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Summary record of the 4170th meeting*

Held at the Palais Wilson, Geneva, on Tuesday, 29 October 2024, at 3 p.m.

Chair: Ms. Abdo Rocholl

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* No summary records were issued for the 4169th meeting.

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The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 40 of the Covenant
(continued)

Seventh periodic report of Ecuador (continued) (CCPR/C/ECU/7;
CCPR/C/ECU/QPR/7)

1. *At the invitation of the Chair, the delegation of Ecuador joined the meeting.*
2. **Mr. Carazo** said that he would be interested to hear what specific measures had been taken to prevent torture and ill-treatment by the police during detention, how independence and transparency were ensured in the investigation of allegations of torture and ill-treatment, what support was provided to victims and what redress mechanisms were in place. He would also like to know whether any changes had been observed in the behaviour of law enforcement officers as a result of the human rights training that had been conducted and what new policies or regulations were being considered to strengthen the provision of such training.
3. While the Committee accepted the State party's explanation concerning the legality and legitimacy of the referendum of February 2018, which had led to the reorganization of the Council for Citizen Participation and Social Control, it remained troubled that the Council had been endowed with extraordinary powers that allowed for the removal and appointment of judges at the discretion of the executive branch, in violation of the basic principle of separation of powers. He therefore wished to know what mechanisms were in place to ensure that the evaluations of the authorities of public institutions directly concerned with judicial independence conducted by the Council complied with international standards on judicial independence, how transparency and citizen participation were guaranteed in the evaluation process, and what measures were taken to prevent possible conflicts of interest in the Council's decisions. It would also be interesting to hear how the Government had responded to international criticism of the 2018 referendum, when the terms of office of the Attorney General and the Council members would expire, and when the Council would cease to be operating under a transitional regime.
4. He would like to know what mechanisms were in place to ensure that migrants at the northern border had access to basic services such as healthcare, education and employment; whether there were specific programmes to protect migrant women and children from exploitation and abuse; how discrimination against migrants was addressed in regularization and asylum processes; what steps had been taken to improve collaboration with international organizations in the protection of migrants' rights at the northern border; and whether the effectiveness of regularization and asylum policies at that border had been evaluated. The delegation might also comment on the situation of Venezuelan migrants, the majority of whom were in an irregular situation.
5. The Committee was concerned that the declaration of an internal armed conflict had given rise to the use of a normative framework applicable in times of war when no such situation existed. It would like to know the impact that declaration had had on the exercise of human rights by the population.
6. In view of the growing threat posed by organized crime, he wished to know how the implementation of the legal framework for the protection of human rights defenders had been improved; what steps had been taken to investigate and punish attacks and threats against human rights defenders; whether law enforcement personnel received training on the protection of human rights defenders; how the effective participation of human rights defenders in the development of policies that affected their work was guaranteed; and what immediate protection mechanisms were available for human rights defenders facing imminent threats. The delegation might also explain the legal basis for prolonging disciplinary and criminal proceedings against human rights defenders and journalists who sought to expose acts of corruption or organized crime and comment in particular on the cases of Priscila Schettini and Angélica Porras, who had faced disciplinary proceedings after publicly questioning the appointment of Attorney General Diana Salazar, and of investigative journalists Andersson Boscán and Mónica Velásquez.

7. **Mr. Quezada Cabrera**, referring to paragraphs 62 and 63 of the State party's report (CCPR/C/ECU/7), on the excessive use of force, said that he would welcome clarification as to the scope of the offence of "abuse of authority in the line of duty" and which body was responsible for investigating alleged conduct of that kind. The delegation might also explain why there was such a low conviction rate for offences involving the inappropriate use of force and indicate whether there had been cases in which law enforcement officers had been granted immunity when they had used force. The Committee would appreciate information on Ministerial Decision No. 179 on the progressive, rational and differentiated use of force by members of the armed forces and its compatibility with the Covenant and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, as well as its relationship with the Organic Act Governing the Legitimate Use of Force, adopted in 2022. It would also be interesting to know the rationale behind the authorization, in Executive Decree No. 707 of April 2023, of the possession and carrying of firearms by civilians throughout the territory of the State party. The Committee would like to know what stage had been reached in implementing the proposal concerning the involvement of the armed forces in police operations that had been approved by referendum in April 2024 and whether the compatibility of the proposal with the Covenant had been evaluated.

8. The Committee would welcome information on how the principle of non-refoulement was guaranteed in the Ecuadorian legal system and examples of cases in which it had been applied. It also wished to know whether special measures had been taken to safeguard the life and physical integrity of refugees and asylum-seekers, given the serious insecurity in the country, and what measures had been taken to address the disproportionate impact of the declaration of states of emergency on the rights of migrants. It would be interesting to learn whether migrants, refugees, asylum-seekers and stateless persons received any legal advice or support from the Public Defender's Office or any other State entity during regularization or status determination procedures and whether there were measures in place to ensure access to justice for migrants who had been subjected to harassment, intimidation, extortion, trafficking or arbitrary detention.

9. The Committee would appreciate an update on the outcome of consultations held with communities affected by projects in their territory, particularly the communities of the parish of Molleturo in the Province of Azuay, the Province of Zamora-Chinchipe, and Morona-Santiago. The delegation might also comment on reports of a lack of consultation about the San Carlos Panantza, Warintza, La Plata, El Domo-Curipamba, Mirador and Río Blanco projects and on whether any progress had been made in the adoption of legislation to guarantee the collective right of Indigenous, Afro-Ecuadorian and Montubio peoples and nationalities to free, prior and informed consultation and consent, in accordance with national and international standards. The Committee would welcome information on the status of Executive Decree No. 604 of 2022 regulating the exercise of the right to pre-legislative consultation, on which no consultations had been held and in respect of which requests for constitutional review had been filed with the Constitutional Court, as well as information on Decree No. 754 of 2023 and Executive Decree No. 1247 of 2012. The Committee would be interested to know whether specific protection measures had been adopted in respect of Indigenous Peoples living in isolation and what prevention and remediation measures had been taken to address the environmental and health impacts of oil spills in Indigenous territories in the Ecuadorian Amazon.

10. **Ms. Šurlan** said that, regrettably, the concerns the Committee had expressed in its previous concluding observations (CCPR/C/ECU/CO/6) with respect to prison infrastructure, conditions of detention and overcrowding remained relevant. She therefore wished to know how the State party planned to improve prison conditions and address the severe overcrowding in many facilities, which had increased since the declaration of a state of emergency and had led to violence among prisoners and against prison staff. She would be interested to know whether measures had been introduced to prevent the spread of infectious diseases, ensure the availability of healthcare and address serious malnutrition among inmates and whether there were any plans to establish smaller penitentiary facilities, which would be easier to manage than the existing mega-prisons.

11. She would welcome information on any training on trafficking in persons organized for prosecutors, judges and other justice officials. She would also appreciate details of the

number of cases in which compensation had been provided to victims of trafficking, including the amounts involved, and clarification of whether victims had to bring civil suits in order to obtain compensation. It would be interesting to hear what safeguards were in place to protect victims from criminal liability; what methods had been developed for the identification of victims; what measures were in place to protect victims from re-trafficking; and what had been done to promote the social inclusion of all victims, including foreign nationals.

12. **Mr. Gómez Martínez** said that the Committee would welcome a response to its request in paragraph 18 of the list of issues for information on the violence that had broken out on 23 February 2021 in three social rehabilitation centres, resulting in 79 deaths. In view of the numerous violent incidents and riots in Ecuadorian prisons since then, which had resulted in the deaths of prisoners and prison staff, the Committee would be interested to know whether the State party had analysed the underlying causes of the violence and would appreciate statistics on the number of prison deaths and the number of cases of torture or inhuman or degrading treatment in prisons registered thus far in 2024. The delegation might comment on the measures taken to regain control of the situation in prisons and the compatibility of those measures with the Basic Principles for the Treatment of Prisoners. It would also be useful to know whether there were any confidential internal complaint mechanisms or other effective measures to address cases of inter-prisoner violence and excessive use of force by police officers and prison guards and whether the State party intended to provide independent monitoring mechanisms, particularly the national mechanism for the prevention of torture, with unrestricted access to places of deprivation of liberty.

13. In view of the worrying reports that organized crime organizations were interfering in the judicial system through bribery, the Committee would welcome information on the outcome of investigations into such acts of corruption and the measures adopted to guarantee the independence of justice officials and to protect those investigating acts of corruption. The delegation should also provide information on the system for imposing disciplinary sanctions on judges, magistrates and prosecutors and whether it ensured their impartiality and independence and comment on the measures taken to ensure that the procedures for the selection and appointment of judges and prosecutors and senior officials of the judiciary and the Attorney General's Office were transparent and ensured the application of objective criteria. The Committee would be interested to hear why the complaint filed by Vice-President Verónica Abad had been assigned to Judge Muñoz.

14. The Committee would welcome an update on the status of the various bills on freedom of the press and communication mentioned in paragraph 87 of the State party's report, including whether they had been the subject of consultations with civil society and whether they were in line with article 19 of the Covenant. It would also be interested to hear whether the kidnapping and murder of three journalists in 2018 and the killing or disappearance of four journalists in 2022 had been investigated and, if so, what the outcome had been. It would be helpful to know whether the State mechanism for the protection of journalists was allocated sufficient resources to function effectively and how it cooperated with other institutions and civil society. Lastly, the delegation might comment on the justification for the 144 prosecutions brought against journalists and other government critics between 2018 and 2024 and the status of those cases.

15. **Mr. El Haiba** said that he would like to know what tangible results had been achieved by the mechanisms established by the Council on Communication and how their impact on the promotion of diversity and freedom of expression and the protection of journalists and human rights defenders were measured. He would appreciate information on any other measures in place to protect journalists from attacks, to ensure that the perpetrators of such attacks were tried and punished and to provide appropriate reparations to victims.

16. He would welcome information on the steps taken by the State party to enforce the rights of peaceful assembly and protest; the outcome of the investigations into human rights violations committed in the context of the protests that had taken place in 2019 and 2022; and the measures adopted to seek justice for the victims. According to information received by the Committee, the Integrity Strategy for Civil Society Organizations was applied in such a way that it constrained the operations of non-governmental organizations; he would

therefore like to know how the State party ensured, in law and in practice, the effective exercise of freedom of association.

17. The Committee would like to know whether the Organic Act Governing the Legitimate Use of Force was aligned with the Covenant and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, and to what extent civil society had been involved in the drafting of the Act. It would be interested to know what training on the Act's contents was provided to the security forces and how the effectiveness of such training would be assessed.

18. He would like to know what steps had been taken to guarantee access to justice for Indigenous Peoples, taking into account their languages and cultural identities. It would be interesting to learn what obstacles were hindering the implementation of the agreement signed by the Ombudsman's Office for the provision of free legal assistance to Indigenous Peoples and how the State party planned to overcome those obstacles. The Organic Code of the Judiciary provided that judges who learned that a case had already been brought to the attention of the Indigenous authorities must decline jurisdiction if requested to do so. He would like to know how the State party ensured that that provision was enforced and that the legitimacy of the Indigenous justice system was respected. Details of the steps taken by the State party to recognize, respect and strengthen the Indigenous justice system and to improve coordination between the ordinary justice system and the Indigenous one would also be welcome.

The meeting was suspended at 3.50 p.m. and resumed at 4.20 p.m.

19. **A representative of Ecuador** said that the Attorney General's Office had carried out human rights training activities for 4,777 members of its staff, including on the national protocol for investigating femicides and other violent deaths of women and girls. The Prosecution Service had provided training for some 500 participants from the national police, the armed forces, the civil service and other entities of the central Government and decentralized autonomous governments, on topics such as international human rights law, international humanitarian law and the progressive use of force. The armed forces had given training on human rights and the progressive use of force to 45,820 soldiers on active duty.

20. **A representative of Ecuador** said that the armed forces' involvement in ensuring security and protecting human rights occurred in a context of widespread conflict caused by organized armed groups; moreover, their contribution was supported by the Constitution, which provided that the armed forces could be mobilized to maintain public order and safety. That legal framework was fully aligned with the principles of international law, according to which it was the responsibility of States to protect and uphold the rights of the population in situations of crisis and widespread crime. The Act on Public Safety and State Security established the conditions under which the armed forces could be mobilized, while preventing human rights violations and ensuring accountability for their actions. The State was committed to applying the Code of Conduct for Law Enforcement Officials and the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. In 2022, the Organic Act Governing the Legitimate Use of Force had been adopted to provide a legal framework for the legitimate, exceptional use of force by the national police and the prison security and surveillance corps, whose actions were guided by the principles of absolute legality, necessity and proportionality, among others. The regulations adopted in 2023 regarding the implementation of the aforementioned Organic Act had replaced the regulations on the use of force set out in Ministerial Decision No. 179 of 2020, which had been declared unconstitutional in form.

21. The intervention of the armed forces in prisons, in coordination with the National Service for Adults Deprived of Liberty and Adolescent Offenders, which oversaw the prison system in Ecuador, as well as other institutions, such as the national police, had made it possible to eradicate criminal activity in prisons. That development had in turn enabled other national and international institutions to discharge their mandates: there had since been visits by international organizations, the Ministry of Public Health, the Ombudsman's Office and even due process judges, who had not previously had access to the prisons in question. The Joint Command of the Armed Forces, together with the Ministry of Women and Human Rights, had developed training curricula that covered the concepts of equality,

non-discrimination and diversity, as well as the legal framework and international norms on the legitimate use of force. Manuals had been drafted on the legitimate use of force, with a focus on protecting human rights.

22. The armed forces worked with various public agencies that were competent to investigate, punish and provide reparation for alleged human rights violations. The Organic Act on the Personnel and Discipline of the Armed Forces established a list of disciplinary offences and the military authorities that were competent to hear related cases. In addition, a committee had been created to follow up on cases of alleged human rights violations. It made regular visits to prisons and developed policies with a view to strengthening the work of the armed forces while ensuring respect for human rights.

23. In 2024, inter-institutional protocols had been developed to ensure that the military, the police and prison staff did not exceed the powers conferred on them by law. The armed forces and the police were responsible for publicly reporting the results of military and police operations through weekly press releases. Judicial safeguards included the remedy of habeas corpus. In 2024, the armed forces had been involved in a total of 72 actions for habeas corpus, 68 of which had led to findings of no violation of constitutional rights by the armed forces. In two of the remaining cases, no violation had been found, but measures had been recommended to preserve the integrity of the persons deprived of their liberty; the other two cases remained under investigation by the Attorney General's Office. In 2023, a special prosecutor's unit had been set up to investigate crimes resulting in injury or death that had been committed by members of the national police, the armed forces or the prison security corps. The proposal concerning the involvement of the armed forces in police operations that had been approved by referendum in April 2024 had been deemed compatible with the State's obligations under national and international law by the Constitutional Court.

24. An assessment carried out jointly with specialized agencies of the United Nations had concluded that the domestic legal framework for the prevention of terrorism, especially articles 366 and 367 of the Comprehensive Organic Criminal Code, needed to be strengthened. An inter-institutional group, headed by the Ministry of the Interior, had been set up to draft a bill aimed at bringing domestic legislation into line with international human rights and security standards, with technical support from the United Nations Office on Drugs and Crime. The group had begun its work on 21 October 2024.

25. **A representative of Ecuador** said that the Government had a number of legislative and policy tools to ensure the full reparation of direct and indirect victims of femicide, including the Organic Act for the Provision of Support and Transformative and Comprehensive Reparation to Daughters, Sons, Mothers, Fathers and Other Relatives of Victims of Femicide and Other Gender-related Killings and a policy on comprehensive reparation. The latter was currently being updated, jointly with the Spotlight Initiative, the United Nations Development Programme and civil society, with a view to addressing specific needs in the areas of prevention, support, protection and reparation.

26. Regarding the allowance introduced for children and adolescents left motherless as a result of violent crime, \$230,000 had been disbursed in 2022 and \$203,222 in 2023. The budget allocated to the allowance had been increased for 2024, for a total amount of \$317,000. The amount of the allowance increased with each additional member of a given household. A fund had also been established for the provision of a monthly subsistence allowance to mothers, fathers, children and relatives up to the fourth degree of consanguinity of the victim. Both types of allowance were administered by the Ministry of Economic and Social Inclusion.

27. Responsibility for formulating a comprehensive policy for the protection of the rights of defenders of human rights and the environment lay with an inter-institutional committee led by the Ombudsman's Office and the Ministry of Women and Human Rights. The committee had first prepared a concept paper and was now focused on gathering information that would enable it to identify the issues faced by rights defenders and propose effective solutions. Information would be collected through national surveys and discussions with rights defenders, with financial support from the Spanish Agency for International Development Cooperation and the Office of the United Nations High Commissioner for

Human Rights. The Ombudsman's Office had issued guidelines to ensure that the information gathered would be kept confidential.

28. All situations presenting a risk to defenders of human rights and the environment were addressed immediately by the authorities. The Attorney General's Office had developed guidelines to ensure that rights defenders had access to justice and protection during criminal proceedings. It also offered them protection under its programme for victims and witnesses, which was run by duly trained staff. Investigations into crimes involving rights defenders were supervised by the Office's Human Rights and Citizen Participation Directorate. Standards for the protection of defenders of human rights and the environment had been incorporated into the Organic Act on the Ombudsman's Office. The Ombudsman's Office had issued regulations outlining the composition and functions of the provincial councils of defenders of human rights and the environment, which were made up of 12 members with relevant experience, who each served a two-year term. The mechanism for the protection of journalists provided for the conduct of risk assessments, the implementation of urgent actions and the monitoring of attacks against journalists.

29. Illegal logging, fishing and hunting activities within the territories of Indigenous Peoples living in voluntary isolation posed a serious threat to those Peoples' survival. A robust regulatory framework was in place to support their protection; article 57 of the Constitution, for example, established that the right of Indigenous Peoples living in voluntary isolation to their territories was irrevocable and sacrosanct, thereby providing for the prohibition of extractive activities in those areas and the classification of violations of that right as ethnocide. In 2013, the National Assembly had issued a resolution laying down the requirement for biannual reports to be prepared on oil drilling in certain areas of the Yasuní National Park, in view of the direct impact that activity had on local Indigenous Peoples living in voluntary isolation. In 2022, air corridors had been established within the Tagaeri-Taromenane Protected Zone, and a protocol had been drawn up to regulate entry into that area. The armed forces had been enlisted to conduct patrols in Indigenous territories and dismantle any illegal encampments. Nonetheless, it remained essential for Indigenous communities living in voluntary isolation to report any illicit activities that might pose a threat to them.

30. The Ministry of Women and Human Rights had provided assistance to Indigenous women on more than 3,000 occasions so far in 2024. The Comprehensive Organic Act to Prevent and Eradicate Violence against Women had been translated into Quechua to support its dissemination among all population groups. The Expert Working Group on Gender and Climate Change aimed to extend its work to more parts of the country, including the Amazon region, and was creating partnerships with decentralized autonomous governments and other local stakeholders to ensure that its efforts were adapted to the cultural and social reality of each region. The decentralized autonomous governments had been encouraged to incorporate a gender-based approach and to focus on climate change in their development and land management plans. The Land Management Authority had helped to monitor and promote the application of policies that took into account gender and climate change, especially in areas that were highly vulnerable to that phenomenon. Efforts had been made to include communities in the design and implementation of environmental action, recognizing the importance of traditional knowledge and local practices in addressing climate change in an inclusive and sustainable manner.

31. **A representative of Ecuador** said that the principle of non-refoulement was guaranteed under the Organic Act on Human Mobility and other secondary laws. Before deporting or refusing entry to a migrant, the Ministry of the Interior was required to consult the Office of the Deputy Minister for Human Mobility to determine whether the migrant concerned was covered by the international protection system. Migrants found to be in need of such protection, including those who had not formally requested it, could not be deported. Any person who signalled their need for international protection, either verbally or in writing, was immediately granted an interview. Free legal assistance and interpretation services were provided by a specialized unit of the Ombudsman's Office where necessary.

32. More than 56,000 applications for refugee status had been received through an online platform set up in 2020, the use of which had been recognized as a good practice by international organizations. Training had been provided to all officials responsible for

handling such applications to ensure compliance with the guidelines on the procedure for the determination of refugee status and statelessness, which had been issued under Ministerial Decision No. 6 of 2023. The Government's regularization programme for Venezuelan migrants was considered a model for other host countries. It was hoped that three quarters of Venezuelans present in Ecuador would eventually have regular migration status. An awareness-raising campaign had been run from 2019 to 2023 to promote the inclusion of migrants, reaching more than 19,000 individuals and leading to the creation of around 130 educational resources.

33. The authorities had received support from the Office of the United Nations High Commissioner for Refugees and the International Organization for Migration in providing emergency assistance to migrants at the northern border. A number of projects were being run in that region through cooperation with the World Bank and the Inter-American Development Bank. The Government was seeking more support from the private sector and non-traditional financial actors with the aim of securing the resources needed to ensure that the care and protection provided to migrants and refugees were of the highest standard.

34. **A representative of Ecuador** said that the Government recognized that the current prison infrastructure was inadequate and one of the main factors contributing to overcrowding. Accordingly, efforts had been made to procure the construction materials needed for the maintenance and renovation of facilities. The National Service for Adults Deprived of Liberty and Adolescent Offenders was renovating two of the country's biggest prisons with a view to reopening wings that had been deemed unfit for use and creating space for more than 1,700 detainees. The Government had earmarked more than \$100 million for the construction of two new prisons, which it hoped would be completed within 300 days. Steps would be taken to recruit the necessary staff for those facilities, who would be supported by a team of lawyers, psychologists and social workers. A project to tackle overcrowding by granting pardons to prisoners who had committed non-violent offences and were serving a sentence of no more than 3 years was being examined by the Office of the President. That project, if approved, would benefit 625 detainees.

35. Steps were being taken to screen prisoners for infectious diseases with a view to preventing the spread of tuberculosis. Areas had been set up within prisons to provide specific forms of medical care, such as treatment for prisoners suffering from complications of malnutrition. A prison healthcare model that was adapted to the reality in detention facilities was under development, and projects were being implemented to improve detainees' mental health. The first-ever training course for medical professionals on healthcare in detention had been held the previous week as part of a programme run by the International Committee of the Red Cross.

36. Prison meal services had continued to run despite the unrest seen in recent years. In May 2024, however, the company responsible for providing such services had suspended its operations in a number of provinces. The Government had supported facilities in managing the issue and had made funds available for the purchase and preparation of food, with the aim of ensuring that prisoners continued to receive three meals per day. A new company had subsequently been contracted to provide prison meals as of June 2024.

37. An analysis of the causes of the recent prison violence had revealed that the inadequate classification of prisoners had been a key contributing factor. Accordingly, the Government was working with international partners to develop a national plan for prisoner classification based on the security risk posed by each prisoner. That plan would require radical changes to be made to the current system of classification based on membership of organized crime or terrorist groups, which had led only to the strengthening of criminal structures within prisons. The right of prisoners to make complaints to the National Social Rehabilitation System was guaranteed under the regulations governing the submission and handling of such complaints.

38. **A representative of Ecuador** said that his Government recognized that the right of Indigenous Peoples to free, prior and informed consent and environmental consultations should be regulated by laws rather than instruments with less legal force. In a ruling of 9 November 2023, the Constitutional Court had set out the mandatory standards on those matters to be upheld by judges and the legislative branch. It had also ordered the National

Assembly to pass relevant laws within one year and had instructed the Ombudsman's Office to support those efforts. Various bills on the rights of Indigenous Peoples were before the National Assembly or being examined by the Legislative Council.

39. The Government had provided a timely response to the request from various United Nations special rapporteurs for information on the escalating violence faced by defenders of human rights and the environment who participated in consultations on mining projects. Specific processes had been put in place to ensure that consultations were held in relation to such projects. Mining activities in the Quimsacocha area would not begin until the Government had held consultations with the Indigenous community affected by the project, in line with the relevant rulings of the Constitutional Court and international standards. The Curipamba mining project in Las Naves had also been the subject of environmental consultations, during which the Government had complied with the relevant conventions of the International Labour Organization and the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean.

40. The Government had been working to give effect to the recommendations made by the Inter-American Commission on Human Rights with regard to the protection of the Tagaeri and Taromenane Peoples living in voluntary isolation in the Amazon region. The implementation of a monitoring system, for instance, had helped to reduce land-related conflict between those Peoples and nearby communities. A health protection cordon had been set up to improve sanitary conditions in those communities in view of the possibility that some of their members might come into contact with the Indigenous groups. The Prosecution Service was translating its main rulings concerning the public sector into Quechua.

41. The independence of the judiciary was enshrined in the Constitution and the Organic Code of the Judiciary. It was also one of the four areas of focus set out in the Strategic Plan of the Judiciary for the period 2019–2025. The Plan outlined strategies aimed at improving the procedures for the appointment, promotion and appraisal of prosecutors and public defenders. It sought to facilitate the modernization of judicial services and the establishment of independent internal mechanisms for the investigation and punishment of alleged misconduct by justice officials. In October 2023, the Government had replied to the request by the Special Rapporteur on the independence of judges and lawyers for information on the pressure and attacks faced by judges and prosecutors investigating cases of corruption and organized crime. The Council of the Judiciary had introduced security measures in judicial facilities to guarantee the safety of justice officials.

42. The transitional Council for Citizen Participation and Social Control had been empowered to evaluate the performance of public bodies, such as the Council of the Judiciary and the Attorney General's Office, as a result of the referendum held on 4 February 2018. Regulations had been issued to guide that work, with a view to guaranteeing due process, citizen participation and access to mechanisms for challenging the transitional Council's decisions. The Council had assumed its regular functions at the end of the transitional period.

43. The Council on the Regulation, Development and Promotion of Information and Communication had implemented an alert system to address attacks against journalists. A protocol for responding to such alerts had been drawn up. The Government was facilitating inter-institutional efforts to prevent attacks against media professionals, strengthen the capacity of public bodies to respond to them and increase citizen participation in that area. A number of State bodies were involved in the work of the mechanism for the protection of journalists; during election periods, representatives of the National Electoral Council, media professionals and civil society organizations also participated. The Attorney General's Office had developed a practical guide on the prosecution of alleged violations of the right to freedom of expression and the protection of media professionals in judicial contexts.

44. **Mr. Quezada Cabrera** said that he would be grateful for information on Executive Decree No. 302 of 12 June 2024, which provided for a reduction in the special consumption tax levied on firearms, recreational weapons and ammunition. It would be useful to learn whether steps had been taken to help migrants who had arrived in the State party after 2022 to regularize their status. The delegation might wish to comment on reports that the lack of

State services in the south-east of the Amazon region meant that communities in that area relied on extractive companies to provide them with basic services.

45. **Mr. Gómez Martínez** said that the Committee had received reliable reports concerning the murder of judges and prosecutors and corruption within the judiciary, which posed a significant threat to the rule of law. In view of that alarming situation, he would like the delegation to provide more detailed information on what had been done to protect judicial officers and guarantee their independence. He would appreciate disaggregated data on any criminal or administrative proceedings that had been initiated in response to alleged violations of prisoners' rights committed during the authorities' efforts to regain control of detention facilities. Disaggregated data on the number of complaints received to date by the complaints mechanism for prisoners would also be welcome. He wished to know whether the bill on the amendment of articles 365–367 of the Comprehensive Organic Criminal Code would make a distinction between terrorism and organized crime and whether it would provide for the implementation of the procedural guarantees set out in article 14 of the Covenant in cases of terrorism.

46. **Mr. El Haiba** said that he would like information on the case of Eduardo Mendúa, an Indigenous leader and opponent of oil drilling who had been shot dead in February 2023.

47. **Mr. Carazo** said that he would appreciate information on the steps taken to ensure that former Vice-President Jorge Glas, who had been arrested in April 2024, was given a fair trial. He would like to know whether the principle of the presumption of innocence would be applied in that specific case and whether it was applied in all cases handled by the judiciary. He invited the delegation to comment on the remarks made by the Special Rapporteur on extreme poverty and human rights in his report on his visit to the State party in 2023 ([A/HRC/56/61/Add.2](#)), in which he called for efforts to be made to improve the situation of Indigenous groups and women, make social protection more effective, introduce a more progressive taxation system and enhance the protection of workers' rights.

48. **Ms. Šurlan** said that the delegation had not yet responded to her questions regarding trafficking in persons or to the questions that she had raised at the Committee's 4168th meeting concerning the decriminalization of abortion, the potential amendment of articles 149 and 150 of the Comprehensive Organic Criminal Code, contraception, sexual education and support for young mothers.

49. **A representative of Ecuador** said that the delegation would reply to any outstanding questions in writing within 48 hours. His Government was fully committed to upholding international human rights law and considered respect for human rights to be essential in building more democratic and inclusive societies. The implementation of the Organic Act on the Promotion of the Purple Economy and the establishment of a gender-equal presidential cabinet, for instance, had helped the country to secure sixteenth position in the Global Gender Gap Index 2024. Ecuador had received numerous visits from representatives of the United Nations human rights system, including the High Commissioner for Human Rights. The Government attached great importance to the timely submission of reports under the human rights treaties and had updated its common core document just a few days previously. It participated constructively in all reviews of its efforts in the area of human rights and gave careful consideration to the recommendations that it received.

50. The Government remained committed to strengthening human rights in the face of challenges linked to the coronavirus disease (COVID-19) pandemic, macroeconomic pressure, the surge in organized crime and the current energy crisis. It valued its cooperation with the United Nations system and called on the Committee and other bodies to increase technical assistance and cooperation through social projects that would have a real impact on people's lives. He hoped that the Committee's concluding observations would include guidance on the implementation of the recommendations contained therein.

51. **The Chair** said that she wished to thank the delegation and acknowledge the valuable contribution of civil society organizations, human rights defenders, academics and students to the dialogue. The Committee remained firmly committed to guaranteeing the highest standards in the implementation of the Covenant.

The meeting rose at 6 p.m.