



UPR 13, May 21, 2012
Recommendations by Canada

Ecuador

QUESTION:

During the 2008 UPR of Ecuador, Canada recommended that Ecuador continue to focus on improving the judicial system. Noting that an independent judiciary plays a key role in protecting the rights of Ecuadorian citizens, we would be grateful if the delegation of Ecuador would advise of the specific measures Ecuador has taken to ensure that judges, when adjudicating cases, are protected from undue influence, whether political or private?

RECOMMENDATIONS:

Canada recommends that Ecuador:

- Undertake a review of existing and proposed legislation relating to freedom of expression and media freedom to ensure its alignment with international standards, and more specifically, eliminate any existing criminal defamation provisions, also known as desacato laws.
- Ensure that community activists and indigenous leaders can exercise their right to peaceful assembly and protest and that anti-terrorist legislation is not misused to inappropriately censure such activities.
- Create an enabling legal environment for civil society organizations to contribute to democratic governance by creating entry points for dialogue and refraining from restricting their freedom to operate independently and freely.

Observations (if time permits)

Following the May 2011 referendum, the Ecuadorian government initiated justice sector reform and replaced the National Judicial Council by a new transitory council. We commend Ecuador on its recent efforts to address weaknesses in the justice system and introduce reforms to the judiciary and the police. While Ecuador can be commended on its efforts to reform its troubled justice system, significant questions remain regarding the independence of the judiciary.

Canada remains concerned about alleged limitations on freedom of expression through acts of intimidation and laws which criminalize "injurious calumny."