



International Convention on the Elimination of All Forms of Racial Discrimination

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Committee on the Elimination of Racial Discrimination

Concluding observations on the twenty-fifth periodic report of Ecuador*

1. The Committee considered the twenty-fifth periodic report of Ecuador¹ at its 3111th and 3113th meetings,² held on 26 and 27 November 2024. At its 3128th meeting, held on 9 December 2024, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the twenty-fifth periodic report of the State party. The Committee expresses its satisfaction with the constructive dialogue held with the State party's delegation and appreciates the additional information provided in writing after the dialogue.

B. Positive aspects

3. The Committee welcomes the ratification by the State party, in September 2018, of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure.

4. The Committee also welcomes the ratification by the State party of the following international human rights instruments:

(a) The Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement), in 2020;

(b) The Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance, through Executive Decree No. 942 of 10 December 2019.

5. The Committee further welcomes the following legislative, institutional and policy measures taken by the State party:

(a) The adoption of the Regulations relating to the Organic Act on the Public Defence Service, through Executive Decree No. 134, in 2024;

(b) The adoption of the Organic Act regulating the Legitimate Use of Force, in 2022;

(c) The adoption of the Protocol for the Application of Intercultural Dialogue in the Judiciary and the Guide on Coordination and Cooperation Mechanisms between

* Adopted by the Committee at its 114th session (25 November–13 December 2024).

¹ CERD/C/ECU/25.

² See CERD/C/SR.3111 and CERD/C/SR.3113.



Indigenous Justice Authorities and Ordinary Justice in Interjurisdictional Proceedings, through Resolution No. 53 of the Council of the Judiciary, in 2023;

(d) The establishment of the special unit for the investigation of illegitimate use of force within the Attorney General's Office, in 2022;

(e) The adoption of the National Agenda for Equality in Human Mobility 2021–2025;

(f) The implementation of the “Whole Life” National Development Plan (2017–2021);

(g) The amendment of the Organic Act on Elections and Political Organizations of the Republic of Ecuador (Code of Democracy), in 2020;

(h) The adoption of the Organic Act on the Prevention and Punishment of Violence in Sport, in 2019;

(i) The adoption of the Communications Act, in 2009;

(j) The issuance of Decision No. 077-DPE-CGAJ-2019 on the regulations for the promotion and protection of the rights of human rights and environmental defenders by the Ombudsman's Office, in 2019, among other measures mentioned in the present concluding observations.

C. Concerns and recommendations

Statistics

6. The Committee notes the statistical data from the 2022 census presented by the State party during the dialogue, according to which the population is composed as follows: 77.46 per cent mestizos, 7.68 per cent Indigenous, 4.80 per cent persons of African descent, 7.70 per cent Montubio people, 2.21 per cent whites and 0.11 per cent other. It regrets, however, that the lack of disaggregated data does not allow for a comprehensive assessment of the living conditions of groups who have historically faced discrimination and the extent to which they are able to exercise their rights. In addition, the Committee is concerned about reports that there were institutional, methodological and technical shortcomings in the 2022 census, especially with regard to the self-identification and participation of Indigenous Peoples, people of African descent and Montubio people, which compromised the quality and representativeness of the information collected. It is also concerned about reports of statistical discrepancies regarding people of African descent, who represented 4.9 per cent of the population in the 2000 census, 7.2 per cent in the 2010 census and 4.8 per cent in the 2022 census, in contrast to projections by regional population planning agencies.

7. The Committee encourages the State party to strengthen the collection of complete and meticulous demographic statistics, ensuring the application of the principle of self-identification, the collection of socioeconomic data disaggregated by race, colour, descent and ethnicity and the incorporation of human rights indicators, with a view to assessing the enjoyment of the rights enshrined in the Convention. To this end, it urges the State party to review the self-identification categories in consultation with Indigenous Peoples, people of African descent, Montubio people and civil society organizations, to ensure the collection of accurate and representative statistical data that will enable the State party to develop appropriate public policies and programmes for the segments of the population that are vulnerable to racial discrimination and to assess the implementation of the Convention in relation to the different groups that make up society. In addition, it recommends that the State party continue the audits of the 2022 census and that it implement in a timely manner the recommendations stemming from them.

Legislative framework for eliminating racial discrimination

8. The Committee notes the provisions of the 2008 Constitution, which enshrine the principles of equality and non-discrimination and the collective rights of Indigenous Peoples,

people of African descent and Montubio people. However, it is concerned about the lack of specific legislation to address racial discrimination and ensure the effective implementation of recognized collective rights. It also regrets the limited enforcement of Constitutional Court decisions concerning provisions of the Convention (arts. 1 and 2).

9. **The Committee recommends that the State party:**

(a) **Enact comprehensive anti-discrimination legislation that includes a clear definition of racial discrimination in line with article 1 of the Convention, expressly prohibiting direct, indirect and intersectional discrimination in the public and private spheres, and that, to this end, it take into account the Practical Guide to Developing Comprehensive Anti-Discrimination Legislation;³**

(b) **In consultation with Indigenous Peoples, people of African descent and Montubio people, enact legislation and adopt regulations that clearly codify the collective rights of communities, nationalities and peoples and establish clear mechanisms for their justiciability;**

(c) **Ensure the effective and timely implementation of all decisions issued by the Constitutional Court regarding the provisions of the Convention.**

National Council for the Equality of Peoples and Nationalities

10. The Committee notes the establishment of the National Council for the Equality of Peoples and Nationalities. However, it is concerned about reports of design shortcomings, particularly with regard to the effective direct representation of Indigenous Peoples, people of African descent and Montubio people, respect for the National Council's autonomy and the lack of processes for joint decision-making in keeping with the principles of plurinationality and interculturality. The Committee is also concerned about the reported institutional and operational weaknesses and insufficient financial, human and technical resources that hinder the effective fulfilment of the National Council's mandate (arts. 1 and 2).

11. **The Committee recommends that the State party:**

(a) **In consultation with Indigenous Peoples, people of African descent and Montubio people, strengthen the representation and participation mechanisms in the National Council for the Equality of Peoples and Nationalities, guarantee respect for the National Council's autonomy and put in place processes for joint decision-making, in accordance with the principles of plurinationality and interculturality;**

(b) **Strengthen the financial, human and technical capacities of the National Council for the Equality of Peoples and Nationalities so that it can effectively implement its mandate with regard to the design of public policies aimed at combating racism and structural discrimination.**

Hate crimes and racial discrimination

12. The Committee notes the provisions of articles 176 and 177 of the Comprehensive Organic Criminal Code criminalizing acts of discrimination and hatred, as well as the statistics on complaints registered under these provisions. It also notes the State party's explanation that the low rate of prosecution of such cases can be attributed to the application of the ultima ratio principle of criminal law and the prioritization of more flexible and effective non-criminal mechanisms to guarantee reparation and protection of rights. However, the Committee is concerned that these criminal provisions do not fully cover the acts provided for in article 4 of the Convention. It is also concerned about reports of the frequent failure to adequately identify, record, prosecute and address cases of offences of racial discrimination, incitement to racial hatred and hate crimes (art. 4).

³ See Office of the United Nations High Commissioner for Human Rights and Equal Rights Trust, *Protecting Minority Rights: A Practical Guide to Developing Comprehensive Anti-Discrimination Legislation* (New York and Geneva, 2024).

13. The Committee reiterates its previous recommendations⁴ and recalls its general recommendations No. 15 (1993) on article 4 of the Convention and No. 7 (1985) relating to the implementation of article 4 of the Convention, which state that all provisions of article 4 of the Convention are of a mandatory character and highlight the preventive aspects of article 4 to deter racism and racial discrimination. In this connection, the Committee urges the State party to:

(a) Amend the provisions of the Comprehensive Organic Criminal Code to prohibit all acts described in article 4 of the Convention;

(b) Strengthen training programmes for police officers, prosecutors and other law enforcement officials on the identification, recording and treatment of cases of racial discrimination, incitement to racial hatred and hate crimes, with the participation of civil society organizations working in this area and representatives of affected communities;

(c) With the participation of representatives of affected communities, examine the channels for lodging complaints of racial discrimination, incitement to racial hatred and hate crimes to assess and ensure their availability and accessibility for people vulnerable to racial discrimination, in particular for Indigenous Peoples, Montubio people, people of African descent and migrants;

(d) Initiate public information campaigns on the rights enshrined in the Convention and on the procedure for filing complaints of racial discrimination, incitement to racial hatred and hate crime.

State of emergency

14. The Committee recognizes that the State party is facing complex security challenges and violence. In this context, it notes that a state of emergency “due to serious internal turmoil” was declared throughout the national territory on 8 January 2024, leading to the armed forces carrying out public security functions, and was subsequently limited to specific areas of the country. It also notes that a state of emergency due to “internal armed conflict” was declared as of 9 January 2024. However, the Committee regrets the lack of information on the measures taken to comply with Constitutional Court rulings which noted a lack of justification for the actions falling outside ordinary constitutional provisions and warranting the declaration of a state of emergency on grounds of internal armed conflict. Furthermore, the Committee is concerned about reports of the negative impact that the states of emergency and the militarization of public security have had on fundamental rights and freedoms, particularly those of Indigenous Peoples, people of African descent, Montubio people and migrants (arts. 2 and 5).

15. The Committee recommends that the State party:

(a) Ensure that the regulations governing states of emergency comply with international human rights obligations, including the principles of legality, necessity and proportionality, are subject to judicial review and are in accordance with the Convention;

(b) Ensure that the measures adopted to address the security challenges and violence prioritize prevention, investigation and punishment, from a human rights perspective;

(c) Ensure that the tasks of maintaining public order and civil security are carried out by civilian police forces as a rule and by members of the armed forces only when absolutely necessary, on an exceptional, temporary and complementary basis and with full respect for international human rights standards;

(d) Address any problems arising from the involvement of the armed forces in public security tasks and thoroughly, impartially and effectively investigate all allegations of abuse and violence attributed to them, while ensuring that victims have access to effective judicial remedies and receive appropriate protection and reparation

⁴ CERD/C/ECU/CO/23-24, para. 11.

and that those responsible for the abuse and violence are duly prosecuted and punished in accordance with the seriousness of the offences.

Structural discrimination against peoples and nationalities

16. The Committee notes the State party's efforts to combat structural discrimination, including through the "Whole Life" National Development Plan (2017–2021) and the National Agenda for Equality of Peoples and Nationalities. However, it remains concerned about persistent economic inequality, high poverty levels, social exclusion and the barriers faced by Indigenous Peoples, people of African descent and Montubio people in obtaining access to employment, healthcare and decent living conditions (arts. 2 and 5).

17. Recalling its general recommendation No. 32 (2009) on the meaning and scope of special measures in the Convention, the Committee recommends that the State party:

(a) **Intensify efforts to eradicate institutional and structural discrimination against Indigenous Peoples, people of African descent and Montubio people through specific affirmative action measures and the effective implementation of public policies adapted to their needs and aimed at eliminating inequality and improving socioeconomic indicators;**

(b) **Adopt a comprehensive national policy to combat racial discrimination, including the adoption of a national plan against racism and discrimination, with the effective participation of Indigenous Peoples, people of African descent and Montubio people, through the National Council for the Equality of Peoples and Nationalities;**

(c) **Ensure that Indigenous Peoples, people of African descent and Montubio people have access to the labour market without discrimination and that they enjoy, both in law and in practice, fair and satisfactory working conditions and access to social security;**

(d) **Ensure the accessibility, availability, acceptability and quality of healthcare services, taking into special consideration the needs, traditions and cultural specificities of Indigenous Peoples, people of African descent and Montubio people, especially women, girls and adolescent girls.**

Right to consultation and free, prior and informed consent

18. The Committee reiterates its concern⁵ about reports that the authorities have granted licences for extractive and business projects on the lands and territories of Indigenous Peoples, people of African descent and Montubio people without systematically consulting them to obtain their free, prior and informed consent (arts. 2 and 5).

19. The Committee reiterates its previous recommendations⁶ on the right to consultation and free, prior and informed consent and urges the State party to:

(a) **In consultation with Indigenous Peoples, people of African descent and Montubio people, draft and enact a law and binding protocols that clearly define the requirements for prior consultation and representation of these peoples, guaranteeing full respect for their right to free, prior and informed consent in decisions that affect them;**

(b) **Ensure that prior consultations are carried out systematically and in keeping with international standards to obtain the free, prior and informed consent of Indigenous Peoples, people of African descent and Montubio people before licences are granted for natural resource exploitation and business activities on the lands and territories that they have traditionally owned, occupied or used.**

⁵ Ibid., para. 18.

⁶ Ibid., para. 19.

Impact of extractive projects and other business activities

20. The Committee remains concerned⁷ about the impact of natural resource exploitation projects such as mining, agribusiness and logging, which harm the environment, including soil degradation and water pollution, and exacerbate the vulnerability of local communities, especially Indigenous Peoples, people of African descent and Montubio people. Reports of a lack of comprehensive environmental impact assessments and appropriate consultation procedures to obtain free, prior and informed consent with regard to mining projects, such as those in Curipampa-El Domo, La Plata, Mirador, Rio Blanco and San Carlos Panantza, are of particular concern. In addition, the Committee is concerned about reports of a lack of security of land tenure and displacement in the context of extractive projects and business activities, such as the cases of the companies Fruta del Norte and Energy & Palma. It is also concerned about reports of the deployment of the armed forces and the use of force in the implementation of Executive Decree No. 754 and about reports that human rights defenders are being criminalized and harassed in the context of extractive projects and business activities (arts. 2 and 5).

21. **The Committee reiterates its previous recommendations⁸ and urges the State party to:**

(a) **Ensure that companies operating in its jurisdiction conduct human rights due diligence to prevent the rights of Indigenous Peoples, people of African descent and Montubio people from being infringed and that they respect judicial decisions handed down in relation to their activities;**

(b) **Ensure that impartial, independent entities conduct studies and assessments of the social, environmental, cultural and human rights impacts of natural resource development and exploitation projects before granting licences for such activities;**

(c) **Ensure that the collective rights of Indigenous Peoples, people of African descent and Montubio people to own, use, develop and exercise full control over their lands, territories and resources, in line with international standards, are protected against external actors that exploit natural resources;**

(d) **Strengthen measures to protect water resources, including surface, ground and transboundary waters, from the impacts of extractive and agribusiness activities to protect the livelihoods and right to health of communities living downstream;**

(e) **Guarantee the right to free, prior and informed consent, thereby ensuring that the Indigenous Peoples, Montubio people and people of African descent affected by extractive projects and business activities are consulted, that they receive compensation for damage or losses suffered and that they enjoy the benefits of such activities;**

(f) **Cease the deployment of the armed forces and the use of force in the context of extractive projects and business activities;**

(g) **Take measures to ensure that all reports of harassment, intimidation and reprisals committed by law enforcement personnel and members of the armed forces are investigated in a prompt, thorough and impartial manner and that perpetrators are brought to justice.**

Political participation

22. The Committee is concerned that, despite the measures adopted, such as the amendment of the Code of Democracy, the political participation and representation of persons belonging to nationalities and peoples, in particular Indigenous, Afrodescendent and Montubio women, remains limited (arts. 2 and 5).

⁷ Ibid., para. 16.

⁸ Ibid., para. 17.

23. **The Committee recommends that the State party take effective steps to ensure the full participation of Indigenous Peoples, people of African descent and Montubio people, in particular women belonging to those groups, in public affairs, in both decision-making positions and representative institutions, and at all levels of government.**

Right to participation in public affairs

24. The Committee notes the establishment of a committee to implement the people's will with regard to the Yasuní-ITT initiative. However, it is concerned about reports that there have been difficulties in fully implementing the result of the August 2023 referendum on oil drilling in Block 43-ITT. It is also concerned about reports of social conflict in the catchment area of Block 43-ITT (Ishpingo, Tiputini and Tambococha), the exclusion of representatives of the affected Indigenous communities from the Yasuní-ITT committee and challenges in protecting the rights of Indigenous Peoples in voluntary isolation or a situation of initial contact (arts. 2 and 5).

25. **The Committee recommends that the State party:**

(a) **Take all measures necessary to fully implement the result of the referendum on the prohibition of oil drilling in the Yasuní National Park with the aim of protecting the rights of Indigenous Peoples, especially Indigenous Peoples in voluntary isolation or a situation of initial contact;**

(b) **Ensure the effective participation of representatives of Indigenous Peoples, particularly peoples of the Waorani nationality, in the implementation of the results of the referendum and in the committee to implement the people's will with regard to the Yasuní-ITT initiative;**

(c) **Urgently strengthen measures to protect the rights of Indigenous Peoples in voluntary isolation or a situation of initial contact from the impact of oil drilling, through the conduct of human rights due diligence and the awarding of reparation measures for any harm caused.**

Right to work

26. The Committee is deeply concerned about reports of exploitative practices, such as labour exploitation or forced and bonded labour, especially in peripheral and rural areas. In particular, it is concerned about alleged cases involving the Furukawa company that mainly affect people of African descent in the Provinces of Esmeraldas, Santo Domingo de los Tsáchilas and Los Ríos (arts. 2 and 5).

27. **The Committee recommends that the State party:**

(a) **Take the measures necessary to prevent, investigate and impose penalties in all cases of forced labour and labour exploitation, ensure that victims have access to effective judicial remedies and receive adequate protection and redress, and ensure that those responsible are duly prosecuted and punished in accordance with the seriousness of their offences;**

(b) **Strengthen the labour inspection mechanism by ensuring that it has the necessary financial, human and technical resources to effectively discharge its mandate;**

(c) **Set up effective mechanisms to report inadequate working conditions, taking into account the vulnerable position of workers in some sectors.**

Right to education

28. The Committee is concerned about the persistent inequality in access to education for Indigenous, Afrodescendent and Montubio children and adolescents, despite the fact that the Secretariat of Bilingual Intercultural Education and Ethno-Education enjoys formal autonomy, and about the high dropout rates among these groups (arts. 2 and 5).

29. **The Committee recommends that the State party:**

(a) **Strengthen the autonomy of the Secretariat of Bilingual Intercultural Education and Ethno-Education and provide it with the financial, human and technical resources necessary to guarantee culturally and linguistically appropriate education adapted to the needs of Indigenous Peoples, people of African descent and Montubio people;**

(b) **Redouble its efforts to reduce the gaps in access to and retention in the education system by taking measures to increase enrolment in primary and secondary education in areas with the largest Indigenous, Afrodescendent and Montubio populations and by expanding the availability of preschool education, particularly in rural areas;**

(c) **Adopt the measures necessary to ensure that policies on ethno-education and intercultural education promote and preserve the cultural identity of Indigenous Peoples, people of African descent and Montubio people;**

(d) **Guarantee high quality education with an intercultural perspective for Indigenous, Afrodescendent and Montubio children and adolescents and take steps to improve education infrastructure by ensuring access to drinking water, sanitation, electricity and the Internet.**

Indigenous languages

30. While the Committee notes the adoption of the Ten-Year Plan for the Revitalization and Promotion of the Use of the Languages of the Nationalities of Ecuador, it is concerned about reports that several Indigenous languages are in danger of disappearing or have already been declared extinct (arts. 2 and 5).

31. **The Committee recommends that the State party guarantee the revitalization and protection of Indigenous languages by ensuring the practical implementation of the Ten-Year Plan through the allocation of sufficient resources, regular monitoring of progress and the effective participation of Indigenous Peoples.**

Situation of migrants

32. The Committee recognizes the legislative progress made by the State party in the area of migration and the steps taken to regularize the situation of migrants, such as the adoption of Decree No. 370 of 2024. However, it is concerned that, despite this progress, migrants, especially Venezuelan nationals, continue to face barriers in access to employment, social security, healthcare and education. The Committee also notes with concern the rise in incidents of xenophobia linking migrants with insecurity (arts. 2 and 5).

33. **The Committee recommends that the State party:**

(a) **Redouble its efforts to regularize the situation of persons in need of international protection with the aim of promoting their full social and economic integration;**

(b) **Intensify measures to eliminate barriers to access to health and education through awareness-raising campaigns and training for service providers with a view to providing inclusive assistance, in collaboration with civil society;**

(c) **Ensure that migrants, refugees and asylum-seekers are treated in the same manner as Ecuadorian workers in terms of access to employment, remuneration and working conditions and that they have access to social security;**

(d) **Intensify measures to prevent and address all forms of discrimination and xenophobia against migrants, refugees, stateless persons and asylum-seekers.**

Access to justice

34. The Committee remains concerned about the challenges that Indigenous Peoples, people of African descent and Montubio people continue to face in obtaining access to justice. It is particularly concerned about:

(a) The lack of an appropriate intercultural perspective within the judicial and prison systems, reports of the limited availability of interpreters, legal counsel and justice operators with knowledge of Indigenous cultures and languages, and the lack of differentiated measures for Indigenous Peoples and people of African descent who are deprived of their liberty;

(b) The limited progress made in adopting the bill on the implementation of Indigenous justice, as well as the measures taken to recognize and respect the Indigenous justice system in accordance with international human rights law;

(c) Allegations of excessive use of force, arbitrary detention, torture and cruel, inhuman or degrading treatment, extrajudicial execution and failure to observe due process in relation to Indigenous, Afrodescendent and Montubio persons, as well as migrants, including in the context of the state of emergency;

(d) Allegations of differentiated treatment and lack of judicial independence, transparency, due diligence and intercultural relevance in the investigation and resolution of cases related to the rights of Indigenous Peoples, people of African descent and Montubio people (arts. 2 and 6).

35. Taking into account its general recommendation No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system, the Committee recommends that the State party:

(a) **Adopt appropriate and effective measures to ensure that all victims of racial discrimination have access to effective legal remedies and adequate reparation and that they are not subjected to reprisals for reporting the acts;**

(b) **Redouble its efforts to incorporate an intercultural perspective into the justice system, increase the accessibility and availability of interpreters and legal counsel with knowledge of Indigenous languages and cultures and take differentiated measures for Indigenous persons and people of African descent who are deprived of their liberty;**

(c) **Ensure the prompt adoption of the organic act on the implementation of Indigenous justice, guaranteeing that its main purpose is to regulate and harmonize the functions, powers and responsibilities of the justice system of Indigenous Peoples with those of the ordinary justice system, as well as respect for international human rights law;**

(d) **Conduct prompt, thorough and effective investigations, with an intercultural perspective, into violations of the right to life and integrity of the person committed by law enforcement officials or non-State armed groups and all cases of excessive use of force and arbitrary detention committed against Indigenous Peoples, people of African descent, Montubio people and migrants and ensure that the perpetrators are prosecuted and, if convicted, punished with appropriate penalties;**

(e) **Step up the training of law enforcement officials, prosecutors, lawyers, legal counsel, judges and justice officials to ensure that they can properly review and effectively investigate all cases of racial discrimination, in particular cases relating to businesses' failure to conduct human rights due diligence, and run campaigns to raise rights holders' awareness of their rights, the remedies available and the legal framework providing protection against racial discrimination.**

Racial profiling and use of force by law enforcement officials

36. The Committee notes the information provided by the State party regarding the legislative framework governing law enforcement. However, it is concerned about reports that the police's power to stop and search individuals is used disproportionately on Afrodescendent and Indigenous persons, especially young men and adolescent boys. It is also concerned about excessive and lethal use of force, the lack of accountability for the perpetrators, the lack of sufficient support for the families of victims and, according to the 2023 Prison Census, the overrepresentation of persons of African descent in prisons (arts. 2, 5 and 6).

37. **In the light of its general recommendations No. 31 (2005) on the prevention of racial discrimination in the administration and functioning of the criminal justice system and No. 36 (2020) on preventing and combating racial profiling by law enforcement officials, the Committee recommends that the State party:**

(a) **Take effective measures to ensure that stop-and-search powers are used in a lawful, non-arbitrary and non-discriminatory manner, on the basis of reasonable suspicion and subject to rigorous oversight and review mechanisms;**

(b) **Adopt legislative and other measures explicitly prohibiting racial profiling and take appropriate steps to prevent racial profiling practices by police officers, immigration agents and other public officials;**

(c) **Establish an independent complaint mechanism for the purpose of conducting investigations into all allegations of racial profiling, stop-and-search and excessive use of force, facilitate reporting by victims and ensure that perpetrators are prosecuted and punished with appropriate penalties and that victims have access to effective remedies and adequate reparations;**

(d) **Provide appropriate continuous human rights training to law enforcement officials, in accordance with the Committee's general recommendation No. 13 (1993) on the training of law enforcement officials in the protection of human rights.**

Human rights defenders

38. The Committee notes the measures taken by the State party to formulate a public policy on the protection of human rights defenders. However, it remains concerned⁹ about reports of threats, attacks, murder, arbitrary detention, prosecution and abuse of judicial proceedings against these persons, particularly persons defending the rights of Indigenous Peoples, people of African descent and Montubio people in the context of natural resource exploitation projects and business activities in their territories (arts. 2, 5 and 6).

39. **The Committee recommends that the State party:**

(a) **Adopt a policy and programme for the protection of human rights defenders ensuring that broad and sufficient consultations are conducted with representatives of Indigenous Peoples, people of African descent, Montubio people and other relevant social partners during the design, implementation and monitoring process;**

(b) **Conduct prompt, thorough and impartial investigations into all allegations of attacks, reprisals, intimidation, threats and arbitrary recourse to judicial proceedings against human rights defenders, in particular against defenders of the rights of Indigenous Peoples, people of African descent and Montubio people.**

Combating racial stereotypes and preconceived ideas

40. While acknowledging the measures adopted by the State party, the Committee reiterates its concern¹⁰ about reports of persistent racial discrimination, preconceived ideas and stereotypes in the media, particularly against people of African descent, Indigenous Peoples and migrants, who tend to be linked to the growing insecurity in the State party even though there is no evidence of a connection (art. 7).

41. **In the light of its general recommendation No. 35 (2013) on combating racist hate speech, the Committee reiterates its previous recommendation¹¹ that appropriate measures to combat racial prejudice in the media should be adopted. The Committee recommends that the State party continue its work, in consultation with Montubio, Afro-Ecuadorian and Indigenous Peoples and migrants, to adopt measures focused on**

⁹ Ibid., para. 20.

¹⁰ Ibid., para. 30.

¹¹ Ibid., para. 31.

the social role of the media and develop public awareness campaigns to fight the prejudice behind racial discrimination.

D. Other recommendations

Durban Declaration and Programme of Action

42. In the light of its general recommendation No. 33 (2009) on the follow-up to the Durban Review Conference, the Committee recommends that, when implementing the Convention in its domestic legal order, the State party give effect to the Durban Declaration and Programme of Action, adopted in September 2001 by the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking into account the outcome document of the Durban Review Conference, held in Geneva in April 2009. The Committee requests that the State party include in its next periodic report specific information on action plans and other measures taken to implement the Durban Declaration and Programme of Action at the national level.

International Decade for People of African Descent

43. In the light of General Assembly resolution 68/237, in which the Assembly proclaimed 2015–2024 the International Decade for People of African Descent, and Assembly resolution 69/16 on the programme of activities for the implementation of the International Decade, and considering that the Decade is drawing to a close, the Committee requests the State party to include in its next periodic report information on the outcome of the measures taken to implement the programme of activities and on the sustainable measures and policies put in place in collaboration with people of African descent and their organizations, taking into account the Committee's general recommendation No. 34 (2011) on racial discrimination against people of African descent.

Consultation with civil society organizations

44. The Committee recommends that the State party continue consulting and increasing its dialogue with civil society organizations working in the area of human rights protection, in particular those working to combat racial discrimination, and with organizations representing Indigenous Peoples, people of African descent and Montubio people in connection with the preparation of the next periodic report and in follow-up to the present concluding observations.

Dissemination of information

45. The Committee recommends that the State party's reports be made readily available and accessible to the public at the time of their submission and that the concluding observations of the Committee with respect to those reports be similarly made available to all government bodies entrusted with the implementation of the Convention, including at the municipal level, and publicized on the website of the Ministry of Foreign Affairs in the official and other commonly used languages, as appropriate.

Paragraphs of particular importance

46. The Committee wishes to draw the attention of the State party to the particular importance of the recommendations contained in paragraphs 7 (statistics), 13 (hate crimes and racial discrimination), 17 (b) (structural discrimination against peoples and nationalities) and 39 (human rights defenders) and requests the State party to provide detailed information in its next periodic report on the concrete measures taken to implement these recommendations.

Follow-up to concluding observations

47. In accordance with article 9 (1) of the Convention and rule 65 of its rules of procedure, the Committee requests the State party to provide, within one year of the adoption of the present concluding observations, information on its implementation of the recommendations contained in paragraphs 35 (d) (access to justice) and 37 (a) (racial profiling) above.

The Committee commends the State party for the timely submission of the follow-up report requested in its previous concluding observations.¹²

Preparation of the next periodic report

48. The Committee recommends that the State party submit its combined twenty-sixth and twenty-seventh periodic reports, as a single document, by 1 January 2028, taking into account the reporting guidelines adopted by the Committee during its seventy-first session¹³ and addressing all the points raised in the present concluding observations. In the light of General Assembly resolution 68/268, the Committee urges the State party to observe the limit of 21,200 words for periodic reports.

¹² CERD/C/ECU/CO/23-24/Add.1.

¹³ CERD/C/2007/1.