



Quito, 27th of November 2019

Addressed to

Dr. Dubravka Šimonović

Special Rapporteur on Violence against Women

Presenting the following:

Receive a cordial greeting from the Saramanta Warmikuna Women's Network

The Saramanta Warmikuna women's network is a collective of women at the national level who are working hard to defend human rights, collectives and nature.

Since its formation several years ago, this group has repeatedly faced state powers that seek to enter the territories to exploit wealth, using a series of repressive strategies, threats, robberies, searches, fires, aggressions and intimidating actions in women's homes. These are forms in which the state disturbs the space of intimacy. In the public sphere, the state has violated defenders by use of criminalization, judicialization, delegitimization of their leadership and public despondency.

We send you a report on the situation of violation of the rights of women who defend our rights, of the people and of nature based on the documentation collected by *Acción Ecológica* and la *Oficina de Derechos de la Naturaleza*, organizations that have accompanied and documented in detail the aggressions suffered by defenders in their work in recent years. We want to synthesize all this information in this report, being presented to you.

We appreciate and greet the time you will dedicate on Wednesday 4th of December to personally state the situation we live as human rights and nature defenders, as well as our proposals and recommendations for the solution of the serious risk to our lives and the well-being of our territories.

Blanca Chancosa

Executive head of Saramanta Warmikuna



Report on violation of human rights and human rights defenders¹

Introduction

Criminalization of women to destroy the chains of change

This report describes in detail the situations of criminalization and violation of rights suffered by defenders of human rights and nature over the past 11 years, since the adoption of the rights of nature in the Ecuadorian Constitution. The role of women within social movements or community spaces, that make part of organized processes, is highlighted. The cases were collected throughout a process of investigation within the framework of the “Route for Truth and Justice for Nature and Peoples” (La Ruta por la Verdad y Justicia para la Naturaleza y los Pueblos) between 2017 and 2019, where detailed work was carried out on the systematization of each case presented here and documented with information derived from personal interviews conducted by *Acción Ecológica* as well as a wide compilation of secondary sources, including human rights reports, lawsuits, press documents, audiovisual documentaries... Etc. The report presented here is a synthesis of this work and contains updates made ad hoc, as well as data on new cases that we consider important to report.

Women in the territories have become visible in questioning the hypocrisy of extractivist policies and have confronted a patriarchal and racist state that violates their rights in order to silence their voices. Faced with the arrival of extractive projects that devastate their lives, women have organized themselves and are the ones that generate the engine of resistance in their organizational spaces.

The Ecuadorian State has shown among its forms of repression various strategies aimed at silencing community resistance through the use of its entire State apparatus, from the repressive forces that bring direct physical damage, as well as judicial bodies prosecuting women defenders.

These women have gained very important spaces outside the private sphere which is also a breakthrough in women's rights. Harassment, threats, judicialization, criminalization and public stigmatization of these women reflect the need to generate a sense of helplessness in the face of their activities. All the aggressions suffered pose a risk to the physical, emotional and social integrity of the defenders and the continuity of their activities.

¹ This report has been prepared from the "Report of the Route for Truth and Justice with the nature and peoples", a process carried out by *Acción Ecológica* and la *Oficina de los Derechos de la Naturaleza* during the years 2017-2019 and whose information is part of the survey of the information collected during this process. The data here corresponds to the Chapter III: Defenders, subsection: criminalizing women to destroy fabrics of change". To review the report in detail, you can consult it at the following link: https://verdadparalavida.org/wp-content/uploads/2019/10/ruta_interactivo.pdf
This document has also been completed and updated with information provided by various campaigns of *Acción Ecológica*.



Assaults and violence affecting defenders over the years

Alicia Cahuiya, an indigenous defender of the Waorani nationality, has been involved in actions protecting people in voluntary isolation and was close part to the campaign of collecting signatures to conduct a popular consultation that would allow the oil to be kept underground of the Yasuní National Park.

While being vice president of the Amazon Waorani Nationality of Ecuador (NAWE), Alicia reported that she suffered several death threats. Her dog was killed at home and a note with a threat was left. This situation came shortly after her participation in the National Assembly of Ecuador in October 2013, in which she talked about the 40 years of oil exploitation, the impacts, pollution and the debt that the government has to the Waorani people for the devastation and loss of its territory:

"Those who stole and killed the dog and left a piece of paper in which it said: 'beware of your life, you can die.' I still live in the same house but I intend to leave soon because they have already identified that it is my home" (Colectivo de Investigación y Acción Psicosocial, 2015, p.8)

After this fact, Alicia left the country and when she returned, a new fact of aggression in her home had occurred:

"I was traveling out of the country, and when I returned to my room in Puyo they stole my computer and my camera that I had bought. The owner of the house told me that he was not sure that I could live there" (Colectivo de Investigación y Acción Psicosocial, 2015, p. 27)

Alicia presented her case in October 2015 to the Inter-American Commission on Human Rights (IACHR) in Washington, along with other women, on the "Situation of human rights defenders of indigenous people and the environment in Ecuador"². After giving her testimony at the hearing, Alicia Cahuiya was threatened with death by one of the state's witnesses, in line with the government's extractivist policies, which resulted in the IACHR granting her precautionary measures at the time.

"He addressed Mrs. Cahuiya in the following terms: "Alice, you are doing very badly. you're going to get killed when you get to the community, and they're going to kill you." The alleged fact would have been witnessed by Gloria Ushigua, an indigenous woman who came to appear at a thematic hearing: 'he was very angry and said that he was going to make her pay". Mr. Clever Borja heard him say in a very angry tone: "he is going to shoot that bad leader" (Testimonies collected from The Precautionary Measures No.530/15 granted by the IACHR to Alicia Cahuiya, 2015)"

Alicia also suffered persecution harassment, where government cars arrived at her home in Puyo:

² Inter-American Commission on Human Rights (IACHR) at the session: 156 Session Period; October 19, 2015 in Washington presented by Acción Ecológica and EarthRights International (ERI)



"I was afraid because they told me they were going to take me to jail and to be careful because they're going to keep an eye on me at the house. My mom told me, "they can hurt you and your kids, better get out of the organization, if you keep working the government is going to lock you up." I got home. The government knows what time I leave and what time I go in. I was being watched and controlled, but I am not defending alone, it is for all the Waorani people (Colectivo de Investigación y Acción Psicosocial, 2015, p. 39)".

The 'defensora' also appears in two police intelligence reports as part of the popular consultation requested by the Yasunidos collective, the first dated May 11, 2014 as part of the NAWE and was identified as a spokesperson for the collective. The second intelligence report dated April 15, 2014 entitled "Yasunidos-Financial Movements" ("Yasunidos-Movimientos financieros") where a complete analysis was made of the sources of funding received by Acción Ecológica, Clínica Ambiental, Oilwatch and the environmental organization Pachamama, including their banking transactions, detailed information of financiers, summary of financial operations and transactions as well as charts of relationship between institutions (Colectivo de Investigación y Acción Psicosocial, 2015, p. 34).

Esperanza Martínez is a member of Acción Ecológica and responsible for the campaign in defense of the Yasuní National Park against the ITT project. She reported that in 2014 for five months, during the collection of signatures in order to conduct a popular consultation, a police mobile parked in front of her house, without any justification generating an intimidating environment:

"For five months, less than 100 meters from my house, there was a UPC (Community Police Units), white as a mobile police unit that acts as a special surveillance unit. After the UPC was replaced by a GOE (Special Operations Group) trolley, these are black units, with violent symbols of hooded police (Psychosocial Research and Action Collective, 2015, p. 38)"

She and the organization Acción Ecológica suffered several aggressions and public scarnines from the highest echelons of state power. Insults such as: "child ecologist", "fundamentalist", "argolla", "acts for the tranquera". They were part of the communication by ex-President Rafael Correa. Going so far as to qualify her as liar of the year on one of his so called 'citizen links'.

"Esperanza Martinez, always in all the protests, in all the marches of the participacy, part of all the aggressions towards the public force, with the parties that are already a bad memory. Esperanza Martinez, the pseudo-environmentalist who opposes everything, all the time (Jorge Glass, Enlace Ciudadano 404, December 27, 2014)".

In a police intelligence report dated January 24, 2014 the 'defensora' is mentioned, and the report refers in detail to the payment role Esperanza Martínez receives for her work, her bank accounts, her role within the organization, the meetings she maintains, who her partner is and even analyses her relationships within the collective of Acción Ecológica. Another intelligence report dated April 11 and 12, 2014, shows photos of Esperanza Martínez again, participating on the day of the entry of the signatures to the National Electoral Council and there has been talk about a follow-up of Esperanza Martínez and other members of the collective. Another intelligence report dated May 11, 2014 identifies Esperanza Martínez as a spokeswoman for Yasunidos, as a member of Acción Ecológica and an analysis of the situation of collecting signatures of the Yasunidos collective is carried out.



Ivonne Ramos, a member of Acción Ecológica and responsible for the work with Amazonian women, has been victim of a sexual assault at the door of her house. This was 9 days before the attempted closure of Acción Ecológica on December 11, 2016. As she opened the door, a guy wearing a hooded sweater threw himself on her. He put his hands between her legs, grabbing her intimate parts. Some days later, intimate underwear appeared in the member's garden, thrown from the outside. The women, working with Ivonne, are experiencing this type of harassment in their homes; they are living at risk. In such cases, the respective complaints have been made in front of national and international bodies.

Gloria Ushigua, leader of the Sapara nation, coordinator of the Ashiñwaka women's movement and defender of their ancestral territories against oil activities. On 19 August 2015, her house in Puyo was raided by 3 uniformed police officers who without prior information, fired tear bombs inside her house, suffocating the people inside, 5 adult persons, two minors, a 1-year-old and another 6-month-old.

Likewise, on April 25, 2016, in her house in the community Llanhamacocha, Gloria Ushigua experienced another violation of her privacy, at dawn at 3am five men entered her house.

"Several men arrived at Gloria Ushigua's house, and stayed in the kitchen and stabbed from below the bed where she was resting with Rosa Dahua" (Nathalia Bonilla and Elena Gálvez, 2017)

Insults and racist acts are also given from public television channels, in this case against the leader Sapara Gloria Ushigua:

"In December 2013, television networks owned by the State of Ecuador broadcasted a program that discredited Gloria Ushigua and other indigenous advocates. (...) In what constituted a particularly racist comment, the presenters referred to the traditional Sapara attire of defender Gloria Ushigua comparing it to a clown costume. (Urgent Call Acts of intimidation against Gloria Ushigua. Frontline Defenders. 2016)"

The gravity of this situation is that after the presence in public communications, a previous inquiry was opened against 8 Amazonian leaders, including Gloria Ushigua and Margoth Escobar accused of threatening. This fact seems to be an interference of the executive bodies in judicial functions.

Anaclea Dahua Cují, indigenous woman Sapara, who had openly opposed the oil company's entry into the territory, on May 2, 2016 was brutally murdered while she was working in the chakra in her community of Llanhamacocha. Twenty days before the murder, her husband Andrés Ushigua and his family had received death threats from Basilio Mucushigua who signed social investment contracts with the Ecuadorian state for about ten million dollars guaranteeing the oil company's entry into the territory. Due to signs of injuries and traumas to Anaclea Dahua Cují's body, her family has a strong suspicion that she was raped before she was killed. Several young people of the community found the lifeless body in the chakra at a distance of 100 meters up the mountain, faced down, without underwear and with signs of rape. Her neck had been broken, and she had received several blows to



her body, a deep wound on her wrist showing the bone, her left eye swollen and severely injured. This case stays unpunished despite the gravity of the facts.

Nema Grefa, President of the Sapara Nationality of Ecuador (NASE), suffered an attack on the night of Tuesday, April 9, 2019, when a robbery took place in the house located in the Santo Domingo, a neighborhood of the city of Puyo. The attack was carried out while she was on the territory in the community of Llanchamacocha doing her job as a leader.

Nema has also suffered death threats on April 24, 2018 when a video³ circulated on social networks in which Lord Roberto Mucushigua, indigenous Achuar who lives in the Sápara territory and who is in favor of oil exploitation, appears in the video with spears and says:

"And so we're going to kill partner Nema Grefa who has no territory" (Roberto Muchushigua vs. Nema Grefa appeared on death threats video, 2018)

According to Amnesty International's report, the leader denounced this situation, but the Ecuadorian Government did not provide any protection or security measures.

On the other hand Nema Grefa was unknown as president of the NASE by the Secretariat of Policy Management, a regulatory body of indigenous organizations at the state level for a dispute brought by those in favor of oil extraction.

Patricia Gualingua, a renowned kichwa anti-oil defender of the Sarayaku village, was threatened with death on January 5, 2018, by a man of mixed-pitched features, after throwing stones and breaking the window at her home in Puyo, in the province of Pastaza. This attack occurred after the announcement of the Minister of Energy and Non-Renewable Resources Carlos Pérez to convene new oil tenders in indigenous territories.

"Next time I'll kill you," he said several times. I was shocked, no one has threatened me during my leadership" (Testimony Patricia Gualingua in Ecuador: they threaten indigenous leaders for defending their territories and the environment, Mongabay Magazine, 2018)

Margoth Escobar, historical defender and activist of the Amazon, member of Saramanta Warmikuna has been repeatedly assaulted by the state, repressive forces and unknown persons. She has been assaulted because of her status as defender and ally to the process of indigenous struggles. On September 29, 2018, her house was set on fire. According to the report issued by the Municipal Fire Department of the canton Pastaza, unknown people set fire to a part of her house, at approximately 22:25 hours, using flammable liquid. It stands out as a precedent that in 2017, the five dogs that guaranteed their safety on Fátima's farm, disappeared.

"Once they've attacked my life, now they're attacking my material things. What are they up to? Holding my head down? Shit: I'm not going to do it!" (Testimony of Margoth Escobar collected by Acción Ecológica, October 2018)

³ To watch the video: <https://www.facebook.com/AccionEcologicaEc/videos/amenaza-contra-nema-grefa-ushigua/1679225742170064/2018>



She has also suffered slander in public communication spaces with her first and last name. Particularly noteworthy are the aggressions suffered from her participation in an action to protest against the opening of tenders of the XI Petroleum Round, where different social groups came together to express their unease in the face of these tenders. In one of his communications⁴, former President of the Republic Rafael Correa issued sexist disqualifications of women saying "they have a psychiatric problem these people (...) that any crazy old woman is going to yell at there (...)", alluding to Margoth Escobar:

"Pure hypocrisy, since a long time I am disenchanted with these people, I already realized they are cynical, liars, they never practice what they preach or even defend nature, they defend their spaces of power, they are not honest people, they are not sincere people, they do not respond to principles but to fundamentalisms to satisfy their own ego" (Rafael Correa, citizen liaison 350, 2013).

Once again subject of assaults, when she was arrested and prosecuted during the demonstrations during the indigenous march and national strike of August 2015. "The report notes that an older lady [in reference to Margoth] was mistreated for the only fact of demonstrating" (Colectivo de Investigación y Acción Psicosocial, 2015 ,p.42). This action, which was then referred to by the President of the Republic in a national communication, seemed to imply that participating in protests legitimizes the violence being exercised. Which then involved criminal proceedings during her participation in the march.

"Behind the Red Square monument I stand on the sidewalk and soon a policeman dressed as a civilian with other female police officers comes and tells me: by order of the governor you are under arrest. And I ask what I'm accused of and they couldn't answer me. I was handcuffed until 2:30 in the morning like a criminal, who doesn't know me? I love pachamama, I love the earth. And I will defend her to the last breath of my life; because what is known and loved is defended" (Margoth Escobar personal communication, 2015).

Monica Chuji, former indigenous leader of sarayaku, was sentenced in November 2011 to one year in prison and a payment of \$100,000 for a lawsuit filed by the then communication secretary, Vinicio Alvarado for insults. According to the opinion signed by Judge Wilson Lozada, holder of the 14th Tribunal of Penal Guarantees of Pichincha, the Amazonian leader affected Alvarado, calling him the "new rich" of the Government:

"Monica was tried for being a liar. These were the words that President Rafael Correa used on television to refer to Mónica Chuji (...) In recent years, Amnesty International has seen several high-impact cases involving civil and criminal charges against critics of Ecuador's government. (Amnesty International. 2012)"

Mima Bay, indigenous defender of the nationality Waorani was arrested in November 2015 on charges of murder in a conflict by the Petrobell company in the community of Bataboro. After an

⁴ Enlace Ci350, November 30, 2013 <https://www.youtube.com/watch?v=O2kIyoTl9kc#t=40>



irregular process, she was found not guilty of all charges, after spending weeks in prison and without even a proper and understandable translation because she does not speak Spanish well.

Gloria Chicaiza, a member and responsible for the anti-mining campaign of Acción Ecológica, has been the victim of several assaults. In October 2010, following a mobilization as protest to the mining project in advanced exploration of Curimining S.A, in the province of Bolivar. The company reported Gloria to the prosecution of being the intellectual author of the events that occurred during the demonstrations. The district attorney of Echeandia received a complaint filed by the company Curimining S.A. for the material damage caused by the peasants and accused her of terrorism. The complaint does not contain any evidence of links between the Environmental Action Advocate, except for photographs taken by the police on 24 September 2010 during a workshop in the area. According to the statements made by those who have submitted their statements, the prosecutor has directed his questions to incriminate Gloria Chicaiza, which clearly demonstrates an intention on the part of the Prosecutor's Office to associate the organisation with the alleged crime of sabotage, terrorism and illicit association. When no evidence was found, the denunciation was dismissed a year later.

On July 8, 2016, upon returning to her home, Gloria found that three computers had been stolen from her living room, however the door was not forced. The rest of the items were intact and there was nothing missing despite other valuables in the house. The complaint was submitted to the prosecution immediately and has not yet been answered. This situation occurred a few months before a report was released on the situation in the Cordillera del Condor, in which she was working with relevant data from the Chinese mining company ECSA. S.A. Also occurred a few weeks after the realization of a campaign against the Canadian company Lunding Gold, on which Gloria Chicaiza was working. The company had just signed the agreement of exploitation of the Fruta del Norte mining project. Gloria at the time had made statements in various media outlets and had been a visible voice of the nationwide anti-mining campaign.

Etelvina de Jesús Misacango, a peasant woman from the parish of Molleturo and known for being against a Canadian mining company operating in the area, was assaulted at home while being insulted with gender-specific words:

"On April 22, 2009, Etelvina de Jesús Misacango Chuñir was assaulted by four men who live near her in the town of Molleturo, Canton Cuenca, in the Province of Azuay. She had almost come home when the four men started yelling at her, "You wander around making trouble [...] for loafers are against miners." They then threw her to the ground in one fell swoop and punched her. She managed to get into her house, but they followed her and they started assaulting her again. They also assaulted her son, who tried to defend her. They only stopped when the neighbours, seeing that they were pulling Etelvina de Jesús Misacango Chuñir out of the house dragging her by the hair, intervened (Amnesty International Alert, AMR 28/02/2009)"

Teresa Mayta, an adult woman over the age of 80, peasant woman and part of the Front of Women Guardians of the Amazon (Frente de Mujeres Guardianas de la Amazonía), was the victim of several break-ins carried out by police and military on December 17 and 18, 2016 in the Parish of San Miguel



del Conchay (Azuay). They entered the homes in search of weapons without any kind of search warrant, finding no evidence.

"Quite a few military came and I was told "lady, open the doors", and they went straight in, I was inside, lying on the ground, there they went to look I don't know what they would look for, I am older, I am 80 years old and they frightened me, they came into my house saying that they are looking for weapons , but I have nothing so... it's what scares me the most, they came down and told me here is where they do meetings, and I told them, "yes here it is, but what weapons do you mean"..." (Testimony of Teresa Mayta, 2017).

Georgina Gutama, Rosa Gutama, María Chuñir and María Zhaguí, members of the Front of Women Defenders of the Pachamama (Frente de Mujeres Defensoras de la Pachamama), in the province of Azuay, faced criminal charges during protests against the mining law; Georgina was accused of organised terrorism and after eight months of investigation, the judges issued a dismissal. Rosa and María faced the charge of obstructing the public road and were convicted. However the arrest warrant was never made effective and the trial expired in 2013. Maria Zhanguí faced the same charge, but her case was amnestied by the Assembly. (FAU. 2016)"

María Luisa Lozano, a member of the Saraguro people, was judicialized during the indigenous march and national strike. During this mobilization at least 21 women were prosecuted for crimes ranging from the shutdown of public services, sabotage, attacks or resistance. María Luisa Lozano, was sentenced to 4 years in prison for paralyzing public service, when she was not even participating in the protest.

"Out of curiosity, Maria Luisa came to look and a lady told her that there were many policemen invading territories of Ilincho and Lagunas. She was on the road for about five minutes, greeting neighbours she had encountered on the site. The cops started dropping bombs and Luisa remembers shouting, 'don't drop the bombs, there are children and elderly people.' [...] Several companions were arrested, Luisa as well for refusing to walk. She was kicked on the floor and beaten with batons. Luisa asked to please let her be, that her daughter was sick and alone in the house; she begged and insisted but was immediately taken to the patrol car" (Colectivo de Investigación y Acción Psicosocial. 2016)

Carmen Caicedo is an Afro-Ecuadorian woman from the Wimbí community located in the northern part of the province of Esmeraldas, and since November 2015 has been persecuted by the palm company Energy Palm. In November 2016, Energy & Palm invaded the territory of the community, arguing that the territory was their land. The company entered with a contingent of 60 policemen and 2 retro-drills. Faced with this situation, the inhabitants of Wimbí went out to defend their territories. When the inhabitants of the Commune arrived, they met a group of policemen and machinery was in the middle of the plantations. The police were cutting the banana bunches and loading the bus. One of the retro-drills was kept in the hands of the community that decided that it would return it once the company repaired the damage caused to the plantations and when they returned the territory of the community to its ancestral owners.



The company, instead of repairing the damage, criminalized the leaders, including Carmen Caicedo and Rosana Vernaza by inciting a prosecution process that is still in "pre-inquiry". The prosecution is charging them for theft of machinery, trafficking and land invasion.

The Case of Femi-genocide of Peoples in Voluntary Isolation

There are a large number of genocide risk factors for Indigenous Peoples in Voluntary Isolation (PIAV) in Ecuador; on the situation of the PIAVs (Tagaeri, Taromenane, Wiñatari and Iwene) in Ecuador, information has been generated that will break the invisibilization to which they have been subjected, although with limitations. However, in this group of the unseen, the women are even more invisible, because of their needs and the particular conditions they face. Little has been said about them and even less has been done.

Extractive projects carried out since 2003 in the area have led to an exercise of violence by the various state, local and transnational extractive actors; they have unleashed different types of clashes between workers, military, illegal loggers and members of the Waorani nationality with the PIAVs.

In 2003, the presence of illegal loggers inside the Yasuní National Park, mahogany and cedar extractors, meant the death of around thirty people, mainly women, children and one adult man. The prosecutor went to the scene, but did not take action to clarify the deaths, nor was the presence of these illegal actors discussed, or did he take steps to prevent their repetition as well as highlighting the fact that almost all the dead were women and children.

It is necessary to consider this act as femi-genocide. One of the characteristics of femi-genocide is its impersonal nature, that is, it cannot be personalized either in terms of a relationship between known people neither from the perpetrator's cell phones, and, a very important fact is that only a small number of attackers victimized a large number of people (Segato, 2011).

The death of women puts the survival of these people at a very serious risk, since it limits their capacity to repopulate in the future, their growth and above all territorial occupation, this last point benefits above all the State and the oil companies that seek empty territories for their operations.

In 2013, following the attack of isolated peoples on the Waorani community of Yaren-taro (block 16, operated by Repsol), which resulted in the deaths of the elders Ompure and Buganey, Waorani warriors made a raid that left about 25 deaths from the group Tagaeri and Taromenane. Again, it has not been visualized that women and children were the most numerous victims. In addition to the above, two Taromenan girls were abducted and moved on to live with Waorani families.

Cases of assaults, during demonstrations or protests, against more than one defender

During the case logs in this report, we have found situations of sexual harassment against women, who have preferred to remain anonymous. The women who are confronting mining activities in the parish of Tundayme have stated that they continuously experience harassments by workers of the company Ecuacorriente SA and the security company ERVIC SA.:



"My niece also says she's always being screwed, saying 'let's go to the hotel, let's this, let's that'. [...] He says (the stalker) 'we're going to have an ice cream and that's when we're going to a hotel'... imagine what he wanted to tell me in a few words, he wanted to do morbid things with me. [...] They are workers, they are heads of the company and on top of that they despise us because we don't have anything, because if we had money we would demand them" (Colectivo de Investigación y Acción Psicosocial, 2016, p.200)"

These harassments occurred even during forced eviction proceedings in September 2016.

"These acts of violence to the population include several accounts of women from different families claiming that the head of the company's guards, identified as "S.T.", sexually harassed some women during the eviction. The state would also have a responsibility for these assaults committed by company personnel, insofar it allowed non-state agents to execute eviction orders, resulting in physical, psychological and sexual assaults on the affected population. There are sufficient testimonies that take in account the violation of the right to live free from violence and the effects to personal integrity" (Colectivo de Investigación y Acción Psicosocial, 2016, p. 80).

In the case of Intag, the presence of the public force in the communities during the police process in the area in May 2014, led to situations of intimidation and harassment of women, as a result of alcohol consumption by the public force: "Police men drink a lot and because they are out of control, they lack a respect towards women" (Colectivo de Investigación y Acción Psicosocial, 2015, p.101)."

In October 2015, according to a report based on the "Modalities of Criminalization and Limitations on the Effective Participation of Women Environmental Rights Defenders, Territories and Nature in the Americas" of the Urgent Action Fund (Fondo de Acción Urgente):

"Eight members of the Front of Women Defenders of the Pachamama (Frente de Mujeres Defensoras de la Pachamama; FMDP onwards) were arbitrarily assaulted and detained by police and security officers, as part of a peaceful protest in the Central Park of Molleturo, Canton Cuenca, in the province of Azuay. [...] After bringing the respective complaint of violations of their rights to the Ombudsman's Office (Zonal 6, Azuay), the defenders have again been stigmatized by the Intendant General of the Police of Azuay who far from recognizing the abuse of power by force, had accused them of being the aggressors, using gender-based discriminatory adjectives. In his report, the intendant had described them as 'crazy old women' who broke in violently, breaking the police fence in search of 'offending the President of the Republic'."

Thus during the march and national strike of August 2015, indigenous people and social organizations across the country walked from Tundayme to Quito in "The March for Life and Dignity". The reasons for this uprising were the closure of bilingual education schools, the land law, decree 16 among other reasons. The demonstrations were strongly suppressed. The emergency decree signed on August 16, following the erupting process of the Cotopaxi Volcano, allowed military and police to enter the communities, raiding homes and seizing several people, especially in Saraguro and Puyo.



CONAIE (Organization of Indigenous Communities of Ecuador) registered the detention of 151 people during the march since Thursday 13 August, and reported situations of aggression towards women, concerning their intimate parts, and who received threats from police forces while being detained:

"In a statement issued on August 15, the Women of the Uprising (Mujeres del Levantamiento) reported that during the mobilizations in Cotacachi, Imbabura 'police officers deliberately beat the women, that were present at the march in their intimate parts.' In addition, several indigenous women are aware of their ancestral attire at the time of their arrest. [...] the case of S.L., arrested in Saraguro, Loja, who reports sexual assaults by police forces: 'They grabbed me from the jimba (braided hair). They dragged me, beat me, broke my clothes, mocked my bare breasts. They insulted me and said they were going to rape me.'" (Colectivo de Investigación y Acción Psicosocial. 2015 , p. 31).

As part of the indigenous uprising of October 2019 against Decree 883, thousands of people went to the Ecuadorian capital to protest against the decree implementing the rise of fuel prices. In this context, indigenous communities cut roads, held marches in urban areas and held a major mobilization to the capital of the republic. A series of assaults on women at the demonstrations were noted. The collected testimonies report women who were hit by bullets, from projectiles, who were arrested, gassed, beaten. These actions had consequences such as faintings, total loss of vision in one eye, or ear, insomnia, stress or fear from the suffered aggressions.

Jhajaira Urresta, a member of a neighborhood organization in downtown Quito, was hit by a tear bomb, in her left eye. The aggression occurred during 'cacerolazo' (support action, making noise with pots and pans) in the Tola sector on Saturday, October 12, 2019. An officer would have dropped the bomb on the young woman, who was a metre and a half away from the cop. This caused Urresta to lose full view of her left eye.

"I left my house with a pot and a spoon to the Eastern av. (Velasco Ibarra). There were children, old adults, we wanted peace, we were hungry, demanding that the situation would stop. Nine and twenty at night a truck with riot police comes and starts dropping bombs without judgment. I threw out the pot and spoon, put my arms up and said 'no more'. At a distance of three meters, a policeman stared at me with terrible anger, pointed and fired the tear bomb that hit my eye" (Jhajaira Urresta, testimony for newspaper El Comercio)

Laura Carrion, activist member of the collective Laboratory of Social Activism (Laboratorio de Activismo Social) was struck by a tear bomb in her left ear causing the loss of hearing in her left ear, and total loss of her ability to smell.

"On October 12, I was on the corner of the little tree half a block from the Yaguachi Bridge, two policemen, apart from the bombs they were dropping started firing bullets again. Around 5:45 a.m., a cop shot me in the face, it was an assassination attempt directed in my face. I moved my head which is why the bullet hit me here (points to the left side of the head at ear height). I have a skull fracture of 5cm square which is displaced; a bruise and a lot of blood in the brain, also a break in the bone in my ear; when I broke my ear, I lost consciousness and



fell on the back of my neck. This fall also caused me to have many bruises on the back of my head, I completely lost the ability to smell, because the membranes that drive the smell to the brain separated, I can not hear with my left ear, I have a huge blood plug, I hardly hear anything" (Declarations to the Inter-American Commission on Human Rights on their visit to Ecuador 2019).

Some analysis of criminalization of defenders⁵

What are women intended to do with these assaults?

The violence suffered by women defending their territories is embedded in the context of aggressions experienced by women for the simple fact of being women and which is aggravated by the work they do in defense of nature against extractivist policies.

These women are not backed by any security, nor by the State nor in their organizational spaces. It is evident that their integrity is put at stake not only by the carelessness of the functionaries of the State, who should ensure the safety of the defenders, but also the State itself has a fundamental role, in some cases directly, with regard to the aggressions and assaults that the defenders are experiencing. The aggressions experienced by women are intended to generate an intimidating and disciplinary message for other women, promoting a policy of fear that prevents women from organizing in the face of market and state tax policies.

Strategies used to criminalize women reproduce or legitimize gender stereotypes and use the structural conditions of subordination of the Ecuadorian society. Women organized in territorial defense carry heavy workloads, because in addition to fulfilling their defence actions they are forced to take on, in the absence of men who assume equivalency. Women's presence in the public sphere is not balanced in comparison to the work that men take on in the private sphere, which perpetuates gender roles and involves great tensions in the work they do.

The women's struggle has been effective and this is something that the state cannot tolerate. The activities of the defenders set very important precedents for questioning extractivism embedded in the discourse of the common good and shapes the possibility of thinking about the social well-being from other perspectives of development. Women are proposing a real redistribution of income and resources, as well as the power of Ecuadorian peoples and nationalities to be able to decide on their own territories, with the consequent democratization of the functioning and foundation of the state. This is why the different power structures are ensuring the established order and impose a limitation on the rights of social and citizen participation through the repression to which women are subjected. This repression operates and is shaped in all levels where power structures can be affected and for this purpose they make use of all types of aggressions, be it symbolic, physical, legal or through media.

The denigration of women defenders is the way the State is discrediting their work. These disqualifications are always gender related. In this sense the state has developed public campaigns for official media to delegitimize the work that these women have been doing. The seriousness of this

⁵ Extracted entirely from the "Report of the Route for Truth and Justice with Nature and Peoples", Chapter III: Defenders, Subsection: The criminalization of women destroy the fabric of change.



situation is that it is not only public officials who endorse this type of aggression, but even the highest instances of the State are the ones who promote this type of action, such as the former President of the Republic of Ecuador, Rafael Correa, who in his 'citizens' links' showed videos and biased the information offered to the public to generate a discredit against women. Defamation spread through national networks that were repeatedly broadcasted in different private communication spaces such as public press or state radio stations. The entities to which woman human rights defenders belong, are also disqualified and discredited. This could be understood as an attempt to restrict the sources of support that these entities receive, with the intention of limiting the resources that enables them to carry out their work. The most common gender particularities against women human rights defenders are the use of machista insults, denigrating stereotypes in relation to social processes, their life history and sexual morality, doubting their traditional role as caregivers in the private sphere.

There are illegal intelligence activities against nature rights defenders carried out by Ecuador's National Intelligence Secretariat (SENAIN) whose data also shows gender biases. Such actions violate the right to privacy of defenders and place them in a situation of intimidation generated by the actions of police forces. This type of surveillance is an intimidating scenario for defenders who feel targeted. This fact has been confirmed after a leak of the intelligence reports that concern them.

These reports account for follow-ups, surveillance, interception of calls, investigations of different spheres of women's lives, for exercising a constitutionally recognized right, such as the call for a consultation and the collection of signatures. These reports are being used to ultimately impede the advocacy efforts carried out by women defenders.

There are multiple registered cases of judicial persecution, which implies yet another obstacle to their participation in public and political life and represents an exemplary measure to suppress their participation in territorial defense processes and resulting in communities questioning their role as political subjects. It should be noted that most court-enforcement cases against women did not prosper, were dismissed or were not executed, which shows a pattern of criminalization in which women are sued for crimes that cannot be confirmed. This could reveal that women are wrongly being prosecuted.

Sexual harassment of women in this context is intensified by the presence of mining and oil companies, giving the impression that both women's bodies and territories are spaces that can be appropriated and violated. These aggressions, destroying the female body, in a sphere of symbolic division of social structures, means in a way destroying the morale of a village, and thus destroying the village itself.

REQUESTS

Based on this research, we allow ourselves as network of women Saramanta Warmikuna, Acción Ecológica and la Oficina de Derechos de la Naturaleza to request the Special Rapporteur against Violence against Women from the UN to recommend to the Ecuadorian State that, to ensure the safety and life of indigenous women, defending human rights and nature:



1.- Insist that cases of complaints against defenders for the rights of nature are resolved. This calls for the creation of a special unit to receive, investigate and repair offenses against criminalized women. A body that must have monetary and institutional resources, the recognition of advocacy organizations in order to ensure independence, knowledge of the particular conditions of aggression against women, and pre-established agreements and procedures.

2.- Ensure respect and recognition of human rights and nature defenders, enabling their environment and their special protection. The Ecuadorian State is recommended to implement Chapter V, in particular Art. 24 of the decision of the Ombudsman (Defensoría del Pueblo) which guarantees the exercise and its status as defenders of the rights of individuals and nature.

3.- Implement an integrated registration system and a protocol for the reception of cases of violence against women defenders, with full involvement of the women and observation by national and international human rights bodies. And that the Ministries of Economic and Social Inclusion, Ministry of Health, Ministry of Interior and Ministry of Government, train their operators on the special conditions of vulnerability like gender, race, class and sexuality.

4.- We request that the Rapporteur recommend that the international standards about free and informed prior consultation, in good faith and other forms of consultation be met, and that in addition to consent the specific protocols of the communities are taken into account, and these include: the cases to be consulted, the forms, the procedures and the implementation of the results. As well as eroding Executive Decree 1247, which deals with the procedures of prior consultation on indigenous peoples, because it lacks constitutionality and abuse the rights of peoples.

5.- Recommends that the Ecuadorian State recognizes recognising one's own vision of women's development, who not only have greater permanence in the communities but have a relationship of coexistence and care with and for nature, so that their participation must be full and at all times (before during and after) in case of intervention in their surroundings.

6.- Recommend and remind the Ecuadorian State that it must guarantee the application of the specific rights of women, as well as their collective rights as part of peoples and in their capacity as guardians of life.

6.1.-In the case of uncontacted and newly contacted peoples, murders have been recorded of women that could be categorized as femi-genocide. Similarly, in the case of the Sapara Nationality which has been recognized as an intangible heritage of humanity by UNESCO, a report has been prepared that shows the magnitude of aggression against Saporas women.

6.2.-The Human Rights Committee recommended that Ecuador prevent extractive or other activities from being carried out that would put the Tagaeri and Taromenane indigenous peoples, who lived in voluntary isolation, in a situation of greater vulnerability. To request the Ecuadorian State to implement the recommendations of the UPR 2017, in order to comply with the recommendations issued by the Committee on the Elimination of Racial Discrimination that urged Ecuador to, urgently, comply with the precautionary measures issued by the Inter-American Commission on Human Rights in relation to free peoples in voluntary isolation.



6.3.-Recommend the Ecuadorian State that the expansion of the Intangible Zone Tagaeri and Taromenane be located in the area of Block 43 in the territory bordering Peru, where the newly contacted Huaorani do not live.

7.- Recommend the Ecuadorian State that it gives priority attention and effective solutions to the mandate of Amazonian women of March 2018, especially on the investigation of rapes of indigenous women located in the oil blocks.

8. That the Ecuadorian State, in territories that have been polluted and where river water is not suitable for human consumption, first identifies the source of pollution and also provides a special diagnoses on the health of these women and based on these diagnoses, as a means of repair, installs a mobile medical brigades and implements health centres specialized in the care of women and children.

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