

# Universal Periodic Review:

## *Recommendations for the Ecuadorian State on human rights in digital environments.*

*With the following recommendations which we are making to the Ecuadorian State, we reaffirm the need to strengthen the commitment to human rights, such as living a life free from violence; freedom of expression and opinion; the safety of information specialists; privacy; and access to economic and social rights, through policies and practices related to the digital environment.*

### Internet access and digital exclusion

In 2020, just **34.7% of households** located in rural areas of Ecuador had internet access, while access in **urban areas was 61,7%.**

Despite the fact that in the last year, access in these areas increased by 13.1%, more than half of the population outside urban areas still has no internet access. In an increasingly connected world, this exclusion blocks or limits the exercise of fundamental rights, such as access to education, work, health or political participation.

We are asking the Ecuadorian State to guarantee access to the internet, promoting the elimination of the access gap facing historically vulnerable social groups.

### The right live a life free from violence

In Ecuador, **violence and discrimination against women is systematic** and has spread from the **physical world into on-line environments.**

Rapid digitalization stemming from the pandemic has exacerbated on-line gender-based violence and discrimination.<sup>2</sup> A UN Women study revealed that 32% of Ecuadorian women suffered some kind of on-line violence due to their political activity, through the dissemination of negative, stereotypical or degrading images on social media or other communication channels, while 24% suffered on-line harassment.<sup>3</sup>

We are asking the Ecuadorian State to ensure access to justice in cases of on-line gender-based violence and to propose public policies for eliminating violence and discrimination against women.

### Freedom of expression and opinion

From 2007 to 2021, **3,045 attacks** on the press in Ecuador were recorded, **both on and off the internet.**

From 2007 to 2021, 3,045 attacks on the press in Ecuador were recorded, both on and off the internet. Two hundred eighty-nine (289) attacks took place in 2021: 125 on male journalists, 71 on female journalists, 33 on media outlets, 7 on activists, 14 on citizens and 3 on civil society organizations. Half of the attacks were conducted over digital platforms, by social media users.<sup>1</sup> The main attacker was **the State, with 130 incidents.**

The Ecuadorian State must protect human rights defenders and journalists, as well as guarantee the exercise of the right to freedom of expression and access to information, on and off the internet. The State must protect and promote the availability and use of encrypting and anonymizing technologies.

<sup>1</sup> [https://www.fundamedios.org.ec/wp-content/uploads/2021/12/Informe-ec\\_compressed-1.pdf](https://www.fundamedios.org.ec/wp-content/uploads/2021/12/Informe-ec_compressed-1.pdf)

<sup>2</sup> <https://www.unwomen.org/sites/default/files/Headquarters/Attachments/Sections/Library/Publications/2020/Impact-of-COVID-19-on-violence-against-women-and-girls-and-service-provision-en.pdf>

<sup>3</sup> <https://ecuador.un.org/sites/default/files/2020-02/violencia%20politica%20baja.pdf>

## Internet shutdowns in the context of protests

During the 2019 protests, **interruptions to and difficulties with internet connectivity were identified.**

Journalists and activists reported cases of internet censorship and interruptions during the protests, as well as the suspension of social media accounts from which incidents at the protests were published.<sup>4</sup>

The Ecuadorian State must refrain from interrupting internet access. It is urgent to repeal any attempt to criminalize or restrict freedom of association, assembly and the right to protest, on-line or off-line.

## Privacy and data protection

In May 2021, Ecuador approved the **Personal Data Protection Act**, which reflects the **highest international protection standards** in this regard.

These thus become an instrument crystallizing informational self-determination in the digital realm and ensuring the ethical handling of personal data in order to preserve their confidentiality, privacy and security.<sup>5</sup> This is essential for guaranteeing the right to privacy and for the effective protection of personal data.

The Ecuadorian government must guarantee the security of public infrastructure and streamline implementation of the Personal Data Protection Act.

## Large-scale surveillance technology

At the start of the COVID-19 pandemic, the Ecuadorian government published **Decree 1017**, announcing that satellite and mobile phone platforms could be used to **monitor the location of people under quarantine and isolation.**

In 2019, at least three initiatives were recorded for promoting the use of facial recognition technology (FRT) in Ecuador. We are concerned that the rhetoric of public safety is being used to establish a logic of large-scale surveillance of public spaces, without due respect for human rights. These technologies are disproportionate; can be highly discriminatory; undermine the right to privacy; and can have a chilling effect on political expression.<sup>6</sup>

We ask the Ecuadorian State to refrain from deploying massive and/or selective surveillance practices; to respect and promote the right to privacy, in both physical spaces and in the context of digital communication; and to refrain from using surveillance and facial or biometric recognition technologies that fail to meet international standards and obligations.

<sup>4</sup> [https://www.apc.org/sites/default/files/Ecuador\\_Informe\\_bloqueos\\_e\\_interrupciones\\_red\\_octubre2019\\_CIDH\\_2.pdf](https://www.apc.org/sites/default/files/Ecuador_Informe_bloqueos_e_interrupciones_red_octubre2019_CIDH_2.pdf)

<sup>5</sup> <https://www.apc.org/en/pubs/joint-statement-protection-digital-rights-defenders>

<sup>6</sup> <https://www.ohchr.org/en/press-releases/2020/03/covid-19-states-should-not-abuse-emergency-measures-suppress-human-rights-un?LangID=E&NewsID=25722>