

UA 164/00

Fear for safety/Death Threats

16 June 2000

ECUADOR

Ernesto Murillo Cañarte - lawyer
Julio Peláez - lawyer
Alberto Palacios - lawyer
Harold Moreira - lawyer
Yuri Washington Collantes Pin's family
Pedro Geovanny Baque Tuarez
His family
Carlos and Pedro Jaramillo Mera's family

Amnesty International is concerned for the safety of the above-mentioned individuals, all of whom have received death threats in the past few months.

A police officer who was sentenced to 16 years' imprisonment for the extrajudicial execution of Yuri Washington Collantes and the attempted extrajudicial execution of his brother Johnny Collantes and Florentino García Marcillo in February 1999, reportedly escaped from the National Police Station where he was being held in Portoviejo, Manabí Province on 14 June 2000. The policeman is also alleged to have been involved in the extrajudicial executions of brothers Pedro and Carlos Jaramillo, the attempted extrajudicial execution of Pedro Baque, and the killing of another civilian, Jorge Walter Macias Menéndez, in October 1997. The officer had been detained in the National Police Station pending the resolution of an appeal by his lawyer, which had delayed his transfer to a prison center.

On 23 May 2000, Ernesto Murillo, the lawyer representing the family of Yuri Washington Collantes, wrote a letter to Amnesty International stating that he had received frequent phone calls during recent months in which an anonymous voice had said: "*matar al abogado Ernesto Murillo. Que se cuide que cualquier día aparece muerto*" ("kill the lawyer Ernesto Murillo. He should take care because any day he will be killed"). On two other occasions Ernesto Murillo received the following death threats: "*tú desgraciado, te equivocaste, te va a costar caro [refiriendose al policía sentenciado]. Te has metido mal conmigo, te voy a matar o te mando matar por haberte metido conmigo*" ("you wretch, you made a mistake, and it is going to cost you to have him imprisoned [referring to the policeman sentenced] . You mess badly with me, I'm going to kill you or get you killed for messing with me.")

Human rights organizations have expressed concern about the police officer's escape from prison, particularly as witnesses have testified to having seen the officer walking freely outside the police station and overhearing him saying that he, or someone else, would kill lawyer Ernesto Murillo for sending him to prison.

The victims of these human rights violations and their families, as well as the lawyers representing them, are all in fear for their safety.

BACKGROUND INFORMATION

Amnesty International has documented numerous reports of intimidation of human rights lawyers and witnesses to human rights violations and their families in Ecuador. Ecuador has consistently failed to implement the United Nations (UN) Principles on the Effective Prevention and

Investigation of Extra-Legal, Arbitrary and Summary Executions, endorsed by the UN General Assembly in December 1989, and protect witnesses of human rights violations. Article 15 of these Principles clearly states that, "Complainants, witnesses, those conducting the investigation and their families shall be protected from violence, threats of violence or any other form of intimidation. Those potentially implicated in extra-legal, arbitrary or summary executions shall be removed from any position of control or power, whether direct or indirect, over complainants, witnesses and their families, as well as over those conducting investigations."

In addition, deaths resulting from the use of firearms by the security forces in the context of anti-crime operations have been of concern to Amnesty International for the past few years. Some of these bear the hallmarks of extrajudicial executions. The organization has urged the authorities to ensure that these human rights violations are promptly and impartially investigated and that those responsible are brought to justice. The authorities, however, do not appear to be serious about ending and preventing these crimes. The vicious circle of impunity which negates the values of truth and justice and leads to further human rights violations must be stopped.

RECOMMENDED ACTION: Please send faxes/express/airmail letters in Spanish or your own language:

- expressing concern for the safety of all those named above;
- requesting that all necessary steps be taken to guarantee their safety;
- requesting a prompt and effective investigation into the intimidation and threats they have been subjected to, that the findings be published, and that those responsible be brought to justice.

APPEALS TO:

Minister of the Interior and Police

Dr. Antonio Andretta Arízaga
Ministerio de Gobierno y Policía
Benalcázar y Espejo
Quito
ECUADOR

Fax: + 593 2 580-067

Salutation: Señor Ministro/ Dear Minister

Head of the National Police

General Inspector
Dr. Mario Cevallos Moreno
Comandante General de la Policía Nacional
Ramírez Dávalos 612 y Av. 10 de Agosto
Quito
Ecuador

Fax: + 593 2 506-066

Salutation: Señor Comandante General/Dear Commander General

COPIES TO:

Human Rights Organization

Centro de Documentación en Derechos Humanos
"Segundo Montes Mozo S.J."
Av. 10 e Agosto N26-57 y Gral Vicente Aguirre
Edif. Tauro, Of. 802
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 28 July 2000.