

Reference: C.N.229.2023.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 27 July 2023, with:

(Translation) (Original: Spanish)

Note No. 4-2-80/2023

The Permanent Mission of Ecuador to the United Nations presents its compliments to the Office of Legal Affairs, United Nations Secretariat and has the honour to inform it of the issuance and entry into force of executive decree No. 824, of 24 July 2023, the text of which is annexed hereto, by which the President of the Republic, Guillermo Lasso Mendoza, declared a state of emergency owing to serious internal unrest in the canton of Durán, which is in the province of Guayas, and in the provinces of Manabí and Los Ríos.

The declaration of the state of emergency was issued because of the increase in crime and violence and of the activities of organized crime groups whose practices have increased and whose escalation is putting at risk the safety, integrity and lives of citizens. Its scope is limited to the aforementioned territorial areas because that is where organized crime has a significant presence and where there has been evidence of a significant escalation of violent acts that undermine the rights of the rest of the population, law enforcement officers and members of the criminal groups who clash with each other. This situation requires the urgent intervention of Ecuadorian state institutions to provide security, protect the rights of citizens, and maintain law and order and social peace.

Pursuant to executive decree No. 824, the rights that are temporarily suspended or limited are:

1. The right to freedom of assembly, strictly in relation to the reasons for the state of emergency, provided that the principles of proportionality, necessity and appropriateness, and the other rights protected under the Constitution are fully respected (limited under article 5).
2. The right to inviolability of the home (suspended under article 6).
3. The right to inviolability of correspondence sent or received (suspended under article 7).
4. The right to freedom of transit, as from the entry into force of executive decree No. 824, every day from 10 p.m. to 5 a.m., with exceptions (suspended under article 8).

¹ The text of Executive Decree No. 824 of 24 July 2023 of Ecuador attached to the notification is on file with the Secretary-General and is available for consultation.

Consequently, the rights enshrined in the International Covenant on Civil and Political Rights that have been temporarily limited or suspended under executive decree No. 824 are those contained in articles 12, 17, 21 and 22.

In accordance with article 2 of executive decree No. 824, the state of emergency shall be in effect for 60 days.

In view of the above and in accordance with article 4, paragraph 3, of the International Covenant on Civil and Political Rights, the Permanent Mission of Ecuador respectfully requests that the Office of Legal Affairs, United Nations Secretariat inform the other States parties to the Covenant of the issuance and entry into force of executive decree No. 824.

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, 27 July 2023

4 August 2023

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