

Reference: C.N.379.2020.TREATIES-IV.4 (Depositary Notification)

INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS
NEW YORK, 16 DECEMBER 1966

ECUADOR: NOTIFICATION UNDER ARTICLE 4 (3) ¹

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

The above action was effected on 19 August 2020.

(Translation) (Original: Spanish)

Note No. 4-2-70/2020

The Permanent Mission of Ecuador to the United Nations presents its compliments to the Secretariat of the United Nations and has the honour to inform that the Government of the Republic of Ecuador, on the basis of the powers conferred on it by the Constitution of the Republic, has declared, by Executive Decree No. 1125 of 11 August 2020, a state of emergency “in all the detention centres that are part of the social rehabilitation system at the national level, without any exception based on category, due to the social violence that has occurred within the centres which severely affects the personal integrity and life of prisoners, in order to safeguard the rights of prisoners as a group requiring priority attention and to restore peaceful coexistence and the normal functioning of the penitentiary system of Ecuador, especially in the light of the pandemic situation that the country is facing”.

Pursuant to article 5 of the aforementioned Executive Decree, “the exercise of the right to inviolability of correspondence and freedom of association and assembly of the prison population of all detention centres that are part of the social rehabilitation system at the national level, without any exception based on category, [is hereby suspended], applying the principles of proportionality, necessity and appropriateness and fully respecting the other constitutional rights. The National Service for the Comprehensive Attention to Adults Deprived of Their Liberty and Juvenile Offenders and the Ministry of the Interior shall determine, within their respective areas of expertise, how this measure is to be applied in order to achieve the goal set out in article 1 of this Decree”.

Furthermore, article 10 provides that “the state of emergency will be in effect for sixty days following the signature of this Executive Decree. The scope of application is limited to all detention centres that are part of the social rehabilitation system at the national level, without any exception based on category”.

¹ The text of Executive Decree No. 1125 of 11 August 2020 of the Republic of Ecuador attached to the notification is on file with the Secretary-General and is available for consultation.

The Permanent Mission of Ecuador to the United Nations reports on the above in accordance with article 4, paragraph 3, of the International Covenant on Civil and Political Rights. The right that has been suspended by Decree No. 1125 is set out in article 10 of the American Declaration of the Rights and Duties of Man.

The Permanent Mission of Ecuador to the United Nations respectfully requests the Secretariat to inform all States parties to this international instrument of the aforementioned suspension.

The Permanent Mission of Ecuador takes this opportunity to convey to the United Nations Secretariat the renewed assurances of its highest consideration.

New York, 13 August 2020

Subsequently, by note verbale no. 4-2-71/2020 of 18 August 2020, Ecuador provided the following additional required information:

“... the rights contained in the International Covenant on Civil and Political Rights that have been suspended by Executive Decree No. 1125 are: Article 17 (Inviolability of correspondence), Article 21 (Freedom of assembly) and Article 22, paragraphs 1 and 2 (Freedom of association).”

4 September 2020

A handwritten signature in black ink, consisting of a stylized 'D' and 'N' with a horizontal line underneath.