

AMNESTY INTERNATIONAL - PUBLIC STATEMENT

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ECUADOR: LINA MARÍA ESPINOSA, INDIGENOUS PEOPLES' RIGHTS DEFENDER, REPORTS THREATS AND STIGMATIZATION

Lina María Espinosa is a Colombian lawyer and human rights defender who has been based in Ecuador for around 15 years. Her work has included investigation, litigation, consultation and advocacy mainly focused on Indigenous Peoples' rights and rights of nature. She works with the organization Amazon Frontlines and is a member of the Ecuador Human Rights Alliance (the Alliance), that brings together several human rights organizations in the country.

At the request of the Waorani of Pastaza, A'i Cofán of Sinangoe and Siona Kichwa of Buenavista and Wisuya Amazonian Indigenous Peoples, Lina María, as a member of Amazon Frontlines and the Alliance, has provided training for their guards on human rights, constitutional rights, legal mechanisms, the use of technological tools and community mapping.

The Constitutional Court, [in its ruling on the free, prior and informed consultation of the A'i Cofán community of Sinangoe](#), established that “the creation of an Indigenous guard is found to form part of their practices and customs and corresponds to the power that Indigenous communities and peoples have to establish and exercise authority within their ancestral territory, in accordance with the provisions of Article 57 point 9 of the Constitution, and it is not possible to consider this, *per se*, a parallel police or militia”.

During the repression of the protests in June 2022, Lina María documented human rights violations and to date has been providing support to victims through Amazon Frontlines and the Alliance, in addition to providing technical support to Indigenous organizations for their participation in dialogue with the government.

THREATS

Lina María reported having received death threats over the years in different moments of her career as a human rights defender. In that context, she reported that in March and April 2022 she received two death threats at the border between Ecuador and Colombia in relation to her work defending the human rights of the Siona Kichwa People, beneficiary of precautionary measures from the Inter-American Commission on Human Rights. Lina María reported these incidents to the Inter-American Commission.

Lina María stated that most recently she has received threats in relation to her work defending Indigenous Peoples and victims of human rights violations during the repression of the protests in June 2022.

On 29 and 30 June 2022, shortly before the agreement between the government and the Indigenous movement that brought an end to the social protests in Ecuador, Lina María received a call in which an unidentified man said that he would send her a wreath of flowers. The message was clearly a death threat.

On 7 July, in an anonymous call made from another telephone number, a man told her that he had been surprised not to see her at a meeting between the government and the Indigenous movement at the headquarters of the Ecuadorian Episcopal Conference in Quito and added, “we already have your wreath of flowers ready”.

Lina María also reported that on 28 June she received another anonymous call in which a man once again made death threats.

CRIMINAL INVESTIGATIONS AND STIGMATIZATION

Lina María is also one of the people and organizations who filed a constitutional protection action and requested precautionary measures in favour of approximately 120,000 people affected by the 7 April 2020 oil spill in the Amazon before a judge in the district of Francisco de Orellana in the province of Orellana. During the proceedings, it was confirmed that there had been procedural irregularities and that the judge had failed to respect due process.

On 1 September 2020, the judge in charge of the case rejected both petitions and the same month filed a criminal complaint against the claimants for allegedly endangering his physical integrity and that of his family as a result of the complaints of the alleged due process violations. Lina María and other claimants have since faced a criminal investigation.

Information subsequently published in the media seems to indicate the existence of a criminal police investigation against Lina María in relation to her training work on human rights issues with the Amazonian Indigenous community guards. On 4 July 2022, [the media outlet Primicias reported](#) that “according to police intelligence information, the Indigenous guard made up the front line and the clash groups during the June demonstrations” and that “[t]hese actors have military training and training in street fighting, which was provided by antagonistic groups”. The article also mentioned that “the police have identified 16 other alleged members and leaders of these groups in the Amazon”, among whom “Lina E.” appears as the leader of the group “Seguridad indígena” [Indigenous Security] and a member of an “Unknown” organization.

In addition, government authorities have issued allegations against the Indigenous guards and have signalled their intention to disband them and initiate criminal proceedings against their leaders. For example, on 11 July 2022 [the media outlet Ecuavisa reported](#) that the Minister of the Interior, Patricio Carrillo, stated, “The first thing that we have to disband are these Indigenous guards who appear at times of protests”, and that the Minister of Defence, Luis Lara, “affirmed that it is essential to work together with the Attorney General’s Office to prosecute these cases and their ringleaders”.

Statements from government authorities frequently stigmatizing and discrediting human rights defenders increases the risk that they face and generates an environment conducive to attacks against them. In addition, through these stigmatization tactics, their work is undermined as it leads to rejection by the general population.

IMPUNITY FOR ATTACKS AND THREATS AGAINST HUMAN RIGHTS DEFENDERS

Despite their commitment to do so, the authorities have not yet implemented a comprehensive policy for the protection of human rights defenders, nor have they carried out effective investigations into threats and attacks against them, particularly those defending the environment and the rights of Indigenous peoples.

In Ecuador, attacks against human rights defenders usually go unpunished, while unfounded accusations against them by the authorities - aimed at intimidating and stigmatizing them - are usually investigated immediately. In a country in which attacks against human rights defenders are not punished and in which no authority can guarantee their safety, many defenders face the permanent dilemma of risking their lives and the lives of their families to defend human rights and nature.

Amnesty International previously [documented](#) the failures of the Attorney General’s Office in the face of a series of attacks and death threats that took place in 2018 in the province of Pastaza against human rights defenders Patricia Gualinga, Nema Grefa, Salomé Aranda and Margoth Escobar, members of the Mujeres Amazónicas [Amazonian Women] collective.

As reported by the organization, the lack of capacity and willingness of the authorities to provide adequate protection and carry out effective investigations into the attacks and death threats against these defenders endangered their lives, as well as those of others defending the Amazon from economic and political interests linked to large-scale extractive projects in Indigenous territories. Four years on, no one has been brought to justice for the attacks and threats against these human rights defenders. The lack of investigation and continued impunity for attacks and threats against human rights defenders sends the message that these acts will not be punished and that, on the contrary, the authorities tolerate them.

RECOMMENDATIONS

Under international human rights law, the authorities have an obligation to ensure a safe space for human rights defenders, facilitating their work. This also includes defenders who express opinions critical of the actions or omissions of the authorities and those perceived as “political opponents”.

In this regard, the authorities must refrain from issuing statements stigmatizing human rights defenders and harassing them through the misuse of the criminal justice system, such as through unfounded criminal investigations or prosecution. On the contrary, they must grant them adequate protection measures that must be agreed in consultation with them and be appropriate to their particular identity and risk context.

At the same time, the authorities responsible for investigating and prosecuting human rights violations against human rights defenders must conduct prompt, thorough, independent and impartial investigations into attacks and threats against human rights defenders.

Amnesty International urges the Ecuadorian authorities, and in particular the government of President Guillermo Lasso, to publicly acknowledge the importance and legitimacy of the human rights advocacy work of Lina María Espinosa and others who, like her, defend the rights of Indigenous Peoples and nature.

In addition to this, the organization urges the Attorney General's Office to promptly, thoroughly, independently and impartially investigate the threats that Lina María Espinosa has suffered and to bring those suspected of criminal responsibility to justice.