

Republic of Ecuador

1. Overview of the human rights and democracy situation: In 2020, the human rights situation in Ecuador was significantly affected by the COVID-19 pandemic, leading to decreased opportunities for enjoyment of basic social and economic rights. The overall difficult situation had a particular negative impact on the groups in vulnerable situations, such as women and children, indigenous peoples and Ecuadorians of African descent, LGBTI persons, people with disabilities, migrants and refugees. The human rights defenders and civil society organisations have noted that the pandemic exposed the fragility and underfunding of human rights institutions, resulting in their inability to provide adequate support to more affected groups during the pandemic.

The country has made good progress on social and economic rights over the past years in the context of flagship policies such as the National Development Plan for 2017-2021 '*Toda una Vida*' (A Lifetime Plan), 'Housing for Everyone' plan and policies for social integration of persons with disabilities. The government of President Lenin Moreno, committed to fundamental freedoms, has engaged in wide reforms that dismantled the previous system of media control and repression, providing a more open space for civil society and engaging in dialogue with human rights defenders. The judiciary system has undergone improvements in terms of separation of powers and independence, however there are still issues pertinent to access to justice and judicial independence. While the relevant human rights legislation is largely in place, it is often not duly implemented due to lack of financing, as well as the downsizing that affects state institutions' ability to implement policies. There is also a need to improve the understanding of human rights and their due application within the judiciary system, as well as in the security sector.

Gender violence continues to be a deep-rooted problem in Ecuador. The situation was further aggravated during the lockdown period. The number of calls to support centres for family violence was reported to have increased significantly, especially during the months of hard confinement.⁵⁴

One of the groups in the most vulnerable situation in Ecuador is the indigenous population: during the pandemic some of the long term issues became more pronounced, such as illegal mining and logging in the indigenous territories, lack of access to medical care and basic services. For the smallest indigenous groups, the pandemic meant threat of ethnic extinction, especially affecting the elders who are the keepers of indigenous culture.

The situation in the penitentiary system of Ecuador continued to be of concern. The COVID-19 outbreak exacerbated difficulties (overcrowding, sanitary conditions, violence). In August, following violent incidents, the government declared the state of exception for 90 days in Ecuadorian prisons.

In 2020, Ecuador launched elaboration of a National Action Plan on Business and Human Rights, with particular relevance in supporting policies that would ensure responsible conduct of companies, including towards communities where business operations are taking place and in terms of labour rights.

⁵⁴ In 2020, more than 100 femicides have been registered in the country, included 5 cases of transgender persons and 15 girls under the age of 18.

2. EU action - key focus areas: In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused in Ecuador on the 'protecting and empowering individuals' line of action and in particular:

- Promoting the legitimacy of the work of human rights defenders;
- Encouraging and giving visibility to the civil society's participation in public policies;
- Safeguarding freedom of expression;
- Ensuring better protection of minorities and groups in vulnerable situations, including indigenous peoples, migrants, women and children;
- Access to an independent and effective justice and the rule of law.

3. EU bilateral political engagement: In 2020, the EU maintained contacts with all relevant stakeholders including the government, human rights institutions, human rights defenders and civil society organisations. In June 2020, the first annual local dialogue on human rights issues between the EU and Ecuador took place.

The EU roadmap for engagement with civil society (adopted in 2014 and updated every year) has attracted considerable interest from civil society organisations, which are actively participating in its implementation. In the context of the roadmap civil society decided to open specific working group for setting up advocacy initiatives towards government, especially on gender equality and human rights. The roadmap and the work done by the EU and the civil society in Ecuador have been chosen as a good example to be followed in other countries.

On business and human rights, the EU supports the elaboration of the national action plan through the 'Responsible Business Conduct in Latin America and the Caribbean' project. Business and human rights is also a key entry point to support other EU priorities such as human rights defenders and indigenous peoples.

4. EU financial engagement: In 2020, EU implemented three human rights projects that focused on protection of indigenous peoples, protection of people in voluntary isolation, forced disappearance and extrajudicial execution (EUR 1 million) and launched a new call for proposals on human rights for EUR 1 million, resulting in two new actions with a focus on human rights defenders. In November 2020, EUR 530,000 was provided by the Emergency Fund for Human Rights Defenders/EIDHR Facility to support threatened human rights defenders and indigenous and afro communities heavily affected by COVID-19. Through the Civil Society Organisation/Local Authorities thematic budget line, six new projects were approved (EUR 5 million). All of them are characterised by rights-based approach, include gender key indicators and women are at centre of the action. There are 19 EU projects in support of human mobility through humanitarian and development action (EUR 22.3 million). A regular dialogue with the Ecuadorian government and civil society accompanies the financial engagement.

5. Multilateral context: Ecuador supports multilateralism and a rules-based international order. In 2020, Ecuador continued the approach of case-by-case decisions on UN resolutions on human rights issues, showing some like-mindedness on a number of human rights issues, including EU-sponsored and supported resolutions. Ecuador leads discussions within the

United Nations on the possible development of an international agreement (legally binding instrument) on business and human rights.

In January 2020, Ecuador ratified the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance. In May 2020, Ecuador ratified the Regional Agreement on Access to Information, Public Participation and Access to Justice in Environmental Affairs in Latin America and the Caribbean (the Escazú Agreement).

Republic of Paraguay

1. Overview of the human rights and democracy situation: Paraguay generally has a good legal basis for the protection of human rights, but the National Plan for Human Rights that is vital for the necessary institutional strengthening has remained unimplemented. Human rights and democracy challenges include corruption, organised crime, as well as protection of vulnerable groups, violence against women and girls, the rights of the child, indigenous communities, landless farmers, persons with disabilities, and discrimination against the LGBTI community. Teenage and child pregnancy ranks as one of the highest in the region. The weak functioning of the justice system, including overcrowding and violence in prisons, and pre-trial detention continue to be of major concern.

With the COVID-19 pandemic, social inequality further increased particularly in groups in vulnerable situations; women, children, indigenous peoples, as well as prisoners. The pandemic also exposed several reported corruption cases in purchases of health supplies and there have been complaints about human rights violations in mandatory quarantine centres for Paraguayan returnees. The schools operating in virtual format since March 2020 affected mostly the persons in the most vulnerable situations who do not have internet connection or even a device to connect.

Some positive developments in 2020 include a Supreme Court decision to publish asset declarations of all public officials, a victory for access to information. For the second year running, a decrease in the number of women killed in domestic violence was reported. National plans for Prevention and Combat of Human Trafficking, and Transparency, Integrity and Fighting Corruption were adopted. In line with Inter-American Court of Human Rights decisions, land or road access were allocated to two indigenous communities. The 2014 Zero Deforestation Law was extended for a decade, and 91 victims of the dictatorship received compensation. A welcome development regarding the rights of LGBTI persons was the swearing-in of the first openly transgender lawyer.

2. EU action - key focus areas: In line with the EU Action Plan on Human Rights and Democracy 2020-2024, the EU focused its efforts in Paraguay on 'Protecting and empowering individuals' and 'Building resilient, inclusive and democratic societies' with the following priorities: better protecting groups in vulnerable situations, addressing gender issues and discrimination, as well as strengthening and consolidating democracy, including through improving electoral processes. Other priorities for the EU are promoting institutionalisation of human rights, judicial reform, fighting corruption and organised crime, and further enhancing transparency.