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19 June 2024

Ecuador - Upcoming hearing on defamation complaint against woman human rights defender Rocio Bastidas

On 20 June 2024, woman human rights defender **Rocio Bastidas** will face a hearing under a defamation case filed by China Road and Bridge Corporation CRBC. The case is in relation to her defense of a public cultural heritage site in Ecuador's capital Quito, which is currently being considered for a business complex. Defamation offenses in Ecuador fall under the criminal code, meaning that the woman human rights defender could face a prison sentence if found guilty.

[Rocio Bastidas](#) is a woman human rights defender and urban activist, working for the right to the city and the defense of Quito's public and cultural heritage. She is one of the co-founders of the Red de Barrios del Centro Oriente de Quito (Network of Neighbourhoods in the Centre East of Quito) and of the Mancomunidad de Barrios del Hipercentro de Quito en defensa del Hotel Quito (Community of Neighbourhoods of the Hypercentre of Quito in defence of the Hotel Quito). Rocio currently acts as the general coordinator of Quito's Civic Council, where she was previously the coordinator of art, culture and heritage committee. In addition, Rocio is also a citizen leader in La Floresta neighborhood, Quito, working for the preservation and environmental respect in her neighborhood, including by advocating to protect the area from real estate interests and the construction of skyscrapers. Rocio Bastidas denounces that those constructions lead to the destruction of small households, generate humidity (thus causing diseases) and lead to the abandonment of houses (causing the phenomenon of gentrification in the area).

Rocio Bastidas was summoned to appear for a hearing on 20 June 2024 under a defamation case filed by China Road and Bridge Corporation CRBC. The case is in relation to her defense of a historic architectural complex in Ecuador's capital Quito, Hotel Quito. Despite being recognized as a public cultural heritage site, Hotel Quito is currently being considered for a business complex, which would change its structure and surroundings. Rocio Bastidas and numerous other citizen groups in defense of the city and the environment have denounced the lack of compliance in this process, particularly as it pertains to the historical heritage site. The matter is currently the subject of a precautionary measure ordered by the Court of Criminal Guarantees Specialized for the Trial of Crimes related to Corruption and Organized Crime of Pichincha. The precautionary measure provides an obligation "to suspend all procedures of the project until a decision on the inventory card of the Hotel Quito, considering the administrative acts relating to its patrimonial character".

The accusation of defamation against Rocio Bastidas was filed following an interview that the defender gave on a program of 'Radio Pichincha' on 18 November 2023. Rocio Bastidas had been invited to present her perspective as a right of reply, following an interview by representatives of the company in the same radio program on 31 October 2023. In the interview, the woman human rights defender denounced that the project is marked by irregularities, including around the inventory card of Hotel Quito. According to the information available, the inventory card of Hotel Quito characterizes it as a historical heritage site since 1998 and was ratified in 2014, but would have been changed to allow the approval of the undertaking project without following the regulations in place.

On 31 March 2022, the Human Rights Council adopted unanimously resolution 49/7 entitled "Cultural rights and the protection of cultural heritage", following years of discussions and denunciations made by cultural activists. In particular, in March 2016 an unprecedented coalition of

145 States produced a joint statement condemning the intentional destruction of cultural heritage and calling for identification of best practices for its prevention, and for “raising awareness on the mutually reinforcing relation between the protection of cultural heritage and human rights and on the risks faced by defenders of cultural heritage.”

Front Line Defenders considers this process to be a reprisal against the work of human rights defenders and exemplify the use of strategic litigation against public participation (SLAPP) in the region. The practice of SLAPPs has already been recognized and condemned by various international human rights institutions and representatives, including [the United Nations Special Rapporteur on Human Rights Defenders](#), Mary Lawlor, who stated that "it is extremely troubling how SLAPPs have become a staple in the manipulation of the judicial system by corporate actors to stop legitimate human rights work, restrict civic space and repress dissenting voices. SLAPP suits drain defenders' resources, take time away from human rights advocacy, and can intimidate others from engaging in legitimate human rights advocacy work."

Front Line Defenders expresses its concern at the misuse of criminal law to intimidate and criminalize woman human rights defender Rocio Bastidas, and consequently the entire community of organizations and citizens in defense of the preservation of the historical heritage of the city of Quito.

Front Line Defenders urges the Ecuadorian authorities to:

1. Immediately drop all charges against human rights defender Rocio Bastidas, as it is made on the basis of her legitimate and peaceful work in the defense of human rights;
2. Guarantee that all human rights defenders in Ecuador are able to carry out their peaceful and legitimate work without undue restrictions or fear of harassment, threats or reprisals, including judicial harassment against them.

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