

CIVICUS MONITOR WATCHLIST

ECUADOR

OVERVIEW OF RECENT RESTRICTIONS TO CIVIC FREEDOMS



INTRODUCTION

Ecuador's civic space is rated as <u>obstructed</u> by the CIVICUS Monitor. Escalating attacks on freedom of speech have been documented in Ecuador, with journalists and political candidates targeted by state and non-state actors in the context of the August 2023 <u>elections</u> and a deepening security crisis.

On 17th May 2023, President Guillermo Lasso <u>decreed</u> the dissolution of the country's unicameral parliament using a constitutional clause known as "cross-death", which allows for the dissolution of the legislature and a call for new legislative and presidential elections. The first-round presidential <u>elections</u> were held on 20th August, and eleven days before, journalist and presidential candidate <u>Fernando Villavicencio</u> was murdered in Quito after receiving threats in the previous weeks.

This incident comes on top of the political violence in 2023, with <u>ten attacks</u> against mayors and municipal officials. On 10th August, in the aftermath of the assassination of Fernando Villavicencio, the government issued <u>Decree 841</u>, announcing a 60-day State of Emergency, which temporarily limited the right of peaceful assembly and suspended the inviolability of residence and correspondence. However, within hours, the government removed those restrictions through <u>Decree 843</u>.

As of August 2023, 175 acts of violence targeting journalists and media workers were <u>documented</u> by human rights organisation FUNDAMEDIOS. This figure shows a concerning trend of increased attacks against journalists and the media, with 356 attacks <u>documented</u> in 2022, the highest number since 2018.

Due to the increased security risk, on 20th August, the Inter-American Commission on Human Rights granted precautionary measures to Christian Zurita, journalist and presidential candidate, and three members of his electoral campaign team, whom it deems to be at serious, urgent risk of suffering irreparable harm to their human rights.

On 23rd August, President Guillermo Lasso <u>signed</u> the General Regulation to the Organic Law of Communication. It aimed to implement the "Mechanism for the Prevention and Protection of Journalistic Work", established in 2019 by the reformed <u>Organic Law on Communication</u>.

These recent developments are concerning given the ongoing decline in civic freedoms over the past few years. In 2022, Ecuadorian Indigenous peoples and other movements protesting against the government's social and economic policies were met with excessive and disproportionate <u>use of force</u> by security forces. <u>Human rights defenders</u> find themselves <u>targeted</u> with harassment, arbitrary detentions, public vilification and unfair trials.

ABOUT THE CIVICUS MONITOR

The <u>CIVICUS Monitor</u>, an online platform that tracks threats to civil society in countries across the globe, rates civic space – the space for civil society – in <u>Ecuador</u> as "<u>Obstructed</u>".

The data provides the basis for civic space ratings, which are based on up-to-date information and indicators on the state of freedom of association, peaceful assembly and expression. Countries can be rated as:

CLOSED

REPRESSED

OBSTRUCTED

NARROWED

OPEN

VIOLENCE AGAINST JOURNALISTS AND MEDIA WORKERS

Press freedom continues to be at risk in Ecuador. In the World Press Freedom Index 2023, published by <u>Reporters Without Borders (RSF)</u>, Ecuador dropped 12 positions, falling from 68th place in 2022 to 80th place in 2023 as the organisation documented a "climate of growing hostility, physical danger and self-censorship, as well as an increase in threats, physical attacks and even murders."

Journalists and media workers have been subjected to severe attacks because of their work. In 2022, three-journalists were killed. That same year, the Office of the Special Rapporteur for Freedom of Expression of the Inter-American Commission on Human Rights documented killings, death threats, attacks, harassment and stigmatising remarks made by public officials and political leaders.

According to the <u>Committee to Protect Journalists (CPJ)</u> Ecuador is facing a spike in violence against journalists amid a security crisis with no precedent in recent history.

According to local organisation FUNDAMEDIOS, 175 attacks against freedom of speech and other fundamental freedoms were documented during the first eight months of 2023, primarily committed by unidentified perpetrators (38%), followed by non-state actors (36%) and state agents (26%). Among the victims, journalists, media outlets, media workers, writers and artists accounted for a significant majority, representing approximately 85% of those affected.

CONCERNS ABOUT A NEW LEVEL OF THREATS AND INTIMIDATION

In 2023, Red de Periodistas Libres (Network of Independent Journalists) recorded at least 30 violent acts in response to media outlets documenting cases of suspected government corruption, concerns related to the electoral process, and the decline in citizen security. For example, on 11th January, death threats with intimidating messages were levelled in Quito against journalist Andersson Boscán of La Posta, an independent digital media outlet.

On 23rd and 24th January, journalists John Machado—editor of La Posta Cuenca— and Blanca Moncada—independent worker— were victims of attacks and cyber harassment. On 20th March, letters containing USB drives and threatening messages were sent from the central town of Quinsaloma to the television stations Ecuavisa, Teleamazonas and TC Televisión, the radio station EXA FM, and an independent presenter. One journalist was slightly injured when one of the devices detonated. Days before, on 6th March, a bomb threat was reported at the facilities of Comunica EP, which houses the newspaper El Telégrafo, Public FM radio, and Ecuador TV channel.

Following an investigative report, on 3rd April, journalist <u>Christian Zurita</u> and former presidential candidate were sued in the United States of America on allegations of defamation and cyberbullying by Xavier Jordán, <u>suspected</u> of leading a corruption scheme within public hospitals. Two months later, Xavier Jordán initiated a parallel case, with similar allegations, against another journalist, <u>Karen Minda</u> from La Voz del Pueblo.

On 10th April, <u>La Posta</u> fell victim to a cyber attack. The website of La Posta serves as a repository for documentation, audio recordings and video evidence related to a case investigated by the digital media outlet. This investigation has exposed an alleged corruption network within public companies, allegedly orchestrated by the President of the Republic's brother-in-law.

On 1st May, journalist Danny Wilka from the digital media outlet Wilar RTV and cameraman Manuel Cisneros encountered <u>verbal aggression</u> from Central Unitaria de Trabajadores del Ecuador (CUT) members while covering International Workers' Day in Guayaquil. Additionally, these people tried to impede the media's coverage of the event.

On 20th June, a reporter for Majestad Televisión, <u>Liss Ormaza</u>, was the victim of an attack. An unidentified individual collided with the journalist's vehicle while she was driving to work. The collision led to her losing control of her vehicle, resulting in an accident that left her with multiple injuries, including a neck strain. This attack comes after the journalist had been subjected to several death threats for several months.

On 23rd June, <u>Luis Becerra Chalán</u> from the newspaper Correo de Machala was assaulted by police officers and prevented from covering the events related to an explosive attack in Puerto Bolívar. Hugo Chuico, the editorial chief of the media outlet, stated that not only did the police physically assault the journalist, but they also confiscated his cell phone and deleted the live broadcast he was conducting.

JOURNALIST FORCED TO LEAVE THE COUNTRY

In 2023, at least five reporters fled Ecuador due to threats. On 27th March, journalist Karol Noroña, from the digital media outlet GK—an independent Quito-based news outlet— was forced to leave the country to safeguard her life and physical integrity. On 24th March, she met with a source who told her that the leader of a drug trafficking cartel had threatened to kill her due to her reporting on organised crime and violence in Ecuador's prisons.

On 24th April, Fundación Periodistas Sin Cadenas (Journalists Without Chains Foundation) <u>reported</u> that an Ecuadorian journalist had to leave the country due to death threats and inaction from the authorities to ensure protection. The victim, whose name is withheld, received threats over the last eight months. These were reported to the State Prosecutor's Office, the Communication Council, the Ministry of the Interior and the General Secretariat of Communication of the Presidency.

On 25th July, the digital news outlet La Posta announced that journalists <u>Andersson Boscán and Mónica Velásquez</u> had left the country due to death threats. The situation of insecurity and threats arose from the journalistic investigations published by La Posta in the so-called "El Gran Padrino" case, which exposed an alleged corruption network within public enterprises and organised crime.

According to <u>Periodistas Sin Cadenas</u>, the five journalists who are currently living in exile have been threatened by organised crime groups.

VIOLENCE IN THE CONTEXT OF NATIONAL ELECTIONS

Fundamedios documented 53 acts of violence within the backdrop of the local and national elections. From 18th May, when the National Electoral Council officially announced the elections, to 20th August 2023, marking the first round of presidential elections and assembly member selections, 29 aggressions against 39 people were <u>reported</u>.

Even three days after the election day, on 23rd August, media outlets and journalists in Bolívar were threatened by organised crime and forced to disseminate a video containing death threats aimed at third parties.

On 7th September, civil society organisations, journalists and media workers issued a joint statement criticising the Ecuadorian government for its lack of effort in providing the necessary mechanisms to protect individuals exercising their freedom of expression. They also established the Mesa de Articulación para la Protección de Periodistas (Articulation Table for the Protection of Journalists), representing a voluntary alliance with the goal of creating effective networks to address cases of imminent risk to the lives and freedom of journalists in the course of their work.

RECOMMENDATIONS

TO THE ECUADORIAN GOVERNMENT:

- Carry out urgent and impartial investigations into attacks on journalists and bring the perpetrators to justice.
- Ensure the effective participation of journalists, media workers and their families in both the investigative and judicial processes, while providing adequate reparations and eliminating barriers that impede access to justice.
- Adopt the necessary measures to guarantee the safety of those who are subject to special risk due to the exercise
 of their right to freedom of expression, whether the threats come from public officials or from organised crime
 groups.
- Implement a comprehensive journalist protection policy in accordance with Decree 850 and international human rights standards on this matter.
- Engage in consultations with civil society, journalists and media organisations, particularly with the Mesa de Articulación para la Protección (Articulation Table for the Protection of Journalists), to establish protective mechanisms in the lead-up to the October 2023 elections.
- Facilitate the safe return of journalists who were forced to flee their homes.
- Adopt measures to ensure the freedom of expression and political rights, according to the human rights standards
 established in General Comment No. 34 on the right to freedoms of opinion and expression adopted by the UN
 Human Rights Committee in 2011.
- Uphold the principles delineated in the Declaration of Principles on Freedom of Expression, as adopted by the Inter-American Commission on Human Rights in 2000.

TO THE INTERNATIONAL COMMUNITY:

- Call upon the Ecuadorian government to enhance its efforts in preventing violence against journalists, in accordance with international human rights standards.
- Encourage Ecuador to implement effective measures that safeguard the freedoms of expression, assembly and
 association, recognising their critical role in enabling the full exercise of the right to vote. This aligns with General
 Comment No. 25 on the right to participate in public affairs, voting rights, and equal access to public services, as
 adopted by the UN Human Rights Committee in 1996.
- Maintain vigilant oversight of the electoral process in Ecuador to ensure the conduct of fair and peaceful elections.
- Support multilateral initiatives, including at the Human Rights Council and the Inter-American Commission on Human Rights, which ensure international scrutiny on Ecuador, particularly ahead of elections, and further accountability and justice under international law.
- Extend support for journalists in exile and provide diplomatic support to civil society, journalists and human rights
 defenders at risk.