

THE INTERNATIONAL DECADE FOR PEOPLE OF AFRICAN DESCENT, A CHALLENGE IN THE RECOGNITION OF COLLECTIVE RIGHTS

Dear representatives to the United Nations:

I am addressing you on behalf of the Ecuadorian Ombudsman's Office, which, as the National Institution for Human Rights and Nature of Ecuador, ratifies its ethical magistracy before its permanent work for the dignity of the human being.

From this site, as Ombudsman of Ecuador, I allow myself to highlight the importance of this II Assembly for Afro-descendant rights, whose axis of action revolves around the International Decade for people of African-descent 2015-2024, declared by the United Nations.

During this period, the promotion of equality and non-discrimination to guarantee the human rights of all people, regardless of their ethnic origin, constitutes a key factor to recognize the advances in this matter and, at the same time, to identify the challenges that position us as fundamental actors of change, whose horizon is the exercise of rights with full dignity.

The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights are, among others, relevant international instruments that address the elimination of all forms of racial discrimination and promote equality.

Ecuador, as a sovereign territory, recognizes its ancient roots; this experience has allowed us to cultivate wisdom that is nourished and enriched by all cultures with a deep commitment to both, present and future.

One of these sources is found in the Afro-descendant and Afro-Ecuadorian people, whose expressions of life have been marked by painful chapters in human history. In the name of conquests and other absurdities, they were enslaved and appealed, even, to pseudo-spiritual considerations qualifying them, for example, as "beings without a soul" to justify actions against them. This systematic dehumanization stripped these people of their rights.

As ridiculous as it sounds by today's standards, it's unfortunate to say that we haven't gone far enough. Right now, in Ecuador, justice is dealing with the Furukawa case on alleged violations of human rights, framed in processes of exclusion and discrimination and the alleged crime of trafficking in persons for the purpose of labor exploitation. The majority of those affected are Afro-Ecuadorians.

There are countless cases and examples of racial discrimination, social exclusion and the lack of recognition of the cultural and economic rights of Afro-descendant communities, as are their struggles and demands. Its cultural, scientific, artistic and gastronomic legacy, as well as other contributions are a lasting mark in the history of mankind.

From this perspective, the United Nations declaration on the International Decade for People of African Descent 2015-2024 became the backbone to articulate actions that enable new forms of citizen coexistence, in diversity and harmony. We are nearing the end of this period, which was dedicated to the recognition of the rights of people of African descent. The work is not finished; and although you look at the path, it is necessary to move forward.

In this line, Ecuador took important steps: through the Constitution of the Republic of Ecuador, the collective rights of communities, peoples and nationalities are recognized, in accordance with pacts, conventions, declarations and other international human rights instruments (Chapter IV. Articles: 56 to 60 – Ecuadorian Constitution). Executive Decree 915, of January 16, 2016, was also issued, which established, as a national policy, compliance with the objectives and goals of the Program of Activities of the International Decade for People of African Descent. However, from the Ombudsman's Office, we consider it vital to implement additional mechanisms for the development of their own culture, their relationship with nature, the use of their clothing, and the proposal of a more intercultural world that learns and becomes dynamic from respect and integration.

From the attribution of the Ombudsman's Office to generate normative and develop incidence in public-policy-making, we consider it necessary to elaborate regulations that establish effective institutional mechanisms to enhance, furthermore, the construction of intercultural and plurinational thoughts and actions. Hence, we developed an **Organic Law Project for the Protection and Guardianship of the Collective Rights of the Communes and Communities of the Afro-descendant People in Ecuador**.

Our country faces a complex situation in political terms, but once we overcome this institutional crisis and the Ecuadorian people elect a new National Assembly, we will manage a broad debate on this legal proposal that, as well as with other legal initiatives that we have presented before the legislative power, becomes an input to promote the guarantee of the full exercise of the rights of all people who inhabit our country without any distinction.

Finally, I invite the member states of this Assembly to ratify the commitment to strengthen actions aimed at the prevention, promotion, protection and guardianship of human rights, particularly for those who have been excluded and who require priority, special and specialized attention, as is the case of people descendants of African or Afro-descendant peoples.

Sincerely,

Dr. César Córdova Valverde
OMBUDSMAN OF ECUADOR (E)