

PUBLIC

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Fear for safety/Legal concern

18 April 2005

ECUADOR

Demonstrators against President Lucio Gutiérrez

Following a deepening political crisis, Amnesty International is concerned for the safety of protestors calling for the resignation of President Lucio Gutiérrez. Demonstrations continue in the capital Quito against a decision by Congress to ratify the president's sacking of all the Supreme Court's judges. Several protestors including children have been reportedly tear gassed during peaceful demonstrations.

As a result of three days of protests which began on 13 April, President Lucio Gutiérrez declared a state of emergency in Quito on 15 April. Civil liberties including the right to freedom of expression, association and movement, and the inviolability of the home were suspended. The President also announced the dismissal of all newly appointed judges to the Supreme Court of Justice. However, after national and international pressure, President Lucio Gutiérrez suspended the state of emergency on 16 April.

Demonstrations however, continued in front of the presidential palace on 17 April. The police responded by using tear gas, which choked scores of protesters. There were concerns that the police might have used excessive force and that if protests continue, more demonstrators could be at risk. Journalists, politicians and human rights defenders who have openly expressed their opposition to President Lucio Gutiérrez have previously been harassed and intimidated. (See Public Statement 28/004/2005, 7 March 2005, UA 54/05, AMR 28/003/2005, 7 March 2005, and UA 51/05, AMR 28/002/2005, 3 March 2005).

The crisis began in December 2004 when Congress removed all judges from the Supreme Court in an extraordinary sessions called by the President. The dismissal and appointment of the judges has called into question the Ecuadorian authorities' respect for the independence of the judiciary and the rule of law. In March 2005 the Special Rapporteur on the Independence of the Judiciary visited Ecuador and stated that "it is vital and urgently necessary to secure the full restoration of the rule of law in Ecuador" and "reconstruct a system of institutions which is free of political interests".

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

- expressing concern for the safety of protestors who are calling for the resignation of President Lucio Gutiérrez following the use of tear gas against demonstrators on 17 April 2005 and the harassment and intimidation of journalists, politicians and human rights defenders who have openly criticized him;
- stating that Amnesty International recognizes the duty of the Ecuadorian authorities to uphold law and order, including declaring an state of emergency, but that at all times and in all circumstances they must respect the population's right to life;
- asking that, if called upon, the security forces use only the minimum force necessary to maintain law and order, when exercising their duties;
- urging the authorities to take urgent measures to re-established the rule of law and the independence and impartiality of the judicial system

APPEALS TO:

President of the Republic

Ing. Lucio Gutiérrez
de la República del Ecuador
Palacio de Carondelet
García Moreno 1043

Quito, ECUADOR

Fax: + 593 2 2580 748

Salutation: Dear President/Sr. Presidente

Minister of Foreign Affairs

Emb. Patricio Zuquilanda Duque

Ministro de Relaciones Exteriores

Ministerio de Relaciones Exteriores

Av. 10 de Agosto y Carrión

Quito, ECUADOR

Fax: + 593 2 2993 288

Salutation: Dear Minister/Sr. 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 say: 'tono de fax, por favor)

Human Rights Organization

Comisión Ecuaménica de Derechos Humanos - CEDHU

Carlos Ibarra 176 y 10 de Agosto

Edif. Yuraj Pirca, 9no. piso

Quito, Ecuador

Fax: 593 2 258 9272 (If someone answers say: '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 30 May 2005.