

Press Release 19/2025 English

FOR THE FIRST TIME, THE I/A COURT H.R. RULES ON THE SCOPE OF THE RIGHTS OF INDIGENOUS PEOPLES IN VOLUNTARY ISOLATION IN THE CASE OF THE TAGAERI AND TAROMENANE PEOPLES VS. ECUADOR

San José, Costa Rica, March 13, 2025. In the ruling, notified today, in the case of the Indigenous Peoples Tagaeri and Taromenane vs. Ecuador, the Inter-American Court of Human Rights declared the international responsibility of the State of Ecuador for violations of the rights to collective property, self-determination, a dignified life, health, food, cultural identity, a healthy environment, housing, life, judicial guarantees, and judicial protection to the detriment of the Tagaeri and Taromenane Peoples and other Indigenous Peoples in voluntary isolation ("PIAV") inhabiting the western Ecuadorian Amazon Forrest. Additionally, it declared state responsibility for violations of the rights to personal integrity, personal freedom, honor, dignity, protection of the family, childhood, identity, mobility and residence, cultural identity, health, and judicial guarantees to the detriment of two girls from these peoples at the time of the events.

The official summary and the full text of the ruling can be consulted [here](#).

This is the first case in which the Court examined the particularities of protecting the rights of PIAV. It reaffirmed that the principle of non-contact and respect for their choice to remain in isolation must be the fundamental premises guiding the analysis of state actions. Thus, the conventionality of a measure taken regarding PIAV must be evaluated based on whether the necessary precautions were taken to avoid contact and whether measures were adopted to prevent third parties from undermining their decision to live in isolation.

The facts of the case refer to PIAV, which are peoples that do not maintain regular contact with the majority population. They are considered ecosystemic peoples living in strict dependence on their ecological environment. In 1999, the Ecuadorian government created the Tagaeri Taromenane Intangible Zone ("ZITT") as a conservation area permanently prohibited from any extractive activity. The delimitation of this area was not finalized until 2007 through a decree that also established a 10 km buffer zone surrounding the entire ZITT where economic activities are limited.

The area where the ZITT is located is known for its oil wealth, and there are numerous oil wells around it. The facts of this ruling center on two areas: Blocks 31 and 43, on one hand, and the Armadillo Field, on the other. In 2007, a moratorium on oil exploitation was proposed for Blocks 31 and 43; however, the initiative did not progress, prompting the Executive to initiate steps to declare the area of national interest to authorize oil exploitation. After the declaration of national interest was approved, the exploitation of these blocks was assigned to a public company. However, as a result of a popular consultation held in 2023, a resolution was approved to keep the oil from Block 43 indefinitely below the surface. Regarding the Armadillo Field, despite evidence of PIAV presence in the sector, the private company in charge of its exploitation considered that, since this field was not within the ZITT or its buffer zone, they should be allowed to develop their oil prospecting activities. The case also analyzes three violent events that occurred in 2003, 2006, and 2013, involving attacks on PIAV by members of other Indigenous peoples or third parties.



In the third attack, which occurred in 2013, two girls, sisters aged approximately 6 and 2 years, were taken by the attackers and handed over to Waorani families in initial contact. The sisters were separated and taken to live in different communities. In particular, for one of them, during the processing of this case, it was reported that she was pregnant, leading to tensions between state officials responsible for her care, her representatives, and the girl herself.

In this specific case, the Court considered that the creation of the ZITT, with the establishment of a buffer zone, can be seen as an effective safeguard of the collective property rights of the PIAV. However, it noted a lack of due diligence by the State in executing the delimitation of the ZITT. The Court also emphasized the need for effective mechanisms to eventually confirm the need to expand the ZITT to respond to the mobility characteristics of the PIAV. Furthermore, the Court found that the State has not effectively protected the intangibility of the ZITT against the risks of intrusion by external agents. This lack of protection, given the close relationship between the PIAV and their territories to meet their vital needs, also constituted a violation of their rights to a dignified life, health, food, cultural identity, a healthy environment, and housing.

Regarding the violent acts committed against the PIAV, the Court considered that, in light of the events of 2013, although they were not committed by state agents, the State was aware of the immediate risk and the imminent nature of the attack against the PIAV, but the measures taken did not have an intercultural approach that could prevent retaliation by the actors of these attacks. It concluded that the State was responsible for failing to prevent these events, thus violating the right to life of the PIAV members who died in those attacks.

Regarding the two girls, the Court held that, given their situation of forced contact, the State had a duty to take measures to guarantee their rights from an intersectional perspective, considering their status as Indigenous girls in recent contact. While it was found that the State took measures to ensure their safety and health, it was also proven that the State allowed the girls to be separated and, initially, placed under the care of their attackers who caused their forced contact. Additionally, their opinions were not taken into account when making decisions about their life project. Moreover, in the case of one of them, in managing her pregnancy, the State did not provide acceptable health services, as it did not consider the girl's wishes in applying treatments and medical exams.

Regarding the rights to judicial guarantees and judicial protection, the State acknowledged its responsibility for the lack of investigation into the events of 2003 and 2006, as well as for waiving the punitive authority of the State regarding the former. On the other hand, the Court found that the existing resources for protecting the rights of the PIAV are unclear and ineffective to ensure effective delimitation and protection of their territory, in violation of Article 25.1 of the American Convention. The Court ordered the adoption of measures aimed at repairing the human rights violations to the detriment of the Tagaeri and Taromenane Peoples and other Indigenous Peoples in voluntary isolation inhabiting the western Ecuadorian Amazon, as well as those of the victimized girls, and to prevent the recurrence of events like those analyzed in the case.

Judge Nancy Hernández López and Judge Humberto Antonio Sierra Porto expressed their individual partially dissenting votes. and Judge Patricia Pérez Goldberg expressed her dissenting and partially dissenting vote. Judge Eduardo Ferrer MacGregor Poisot and Judge Verónica Gómez expressed their individual concurring votes.



The composition of the Court for the issuance of this ruling was as follows: Judge Nancy Hernández López, President (Costa Rica); Judge Rodrigo Mudrovitsch, Vice President (Brazil); Judge Antonio Sierra Porto (Colombia); Judge Eduardo Ferrer MacGregor Poisot (Mexico); Judge Ricardo C. Pérez Manrique (Uruguay); Judge Verónica Gómez (Argentina); and Judge Patricia Pérez Goldberg (Chile).

This press release was produced by the Secretariat of the Inter-American Court of Human Rights, which is the only responsible for its content.

For the latest information please visit the website of the Inter-American Court, <http://www.corteidh.or.cr/index-en.cfm> or send an email to Pablo Saavedra Alessandri, Secretary, corteidh@corteidh.or.cr. For press inquiries please contact Dannel Pinilla at prensa@corteidh.or.cr

You can subscribe to the information services of the Court [here](#). You can sign up for updates from the Court here or unsubscribe sending an email to comunicaciones@corteidh.or.cr. You can also follow the activities of the Court on [Facebook](#), [Twitter](#) (@CorteIDH for the Spanish account and @IACourtHR for the English account), [Flickr](#), [Instagram](#), [Vimeo](#), [Youtube](#) [Linkedin](#) y [Soundcloud](#).

