

Compilation on Ecuador

Report of the Office of the United Nations High Commissioner for Human Rights

I. Scope of international obligations and cooperation with international human rights mechanisms and bodiesⁱ

1. International human rights treatiesⁱⁱ

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1966)		
	ICESCR (1969)		
	ICCPR (1969)		
	ICCPR-OP 2 (1993)		
	CEDAW (1981)		
	CAT (1988)		
	OP-CAT (2010)		
	CRC (1990)		
	OP-CRC-SC (2004)		
	OP-CRC-AC (2004)		
	CRPD (2008)		
<i>Reservations and/or declarations</i>	CAT reservation (Ecuador declares that, in accordance with the provisions of article 42 of its Political Constitution, it will not permit extradition of its nationals.)		
<i>Complaints procedures, inquiries and urgent actionⁱⁱⁱ</i>	ICERD, art. 14 (1977)	OP-CRC-IC (signature, 2013)	OP-CRC-IC (signature, 2013)
	ICCPR, art. 41 (1984)		ICRMW, arts. 76-77
	ICCPR-OP 1 (1969)		
	OP-ICESCR (2010)		
	OP-CEDAW (2002)		
	CAT, arts. 20-22 (1988)		
	OP-CRPD (2008)		

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
ICPPED, arts. 31-32 (2009)		

2. Other main relevant international instruments^{iv}

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide Rome Statute of the International Criminal Court Palermo Protocol ^v Conventions on refugees and stateless persons (except 1961 Convention on the Reduction of Statelessness) ^{vi} Geneva Conventions of 12 August 1949 and Additional Protocols I, and II ^{vii} ILO fundamental Conventions ^{viii} ILO Convention No.169 concerning Indigenous and Tribal Peoples in Independent Countries UNESCO Convention against Discrimination in Education	Convention on the Reduction of Statelessness (1961) ILO Convention No. 189 concerning Decent Work for Domestic Workers	Additional Protocol III to the 1949 Geneva Conventions (signed only, 2005) ^{ix}

II. Cooperation with human rights mechanisms

A. Cooperation with treaty bodies

1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
Committee on the Elimination of Racial Discrimination	August 2008	2016	August 2012	Combined Twenty-third to Twenty-fourth reports pending consideration
Committee on Economic, Social and Cultural Rights	--	--	November 2012	Fourth report due in 2017

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
Human Rights Committee	October 2009	2015	July 2016	Seventh report due in 2021
Committee on the Elimination of Discrimination against Women	October 2008	2012	February 2015	Tenth periodic report due in March 2019
Committee against Torture	November 2010	2015	November 2016	Eighth report due in December 2020
Committee on the Rights of the Child	January 2010	2016	--	Combined fifth to sixth reports pending consideration
Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families	December 2010	--	--	Third report overdue since 2015
Committee on the Rights of Persons with Disabilities	--	2011	October 2014	Second to third reports due in 2018
Committee on Enforced Disappearances	--	2015	--	Initial report pending consideration

2. Responses to specific follow-up requests by treaty bodies

Concluding observations			
<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
Committee on the Elimination of Racial Discrimination	2013	Lack of judicial proceedings in cases of racial discrimination; coordination between the indigenous and ordinary justice systems. ^x	--
Human Rights Committee	2017	Truth Commission; Conditions of detention and violence in prison; Freedoms of expression and peaceful assembly. ^{xi}	--
Committee on the Elimination of Discrimination against Women	2017	Collection of data on violence against women; adoption of a comprehensive national action plan on violence against women; decriminalization of abortion in cases of rape, incest and severe foetal impairment. ^{xii}	--
Committee on the Rights of Persons with Disabilities	2015	Deinstitutionalization plan for persons currently in the Julio Endara Psychiatric Hospital; training	--

Disabilities		programme on the sexual and reproductive rights of persons with disabilities; institutional reforms and training programmes for professionals in the police and justice sectors. ^{xiii}	
Committee against Torture	2017	Allegations of torture and ill-treatment in prisons; victim and witness protection; abuse and sexual violence against minors in schools. ^{xiv}	--

Views

<i>Treaty body</i>	<i>Number of views</i>	<i>Status</i>
HR Committee	1 ^{xv}	Follow-up dialogue ongoing.

Country visits and/or inquiries by treaty bodies

<i>Treaty body</i>	<i>Date</i>	<i>Subject matter</i>
SPT	2014 ^{xvi}	NPM advisory visit

B. Cooperation with special procedures^{xvii}

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	Yes	Yes
<i>Visits undertaken</i>	Poverty Foreign Debt African descent Indigenous peoples Slavery Summary executions	Education
<i>Visits agreed to in principle</i>	--	Freedom of opinion and expression
<i>Visits requested</i>	Freedom of opinion and expression Cultural rights	IIL Indigenous peoples Cultural rights Freedom of peaceful assembly and association
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review 21 communications were sent. The Government replied to 21 of these communications.	

C. Status of national human rights institutions^{xviii}

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle</i> ^{xix}
Defensoría del Pueblo	A (2009)	A (2015)

ⁱ Unless indicated otherwise, the status of ratification of instruments listed in the table may

be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Ecuador from the previous cycle (A/HRC/WG.6/13/ECU/2).

ii The following abbreviations have been used in the present document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

iii Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

iv Information relating to other relevant international human rights instruments may be found in the pledges and commitments undertaken by Ecuador before the Human Rights Council, as contained in the note verbale dated 5 October 2015 sent by the Permanent Mission of Ecuador to the United Nations addressed to the President of the General Assembly (A/70/409).

v Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

vi 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the Status of Stateless Persons, and 1961 Convention on the Reduction of Statelessness.

vii Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); and Protocol Additional to the Geneva Conventions of 12 August 1949, and

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- relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at <https://www.eda.admin.ch/eda/fr/dfae/politique-exterieure/droit-international-public/traites-internationaux/depositaire/protection-des-victimes-de-la-guerre.html>.
- ^{viii} International Labour Organization Convention No. 29 concerning Forced or Compulsory Labour; Convention No. 105 concerning the Abolition of Forced Labour; Convention No. 87 concerning Freedom of Association and Protection of the Right to Organise; Convention No. 98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention No. 100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention No. 111 concerning Discrimination in Respect of Employment and Occupation; Convention No. 138 concerning Minimum Age for Admission to Employment; Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.
- ^{ix} Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). For the official status of ratifications, see Federal Department of Foreign Affairs of Switzerland, at <https://www.eda.admin.ch/eda/fr/dfae/politique-exterieure/droit-international-public/traites-internationaux/depositaire/protection-des-victimes-de-la-guerre.html>.
- ^x CERD/C/ECU/CO/20-22, para. 27.
- ^{xi} CCPR/C/ECU/CO/6, para. 40.
- ^{xii} CEDAW/C/ECU/CO/8-9, para. 48.
- ^{xiii} CRPD/C/ECU/CO/1, para. 57.
- ^{xiv} CAT/C/ECU/CO/7, para. 57.
- ^{xv} CCPR/C/116/D/2244/2013.
- ^{xvi} CAT/OP/ECU/2.
- ^{xvii} For the titles of special procedure mandate holders, see <http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>.
- ^{xviii} According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions Sub-Committee on Accreditation, the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).
- ^{xix} The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions is available from <http://nhri.ohchr.org/EN/Documents/Status%20Accreditation%20Chart.pdf>.
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