



URGENT PUBLIC STATEMENT

Murder of pregnant nature defender in Molleturo

23 October 2022

The nature defender, Alba Bermeo Puin, a resident of the parish of Molleturo, Azuay province, Cuenca canton, was MURDERED in the early hours of 22 October by people involved in gold mining activities.

On 21 October, at around 10pm, people who are involved in mining activities from the community of Cochapamba and from the Ponce Enriquez canton, places close to the concession, took two vans to the Ecuagoldmining S.A. mining concession with the aim of removing material containing gold from there. These people loaded a truck with material and arrived at a place known as "Tamarindo " via Naranjal-Cuenca at around midnight. They were searched by the police, who found material containing gold and proceeded to stop the vehicle. At this moment, people from the community arrived and demanded that the material be returned to the town of Molleturo, and argued that the truck and the material must be verified. Therefore, discussing and applying a collective decision that sought to resolve the conflict, they escorted the truck in the direction of the Molleturo parish. The defender was returning from a trip in her tow truck with her brother, and they found themselves at the Tamarindo checkpoint, coming from behind the truck. About 100 metres from the entrance to the Cochapamba road, in the middle of the street, unrecognisable people emerged and fired a gun directly at the tow truck, hitting the chest of the defender, who was in her fifth month of pregnancy.

The murder of the defender takes place in a context of extremely violent attacks that have been suffered by defenders in the community during this month and which have been reported on both publicly¹ and to the relevant authorities. This is the third attack with firearms against residents and homes in the parish of Molleturo in resistance to illegal (and legal) mining in less than a month. The first occurred on the first of October at night, when the house of another defender was attacked. She was alone in the house with her young son. The GAD (Decentralised Autonomous Government) of Molleturo would have put Monica Guarango in charge of machinery for the maintenance of the Rio Blanco-Cochapamba-Yumate road, but she was accosted by armed men who opened fire on the house. On that occasion, the perpetrators then headed towards the moor and burnt down the community centre, which was located high up in the mountains. This was a place where people from the community would meet to carry out environmental monitoring and restoration work.

On 8 October, just a week later, a similar attack occurred again. Another defender, Dina Chillpi, was seriously injured², with a shot to the leg, when men attacked with guns at the San Pedro de Yumate resistance checkpoint.



Despite the very serious events of both 1 October and 8 October 2022, neither the Governor's Office of Azuay, nor the police, nor the Public Prosecutor's Office, nor any other State entity has taken measures to provide protection to the nature defenders in Molleturo, nor to prevent illegal mining activities.

It is also extremely worrying that all the victims of this month's attacks are women, and we alert the authorities to the degree of vulnerability and risk faced by women defenders, as well as all defenders of Molleturo, as a result of extractive violence.

The people of Molleturo, especially the communities of Rio Blanco and Yumate, have been resisting mining in the community's territories for more than 20 years. The communities won a protection action in 2018 for the violation of the right to free, prior and informed consultation and the company Ecuagoldmining S.A. was ordered to suspend mining activities in the area. However, the mine has not had a definitive technical closure, despite the demands and reports recommending it. The villagers also report that the Chinese mining company is fomenting these conflicts³.

Regarding the obligation of reinforced protection for human rights defenders, the Inter-American Court of Human Rights⁴ has established that:

(...) States must provide appropriate and effective special measures of protection. For the measures to be appropriate, they must be suitable for dealing with the situation of risk in which the person finds themselves and, to be effective, they must be capable of producing the results for which they were conceived. The Court considers that, in the case of human rights defenders, in order to comply with the requirement of suitability, it is necessary that the special protection measures: a) are in accordance with the functions that the defenders carry out; b) the level of risk must be assessed in order to adopt and monitor the measures in force; and c) they must be able to be modified according to the variation in the intensity of the risk. For this purpose, it is necessary that the modality of the protection measures be agreed upon in consultation with the defenders in order to ensure a timely, specialised and proportional intervention to the risk that the defender may face. At the same time, the gender perspective should be of particular importance in the risk assessment procedure, as it could have a differentiated impact on the level of risk, as well as on the implementation of protection measures. In order for the measures to be effective, it is essential that: a) the state responds immediately from the first moment it becomes aware of the existence of the risk, so that they are timely; b) the people involved in the protection of human rights defenders have the necessary training to carry out their functions and are aware of the importance of their actions; and c) they must be in place for as long as the victims of violence or threats need them.

Ecuador ratified the Escazú Agreement, and therefore, it is legally obliged to guarantee the work of environmental defenders, which has not happened in Molleturo.



The murder of our comrade took place with the presence of the State, which was aware of the risks to which the defenders were exposed, and their requests for help and did not adopt appropriate and effective measures to comply with its obligation of reinforced protection. Therefore, what happened on 22 October in Molleturo is attributable to the Ecuadorian State.

As national and international human rights organisations, we stand in solidarity with the family of the murdered defender, with the defenders who have been victims of attacks against their bodily integrity and with all the defenders in Molleturo who are resisting. And we report these very serious events to the national and international bodies for the protection of rights so that, within their mandate, they intervene to demand that the Ecuadorian State comply with its obligations to the framework of human rights and the reinforced protection of human rights defenders.

We report the failure and inaction of the Governor of Azuay, Matías Abad, who, having been informed in a timely manner of the events taking place in Molleturo and its communities with regard to illegal and legal mining, didn't take action to prevent aggressions against human rights defenders and the murder of Alba Bermeo.

We report the lack of action by the National Police, which despite having been informed of the aggressions of the 1st and 8th of October, with the respective complaints going through the established channels, did not carry out any control measures in the sectors of Molleturo affected by legal and illegal mining, and still does not provide any security to the defenders of water in Molleturo.

We denounce the agencies of Regulation and Control and entities of the Ministry of Energy and Mines for their failure in the control of illegal and legal mining. The communities of Molleturo have been reporting these facts for many years, and the agencies and other entities have not fulfilled their job of regulation and control.

Furthermore, we demand that the Ombudsman's Office comply with its obligations contained in article 24 of the Law of the Ombudsman's Office and urgently open an investigation into what is happening to the nature defenders in San Pedro de Yumate-Molleturo.

We demand transparency and due diligence in the investigation of all the events that have occurred, especially the murder of the pregnant defender. We remind this entity that its obligation is also to investigate the "illegal" mining activities that have been reported and the actions and failures of the national police in relation to all the events that have occurred.

We demand that the National Assembly monitor the actions of the police in fulfilling their obligations to protect human rights defenders and to control illegal mining in San Pedro de Yumate, parish of Molleturo.



We demand that the Constitutional Court of Ecuador urgently resolve the Extraordinary Action for Protection in the Río Blanco case and definitively prohibit mining in this sector and annul the licences granted to the company Ecuagoldmining S.A. for violation of the right to free, prior and informed consultation.

We demand that all authorities concerned formulate appropriate and effective measures, in accordance with international standards, to prevent the reoccurrence of events such as those that have been denounced.

Finally, we join the urgent demand of the defenders of Molleturo:

We cannot allow violence to reign; we want peace and to live free of mining!

Defending rights CANNOT cost us our lives!

SAN FELIPE DE MOLLETURO COMMUNITY