

March 5, 2020



To the Government of Ecuador

**Statement regarding legal action against human rights defender Jorge Acosta**

We, the undersigned companies, are importers (direct and indirect) of banana from Ecuador. We want to express our grave concern about the situation of Ecuadorian human rights defender and trade union leader Mr Jorge Acosta. Mr Acosta is the coordinator of the banana workers' union ASTAC (Asociación Sindical de Trabajadores Agrícolas y Campesinos). He has worked for over ten years to address labour rights, health and safety issues and environmental impacts of business activities in the banana sector.

In May 2019, some of us sent a public letter to you in support of Mr Acosta who was then accused of creating economic panic for reporting negative impacts of the banana industry.<sup>1</sup> It is with great concern we now note that legal action is taken against Mr Acosta in another case which also seems to be an attempt to obstruct his legitimate work as a human rights defender, protected under the UN declaration on human rights defenders.

We have been notified that Mr Acosta was arrested on February 7 after asking for copies from a case related to the dismissal of banana workers who had tried to form a trade union. We do not have in-depth knowledge of the alleged crime, and we would be most grateful for any clarifying information that Ecuadorian authorities can share with us. From what we understand, Mr Acosta is accused of violation of privacy of a judge and risks up to three years in jail for insisting that the copies were public documents and for trying to film the judge's response with his mobile phone after his request was denied. The hearing will be held on March 6 (case 12282-2020-00328) in Babahoyo, Unidad Penal de Babahoyo.

In his role as a human rights defender, Mr Acosta is entitled to the right to seek, obtain, receive and hold information relating to human rights according to the UN Declaration on human rights defenders.<sup>2</sup> As companies that are dependent on global supply chains we are committed to respecting human rights in all parts of our operations. We rely on human rights defenders, such as Mr Acosta, to be able to speak freely, and without fear of retaliation or reprisal, about challenges in the supply chains. Such information, in addition to information by other sources, is crucial for us to continue improving the performance of our sector, in close cooperation with our suppliers. We do hope that the Ecuadorian courts of Justice and the Government will act to ensure that Mr Acosta will not be subject to any unfair treatment.

---

<sup>1</sup> [https://www.business-humanrights.org/sites/default/files/documents/J\\_Acosta\\_letter\\_11062019.pdf](https://www.business-humanrights.org/sites/default/files/documents/J_Acosta_letter_11062019.pdf)

<sup>2</sup> <https://www.ohchr.org/en/issues/srhrdefenders/pages/declaration.aspx>

Sincerely,

Åsa Domeij, Head of Sustainability, Axfood: [asa.domeij@axfood.se](mailto:asa.domeij@axfood.se)

Lisa Isakson, Head of Communication and CSR, Greenfood: [lisa.isakson@greenfood.se](mailto:lisa.isakson@greenfood.se)

Christoffer Carlsnose Corporate Sustainability Manager, Menigo: [christoffer.carlsnose@menigo.se](mailto:christoffer.carlsnose@menigo.se)  
Martin&Servera AB

Ola Höiden, Secretary General, Fairtrade Sweden: [ola.hoiden@fairtrade.se](mailto:ola.hoiden@fairtrade.se)

Katrine Karlsen, Acting Sustainability Manager, UNIL: [Katrine.Karlsen@unil.no](mailto:Katrine.Karlsen@unil.no)