



Modernization of justice from specialized units for constitutional control in Ecuador

Modernización de la justicia desde unidades especializadas para el control constitucional en Ecuador

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ABSTRACT

The objective of the scientific article is to analyze the proposal to modernise justice through the creation of specialised units for constitutional control in Ecuador. It was methodologically managed from the qualitative approach of hermeneutic method. An interpretation of Ruling No. 1-24-RC/24 of the Constitutional Court and interviews with two key informants were carried out, as well as a documentary analysis of 19 scientific articles. The proposal to modernise the justice system through the creation of Specialised Units for constitutional control in Ecuador constitutes a significant step forward in the search for a more efficient, technical and accessible judicial system, in compliance with the principles of speed, specialisation and access to justice enshrined in the Constitution. These units, based on articles 167 and 172 of the Constitution, have the potential to strengthen jurisdictional guarantees, reduce the Constitutional Court's workload and improve the quality of judicial decisions.

Descriptors: constitutional law; constitutions; political systems (Source: UNESCO Thesaurus).

RESUMEN

El artículo científico tiene por objetivo analizar la propuesta de modernización de la justicia desde unidades especializadas para el control constitucional en Ecuador. Se gestionó metodológicamente desde el enfoque cualitativo de método hermeneúutico. Se realizó una interpretación del Dictamen No. 1-24-RC/24 de la Corte Constitucional y entrevista a dos informantes clave, así como el análisis documental de 19 artículos científicos. La propuesta de modernización de la justicia a través de la creación de Unidades Especializadas para el control constitucional en Ecuador constituye un avance significativo en la búsqueda de un sistema judicial más eficiente, técnico y accesible, en cumplimiento de los principios de celeridad, especialización y acceso a la justicia consagrados en la Constitución. Estas unidades, fundamentadas en los artículos 167 y 172 de la Carta Magna, tienen el potencial de fortalecer las garantías jurisdiccionales, descongestionar la Corte Constitucional y mejorar la calidad de las decisiones judiciales.

Descriptores: derecho constitucional; constitución; sistema político. (Fuente: Tesauro UNESCO).

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Research articles section



INTRODUCTION

Constitutional justice is a fundamental pillar for the protection of human rights and the maintenance of the rule of law in democratic systems; in this sense, in the Ecuadorian context, the justice system faces serious structural challenges, such as procedural overload, lack of specialization and slowness in the resolution of cases. Several studies have critically examined the role of the constitutional justice system in Ecuador, highlighting the coexistence of guarantor, participatory and republican components in the Ecuadorian Constitution, as well as the challenges faced by the judicial system (Navas-Alvear, 2013).

Consequently, the Constitutional Court of Ecuador, as the highest body in charge of the control of constitutionality, has experienced a significant accumulation of processes, which puts at risk the effective judicial protection established in Article 75 of the Constitution of the Republic of Ecuador (2008). This scenario has prompted reform proposals, such as the one presented by the former president of the National Court of Justice, Dr. Ivan Saquicela, who suggested the creation of Special Units for Constitutional Control and Jurisdictional Guarantees. This initiative aims to alleviate the procedural burden of the judicial system and improve efficiency in the administration of constitutional justice, since the Special Units are based on the principles of judicial deconcentration and jurisdictional specialization, provided for in Articles 167 and 172 of the Constitution, and could constitute a mechanism to strengthen access to justice and ensure a more effective protection of rights.

From the above, it can be argued that the Ecuadorian judicial system has historically faced several problems that hinder the effectiveness of constitutional justice. Among these, the backlog of cases in the Constitutional Court has been one of the most worrisome, since this body, responsible for guaranteeing constitutional supremacy, has seen how its operational capacity has been overwhelmed by the number of lawsuits it receives, which has generated a significant delay in the resolution of cases.



The above is not a new issue, as (Grijalva, 2011) points out that the crisis of the judiciary is a recurring theme in Ecuador, although the 2008 Constitution expanded the powers of ordinary judges to hear actions inherent to constitutional guarantees, which has further increased the workload of the Constitutional Court. The procedural overload and the lack of specialization in the treatment of constitutional cases have compromised the efficiency of the justice system in Ecuador. This evidences a gap in the judicial system that justifies the need for structural reforms, such as the creation of Special Units for Constitutional Control and Jurisdictional Guarantees.

Thus, in the context of what has been presented, the objective of this scientific article is to analyze the proposal for the modernization of justice from specialized units for constitutional control in Ecuador.

Theoretical framework

From the study of the modernization of justice from specialized units for constitutional control in Ecuador, theoretical aspects are presented that support from a conceptual point of view the implementation of judicial action, in this sense, it is formulated:

Decongestion of the judicial system

In this regard, Amaya-López & Juanes-Giraud (2020) describe that mediation, as an alternative dispute resolution mechanism, constitutes a tool to decongest the judicial system, because in the constitutional sphere, mediation could be adapted to resolve conflicts of less complexity, allowing the Constitutional Court to concentrate on cases of greater legal significance, this perspective is based on the principle of procedural economy, which seeks to optimize the resources of the judicial system and ensure effective judicial protection, according to Article 75 of the Constitution of the Republic of Ecuador (2008); mediation is also aligned with the principle of procedural celerity, provided for in Article 169 of the same law, by reducing the time it takes to resolve conflicts.



Impact of Constitutional jurisprudence

In this aspect, Baldeón-Navarrete (2025) analyzes how constitutional jurisprudence has transformed civil law in Ecuador, evidencing the need for judges specialized in constitutional matters, therefore, jurisprudence, as a formal source of law, acquires a preponderant role in the interpretation and application of fundamental rights. In this sense, the creation of Special Units for Constitutional Control would allow for a more technical and in-depth analysis of cases, guaranteeing uniformity and consistency in the application of constitutional jurisprudence. This is especially important in a legal system such as Ecuador's, where the Constitutional Court acts as guarantor of constitutional supremacy and the protection of fundamental rights.

Decentralization and deconcentration of judicial power

On this indicator, Cabascango-Hidrobo et al. (2024) comment that decentralization and deconcentration of the judiciary are essential mechanisms to guarantee access to justice in a constitutional state of rights and justice. It is important to remember that deconcentration, provided for in Article 227 of the Constitution, makes it possible to delegate competencies to specialized bodies, such as the Special Units for Constitutional Control, with the aim of bringing justice closer to citizens and reducing geographical and economic barriers, which also responds to the principle of equality before the law, enshrined in Article 11 of the Constitution, by ensuring that all citizens have access to prompt and effective justice, regardless of their geographical location.

Constitutional justice reform

In this theoretical parameter, Coello-Piguave (2025) analyzes the proposed reform of constitutional justice in Ecuador, highlighting that the creation of Special Units is a structural measure to address the procedural overload of the Constitutional Court, these units, based on the principles of specialization and deconcentration, would allow a more equitable distribution of the procedural burden, ensuring a more agile and technical resolution of cases. It is important to understand that the reform must be accompanied by institutional strengthening, including the training of judges and



judicial officials, as well as the allocation of adequate resources, in accordance with the principle of budgetary sufficiency provided for in Article 286 of the Constitution.

Status of decentralization

In this regard, Costa-Cevallos et al. (2022) study the state of decentralization in Ecuador, highlighting that the deconcentration of the judiciary is an essential tool for improving administrative efficiency and guaranteeing access to justice; while at the constitutional level, decentralization would allow a more equitable distribution of resources and competencies, facilitating the resolution of cases in regions far from urban centers, which is aligned with the principle of proximity, which seeks to bring the administration of justice closer to citizens, and with the principle of territorial justice, which guarantees an equitable distribution of resources and public services.

Judicial independence and rights

Therefore, Grijalva (2011) points out that judicial independence is a fundamental pillar of the rule of law, as it guarantees that judges can exercise their functions without external interference; in the Ecuadorian context, the politicization of the judicial system has compromised its independence, affecting the protection of fundamental rights. Therefore, the creation of Special Units for Constitutional Control could strengthen judicial independence by promoting a technical and specialized approach in the resolution of cases, reducing political influence in the judicial system, which is based on the principle of impartiality, enshrined in Article 168 of the Constitution.

Evolution and challenges of constitutional law

In this sense, Macías-Macías & Espinoza-Bravo (2024) analyze the evolution of constitutional law in Ecuador, highlighting that the 2008 Constitution introduced a guaranteeing approach that seeks to protect the fundamental rights of citizens. However, this perspective has generated a greater workload for the Constitutional Court, evidencing the need for structural reforms. Therefore, the creation of Special Units would address this challenge by guaranteeing a technical and specialized



treatment of cases, strengthening the protection of fundamental rights and constitutional supremacy.

Limitations of the constitutional court

In this context, Margareth-Dalila et al. (2024) point out that the Constitutional Court faces significant limitations in its capacity to select and review judgments related to jurisdictional guarantees. These restrictions have contributed to the accumulation of cases and the delay in their resolution, therefore, the creation of Special Units would allow delegating part of the Court's competences to specialized instances, relieving its workload and ensuring a more agile and effective resolution of cases, which is based on the principle of subsidiarity, which seeks to distribute competences efficiently among the different instances of the judicial system.

Jurisdictional guarantees and ordinary jurisdiction

In this order, Montalvo-Jama & Baquerizo-Gutiérrez (2022), analyze the challenge of having specialized constitutional judges in Ecuador, highlighting that jurisdictional guarantees are an essential mechanism for the protection of fundamental rights. It is important to take into account that the creation of Special Units would strengthen this aspect by guaranteeing a technical and specialized treatment of cases, promoting an adequate interpretation of jurisdictional guarantees and an effective application of fundamental rights.

Constitutional justice between politics and law

In this regard, Navas-Alvear (2013) addresses the interaction between politics and law in Ecuadorian constitutional justice, highlighting that the politicization of the judicial system has affected its efficiency and legitimacy, being necessary to understand that the implementation of Special Units could reduce this political influence by promoting a technical and specialized approach in the resolution of cases, strengthening judicial independence and citizens' confidence in the justice system.



Interaction between constitutional law and citizen protection

In this sense, Ronquillo-Riera et al. (2021) analyze how constitutional law interacts directly with the protection of citizens, highlighting that an efficient and accessible judicial system is essential to guarantee fundamental rights, therefore, the creation of Special Units could strengthen this interaction by ensuring a more effective protection of fundamental rights, promoting a more agile and technical administration of justice.

Definitions of constitutional jurisprudence

Accordingly, Saltos-Orrala et al. (2024), examine the definitions of the jurisprudence of the Constitutional Court in Ecuador, highlighting that these interpretations have a significant impact on the creation of rules and procedures, in that the specialization of the Special Units would allow for a more technical as well as in-depth analysis of these definitions, ensuring a proper interpretation of the Constitution and a consistent application of fundamental rights.

Penal system and human rights

In this judicial parameter, Segovia-Guillén et al. (2024), analyze the challenges of the Ecuadorian penal system from a human rights perspective, highlighting that an efficient and equitable judicial system is essential to guarantee equal justice, being important to consider that the creation of Special Units could contribute to this objective by guaranteeing a more agile and effective administration of justice, promoting the protection of fundamental rights in the criminal sphere.

Rights of nature and constitutional jurisprudence

In this sense, Solano-Paucay & Marín (2024), address the relationship between the rights of nature and constitutional jurisprudence in Ecuador, highlighting that a specialized approach is essential to ensure the protection of these rights, in consideration, the Special Units could play a key role in this area by ensuring an adequate interpretation of the rights of nature, promoting their effective protection.



Control of constitutionality

In this area, Storini et al. (2022), promote that the control of constitutionality in Ecuador faces efficiency problems due to excessive centralization and lack of resources, therefore, the deconcentration of the judicial system, through the creation of Special Units, could be a solution to improve the administration of justice and ensure more effective protection of fundamental rights.

Deconcentration of the central state

In this regard, Tamayo (2023) analyzes the deconcentration of the central state in Ecuador, emphasizing that this process can improve administrative efficiency and the distribution of competencies, and that in the judicial sphere, deconcentration would allow for a more accessible and equitable administration of justice, strengthening access to justice in regions far from urban centers.

Constitutional rule of law and justice

In this area, Vásquez-Alejandro & Esteves-Fajardo (2023) promote the constitutional rule of law in Ecuador, highlighting that an efficient and accessible judicial system is essential to guarantee justice in the relations between individuals and society, therefore, they propose that the creation of Special Units could strengthen this aspect by promoting a more agile and effective administration of justice. In addition to the above, Zúñiga-Hurtado (2024), analyzes the political participation of women from a constitutional perspective, highlighting that an efficient judicial system is essential to guarantee equal rights, emphasizing that the Special Units could play an important role in this area by guaranteeing more effective protection of fundamental rights.

METHOD

The current article was methodologically managed from the qualitative approach of hermeneutic method, managing as follows:

An interpretation was made of Constitutional Court Opinion No. 1-24-RC/24, issued by Judge Karla Andrade Quevedo, as an essential text for understanding the



foundations and objectives of the Specialized Units. This analysis was complemented with a review of articles 167 and 172 of the Ecuadorian Constitution, the Organic Law of Jurisdictional Guarantees and Constitutional Control (LOGJCC), and international experiences in countries such as Colombia and Spain.

Second, semi-structured interviews were conducted with two key informants, selected for their experience in constitutional law and their knowledge of the judicial system, see Table 1.

In the third stage, the collection, selection, organization and hermeneutic analysis of 19 scientific articles contextualized to the reality of the study was used, secondarily, the 2008 Constitution of the Republic of Ecuador was taken into account.

RESULTS

In the results section, two fundamental aspects are taken into consideration, the first related to Constitutional Court Ruling No. 1-24-RC/24; while the second is justified in Table 1, where study categories from interviews with two key informants are presented in this regard:

Constitutional Court Opinion No. 1-24-RC/24, presented by Judge Karla Andrade Quevedo, highlights the importance of the Specialized Units as an innovative step towards a more efficient and accessible constitutional justice in Ecuador. These units could strengthen jurisdictional guarantees, improve the quality of judicial decisions and serve as a model for other countries in the region. However, their effective implementation will depend on a comprehensive approach that addresses both normative and operational aspects.

Table 1. Pros and cons of the creation of specialized units for constitutional control and jurisdictional guarantees in Ecuador.

Appearance	Pros		Cons	
Judicial Efficiency	Expert 1:	- Reduction of the procedural burden in the Constitutional Court.	Expert 1:	- Possible bureaucratization of the judicial system.
	Expert 2:	- Streamlined resolution of constitutional cases.	Expert 2:	- Risk of initial delays due to restructuring.
Specialization	Expert 1:	Judges specialized in constitutional law.	Expert 1:	Need for continuing education and specialized training.
	Expert 2:	- More technical and informed decisions.	Expert 2:	
Access to Justice	Expert 1:	- Improved access to justice for urgent cases.	Expert 1:	- Risk of inequality if only created in major cities.
	Expert 2:	- Greater territorial coverage if they are deconcentrated.	Expert 2:	
Judicial Deconcentration	Expert 1:	- Decentralization of the judicial system.	Expert 1:	- Risk of conflicts of jurisdiction with the Constitutional Court.
	Expert 2:	- Balanced distribution of work.	Expert 2:	
Transparency and Trust	Expert 1:	- Increased public confidence if cases are resolved more quickly.	Expert 1:	Possible internal resistance due to bureaucratic interests.
	Expert 2:	- Possible reduction in the perception of corruption.	Expert 2:	
Judicial Autonomy	Expert 1:	Potential to strengthen the independence of specialized judges.	Expert 1:	Risk of political interference if effective autonomy is not guaranteed.
	Expert 2:		Expert 2:	
International Impact	Expert 1:	Alignment with successful experiences in countries such as Colombia and Spain.	Expert 1:	Mismatch with the Ecuadorian reality if it is not adequately adapted.
	Expert 2:		Expert 2:	
Legal Framework	Expert 1:	- Based on Articles 167 and 172 of the Constitution.	Expert 1:	- Requires legal reforms to the LOGJCC and other procedural laws.
	Expert 2:	- Aligned with reforms approved in the Popular Consultation.	Expert 2:	
Cost and Resources	Expert 1:	- Initial investment justified by the strengthening of the judicial system.	Expert 1:	- High operating costs in infrastructure and personnel.
	Expert 2:	- Guarantee the budget for the adequate execution of the Specialized Units.	Expert 2:	- Difficulty in securing a sustainable budget.

Source: Own elaboration.

The analysis of the aspects related to the implementation of Specialized Units in the judicial system, presented in Table 1, shows a series of advantages and challenges that should be evaluated:

- a) In terms of judicial efficiency, the possibility of reducing the procedural burden in the Constitutional Court and speeding up the resolution of constitutional cases is highlighted, although this could result in risks of

bureaucratization and initial delays due to administrative restructuring processes.

- b) Regarding specialization, the appointment of judges with specific training in constitutional law would allow for more technical and informed decisions, but requires a constant commitment to professional training and updating, in accordance with the principles of judicial suitability and excellence.
- c) In terms of access to justice, significant improvements are planned, especially in the attention of urgent cases, provided that an effective deconcentration is guaranteed to avoid territorial inequalities, in compliance with the principle of equality before the law.
- d) Judicial deconcentration could contribute to the decentralization of the system and a more balanced distribution of the workload, although it poses the risk of conflicts of jurisdiction with the Constitutional Court, which would require a clear regulatory framework to delimit attributions.
- e) In relation to transparency and trust, the expeditious resolution of cases could strengthen the legitimacy of the judicial system and reduce the perception of corruption, although it could face internal resistance derived from bureaucratic interests.
- f) Judicial autonomy is an opportunity to strengthen the independence of specialized judges, in line with the principle of separation of powers, but it poses the challenge of avoiding political interference that would compromise their impartiality.
- g) In terms of international impact, the implementation of these units could be aligned with successful experiences in jurisdictions such as Colombia and Spain, provided that they are adapted to the particularities of the Ecuadorian legal system, avoiding regulatory or structural misalignments.

Consequently, the legal framework of these units is supported by articles 167 and 172 of the Constitution, but requires legal reforms to the Organic Law of Jurisdictional Guarantees and Constitutional Control (LOGJCC) and other procedural norms. In terms of costs and resources, although the initial investment could be justified by the strengthening of the judicial system, the challenge is to ensure a



sustainable budget that allows the proper operation of these units, in compliance with the principles of efficiency and financial sustainability.

Hermeneutic analysis

The hermeneutic analysis of the results presented focused on interpreting the legal and normative meanings underlying the two fundamental aspects addressed:

Constitutional Court Decision No. 1-24-RC/24

The opinion, issued by Judge Karla Andrade Quevedo, is a pronouncement of constitutional relevance that highlights the need to create Specialized Units as a mechanism to optimize constitutional justice in Ecuador. From a hermeneutic perspective, this opinion is not only limited to proposing a structural reform, but also reflects an effort to materialize the principles of efficiency, accessibility and judicial specialization enshrined in the Constitution.

The opinion indicates that the implementation of these units must be approached in a comprehensive manner, considering both regulatory and operational aspects. This implies that their interpretation cannot be reduced to a simple administrative change, but must be understood as a process of institutional transformation that seeks to guarantee effective access to constitutional justice, in compliance with Articles 167 and 172 of the Constitution. It should also be noted that its success will depend on the capacity of the judicial system to overcome structural challenges, such as bureaucratization and possible political interference.

Analysis of Table 1: Pros and Cons

Table 1 summarizes key informants' perceptions of the advantages and challenges of the Specialized Units. From a legal hermeneutic approach, each aspect analyzed (judicial efficiency, specialization, access to justice, judicial deconcentration, transparency and trust, judicial autonomy, international impact, legal framework, and costs and resources) reveals tensions between constitutional principles and the practical limitations of their implementation.



Judicial efficiency

The reduction of the procedural burden in the Constitutional Court and the streamlining of the resolution of constitutional cases are interpreted as a materialization of the principle of procedural celerity. However, the risks of bureaucratization and the initial delays derived from the administrative restructuring show a possible contradiction with the principle of efficiency, which requires an institutional design that minimizes these adverse effects.

Specialization

The appointment of judges specialized in constitutional law responds to the principle of suitability and seeks to ensure more technical and well-founded decisions. However, the need for continuous training and professional updating poses a challenge for the fulfillment of the principle of judicial excellence, especially in a context of limited resources.

Access to justice

Improved access to justice, particularly in urgent cases, is in line with the principle of equality before the law. However, the possible concentration of these units in major cities could generate territorial inequalities, which would contravene the constitutional mandate to guarantee equal access to justice throughout the national territory.

Judicial deconcentration

The decentralization of the judicial system is interpreted as a mechanism to balance the workload and bring justice closer to the regions, in compliance with the principle of administrative deconcentration. However, possible conflicts of competencies with the Constitutional Court indicate the need for a clear regulatory framework that delimits the attributions of these units, avoiding duplication or legal vacuums.

Transparency and trust

The expeditious resolution of cases and the reduction of the perception of corruption are interpreted as an effort to strengthen the legitimacy of the judicial



system and guarantee the principle of transparency. However, internal resistance derived from bureaucratic interests reflects a tension between institutional innovation and administrative inertia.

Judicial autonomy

The possibility of strengthening the independence of specialized judges is in line with the principle of separation of powers and the guarantee of judicial impartiality. However, the risk of political interference underscores the need to design mechanisms that protect the autonomy of these units, in compliance with Article 168 of the Constitution.

International impact

The alignment with successful experiences in countries such as Colombia and Spain is interpreted as an attempt to incorporate international best practices into the Ecuadorian judicial system. However, the need to adapt these experiences to Ecuador's regulatory and structural context reflects a tension between the globalization of reforms and the particularities of the national legal system.

Legal framework

The normative support of these units in articles 167 and 172 of the Constitution evidences a solid legal basis. However, the need for legal reforms to the Organic Law of Jurisdictional Guarantees and Constitutional Control (LOGJCC) and other procedural norms poses a challenge to guarantee the coherence and effectiveness of the normative framework.

Cost and resources

The initial investment in infrastructure and personnel is interpreted as a commitment to strengthening the judicial system, in compliance with the principle of efficiency. However, if there were to be difficulty in guaranteeing a sustainable budget, it would generate tension between the ideals of financial sustainability and the State's budgetary limitations.



Hermeneutic interpretation

From a legal hermeneutic perspective, the results show that the implementation of Specialized Units is not only a technical reform, but also a profoundly normative and political process. The positive aspects, such as improved judicial efficiency, specialization and access to justice, reflect a commitment to the principles of equity, transparency and legitimacy enshrined in the Constitution. However, the challenges identified, such as bureaucratization, conflicts of competence and financial sustainability, indicate the need for a comprehensive approach that addresses both normative and operational dimensions.

In this sense, the implementation of these units should be interpreted as a dynamic process that requires the active participation of all actors in the judicial system, including judges, legislators and civil society. Only through constant dialogue and critical evaluation of progress and challenges will it be possible to ensure that these units fulfill their objective of strengthening constitutional justice in Ecuador, in strict adherence to the principles of efficiency, equality, autonomy and judicial independence.

CONCLUSION

The proposal to modernize justice through the creation of Specialized Units for constitutional control in Ecuador is a significant step forward in the search for a more efficient, technical and accessible judicial system, in compliance with the principles of speed, specialization and access to justice enshrined in the Constitution. These units, based on Articles 167 and 172 of the Constitution, have the potential to strengthen jurisdictional guarantees, decongest the Constitutional Court and improve the quality of judicial decisions.

However, its implementation faces substantial challenges, such as the need for a clear regulatory framework that delimits competencies, financial sustainability to guarantee its operability, and the continuous training of specialized judges, all in a context that requires avoiding risks such as bureaucratization, territorial inequality and political interference. Although the comparative experience of countries such as



Colombia and Spain offers valuable references, their adaptation to the Ecuadorian legal system requires a contextualized approach that respects the structural and regulatory particularities of the country. In this sense, the creation of these units should not be understood only as a technical reform, but as a process of institutional transformation that demands a solid and sustainable design, capable of consolidating a more equitable, transparent and legitimate constitutional justice system.

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CONTRIBUTION OF THE AUTHORS

Lidia Lorena Coello-Piguave: Responsible for the methodological design and theoretical analysis, focusing on the regulatory framework and constitutional principles underpinning the proposal for the modernization of justice in Ecuador. She also participated in the drafting of the manuscript, the integration of doctrinal and jurisprudential sources, and final revision of the content to ensure its legal accuracy.

Osvaldo Vinicio Ruiz-Falconi: Responsible for the hermeneutic analysis of the results, with special attention to the legal interpretation of the study categories and their linkage with constitutional principles. He contributed to the structuring of the article, the discussion of the results and the final revision of the text.

REFERENCES

- Amaya-López, Carlos, & Juanes-Giraud, Blas Yoel (2020). Decongestion of the judicial system in Ecuador. Método alternativo de solución de conflictos en la mediación en la primera instancia en materia laboral [Decongestion of the judicial system in Ecuador. Alternative method of conflict resolution in mediation in the first instance in labour matters]. *Revista Universidad Y Sociedad*, 12(5), 518-524.
- Baldeon-Navarrete, M. E. (2025). Impacto de la jurisprudencia constitucional en el derecho civil: Una perspectiva ecuatoriana [The impact of constitutional jurisprudence on civil law: An Ecuadorian perspective]. *Verdad Y Derecho. Revista Arbitrada De Ciencias Jurídicas Y Sociales*, 4(1), 25-33. <https://doi.org/10.62574/9q4nsc33>



- Cabascango-Hidrobo, G. I., Paucar-Tatamues, S. D., Quilca-Guamán, J. N., & Chamorro-Valencia, D. X. (2024). Constitutional Law and Decentralization in Ecuador [Derecho Constitucional y Descentralización en Ecuador]. *Verdad Y Derecho [Constitutional Law and Decentralization in Ecuador]. Revista Arbitrada De Ciencias Jurídicas Y Sociales*, 3(especial 3 UNIANDES), 345-351. <https://doi.org/10.62574/Onv26w97>
- Coello-Piguave, L. (2025). Reforma de la justicia constitucional en Ecuador: Análisis de Unidades Especiales [Reform of constitutional justice in Ecuador: Analysis of Special Units]. *CIENCIAMATRIA*, 11(1), 4-15. <https://doi.org/10.35381/cm.v11i1.1515>
- Costa-Cevallos, Marcelo, Blacio-Aguirre, Galo, & Maldonado-Ordóñez, Jorge (2022). Indicios sobre el estado situacional de la descentralización en Ecuador [Indications on the situational status of decentralization in Ecuador]. *Revista Derecho del Estado*, (51), 167-195. <https://doi.org/10.18601/01229893.n51.06>
- Grijalva, A. (2011). Judicial Independence and Rights in Ecuador [Independencia judicial y derechos en Ecuador]. *Ecuador Debate*, (83), 35-42. <http://hdl.handle.net/10469/3570>
- Macías-Macías, J., & Espinoza-Bravo, L. (2024). Evolución y desafíos del derecho constitucional en la protección de los derechos humanos en Ecuador [Evolution and challenges of constitutional law in the protection of human rights in Ecuador]. *593 Digital Publisher CEIT*, 9(5), 854-867. <https://doi.org/10.33386/593dp.2024.5.2684>
- Macías-Macías, J., & Espinoza-Bravo, L. (2024). Evolution and challenges of constitutional law in the protection of human rights in Ecuador [Evolución y desafíos del derecho constitucional en la protección de los derechos humanos en Ecuador]. *593 Digital Publisher CEIT*, 9(5), 854-867. <https://doi.org/10.33386/593dp.2024.5.2684>
- Margareth-Dalila, B. R., Campoverde-Lalangui, B. V., Solis-Amay, D. S., & Cacpata-Calle, W. A. (2024). Corte constitucional: Limitación de su facultad de selección y revisión de sentencias sobre garantías jurisdiccionales [Constitutional Court: Limitation of its power of selection and review of judgments on jurisdictional guarantees]. *Verdad Y Derecho. Revista Arbitrada De Ciencias Jurídicas Y Sociales*, 3(especial4), 223-233. <https://doi.org/10.62574/w6maf991>
- Montalvo-Jama, J.M. & Baquerizo-Gutiérrez, N.A. (2022). Garantías jurisdiccionales en el Ecuador y su competencia ordinaria: el desafío de contar con jueces constitucionales [Jurisdictional guarantees in Ecuador and its ordinary jurisdiction: the challenge of having constitutional judges]. *Judges*, 3, 121-140.
- Navas-Alvear, M. (2013). La justicia constitucional en el Ecuador, entre la política y el derecho [Constitutional justice in Ecuador, between politics and law]. *Jurídicas*, 10(2), 181-208.
- Ronquillo-Riera, O., Bermello-González, M., Moreno-Lascano, E., & Villacres-Paredes, E. (2021). El Derecho Constitucional en Ecuador y su interacción directa con la protección de los ciudadanos [Constitutional Law in Ecuador and its direct interaction with the protection of citizens]. *CIENCIAMATRIA*, 7(2), 770-781. <https://doi.org/10.35381/cm.v7i2.544>
- Saltos-Orrala, M. Ángel, de-Gaetano, A. M., Acheriteguy, F., & Gómez-Villavicencio, R. (2024). Análisis de las definiciones de las jurisprudencia de la Corte Constitucional de Ecuador sobre el procedimiento de consulta de norma y sus consecuencias: ¿interpretación o creación de reglas? [Analysis of the definitions in the jurisprudence of the Constitutional Court of Ecuador on the procedure for consulting regulations and its consequences: interpretation or creation of rules?] *Boletín Mexicano De Derecho Comparado*, 66(167), 281-307. <https://doi.org/10.22201/ij.24484873e.2023.167.18554>
- Segovia-Guillén, M. B., Carrión-García, G. Y., Moreira Pinargote, E. F., & Segovia-Guillén, C. A. (2024). El Sistema Penal Ecuatoriano a la Luz de los Derechos Humanos: Retos y Perspectivas para una Justicia Equitativa The Ecuadorian Penal [System in the Light of Human Rights:



- Challenges and Perspectives for Equal Justice]. *Revista Multidisciplinaria Perspectivas Investigativas*, 4(Derecho), 68-78. <https://doi.org/10.62574/rmpi.v4iDerecho.151>
- Solano-Paucay, V., & Marín, M. (2024). Rights of Nature and constitutional jurisprudence in Ecuador [Derechos de la Naturaleza y la jurisprudencia constitucional en Ecuador]. *Foro: Revista De Derecho*, (41), 7-27. <https://doi.org/10.32719/26312484.2024.41.1>
- Storini, C., Masapanta Gallegos, C. R., & Guerra Coronel, M. A. (2022). Control de constitucionalidad en Ecuador: muchas alforjas para tan corto viaje [Constitutionality control in Ecuador: lots of luggage for such a short trip]. *Foro: Revista De Derecho*, (38), 7-27. <https://doi.org/10.32719/26312484.2022.38.1>
- Tamayo, Andrea Madrid (2023). Decentralisation of the central state and configuration of power in the territories: institutional change in Ecuador, 2007-2017 [Decentralisation of the central state and configuration of power in the territories: institutional change in Ecuador, 2007-2017]. *Estado & comunes, revista de políticas y problemas públicos*, 1(16), 125-143. https://doi.org/10.37228/estado_comunes.v1.n16.2023.291
- Vásquez-Alejandro, L., & Esteves-Fajardo, Z. (2023). El Estado Constitucional de Derecho y Justicia en las relaciones entre los individuos y la sociedad [The Constitutional State of Law and Justice in the relations between individuals and society]. *CIENCIAMATRIA*, 9(2), 113-124. <https://doi.org/10.35381/cm.v9i2.1154>
- Zúñiga-Hurtado, E. P. (2024). La participación política de la mujer desde una visión constitucional en Ecuador [Women's political participation from a constitutional point of view in Ecuador]. *Verdad Y Derecho. Revista Arbitrada De Ciencias Jurídicas Y Sociales*, 3(1), 37-53. <https://doi.org/10.62574/bjjg8w84>