

PUBLIC

AI Index: AMR 28/008/2006

13 July 2006

Further Information on UA 176/06 (AMR 28/006/2006, 23 June 2006) and follow-up (AMR 28/007/2006, 30 June 2006) - Fear for safety/Legal concern

ECUADOR Wilman Adolfo Jiménez Salazar (m), member of the Comité de Derechos Humanos de Orellana, Orellana Province Human Rights Committee

Human rights defender Wilman Jiménez Salazar was released on bail from military brigade barracks in Pastaza Province on 6 July 2006. However, Amnesty International is seriously concerned that he could be tried by a military court which does not meet international standards for fair trials.

Wilman Jiménez Salazar was detained on 19 June whilst photographing police and military personnel as they broke up a demonstration by peasant communities protesting against the environmental impact of an oil company operating in Payamino, Orellana Province, eastern Ecuador. The police and military reportedly used tear gas and rubber bullets to break up the demonstration, injuring Wilman Jiménez Salazar and another man.

According to reports, the oil company has accused Wilman Jiménez Salazar of "terrorism" and "sabotage" and he is allegedly being investigated by military judicial authorities. This investigation appears to be an attempt to intimidate Wilman Jiménez Salazar into ceasing his legitimate activities as a human rights defender.

If the military authorities file charges against him, he will be tried in a military court. Amnesty International believes that military courts are neither impartial nor independent, and therefore Wilman Jiménez Salazar would be denied his right to a fair trial according to international human rights standards.

A state of emergency has been in force in the provinces of Orellana, Napo and Sucumbios since March 2006, in response to mass demonstrations against the environmental impact of oil extraction operations in the area. During the demonstrations there were violent clashes between protesters and the security forces. The state of emergency has led to the suspension of the rights to freedom of expression, movement and association, and has given the security forces the power to search homes and detain people without a judicial warrant.

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

- expressing concern that human rights defender Wilman Jiménez Salazar is being investigated by military judicial authorities on suspicion of "terrorism" and "sabotage";
- expressing concern that this investigation appears to be an attempt to intimidate Wilman Jiménez Salazar and halt his legitimate activities as a human rights defender;
- expressing concern that if charged, Wilman Jiménez Salazar will be tried before a military court
- expressing concern that military courts do not conform to international fair trial standards for independence and impartiality;
- calling on the authorities to ensure that civilians are investigated and tried only by civilian courts.

APPEALS TO:

President

Dr. Alfredo Palacio González

Presidente Constitucional de La República del Ecuador

Palacio de Carondelet

García Moreno 1043
Quito, Ecuador

Fax: + 593 2 2580 748 (If someone answers, please ask: "Tono de fax, por favor")

Salutation: Dear President/ Sr. Presidente

Minister of Defence

Gral. Oswaldo Jarrín Román
Ministro de Defensa Nacional
Ministerio de Defensa Nacional
La Exposición 208, (La Recoleta).
Quito, Ecuador

Fax: + 593 2 2580 431 (If someone answers, please ask: "Tono de fax, por favor")

Salutation: Dear Minister/Señor Ministro

Acting Attorney General

Dra. Cecilia Armas Tobar
Ministra Fiscal Subrogante
Fiscalía General del Estado
Av. Eloy Alfaro N°32-240 y República
Quito, Ecuador

Fax: + 593 2 255 9959 (If someone answers, please ask: "Tono de fax, por favor")

Salutation: Dear Acting Attorney General/Sra. Ministra Fiscal Subrogante

COPIES TO:

Human Rights Organizations

Comisión Ecuménica 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, please ask: "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 24 August 2006.