

August 23rd, 2022

# **LETTER TO THE PRESIDENT OF THE REPUBLIC OF ECUADOR AND TO THE OFFICE OF THE OMBUDSMAN**

We write to express our deep concern regarding the death threats against Lina María Espinosa, a human rights defender based in Ecuador and staff lawyer of Amazon Frontlines.

Amazon Frontlines is an international non-governmental human rights organization whose mission is to support Indigenous peoples to defend their rights to land, life, and cultural survival, particularly in the Amazon rainforest. Amazon Frontlines works to promote the observance and protection of collective and territorial rights, as well as the rights of nature. This is achieved through deeper understanding and respect for cultural diversity and pluri-nationality, and ongoing accompaniment of Indigenous communities, peoples, and nations. Amazon Frontlines work with organizations created by Indigenous peoples to support them in processes of advocacy, training, empowerment, and mobilization.

Lina María Espinosa Villegas, an attorney and human rights defender, has been part of Amazon Frontlines for more than six years. As a staff lawyer, she has an essential role in the activities described above, while also contributing to our organizational development and our processes of accompaniment. Recently, she has carried out essential work accompanying Indigenous peoples and nations, while litigating several emblematic cases on behalf of Indigenous peoples. These cases involved serious threats caused by mining and oil extractivism, such as the case of the A'i Cofán people of Sinangoe case and the case of the Waorani people of Pastaza. Ms. Espinosa Villegas also provides advice to cross-border peoples and communities in territorial rights processes and accompanies Indigenous guards.

In recent weeks our colleague Lina María Espinosa Villegas has received at least three separate death threats by phone calls from different phone numbers. These threats have been made in the context of the legal and technical support that she has been providing to communities and members of Indigenous peoples and nations, before, during, and after the national mobilization that took place in Ecuador in June of this year. She has also faced stigmatization and criminalization against the work carried out in this context.

The threats received by Ms. Espinosa Villegas are intended to impede her work and to silence her voice as a human rights defender. Ms. Espinosa Villegas's work is a key element in the historical process of seeking accountability and forward progress on human rights, especially relating to the rights of the most vulnerable groups in our society. This work is essential in a democratic society, and the work and safety of human rights defenders such as Ms. Espinosa Villegas are protected by both national and international legal norms.

The challenges Ms. Espinosa Villegas faces are not new. Because of her work as a human rights defender, she has been persecuted and threatened on multiple occasions in recent years. For example, she is being subjected to an investigation after a complaint made by Judge Oña Mayorga against her and against other human rights defenders and lawyers in the context of the lawsuit filed by Kichwa people affected by the 2020 oil spill in the Ecuadorian Amazon. In April 2022, the Inter-American Commission on Human Rights received reports of death threats made

against Ms. Espinosa Villegas by armed actors on the Colombia-Ecuador border due to her accompaniment work with the Siona (Zio Bain) Indigenous people, who live on both sides of the border. In June 2018, the oil company AMERISUR sought to have criminal charges brought against her, again for her accompaniment work with indigenous communities. However, the current threats have reached a severe level of intensity and require an immediate and appropriate response from the state government.

In the region and in Ecuador, the defense of human rights is an activity involving enormous risks, as documented by the Ecuador's Alliance of Human Rights in June 2021. The danger is exacerbated by the context of crime and conflict that exists in Ecuador and Colombia, where Ms. Espinosa Villegas carries out her work.

In light of this grave situation, we remind the Ecuadorian State of its duty to provide specialized and strengthened protections to human rights defenders. It is a fundamental obligation of the State to safeguard Ms. Espinosa Villegas's life and safety in the face of the threats that she has received. This obligation requires the State to undertake a series of actions so that State officials refrain from violating or putting the rights of Ms. Espinosa Villegas and other defenders at risk. Moreover, the State must ensure that human rights defenders are protected against any threat that comes from non-State actors, by seriously and thoroughly investigating the origin of these threats and seeking accountability for those responsible and thus guaranteeing the safety of their work environment.

For all these reasons, we demand that the Ecuadorian State:

- Refrain from stigmatizing and criminalizing the work of human rights defenders, specifically Ms. Espinosa Villegas. Such stigmatization and criminalization not only violates her rights as a human rights defender — which are protected by international law — but they also put her life and safety at serious risk by making her a target of the media and state apparatus.
- Investigate the death threats that Ms. Espinosa Villegas has received, to determine the origin and identity of those responsible for such threats. Furthermore, to guarantee her safety, her life, and her freedom, as well as her ongoing ability to work as a human rights defender.
- With the participation of human rights defenders, implement immediate preventive actions aimed at reducing hostility and stigmatization and the design and execution of a public policy of guarantees and protection for the work of human rights defenders begins.
- Issue a presidential directive in which guidelines are given to all public officials on the recognition of the defense of human rights, emphasizing the prevention of stigmatization and criminalization, ordering the support, dialogue and State collaboration with human rights organizations.

**Signatories:**

350.org

Acción Ecológica

Africa Coal Network

Alianza Ceibo

Alliance of Human Rights

Amazon Frontlines

Amazon Watch  
Asamblea de los Pueblos del Sur  
Asociación de Familiares y Amigos de Personas Desaparecidas en Ecuador - ASFADEC  
Avaaz  
BankTrack  
Biofuelwatch US/UK  
Bolena  
Center for International Environmental Law (CIEL)  
Colectivo Ana Peralta  
Comisión Ecuémica de Derechos Humanos - CEDHU  
Comité Permanente de Derechos Humanos del Guayas  
Confederación de Nacionalidades Indígenas de la Amazonía Ecuatoriana - CONFENIAE  
Confederación de Nacionalidades Indígenas del Ecuador - CONAIE  
Coordinadora de las Organizaciones Indígenas de la Cuenca Amazónica - COICA  
Coordinadora Política de Mujeres Ecuatorianas - Chimborazo  
Corporate Europe Observatory  
FERN  
Earthjustice  
EcoNexus  
Frente Nacional Antiminero del Ecuador  
Friends of the Earth US  
Fundación Aldea  
Fundación Alejandro Labaka  
Fundación Desafío  
Fundación Dignidad  
Fundación Pachamama  
Fundación Regional de Asesoría en Derechos Humanos - INREDH  
groundWork - Friends of the Earth South Africa  
Institute for Ethics, Governance and Law Griffith University Australia  
Kaleidos - Centro de Etnografía Interdisciplinaria de U Cuenca  
Kuska Estudio Jurídico  
Luna Creciente  
Natural Justice  
NOAH - Friends of the Earth Denmark.  
Organización Waorani de Pastaza - OWAP  
Parlamento Plurinacional de Mujeres y Feministas del Ecuador  
Pueblo Shuar Arutam  
Rainforest Action Network  
Rainforest Foundation Norway  
Rainforest Foundation UK  
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