The *Fundación Mariana de Jesús* filed a legal complaint on 16 February, claiming that the investigation by the Ministry of Social Welfare violated the organization's constitutional rights. The court has yet to rule on the complaint.

BACKGROUND INFORMATION

Amnesty International has often expressed its deep concern about the continued threatening and harassment of those who are critical of the authorities, including human rights defenders, journalists and indigenous community leaders. The organization has urged Ecuadorian authorities on several occasions to send a clear message that such threats will not be tolerated, to ensure that human rights defenders, community leaders and journalists are able to work without fear of intimidation. It has also called upon the authorities to investigate these threats and bring perpetrators to justice. However, nobody has been charged in connection with these acts of intimidation.

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

- expressing concern for the safety of Francisco Peña and staff at the *Fundación Mariana de Jesús* in Quito, after they received a bomb threat and Francisco Peña was attacked and shot at on 17 February;
- urging the authorities to do everything in their power to guarantee the safety of Francisco Peña and of all staff at *Fundación Mariana de Jesús*, in accordance with their wishes;
- calling for a prompt and impartial investigation into the bomb threat and attack against Francisco Peña and for those responsible to be brought to justice;
- reminding the authorities that the UN Declaration on the Rights and Responsibilities of Individuals, Groups and Institutions to Promote and Protect Universally Recognized Human Rights and Fundamental Liberties recognizes the legitimacy of the activities of human rights defenders and their right to carry out their activities without any restrictions or fear of reprisals.

APPEALS TO:

Minister of the Interior

Dr. Javier Ledesma
Ministro de Gobierno, Policía,
Justicia, Cultos y Municipalidades
Ministerio de Gobierno y Policía
Benalcázar y Espejo
Quito, Ecuador

Fax: + 593 2 2958 360 (If someone answers, please ask for the fax: "Tono de fax, por favor")

Salutation: Dear Minister/Señor Ministro

COPIES TO:

Human rights organization

Centro de Documentación en Derechos Humanos
"Segundo Montes Mozo SJ@ CSMM
Nicolás Jiménez, E 4, 223, piso 5 y
Av. 12 de Octubre, dep. E- 3
Quito, Ecuador

Fax: + 593 2 254 3845 (If someone answers, please ask for the fax: "Tono de fax, por favor")

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 18 April 2005.