

CEDHU

Quito, October 5, 2004.  
Official letter N-825 CEDHU/04.

Doctor  
Raúl Baca  
Police and Government Minister

Dear Doctor Raúl Baca,

Greetings from the Ecumenical Commission for Human Rights (Comisión Ecuémica de Derechos Humanos). According to the people from INTAG, cantón Cotacachi, province of Imbabura, mining activities in the area is disturbing community life and damaging the right to an environment free of contamination. The local residents have expressed their opposition to this mining activity, and subsequently have become victims of attacks on their human rights through intimidation and limits on their freedom of speech.

Intag is located next to the Reservation Cotacachi-Cayapas and is home to a variety of ecosystems, rich in biodiversity. This area is inhabited by peasants who are small and mid-size landowners. Through a process that has taken almost two decades, the majority of these families have developed alternative production mechanisms that preserve that natural harmony of their environment, including tourism, agroecology, artisan crop production, coffee cultivation, etc.

In the early 1990's, Bishimetals, a subsidiary of Mitsubishi Corporation, discovered mineral deposits that contained copper and other minerals in the Toisán mountain range, and subsequently began extracting them. In 1999 the local population found out that Ascendant Exploration S.A. company had been granted a mining concession in the area to explore and exploit copper.

Ascendant Exploration is supported by people such as Ronald Andrade, a former member of parliament, and Captain Nelson Moreno, who reports to be from the Anticorruption Commission. As part of its activities in the area, the company has taken a series of actions targeting the local population people including intimidation and impeding on private property rights. As is stated in the following cases:

1.- Francisco Quilca, a person who lives in the area, has expressed his opposition to mining activity and his life has been threatened.

2.- Polibio Pérez, president of the Community Development Council, has expressed his opposition to mining industry and during August of 2004 on his way to a rally he was threatened by Ronald Andrade, who was armed with a hand gun. Mr. Andrade

informed him that he had the power to order Pérez killed at any moment. Later, in the afternoon, near Mr. Pérez's house shots were heard that were fired by Mr. Andrade and his two bodyguards. With these actions, they have hoped to intimidate people.

3.- In San Edmundo, García parish, Hortensia Yépez, who owns a plot of land, has expressed her opposition to the construction of a path through the middle of her property. According to Ms. Yépez nobody granted mining workers of Ascendant-Exploration permission to construct a road on her property.

4.- "INTAG", the only local community newspaper, currently faces a potential law suit for defamation. Undoubtedly, starting criminal proceedings against a media source, without using the right of rectification contained in section 23 numeral 9 of the Constitution of the Republic, may constitute another scare tactic or restriction on freedom of speech.

The above statements demonstrate how defenseless the people of Intag are in confronting the mining companies. The acts of intimidation denounced here reveal serious threats to the personal safety of people affected, but above all, a threat to the entire quality of life. Likewise, the invocation of criminal law attempts to restrict the right of free speech. For these reasons, we request your intervention in order to:

- 1.- Denounce and investigate the aforementioned cases and,
- 2.- Take all measures necessary to guarantee that the human rights of the people affected by the aforementioned acts be respected as well as the rights of all people living in INTAG.

Thankyou for your attention to this letter, and best wishes.

Sincerely,

Sister Elsie Monge  
Executive Director of CEDHU  
EM/apz.

C.C./ General Fiscal Minister.