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Draft report of the Working Group on the Universal Periodic Review*

Ecuador

* The annex to the present report is circulated as received.

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Introduction

The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of Ecuador was held at the 2nd meeting on 1 May 2017. The delegation of Ecuador was headed by His Excellency Mr. Guillaume Long, Minister of Foreign Affairs and Human Mobility. At its 10th meeting held on 5 May 2017, the Working Group adopted the report on Ecuador.

2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Ecuador: Bolivia (Plurinational State of), Republic of Korea and Côte d'Ivoire.

3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Ecuador:

(a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/ECU/1);

(b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/ECU/2);

(c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/ECU/3).

4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, Netherlands, Norway, Slovenia, Spain, Sweden, Switzerland, the United Kingdom of Great Britain and Northern Ireland, and the United States of America, was transmitted to Ecuador through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The delegation reaffirmed Ecuador's profound commitment to human rights and highlighted the important progresses made since the last Universal Periodic Review and, more generally, during the decade of the Government of the Citizen Revolution.

6. Ecuador was a party to all existing international human rights conventions and treated all human rights as indivisible, interdependent and equal in hierarchy. However, it stressed that human rights could be no guaranteed in the presence of extreme poverty, inequality and antidemocratic asymmetries in the distribution of power.

7. Ecuador's 2008 Constitution introduced a new social contract and set the basis for the construction of the "State of Good Living" by rethinking the traditional concept of development. Within this framework, and despite many challenges, the Government worked to implement public policies aimed at the protection of the human rights of its citizens.

8. Ecuador considered that poverty was a multidimensional phenomenon and that fighting it was crucial to guarantee human rights. In this regard, the delegation noted that between 2009 and 2016 the multidimensional poverty rate in Ecuador dropped from 27.2% to 16.9% as a result of increased access to employment, education, social security, water

and housing. Ecuador was also a global leader in fighting inequality, having reduced the GINI coefficient by 8 points despite the systematic rejection by the Ecuadorian elites of any tax reform aimed at generating the wealth redistribution necessary to protect human rights.

9. The delegation noted the promulgation in 2014 of the Organic Law on the National Councils for Equality and referred to other important achievements, such as the criminalization of femicide and of physical, sexual and psychological violence; the high level of women's political participation; the recognition of same sex civil unions; and the enactment of the Organic Law on Identity and Civil Data Management.

10. In line with the constitutional principle of Good Living, Ecuador had fully recognized the right to decent work and reduced the unemployment rate to 5.2%, one of the lowest of the region. Also, during the decade of the Citizen Revolution, the budget for public health had been 8 times greater than in the previous decade. The right to education was also guaranteed with substantive investment in infrastructure and by improving quality at all levels.

11. With regard to the environment, the delegation indicated that currently 34% of the Ecuadorian territory was protected. Ecuador had also built 9 hydroelectric projects, resulting in more of 90% of Ecuador's electricity coming from renewable sources.

12. Ecuador was an international reference in the protection of the rights of persons with disabilities and highlighted that the elected President, Lenin Moreno, was previously appointed as Special Envoy of the Secretary General of the UN on Disabilities and Accessibility. The delegation also mentioned the significant improvement in morbidity and mortality rates and noted that Ecuador successfully reduced child labour from 12.5% in 2007 to 5.9% in 2015.

13. Ecuador was one of the few states constitutionally recognized as multinational and intercultural. It also had an advanced legislation in the field of human mobility and welcomed the largest number of refugees in Latin America.

14. The delegation highlighted the comprehensive transformation of the penitentiary system, which included, inter alia, an investment of more than 300 million dollars to combat overcrowding and allow adequate social reintegration; an increase of 50 per cent of the number of judges per 100,000 inhabitants; and an improvement of the efficiency of the justice system while always ensuring the independence of the judiciary.

15. Ecuador enjoyed a vibrant democracy and guaranteed freedoms of association and expression. The delegation noted that discriminatory or defamatory messages could also be spread by the media and that, therefore, the 2013 Organic Law of Communication, while guaranteeing the right to freedom of expression, also generated responsibilities for the opinions expressed.

16. Ecuador had been able to guarantee the enjoyment of human rights during a humanitarian emergency such as the April 2016 earthquake. Since the earthquake, Ecuador accomplished the recovery of 912 schools, 9 health centers, and completed the construction of 12,220 homes.

17. The delegation also referred to Ecuador's initiatives at the international level, such as the development of a binding legal instrument on transnational corporations and human rights. Ecuador was committed to strengthening the global agenda for fiscal justice and the creation of an intergovernmental fiscal body.

18. To conclude, the delegation stressed that Ecuador was able to achieve the positive results presented through creative and sovereign political decisions: it introduced a new social pact in favor of human beings and nature; a comprehensive and sustainable concept of development called "Good Living"; an heterodox vision of financing development; and a

rethinking of international relations. This allowed Ecuador to meet 20 of the 21 goals of the Millennium Development Goals and transform the human rights situation in the country.

B. Interactive dialogue and responses by the State under review

19. During the interactive dialogue, 83 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

20. Venezuela welcomed that from 2006 to 2016 one and a half million people were lifted out of poverty and that between 2008 and 2016 investment in education increased almost 300%.

21. Algeria welcomed the effective engagement to promote women's participation in public life and improve the system of social rehabilitation, including the improvement of prison infrastructure and the establishment of a new management model.

22. Angola welcomed the National Plan for Good Living of 2013-2017, the 2012 organic law on persons with disabilities, and the policies aimed at eradicating poverty. Angola noted with concern inequalities between different social groups.

23. Argentina welcomed the adoption of the Education Plan 2016-2025. It noted that special attention should be paid regarding the fight against impunity.

24. Armenia commended the adoption of legislation setting the minimum age of marriage at 18 and encouraged Ecuador to address sexual violence against girls in education and update the national plan to combat trafficking, sexual and labour exploitation.

25. Australia was concerned at the high incidence of violence against women, while noting the steps taken. It was further concerned with the removal and appointment of judges through mechanisms that may be perceived as undermining judicial independence.

26. Azerbaijan noted that, further to its recommendation at the second cycle of UPR concerning measures aimed at reduction of poverty, Ecuador made efforts and increased investment in social programs, despite budgetary constraint.

27. Bahamas noted the remarkable reduction of poverty and inequalities. It further considered noteworthy the increased political participation of women, reductions in unemployment and pre-trial detention and championing of disability rights.

28. Bangladesh noted the reduction of income inequality in last decade. It considered exemplary Ecuador's model of "universal health care access" and promotion of migrant's rights. It noted that independence of the judiciary was the corner stone of ensuring human rights.

29. Belarus welcomed the measures guaranteeing socio-economic rights, including by increasing funds and coverage of the social welfare system. Further efforts in education would create favourable conditions for full and active participation in public life.

30. Belgium welcomed the measures to combat child forced labour and the increased budgets for education and children health. Belgium expressed concern at the growing obstacles to freedom of expression and association and to the work of human rights defenders.

31. The Plurinational State of Bolivia welcomed Ecuador's legislative measures to fight discrimination and the reforms promoting of the rights of good living such as the reduction of illiteracy, particularly among indigenous women and the rural population.

32. Botswana noted Ecuador's efforts to improve the criminal justice system, but expressed concern at the frequent use by the Council of the Judiciary of the internal disciplinary system to dismiss judges, and the imposition of harsh sentences on government critics and opposition members.
33. Brazil commended the ratification of the ILO Convention on Domestic Workers and the 1961 Convention on the Reduction of Statelessness. It welcomed the criminalization of torture and offenses referred to in the Rome Statute.
34. Canada welcomed the adoption of certain laws on freedom of association and civic space. It encouraged Ecuador to further efforts to ensure full alignment of domestic laws with international human rights obligations.
35. Chile welcomed the adoption of the Comprehensive Criminal Code, which criminalized femicide. Chile expressed concern at the delay in ratifying the Optional Protocol to the CRC on a communications procedure.
36. China welcomed the measures taken to promote the rights of persons with disabilities, women and minorities; to eradicate illiteracy; combat violence against women; reform the judiciary and improve prison infrastructure.
37. Costa Rica welcomed Ecuador's investment in social programs. It also highlighted the increase of women's political participation, the implementation of the National Plan for Good Living and the progresses in access to justice.
38. Côte d'Ivoire noted that progress in human rights should lead towards full rule of law being established. Despite persisting major challenges, human rights promotion and protection should be priority in reconstruction.
39. Cuba welcomed the advances in health, education, rights of people with disabilities, children and women. It also appreciated the implementation of SIDERECHOS and Ecuador's leadership in the promotion of a legally binding instrument on transnational corporations and human rights.
40. Czechia appreciated Ecuador's informative presentation that included responses to some of its advanced questions.
41. The Democratic People's Republic of Korea noted the adoption of positive policies and programs for vulnerable people and the strengthening of national human rights institutions.
42. Djibouti welcomed Ecuador's ratification of the core international human rights instruments and its full cooperation with most human rights mechanisms.
43. Dominican Republic welcomed the implementation of the National Plan for Good Living and the achievements on the rights of vulnerable groups. It also highlighted Ecuador's leadership in the promotion of a legally binding instrument on transnational corporations and human rights.
44. Egypt congratulated Ecuador for its promotion of all human rights and for the advances in the areas of combating poverty, education, health, and housing among others.
45. El Salvador welcomed that Ecuador had a National Human Rights Institution with A status as well as the adoption of the National Plan for Good Living and the law on disabilities.
46. Estonia recognized some positive developments and took note with regret that no special procedures mandate holders had visited the country despite numerous requests and Ecuador's standing invitation.

47. Ethiopia commended the legal and policy framework adopted by Ecuador and noted with satisfaction achievements such as the participation of women in public life and the investment in social poverty eradication programs.
48. France thanked Ecuador for presenting its progresses in human rights, especially in the areas of health and the fight against poverty, as well as its efforts to improve the legislative framework on women's and LGBTI rights.
49. Georgia noted the introduction of the Organic Law on the National Councils for Equality and the Organic Law on Disabilities. It welcomed the ratification of the Convention on the Reduction of Statelessness and the prioritising of eradication of gender-based violence.
50. Germany commended progresses made, especially the investments made in education and health, and the decrease of poverty. It remained concerned about shrinking civil society space.
51. Ghana welcomed the ratification of the ILO Workers with Family Responsibilities Convention, the adoption of both the Comprehensive Criminal Code and the National Plan of Good Living 2013-2017. It was concerned about discrimination against women and Afro-Ecuadorians.
52. Greece acknowledged the adoption of the Comprehensive Criminal Code and the criminalization of torture. It welcomed the adoption of the National Plan for Good Living and the Organic Act on Disabilities.
53. Guatemala welcomed the adoption of the Law on National Equality Councils. It urged Ecuador to implement a national policy to fight against racism and discrimination, with effective participation of discriminated groups.
54. Haiti praised the success of social and economic programs, especially in reducing poverty and inequality. It welcomed the improvement in the rights of women, especially in public life.
55. Honduras underscored outstanding achievements in the reduction of poverty and income inequality. It congratulated Ecuador for extending an invitation to the Special Rapporteur on Freedom of Opinion and Expression.
56. Hungary welcomed Ecuador's significant efforts in the field of education and the increase of girl's enrolment. It was concerned by the persistence of discrimination against women, and encouraged Ecuador to combat gender stereotypes.
57. Iceland noted steps taken to promote gender equality. It noted with regret restrictive legal requirements for abortions. Iceland asked about steps taken to implement accepted recommendations to ban corporal punishment.
58. Indonesia commended Ecuador for reducing inequalities and noted the adoption of the Law on the National Councils for Equality and the Law on Health Care and Medical Assistance.
59. The Islamic Republic of Iran noted the progress made to improve prison infrastructure, the participation of women in public life and in education system, and the increased investment in social programs.
60. Iraq commended Ecuador for the progress in ensuring gender equality in participation in public life, combatting racial discrimination and addressing illiteracy.
61. Ireland noted the progress made in promoting the rights of children and urged Ecuador to introduce legislation to prohibit corporal punishment. It was concerned at reports of excessive use of force by security forces during protests and demonstrations.

62. Israel stated that despite some progress made in specific areas, many issues still raised concern.

63. Italy noted the achievements made by implementing the National Plan of Good Living and encouraged Ecuador to continue its efforts in promoting and protecting human rights.

64. In response to some of the questions received, the delegation stated that Ecuador had issued a number of laws to protect human rights, such as the 2014 Comprehensive Organic Criminal Code, which typified crimes against humanity, among others; the Organic Law for Labor Justice, which regulated the conditions of domestic work, guaranteed access to social security for housewives and prohibited the dismissal of pregnant women; the 2015 Reformatory Law to the Civil Code, which prohibited the marriage of persons under the age of 18 and established that any of the spouses could administer the conjugal society. In 2012 the National Assembly regulated the process of Pre-Legislative Consultation and applied it to the elaboration of a number of laws. The delegation stressed that never before legislative processes had had such a high level of citizen participation.

65. The transformation of the Ecuadorian justice system had received international recognition and was highly valued by the population. Ecuador implemented rigorous merit-based selections of judicial officials, complemented by a disciplinary system in line with the Constitution, international treaties and the jurisprudence of the Inter-American Court of Human Rights. In this regard, the delegation highlighted that the legal figure of "inexcusable error" was also used in other countries and did not affect judicial independence.

66. In Ecuador, freedoms of expression and opinion were constitutionally guaranteed and were part of the core group of rights that could be applied directly. The 2013 Organic Law of Communication had been elaborated in a participatory manner and was consistent with Article 19 of the ICCPR. The law expressly prohibited prior censorship, protected those participating in the communication process, promoted intercultural communication, contained clear provisions against discrimination and incorporated for the first time the right to reply and rectification as foreseen by Article 13 of the American Convention on Human Rights.

67. The delegation stressed that the Communication Law only contained administrative infractions, clearly established the conducts that constituted violations and their respective reparations, and fully guaranteed the right to defense.

68. Ecuador highlighted that the human being was at the center of its security policy and that the National Police had adopted a community based approach. As a result, Ecuador had experienced a drastic reduction of crimes and was now one of the safest countries in the region. In 2015 the Armed Forces were allowed, through a Constitutional Amendment, to provide complementary support to the police in strict compliance with the law. In order to implement this mandate, members of the armed forces had been trained in human rights and clear protocols had been established.

69. The delegation also stressed that a state of exception or emergency had been declared during natural disasters, such as the 2015 eruption of the Cotopaxi volcano and the 2016 earthquake, to allow the Government to take appropriate measures to protect the rights of the population. All emergency decrees had been notified to the Constitutional Court and international organizations.

70. Libya noted the positive developments in the area of sustainable development and the protection of human rights, including by implementing the plan on good living.

71. Liechtenstein stated that in the Criminal Code the classification of offences committed in the context of armed conflicts did not cover all the acts contained in the Rome Statute. It noted that a law on prohibiting corporal punishment had not yet been enacted.
72. Malaysia noted the adoption of the National Plan on Good Living for 2013-2017, efforts to encourage the participation of women in all levels of decision making and an increase in spending in education.
73. The Maldives commended Ecuador for its initiatives to eradicate poverty and promote inclusive education for children with special needs. It acknowledged the progress made in reducing unemployment.
74. Mexico recognized the progress made by Ecuador in the fight against discrimination. It welcomed the human mobility legislation aimed at protecting the rights of migrants, refugees and asylum seekers.
75. Montenegro encouraged Ecuador to strengthen and consolidate an environment for the work of human rights activists. It commended the progress achieved in education, but noted challenges in access to education of indigenous and Afro-Ecuadorian women.
76. Morocco noted Ecuador's efforts to implement MDGs and SDGs and the progress achieved in education, as a part of SDG no. 4, including an increase in investments with the objective to promote free of charge and inclusive quality education.
77. Mozambique noted the devastating consequences of the earthquake in 2016 in Ecuador. It commended Ecuador for its efforts to reduce poverty and for successful implementing a gender affirmative policy.
78. Myanmar commended Ecuador for its active engagement with the United Nations Human Rights mechanism and for its efforts to ensure equal access and opportunities to vulnerable groups, including persons with disabilities.
79. Namibia noted that despite the 2016 earthquake Ecuador made progress in the area of poverty eradication, education, health and the protection of vulnerable groups. Namibia would benefit in learning from the experience of Ecuador on reducing the inequality gap.
80. The Netherlands noted Ecuador's engagement in the area of business and human rights. It noted that separation of powers between executive and the judiciary, the space for civil society and the protection of human rights by businesses did not meet international standards.
81. Nicaragua noted with appreciation the Millennium Development Goals reached by Ecuador, the reduction of the inequalities and the advances in the area of education, among others rights.
82. Norway noted measures taken in line with the recommendations made during the previous review and progress made to promote the rights of women.
83. Pakistan noted the efforts of Ecuador to implement the recommendations received during the previous universal periodic review and to promote and protect human rights.
84. Panama acknowledged Ecuador's efforts to eradicate statelessness and its accession to the 1961 Convention. Panama also highlighted the enactment of legislation on a standardized identity document for both nationals and foreigners.
85. Paraguay welcomed the criminalization of femicide and of discrimination on grounds of sex, sexual orientation and gender identity. It also welcomed the implementation of the National Plan to eradicate gender violence against children, adolescents and women.

86. Peru appreciated the significant reduction of poverty and inequality; the important progresses in health coverage and education; and the measures to include persons with disability.
87. The Philippines commended Ecuador for reducing inequality and increasing investment in public education. It noted Ecuador's continued commitment to human rights despite the challenges resulting from the 2016 earthquake.
88. Portugal commended the implementation of the 2013-2017 National Plan for Good Living, the 2012 Organic Act on Disabilities and the National Plan for the Elimination of Gender Violence against Children, Adolescents and Women.
89. Republic of Korea welcomed the comprehensive legislation and policy framework for the elimination of discrimination against women, persons with disabilities and minorities. It encouraged Ecuador to continue its efforts to improve national laws and policies so as to ensure full respect for human rights.
90. The Russian Federation noted the implementation of recommendations from the previous review, the Government's efforts to combat corruption, and the results of various social projects.
91. Sierra Leone commended Ecuador's efforts to promote human rights, notably through its Ten-Year Education Plan 2016-2025 and the Comprehensive Criminal Code. It noted reports about poverty and marginalization of Afro-Ecuadorians.
92. Singapore commended Ecuador's efforts in dealing with the devastating earthquake. It recognized the commitment to eradicate poverty and raise the standard of living through programmes such as My First Employment.
93. Slovakia acknowledged Ecuador's efforts to tackle gender-based violence. It commended Ecuador for the adoption of the new Organic Law on Human Mobility. It was concerned about the penitentiary and criminal provisions used against human rights defenders.
94. Slovenia was concerned about women's limited access to therapeutic abortion. It encouraged Ecuador to reduce the discrepancy in access to education between the general population and the indigenous population.
95. South Africa commended Ecuador for the increased investment in social programmes and the work undertaken in the context of the Decade for People of African Descent.
96. Spain underscored measures adopted to reform the judicial power in order to strengthen its independence, in line with previous UPR recommendations made by Spain and accepted by Ecuador.
97. Sri Lanka highlighted the Government's efforts to implement the National Plan for good living 2013-2017 and, following the earthquake of April 2016, encouraged it to invest in disaster risk reduction measures.
98. The State of Palestine underscored Ecuador's efforts on quality education and the environment as well as the progress achieved in the implementation of accepted recommendations from the previous UPR.
99. Sweden stated that, despite Ecuador accepted previous UPR recommendations on freedom of expression, a new communications law was signed in 2013 which limited freedom of expression and allowed the government to restrict media.

100. Switzerland was concerned about harassment and intimidation at civil society organizations, particularly those who defended the rights of indigenous peoples, minorities and human rights defenders.

101. Thailand applauded the establishment of the National Equality Council but remained concerned with continued discrimination on the basis of gender and race. It welcomed the development of SIDERECHOS.

102. Timor-Leste welcomed the adoption of the Comprehensive Criminal Code, the Organic Act on National Equality Councils and the National Plan for Good Living 2013-2017. It also appreciated the efforts to promote and protect women's rights.

103. Turkey welcomed the setting of the minimum age for marriage at 18, as previously recommended. It also welcomed the increased participation of women in public life and encouraged strengthening efforts for the promotion and protection of women's rights.

104. Uganda noted the ratification of the two ILO Workers Conventions and the Convention on the Reduction of Statelessness, as previously recommended. It welcomed the National Plan for Good Living and the Organic Act on Disabilities.

105. Ukraine encouraged Ecuador to continue efforts to implement and update an information system to follow up on human rights mechanisms recommendations; combat racism and racial discrimination; and ensure proper functioning of the Ombudsman's Office.

106. The United Kingdom of Great Britain and Northern Ireland urged an equitable and balanced application of the Organic Law on Communications. It encouraged respecting indigenous people's rights and consulting them fully on projects that might impact on them.

107. The United States of America was concerned about the restrictions on freedom of speech and on civil society organizations and about the lack of judicial independence caused by executive branch pressure on the judiciary.

108. Uruguay welcomed Ecuador's achievements in the fields of health, child labour, and fight against discrimination on grounds of sexual orientation and gender identity. It was however concerned about cases of forced internment of LGBTI in so-called "rehabilitation centres".

109. The delegation of Ecuador reaffirmed that human rights were central to the State's policies and enumerated a number of initiatives in this regard, such as the establishment of the Ministry of Justice, Human Rights and Worship; the creation of the Truth Commission to investigate serious human rights violations committed between 1984 and 2008; and the enactment of the "Victims Law", which created the Intangible Reparation Program implemented by the Ombudsman's Office.

110. The eradication of gender based violence was also a national priority and a "National Plan for the Eradication of Gender Violence against Women, Children and Adolescents" was being implemented. The delegation reaffirmed that Ecuador did not criminalize social protest and there were no political prisoners or human rights defenders detained.

111. In 2011 Ecuador created the National Mechanism for Preventing Torture, with specialized staff, adequate funding and full access to detention centers.

112. Ecuador thanked the United Nations for its support in establishing SIDERECHOS, a computer platform that had been used for the preparation of the UPR national report and would be crucial to ensure the follow up to the recommendations received.

113. With regard to freedom of association, the delegation noted that Ecuador recognised all forms of organizations and had strengthened their participation at all levels of

government. Ecuador's commitment with freedom of association was also demonstrated by the increase in the number of organizations registered in the unified information system on social organizations from 1.270 in 2011 to 90.464 nowadays.

114. Ecuador implemented an universal and free health coverage for both Ecuadorians and foreigners. It had removed the barriers that prevented access to health by vulnerable or marginalized groups and eliminated all forms of discriminatory or degrading treatments. Within this framework, Ecuador had explicitly prohibited practices of "dehomosexualization" and closed 25 centres practicing it.

115. Ecuador had also experienced important progresses in the area of sexual and reproductive health and developed a National Plan on Sexual and Reproductive Health 2017 – 2021. The delegation noted that the Constitution protected life since conception and that, in addition to the cases in which abortion had been decriminalized, Ecuador guaranteed medical care in all cases of obstetric emergency.

116. Ecuador thanked delegations for their constructive participation, welcomed the encouraging comments received and stressed that in order to maintain its credibility the UPR should not be politicized. Ecuador invited all countries to join its initiative for the development of a binding instrument on transnational corporations and human rights and work together on issues such as combating tax evasion and promoting financing for development and human rights. The delegation concluded by stating that it was sure that the government of President Lenin Moreno, which would be sworn in on 24 May, would continue efforts to guarantee human rights and build an inclusive and democratic society.

II. Conclusions and/or recommendations**

117. **The recommendations formulated during the interactive dialogue/listed below have been examined by Ecuador and enjoy the support of Ecuador:**

117.1 Update and continue implementing the National Plan for Good Living (Nicaragua);

117.2 Boost its recent ratification of the Treaty of Marrakech of June 27th of 2013 to benefit blind people, people with visual disability or with other difficulties to access printed texts (Panama).

118. **The following recommendations enjoy the support of Ecuador, which considers that they are already implemented or in the process of implementation:**

118.1. Ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (El Salvador) (Georgia) (Montenegro) (Portugal); Ratify the Optional Protocol to the Convention on the Rights of the Child (Hungary); Ratify the Optional Protocol to the CRC (Ghana);

118.2. Ratify the Marrakesh Treaty to facilitate access to published works for visually impaired persons (Ghana);

118.3. Continue its constructive engagement with the Human Rights Council and its mechanisms (Myanmar);

118.4. Intensify cooperation with the Special Rapporteurs including by allowing them to visit the country (Ukraine);

** The conclusions and recommendations have not been edited.

- 118.5. **Adopt an open, merit-based selection process when selecting national candidates for UN Treaty Body elections (United Kingdom of Great Britain and Northern Ireland);**
- 118.6. **Continue and strengthen its relation of cooperation with the Office of the United Nations High Commissioner for Human Rights in order to develop an instrument to follow-up the recommendations of the system's mechanisms (Honduras);**
- 118.7. **Ensure its legislation being in line with the International Covenant on Civil and Political Rights (Hungary);**
- 118.8. **Develop a comprehensive deinstitutionalisation plan for people with disabilities, that aims to support their life in their communities, and to ensure inclusive education for people with disabilities (Israel);**
- 118.9. **Take all necessary measures to ensure that the National Mechanism for the prevention against Torture has a solid legal basis and enough resources for the fulfilment of its mandate (Guatemala);**
- 118.10. **Continue implementing the computer platform SIDERECHOS, an important tool for the monitoring, follow up and implementation of the recommendations of the UPR (Paraguay);**
- 118.11. **Ensure the respect of human rights of vulnerable persons, notably women, older persons, children, as well as persons with disabilities and with reduced mobility (Côte d'Ivoire);**
- 118.12. **Make specific efforts to combat discrimination and to improve the levels of education and health of its people (Sri Lanka);**
- 118.13. **Further strengthen the work of national councils for equality to promote inclusive society (Malaysia);**
- 118.14. **Develop and implement a National Action Plan for the implementation of the activities of the Decade of Persons of African Descent (Sierra Leone);**
- 118.15. **Strengthen efforts in addressing racial discrimination including through implementing the Multinational Plan to Eliminate Racial Discrimination and Ethnic and Cultural Exclusion (South Africa);**
- 118.16. **Ensure adequate training for court officials handling cases of discrimination (Timor-Leste);**
- 118.17. **Progress efforts to end discrimination based on sexual orientation, gender identity and intersex status (Australia);**
- 118.18. **Continue to increase efforts to end discrimination against LGBTI persons (Uruguay);**
- 118.19. **Guarantee the protection of all people from discriminatory norms and practices on the grounds of sexual orientation and gender identity in all spheres of life (Spain);**
- 118.20. **Continue promoting the rights of LGBTI persons and protect them from violence and social and cultural discrimination (Chile);**
- 118.21. **Take all appropriate measures to prevent, investigate and punish manifestations of violence, intolerance and discrimination against LGBTI people (Israel); Investigate, prosecute and punish those responsible for acts of**

violence against lesbians, gays, bisexual, transgender and intersexual persons as part of its efforts to combat stereotypes and bias against them (Argentina);

118.22. Intensify efforts to raise public awareness to end all forms of discrimination by providing human rights education and training for government agencies, media and the public and implementing campaigns to combat gender stereotypes and violence (Thailand);

118.23. Fight against discrimination based on sexual orientation and gender identity, especially against children, carrying out public awareness programs and teacher trainings on this subject (France);

118.24. Continue efforts aimed at strengthening the measures necessary for the protection of the rights of older persons (Morocco);

118.25. Pursue its policy regarding protection of the rights of nature (Algeria);

118.26. Step up efforts to pursue policies and programs for healthy environment (Philippines);

118.27. Advance in the implementation of the guiding principles on business and human rights at the national level as a complement to Ecuador's efforts to establish a binding instrument on transnational corporations and human rights (Chile);

118.28. Pursue ongoing efforts to conclude an internationally binding instrument on transnational corporations and business and human rights (Egypt);

118.29. Maintain the leadership in the process for the elaboration of a legally binding instrument on transnational companies and human rights (Cuba);

118.30. Continue your claims in light of the refusal of transnational companies to repair the serious environmental damages in the Amazon (Cuba);

118.31. Ensure training for law enforcement and security forces in relation to human rights standards in management of peaceful assemblies, ensure all allegations of excessive use of force and arbitrary detention are investigated and that perpetrators are prosecuted (Ireland);

118.32. Ensure the prevention and effective investigation of forced disappearances of and violence against women (Sweden);

118.33. Take necessary measures to eliminate the cases of torture in prisons (Iraq);

118.34. Acknowledge the existence of the so-called "rehabilitation clinics" and "sexual reorientation" therapies and take measures to eradicate them (Israel);

118.35. Eliminate practices of forced placement in clinics for treatment to allegedly "cure" sexual orientation or gender identity of LGBTI persons, and ensure due accountability for persons responsible, as well as the full reparation for victims (Portugal);

118.36. Ensure judicial independence and diversity in judicial appointments (Australia);

118.37. Take steps to ensure and protect the full independence and impartiality of the judiciary (Estonia);

- 118.38. Take all the necessary steps in order to ensure the independence of the judiciary (Greece);
- 118.39. Ensure and protect the full independence and impartiality of the judiciary and guarantee that it can carry out its judicial functions without any form of pressure or interference (Israel);
- 118.40. Continue its efforts for the judicial reforms to promote and protect the independence of judiciary (Pakistan);
- 118.41. Strengthen efforts to ensure and protect the full independence and impartiality of the judiciary, and facilitate a broad and participatory dialogue on the challenges in the administration of justice (Paraguay);
- 118.42. Comply with its commitments to guarantee and strengthen the independence of the judiciary (Slovakia);
- 118.43. Continue deepening the adoption of measures to guarantee the independence and professionalization of the judicial power (Spain);
- 118.44. Strive to ensure full separation of judiciary from the executive branch as far as appointment of senior judicial officials are concerned (Bangladesh);
- 118.45. Take measures including investigation of unfair dismissal of judges and ensure the independence and impartiality of the judicial system (Botswana);
- 118.46. Further continue ensuring equal access to justice and equal treatment by the courts of all Ecuadorians (Ethiopia); continue its efforts to guarantee access of all to justice (Azerbaijan);
- 118.47. Continue efforts to ensure the independence and impartiality of the judiciary, especially with respect to the rights of the defense and the transparency in judicial procedures (France);
- 118.48. Establish mechanisms to ensure that investigations of allegations of grave human rights violations are conducted in a comprehensive, independent and impartial manner to expedite sanction and redress procedures (Mexico);
- 118.49. Take urgent measures to accelerate judicial investigations and punish perpetrators of human rights violations described in the report of the Truth Commission (Argentina);
- 118.50. Continue upholding the high standards in ensuring the right to vote also in the future (Russian Federation);
- 118.51. Align national laws and regulations on freedom of expression with international human rights standards (United Kingdom of Great Britain and Northern Ireland);
- 118.52. Take additional steps to ensure that national laws and regulations are fully aligned to international standards, with a view to safeguarding freedom of expression and the right to peaceful assembly (Brazil);
- 118.53. Protect journalists, human rights defenders and other representatives of civil society against acts of intimidation and violence to which their activities may expose them (Belgium); Take measures to ensure the protection of journalists and human rights defenders (Costa Rica);

- 118.54. Analyse the adoption of legal provisions and administrative actions to strengthen the free enjoyment of the rights of freedom of expression and association, as well as the independence and impartiality of the judiciary (Costa Rica);
- 118.55. Guarantee a safe and enabling environment to all human rights defenders, investigate all allegations of attacks, harassment, and intimidation against them, and ensure that the legislation on freedom of expression, including online, is fully in compliance with the article 19 of the ICCPR (Estonia);
- 118.56. Further enhance the freedom of expression, especially of journalists and social media users (Greece);
- 118.57. Guarantee a favourable environment for the work of all civil society actors, active in the field of protection and promotion of human rights (Hungary);
- 118.58. Establish specialized protection mechanisms to ensure the safe and independent work of civil society and human rights defenders (Mexico);
- 118.59. Develop all the possible efforts to preserve freedom of expression in the media and social networks, in accordance with the recommendations of the universal and the regional human rights' systems (Peru);
- 118.60. Make efforts to review existing relevant legislation to secure the full exercise of the freedom of expression and association (Republic of Korea);
- 118.61. Promote, protect and respect the right to freedom of expression, assembly and association in compliance with country's international human rights obligations (Slovakia); Take concrete measures to promote and protect the right to freedom of opinion and expression, in accordance with what is stated in article 19 of the Universal Declaration of Human Rights (Sweden);
- 118.62. Adopt the appropriate measures to guarantee the free exercise of the rights of assembly and association without unjustified restrictions and to respect the legitimate space of civil society, journalists and human rights defenders (Spain);
- 118.63. Adopt the necessary measures to ensure that the implementation of the Ley Orgánica de Comunicación is in conformity with the right to freedom of expression and the relevant international standards (Switzerland);
- 118.64. Strengthen prevention and protection against intimidation, threats and violence against civil society, including human rights defenders and trade unions critical of the government, and fully guarantee the freedom of expression, both offline and online (Czechia);
- 118.65. Fully guarantee freedom of expression and freedom of assembly and protect journalists and human rights defenders against threats and aggressions (France);
- 118.66. Consolidate an environment suitable for human rights defenders and establish a mechanism for their protection (Republic of Korea); Further consolidate an environment suitable for the work of human rights defenders (Ukraine);
- 118.67. Ensure that it grants the right to freedom of association and the possibility for associations to carry out their work without undue restrictions (Sweden);

- 118.68. Strengthen legislation to combat trafficking, sexual and labour exploitation and other types of exploitation of persons, in particular women and children (Botswana);
- 118.69. Adopt a comprehensive law against trafficking in persons (Sierra Leone); Adopt a comprehensive law against trafficking in persons (Ukraine); Draw up and implement a comprehensive law on trafficking in persons. (Armenia); Consider the possibility of adopting a separate law combating trafficking in persons (Belarus);
- 118.70. Further intensify its efforts to combat human trafficking in line with implementing the National Plan and address properly protection of victims of human trafficking (Islamic Republic of Iran);
- 118.71. Consider updating the National Plan on combating human trafficking (Iraq);
- 118.72. Ensure the effective implementation of policies and operations aimed at dismantling trafficking networks and smuggling of migrants (Philippines);
- 118.73. Increase its efforts to implement the National Plan to Combat Trafficking in Persons (Timor-Leste); Increase efforts to implement the National Plan to Combat Trafficking in Persons (Turkey); increase efforts to implement the National Plan to Combat Trafficking in Persons and the National Agenda on Equality for Human Mobility (Uganda);
- 118.74. Bring all legislation concerning communication surveillance in line with international human rights standards and especially require a test of necessity and proportionality for all communications surveillance (Liechtenstein);
- 118.75. Continue strengthening efforts to ensure economic, social and cultural rights of citizens (Russian Federation);
- 118.76. Continue to promote economic-socio- development so as to improve living standards of people (China);
- 118.77. Further advance in pursuing the fair distribution of national wealth (Bolivarian Republic of Venezuela);
- 118.78. Strengthen measures to further reduce the gap in the redistribution of wealth as part of its ongoing efforts toward poverty eradication (Indonesia);
- 118.79. Continue its efforts in the fight against poverty and in favor of people in vulnerable situation (Paraguay);
- 118.80. Continue developing programmes to fight against poverty of Afro-Ecuadorian families and facilitate their full participation in public life (Djibouti);
- 118.81. Continue with its programs for improving the living standards of its citizens, including the indigenous peoples, Afro-Ecuadorians and Montubios (Namibia);
- 118.82. Improve access for Afro-Ecuadorians to decent housing, education and good living (Uganda);
- 118.83. For the follow-up of recommendations 135.8, 135.9, 135.15 and 135.16 of the second cycle, increase economic and social investment to improve equality of access, opportunities and needs under the “Sumak Kawsay”

programs for Afro-Ecuadorian families and to facilitate their full participation in public life (Haiti);

118.84. Continue to take effective measures to fully implement its Sig Tierras programme in order to ensure that rural women have equal access to land titles (Namibia);

118.85. Carry out the necessary measures to protect the environment and adopt specific measures to protect the enjoyment of the right to water (State of Palestine);

118.86. Expand social security coverage and ensure equal access for ethnic minorities. (China);

118.87. Continue efforts to recognize decent work, to reduce structural underemployment and gradually expand the purchasing power of the labor income, in the context of strengthening the social and solidarity-based economic system (Nicaragua);

118.88. Continue to implement such policies that increase access to employment, in particular for youths and in the rural areas (Singapore);

118.89. Introduce targeted strategies and labour market reforms to promote women's increased participation in formal sector employment, including by alleviating barriers to such participation (Bahamas);

118.90. Continue efforts allowing access of women to formal employment (Algeria);

118.91. Continue efforts to end child labour through the establishment of an interagency coordination mechanism at national and subnational level in order to implement the National Plan for the Prevention and Eradication of Child Labour (Maldives);

118.92. Reinforce legislative provisions applicable to reduce child labor and to punish those who contravene them (Panama);

118.93. Continue efforts to further reduce child labor and to punish those who employ children, in clear violation of the legislative provisions relating to child labor (Uruguay);

118.94. Continue efforts to promote health care facilities, particularly in rural areas with the focus on tackling malnutrition (Malaysia);

118.95. Continue its efforts on improving health through expanding its "Zero Malnutrition Program" to cover as much of its population as is possible (Maldives);

118.96. Continue to develop, implement, monitor and strengthen policies to reduce rates of obesity and the incidence of non-communicable diseases (NCDs) (Bahamas);

118.97. Continue to strengthen measures to deal with teenage pregnancies, by promoting access to reproductive health services for all, including sexual and reproductive health education, as well as counselling services and health care adapted to the young people, in accordance with the commitments in the Montevideo Consensus (Uruguay);

118.98. Ensure that all girls and women have access to comprehensive sexual and reproductive health promotion and care, including access to modern

contraceptive methods (Estonia); Ensure that all women and girls have access to affordable and modern contraceptive methods (Iceland);

118.99. Implement its comprehensive health promotion policy and its policy framework for the elimination of discrimination against women (South Africa);

118.100. In line with ongoing efforts in the field of sexual and reproductive health, take measures to combat violence against women and promote gender equality (France);

118.101. Continue efforts to reform the education system because it is an important element to reduce poverty (Morocco);

118.102. Continue to increase investment in education and strengthen infrastructure for education (China);

118.103. Continue to reduce the gap between urban and rural areas in the field of education (Democratic People's Republic of Korea);

118.104. Step up efforts in ensuring access to quality education for all children, including those from minority groups and rural areas (Thailand);

118.105. Continue increasing public investment in education and continue its efforts to implement the strategies of educational inclusion, with special attention to the areas with difficult access and to children (State of Palestine);

118.106. Further continue efforts in eliminating the gap in accessing education between rural and urban areas and the dropout rates among indigenous and Afro descendant students (Ethiopia);

118.107. In efforts to tackle the problem of illiteracy, continue to promote access to quality education in rural areas, which would bring long term benefits to women, youth and indigenous groups in rural areas (Malaysia);

118.108. Continue the policy of inclusive education, especially in rural areas (Libya);

118.109. Pursue and scale up the implementation of inclusive education policies (Slovenia);

118.110. Continue its efforts towards implementation of inclusive education policies it has developed (Azerbaijan);

118.111. Scale up the implementation of inclusive education policies with special attention to vulnerable groups (Ukraine);

118.112. Improve educational system particularly by enhancing wider access to marginalised groups and those living in remote areas (Indonesia);

118.113. Continue strengthening Ecuador's excellent education policy (Bolivarian Republic of Venezuela);

118.114. Take the necessary measures to ensure full participation of all citizens, in particular vulnerable groups, in the education system and in the administration of public affairs (Angola);

118.115. Continue to ensure access to quality education for all Ecuadorians through continuous improvements in the training of educators (Singapore);

118.116. Increase access to quality education by indigenous and Afro-Ecuadorian women and those in rural areas (Bahamas);

- 118.117. For the follow-up of recommendations 135.8, 135.48 and 135.55 of the second cycle, continue to improve the quality of public education, particularly for those living below the poverty line, with emphasis on psychological health and the psychosocial elements of a quality learning environment (Haiti);
- 118.118. Continue promoting access to education and the design of public policies oriented to increase the education coverage for girls living in rural areas, in particular indigenous and Afro-Ecuadorian girls (Chile);
- 118.119. Continue combatting all forms of discrimination against women (Djibouti);
- 118.120. Step up efforts for eliminating all forms of discrimination against women (Greece);
- 118.121. Address social and cultural stereotypes underpinning discrimination and violence against women and ensure women's participation in decision-making (Ukraine);
- 118.122. Strengthen efforts to prevent and combat all forms of discrimination and violence against women and children and other vulnerable groups (Italy);
- 118.123. Intensify measures, including human rights training, to raise awareness of gender equality (Turkey);
- 118.124. Continue efforts to eradicate gender-based violence (Georgia);
- 118.125. Continue its efforts to reduce and eradicate gender-based violence, ensuring due diligence in the pursuit and prosecution of acts of this nature and providing relevant training to the competent authorities on the protection and prevention of violence against women and girls (Nicaragua);
- 118.126. Continue to improve the procedures for prosecuting and sanctioning those responsible for acts of violence against women, as well as guaranteeing a constant supervision of the implementation of the National Plan for the Eradication of Gender Violence against children (El Salvador);
- 118.127. Further strengthen mechanisms fostering prosecution of all perpetrators of gender-based violence (Slovakia);
- 118.128. Constantly monitor the implementation of the National Plan for the Elimination of Gender Violence against Children, Adolescents and Women, in order to ensure the proper investigation, prosecution and punishment of the persons responsible for acts of violence. Against women (Portugal);
- 118.129. Intensify efforts in the fight against violence against women and child abuse, to guarantee that normative and institutional measures adopted are effective to address the problem (Spain);
- 118.130. Systematically collect data on violence against women, sexual violence, and trafficking (Sweden);
- 118.131. Ensure that women victims of violence receive appropriate help and perpetrators are brought to justice (Italy);
- 118.132. Grant all the necessary resources for the establishment of the judicial units specialized on legal provisions related to violence against women (Panama);
- 118.133. Strengthen protection mechanisms for women victims of violence, since the first moment of the complaint (Paraguay);

- 118.134. Further strengthen the human rights institutions for ensuring better protection of rights of children, women and indigenous people (Pakistan);
- 118.135. Continue to implement administrative and judicial measures for the effective protection of women and girls against sexual violence and abuse and for the punishment of perpetrators (Brazil);
- 118.136. Continue strengthening universal birth registration services in the country, ensuring that it is free and accessible to all (Slovakia);
- 118.137. Prohibit corporal punishment of children in all settings (Iceland);
- 118.138. Introduce and enforce legislation prohibiting corporal punishment of children in all settings, including in the family, schools and all places of deprivation of liberty (Liechtenstein);
- 118.139. Enact legislation to explicitly prohibit corporal punishment of children in all settings (Montenegro);
- 118.140. Continue combatting all forms of child abuse (Djibouti);
- 118.141. Ensure that all ill-treatment and sexual violence against children in educational settings is promptly, efficiently and impartially investigated, that perpetrators are brought to justice and that the victims receive reparation and are provided with the protection and support they require (Belgium);
- 118.142. Implement, consistently, norms and public policies to promote the rights of people with disabilities (Cuba);
- 118.143. Make further efforts for the protection of rights of persons with disabilities and share good experiences in this regard (Democratic People's Republic of Korea);
- 118.144. Continue taking measures in order to protect the rights of persons with disabilities and develop programs to ensure their enjoyment of their rights to education, health, housing and labour (Egypt);
- 118.145. Continue to address the promotion and protection of the rights of persons with disabilities by developing specific employment programs (Islamic Republic of Iran);
- 118.146. Continue efforts to ensure that persons with disabilities can find employment and to provide them with medical assistance in rural areas (Libya);
- 118.147. Strengthen measures to enhance the welfare of vulnerable groups including person with disabilities (Myanmar);
- 118.148. Strengthen suitable mechanisms for the identification of situations of violence against people with disability (Paraguay);
- 118.149. Continue with the policies promoting the human rights of vulnerable groups, in particular indigenous peoples, peasants and other persons working in rural areas (Plurinational State of Bolivia);
- 118.150. Strengthen the measures Ecuador has taken in favour of the needs of indigenous peoples (Côte d'Ivoire);
- 118.151. Continue efforts to establish effective consultation processes with communities in accordance with international standards with regard to any project that affects the territory or livelihoods of indigenous people (El Salvador); Further strengthen consultations with indigenous population to

fulfil their economic, social and cultural rights (Republic of Korea); Develop transparent procedures for prior consultations with indigenous peoples on the use of indigenous lands (Sierra Leone); Establish effective consultation process with the indigenous peoples and communities concerned for any project that might affect their territory or livelihoods (Estonia); Institutionalise the right to consultation of indigenous peoples and involve civil society and indigenous groups in the elaboration of a functioning consultation mechanism according to the country's commitments under ILO-Convention no. 169 (Norway); Promote the active participation of indigenous people in the decisions-making process on issues concerning them, especially regarding land and territories (Peru);

118.152. Ensure the effective holding of prior, free and informed consultations with indigenous groups on policies that affect their way of life or culture (Mexico);

118.153. With the participation of Indigenous persons, communities, and their respective organizations, adopt a legal framework that ensures respect for the principles in the UN Declaration on the Rights of Indigenous Peoples (Canada);

118.154. Strengthen its human rights protection mechanisms for vulnerable groups and the indigenous peoples (Greece);

118.155. Take adequate measures to guarantee the protection of isolated indigenous peoples, including the respect for intangible zones (Norway);

118.156. Redouble its efforts to obtain, in law and in practice, the inclusion of migrants in all spheres, in particular of women in the labour market (Honduras);

118.157. Expedite the introduction of a statelessness determination procedure and ensure that it is in line with international standards and UNHCR guidance (Slovakia).

119. The following recommendations will be examined by Ecuador which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council in September 2017.

119.1. Ratify the Convention on the Non-Applicability of Statutory Limitations to War Crimes and Crimes Against Humanity (Armenia);

119.2. Fully cooperate with the International Criminal Court and fully align its national legislation with the Rome Statute's obligations and definitions of crimes and principles and ratify the Kampala amendments to the Rome Statute (Liechtenstein);

119.3. Adhere to and adapt its national legislation to the Arms Trade Treaty (Guatemala);

119.4. Develop a national strategy to tackle modern slavery and contribute towards the realisation of SDG 8.7, and, as part of this, to ratify the 2014 ILO protocol to the Forced Labour Convention, 1930, and build law enforcement capability to further facilitate the investigation, prosecution and conviction of human traffickers (United Kingdom of Great Britain and Northern Ireland).

120. The recommendations formulated during the interactive dialogue/listed below have been examined by Ecuador and have been noted by Ecuador:

120.1. End the policy of providing two different types of identity documents for trans and cisgender people (Israel);

- 120.2. **Implement a national strategy to improve the situation and social integration of the Roma population (Hungary);**
- 120.3. **Take steps to recognize the Roma people as its own citizens and to protect them against racial discrimination (Bangladesh);**
- 120.4. **Develop and adopt a National Action Plan on Business and Human Rights, including measures on access to remedy, with special attention to the position of human rights defenders (Netherlands);**
- 120.5. **Review and amend the relevant legislation and practice in order to strengthen the independence of justice, ensure merit-based appointment of judges and protect their work against political interference (Czechia);**
- 120.6. **Guarantee the independence of the judiciary by reforming article 109 number 7 of the Organic Code of the Judiciary in order to clearly delimit, in accordance with international law, the figure of "inexcusable error", which is now insufficiently safeguarded against misuse for targeting judges (Netherlands);**
- 120.7. **Consider the adaptation of its legislation, especially the figure of the "inexcusable error", in order to fully guarantee the independence of the justice's administration (Peru);**
- 120.8. **Remove or alter the broad definition and arbitrary application of "inexcusable error" used by the Judicial Council to punish judges (United States of America);**
- 120.9. **Eliminate the catch-all clause "inexcusable error" in Article 109 of the Organic Code of the Judiciary and create a legal framework to ensure the full independence and impartiality of the judiciary in compliance with the UN Basic Principles on the Independence of Judiciary (Germany);**
- 120.10. **Review Article 109.7 of the Organic Code for the Judiciary with a view towards guaranteeing judicial independence, including through the independent selection of judicial authorities (Canada);**
- 120.11. **Fully respect the right to freedom of expression, association and peaceful assembly by reviewing the laws, policies and programs that regulate civil society and by amending or repealing any laws that allow the State to use force against peaceful demonstrators, arbitrarily detain protestors, restrict civil space and arbitrarily shut down the activities of civil society organizations. Such laws include Articles 336, 339, 345, 346 of the Organic Penal Code as well as Articles 22, 23, 24 of Presidential Decree 739 (Canada);**
- 120.12. **Create and maintain in law and in practice a safe and enabling environment for civil society and human rights defenders, including by amending its laws to ensure compliance with ICCPR and full independence of the judiciary in line with international standards (Ireland);**
- 120.13. **Guarantee freedom of expression and peaceful association and safeguard the activities of journalists and human rights defenders, also by amending relevant legislation in order to align it with the best practices and international standards in the area of freedom of expression (Italy); Adopt the necessary legislative measures to ensure the full enjoyment of the right to freedom of opinion and expression in all its forms, through the elimination of excessive restrictions on its exercise (Mexico);**

120.14. Review the Organic Act on Communication and relevant executive decrees so that media outlets, civil society organizations and trade unions can operate freely, cannot be arbitrarily sanctioned or disbanded and have access to effective remedy (Czechia); Address concerns arising under the Organic Law on Communication (2013) which impose an increased level of self-censorship on media outlets (Australia); Promote the exercise of freedom of expression without undue restrictions, by amending or repealing the 2013 Organic Communications Law (United States of America);

120.15. Eliminate all forms of discrimination and criminalization of civil society organizations, human rights defenders and the media inter alia by repealing the Executive Decrees No. 16, 739 and 691 and the Organic Law of Communication and by ending criminal proceedings against persons participating in social protests based on broadly worded offences contained in the Criminal Code, such as sabotage and terrorism (Germany); Consider revising the executive decree number 739 on the regulation of social organizations and the organic law of communication in the light of international commitments on human rights (Costa Rica); Revise the Presidential Decrees No. 16 and 739, the Criminal Code, as well as the Law on Communication to bring them in conformity with international human rights norms (Belgium); Reform Presidential Decrees Nos. 16 and 739 and any draft law in this field to ensure the protection of human rights defenders and to ensure the independence and functioning of civil society organizations, notably by accepting the offer of technical assistance from the United Nations special rapporteurs to reform the current legislation (Switzerland); Ensure civil society organizations are able to operate freely, including groups that may be critical of the government, by amending or repealing Presidential Decrees 16 and 739 (United States of America);

120.16. Take the necessary steps to ensure that all operations of intelligence agencies are monitored by an independent oversight mechanism (Liechtenstein);

120.17. Advance in reforming the Criminal Code to decriminalise abortion (Norway); Repeal laws criminalising abortion in cases of rape, incest and severe foetal impairment and eliminate all punitive measures (Iceland); Reform Organic Integral Criminal Code in relation to the legal extension of abortion and to decriminalize abortion in cases of rape, incest and sever foetal impairment (Slovenia);

120.18. Repeal the provision of the Civil Code that designates the husband as the administrator of the marital property (Iceland); Repeal the legal provision that designates the husband as the administrator of marital property (Portugal);

120.19. Repeal Decree No. 1247 and establish clear procedures in secondary legislation in order to implement the right to free, prior and informed consent of indigenous peoples, regarding legislative or administrative measures affecting their territories and livelihood, as contained in the Constitution of Ecuador and in ILO Convention No. 169 (Germany).

121. Ecuador could not support the recommendations in paragraphs 120.1, 120.2, 120.3 and 120.18 as it considers that they contain factually incorrect information.

122. Ecuador could not support the recommendations in paragraphs 120.5, 120.6, 120.7, 120.8, 120.9, 120.10, 120.11, 120.12, 120.13, 120.14, 120.15, 120.17, 120.19 as it

considers that the referred legislations are already in line with international standards.

123. Ecuador could not support the recommendations in paragraph 120.16 as it considers that the existing National System of Public Security, including the National Secretariat of Intelligence, is regulated by the Public Security Law, which provides for civil and democratic control.

124. Ecuador could not support the recommendations in paragraph 120.4 as it considers that there is no need for a National Action Plan since Ecuador has already in place binding legislative and policy framework, including the Constitution of the Republic, the Code of Production, Trade and Investment, the Monetary Organic Code and the Organic Criminal Code, among others, that provides for the full protection and promotion of human rights in the context of business operations. This framework is complemented by other norms, plans and programs in different areas related to business and health, nature, agriculture, fair trade and intellectual property, violence and child labour, and the security in public and private entities, inter alia.

125. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

III. Voluntary pledges and commitments

126. The State of Ecuador assumed the following voluntary commitments:

(a) Through cooperation with the United Nations System, Ecuador commits to continue strengthening the SIDERECHOS electronic platform, in order to maintain its permanent operation and ensure the follow up of the fulfillment of human rights recommendations and commitments adopted within the framework of the UN system;

(b) Ecuador pledges to continue leading the implementation of Resolution A/HRC/Res/26/9 of the Human Rights Council on the elaboration of an international legally binding instrument on transnational corporations and other business enterprises with respect to human rights; including through sharing best practices in legislation and policy making;

(c) Share with the international community the Ecuadorian experience on the protection and promotion of the human rights of people in human mobility situation;

(d) Share with the international community the Ecuadorian experience on the protection and promotion of the human rights related to the judiciary reform.

Annex

Composition of the delegation

The delegation of Ecuador was headed by His Excellency Mr. Guillaume Long, Minister of Foreign Affairs and Human Mobility, and composed of the following members:

- Guillaume Long, Ministro de Relaciones Exteriores y Movilidad Humana;
- Ledy Zuñiga, Ministra de Justicia, Derechos Humanos y Cultos;
- Rosana Alvarado, Vicepresidenta de la Asamblea Nacional;
- Verónica Espinosa, Ministra de Salud Pública;
- César Navas, Ministro Coordinador de Seguridad;
- Patricio Barriga, Secretario Nacional de Comunicación;
- María Carola Iñiguez Zambrano, Subsecretaría de Organismos Internacionales Suprarregionales del Ministerio de Relaciones Exteriores y Movilidad Humana;
- Natalia Bolaños, Subsecretaria de Adolescentes Infractores del Ministerio de Justicia, Derechos Humanos y Culto;
- Tammy Lorena Vallejo Silva, Subsecretaría Nacional de Comunicación – SECOM;
- Carlos Andrade, Subsecretario de Pueblos y Nacionalidades;
- Karina Peralta, Vocal Principal del Consejo de la Judicatura;
- Ricardo Velasco, Director de Derechos Humanos de la Procuraduría General del Estado;
- María Amelia Espinosa, Directora de Derechos Humanos del Ministerio de Justicia, Derechos Humanos y Cultos;
- Lee Brown, Asesor Despacho Ministerial;
- David Tellez, Asesor del Ministerio Coordinador de Seguridad;
- Daniela Saa, Funcionaria de la Subsecretaría de Organismos Internacionales y Supraregionales;
- María Fernanda Espinosa, Embajadora, Representante Permanente ante la ONU Ginebra;
- Arturo Cabrera, Embajador, Representante Permanente Alterno ante la ONU Ginebra;
- Luis Espinosa, Ministro, Misión Permanente ante la ONU Ginebra;
- Walter Schuldt, Primer Secretario, Misión Permanente ante la ONU Ginebra;
- Juan Pablo Cadena, Primer Secretario, Misión Permanente ante la ONU Ginebra;
- Analucía Jácome, Analista en Derechos Humanos, CDH, Misión Permanente ante la ONU Ginebra.