

# **Enabling Environment Overview**

### **Ecuador**

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#### Context

In recent years, Ecuador has become <u>the most violent country in Latin America with a</u> homicide rate of 39.14 per 100,000 inhabitants (2024). This situation has led to a series of government policies focused on militarising the country, increasing the <u>discretionary powers</u> <u>and abuses</u> by state security forces. Violence has also extended to the political sphere. Between January and April 2025, during the general election campaign period, <u>80 attacks</u> against the integrity and lives of political actors (including candidates, public officials, and political leaders) were recorded, including 46 assassinations.

This scenario of violence has been exacerbated by an uncertain social and economic outlook. According to the latest <u>Americas Barometer</u> report, levels of interpersonal trust have reached their lowest point on record, trust in political institutions and satisfaction with public services are below the regional average, and 53% of Ecuadorians would justify a military coup in the event of widespread corruption. Economically, <u>20.9 per cent</u> of Ecuadorians are below the income poverty line, while only <u>35.8 per cent</u> of Ecuadorians are fully employed.

Under these conditions, and considering the absence of a favourable regulatory framework, the lack of access to resources, stigmatising discourses and the growing <u>violation of civic</u> <u>space</u> by state and non-state actors, the actions of civil society in Ecuador have been compromised.

#### 1. Respect and protection of fundamental civic freedoms

Citing the recent escalation of crime and violence in the country, the Ecuadorian state has made constant use of emergency powers that have hindered the full enjoyment of fundamental civic freedoms. Since January 2024, seven states of emergency have been decreed, suspending <u>constitutional rights</u> such as freedom of assembly and the inviolability of home and correspondence. The UN Human Rights Committee <u>has expressed concern</u> about the recurrent use of emergency powers, arguing that this has not only normalised the suspension of fundamental rights, but has also disproportionately affected vulnerable populations such as indigenous communities, people living in poverty, migrants, refugees and asylum seekers.

In November 2024, social organisations and indigenous movements called for demonstrations against the government's mismanagement of the 2023–2024 electricity crisis. In response, the national government made public its <u>intention</u> to use its emergency powers to repress the protests, even after the Constitutional Court declared the suspension of freedom of assembly <u>unconstitutional</u>. Human rights organisations reported two instances of <u>arbitrary and violent</u> <u>detentions</u> of their members.

Meanwhile, other international organisations such as Reporters Without Borders have expressed <u>concern about the increasing violence</u> faced by journalists in Ecuador. In 2024, a total of <u>194 attacks</u> against journalists and media outlets were recorded, and <u>eight journalists</u> had to leave the country due to constant threats against their physical integrity, mainly by armed criminal groups. The Ecuadorian state has also been responsible for actions against freedom of expression. In June 2024, the television programme "Los Irreverentes" was <u>forced off the air</u> following national government pressure via the authority in charge of regulating radio and television frequencies, due to <u>critical comments</u> made about the president's administration.



## 2. Supportive legal framework for the work of civil society actors

Civil society organisations in Ecuador are regulated by <u>Executive Decree 193</u> (2017). This decree details, among other aspects, the rights and obligations of organisations, the requirements they must meet to receive their legal personality, and the grounds for their dissolution. As this framework is regulated by Executive Decree rather than an organic law, the President of the Republic can make discretionary and unilateral changes to the legal framework governing civil society organisations.

Two potential <u>dangers within this Decree</u> have been identified: the grounds for dissolution of CSOs are ambiguous and allow for discretionary application, and there is no due process of appeal in case the state rejects the application for legal personality. Moreover, because executive decrees can be issued and repealed at the sole discretion of the President of the Republic, the existing regulatory framework is not predictable. In response, different organisations have pushed for the <u>draft Organic Law on Civil Society Organisations</u>, which was presented to the National Assembly in 2020. As of the date of publication of this report, this bill is not on the legislative agenda.

Added to this scenario is a new concern: on 18 June 2024, the national government published the <u>Integrity Strategy for Civil Society Organisations</u>. This document has been criticised by different civil society actors for introducing new regulations without having consulted the sector and for representing an attempt to restrict the <u>independence of organisations</u> through <u>mandatory annual requirements</u> to maintain their legal status, such as reporting to the national government, presenting results of advocacy actions, carrying out independent audits, among others. In November 2024, the United Nations Human Rights Committee <u>expressed its</u> <u>concern</u> about this Strategy, arguing that it will restrict the actions of civil society and unduly restrict the right to freedom of association.

#### 3. Accessible and sustainable resources

According to the report <u>A look at the situation of civil society organisations in Ecuador and its</u> <u>regulatory framework</u>, there are significant barriers for civil society actors to access financial and non-financial resources. Reported obstacles include a lack of technical capacity to apply for and manage grant funding, low interest from the private sector, and the concentration of international cooperation funds among a small group of organisations. This situation, documented since 2023, has worsened following the suspension of <u>US aid</u> and the <u>redirection</u> <u>of existing resources</u> toward security cooperation.

However, on 22 January 2025, the Ministry of Foreign Affairs created the <u>Vice-Ministry of</u> <u>International Cooperation</u>. Its primary tasks include "to promote spaces for dialogue, articulation and harmonisation between actors" in order to "direct the management of supply and demand for international cooperation" and ensure efficiency in its management. This decision was positively received by actors such as the <u>German Development Cooperation</u>, and so far the national government has reported the entry of <u>five new donors</u> to Ecuador as part of the work of this new entity.

#### 4. An open and receptive state

The Ecuadorian state has demonstrated willingness to work hand in hand with civil society organisations to strengthen initiatives or proposals related to public policy management. On 10 December 2024, the Transparency and Social Control Branch, in collaboration with the German Development Cooperation (GIZ), presented the <u>National Integrity and Anti-Corruption</u>



<u>Plan 2024–2028</u>. This plan was <u>informed</u> by contributions from different civil society actors in different provinces.

However, concerns remain about the lack of permanent <u>collaboration channels</u> between the state and civil society, particularly in cities and communities beyond the country's main urban centres. The absence of state-civil society cooperation was also evident during the presentation of the *Integrity Strategy for Civil Society Organisations*, since, despite being a document of utmost importance for the operations of these actors, the national government did not directly consult civil society at any stage of the process of drafting this strategy.

### 5. Public culture and discourses favourable to civil society

It is difficult to determine whether the public perception of civil society in Ecuador is either positive or negative. On the one hand, the study <u>Confianza de los Ecuatorianos</u> conducted by IPSOS in April 2024, found that 43% of the population views civil society as key to national progress. This represents an increase of 9% with respect to the results obtained in another study conducted in <u>November 2023</u>. On the other hand, data from the <u>Americas Barometer</u> indicate that 44.99% of Ecuadorians consider the leaders of non-governmental organisations to be corrupt.

In light of the announcement made in January 2025 by the US government regarding the suspension of international aid, stigmatising discourse emerged in state-funded media outlets. For example, a media outlet financed by the provincial government of Pichincha published news articles portraying the main Ecuadorian civil society organisations as recipients of "millions of dollars" from the United States. Furthermore, this media outlet amplified speeches referring to civil society organisations as "lackeys" and "executing arms of gringo interference", accusing them of opaque management of funds and of playing a "political role in favour of the Ecuadorian right wing".

#### 6. Access to a secure digital environment

Ecuador has enacted the <u>Organic Law on Personal Data Protection</u>, which, despite its <u>limitations</u>, is positively evaluated for being <u>based on</u> the EU's General Data Protection Regulation. However, there are fragments of legislation that pose potential risks to the enjoyment of a secure and free digital environment. For example, Article 483.1 of the <u>Organic Integral Penal Code</u> currently in force recognises the figure of the "undercover cyber agent", authorised by judicial request to conduct online surveillance. The regulations even allow such agents to exchange or send illicit content. In response, social organisations filed a <u>constitutional challenge</u> with the Constitutional Court, citing potential violations of due process, presumption of innocence, and discretion over the processing of personal data. As of June 2025, this <u>case</u> remains unresolved.

Additional reports point to intimidation and censorship attempts targeting civil society and journalists. On 25 June 2024, the Ministry of Foreign Affairs and Human Mobility revoked the visa of journalist Alondra Santiago, accusing her of "acts that threaten public security and the structure of the State". Santiago, who runs a digital media outlet on YouTube, had recently devoted a short segment of her programme to criticising the national government. On 12 February 2025, a user on the X social network using the IDs of an international hacker group, threatened to attack the website of the fact-checking and investigation organisation "Lupa Media", alleging it was funded by former president Rafael Correa. Although the site was not breached, its Executive Director considered it an attempt to intimidate the organisation's work.



#### Challenges and opportunities

In the coming months, civil society in Ecuador must remain vigilant against further state attempts to control their activities and curtail civil liberties under the pretext of deteriorating public security. This could be exacerbated in the event that a new Executive Decree replacing the current one seeks to regulate social organisations.

In light of these possible developments, it is essential to promote the joint efforts among civil society actors and other stakeholders to monitor the consequences of state policies on security and to encourage the reopening of the debate on a bill that would provide greater regulatory certainty.

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