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**Human Rights Council**  
**Working Group on the Universal Periodic Review**  
**Forty-first session**  
7–18 November 2022

## **Summary of stakeholders' submissions on Ecuador\***

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

#### **I. Background**

1. The present report was prepared pursuant to Human Rights Council resolutions 5/1 and 16/21, taking into consideration the periodicity of the universal periodic review. It is a summary of 37 stakeholders' submissions<sup>1</sup> for the universal periodic review, presented in a summarized manner owing to word-limit constraints. A separate section is provided for the contribution by the national human rights institution that is accredited in full compliance with the Paris Principles. The report has been prepared taking into consideration the outcome of the previous review.<sup>2</sup>

#### **II. Information provided by the national human rights institution accredited in full compliance with the Paris Principles**

2. The Office of the Ombudsman of Ecuador expressed serious concern at the escalating violence in the country's prisons, which had developed into a full-blown crisis in 2021 with clashes between criminal gangs, and stated that it was important to strengthen preventive measures in order to reduce violent incidents.<sup>3</sup>

3. The Office of the Ombudsman reported that less than 10 per cent of the cases documented in the Truth Commission's report had been brought before the courts.<sup>4</sup>

4. The Office of the Ombudsman noted that the amendments to the Democracy Code (2020) had made it compulsory for a minimum percentage of women to be included at the top of multi-person candidate lists. That minimum percentage would increase progressively from 15 per cent by 2021, to 30 per cent by 2023 and to 50 per cent by 2025. In 2021, only 38 per cent of the seats in the National Assembly had been occupied by women, a lower percentage than that recorded in 2013.<sup>5</sup>

5. The Office of the Ombudsman reported that one of the greatest problems in Ecuador was child and teenage pregnancy and referred to information according to which a large number of girls under 15 years of age gave birth each year.<sup>6</sup>

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\* The present document is being issued without formal editing.



6. The Office of the Ombudsman emphasized that, in April 2021, the Constitutional Court of Ecuador had tasked the Ombudsman with preparing a bill to regulate the voluntary termination of pregnancy in cases of rape.<sup>7</sup>

7. The Office of the Ombudsman noted that school dropouts had been one of the consequences of the coronavirus disease (COVID-19) pandemic. At the national level, more than 90,000 students had stopped attending school during the pandemic, thus exacerbating a pre-existing situation, as around 268,000 students were already outside the education system.<sup>8</sup>

8. The Office of the Ombudsman found the data on violence against women to be alarming and noted that the measures taken by the Government in response to the COVID-19 pandemic had led to a rise in that type of violence. It also indicated that 2021 had been the most violent year for women and girls since femicide had been classified as a crime under the Comprehensive Organic Criminal Code.<sup>9</sup>

9. The Office of the Ombudsman noted that there was no up-to-date statistical information that would allow appropriate decisions to be made regarding discrimination against LGBTIQ+ persons.<sup>10</sup>

10. The Office of the Ombudsman noted that only 14.62 per cent of all persons with disabilities registered in Ecuador were economically active.<sup>11</sup>

11. The Office of the Ombudsman stated that the effective conduct of prior consultation, environmental consultation and pre-legislative consultation processes, which was a fundamental right of indigenous, Afro-Ecuadorian and Montubio peoples, was indispensable. The lack of a secondary rule regulating such consultation processes did little to foster legal certainty for those who had the obligation to consult and for those who had the right to be consulted on policies that would affect their territories.<sup>12</sup>

12. The Office of the Ombudsman stated that, due to the migration crisis faced by a country in the region, between 2015 and 2021, 1.7 million people had transited through Ecuador to other countries, and about 500,000 people had settled in Ecuador.<sup>13</sup>

### **III. Information provided by other stakeholders**

#### **A. Scope of international obligations<sup>14</sup> and cooperation with human rights mechanisms**

13. Joint Submission 25 (JS25) highlighted the ratification of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) in 2020 and recommended that Ecuador make the regulatory and institutional changes necessary to fully implement the pillar of the agreement dealing with access to environmental information.<sup>15</sup>

#### **B. National human rights framework**

##### **1. Institutional infrastructure and policy measures**

14. Joint Submission 12 (JS12) highlighted the adoption, in 2019, of the Organic Act on the Office of the Ombudsman. However, it considered that that Office of the Ombudsman had been weakened rather than strengthened.<sup>16</sup> It recommended that appropriate legislation be drafted to regulate the process for selecting the highest-ranking members of the national human rights institution.<sup>17</sup>

## C. Promotion and protection of human rights

### 1. Implementation of international human rights obligations, taking into account applicable international humanitarian law

#### *Equality and non-discrimination*

15. Joint Submission 26 (JS26) stated that, in Ecuador, people living with HIV/AIDS still suffered from considerable stigma, despite their rights being protected by law.<sup>18</sup>

#### *Right to life, liberty and security of person, and freedom from torture*

16. Several submissions referred to the mass protests and violence that had taken place in October 2019.<sup>19</sup> Joint submission 16 (JS16) noted that, in October 2019, mass protests had erupted against an economic package announced by then-President Moreno and that the police had repressed them with many instances of excessive force, particularly against indigenous protesters.<sup>20</sup> Human Rights Watch (HRW) stated that a truth commission created by the Ombudsperson's Office to investigate the excessive use of force attributed the deaths of six protesters to the security forces and around 75 per cent of human rights violations during the protests to police and 13 per cent to the military.<sup>21</sup>

17. Amnesty International (AI) recommended that Ecuador promptly, thoroughly, and impartially investigate the human rights violations committed in the context of the 2019 protests with the aim of guaranteeing truth, justice, and reparations for victims.<sup>22</sup>

18. Several organizations highlighted the existence of a severe crisis in the prison system, with high rates of violence and deaths.<sup>23</sup> The Inter-American Commission on Human Rights – Organization of American States (IACHR-OAS) reported that, in 2021, a total of 316 detainees had lost their lives in State custody and that hundreds had been injured in a series of attacks carried out by fellow detainees.<sup>24</sup> Joint Submission 5 (JS5) noted that this represented an exponential increase in the number of violent deaths in prisons compared to the year 2020, during which 46 deaths were recorded in total.<sup>25</sup>

19. The IACHR-OAS identified as one of the main causes of prison violence the lack of effective State control in the prisons where the most serious violent acts had occurred.<sup>26</sup> Joint Submission 24 (JS24) reported that these incidents had been the result of narco-criminal gang leadership challenges and territory disputes.<sup>27</sup> HRW noted that prisons were often controlled by criminal organizations that extorted detainees and their families.<sup>28</sup>

20. JS5 stated that the abusive use of pretrial detention was one of the main causes of overcrowding and that, over the previous 13 years, the prison population had reportedly increased by 194 per cent.<sup>29</sup> Joint Submission 22 (JS22) noted that, since the 2014 prison restructuring process, which had created so-called mega prisons, the appalling living conditions in prisons had worsened.<sup>30</sup>

21. The IACHR-OAS recommended that Ecuador implement a comprehensive policy to address criminal acts in prisons. Such a policy should include effective measures to prevent and control all types of violence, reduce the prison population by using pretrial detention only in exceptional circumstances, and ensuring conditions of detention that were compatible with human dignity.<sup>31</sup>

22. Joint Submission 23 (JS23) observed that, although enforced disappearance was an offence under the Criminal Code, to date, no cases of that crime had been brought before the courts.<sup>32</sup>

#### *Administration of justice, including impunity, and the rule of law*

23. Regarding recommendations on judicial independence,<sup>33</sup> Joint Submission 20 (JS20) noted that contrary practices had come to light in recent years, and raised various concerns, including in relation to the competitive examination by which Constitutional Court judges were selected.<sup>34</sup> The Observatorio de Derechos y Justicia (ODJ) took note of concerns related to the competitive examination by which National Court of Justice judges were selected.<sup>35</sup> It

recommended observing the highest human rights standards relating to judicial independence and the selection of judges and high courts.<sup>36</sup>

24. The ODJ took note of certain practices in high-profile cases that could constitute breaches of due process and judicial independence, including due to insufficient substantiation of the decisions of the Attorney General's Office and the judicial authorities.<sup>37</sup>

25. Joint Submission 1 (JS1) noted that there was an insufficient number of judicial support units to ensure access to justice for women victims of gender-based violence, particularly in remote rural parishes.<sup>38</sup>

26. JS5 indicated that the enactment of the Comprehensive Organic Criminal Code had been a factor driving the increase in prison overcrowding, since, under the Criminal Code, the prison sentences for some offences had been increased.<sup>39</sup> It recommended amending the Criminal Code so that correct use could be made of alternatives to deprivation of liberty<sup>40</sup> and simplifying the process for gaining access to prison benefits and to open and semi-open penitentiary facilities.<sup>41</sup>

27. The Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos (CAPAJ) indicated that corruption was an endemic problem.<sup>42</sup> JS23 reported that, from 2007 to 2019, corruption had cost the treasury the equivalent of the total Ecuadorian public debt and that there was evidence of shortcomings within public monitoring bodies.<sup>43</sup>

*Fundamental freedoms and the right to participate in public and political life*

28. Joint Submission 9 (JS9) considered that the measures taken to follow up on some of the recommendations made during the universal periodic review process had not been sufficient to guarantee freedom of expression.<sup>44</sup> JS16 stated that acute implementation gaps remained with regard to the right to freedom of peaceful assembly and the protection of human rights defenders, civil society activists and journalists.<sup>45</sup>

29. Joint Submission 15 (JS15) highlighted the increase in violence and barriers for human rights defenders and their families active in extractive industries or the energy sector. It noted that State officials were the main perpetrators of stigmatization and harassment and that, in most cases, an alliance had been formed between the companies and the security forces.<sup>46</sup> In that context, those most at risk were indigenous populations, campesinos and people of African descent.<sup>47</sup>

30. JS12 stated that, in addition to the lack of due diligence in investigating threats and attacks against defenders, criminal action was brought against them to hinder their work.<sup>48</sup> JS16 stated that penal offences were repeatedly used in abusive criminal prosecutions to harass, intimidate and prosecute human rights defenders and civil society activists.<sup>49</sup> Additionally, criminal law continued to be used to disrupt protests and subject protesters to judicial proceedings.<sup>50</sup>

31. JS16 recommended that Ecuador end the harassment and criminalization of human rights defenders and journalists and review the Criminal Code to repeal articles that criminalize expression in all its forms.<sup>51</sup> JS15 recommended the drafting of a public policy setting out practical measures to protect human rights defenders and to guarantee a safe environment for the performance of their work.<sup>52</sup>

32. JS16 noted that the 2013 Organic Law on Communication was reformed in 2019, eliminating administrative sanctions and criminal offences that had been used to stifle journalism.<sup>53</sup> However, it noted reports of a growing climate of insecurity for journalistic activity, with threats coming from state and non-state actors, and that rising insecurity linked to organized crime had affected the work of journalists.<sup>54</sup>

33. JS25 noted that there was a clear need to update the Freedom of Information Act, which had entered into force 18 years previously in 2004.<sup>55</sup> Joint Submission 2 (JS2) recommended that Ecuador immediately approve the bill to reform the Freedom of Information Act<sup>56</sup> and that it adopt public policies to guarantee access to information through initiatives to expand Internet coverage nationwide.<sup>57</sup>

34. JS16 stated that Ecuador lacked a comprehensive law governing the work of civil society organizations and that, as a result, civil society work took place in an insecure legal environment in which organizations were regulated by executive decrees.<sup>58</sup>

*Right to privacy*

35. JS23 stated that Ecuador did not have specific legislation to protect citizens' rights in the face of video surveillance, since the Organic Act on Personal Data Protection, adopted in May 2021, did not place any limits on it.<sup>59</sup>

*Prohibition of all forms of slavery, including trafficking in persons*

36. The European Centre for Law and Justice (ECLJ) noted that trafficking was linked to smuggling of persons out of the country, a phenomenon that had been exacerbated because of COVID-19, with a great increase in the first half of 2021.<sup>60</sup> Joint Submission 18 (JS18) noted that the closure of borders had presented an opportunity for illegal groups to establish human trafficking and smuggling networks and to profit from the vulnerable situation of the population in transit.<sup>61</sup>

37. JS22 highlighted a case of modern slavery involving a company in the Ecuadorian agricultural sector in which more than 1,000 abaca workers had been subjected to exploitation. It noted that, despite legal action having been taken, the company had not made any reparations to the victims and the State had not done anything to improve their living conditions.<sup>62</sup>

*Right to work and to just and favourable conditions of work*

38. JS16 noted that Ecuador's Constitution imposed a single trade union system for all labour relationships in State institutions and that excessive restrictions were imposed on public servants' right to strike and to collective bargaining.<sup>63</sup>

39. Joint Submission 17 (JS17) noted the efforts to eradicate child labour but observed that the practice continued, affecting mainly girls, especially from low-income families.<sup>64</sup>

*Right to an adequate standard of living*

40. Joint Submission 21 (JS21) reported that the country had been facing an economic crisis since 2014 and that no effort had been made to promote socioeconomic development with the aim of improving people's standard of living and ensuring a fairer distribution of wealth.<sup>65</sup> Joint Submission 13 (JS13) stated that the COVID-19 pandemic had led to a severe economic crisis in Ecuador, causing a significant drop in production.<sup>66</sup>

41. The Stichting Broken Chalk (BCN) indicated that there were regions, particularly rural areas, where 50 per cent of children and adolescents lived in poor households, without access to portable water, sanitation or health-care facilities.<sup>67</sup> JS17 highlighted that the lack of basic services for populations living in rural and remote areas was a major constraint, particularly for children and adolescents.<sup>68</sup>

42. JS21 stated that national data revealed that Ecuador had the second-highest rate of chronic malnutrition in Latin America and noted the increase in child malnutrition and undernutrition, mainly in rural areas where indigenous populations live.<sup>69</sup> Joint Submission 10 (JS10) highlighted the high rates of extreme poverty among the indigenous population.<sup>70</sup>

43. JS13 stated that the agency responsible for preventing the establishment of irregular settlements had not developed a prevention policy and that forced evictions had consequently become public policy.<sup>71</sup>

*Right to health*

44. JS26 noted that Ecuador did not have a unified health-care system and that the associated fragmentation hampered access to health-care services.<sup>72</sup>

45. JS26 noted that the State had made significant progress in HIV care but that there were no HIV prevention campaigns targeting key populations.<sup>73</sup>

46. Joint Submission 19 (JS19) noted that, in Ecuador, abortion was criminalized and punishable by up to 2 years in prison for those who underwent an abortion and by 1 to 3 years in prison for health-care providers who assisted in performing an abortion.<sup>74</sup> AI noted that, in 2021, the Constitutional Court had ruled to decriminalize abortion in cases of rape. In February 2022, the National Assembly had approved the corresponding bill, with very restrictive gestational limits of 12 weeks in general, and 18 weeks for priority groups. On 15 March, the President modified the bill, restricting access to abortion even more.<sup>75</sup>

47. JS21 recommended enacting the law on terminating pregnancies that were the result of rape, in line with international standards,<sup>76</sup> decriminalizing abortion in cases of rape, incest and severe fetal abnormalities and doing away with all forms of punishment.<sup>77</sup>

48. JS26 highlighted that public education on sexual and reproductive health was an outstanding issue and that the efforts made by the State were insufficient.<sup>78</sup>

49. BCN noted high rates of teenage pregnancies in Ecuador and recommended that sex education programmes include information about safe contraceptive use, possible complications of unplanned pregnancies, and the importance of consent.<sup>79</sup> JS21 stated that most teenage pregnancies had been the result of sexual abuse.<sup>80</sup>

50. Joint Submission 4 (JS4) recommended developing regulatory frameworks and social policies to address maternal mortality and complications during pregnancy and to reduce the prevalence of unsafe abortions.<sup>81</sup>

#### *Right to education*

51. BCN noted that the expansion of educational provision had not been equal because rural areas, indigenous populations and the black community were often left behind and many children coming from poor families, predominately Afro-Ecuadorian and Indigenous, left school to provide financial support to their families.<sup>82</sup>

52. BCN indicated that, despite improvements, the quality of education remained poor, and that schools were often overcrowded, and teachers overwhelmed.<sup>83</sup> School dropout rates were still a problem, with the two most vulnerable groups being pregnant teenagers and indigenous populations, which had the lowest completion rates in their secondary studies.<sup>84</sup>

53. BCN stated that teachers were not always equipped or trained to teach students with hearing, visual, or mental disabilities, and buildings were not always accessible. Such deficiencies had prevented over half of children with disabilities from attending schools.<sup>85</sup>

54. JS21 recommended that Ecuador implement the strategies necessary to bring back into the education system children and adolescents who, for various reasons, had stopped studying.<sup>86</sup>

55. Several submissions highlighted the existence of high rates of sexual violence in schools.<sup>87</sup> HRW stated that many young survivors of school-related sexual violence faced significant barriers to access justice.<sup>88</sup> JS19 highlighted the decision handed down by the Inter-American Court of Human Rights<sup>89</sup> in a case concerning a girl who had suffered sexual abuse in a public school and recommended guaranteeing women and girls' access to quality education that was free from violence and/or sexual harassment, including by complying with the Court's decision.<sup>90</sup>

56. The Plataforma de Acción, Gestión e Investigación Social (PLAGIS) observed that, in 2021, the Act amending the Comprehensive Organic Criminal Code defined as an offence bullying in schools and bullying in academic settings.<sup>91</sup> BCN noted that, although Ecuador had taken important steps to handle the issue of sexual violence, the policies and protocols were not adequately carried out by many schools.<sup>92</sup>

57. JS21 noted that LGBTIQ+ children were systematically victims of violence and ill-treatment, especially in the education system. Even though a care guide had been issued, it had not been followed in practice.<sup>93</sup>

*Development, the environment, and business and human rights*

58. Joint Submission 3 (JS3) noted that, in 2021, the Government of Ecuador had issued two executive decrees: Executive Decree No. 95, which extended petroleum frontiers into indigenous territories, and Executive Decree No. 151, which expanded the mine registry.<sup>94</sup> Joint Submission 27 (JS27) reported that the constitutionality of those decrees had been challenged for failure to duly consult the indigenous peoples who would be affected by those policies.<sup>95</sup>

59. JS15 stated that those at greatest risk from the extractive industries were indigenous populations, campesinos and persons of African descent, who were subject to criminal action and the targets of corruption strategies supported by companies in the sector.<sup>96</sup> JS24 highlighted the heavy pressure exerted by the executive branch during judicial proceedings brought against extractive activities.<sup>97</sup>

60. Joint Submission 14 (JS14) reported on mining concessions granted by the State and mining activities, both legal and illegal, in the Province of Napo and their environmental consequences, particularly for bodies of water.<sup>98</sup>

61. JS10 stated that there were no appropriate and effective mechanisms in place to address the impact of oil spillages, most of which had occurred in the Amazon.<sup>99</sup> JS3 provided information about several oil spillages which had affected, inter alia, indigenous nations and peoples.<sup>100</sup> JS27 noted that, in 2020, an oil spill had affected more than 100 Quechua communities on the banks of the Coca and Napo rivers. JS27 stated that spill controls were so weak or insubstantial that it was claimed that there was a spill or micro spill every two weeks.<sup>101</sup>

62. JS10 recommended establishing effective mechanisms to repair in full the damage caused by oil spills, including measures to prevent the occurrence of new spills.<sup>102</sup>

63. JS15 recommended that Ecuador implement adequate and effective measures to monitor corporate activity, thereby safeguarding the supremacy of rights over the private interests of companies, and that it establish mechanisms to investigate, prosecute and punish corporate actors.<sup>103</sup>

## **2. Rights of specific persons or groups**

### *Women*

64. Joint Submission (JS1) recommended that Ecuador enact an equality law that addressed the different types of discrimination and violence experienced by women and girls.<sup>104</sup>

65. JS1 noted that the Comprehensive Organic Act on the Prevention and Eradication of Violence against Women of 2018 recognized different forms of gender-based violence.<sup>105</sup> JS4 highlighted the lack of knowledge among justice officials and local authorities about the application of the Act and the adoption of administrative measures to provide immediate protection.<sup>106</sup> Joint Submission 6 (JS6) recommended providing sufficient resources for the implementation of the Act.<sup>107</sup>

66. JS17 noted a lack or a low level of awareness of the prevention and reporting protocols available to victims of violence, particularly girls, adolescents and women who could be at risk.<sup>108</sup> It recommended that Ecuador put in place prevention and information programmes on violence against women and promote reporting as the first essential step in gaining access to protection and justice.<sup>109</sup>

67. JS4 noted that actions to prevent violence against women were ineffective because there was no timely and expeditious procedure for protecting victims when they requested protection measures.<sup>110</sup> JS1 reported a decrease in the number of care services for victims of violence and recommended that Ecuador guarantee the availability of care centres and shelters throughout the country.<sup>111</sup>

68. Several organizations highlighted the high rate of femicide in the country.<sup>112</sup> JS23 stated that 2021 had been the most violent year for women and girls since femicide had been classified as an offence in Ecuador.<sup>113</sup>

69. JS6 highlighted the large number of children and adolescents who had lost their mothers to femicide.<sup>114</sup> JS23 indicated that, in the vast majority of cases, they had not received comprehensive reparations.<sup>115</sup> JS6 recommended that Ecuador draft and adopt a comprehensive reparations law, including for indirect victims and survivors of violence against women, femicide and other violent deaths.<sup>116</sup>

70. JS4 noted that the statistics submitted by the Attorney General's Office on sexual offences showed that the number of victims had increased over the preceding four years.<sup>117</sup> It recommended that the Attorney General's Office be allocated sufficient resources and an adequate number of prosecutors properly trained in investigating sexual offences.<sup>118</sup>

71. JS9 observed that violence and discrimination against women had reached the digital world.<sup>119</sup> JS4 stated that, in the context of the COVID-19 pandemic, the increased use of digital technologies had exposed the population to a greater risk of gender-based violence.<sup>120</sup>

#### *Children*

72. JS19 highlighted the high rates of sexual violence suffered by girls and adolescents, with persons under 14 years of age bearing the brunt in that regard.<sup>121</sup> JS19 noted that many of the girls who turned to the justice system were not only deprived of an effective remedy, but also of protection while pursuing their complaints.<sup>122</sup>

73. PLAGIS recommended eradicating all forms of violence against children and adolescents, including online violence and online sexual violence.<sup>123</sup>

74. The Global Partnership to End Violence Against Children indicated that, during the last UPR, the Government had supported recommendations to prohibit corporal punishment but that no such legislation had been adopted. A Bill to prohibit corporal punishment of children had been put before the National Assembly in 2016 but no progress had been made.<sup>124</sup>

#### *Indigenous peoples*

75. JS3 noted that, between 2017 and 2022, there had been no legislative progress or progress in the implementation of public policies to ensure respect for and the protection of the rights of indigenous peoples.<sup>125</sup>

76. JS10 noted that the recommendation contained in paragraph 118.153<sup>126</sup> had not been implemented because the existing legal framework had not been brought into line with the United Nations Declaration on the Rights of Indigenous Peoples.<sup>127</sup> Joint Submission 11 (JS11) recommended developing, in collaboration with indigenous organizations, a public policy that was consistent with the United Nations Declaration on the Rights of Indigenous Peoples and, in particular, the rights to self-determination and autonomy or self-government.<sup>128</sup>

77. JS27 noted that the Constitution allowed for the establishment of "indigenous administrative districts" to serve as regional governments. However, the mechanism by which that status was normally granted was almost impossible to implement.<sup>129</sup> JS3 and JS10 recommended that Ecuador establish, in consultation with indigenous peoples, clear procedures for the granting, formalization and free delivery of title deeds to indigenous peoples for their ancestral lands that had been included in protected areas.<sup>130</sup>

78. AI indicated that both the authorities and companies had continued to disregard indigenous peoples' rights through policies and large-scale projects, such as oil and mining that had affected their territories, environment, health, water and/or food sources.<sup>131</sup> JS27 stated that the expansion of the frontiers of extractive activities and colonies continued to threaten the survival of indigenous peoples.<sup>132</sup>

79. JS27 stated that there was not a single example of prior, free and informed consultations having been undertaken in line with international standards.<sup>133</sup> As for administrative consultations, a restrictive interpretation of the International Labour Organization Indigenous and Tribal Peoples Convention, 1989 (No. 169) only recognized the right to be consulted when the activities in question involved non-renewable resources. In that case, the correct type of consultations was understood to be environmental consultations,

which did not, however, have the same comprehensive scope as the consultations with indigenous peoples provided for in international law.<sup>134</sup>

80. JS3 noted that indigenous peoples had repeatedly been obliged to resort to the courts to demand that the State comply with its duty to consult.<sup>135</sup> HRW observed that, in January 2022, the Constitutional Court ruled<sup>136</sup> on recognizing, for the first time, the right of indigenous communities to have the final decision over oil, mining and other extractive projects that affected their lands.<sup>137</sup>

81. AI recommended that Ecuador ensure the right to free, prior and informed consent of indigenous peoples on policies, projects and legislation that may affect them, in line with human rights standards.<sup>138</sup>

82. JS10 stated that recommendation 118.155<sup>139</sup> on the protection of indigenous peoples living in voluntary isolation had not been implemented.<sup>140</sup> JS3 recommended adopting effective measures to guarantee the rights of indigenous peoples living in voluntary isolation to their lands, territories and natural resources and refraining from engaging in or permitting extractive activities that would hinder the enjoyment of those rights and jeopardize the survival of those peoples.<sup>141</sup>

#### *Lesbian, gay, bisexual, transgender and intersex persons*

83. JS22 highlighted that the LGBTIQ+ population had been subjected to violence, stigmatization and discrimination by Ecuadorian society and recommended that Ecuador develop and implement public policies to protect victims of discrimination on the grounds of sexual orientation and/or gender identity.<sup>142</sup>

84. Joint Submission 8 (JS8) noted that LGBTIQ+ persons faced obstacles in gaining access to justice and that, while the Criminal Code classified hate crimes and discrimination as offences, no action had been taken to prosecute those acts and the justice system was not equipped to support LGBTIQ+ people.<sup>143</sup>

85. HRW noted that, in June 2019, the Constitutional Court had ruled in favour of same-sex marriage, declaring the country's marriage legislation unconstitutional. However, the National Assembly had not yet complied with the court's orders to revise legal provisions on civil marriage to include same-sex couples, to regulate assisted reproduction methods, and to allow same-sex couples to register children with their surnames.<sup>144</sup>

86. Joint Submission 7 (JS7) noted that the recognition of equal civil marriage had provoked a strong backlash in Ecuadorian society and had led to an uptick in violence against the LGBTIQ+ population.<sup>145</sup>

87. JS7 stated that article 68 of the Constitution discriminated against same-sex couples by denying them the right to adopt.<sup>146</sup> It recommended amending the Constitution to repeal that expressly discriminatory provision.<sup>147</sup>

88. JS7 stated that, in the absence of a comprehensive gender identity law, it had become more difficult for transgender and intersex persons to exercise their right to gender self-identification.<sup>148</sup> JS8 reported that the National Assembly had not revised the regulations in force to allow transgender persons to change their sex and have that change recorded and that the Civil Registry had not put in place procedures for changing the name and sex appearing on identity documents.<sup>149</sup> It noted that only persons who were over 18 years of age had the right to change the name appearing on their identity documents.<sup>150</sup>

#### *Migrants, refugees and asylum-seekers*

89. JS18 noted that, up until 2018, Ecuador had maintained a relatively open migration policy but that, after having received an influx of people from a third country, it had been confronted with the challenge of responding to the needs of the hundreds of thousands of people who had arrived at border crossings in the north of its territory.<sup>151</sup> JS18 stated that a large number of those who had entered Ecuador during 2018 and 2019 were highly vulnerable owing to the contexts prevailing in their countries of origin, such as gender-based violence, precarious living conditions and political and social persecution.<sup>152</sup>

90. In February 2019, IACHR-OAS had expressed concern about the measures taken in response to the forced migration of persons from a third country, under which a requirement for documents to be accompanied by an apostille or to be authenticated had been introduced. The IACHR-OAS urged Ecuador to guarantee the rights of those persons, especially the rights to seek and be granted asylum, to non-refoulement and to equality and non-discrimination.<sup>153</sup>

91. JS18 noted that the adoption of Executive Decree No. 826, which provided that the nationals of a country in the region would require a visa to enter Ecuador, had marked a significant shift in policy in August 2019.<sup>154</sup> Executive Decree No. 826 also established migrant registration as a precondition for gaining access to a regularization process under which a special humanitarian visa could be granted to the people of that country.<sup>155</sup> JS23 noted that persons without travel documents or criminal records accompanied by an apostille were unable to regularize their immigration status unless they were granted refugee status.<sup>156</sup>

92. JS18 indicated that, as part of the 2021 reform of the Organic Act on Human Mobility, grounds for being refused entry to the country and for returning inadmissible persons had been introduced without any additional procedural formalities being carried out. That change had allowed for returns and deportations to be carried out in the absence of a procedure to identify international protection needs.<sup>157</sup> JS22 noted that the amendments to the Act's implementing regulations established deportation as the only alternative for migrants in an irregular situation, along with the possibility of their being deprived of their liberty.<sup>158</sup>

93. JS13 stated that Ecuador should implement a migration regularization policy tailored to the real needs of vulnerable migrants.<sup>159</sup>

#### Notes

<sup>1</sup> The stakeholders listed below have contributed information for this summary; the full texts of all original submissions are available at: [www.ohchr.org](http://www.ohchr.org) (one asterisk denotes a national human rights institution with "A" status).

##### *Civil society*

##### *Individual submissions:*

AI	Amnesty International, London (United Kingdom of Great Britain and Northern Ireland);
BCN	The Stichting Broken Chalk, Amsterdam (Netherlands);
CAPAJ	Comisión Jurídica para el Autodesarrollo de los Pueblos Originarios Andinos, Tacna (Peru);
ECLJ	The European Centre for Law and Justice, Strasbourg (France);
EndViolence	Global Partnership to End Violence Against Children, New York (United States of America);
HRW	Human Rights Watch, Geneva (Switzerland);
ODJ	Observatorio de Derechos y Justicia, Quito (Ecuador);
PLAGIS	Plataforma de Acción, Gestión e Investigación Social, Quito (Ecuador).

##### *Joint submissions:*

JS1	<b>Joint submission 1 submitted by:</b> Centro Ecuatoriano de Desarrollo y Estudios Alternativos (CEDEAL), Quito (Ecuador); Acuerdo Nacional por una vida libre de violencia Agenda 2030, Acción Ciudadana por la Democracia y el Desarrollo (ACDemocracia), Red Las Violetas;
JS2	<b>Joint submission 2 submitted by:</b> Coalición Fundación Datalat – Fundación Ciudadanía y Desarrollo para el EPU Ecuador, Quito (Ecuador); Fundación Datalat, Fundación Ciudadanía y Desarrollo;
JS3	<b>Joint submission 3 submitted by:</b> Indigenous Peoples Rights International (IPRI), Baguio City (Philippines); y Confederación de Nacionalidades Indígenas de la Amazonía Ecuatoriana (CONFENIAE);
JS4	<b>Joint submission 4 submitted by:</b> Centro de Apoyo y Protección de los DDHH "Surkuna", Quito (Ecuador); Alianza de Organizaciones por los Derechos Humanos de Ecuador; Bolena, el Taller de Comunicación Mujer, la Asociación Latinoamericana por el Desarrollo Alternativo (ALDEA) y el Centro Ecuatoriano para la promoción y acción de la Mujer (CEPAM) CEPAM-GUAYAQUIL;
JS5	<b>Joint submission 5 submitted by:</b> Coalición DerechosPPL –

- Observatorio de Criminología, Política Criminal y Ejecución Penal; y Fundación Somos Panas, Quito (Ecuador);
- JS6 **Joint submission 6 submitted by:** Coalición Nacional de Mujeres del Ecuador/REDFAVIFE, Quito (Ecuador); National Coalition of Women; y Red de Familias de Víctimas de Femicidio;
- JS7 **Joint submission 7 submitted by:** Akahata-Equipo de Trabajo en Sexualidades y Géneros, Buenos Aires (Argentina); Sexual Rights Initiative; Fundación PAKTA; Fundación SENDAS; Red de Litigantes LGBT de las Américas; Sexual Rights Initiative; Akahata A.C.Synergía – Iniciativa por los Derechos Humanos;
- JS8 **Joint submission 8 submitted by:** Coalición Diversidad Arcoiris – Ecuador, Quito (Ecuador); Fundación Ecuatoriana Equidad (FEE), Fundación Servicios para un Desarrollo Alternativo del Sur (SENDAS); Gay Latino, Centro de Investigación de Estudios y Derechos Humanos (CIEDH); Fundación PAKTA, Fundación Ciudadanía y Desarrollo;
- JS9 **Joint submission 9 submitted by:** Association for Progressive Communications, Johannesburg (South Africa); y Derechos Digitales Asociación para el Progreso de las Comunicaciones (APC);
- JS10 **Joint submission 10 submitted by:** Amazon Frontlines, Lago Agrio (Ecuador); Fundación Alianza Ceibo; Organización Waorani de Pastaza; Comunidad A'i Cofán de Sinangoe; Nación Siekopai; Amazon Watch; y Alianza de Organizaciones de Derechos Humanos;
- JS11 **Joint submission 11 submitted by:** Fundación Alejandro Labaka, Francisco de Orellana (Ecuador); Alianza de Organizaciones de Derechos Humanos de Ecuador; Asociación Latinoamericana para el Desarrollo Alternativo (ALDEA); Amazon Frontlines; Amazon Watch; y Comité Permanente por la Defensa de los Derechos Humanos (CDH);
- JS12 **Joint submission 12 submitted by:** Alianza de Organizaciones por los Derechos Humanos, Quito (Ecuador); La Comisión Ecuémica de Derechos Humanos (CEDHU); Amazon Frontlines; el Comité de Derechos Humanos de Guayaquil (CDH-GYE); el Centro de Apoyo y Protección de los Derechos Humanos, (SURKUNA); la Fundación Latinoamericana para el Desarrollo Alternativo (ALDEA); Acción Ecológica; la Fundación Alejandro Labaka; Amazon Watch; la Asociación de Propietarios de Tierras Rurales del Norte del Ecuador (APT-Norte); la Coordinadora Ecuatoriana de organizaciones para la Defensa de la Naturaleza y el Medio Ambiente, CEDENMA; Extinction Rebellion Ecuador; el Colectivo de Geografía Crítica del Ecuador; el Observatorio Minero Ambiental y Social del Norte del Ecuador (OMASNE); el Colectivo Yasunidos; el Observatorio Nacional Ciudadano para vigilar el cumplimiento de los derechos humanos y derechos de la naturaleza, en referencia a los procesos mineros en todas sus fases; Proyecto Dulcepamba; Kuska Estudio Jurídico; Cabildo por el Agua de Cuenca; Yasunidos Guapondelig;
- JS13 **Joint submission 13 submitted by:** Comité Permanente por la Defensa de los Derechos Humanos, Guayaquil (Ecuador); y Coordinadora de Organizaciones Sociales del Guayas;
- JS14 **Joint submission 14 submitted by:** Amazon Watch, San Francisco (United States of America); la Federación de Organizaciones Indígenas del Napo; Napo Resiste; Napo Ama la Vida; Consejo de Defensoras y Defensores de los Derechos Humanos y de la Naturaleza de la Defensoría del Pueblo en Napo; Hakhu Fundación Amazonia; y Alianza de Organizaciones de Derechos Humanos Ecuador;
- JS15 **Joint submission 15 submitted by:** Pueblo Shuar Arutam, Morona Santiago (Ecuador); Amazonas Watch; la Alianza de Organizaciones de Derechos Humanos Ecuador; Acción Ecológica; el Pueblo Shuar Arutam; Observatorio de los derechos de la naturaleza y de los derechos humanos en el Chocó Andino; el Proyecto Dulcepamba; la Comuna Afroecuatoriana Barranquilla de San Javier; y el Comité de Solidaridad Furukawa Nunca Más;
- JS16 **Joint submission 16 submitted by:** CIVICUS: World Alliance for Citizen Participation, Johannesburg (South Africa); y Fundación Ciudadanía y Desarrollo;

- JS17 **Joint submission 17 submitted by:** Istituto Internazionale Maria Ausiliatrice, Veyrier (Switzerland); Istituto Internazionale Maria Ausiliatrice Instituto de las Hijas de María Auxiliadora- Inspectoría Sagrado Corazón-Ecuador; Confederación de Establecimientos de Educación Católica del Ecuador (CONFEDEC);
- JS18 **Joint submission 18 submitted by:** HIAS, Panama (Panama); HIAS Ecuador; Norwegian Refugee Council Ecuador; and Pontifical Catholic University of Ecuador;
- JS19 **Joint submission 19 submitted by:** The Center for Reproductive Rights, Inc, Geneva (Switzerland); El Movimiento por ser Niña (MPSN); La Coalición desde Nuestras Voces (“la Coalición”); el Centro de Derechos Reproductivos (“el Centro”); Plan Internacional Ecuador; y la Mesa de Género de la Cooperación Internacional en Ecuador (MEGECI);
- JS20 **Joint submission 20 submitted by:** Fundación Ciudadanía y Desarrollo (FCD), Quito (Ecuador); y Centro de Investigación y Estudios de Derechos Humanos (CIEDH);
- JS21 **Joint submission 21 submitted by:** Red de Organizaciones por la Defensa de los Derechos de la Niñez y Adolescencia, Quito (Ecuador); Colectivo Compromiso por la Niñez y Adolescencia, conformado por: CARE, ChildFund, Kindernothilfe, Plan Internacional y World Vision; Coalición Nacional contra el Abuso Sexual a Niñas, niños y adolescentes (COCASEN), conformada por: Asociación de Lucha por los Sobrevivientes de Agresiones Sexuales – ALSAS, CEPRODEG, Colectivo Valientes, Defensoras de Derechos Humanos de la Niñez, Federación de Mujeres de Sucumbíos; Fundación Aldea, Fundación Defensa de los NNA; Fundación Quito Raymi, Representante y vocera de familiares sobrevivientes del abuso sexual; y, AAMPETRA; Colectivo Pacto por la Niñez y Adolescencia, conformado por: Aldeas Infantiles SOS, APADA, Asociación Solidaridad y Acción – ASA – , CENIT, CORIESU, Desarrollo y Autogestión – DYA – , Fundación Liderazgo y Acción, Fundación Acción Solidaria, Fundación Alas de Colibrí, Fundación Amor y Fortaleza, Fundación Aurora, Fundación Cambiando Vidas, Fundación Ciudadanía por el Buen Vivir, Fundación Cristo de la Calle, Fundación Danielle Childrens, Fundación Equidad; Fundación Nuestros Jóvenes, Fundación Regreso a Casa, Fundación Sol de Primavera, Fundación Tierra de Hombres, INEPE, Misión Scalabriniana, Observatorio Social del Ecuador, Pacto Chimborazo, Pacto Tungurahua, Pana tv, Pueblo Kayambi, Red Cantonal de Defensores Comunitarios;
- JS22 **Joint submission 22 submitted by:** Fundación Regional de Asesoría en Derechos Humanos- INREDH Quito (Ecuador); Fundación Ecuatoriana Equidad; Surkuna; Comisión Ecuatoria de Derechos Humanos – CEDHU; La Central Ecuatoriana de Servicios Agrícolas – CESA; Fundación Dignidad; CARE, Ecuador; Fundación AVSI, Ecuador; Caritas, Ecuador; Alas de Colibrí; Misión Scalabriniana; Alianza Migrante;
- JS23 **Joint submission 23 submitted by:** Coalición IFEX-ALC AMARC-ALC SIP, Toronto (Canada)- Fundamedios; Fundación Lucha Anticorrupción; Comisión de Derechos Humanos; Fundación IR “Iniciativas para la Reinserción”; Nos faltan Tres; Fundación Desafío; Diálogo Diverso; y Asociación de Familiares y Amigos de Personas Desaparecidas en Ecuador (Asfadec);
- JS24 **Joint submission 24 submitted by:** Coalición para Derechos de Niñez y Adolescencia del Ecuador para el EPU, Quito (Ecuador) – Fundación Pachamama; Centro de Derechos Humanos de la Pontificia Universidad Católica del Ecuador – CDHPUCE; Fundación TIAM; Movimiento Indígena y Campesino de Cotopaxi – MICC; Coordinadora Ecuatoriana de organizaciones para la Defensa de la Naturaleza y el Medio Ambiente – CEDENMA;
- JS25 **Joint submission 25 submitted by:** Coalición por el derecho de acceso a la información en Ecuador Quito (Ecuador) – Fundación Ciudadanía y Desarrollo (FCD); Observatorio de Derechos y Fundación Ciudadanas del Mundo- FCM;
- JS26 **Joint submission 26 submitted by:** Fundación Ecuatoriana Equidad

(FEE), Quito (Ecuador); Fundación Servicios para un Desarrollo Alternativo del Sur (SENDAS); Centro de Investigación y Estudio de Derechos Humanos (CIEDH); Taller de Comunicación Mujer (TCM); Red Gay Latino; y Fundación Mujer & Mujer;  
 JS27 **Joint submission 27 submitted by:** Land is Life, New York (United States of America); y La Confederación De Organizaciones Indígenas Del Ecuador.

*National human rights institution:*

DPE Defensoria del Pueblo del Ecuador\*, Quito (Ecuador).

*Regional intergovernmental organization:*

IACHR-OAS Inter-American Commission on Human Rights-Organization of American States, Washington, D.C. 20006 (United States of America).

<sup>2</sup> See [A/HRC/36/4](#), [A/HRC/36/4/Add.1](#), and [A/HRC/36/2](#).

<sup>3</sup> DPE, para. 1.

<sup>4</sup> DPE, para. 4.

<sup>5</sup> DPE, paras. 13–14.

<sup>6</sup> DPE, para. 22.

<sup>7</sup> DPE, para. 16.

<sup>8</sup> DPE, para. 23.

<sup>9</sup> DPE, paras. 9–10.

<sup>10</sup> DPE, para. 15.

<sup>11</sup> DPE, para. 19.

<sup>12</sup> DPE, para. 18.

<sup>13</sup> DPE, para. 6.

<sup>14</sup> The following abbreviations are used in UPR documents:

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.

<sup>15</sup> JS25, paras. 5.2 and 8.3.

<sup>16</sup> JS12, paras. 37–38.

<sup>17</sup> JS12, para. 50.

<sup>18</sup> JS26, para. 24.

<sup>19</sup> AI, paras. 42–46, CAPAJ, pp. 3–5, HRW, p. 3, IACHR, p. 5, JS12, paras. 17–18, and JS16, paras. 5.7–5.8.

<sup>20</sup> JS16, para. 5.7.

<sup>21</sup> HRW, p. 3. See also AI, para. 45, and JS16, p. 15.

<sup>22</sup> AI, p. 4.

<sup>23</sup> AI, para. 47, HRW, pp. 2–3, IACHR-OAS, pp.10 and 12–14, JS5, paras. 6.9 and 8.1–8.8, JS13, paras. 5–14, JS22, para 42, JS23, paras. 13.3–13.5, and JS24, paras. 15–18.

<sup>24</sup> IACHR-OAS, p. 14.

- <sup>25</sup> JS5, para. 8.4.
- <sup>26</sup> IACHR-OAS, p. 14.
- <sup>27</sup> JS24, para. 15.
- <sup>28</sup> HRW, p. 2. See also JS13, para. 7.
- <sup>29</sup> JS5, paras. 6.3–6.5. See also IACHR-OAS, p. 14, and JS23, para. 13.4.
- <sup>30</sup> JS22, p. 10.
- <sup>31</sup> IACHR-OAS, p. 14. See also HRW, p. 3.
- <sup>32</sup> JS23, para. 9.3.
- <sup>33</sup> For relevant recommendations see [A/HRC/36/4](#), paras. 118.36 (Australia) and 118.44 (Bangladesh).
- <sup>34</sup> JS20, paras. 21 and 26.
- <sup>35</sup> ODJ, paras. 3.2.1–3.2.5. See also JS20, paras. 43–44.
- <sup>36</sup> ODJ, para. 5.2. See also JS20, paras. 43–44.
- <sup>37</sup> ODJ, paras. 3.3.1–3.3.2.6.
- <sup>38</sup> JS1, p. 10.
- <sup>39</sup> JS5, para. 4.2.
- <sup>40</sup> JS5, para. 11.2.
- <sup>41</sup> JS5, para. 11.4. See also JS22, para. 48.
- <sup>42</sup> CAPAJ, p. 9.
- <sup>43</sup> JS23, paras. 11.3–11.4.
- <sup>44</sup> JS9, para. 31.
- <sup>45</sup> JS16, para. 1.4.
- <sup>46</sup> JS15, paras. 1 and 4. See also CAPAJ, p. 7 and JS14, para. 2.
- <sup>47</sup> JS15, para. 3.
- <sup>48</sup> JS12, para. 11. See also AI, para. 35, JS15, para. 4, and JS16, para. 3.4.
- <sup>49</sup> JS16, para. 3.4.
- <sup>50</sup> JS16, para. 5.4.
- <sup>51</sup> JS16, para. 6.2.
- <sup>52</sup> JS15, para. 50. See also AI, p. 4 and JS12, para. 32.
- <sup>53</sup> JS16, para. 4.3. See also JS23, para. 6.6.
- <sup>54</sup> JS16, para. 4.8.
- <sup>55</sup> JS25, para. 5.6.
- <sup>56</sup> JS2, para. 60. See also JS25, para. 8.2.
- <sup>57</sup> JS2, para. 58. See also JS25, para. 8.5.
- <sup>58</sup> JS16, para. 2.3.
- <sup>59</sup> JS23, para. 7.2.
- <sup>60</sup> ECJL, para. 15.
- <sup>61</sup> JS18, para. 46.
- <sup>62</sup> JS22, paras. 27–28.
- <sup>63</sup> JS16, para. 2.7.
- <sup>64</sup> JS17, paras. 33–34.
- <sup>65</sup> JS21, pp. 3 and 5.
- <sup>66</sup> JS13, para. 47. See also JS21, paras. 2–3.
- <sup>67</sup> BCN, para. 15.
- <sup>68</sup> JS17, para. 16.
- <sup>69</sup> JS21, para. 6.
- <sup>70</sup> JS10, para. 2.
- <sup>71</sup> JS13, paras. 44–46.
- <sup>72</sup> JS26, para. 7.
- <sup>73</sup> JS26, paras. 11 and 13.
- <sup>74</sup> JS19, para. 22.
- <sup>75</sup> AI paras. 6–7. See also HRW, p. 5, ECLJ, para. 10, JS4, paras. 7–10, and JS19, paras. 22–26.
- <sup>76</sup> JS21, para. 54.
- <sup>77</sup> JS21, para. 55.
- <sup>78</sup> JS26, para. 15.
- <sup>79</sup> BCN, paras. 22 and 24.
- <sup>80</sup> JS21, para. 49.
- <sup>81</sup> JS4, para. 10.
- <sup>82</sup> BCN, paras. 8 and 17.
- <sup>83</sup> BCN, paras. 4–5 and 6.
- <sup>84</sup> BCN, para. 16.
- <sup>85</sup> BCN, para. 13.
- <sup>86</sup> JS21, para. 25.
- <sup>87</sup> BCN, paras. 19–20, HRW, pp. 5–6, JS19, para. 14, and JS21, paras. 28–33.

- <sup>88</sup> HRW, p. 6.
- <sup>89</sup> Corte IDH. Paola Guzmán Albarracín c. Ecuador, Fondo, Reparaciones y Costas, Sentencia del 24 de junio de 2020, Serie C No. 405.
- <sup>90</sup> JS19, paras. 17–19 and 44 (ii). See also HRW, p. 6 and JS21, para. 34.
- <sup>91</sup> PLAGIS, p. 1. See also HRW, p. 6.
- <sup>92</sup> BCN, para. 20.
- <sup>93</sup> JS21, para. 23.
- <sup>94</sup> JS3, para. 21. See also JS14, para. 1 and JS24, para. 3.
- <sup>95</sup> JS27, p. 4.
- <sup>96</sup> JS15, para. 3. See also CAPAJ, pp. 7–8.
- <sup>97</sup> JS24, para. 14.
- <sup>98</sup> JS14, paras. 4–10.
- <sup>99</sup> JS10, para. 12.
- <sup>100</sup> JS3, paras. 27–31.
- <sup>101</sup> JS27, p. 5, para. 16. See also AI, paras. 26–30.
- <sup>102</sup> JS10, para. 29 (e).
- <sup>103</sup> JS15, paras. 49 and 52.
- <sup>104</sup> JS1, para. 3.8.
- <sup>105</sup> JS1, para. 2.2.
- <sup>106</sup> JS4, para. 26.
- <sup>107</sup> JS6, p. 4. See also JS1, para. 3.15 and JS4, para. 30.
- <sup>108</sup> JS17, para. 26.
- <sup>109</sup> JS17, para. 45 (b).
- <sup>110</sup> JS4, para. 25.
- <sup>111</sup> JS1, paras. 3.29–3.30 and 3.31.
- <sup>112</sup> JS1, para. 2.4, JS4, paras. 19–21, JS6, paras. 1–40, JS9, para. 21, JS17, para. 27, and JS23, para. 8.2.
- <sup>113</sup> JS23, para. 8.2.
- <sup>114</sup> JS6, p. 4.
- <sup>115</sup> JS23, para. 8.4.
- <sup>116</sup> JS6, p. 11.
- <sup>117</sup> JS4, para. 11.
- <sup>118</sup> JS4, para. 14.
- <sup>119</sup> JS9, para. 16.
- <sup>120</sup> JS4, para. 53.
- <sup>121</sup> JS19, para. 11.
- <sup>122</sup> JS19, para. 39.
- <sup>123</sup> PLAGIS, p. 5.
- <sup>124</sup> EndViolence, paras. 1.1–1.2.
- <sup>125</sup> JS3, para. 3.
- <sup>126</sup> For the relevant recommendation see [A/HRC/36/4](#), para. 118.153 (Canada).
- <sup>127</sup> JS10, para. 6.
- <sup>128</sup> JS11, para. 16 (a). See also JS3, para. 10.
- <sup>129</sup> JS27, para. 13.
- <sup>130</sup> JS3, para. 15 and JS10, para. 29 (d).
- <sup>131</sup> AI, para. 22. See also JS3, paras. 27–37.
- <sup>132</sup> JS27, p. 3, para. 1.
- <sup>133</sup> JS27, para. 3.
- <sup>134</sup> JS27, para. 5.
- <sup>135</sup> JS3, para. 41.
- <sup>136</sup> Sentencia No. 273-19-JP/22 en el caso referente a la Consulta previa en la comunidad A’I Cofán de Sinangoe.
- <sup>137</sup> HRW, p. 8. See also AI para. 33 and JS24, para. 6.
- <sup>138</sup> AI, p. 4. See also JS3, p. 8, JS10, para. 29 (f), and JS14, para. 32.
- <sup>139</sup> For the relevant recommendation see [A/HRC/36/4](#), para. 118.155 (Norway).
- <sup>140</sup> JS10, para. 13.
- <sup>141</sup> JS3, p. 10.
- <sup>142</sup> JS22, paras. 1–17.
- <sup>143</sup> JS8, paras. 7.2 and 7.4.
- <sup>144</sup> HRW, pp. 6–7. See also JS7, para. 11 and JS8, para. 2.3.
- <sup>145</sup> JS7, para. 13.
- <sup>146</sup> JS7, para. 20. See also HRW, p. 7.
- <sup>147</sup> JS7, para. 35.
- <sup>148</sup> JS7, para. 21.

<sup>149</sup> JS8, para. 4.9.

<sup>150</sup> JS8, para. 4.10.

<sup>151</sup> JS18, para. 4. See also JS23, para. 10.3.

<sup>152</sup> JS18, para. 27.

<sup>153</sup> IACHR-OAS, p. 4.

<sup>154</sup> JS18, para. 5.

<sup>155</sup> JS18, para. 6.

<sup>156</sup> JS23, para. 12.3.

<sup>157</sup> JS18, para. 12.

<sup>158</sup> JS22, para. 56.

<sup>159</sup> JS13, p. 2.

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