

Reference: C.N.38.2024.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 9 January 2024.

(Translation) (Original: Spanish)

Nota No. 4-2-9/2024

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. 110, of 8 January 2024, the text of which is attached hereto, by which the President of the Republic, Daniel Noboa Azín, declared a state of emergency owing to serious internal unrest across the country, including in the detention centres of the National Social Rehabilitation System.

The state of emergency was declared because of the increase in criminal activity across the country, including in the detention centres of the National Social Rehabilitation System, as reflected in the events described in the recitals to Executive Decree No. 110. That shows that crime rates and violence have been escalating, putting at risk the safety, integrity and lives of citizens, as well as the appropriate, comprehensive and safe exercise of the rights enshrined in the Constitution. The situation requires the urgent intervention of Ecuadorian government institutions to safeguard and uphold the security, integrity and other rights of citizens, and maintain law and order, social peace and the rule of law.

Pursuant to Executive Decree No. 110, the rights that are temporarily suspended or restricted are:

- Under article 4, the right to freedom of assembly is suspended across the country, including in the detention centres of the National Social Rehabilitation System, strictly in relation to the reasons for the state of emergency, provided that the principles of proportionality, necessity and appropriateness are observed, and the other rights protected under the Constitution are fully respected.
- Under article 5, the right to inviolability of the home is suspended across the country.

¹ The text of Executive Decree No. 110 of Ecuador attached to the notification is on file with the Secretary-General and is available for consultation.

- Under article 6, the right to inviolability of correspondence sent or received is suspended across the country, including in the detention centres of the National Social Rehabilitation System, without exception.
- Under article 7, the freedom of transit is restricted every day from 11 p.m. to 5 a.m., with exceptions.

In addition, through articles 8 and 9 of Executive Decree No. 110, security zones are declared in the detention centres of the National Social Rehabilitation System, as well as within a radius of one kilometre from the perimeter of each detention centre, and requisitions necessary to maintain law and order and security across the country are in place.

Consequently, the rights enshrined in the International Covenant on Civil and Political Rights that have been temporarily suspended under Executive Decree No. 110 are those contained in articles 12, 17, 21 and 22.

In accordance with articles 2 and 12 of Executive Decree No. 110, the state of emergency shall be in effect for 60 days beginning on 8 January 2024.

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. 110.

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, 9 January 2024

15 January 2024

A handwritten signature in black ink, consisting of stylized letters 'DN' with a horizontal line underneath.