

PUBLIC

AI Index: AMR 28/007/2004

03 March 2004

Further Information on UA 59/03 (AMR 28/005/2004, 28 February 2004) Death threats/fear for safety

ECUADOR

Franco Viteri (m), indigenous leader
José Gualinga (m), indigenous leader
The whole of the Sarayaku (spelling corrected) indigenous community,
Pastaza province

New name: Marlon Santi (m), President of the Sarayaku Association

Marlon Santi, President of the Sarayaku Association, was reportedly attacked and beaten in Quito on the night of 29 February 2004.

He had apparently been expected to travel to Costa Rica the following day to attend a 3 March meeting to support the case filed by the Sarayaku indigenous community before the Inter-American Commission on Human Rights (IACHR) against the Ecuadorian State and the Argentine oil company *Compañía General de Combustibles* (CGC). Amnesty International is concerned that the attack on Marlon Santi may be an attempt to intimidate the Sarayaku community and prevent them from attending this meeting.

The assailants reportedly took Marlon Santi's travel and identifications documents, and his money. He has reported the attack and theft to the Ecuadorian authorities.

Franco Viteri and José Gualinga have not reported any further specific death threats.

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.

Local human rights organizations that support the claims of the Sarayaku community have also reportedly received death threats. On 12 February 2004 the *Fundación Pachamama* received three threatening telephone calls which are believed to be linked to the organization's long-standing support of the indigenous community (see UA 75/04 (AI Index AMR 28/005/2004, 20 February 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 2003, the 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 in February that year. In December, the IACHR extended the precautionary measures after members of the Sarayaku community suffered repeated death threats and were physically and verbally assaulted during a demonstration that month. 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.

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

- expressing concern that Marlon Santi, president of the Sarayaku Association, was reportedly attacked on 29 February 2004;
- expressing concern that this attack appears to be intended to prevent the Sarayaku community from attending a meeting with the IACHR to support the case the community have filed against the Ecuadorian State and the Argentinian oil company CGC;
- calling on the authorities to do everything necessary to ensure the safety of Marlon Santi and the members of the Sarayaku community in accordance with their own wishes;
- pointing that in May 2003 and again in December 2003, the IACHR 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;
- calling for a full and independent investigation into the attack on Marlon Santi, and for those responsible to be brought to justice;

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 13 April 2004.