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Ecuador: Imminent arrest of human rights defender Pepe Acacho

On 23 February 2018, the National Court of Justice reaffirmed its decision to sentence human rights defender and indigenous leader **Pepe Acacho** to eight months in prison for the crime of public services obstruction.

[Pepe Acacho](#) is a Shuar indigenous leader from Ecuador. The Shuar people are one of the largest indigenous communities in South America whose ancestral territories are located deep in the Ecuadorian and Peruvian Amazon. Since 2009, Pepe Acacho has organised and participated in peaceful street demonstrations in protest against the privatisation of water sources in Ecuador and the activities of mining companies in the Amazon which violate the indigenous communities' right to livelihood. Between 2009 and 2013, he was the President of the Inter-Provincial Federation of Shuar Centres (Federación Inter-Provincial de Centros Shuar, FICSH), an organisation which advocates for the rights of the Shuar indigenous people. Over the years, the FICSH has organised demonstrations to advance Shuar people's rights to their territory and its natural resources. FICSH has also contested the presence of mining companies in the province of Morona Santiago, which have exploited the communities' territories without their free, prior and informed consent. In addition, Pepe was a provincial parliamentarian for the political party and indigenous social movement **Pachakutik**, that was created to promote diversity, equality and social action. Because of his human rights activism, Pepe Acacho has repeatedly faced criminalisation.

On 23 February 2018, the National Court of Justice confirmed the sentence of eight months in prison for public services obstruction. It is now feared that Pepe Acacho may be detained at any moment in execution of the ruling. The human rights defender had initially been sentenced to twelve years in prison in August 2013 for terrorism, however, following an appeal, the Court modified his sentence to eight months for public services obstruction.

In August 2013, the Justice's Court of Morona Santiago sentenced Pepe Acacho to twelve years in prison for terrorism. The prosecutor accused the defender of using several radio stations, including a community radio station he directed, to incite demonstrators to take to the streets with spears and bottles filled with poison to protest a government-sponsored mining law. The court found that Pepe Acacho had incited others to participate in violent protests in September 2009 in the city of Macas in the Ecuadorian Amazon, in which several members of the Shuar community and 38 police officers were injured, and a teacher was killed.

According to Pepe Acacho, he had only called for peaceful demonstrations and the courts mistranslated and misrepresented his message in Shuar language. The defender explained that the spears carried by the demonstrators are symbolic to the Shuar people and were not intended for use as weapons. The wide-scale violence erupted only after the police used excessive force to disperse the demonstration.

Pepe Acacho appealed the decision and on 15 January 2018, the National Court of Justice modified his sentence to eight months for public services obstruction, a charge which had previously not been filed against him. Pepe Acacho submitted an “interpretation action” to challenge this decision before the National Court of Justice. On 23 February 2018, the Court confirmed the sentence of eight months in prison for public services obstruction.

Human rights defenders and protesters have been subjected to severe repression in Ecuador when conducting peaceful protests. Indigenous and environmental rights defenders have been particularly subjected to judicial harassment because of their participation in peaceful demonstrations against the activities of mining companies working in Ecuador, which have violated indigenous communities’ right to livelihood. Many indigenous leaders and human rights defenders have subsequently faced criminalisation and, in 2017, [Accion Ecologica](#) was at risk of dissolution in retaliation against its work in the protection and promotion of human rights. Accion Ecologica had consistently denounced the excessive use of force by the army and police against indigenous Shuar people opposed to copper development projects in Shuar territory, as well as the use of the military to attack and control their communities.

Front Line Defenders is concerned about the sentencing of indigenous defender Pepe Acacho and the possibility of his imminent detention as it believes he is facing criminalisation solely due to his work to promote and protect indigenous and environmental rights. Front Line Defenders expresses further concern at the fairness of the judicial process as the defender was sentenced for a crime which the prosecutor’s office had not previously charged him with.

Front Line Defenders urges the authorities in Ecuador to:

1. Immediately quash Pepe Acacho’s conviction;
2. Allow for the full participation of human rights defenders in peaceful protests without the repercussion of criminalization;
3. Guarantee in all circumstances that all human rights defenders in Ecuador are able to carry out their legitimate human rights activities without fear of reprisals, including judicial process, and free of all restrictions.