

Reference: C.N.177.2022.TREATIES-IV.4 (Depositary Notification)

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

ECUADOR: NOTIFICATION UNDER ARTICLE 4 (3) <sup>1</sup>

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

The above action was effected on 30 June 2022.

(Translation) (Original: Spanish)

Note No. 4-2-91/2022

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 report that on 29 June 2022, Executive Decree No. 463 was issued, by which the Constitutional President of the Republic, Guillermo Lasso Mendoza, declared a state of emergency owing to serious internal unrest in the Provinces of Azuay, Imbabura, Sucumbíos and Orellana.

Executive Decree No. 463 reads as follows: “This declaration has been made because of the violent acts that have disturbed the public order, causing situations of overt violence, attacks on restricted areas and shortages that jeopardize the security of citizens, the provision of medicines, medical gases, oxygen for hospitals and clinics, fuel and food, as well as the integrity and life of the citizens in the provinces indicated in this Executive Decree.

This declaration is limited to the aforementioned provinces because most of the violent acts that threaten the physical integrity of persons, the supply of fuel, including liquified petroleum gas, the normal conduct of economic activities and the proper functioning of the strategic sectors vital for the economy and development of the country are concentrated in those provinces.

This situation requires urgent intervention by government institutions to reinforce security and protect the rights of citizens, public order and social peace.”

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 at demonstrations where violent events occur, strictly in relation to the reasons for the state of emergency, 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.

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<sup>1</sup> The text of Executive Decree No. 463 of 29 June 2022 of the Republic of Ecuador attached to the notification is on file with the Secretary-General and is available for consultation.

The suspension of the right to freedom of association and assembly consists in limiting the spread of violent acts in public spaces 24 hours a day in order to ensure that the rights of other citizens are not compromised. 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 area defined (...). The right to freedom of association and assembly of citizens engaged in non-violent activities shall therefore be upheld.”

Article 7 provides as follows: “Freedom of movement shall be restricted as from the issuance of this Executive Decree. The restriction shall be in place every day from 9 p.m. to 5 a.m. in the Province of Azuay. In the Provinces of Sucumbíos and Orellana freedom of movement shall be restricted (...) every day from 7 p.m. to 5 a.m.”

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

The rights enshrined in the International Covenant on Civil and Political Rights that are suspended under Executive Decree No. [463] 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, 30 June 2022

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12 July 2022

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