

## Ecuador (2024-)

Article 144 of the [Organic Integral Penal Code of Ecuador](#) provides a penalty of between 10 and 13 years imprisonment for simple homicide.

On 5 February 2024 the Constitutional Court of Ecuador in its [Sentence 67-23-IN/24](#) declared an exception to this offence where a physician kills a person who expressing unequivocal, free, and informed consent (or through their representative when they are unable to express it), requests access to an active euthanasia procedure due to intense suffering resulting from a necessarily bodily injury that is serious and irreversible, or a serious and incurable illness.

The Court claimed that the right to a dignified life under Article 66 -2 of the Constitution “protects the ability of individuals to self-determination and to shape their own life plans in accordance with their values, beliefs, worldview, and the circumstances surrounding them, with no limitations other than the rights of others.” This includes the right to request and receive euthanasia in the specified circumstances.

The Court’s decision was split 2-1 with Judge Carmen Corral Ponce dissenting.

This dissenting opinion, respecting what the plaintiff feels and thinks, demonstrates that Article 144 of the COIP is not unconstitutional; That the Constitutional Court exceeded its jurisdiction by creating, with manifest and contradictory conceptual errors, an exception to the criminal offense; that the presumption of constitutionality was not violated; that it was not the appropriate course of action; that human dignity is tied to life, not to living conditions; that the free development of personality should not undermine human dignity; that active euthanasia is not the solution; on the contrary, euthanasia opens the door to a culture of death, instead of a culture of life.

The plaintiff in the case died of natural causes on 11 March 2024.

In response to an order from the Court, on 12 April 2024 the Ministry of Health issued [Regulations of the Procedure for the Application of Euthanasia](#). The regulations provide for euthanasia following either a request from the person or, where there is an advanced directive, from the person’s representative. A “technical committee” in each institution must approve or deny the request within 2 days. Approval must be acted on within 10 days or becomes void.

“At least one doctor and one nurse must participate in the execution. These professionals must use drugs that guarantee that the procedure is short and accurate, with simple and lethal administration. Death as a result of the application of euthanasia will be considered a natural death.”

As of June 2024 there had been no cases of euthanasia using these procedures.

The Court ordered the Ombudsman’s Office to prepare a Bill within six months of the decision for presentation to the National Assembly, which would have 12 months to consider the Bill. The [Bill](#) was presented on 28 June 2024 but did not proceed.

On 13 March 2025 Assemblyman Camilo Salinas introduced a new Bill to regulate euthanasia procedures and advanced directives.