

Reference: C.N.462.2020.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 October 2020.

(Translation) (Original: Spanish)

Note No. 4-2-111/2020

The Permanent Mission of Ecuador to the United Nations Presents its compliments to the Secretariat of the United Nations and has the honor to refer to Notes No. 4-2-70/2020 and No. 4-2-71/2020, of 13 and 18 August 2020, relating to the declaration of a state of emergency by Executive Decree No. 1125 of 11 August 2020.²

In this regard, the Permanent Mission of Ecuador to the United Nations hereby transmits a copy of Executive Decree No. 1169, dated 10 October 2020, by which the President of the Republic, Lenín Moreno Garcés, “extends the state of emergency for internal unrest in all detention centers that are part of the social rehabilitation system at the national level”.

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”.

Finally, article 10 of the said decree provides that “the state of emergency will be in effect for thirty days following the signature of this Executive Decree”.

¹ The text of Executive Decree No. 1169 of 10 October 2020 of the Republic of Ecuador attached to the notification is on file with the Secretary-General and is available for consultation.

² Refer to depositary notification C.N.379.2020.TREATIES-IV.4 of 4 September 2020 (Notification under article 4 (3)).

The rights contained in the International Covenant on Civil and Political Rights that have been suspended by Executive Decree No. 1169 are : Article 17 (Inviolability of correspondence), Article 21 (Freedom of assembly) and Article 22, paragraphs 1 and 2 (Freedom of association).

The Permanent Mission of Ecuador to the United Nations respectfully request the Secretary-General, in accordance with article 4 (3) of the International Covenant on Civil and Political Rights, to inform accordingly all States parties to this instrument.

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

New York, 16 October 2020

21 October 2020

A handwritten signature in black ink, consisting of the letters 'DN' with a horizontal line underneath and a flourish extending to the left.