



Inter-Parliamentary Union

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Ecuador

Decision adopted by the Committee on the Human Rights of Parliamentarians at its 163rd session (virtual session, 1 to 13 February 2021)



Lourdes Tibán speaks at a public gathering in Quito, Ecuador, 1 October 2016. (Photo by Franklin Jácome/ACG).

ECU-71 – Lourdes Tibán

Alleged human rights violations

- ✓ Threats, acts of intimidation

A. Summary of the case

According to the complainant, former parliamentarian Lourdes Tibán is a prominent figure in Ecuadorian politics and an indigenous community leader. The complainant claims that, when Ms. Tibán was a member of the National Assembly (2009–2017), her head-on opposition to the then Government's policies made her the target of persecution and attacks from the executive branch in Ecuador. Her harassment was characterized, among others, by the recurrent dissemination by State-run media of false information about her and of denigrating comments relating to her condition as an indigenous woman. The complainant requested the Committee to help Ms. Tibán obtain reparation for the suffering inflicted upon her during her parliamentary term, since Ms. Tibán had exhausted all domestic legal remedies to initiate proceedings in Ecuador to obtain redress.

In response to the Committee's request for information, the Speaker of the National Assembly of Ecuador, in a letter of 30 December 2020, provided a detailed report on communications between Ms. Tibán and the leadership of the National Assembly at the time, as well as excerpts from the institutional archives. The letter contained abundant information on action taken by the National Assembly to protect Ms. Tibán upon her request, including various reports on investigations conducted by the Security Department of Parliament on allegations of attacks against the member of parliament in the surroundings of the parliament's building, a collection of testimonies, among others. There was also a clear indication that in 2015 the national police, after conducting a risk assessment on her situation, provided Ms. Tibán with police protection for a period of six months, considering that she was under "intermediary risk".

Case ECU-71

Ecuador: Parliament affiliated to the IPU

Victim: Female opposition member of the National Assembly

Qualified complainant(s): Section I.(1)(d) of the [Committee Procedure](#) (Annex I)

Submission of complaint: January 2017

Recent IPU decision: January 2018

IPU Mission(s): - - -

Recent Committee hearings: Hearing with the Legal Adviser of the National Assembly (January 2020); Working meeting between the IPU Secretariat and the Secretariat for International Relations of the National Assembly (January 2021)

Recent follow up:

- Communication from the authorities: Letter from the Speaker of the National Assembly (December 2020)
- Communication from the complainant: January 2021
- Communication addressed to the authorities: Letter addressed to the Speaker of the National Assembly (January 2021)
- Communication addressed to the complainant: January 2021

B. Decision

The Committee on the Human Rights of Parliamentarians

1. *Thanks* the Speaker of the National Assembly of Ecuador for the abundant information provided and his continued cooperation;
2. *Expresses concern* about the serious allegations, which have not been convincingly refuted, that Ms Tibán had faced harassment and threats for exercising her right to freedom of expression and her parliamentary mandate; *recalls* that freedom of expression goes to the heart of democracy, is essential to members of parliament and includes not only speech, opinions and expressions that are favourably received or regarded as inoffensive;
3. *Is deeply concerned* in particular about the discriminatory and gender-based nature of the violence committed against Ms Tibán during her parliamentary mandate; *considers* that she had been particularly exposed to intersecting forms of discrimination and violence because of her condition as an indigenous woman and opposition member of parliament; *affirms* that the National Assembly, through its legislative, budgetary and oversight powers, has the duty to act with due diligence to contribute to preventing, investigating and punishing all forms of violence against women, as well as to implement any necessary measures to eradicate the obstacles that may prevent indigenous women from fully exercising their human rights without discrimination;
4. *Recalls* that sexism and gender-based violence against women parliamentarians undermine their dignity, create an intimidating, hostile, degrading, humiliating or offensive environment and perpetuate gender inequality and stereotypes; *also recalls* that these negative effects may be all the more detrimental to women members of parliament from under-represented or marginalized groups, such as indigenous peoples;
5. *Notes with interest* that the National Assembly is currently working with the IPU to carry out an evaluation of the gender sensitivity of parliament; *sincerely hopes* that the outcomes of such evaluation will provide the National Assembly with new tools to take all necessary steps to ensure that similar situations do not recur; *recommends* that the IPU offer capacity-building assistance in this regard if so requested; and *invites* the National Assembly to provide further official information on how this assistance could best be provided;
6. *Notes*, nevertheless, that the alleged facts relating to Ms. Tibán took place more than five years ago, that Ms. Tibán's parliamentary term ended in 2017, and that she received punctual protection during her parliamentary term;
7. *Decides* to close the case in accordance with section IX, paragraph 25(a), of its Procedure for the examination and treatment of complaints, given that any further action in the case has become moot;
8. *Requests* the Secretary General to convey this decision to the parliamentary authorities and the complainant.