

PUBLIC

AI Index: AMR 28/002/2009

22 May 2009

UA 132/09 Death threats

ECUADOR	Joel Vicente Zhunio Samaniego (m)	]
	Wilmar Fernando Mejia Reinoso (m)	] human rights defenders
	Etelvina de Jesus Misacango Chuñir (f)	]

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A government official has threatened to kill human rights defenders Joel Vicente Zhunio Samaniego and Wilmar Fernando Mejia Reinoso. Human rights defender Etelvina de Jesus Misacango Chuñir has been threatened and assaulted because of her work. All three are in grave danger.

They are members of organizations that are part of the National Coordinating Body for the Defense of Life and Sovereignty (*Coordinadora Nacional por la Defensa de la Vida y la Soberanía*, CNDVS), based in the south-east of the country. On 9 May, Joel Vicente Zhunio Samaniego and Wilmar Fernando Mejia Reinoso took part in a demonstration organized by a CNDVS member organization, in the town of San Miguel de Conchay, in Morona Santiago province. They were protesting against a meeting being held between the province's representative of the national government (*Teniente Político*), some local farmers, and representatives of a Canadian mining corporation which, according to the CNDVS, is operating in the area with a license that has expired.

When demonstrators arrived outside the meeting, the *Teniente Político* started shouting at Wilmar Fernando Mejia Reinoso and Joel Vicente Zhunio Samaniego: "You, get out of here, clear off to Gualaquiza [a nearby town], you have no business in my town, you are not from here, I am running my meeting" (*Tú lárgate de aquí, lárgate a Gualaquiza, no tienes nada que hacer en mi parroquia, tú no sois de aquí, yo estoy haciendo mi reunion*). Then he pointed at Joel Vicente Zhunio Samaniego, and said, "You are a dead man." (*Eres hombre muerto*). Policemen intervened to calm him down. Joel Vicente Zhunio Samaniego and Wilmar Fernando Mejia Reinoso reported the threat to the provincial Ombudsman (*Defensor del Pueblo de Morona Santiago*) on 12 May, but no investigation is known to have been opened into the behaviour of the *Teniente Político*.

On 22 April, Etelvina de Jesus Misacango Chuñir was attacked by four men who lived near her in the town of Molleturo, Canton Cuenca, in Azuay province. She nearly reached her home when the four started shouting at her, "Lazy, you are making trouble because you are lazy ... you are against the mines because you are lazy." (*Vaga, por vaga andas haciendo problema ... por vagos están en contra de las mineras*). Then they knocked her to the ground, hitting and kicking her. She managed to get into her house, but they followed her in, and started attacking her again. They also attacked her son, who tried to defend her. The attackers stopped only after neighbours intervened, when they saw Etelvina de Jesus Misacango Chuñir being dragged out of the house by her hair.

Etelvina de Jesus Misacango Chuñir filed a complaint with the Prosecutor's office on 23 April. No investigation is known to have been opened into the attack. The attack is believed to have been carried out in reprisal for her opposition to mining in the area. Etelvina de Jesus Misacango Chuñir is known in the community for campaigning against a Canadian gold mining company.

#### BACKGROUND INFORMATION

Several activists working to protect the rights of communities affected by mining projects, including members of the CNDVS, have been threatened. None of the threats have been properly investigated and to Amnesty International's knowledge, no one has been brought to justice.

Members of local NGOs that are part of CNDVS, and others who have opposed mining projects and the government's policy on mining, have been charged with offences including terrorism. In January Amnesty International sent a letter to the authorities expressing concern that Joel Vicente Zhunio Samaniego and others may have been victims of arbitrary detention and excessive use of force. At least 20 people were detained in January, after they took part in demonstrations against the approval of a new mining law.

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

- expressing concern for the safety of Joel Vicente Zhunio Samaniego and Wilmar Fernando Mejia Reinoso, who received threats on 9 May, and Etelvina de Jesus Misacango Chuñir, who was attacked on 22 April;
- urging the authorities to do everything possible to guarantee their safety, and that of all members of the Coordinating Body for the Defense of Life and Sovereignty;
- calling on them to order a prompt and impartial investigation into the threats against Joel Vicente Zhunio Samaniego and Wilmar Fernando Mejia Reinoso and the attack against Etelvina de Jesus Misacango Chuñir, and bring those responsible to justice;
- reminding them of their obligation – as set out in the UN Declaration on Human Rights Defenders – to recognize the legitimacy of the activities of human rights defenders and defenders' right to carry out their activities without obstacles or fear of reprisals.

**APPEALS TO:**

Minister of Justice and Human Rights

Ab. Néstor Arbito Chica  
Ministro de Justicia y Derechos Humanos  
Ministerio de Justicia y Derechos Humanos  
Edificio Anexo al Ministerio de Educación  
Av. Amazonas 4545 y Atahualpa  
Quito - Ecuador

**Fax: +593 2 246 4914**

**Salutation: Dear Minister/Senor Ministro**

National Prosecutor

Dr. Washington Pesántez Muñoz  
Ministro Fiscal General del Estado  
Fiscalía General del Estado  
Av. 12 Octubre y Patria  
Quito – Ecuador

**Fax: +593 2 256 1701 ext. 2300**

**E-mail: [fiscalia@minpec.gov.ec](mailto:fiscalia@minpec.gov.ec)**

**Salutation: Senor Fiscal General/Dear Prosecutor**

**COPIES 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 3 July 2009.