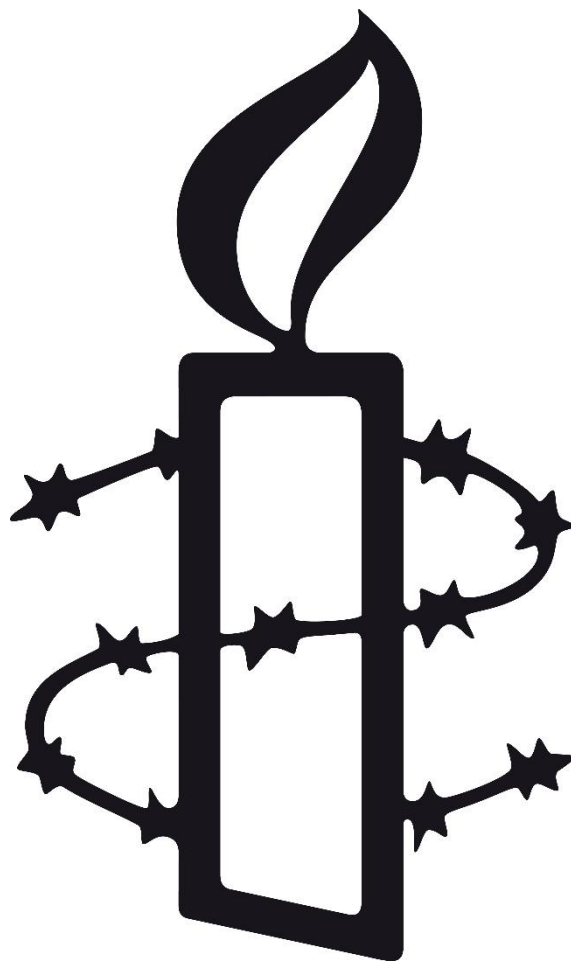


ECUADOR

SUBMISSION TO THE UN COMMITTEE ON ENFORCED DISAPPEARANCES
29TH PERIOD OF SESSIONS, 22 SEPTEMBER - 3 OCTOBER 2025



AMNESTY
INTERNATIONAL



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Amnesty International submits this information ahead of the adoption of list of priority themes on the basis of the additional information submitted by Ecuador, ahead of the 29th period of sessions of the Committee on Enforced Disappearances, to be held in Geneva from 22 September to 3 October 2025. The document highlights the organization's main concerns related to possible cases of enforced disappearances committed during the administration of current President Daniel Noboa (2023-present), as part of the security policy known as "Plan Fenix", and in connection with the continuous declarations of states of emergency and of an "internal armed conflict" starting in 2024.

1. INTRODUCTION

Amnesty International submits this information ahead of the adoption of list of priority themes on the basis of the additional information submitted by Ecuador, ahead of the 29th period of sessions of the Committee on Enforced Disappearances, to be held in Geneva from 22 September to 3 October 2025. The submission does not present an exhaustive review of the situation concerning enforced disappearances in Ecuador. Instead, it highlights the organization's main concerns related to possible cases of enforced disappearances committed during the administration of President Daniel Noboa (2023-present) as part of the security policy known as "Plan Fenix", and in connection with the continuous declarations of states of emergency and of an "internal armed conflict" starting in 2024.

Since the Committee issued its concluding observations on Ecuador in 2017, Ecuadorian authorities have taken some positive steps by enacting legislation aimed to improve the search for missing persons, and by creating a new unit within the Prosecutor's Office specifically tasked with the investigation of serious human rights violations, including enforced disappearances, committed by security forces.

Notwithstanding these positive measures, Amnesty International is concerned about a recent wave of reports of possible cases of enforced disappearances, allegedly committed during security operations carried out by the military throughout 2024 in the coastal region of Ecuador. The alleged victims are predominantly young men from marginalized communities, and some of them are minors. No effective search and investigation efforts have been carried out to determine the whereabouts of the majority of victims. Taking this context into account, the organization considers that the key issues related to possible cases of enforced disappearances that the Ecuadorian authorities must address are:

- **The strengthening of efforts to prevent** enforced disappearances, given worrying reports of possible cases committed during security operations carried out by the military as part of the current administration's militarized security policy;
- The lack of prompt, effective, independent and impartial **criminal investigations** into allegations of enforced disappearance;
- The failure to conduct prompt and effective **search efforts** to determine the alleged victims' whereabouts.

2. FAILURE TO PREVENT POSSIBLE ENFORCED DISAPPEARANCES (ARTICLE 1)

In its concluding observations on Ecuador in 2017, the Committee recognized that the country's normative framework for the prevention and punishment of enforced disappearances was "by and large in line with the provisions of the Convention and the obligations that it imposes on States that have ratified it".¹ The Committee noted, in particular, that the Ecuadorian Constitution explicitly prohibits the practice of enforced disappearances and establishes it as an imprescriptible crime.² Further, it recognized the inclusion of this crime in Article 84 of the country's 2014 criminal code.³

Despite these significant steps, Amnesty international notes that Ecuador still does not have a comprehensive public policy for the prevention of enforced disappearances. The need for this policy has become apparent in the face of a new wave of reports concerning dozens of missing young men, including some minors. According to the families of the alleged victims and the information compiled by the local human rights organization Permanent Committee for the Defense of Human Rights (CDH-GYE), at least 29 young men were last seen following security operations carried out by the military

¹ UN Committee on Enforced Disappearances, Concluding Observations on Ecuador, CED/E/ECU/CO/1, 19 April 2017, para. 8.

² Constitución de la República de Ecuador, arts. 66, c) and 80.

³ Asamblea Nacional de la República del Ecuador, Código Orgánico Integral Penal (COIP), 10 February 2014, Art. 80 –"Desaparición Forzada".

throughout 2024 in the provinces of Esmeraldas, Los Rios and Guayas, in the coastal region of Ecuador.⁴ The whereabouts of all 29 victims remains unknown. Amnesty International expresses its concern about these reports, as they could constitute cases of enforced disappearances.

Security operations carried out by the military have taken place against the backdrop of an increased militarization of public safety in Ecuador in recent years. During the current administration of President Daniel Noboa (2023-present), the Armed Forces have remained permanently deployed to carry out law enforcement duties in various provinces of Ecuador, including those of the coastal region.⁵ President Noboa's administration refers to these operations as "Plan Fenix"; the details of such plan have not been made accessible to the public. In practice, President Noboa has ordered the deployment of armed forces for law enforcement purposes through the declaration of a "state of exception", declared on 8 January 2024 and renewed on a continuous basis since then, and of an "internal armed conflict", purportedly "justified" by the President in the context of rising levels of violence tied to the presence of organized crime in the country.⁶

President Noboa's security policies have been the object of concern of UN treaty bodies, including the UN Committee against Torture and the UN Human Rights Committee. In its 2024 Concluding Observations, the UN Human Rights Committee noted it was "deeply concerned about the frequency with which the State party has declared states of emergency".⁷ In its own turn, the UN Committee against Torture has called on Ecuadorian authorities to "ensure that the tasks of maintaining public order and public safety are carried out...by members of the armed forces only when absolutely necessary, on an exceptional, temporary and complementary basis and in full accordance with international human rights standards".⁸

Despite the above observations and recommendations, President Noboa's militarized security policies have continued unabated. Their negative impact on the enjoyment of human rights in Ecuador has become apparent, as the rise in allegations of enforced disappearance suggests. According to data accessed by Amnesty International through a request for public information, the Prosecutor's Office has initiated investigations into the possible enforced disappearance of 28 individuals, allegedly committed since President Noboa's first declaration of a state of emergency in January 2024.⁹ The organization has confirmed that those 28 individuals are part of the group, documented by CDH-GYE, of the abovementioned individuals whose families have reported as missing.¹⁰ This Committee is currently reviewing some of these cases. In its latest report, covering the period between 9 September 2024 to 28 February 2025, the Committee registered 22 urgent actions from Ecuador. Notably, cases from the country accounted for over 20% of the requests for this type of measures globally for that period of reporting.¹¹

Amnesty International wishes to emphasize that those reported as missing are individuals belonging to marginalized and racialized communities in Ecuador.¹² The coastal region of the country concentrates a large Afro-Ecuadorian population, many of which live in impoverished neighborhoods and towns, in provinces currently experiencing high-levels of violence due to the presence of organized crime. The

⁴ Comité Permanente por la Defensa de los Derechos Humanos de Guayaquil (CDH-GYE), "Reporte de desapariciones forzadas en Ecuador: Patrones identificados en intervenciones militares en casos de desaparición forzada en 2024", 31 January 2025. Available in: <https://www.cdh.org.ec/informes/653-report-de-desapariciones-forzadas-en-el-ecuador-31-01-2025>

⁵ Amnesty International, "Ecuador: Submission to the UN Human Rights Committee: 142nd session, 14 October – 8 November 2024", AMR 28/8531/2024, 16 September 2024, pp 3-7. Available in: <https://www.amnesty.org/en/documents/amr28/8531/2024/en/>

⁶ Justification for the deployment of the military can be found in the preambles of Decrees 110 of 8 January 2024 and 111 of 9 January 2024, by which the President of Ecuador declared a state of exception and an "internal armed conflict" to respond to violence associated with organized crime.

⁷ UN Human Rights Committee, Concluding observations on the seventh periodic report of Ecuador, CCPR/C/ECU/CO/7, 4 December 2024, para. 9.

⁸ UN Committee against Torture, Concluding observations on the eight periodic report of Ecuador, CAT/C/ECU/CO/8, 16 August 2024, para. 12.

⁹ Fiscalía General de Estado, Asunto: RESPUESTA A SEGUIMIENTO DE ALERTA EMITIDA POR AMNISTÍA INTERNACIONAL SOBRE CASOS DE DESAPARICIÓN FORZADA, Oficio No.FGE-CGAJP-DDHPC-2025-003133-O Quito, 11 de April de 2025.

¹⁰ For the remainder of the cases, the Prosecutor's Office has not initiated an investigation, or it is not investigating the report as an enforced disappearance, but as a different crime.

¹¹ UN Committee on Enforced Disappearances, Report on requests for urgent action submitted under article 30 of the Convention, Advance United Version, 4 April 2025, para. 32.

¹² The victims' profiles and identities have been shared with the consent of their families by CDH-GYE to Amnesty International. Further public information available here: Comité Permanente por la Defensa de los Derechos Humanos de Guayaquil (CDH-GYE), "Reporte de desapariciones forzadas en Ecuador: Patrones identificados en intervenciones militares en casos de desaparición forzada en 2024", 31 January 2025, <https://www.cdh.org.ec/informes/653-report-de-desapariciones-forzadas-en-el-ecuador-31-01-2025>

deployment of the armed forces has been predominantly carried out in these provinces and, as such, its negative impacts have disproportionately been felt by these communities.¹³ Other countries in the region, such as Brazil, provide a clear example of how militarized approaches to public security and the fight against organized crime can disproportionately impact individuals from racialized and historically marginalized populations and make them vulnerable to potential human rights violations.¹⁴ Therefore, it is of utmost importance that Ecuadorian authorities take firm steps to ensure the adoption of a public policy to prevent enforced disappearances, particularly in the context of its militarized security policy.

It is also essential that the development of a policy to prevent enforced disappearances considers the specific risks faced by children and adolescents. As already noted by this Committee, eight of the reported victims of the new wave of possible enforced disappearances are minors.¹⁵ Among them are those from the high-profile case known as “the Guayaquil four”.¹⁶ This case refers to a child and three adolescents who went missing and were later found dead with signs of torture in the aftermath of a security operation carried out by the military in the south of the city of Guayaquil, in the province of Guayas, in December 2024. The Prosecutor’s Office initiated an investigation into the possible enforced disappearance of these minors and detained 16 members of the Armed Forces in connection with the events. The case received international condemnation and international organisms, including the Inter-American Commission on Human Rights, the UN Office of the High Commissioner for Human Rights and United Nations Children’s Fund, made calls to guarantee access to justice for the victims and their families.

3. LACK OF EFFECTIVE CRIMINAL INVESTIGATIONS (ARTICLES 10-12)

Since the Committee issued its concluding observations on Ecuador in 2017 and following the submission of additional information by the State party in April 2023, Ecuadorian authorities have introduced new measures for ensuring that State agents who commit enforced disappearances can be brought to account. In September 2023, the Prosecutor’s Office created the “specialized unit for the investigation of unlawful use of force” (*Unidad especializada en la investigación del uso ilegítimo de la fuerza*).¹⁷ The unit is specifically tasked with the investigation of serious human rights violations committed by law enforcement officials, including enforced disappearances.¹⁸ Amnesty International recognizes the creation of this unit as an important step towards ensuring victims’ right to access to justice. Further, the organization recognizes the key role that the Prosecutor’s Office’s Directorates for Human Rights and Citizen Participation, and for Criminal Policy had had in developing key protocols, including a 2021 protocol to ensure coordination among State institutions in the search for missing persons and with respect to related criminal investigations.¹⁹

Amnesty International notes, however, that the Prosecutor’s Office still faces challenges in conducting investigations on alleged enforced disappearances that are prompt and effective. As previously noted, the Prosecutor’s Office confirmed to the organization that it had initiated investigations for the possible enforced disappearance of 28 individuals, following security operations carried out by the military throughout 2024. According to information provided by the families of the victims, some of these alleged

¹³ Following the initial declaration of state of emergency at a national level, new declarations have focused in specific provinces, predominantly those of the coastal region of Ecuador. By way of example, see: Reuters, “Ecuador’s Noboa declares new security state of emergency”, 22 May 2024: <https://www.reuters.com/world/americas/ecuadors-noboa-declares-new-security-state-emergency-2024-05-22/>

¹⁴ See for example: Amnesty International, “Annual Report 2024/25, Brazil: Excessive use of force”, available in: <https://www.amnesty.org/en/location/americas/south-america/brazil/report-brazil/>

¹⁵ UN Committee on Enforced Disappearances, Report on requests for urgent action submitted under article 30 of the Convention, Advance United Version, 4 April 2025, parr. 57.

¹⁶ Inter-American Commission on Human Rights, “ACHR condemns the disappearance and subsequent murder of a child and three adolescents of African descent in Ecuador”, 22 January 2025. Available in: [IACHR condemns the disappearance and subsequent murder of a child and three adolescents of African descent in Ecuador](#)

¹⁷ Fiscalía General del Estado, Resolución No. 063-FGE-2023 mediante la cual se resuelve la creación de la unidad especializada en la investigación del uso ilegítimo de la fuerza, 20 Septiembre de 2023.

¹⁸ Fiscalía General del Estado, Resolución No. 063-FGE-2023, Art. 1.

¹⁹ Fiscalía General del Estado, “PROTOCOLO DE ACTUACIÓN INTERINSTITUCIONAL PARA EL REGISTRO DE DENUNCIA, INVESTIGACIÓN, LOCALIZACIÓN Y CIERRE DE CASOS DE PERSONAS DESAPARECIDA”, 2021.

enforced disappearances took place and were reported as early as January 2024. Still, criminal investigations have progressed in an alarmingly slow manner. According to CDH-GYE, which serves as the legal representatives of the victims, only in the case of “the Guayaquil four”, the Prosecutor’s Office has made some notable progress, including the pre-trial detention of the suspected perpetrators.

One key factor has significantly slowed down the investigations. According to the legal representatives of the victims, prosecutors inadequately initiated investigations for the crime of “involuntary disappearance”, which entails the abduction of individuals by private actors in Ecuadorian legislation.²⁰ This in spite of evidence suggesting the participation of the Armed Forces, which would require that the investigation is initiated for the crime of enforced disappearance. It was only because of the explicit request made by the legal representatives and the technical assistance by UN Office of the High Commissioner for Human Rights that the relevant cases were re-classified and transferred to the “specialized unit for the investigation of unlawful use of force”.²⁰ While it is positive that this issue was rectified, Amnesty International expresses concern for how the initial wrongful legal classification of the alleged crimes under investigation procedures might have compromised access to justice for the victims.

Investigations have also been slowed down because of the lack of cooperation from relevant State officers. According to CDH-GYE, in at least five of the ongoing criminal investigations for possible enforced disappearances, the Joint Command of the Armed Forces has refused to provide information on military personnel who allegedly participated in operations that led to the alleged enforced disappearance of certain individuals. The Joint Command of the Armed Forces has justified its refusal to cooperate based on a resolution issued in the context of the declaration of an “internal armed conflict”, which allows for relevant state authorities to maintain the confidentiality of information in connection with security operations carried out by the military.²¹ For the rest of the ongoing criminal investigations, CDH-GYE reported that an official response from the Joint Command of the Armed Forces is still pending.

The Prosecutor’s Office also faces challenges in terms of technical capacity and human resources to ensure effective investigations into possible enforced disappearances. The recently established specialized unit opened eight different offices across the territory of Ecuador, six of which are in the province of Pichincha, where the capital Quito is located. The one office based in Guayaquil is tasked with processing all investigations related to cases of possible human rights violations committed by law enforcement officials in the coastal region of Ecuador.²² It is in this region that all the cases of reported missing persons following security operations conducted by the military in the past year are concentrated. As such, the prosecutorial unit in Guayaquil is currently conducting all criminal investigations related to these cases. CDH-GYE has reported that the work overload has prevented prosecutors from conducting proceedings in a prompt manner and from formulating charges against relevant suspects.

4. INEFFECTIVE SEARCH EFFORTS (ARTICLE 24)

In its additional information submitted to the Committee in 2023, the State party highlighted the passing of a new law to ensure the effective search of missing persons.²³ The Organic Law for Action in Cases of Disappeared and Missing Persons, which was enacted in 2020, is overall a positive step towards

²⁰ The Ecuadorian Criminal Code differentiates between the crimes of “enforced disappearance”, which entails the participation of State actors, and “involuntary disappearances”, which entails disappearances committed by private actors. Article 163.1 defines this crime as: “The person who deprives of liberty, retains, disappears, transfers to a different place one or more persons, against their will and denies information on their whereabouts or destination...”

²¹ To deny information, the Joint Command of the Armed Forces has referred to resolution MDN-SUF.2024-002-S “MDN-SUF.2024-002-S con la cual se emiten los lineamientos políticos estratégicos para la planificación estratégica militar al Comando Conjunto de las Fuerzas Armadas, en cumplimiento al decreto ejecutivo n° 218 del 7 de abril de 2024, en el que se reconoce la persistencia de un conflicto armado interno a cargo de grupos armados organizados”.

²² Fiscalía General del Estado, Resolución No. 063-FGE-2023, Art. 2 - SEDES.

²³ Committee on Enforced Disappearances, “Additional information submitted by Ecuador under article 29, paragraph 4, of the Convention, CED/C/Al/1.

guaranteeing the right of victims and their families to know the truth.²⁴ The law includes provisions that align with international human rights standards, including that the search must be carried out with the presumption that the disappeared person is still alive and that the State should provide access to psychosocial support and legal counsel for the victims, including both direct and indirect victims.²⁵ Moreover, the law recognizes the importance of coordination among different State institutions for the search of missing persons, including the Prosecutor's Office and the National Police. In Ecuador, the latter is tasked with the searching efforts.²⁶

Amnesty International acknowledges that the adoption of the new normative framework as a positive step. Still, the organization considers that Ecuadorian authorities have not yet effectively implemented it, with a direct negative impact for the families of the victims of possible enforced disappearances under the administration of President Noboa. Once again, the new wave of reports of missing persons and the lack of an effective State response stands as a testament to this. In February 2025, the organization issued an urgent action in connection to the reports coming from the families of missing persons in connection with the security operations conducted in 2024, noting that the search efforts were ineffective in some cases, and completely absent in others.²⁷ In spite of the extensive media coverage these cases have received, at the time of writing, the whereabouts and fate of the majority of those missing are still undetermined – with the sole exception of the case of “the Guayaquil four”. The International Convention for the Protection of All Persons from Enforced Disappearance imposes an obligation on State authorities to conduct prompt and extensive search efforts into missing persons who are alleged victims of enforced disappearance, which Ecuadorian authorities have thus far failed to do.

According to the families of alleged victims and their legal representatives, authorities have also failed to guarantee the right to participation, including their right to be informed about the progress of proceedings. Families have reported that prosecutors and police officers have not provided regular information about search efforts. This has added unnecessary stress to the families of the alleged victims, with some having decided to conduct their own search efforts. As noted by this Committee in the urgent actions issued for some of these cases, it is essential that authorities guarantee the safety of family members conducting search efforts, particularly given the context of the high levels of violence in the provinces where these events have taken place.²⁸

5. RECOMMENDATIONS

Amnesty International recommends that the State party:

- Adopt a comprehensive policy to combat enforced disappearances, including its prevention. This policy should follow a differential approach that considers persons in situations of vulnerability, including children and adolescents;
- Ensure prompt, independent, impartial and effective investigations into any reports of possible enforced disappearances committed by the Armed Forces, in accordance with international standards. Investigations should focus on the specific crime of enforced disappearance whenever there are indications that the required constitutive elements are met, and be conducted by the Specialized unit for the investigation of unlawful use of force;
- Immediately conduct search efforts for all alleged victims of involuntary and enforced disappearances, in line with the 2019 UN Guiding Principles for the search of disappeared persons. Search efforts should respect the right of the families of the victims to participate.

²⁴ Registro Oficial de Ecuador, “Ley Orgánica de Actuación en Casos de Personas Desaparecidas y Extraviadas”, 28 January 2020.

²⁵ Ley Orgánica de Actuación en Casos de Personas Desaparecidas y Extraviadas”, Arts. 3 and 7.

²⁶ Ley Orgánica de Actuación en Casos de Personas Desaparecidas y Extraviadas”, Arts. 8 and 16.

²⁷ Amnesty International, “Ecuador: 23 disappearances, search efforts stalled”, AMR 28/9031/2025, 12 February 2025. Available in: <https://www.amnesty.org/en/documents/amr28/9031/2025/en/>

²⁸ UN Committee on Enforced Disappearances, Report on requests for urgent action submitted under article 30 of the Convention, Advance United Version, 4 April 2025, parr. 60.

Amnesty International further recommends that the State party, through the:

- **President of Ecuador:**
 - Entirely reverse the heavily militarized approach to public security, ensuring human rights are at the center of any law enforcement operation;
 - Refrain from proposing or extending states of emergency, unless it can effectively be demonstrated that the situation reaches the very high threshold of a “public emergency threatening the life of the nation”²⁹, as is required under international human rights law;
 - Refrain from using military personnel, tactics and equipment to carry out ordinary law enforcement functions, and refrain from deploying the armed forces for public security tasks, ensuring that any such deployment strictly aligns with international human rights law and standards;
- **Prosecutor’s Office:**
 - Provide the “Specialized unit for the investigation of unlawful use of force” with the material and human resources needed to conduct prompt and effective investigations;
 - Provide effective protection and offer psychological support to all victims and their families;
- **Ministry of Defense, including the Joint Command of the Armed Forces:**
 - Ensure full cooperation with ongoing investigations conducted by the Prosecutor’s Office;
 - Suspend any member of the armed forces – regardless of their rank – suspected of serious human rights violations, pending impartial and independent investigations.

²⁹ As established by Article 4 of the International Covenant on Civil and Political rights, which states that “In time of public emergency which threatens the life of the nation and the existence of which is officially proclaimed, the States Parties to the present Covenant may take measures derogating from their obligations under the present Covenant to the extent strictly required by the exigencies of the situation, provided that such measures are not inconsistent with their other obligations under international law and do not involve discrimination solely on the ground of race, colour, sex, language, religion or social origin.”

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