

## ALVARO NOBOA ECUADORIAN PRESIDENTIAL CANDIDATE FILES A COMPLAINT BEFORE THE INTER AMERICAN COMMISSION ON HUMAN RIGHTS



Juan Vizueta, lawyer (left), Álvaro Noboa (center) and Pedro Granja, lawyer (right)

Due to the relentless political persecution of the Ecuadorian Tax Administration(SRI) against me and for the absolute absence of minimal guarantees for a fair judicial process in Ecuador, I have decided to appear before the Inter American System of Human Rights to present a formal complaint against the Republic of Ecuador based on the second paragraph of the Article 31 of the Rules of Procedure of the Inter American Court of Human Rights, in which it clearly states that there is no requirement to exhaust of domestic remedies, when the

legislation of the state concerned cannot afford the process for the protection of the right or rights that have allegedly been violated or the party alleging violation for his or her access to domestic solutions, or has been prevented from exhausting them. It is obvious that I am in both circumstances.

I have requested the Commissioners of the Inter American Commission on Human Rights to remember the judicial precedent dictated by the Inter American Court of Human Rights regarding the case Baruv Ivcher vs Peru, which ended with the judgment against the State of Peru for violating Art.8 (Judicial Guarantees); 21,2 (Private Property) and 25,1 (Judicial Tutoring)of the American Human Rights Convention.

Surely, the Director of the Ecuadorian Tax Administration(S.R.I), ignores the fact that in the aforementioned case, the arbitrary measures taken of dispossession of the Television station, legitimately owned by Mr. Ivcher and its subsequent sale to individuals vitiated by nullity. Surely, it was never analyzed by Judges serving the former President Fujimori, but these events were condemned by the Inter American Court of Human Rights.

It is evident that I am an object of discrimination in an effort to persecute EXPORTADORA BANANERA NOBOA, my former employer, with a total tax assessment of U.S: \$ 93,000,000,00 which is a hundred times more than what was declared by other Ecuadorian banana exporters with similar export volumes like EXPORTADORA BANANERA NOBOA. (See the attached chart)

COMPANY NAME	TAXES FOR YEAR 2005
<b>EXPORTADORA BANANERA NOBOA S.A.</b>	<b>\$93´000.000,00</b> <small>TAXES ACCORDING TO ECUADORIAN TAX ADMINISTRATION</small>
<b>DOLE</b>	<b>\$700.136,37</b> <small>TAX DECLARED</small>
<b>CHIQUITA</b>	<b>\$39.500,02</b> <small>TAX DECLARED</small>
<b>DEL MONTE</b>	<b>\$11.748,13</b> <small>TAX DECLARED</small>

Everyone knows in Ecuador the persecution carried out against any Judge that legally ruled in favor of EXPORTADORA BANANERA NOBOA, which were immediately disqualified, persecuted and incarcerated to subsequently change the original decision issued in favor of EXPORTADORA BANANERA NOBOA and to issue a new one in favor of the Ecuadorian Tax Administration (SRI).

I am the largest employer of Ecuador, and in three occasions I have run for President of Ecuador against Economist Rafael Correa, current head of the State of Ecuador.

Has it been the intention of the current head of the State of Ecuador to persecute, intimidate, causing me economic damage and hurting my image for being his main political opponent after I defeated him in the first round of the elections in 2006?

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