

Reference: C.N.166.2022.TREATIES-IV.4 (Depositary Notification)

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

ECUADOR: NOTIFICATION UNDER ARTICLE 4 (3)^{1,2}

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

The above action was effected on 21 June 2022.

(Translation) (Original: Spanish)

Note No. 4-2-85/2022

The Permanent Mission of Ecuador to the United Nations presents its compliments to the Office of Legal Affairs, United Nations Secretariat, and refers to Note No. 4-2-82/2022 of 18 June 2022, in which it provided information concerning the issuance of Executive Decree No. 455 of 17 June 2022 declaring a state of emergency owing to serious internal unrest in the provinces of Cotopaxi, Pichincha and Imbabura.

The Permanent Mission of Ecuador to the United Nations wishes to state that Executive Decree No. 455 is now void following the issuance of Executive Decree No. 459 of 20 June 2022 declaring a state of emergency in the provinces of Chimborazo, Tungurahua, Cotopaxi, Pichincha, Pastaza and Imbabura.

Executive Decree No. 459 provides as follows:

This declaration has been made because of roadblocks which have disturbed the public order, causing situations of overt violence that jeopardize the security of civilians and the proper functioning of vital strategic sectors for the economic life of the country, not to mention the risk that those actions could be exacerbated by open calls for indefinite protests.

The intensity of the events seriously affects the exercise of constitutional rights, institutional stability, security and normal civil peace, in addition to causing significant social alarm.

In accordance with article 6 of the Executive Decree, the following rights are suspended in the aforementioned provinces:

The exercise of the right to freedom of association and assembly, strictly as they relate to the

¹ Refer to depositary notification C.N.165.2022.TREATIES-IV.4 of (Notification under article 4 (3): Ecuador).

² The text of Executive Decree No. 459 of 20 June 2022 of the Republic of Ecuador attached to the notification is on file with the Secretary-General is available for consultation.

reasons for the state of emergency and to State security, and provided that the principles of proportionality, necessity and appropriateness are fully applied, and that the other rights protected under the Constitution are fully respected.

The suspension of the right to freedom of association and assembly consists of limiting gatherings in public spaces throughout the 24-hour day in order to ensure that the rights of other civilians are not jeopardized. The limitation detailed above does not include peaceful protest or any peaceful activity not intended to aggravate the situation of serious internal unrest in the territorial areas defined in article 1 of the present Executive Decree. The right to freedom of association and assembly of civilians engaged in non-violent activities shall therefore be guaranteed.

Similarly, article 7 provides as follows:

Freedom of movement shall be restricted from 18 June 2022. The restriction shall be in place every day from 2200 hours to 0500 hours in the Metropolitan District of Quito with a view to preserving civilian security and public order. Anyone moving around during the curfew shall be brought before the competent judicial authorities.

In article 8, exceptions to article 7 are set out by area of activity.

Lastly, article 2 of the Executive Decree provides that “the state of emergency shall apply for 30 days”.

The rights enshrined in the International Covenant on Civil and Political Rights which are suspended under Executive Decree No. 455 are as follows: article 12 (Liberty of movement), article 21 (Right of assembly) and article 22, paragraphs 1 and 2 (Freedom of association).

In accordance with article 4, paragraph 3, of the International Covenant on Civil and Political Rights, the Permanent Mission of Ecuador to the United Nations respectfully requests the Office of Legal Affairs, United Nations Secretariat, to inform all the States parties to the Covenant accordingly.

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

New York, 21 June 2022

30 June 2022

A handwritten signature consisting of the letters 'DN' in a stylized, cursive font, with a horizontal line underneath.