Ecuador: The long struggle in defence of El Pambilar forest

El Pambilar with its 3123 hectares of native forest, has since 1997 been a matter of dispute between peasant farmers and the logging company Bosques Tropicales S.A (Botrosa), belonging to the Peña Durini group.

El Pambilar is part of the almost disappeared Ecuadorian Choco ecosystem, recognised as one of the world's 10 biodiversity hotspots. In 1997, ignoring this fact, the Agrarian Development Institute illegally allocated El Pambilar to the Endesa Botrosa company for forest exploitation. This allocation disregarded the fact that the inhabitants of the place, peasant farmers and settlers, used the forest and that their economy was partially based on this ecosystem. It also disregarded the fact that this location is a State Forest Heritage site and that they therefore had no right to dispose of it in this manner. However, this type of illegal allocation, favouring major corporations has been very common in the country and in Latin America in general.

The dispute arose when peasant farmers from the location of "El Pambilar" in the parish of Malimpia, Esmeraldas province, did not give in to pressure exerted by the BOTROSA logging company on their forest. They had been living there for the past 20-24 years, in small scattered settlements comprising some 10 to 25 families of settlers from different provinces from all over the country. It was to this same area of state heritage, over which the families had acquired rights of possession, that BOTROSA entered in1997 with the aim of extracting timber.

Faced by some of the inhabitants refusal to sell, company employees, private guards and the police set fire to peasant homes, destroyed their crops, seeds, tools, household equipment and threw gases at men, women and children.

The loss of their belongings and the physical aggression forced some of the families to abandon their lands. Others gave up their rights of possession to the company.

Following the destruction, the company planted grass over the rubble to hide the evidence. Over a period of a year, some 35 homes were burnt down.

This climate of violence became a constant theme in the area. The company had an armed group of between 10 and 50 people to dissuade the inhabitants circulating in the forest, going as far as to threaten to kill them.

However, the struggle in defence of El Pambilar did not only take place on the site; it was also brought up before the State legal institutions. Thus, several governmental institutions made different statements, pointing out that the allocation to Botrosa was illegal and that they were in favour of the conservation of El Pambilar.

The Peoples' Defence Counsel issued a resolution in 2001 declaring that the allocation to Botrosa was illegal and urging that the forest be returned to the State. The Ministry of the Environment made a statement on similar terms in the year 2000, the National Congress in 2001, the Commission for

Civil Control of Corruption in 2001, the Constitutional Tribunal in 2002, the General State Auditor in 2003. Finally, in 2008, the Constitutional Tribunal issued a non appealable sentence annulling the allocation of 3123 hectares of tropical rainforest and ordering the land to be returned to the State. For over TEN YEARS six of the most important State institutions issued sentences in favour of the conservation of El Pambilar and its inhabitants, while the company, through wheeling and dealing, corruption and cheating, managed to remain in the forest that it had illegally taken over.

The new National Assembly had to take matters directly in its hands to have the Constitutional Tribunal's sentence executed, achieving that, at least on paper, Ecuador regained El Pambilar.

Within this context, José Antonio Aguilar and his wife Yola Garófalo were murdered on 24 February 2010. A few days before their death, a national radio had broadcast evidence given by José Aguilar on Botrosa's aggression towards him to force him to sell his forest.

This murder is a dangerous precedent for all those defending nature. With the death of this couple, the message given to the local inhabitants is one of defencelessness, impunity, of the untouchable economic and political power moving its wheels and its puppets to silence all those who oppose its decisions. If the news gets about that in Esmeraldas it is possible to take over forests and lands by murdering their owners, what was once a green province will be left without forests or inhabitants, it will only have desolation and deserts.

It is for this reason that the designation of El Pambilar as a Protector Forest leaves us with a sweet and sour taste. Peace and satisfaction will come with justice, when a real investigation is carried out in the country to discover those who are responsible, the minds behind these crimes, the accomplices and those that covered them up.

It is not enough that Botrosa has left El Pambilar; a process of social and environmental justice must be launched in order to repair the environmental and social damage caused and the investigation recommended in the Auditor's report must be continued for the rest of Block 10 of the State's Forest Heritage.

We all, the Aguilar-Garófalo family, our communities, our companions, our country, we all demand that this crime does not go by unpunished. We demand that compensation be awarded to those who for the past ten years have been affected by State omission: that the homes burnt down, the crops destroyed, the families destroyed, the daily life under the terror of violence and incomplete justice should be recognized.

The designation of El Pambilar as a Protector Forest is barely a small step forward. The way is long and for our own good, we must cover it.

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