1-27-2012

Ecuador: Forbidden to Protest; Forbidden to Express an Opinion

Luis Ángel Saavedra

Follow this and additional works at: https://digitalrepository.unm.edu/notisur

Recommended Citation
https://digitalrepository.unm.edu/notisur/14026

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiSur by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.
Ecuador: Forbidden to Protest; Forbidden to Express an Opinion

by Luis Angel Saavedra
Category/Department: Ecuador
Published: 2012-01-27

On Dec. 11, 2011, Defensor de Pueblo Fernando Gutiérrez presented the report "Scenarios of the Criminalization of Defenders of Human Rights and Nature in Ecuador: Challenges for a Constitutional Rule of Law." That was Gutiérrez's last official act before his term ended and the new public defender took over. The report lists acts of repression by the administration of President Rafael Correa through 2010.

At the same time, the Fundación Regional de Asesoría en Derechos Humanos (INREDH) presented the results of its investigation of the judicial processes initiated against civil-society leaders who had mobilized in defense of their rights, especially in defense of community water and land.

INREDH's presentation coincided with the notification that indigenous leader Mónica Chuji had been sentenced to a year in prison and a US$100,000 fine for defamation for referring to Public Administration Secretary Vinicio Alvarado as "nouveau riche." Days later, Jaime Mantilla Anderson, director of the newspaper Diario Hoy, was convicted of libeling Pedro Delgado Campaña, cousin of the president and former president of the Junta del Fideicomiso (AGD-CFN), in charge of closing 11 financial institutions in liquidation (NotiSur, Aug. 12, 2011, and Oct. 14, 2011).

These events have provoked a public debate, and President Correa dismissed the reports, as usual, denigrating the authors and hiring public relations firms to attempt to impose his version of the truth. However, the voices challenging the repression of the same social sectors that helped Correa win the presidency are gaining strength.

Repression that cannot be denied

In November 2007, the national police and the military attacked residents of the town of Dayuma in the Ecuadoran Amazon, who had blocked access roads and oil wells to demand social benefits. This armed action was harshly challenged by various political forces and human rights organizations.

The national government, at that time still consolidating itself and engaged in blocking the political action of the sectors that traditionally had held power in the country, had no alternative but to cede to the pressure of the criticism and organize an investigative commission to determine responsibility for these actions that it called "unacceptable."

It is worth noting that, in July 2007, two months before the repression in Dayuma, the police had attacked the communities of El Descanso, Molleturo, and Girón in the southern highlands, which had demonstrated in defense of water, rejecting the presence of Canadian mining company Iamgold, engaged in executing its gold-mining concession. These acts of repression were ignored by the social organizations that still believed in the proposal for change that Correa called for during his campaign and in his first months in office.

After Dayuma, other repressive operations took place during which the national government was perfecting its mechanisms of denying the facts and denigrating and criminalizing the protest
leaders. In a new attack on Molleturo, El Descanso, and Girón in January 2009, prosecuting community leaders was incorporated into the operation. Similar legal actions were then initiated against the leaders of Nobón, in the same region, who also opposed mining activities in the vicinity of their water sources.

Prosecuting leaders, which the administration had tried unsuccessfully to carry out in Dayuma, slowly emerged as the ideal formula for controlling demonstrations of discontent with government policy. In September 2009, a large national mobilization took place against the water law (Ley de Aguas), which attempted, and still attempts, to concentrate control of water sources in government institutions, without the participation of social actors tied to the use and historic administration of this resource.

The 2009 mobilization had its major confrontation in Macas, in the southern Amazon, where Shuar professor Bosco Wisuma died (NotiSur, Oct. 23, 2009). At the time, the national government had already learned much about how to distort the facts and criminalize the leaders. It immediately initiated criminal proceedings against the Shuar leaders, while, to demobilize the indigenous protest, it once again resorted to creating an investigative commission for the purpose of delaying the investigations and looking for ways to channel the findings in favor of the government.

In the Comisión de Investigación for the Wisuma case, the government delegates acted unfairly, since, before the investigation was finished, they went ahead and published their own conclusions, which were aimed at finding someone to blame within the indigenous ranks, although to do so they resorted to giving credit to two "witnesses" who openly lied. The commission did not release a report; however, each time the government refers to the case, it does so distorting the facts and blaming the indigenous movement for what happened in Macas.

March 2010 brought a new large-scale police operation, this time in the town of Chimbo, against those defending their jobs making artisanal guns. The government had offered them a series of contracts in the metal-mechanical industry, but the offers never came to fruition.

The excessive police operation in Chimbo did not result in any investigative commission, since the government had learned from past experience to control information and construct its own truth with the citizenry, using public relations campaigns.

The results of the Chimbo operation and the unemployment of the residents are no longer government concerns, even when the level of depression leads them to suicide, as happened with Cristóbal Alarcón, a 28-year-old gunmaker who was left unemployed after the artisanal gun-making shops were shut down and who, two weeks after the police operation, shot his 22-year-old wife Mariana Quiroz in the face and her one-and-a-half-year-old daughter Kerly in the heart before putting the gun in his mouth and pulling the trigger. Chimbo residents say these deaths were provoked by the economic situation, which also affects other artisans in the community dedicated to gun making.

In June 2010, the Confederación de Organizaciones Indígenas del Ecuador (CONAIE) and other social organizations mobilized in Otavalo during a summit of the Alianza Bolivariana para los Pueblos de Nuestra América (ALBA) countries. Although no major incidents occurred, on the same day, the principal indigenous leaders were tried on charges of sabotage and terrorism, which the government now uses to prosecute leaders, aiming to silence and demobilize them.
The government's skill in repressing and hiding the results of the repression was seen anew in the operation to dislodge small-scale miners in Zamora, also in the southern Amazon, in September 2010. Complementing this operation was the criminal prosecution of Zamora prefect Salvador Quishpe, whom the government was trying to silence although it has so far not succeeded (NotiSur, Nov. 11, 2011).

That brings us to the Río Grande operation in October 2011, after which the government clearly showed what it had learned during the previous acts of repression. In Río Grande, the police confiscated residents' video and other cameras and erased the memory before returning them.

In Dayuma, cameras were not controlled and therefore images were made public confirming the military's violence. The government also did not control the media's access to information and dissemination; thus in Río Grande, information was erased that could support residents' testimony, and reporters were not allowed access, nor were the Defensoría del Pueblo delegate or delegates of other social organizations allowed in.

**The power of forgiveness**

President Correa has perfected the art of discrediting the voices of critics and silencing them, as well as using the justice system as an instrument of repression, obtaining sentences against those who use their right to express their opinion. But he has also found a way to continue winning the appreciation of his followers, and this is the pardon, a legal move that lifts the imposed penalty.

Mónica Chuji and Jaime Mantilla, after being sentenced, were pardoned; it is the government's way of trying to stop the wave of criticisms regarding the abuse of power. However, Rodrigo Trujillo, a lawyer with INREDH, who defends Chuji, says, "While the penalty is pardoned, the sentence remains intact, that is, the pardon does not erase the stigma of being a convicted person, and that continues instilling fear in organizations."

Chuji has rejected the pardon and has emphasized that she only used her right to freedom of speech and will continue defending her right to express her opinion. "I knew that only God can forgive, I did not know that there is a god in the government," said Chuji.

-- End --