

CONSEJO DE PARTICIPACIÓN CIUDADANA Y CONTROL SOCIAL TRANSITORIO  
(Council for Public Participation and Social Control)

**Statement No. CPCCS-SG-2018-0472-OF**

**Quito, 24 July 2018**

**Subject:** Notification of Resolution No. PLE-CPCCS-T-0-069-23-07-2018

Economist  
Ms. Elizabeth Enriqueta Cabezas Guerrero  
**Chairwoman**  
**NATIONAL ASSEMBLY**  
In her office:

To whom it may concern:

Pursuant to the decision taken in plenary by the Council for Public Participation and Social Control, at its ordinary session No. 18, held on 23 July of the current year, I hereby bring to your attention Resolution No. PLE-CPCCS-T-O-069-23-07-2018, for any legal and relevant purposes.

With the assurances of my highest consideration.

Sincerely,

Darwin Enrique Seraquive Abad

**SECRETARY GENERAL IN CHARGE**

Annexes. Resolution No. PLE-CPCCS-T-O-069-23-07-2018

**RESOLUTION No. PLE-CPCCS-T-O-069-23-07-2018**  
**PLENARY SESSION OF THE COUNCIL FOR PUBLIC PARTICIPATION AND**  
**SOCIAL CONTROL 2018**

**CONSIDERING:**

- That** Article 207 of the Constitution of the Republic stipulates that it is the responsibility of the Council for Public Participation and Social Control to promote and encourage the exercise of rights relating to public participation as well as to bolster and establish mechanisms for social control in matters related to the public interest and to appoint authorities as defined by the Constitution and the law,
- That** paragraph 10 of Articles 208 and 235 of the Constitution of the Republic of Ecuador stipulate that it is the responsibility of the Council for Public Participation and Social Control to appoint the highest authority of the Procuraduría General del Estado (Office of the State Attorney-General) for a four-year term,
- That** Article 236 of the Constitution stipulates that the Council for Public Participation and Social Control shall appoint the State Attorney General from a shortlist of candidates submitted by the Office of the President of the Republic. The shortlist shall apply the criteria of speciality and merit, and shall be subject to public scrutiny and to the right of citizens to appeal. The candidates must meet the same requirements as members of the Constitutional Court.
- That** on 4 February 2018, the Ecuadorian people voted on the Popular Consultation and referendum and expressed the sovereign will of the people and decided by a majority vote to amend the Constitution of the Republic and to establish a Council for Public Participation and Social Control, whose mission it is to strengthen the mechanisms for transparency and control, public participation, and the prevention and combating of corruption, as well as to assess the performance of the authorities designated by the Council for Public Participation and Social Control.
- That** the people's mandate of 4 February 2018 conferred upon the Council for Public Participation and Social Control the power to issue relevant standards to regulate the procedures for the assessment of state authorities, abiding by the regulations of the corresponding procedure, and to ensure that the mechanisms for the designation of authorities in its area of responsibility are improved, objective, and impartial.
- That** paragraph 3 of Article 55 of the Organic Law of the Council for Public Participation and Social Control (ley Orgánica del Consejo de Participación Ciudadana y Control Social) stipulates that [TRANSLATION]: "The Procedures for citizen oversight and rebuttal for the appointment of the Procurador General del Estado (State Attorney-General) and the Superintendents, from a shortlist of candidates submitted by the President of the Republic shall be carried out directly by the Council for Public Participation and Social Control.
- That** the Council for Public Participation and Social Control, through its Resolution No. PLE-CPCCS-T-E-038-05-06-2018 of 5 June 2018 approved the Mandate for the Appointment of the Highest Authority of the Procuraduría General del Estado (Office of the State Attorney-General) (Mandato para la Designación de la Primera Autoridad de la Procuraduría General del Estado) from the shortlist submitted by the President of the Republic.
- That** article 6 of the Mandate for the Appointment of the Highest Authority of the Procuraduría General del Estado (Office of the State Attorney-General) from the shortlist submitted by the President of the Republic stipulates that [TRANSLATION]: "*The Technical Commission, which is comprised of three (3) members, shall verify the requirements, bans, and disqualifications of the*

*candidates within a maximum of three (3) days, and submit its endorsement report at the plenary session of the Council for Public Participation and Social Control. The Council will then have three (3) days to announce the candidate(s) for the rebuttal phase.*

**That** Mr. Lenin Moreno Garcés, Constitutional President of the Republic of Ecuador, submitted to the Council for Public Participation and Social Control his shortlist for the selection and appointment of the highest authority of the Procuraduría General del Estado (Office of the State Attorney-General) via statement No. T.009-SGJ-18-0481 of 27 June 2018. The list of candidates was as follows: Dr. Íñigo Francisco Alberto Salvador Crespo; Dr. María Amparo Albán Ricaurte, and Dr. Juan Pablo Aguilar Andrade,

**That** resolution No. PLE-CPCCS-T-E-058-04-07-2018 appointed the Technical Commission with citizen oversight for the verification of the requirements and disqualifications of the candidates shortlisted by the President of the Republic for the selection and appointment of the highest authority of the Procuraduría General del Estado (Office of the State Attorney-General),

**That** on 9 July 2018 the members of the Technical Commission with citizen oversight submitted their technical report on the verification of the requirements and disqualifications of the candidates establishing that the candidates that were to be put forward for the rebuttal procedure were Dr. Íñigo Francisco Alberto Salvador Crespo and Dr. Juan Pablo Aguilar Andrade,

**Art. 3.-** That provisions two and four of Resolution No. PLE-CPCCS -T-E-06 1- 11-07-2018, of 11 July 2018 resolve the following [TRANSLATION]:

*“TWO. To subject to public scrutiny and citizen rebuttal the nomination of Dr. Íñigo Francisco Alberto Salvador Crespo, ID no. 1706388855, and Juan Pablo Aguilar Andrade, ID no. 1706447560 to be elected as Procurador General del Estado (State Attorney-General) from the shortlist submitted by the President of the Republic.*

*Concerning the other candidate, she could not be considered as she does not demonstrate compliance with one of the requirements, as per the technical report”.*

*FOUR. Rebuttals must be submitted in accordance with Article 15 et seq of the aforementioned Mandate on the Procedure for the Selection and Appointment of Authorities. They must be duly substantiated and documented and submitted in writing to the Office of the Council for Public Participation and Social Control, at the following address: Santa Prisca (between Vargas and Pasaje Ibarra), Edificio Centenario. The submission period shall start on Tuesday, 17 July 2018 and end on Thursday, 19 July 2018. Submission times will be from 8:30am to 5pm on each of the aforementioned days.*

**That** the newspaper LA HORA published on 16 July 2018 the call for the citizens to challenge the nomination of Dr. Íñigo Francisco Alberto Salvador Crespo and Dr. Juan Pablo Aguilar Andrade for election as Procurador General del Estado (State Attorney-General),

**That,** on memorandum No. CPCCS-SG -2018-0598--M, of 20 July 2018, Dr. Antonio Navas, Assistant Secretary (e) of the Council for Public Participation and Social Control informed that: *“within the citizen rebuttal phase of the procedure for the election of the highest authority of the Procuraduría General del Estado (Office of the State Attorney-General) from a shortlist of candidates submitted by the President of the Republic, NO challenges were submitted anywhere in the country.”*

**That,** seeing as no challenges had been submitted to the nomination of Dr. Íñigo Francisco Alberto Salvador Crespo and Dr. Juan Pablo Aguilar Andrade for election as Procurador General del Estado (State Attorney-General), within a period of 3 days, starting on Tuesday, 17 July until Thursday,

CONSEJO DE PARTICIPACIÓN CIUDADANA Y CONTROL SOCIAL TRANSITORIO  
(Council for Public Participation and Social Control)

19 July 2018 between the hours of 8:30am and 5pm on each of those days, the rebuttal phase was declared terminated.

**That,** having exhausted the nomination procedure, citizen oversight and rebuttal of the shortlist submitted by Mr. Lenin Moreno Garcés, Constitutional President of the Republic, for the selection and appointment of the highest authority of the Procuraduría General del Estado (Office of the State Attorney-General),

By virtue of the powers and competencies provided for in the People's Mandate of 4 February 2018, the Constitution of the Republic of Ecuador, and the Mandate on the Selection and Appointment of Authorities, at ordinary session No. 18, held in the city of Guayaquil, seeing as the results of the vote of agenda item 5 were 6 in favour and one abstention, the plenary session of the Council for Public Participation and Social Control

**RESOLVES:**

**SOLE ARTICLE.** - To appoint DR. ÍÑIGO FRANCISCO ALBERTO SALVADOR CRESPO, Procurador General Del Estado (State Attorney-General), for the period stipulated by Art. 235 of the Constitution of the Republic of Ecuador.

**Final Provision.**- To be announced via the Secretary General to Economist Elizabeth Cabezas, Chairwoman of the National Assembly for the inauguration of DR. ÍÑIGO FRANCISCO ALBERTO SALVADOR CRESPO, as Procurador General del Estado (State Attorney-General); to the Constitutional President of the Republic; to the incumbent and designated Procurador General del Estado (State Attorney-General), and to the General Coordination of Communication (Coordinación General de Comunicación) for its publication on the institutional website .

In the city of Guayaquil, in the meeting room of the Council for Public Participation and Social Control, on the twenty-third day of the month of July of the year twenty eighteen.

Julio César Trujillo  
**CHAIRMAN**

I hereby certify this. - In the city of Guayaquil, on the twenty-third day of the month of July of the year twenty eighteen.

Dr. Darwin Seraquive Abad  
**SECRETARY GENERAL, (e)**