

URGENT ACTION

ENVIRONMENTAL ACTIVIST SENTENCED TO JAIL

Environmental activist and community leader, Darwin Javier Ramírez Piedra continues to be targeted in what appears to be an attempt to silence his campaigning against the impact of mining activities on the community's right to water. This will have a chilling effect on others wishing to exercise their right to freedom of expression and association.

Darwin Javier Ramírez Piedra, president of the Junín community in the northern region of Intag, has been found guilty of rebellion for his alleged participation in an attack against a delegation of the National Mining Agency (Empresa Nacional Minera del Ecuador, ENAMI) and sentenced to 12 months in prison. There is a lack of evidence against him and the court dismissed several testimonies that stated he was at home at the time of the attack.

His sentence was initially reduced from 12 to 10 months for good behaviour and he was released, having already spent 10 months on pre-trial detention. Following an appeal by ENAMI the court reinstated the 12 month sentence. Darwin Javier Ramírez Piedra has appealed this decision, but if unsuccessful, could be re-imprisoned.

On 25 February, soon after being released, Darwin Javier Ramírez Piedra was visited by two friends and fellow environmental activists at his home. Shortly after, he reported that a police officer arrived and started questioning him about the visitors. He also reported that later that day three people, one of whom was identified as ENAMI's staff, took photos of his home. There is an anti-mining banner hanging outside his house.

Victor Hugo Ramírez Piedra, Darwin Javier Ramírez Piedra's brother, who has also been charged with rebellion in relation to the same incident, remains at large and the judicial process against him is on hold until he is apprehended.

Please write immediately in Spanish or your own language:

- Expressing concern that Darwin Javier Ramírez Piedra's conviction and the charges against Victor Hugo Ramírez Piedra, appear to be an attempt to silence their campaigning against the impact of mining on the environment and the right to water of peasant communities in Intag;
- Urging the authorities to order a thorough and impartial investigation into the reported police visit to Darwin Javier Ramírez Piedra's home, as this could constitute harassment against him and his family;
- Expressing concern that this sentence sets a precedent that could deter others from exercising their right to freedom of expression and association in relation to legitimate concerns on the impact of mining activities on their communities.

PLEASE SEND APPEALS BEFORE 17 JUNE 2015 TO:

Minister of Justice, Human Rights and
Workshop
Dra. Ledy Zúñiga Rocha
Ministerio de Justicia, Derechos
Humanos y Cultos
Av. Colón entre Diego de Almagro y
Reina Victoria
Quito, Ecuador
Email: comunicacion@minjusticia.gob.ec
**Salutation: Dear Minister/ Señora
Ministra**

Attorney General
Dr. Galo Alfredo Chiriboga Zambrano
Fiscalía General del Estado
Av, Patria y 12 de Octubre
Quito, Ecuador
Fax: +593 2 398 5800 ext. 163 030
Email: serranoam@fiscalia.gob.ec
**Salutation: Dear Public Prosecutor/
Señor Procurador General**

And copies to:
Local human rights NGO
Comisión Ecuémica de Derechos
Humanos (CEDHU)
Carlos Ibarra 176 y 10 de Agosto
Edificio Yurac Pirca Piso 9
Quito, Ecuador
Email: cedhu@cedhu.org

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the first update of UA 8/15. Further information:

<https://www.amnesty.org/en/documents/AMR28/0001/2015/en/>

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ADDITIONAL INFORMATION

Intag is a region in northern Ecuador rich in subtropical forests and biodiversity. In the early 1990s, as the first mining project was underway, the communities of Intag organized themselves against mining activities in the area. They believe the Lurimagua mining project, led by the National Mining Agency (Empresa Nacional Minera del Ecuador, ENAMI), will harm the region's environment, including its water resources.

For several years Amnesty International has received testimonies and reports of how those who campaign against the mining project in the Intag region have been intimidated, harassed and attacked. This includes public declarations by Ecuadorian President Rafael Correa who has criticized the activities of these activists during his weekly television addresses to the nation. For more information please see UA 334/13, <http://www.amnesty.org/en/library/info/AMR28/004/2013/en>.

In May 2014 the Junín community also denounced a vast police presence in support of ENAMI who were allegedly carrying out exploratory mining activities. The community members complained that this extensive police presence was disrupting their everyday life and placing restrictions on their right to freedom of movement. A commission of human rights observers undertook an on-site visit to the region and determined that the police presence constituted a de facto state of emergency as it restricted rights such as freedom of movement, freedom of expression and freedom of association.

Among the concerns expressed by the communities affected by the Lurimagua mining project is the lack of consultation. The authorities in Ecuador have repeatedly sought to undermine communities' claims for greater participation by arguing that expanding the extractive industry is not only necessary for national development, but also beneficial. While many may argue that particular projects or legislation may be beneficial to local communities, it is vital that any decisions that have an impact on their human rights are made in a manner that is consistent with international human rights standards. This requires that people's rights to participation and information, and right to consultation be respected.

Amnesty International is concerned that in recent years spurious criminal charges have been brought against Indigenous and peasant farmer (*campesino*) leaders, in what appears to be a deliberate attempt to curb their rights to freedom of expression, assembly and association. The organization has documented cases of leaders who have been charged with criminal offences such as terrorism, sabotage, illicit association, kidnapping, murder, causing injury, robbery, trespassing and illegal obstruction of public roads in the context of protests against laws and policies, particularly those that relate to natural resources.

Name: Darwin Javier Ramírez Piedra

Gender m/f: m

Further information on UA: 8/15 Index: AMR 28/1604/2015 Issue Date: 6 May 2015