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Instruments**

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Ecuador^{*, **}

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1. The present document contains general information about Ecuador and the framework for the protection of human rights, paying particular attention to the different national planning instruments published in conformity with the 2008 Political Constitution of the Republic of Ecuador, especially the National Development Plan 2017–2021 – A Whole Life.

2. This document was prepared by the Ministry of Foreign Affairs and Human Mobility of the Republic of Ecuador, in keeping with the harmonized guidelines contained in document HRI/GEN/2/Rev.6 of 3 June 2009, in order to update the core document submitted by Ecuador in 2015 (HRI/CORE/ECU/2015,¹ published on 1 October 2015) with inputs from the competent public institutions.

I. General information about Ecuador

3. Ecuador's land border to the north is with Colombia and its sea border is with Costa Rica, while to the south and east it borders Peru. It is divided into four geographical regions, nine planning areas and 24 provinces,² seven of which are in the mainland coastal region, 10 in the Andean mountain region, six in the Amazon region and the remaining one is the Galapagos islands region situated 1,050 km off the coast.

4. Since becoming an independent republic in 1830, Ecuador has had 19 Constitutions, the one currently in force being the Constitution promulgated in 2008. In 2000, the United States dollar replaced the sucre as Ecuador's official currency.

5. In the socioeconomic sphere, in 2006 the institutional bases were laid for restoring the public sector and reconstituting the State and its regulatory role, adopting a decentralized system of government. In order to build a fair and cohesive society, Ecuador has increased social investment and expanded the State's role in the economy, in line with a new development strategy aimed at transforming the economy and increasing social inclusion in a context of environmental sustainability.

6. Ecuador is a member of the main universal and regional international organizations, including the United Nations, the Organization of American States, the Community of Latin American and Caribbean States, the Union of South American Nations, the Andean Community of Nations, the World Trade Organization, the Inter-American Development Bank and the Organization of the Petroleum Exporting Countries.

A. Demographic, economic, social and cultural characteristics

Demographic indicators

7. Ecuador's population, estimated at 16,777,977 inhabitants³ in 2017, is demographically and culturally heterogeneous. Alongside a majority mestizo population with an overwhelmingly westernized way of life, there are large population groups with a wide variety of sociocultural practices. Ecuador is home to Afro-Ecuadorian, Montubio and mestizo peoples and nationalities, different indigenous nationalities and also migrants.

¹ http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=HRI%2FCORE%2FECU%2F2015&Lang=e.

² The provinces of the coastal (Costa) region are: Esmeralda, Manabí, Santo Domingo de los Tsáchilas, Santa Elena, Guayas, Los Ríos and El Oro. The provinces of the Andean mountain (Sierra) region are: Carchi, Imbabura, Pichincha, Cotopaxi, Tungurahua, Bolívar, Chimborazo, Cañar, Azuay and Loja. The Amazon or eastern (Oriente) region has six provinces: Sucumbíos, Napo, Orellana, Pastaza, Morona Santiago and Zamora Chinchipe. The island region consists of the province of Galápagos.

³ National Statistics and Census Institute. Size of the population.

Size of the population

<i>Age</i>	<i>Male population</i>	<i>Female population</i>
0 to 4 years	853 975 (10%)	816 875 (10%)
5 to 14 years	1 710 263 (21%)	1 634 986 (19%)
15 to 29 years	2 199 428 (26%)	2 161 191 (26%)
30 to 44 years	1 628 445 (20%)	1 734 584 (20%)
45 to 64 years	1 365 938 (16%)	1 490 348 (18%)
65 and over	548 508 (7%)	632 436 (7%)

Annual population growth rate (2001–2010): male population 1.96%; female population 1.93%; total 1.95%.

8. Ecuador's population density is 65.22 inhabitants per km².
9. Its population distribution by mother tongue is: indigenous language, 2.58 per cent; Spanish, 90 per cent; foreign languages, 0.68 per cent; indigenous language and Spanish, 2.16 per cent; Spanish and foreign languages, 1.52 per cent; mother tongue not identified because of a disability, 3.03 per cent.
10. Population distribution by rural and urban area is: urban area 16,682,148 (63.7 per cent); rural area 6,094,829 (36.3 per cent).

Population distribution by ethnic origin

<i>Ethnic group</i>	<i>Male population</i>	<i>Female population</i>
Indigenous	500 379 (6.97%)	517 797 (7.9%)
Afro-Ecuadorian/Black/Mulatto	528 447 (7.36%)	513 112 (7.02%)
Montubio	570 613 (7.95%)	500 115 (6.85%)
Mestizo	5 115 645 (71.27%)	5 301 654 (72.57%)
White	433 643 (6.04%)	448 740 (6.14%)
Other	28 956 (0.40%)	24 354 (0.33%)

Dependency rate: the population aged under 15 years and over 64 years totals 6,197,043 (36.94%).

Mortality statistics

	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
Overall mortality in numbers of persons per year	61 681	62 304	63 511	63 104	62 981	64 790	67 506

11. Life expectancy in 2017 was 79 years for women and 73 years for men.
12. The total fertility rate is 3.
13. Average family size: the average number of persons per household is 3.78.
14. Single parent households account for 22.29 per cent of households nationwide.
15. Female-headed households: 28.7 per cent of households nationwide are headed by a woman.

Social, economic and cultural indicators

16. Ecuador's ranking in the Human Development Index of the United Nations Development Programme rose by seven places between 2010 and 2015, to 89 out of 188

countries.⁴ With regard to per capita income, 35 per cent of the population are living in poverty and the Gini coefficient of social inequality was 0.495 in 2010.

Proportion of (household) spending on food, housing, health and education⁵

<i>Item of expenditure</i>	<i>Monthly average household spending (US\$)</i>	<i>Monthly total household spending (US\$)</i>	<i>Households that spend</i>	<i>Total number of households</i>	<i>% of households that spend</i>
Food and non-alcoholic beverages	151.45	584 496 340.68	3 859 422	3 923 123	98.4
Housing, electricity, gas and other fuels	46.19	177 342 239.42	3 839 376	3 923 123	97.9
Health	50.18	179 090 619.56	3 568 938	3 923 123	91.0
Education	98.59	104 381 478.16	1 058 751	3 923 123	27.0

Proportion of the population living below the poverty threshold

<i>Period</i>	<i>National rate</i>	<i>Men</i>	<i>Women</i>	<i>Under 15 years</i>	<i>15 to 24 years</i>	<i>25 to 34 years</i>	<i>35 to 44 years</i>	<i>45 to 64 years</i>	<i>65 years and over</i>
Dec. 14	22.5%	21.8%	23.1%	31.1%	20.8%	18.3%	20.3%	15.5%	18.2%
Dec. 15	23.3%	22.5%	24.0%	32.0%	21.9%	18.9%	20.5%	16.2%	20.1%
Dec. 16	22.9%	22.4%	23.4%	30.3%	22.3%	18.9%	20.4%	17.1%	20.0%

Gini coefficient (with regard to income distribution)

<i>Period</i>	<i>National rate</i>	<i>Men</i>	<i>Women</i>	<i>Under 15 years</i>	<i>15 to 24 years</i>	<i>25 to 34 years</i>	<i>35 to 44 years</i>	<i>45 to 64 years</i>	<i>65 years and over</i>
Dec. 07	0.551	0.557	0.544	0.523	0.518	0.537	0.545	0.575	0.551
Dec. 08	0.515	0.514	0.516	0.500	0.479	0.500	0.513	0.514	0.544
Dec. 09	0.504	0.504	0.504	0.469	0.470	0.487	0.500	0.530	0.500
Dec. 10	0.505	0.508	0.501	0.472	0.476	0.494	0.499	0.521	0.502
Dec. 11	0.473	0.473	0.473	0.449	0.436	0.455	0.461	0.482	0.502
Dec. 12	0.477	0.476	0.477	0.442	0.450	0.459	0.480	0.482	0.493
Dec. 13	0.485	0.487	0.483	0.463	0.448	0.471	0.484	0.499	0.471
Dec. 14	0.467	0.469	0.464	0.444	0.436	0.462	0.462	0.480	0.450
Dec. 15	0.476	0.477	0.474	0.455	0.425	0.468	0.473	0.495	0.478
Dec. 16	0.466	0.465	0.467	0.452	0.424	0.459	0.466	0.477	0.474

17. With regard to the proportion of children under 5 who are underweight (low weight for their age), according to the 2012 National Health and Nutrition Survey, the rate was 6.4 (7.1 for boys and 5.6 for girls), while according to the 2014 Survey of Living Conditions it was 4.8 (5.5 for boys and 1.1 for girls).

Infant deaths

	<i>Total</i>	<i>Boys</i>	<i>Girls</i>
2010	3 204	1 735	1 469
2011	3 046	1 659	1 387
2012	3 002	1 656	1 346
2013	2 928	1 612	1 316

⁴ http://hdr.undp.org/sites/default/files/2016_human_development_report.pdf.

⁵ Consumption of food and non-alcoholic beverages is determined by the level of household spending.

	<i>Total</i>	<i>Boys</i>	<i>Girls</i>
2014	2 821	1 572	1 249
2015	2 979	1 664	1 315
2016	3 042	1 677	1 365

Maternal deaths

	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
National	203	241	204	155	166	150	133
10 to 12 years	-	-	-	-	-	-	-
13 to 15 years	2	3	5	4	3	3	2
16 to 18 years	20	23	19	15	10	6	10
19 to 21 years	23	24	23	19	29	23	14
22 to 24 years	29	26	30	21	21	17	16
25 to 27 years	15	25	30	18	17	13	15
28 to 30 years	23	25	18	21	15	20	15
31 to 33 years	30	40	22	17	17	15	22
34 to 36 years	25	28	16	11	18	25	15
37 to 39 years	19	24	21	10	19	18	11
40 to 42 years	9	18	14	16	11	8	8
43 to 45 years	7	4	2	1	3	1	4
46 to 49 years	1	1	3	2	2	1	-
No information	-	-	-	-	1	-	-

Rate of contraceptive use: according to the National Health and Nutrition Survey (2012), the rate was 54.7% including both modern and traditional methods, while according to the Survey of Living Conditions (2014) it was 51.6%.

Number of hospitalizations for medical abortion⁶

<i>Province</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>
Total	3 713	2 965	1 715	982	742
Age 10 to 14	52	54	21	10	10
Age 15 to 19	625	527	271	163	103
Age 20 to 24	872	680	363	233	168
Age 25 to 29	775	624	395	190	156
Age 30 to 34	625	495	304	177	129
Age 35 to 39	419	347	195	146	108
Age 40 to 44	223	157	108	41	51
Age 45 to 49	121	79	58	22	12
Age 50 to 55	0	0	0	0	5
Age unknown	1	2	0	0	0

18. The 10 main causes of death (in descending order) are: (1. National total); 2. ischaemic heart disease; 3. diabetes mellitus; 4. cerebrovascular diseases; 5. hypertension;

⁶ Hospitalization statistics provide information on patients discharged from an inpatient health facility. Medical abortion. Cause ICD-10 O04 (ICD-10: International Statistical Classification of Diseases and Related Health Problems), which includes therapeutic abortion.

6. influenza and pneumonia; 7. traffic accidents; 8. cirrhosis and other liver diseases; 9. urinary tract diseases; and 10. chronic lower respiratory diseases.

Net enrolment rate in primary and secondary education⁷

Period	Primary			Secondary		
	National rate	Boys	Girls	National rate	Boys	Girls
Dec. 07	89.6%	89.4%	89.7%	68.4%	66.4%	70.5%
Dec. 08	91.7%	91.5%	92.0%	70.9%	69.0%	72.8%
Dec. 09	92.3%	92.1%	92.5%	72.0%	71.1%	73.0%
Dec. 10	93.2%	93.0%	93.5%	76.9%	76.0%	77.9%
Dec. 11	92.8%	92.3%	93.4%	79.4%	79.5%	79.2%
Dec. 12	93.2%	93.1%	93.4%	78.7%	77.9%	79.6%
Dec. 13	93.7%	93.7%	93.6%	81.5%	81.7%	81.3%
Dec. 14	94.5%	94.4%	94.7%	82.4%	81.7%	83.2%
Dec. 15	93.9%	93.2%	94.7%	84.6%	84.6%	84.6%
Dec. 16	94.3%	94.5%	94.2%	86.1%	86.1%	86.1%

School attendance rates in primary and secondary education

Period	Primary			Secondary		
	National rate	Boys	Girls	National rate	Boys	Girls
Dec. 07	93.2%	92.7%	93.6%	68.3%	66.6%	70.2%
Dec. 08	95.2%	95.1%	95.3%	71.2%	69.2%	73.2%
Dec. 09	95.2%	95.1%	95.2%	71.9%	70.8%	73.1%
Dec. 10	95.7%	95.7%	95.8%	76.6%	75.8%	77.5%
Dec. 11	95.4%	95.1%	95.7%	79.2%	79.4%	79.0%
Dec. 12	96.1%	95.9%	96.3%	79.1%	78.2%	80.0%
Dec. 13	96.5%	96.1%	97.0%	81.3%	81.4%	81.2%
Dec. 14	96.9%	96.9%	96.8%	81.9%	81.2%	82.7%
Dec. 15	96.9%	96.5%	97.4%	84.5%	84.4%	84.5%
Dec. 16	97.2%	97.2%	97.2%	85.8%	85.8%	85.9%

Illiteracy rates

Period	National rate	Men	Women	15 to 24 years	25 to 34 years	35 to 44 years	45 to 64 years	65 years and over
Dec. 07	7.9%	16.7%	11.0%	1.6%	2.8%	4.6%	11.9%	29.4%
Dec. 08	7.6%	16.0%	10.8%	1.5%	2.7%	4.4%	11.1%	27.4%
Dec. 09	7.8%	14.6%	11.1%	1.2%	2.3%	4.3%	10.7%	28.5%
Dec. 10	8.1%	15.8%	11.3%	1.3%	2.6%	4.4%	10.6%	28.5%
Dec. 11	8.4%	18.1%	12.4%	1.3%	2.1%	3.8%	10.8%	30.3%
Dec. 12	7.9%	17.1%	11.0%	1.2%	2.3%	3.9%	9.5%	26.8%
Dec. 13	6.7%	12.8%	9.2%	1.4%	2.3%	3.5%	8.9%	25.5%
Dec. 14	5.8%	10.5%	7.7%	0.9%	2.1%	3.2%	7.9%	26.3%
Dec. 15	5.5%	10.9%	8.4%	0.9%	1.8%	3.0%	8.1%	24.5%
Dec. 16	5.6%	10.7%	8.4%	0.9%	2.0%	3.1%	7.8%	25.1%

⁷ The net enrolment rate in primary education covers children aged 6 to 11 years and, in secondary education, children aged 12 to 17 years.

Unemployment rate

<i>Period</i>	<i>National rate</i>	<i>Men</i>	<i>Women</i>	<i>15 to 24 years</i>	<i>25 to 34 years</i>	<i>35 to 44 years</i>	<i>45 to 64 years</i>	<i>65 years and over</i>
Dec. 07	5.0%	3.8%	6.7%	10.7%	4.9%	3.3%	2.7%	2.3%
Dec. 08	6.0%	4.3%	8.3%	13.8%	5.9%	3.4%	3.1%	1.9%
Dec. 09	6.5%	5.2%	8.4%	14.1%	8.3%	3.7%	3.0%	1.2%
Dec. 10	5.0%	4.1%	6.4%	11.5%	6.2%	3.3%	2.4%	1.1%
Dec. 11	4.2%	3.3%	5.6%	11.1%	5.7%	2.2%	1.7%	0.7%
Dec. 12	4.1%	3.7%	4.8%	11.6%	5.0%	2.6%	1.7%	0.4%
Dec. 13	4.2%	3.4%	5.4%	10.9%	4.4%	2.8%	2.0%	1.0%
Dec. 14	3.8%	3.1%	4.9%	9.7%	4.3%	2.3%	1.7%	0.9%
Dec. 15	4.8%	3.9%	6.1%	11.8%	5.2%	3.3%	2.1%	1.3%
Dec. 16	5.2%	4.5%	6.2%	12.5%	5.8%	3.3%	2.6%	2.0%

Employment by main sectors of economic activity

<i>Period</i>	<i>National total</i>			<i>Men</i>			<i>Women</i>			
	<i>Total</i>	<i>Primary sector</i>	<i>Secondary sector</i>	<i>Tertiary sector</i>	<i>Primary sector</i>	<i>Secondary sector</i>	<i>Tertiary sector</i>	<i>Primary sector</i>	<i>Secondary sector</i>	<i>Tertiary sector</i>
Dec. 07	6 019 332	1 748 741	1 088 526	3 182 065	1 201 783	819 121	1 611 410	546 958	269 405	1 570 654
Dec. 08	6 005 395	1 709 446	1 109 859	3 186 090	1 200 079	841 640	1 593 517	509 368	268 219	1 592 573
Dec. 09	6 125 135	1 781 044	1 115 293	3 228 194	1 242 402	858 209	1 598 623	538 641	257 084	1 629 570
Dec. 10	6 113 230	1 721 062	1 110 894	3 281 226	1 228 489	848 964	1 661 306	492 573	261 931	1 619 919
Dec. 11	6 304 834	1 788 095	1 080 895	3 435 845	1 280 770	803 755	1 759 982	507 324	277 140	1 675 863
Dec. 12	6 424 840	1 789 575	1 116 648	3 518 571	1 262 828	836 075	1 791 210	526 747	280 573	1 727 361
Dec. 13	6 664 241	1 697 982	1 321 460	3 635 063	1 184 476	1 006 753	1 878 155	513 506	314 707	1 756 908
Dec. 14	6 921 107	1 746 110	1 370 066	3 804 932	1 172 533	1 058 937	1 936 104	573 576	311 129	1 868 828
Dec. 15	7 140 636	1 832 142	1 328 032	3 980 461	1 226 487	1 031 233	2 016 342	605 656	296 800	1 964 119
Dec. 16	7 463 579	1 956 369	1 414 905	4 092 305	1 241 896	1 092 934	2 039 493	714 473	321 972	2 052 811

Gross labour force participation rate⁸

<i>Period</i>	<i>National rate</i>	<i>Men</i>	<i>Women</i>	<i>15 to 24 years</i>	<i>25 to 34 years</i>	<i>35 to 44 years</i>	<i>45 to 64 years</i>	<i>65 years and over</i>
Dec. 07	46.3%	55.8%	37.0%	52.9%	78.9%	82.0%	77.1%	42.5%
Dec. 08	46.0%	55.6%	36.7%	51.2%	78.4%	80.4%	74.8%	40.8%
Dec. 09	46.5%	56.2%	37.1%	50.0%	78.6%	80.2%	75.4%	39.3%
Dec. 10	45.1%	55.2%	35.1%	45.0%	78.4%	78.8%	73.1%	35.8%
Dec. 11	45.5%	56.2%	35.2%	42.1%	79.4%	79.0%	73.0%	38.0%
Dec. 12	45.6%	56.1%	35.6%	42.1%	79.6%	78.4%	71.7%	36.9%
Dec. 13	43.8%	53.5%	34.3%	40.1%	76.3%	80.1%	73.5%	35.3%
Dec. 14	44.6%	53.8%	35.5%	42.1%	77.6%	80.9%	75.2%	38.2%
Dec. 15	45.7%	54.9%	36.7%	42.8%	78.9%	82.6%	76.7%	39.6%
Dec. 16	47.1%	55.6%	38.9%	44.2%	80.3%	84.4%	77.9%	41.7%

⁸ Gross labour force participation rate = economically active population as a percentage of total population.

Total labour force participation rate⁹

<i>Period</i>	<i>National rate</i>	<i>Men</i>	<i>Women</i>	<i>15 to 24 years</i>	<i>25 to 34 years</i>	<i>35 to 44 years</i>	<i>45 to 64 years</i>	<i>65 years and over</i>
Dec. 07	68.1%	83.2%	53.7%	52.9%	78.9%	82.0%	77.1%	42.5%
Dec. 08	66.2%	81.6%	51.8%	51.2%	78.4%	80.4%	74.8%	40.8%
Dec. 09	65.3%	80.2%	51.3%	50.0%	78.6%	80.2%	75.4%	39.3%
Dec. 10	62.5%	77.9%	48.0%	45.0%	78.4%	78.8%	73.1%	35.8%
Dec. 11	62.5%	78.3%	47.8%	42.1%	79.4%	79.0%	73.0%	38.0%
Dec. 12	61.7%	76.9%	47.4%	42.1%	79.6%	78.4%	71.7%	36.9%
Dec. 13	62.1%	77.2%	47.7%	40.1%	76.3%	80.1%	73.5%	35.3%
Dec. 14	64.5%	79.7%	50.2%	42.1%	77.6%	80.9%	75.2%	38.2%
Dec. 15	65.8%	80.3%	52.0%	42.8%	78.9%	82.6%	76.7%	39.6%
Dec. 16	67.3%	80.6%	54.8%	44.2%	80.3%	84.4%	77.9%	41.7%

Average nominal per capita income

<i>Period</i>	<i>National average</i>	<i>Men</i>	<i>Women</i>	<i>Under 15 years</i>	<i>15 to 24 years</i>	<i>25 to 34 years</i>	<i>35 to 44 years</i>	<i>45 to 64 years</i>	<i>65 years and over</i>
Dec. 07	142.35	146.17	138.62	102.09	139.93	151.50	154.92	198.91	157.75
Dec. 08	146.38	147.68	145.11	108.19	140.93	161.36	158.57	189.57	168.01
Dec. 09	144.01	145.57	142.50	102.07	137.48	160.47	150.57	194.11	160.78
Dec. 10	162.32	165.05	159.65	115.45	153.63	186.20	166.40	211.59	182.45
Dec. 11	175.13	177.69	172.67	129.28	163.72	192.98	178.78	226.12	194.23
Dec. 12	190.88	193.51	188.35	136.92	178.85	225.30	192.57	240.36	206.20
Dec. 13	206.39	211.56	201.29	150.25	195.43	225.93	215.17	276.10	233.60
Dec. 14	217.10	221.98	212.30	163.87	204.14	243.05	227.95	289.09	240.07
Dec. 15	228.71	233.53	224.01	172.52	203.69	252.98	248.31	307.09	265.57
Dec. 16	222.81	225.66	220.03	175.96	197.28	246.55	241.32	281.26	263.43

Average real per capita income (at December 2007 prices)

<i>Period</i>	<i>National</i>	<i>Men</i>	<i>Women</i>	<i>Under 15 years</i>	<i>15 to 24 years</i>	<i>25 to 34 years</i>	<i>35 to 44 years</i>	<i>45 to 64 years</i>	<i>65 years and over</i>
Dec. 07	143.17	147.01	139.42	102.68	140.74	152.38	155.81	200.06	158.66
Dec. 08	134.91	136.11	133.74	99.72	129.89	148.72	146.14	174.72	154.84
Dec. 09	127.58	128.96	126.24	90.43	121.80	142.17	133.39	171.97	142.44
Dec. 10	139.10	141.44	136.82	98.94	131.66	159.57	142.60	181.33	156.35
Dec. 11	142.21	144.29	140.22	104.98	132.95	156.70	145.18	183.62	157.73
Dec. 12	147.93	149.97	145.97	106.11	138.61	174.60	149.24	186.27	159.80
Dec. 13	156.35	160.27	152.49	113.82	148.05	171.15	163.01	209.16	176.96
Dec. 14	158.51	162.08	155.01	119.64	149.05	177.46	166.43	211.07	175.28
Dec. 15	161.49	164.90	158.18	121.82	143.83	178.63	175.33	216.84	187.52
Dec. 16	155.69	157.69	153.75	122.95	137.86	172.28	168.63	196.54	184.08

Average annual inter-census growth rate 2001–2010: the total is 1.95%, with 1.96% for men and 1.93% for women.

⁹ Total labour force participation rate = economically active population as a percentage of the working-age population.

Consumer price index

<i>No.</i>	<i>Item</i>	<i>Jan. 12</i>	<i>Dec. 12</i>	<i>Dec. 13</i>	<i>Dec. 14</i>	<i>Dec. 15</i>	<i>Dec. 16</i>	<i>Sept. 17</i>
0	General	91.27	94.53	97.08	100.64	104.05	105.21	105.26
01	Food and non-alcoholic beverages	91.14	95.21	97.04	101.37	105.06	106.27	106.75
011	Food	91.19	95.39	97.00	101.32	104.77	104.73	105.96
0111	Bread and cereals	87.68	92.10	96.08	98.18	105.60	104.84	102.80
0112	Meat	88.48	90.11	96.97	104.11	105.61	103.98	102.73
0113	Fish	90.40	92.54	97.51	104.54	102.43	107.77	108.50
0114	Milk, cheese and eggs	91.48	93.63	97.74	99.96	100.76	103.03	103.06
0115	Oils and fats	103.56	101.55	98.23	101.54	101.17	97.44	100.19
0116	Fruit	94.76	103.53	99.37	100.12	104.00	110.46	113.81
0117	Vegetables	92.87	103.92	94.90	102.76	111.31	103.74	114.48
0118	Sugar, jam, honey, chocolate and confectionery	102.12	101.20	101.44	100.56	99.70	102.61	100.17
0119	Food products not elsewhere classified	93.18	95.21	97.32	101.04	106.94	109.57	113.27
012	Non-alcoholic beverages	90.08	92.28	97.32	101.79	107.37	118.60	113.07
0121	Coffee, tea and cocoa	89.95	95.82	96.24	96.34	101.75	103.07	109.03
0122	Mineral waters, soft drinks and juices	89.37	90.62	96.80	102.34	107.94	120.17	113.47
02	Alcoholic beverages, tobacco and drugs	77.39	90.28	97.42	100.74	112.37	129.29	127.38
021	Alcoholic beverages	69.13	93.24	96.91	99.58	103.55	118.36	112.90
0211	Spirits	64.78	96.23	98.13	104.12	117.55	115.68	87.47
0213	Beer	82.76	94.71	102.03	98.56	100.41	118.96	118.60
022	Tobacco	87.55	88.39	99.41	103.49	133.34	155.28	161.80
0221	Tobacco	87.55	88.39	99.41	103.49	133.34	155.28	161.80
03	Clothing and footwear	92.17	94.05	96.04	98.17	96.51	91.98	89.19
031	Clothing	91.70	93.95	96.27	98.22	96.97	93.19	90.96
0311	Clothing materials	90.31	91.11	92.43	94.88	100.23	101.42	102.53
0312	Clothing	92.14	94.30	96.34	98.20	96.69	92.68	90.21
0313	Other clothing and clothing accessories	94.61	98.42	97.35	97.15	96.14	90.35	90.53
0314	Cleaning, repair and hire of clothing	86.01	89.63	97.02	100.73	103.45	104.41	106.03
032	Footwear	93.37	94.30	95.46	98.05	95.45	89.22	85.18
0321	Shoes and other footwear	93.63	94.47	95.45	98.07	95.31	88.87	84.77
0322	Repair and hire of footwear	83.31	87.65	95.67	97.11	101.80	104.72	103.66
04	Housing, water, electricity, gas and other fuels	94.32	96.95	98.83	104.22	109.01	112.13	113.61
041	Actual rents for housing	96.09	99.13	101.75	105.12	108.73	112.41	114.89
0411	Actual rents paid by tenants	96.09	99.13	101.75	105.12	108.73	112.41	114.89
043	Maintenance and repair of the dwelling	90.88	94.75	98.57	102.20	105.93	106.20	106.15
0431	Materials for the maintenance and repair of the dwelling	89.90	93.73	97.51	101.10	100.48	97.69	97.17
044	Water supply and miscellaneous services for the dwelling	93.84	96.34	96.60	100.03	111.25	117.40	117.83
0441	Water supply	94.27	96.78	97.05	100.48	112.52	118.75	119.46
045	Electricity, gas and other fuels	91.96	93.88	95.50	105.90	108.57	109.38	110.23
0451	Electricity	91.89	93.71	95.38	107.20	110.34	111.30	112.39
0452	Gas	92.89	95.44	96.81	98.15	98.04	98.00	97.41
05	Furnishings, household equipment and routine household maintenance	94.58	97.14	99.32	100.96	104.10	103.88	102.61

<i>No.</i>	<i>Item</i>	<i>Jan. 12</i>	<i>Dec. 12</i>	<i>Dec. 13</i>	<i>Dec. 14</i>	<i>Dec. 15</i>	<i>Dec. 16</i>	<i>Sept. 17</i>
051	Furniture, furnishings, carpets and other floor coverings	97.84	98.89	102.16	102.54	103.08	102.16	101.55
0511	Furniture and furnishings	97.93	98.98	102.26	102.63	102.60	101.31	101.02
052	Household textiles	91.77	93.83	96.85	96.47	96.93	97.18	95.97
0520	Household textiles	91.77	93.83	96.85	96.47	96.93	97.18	95.97
053	Household appliances	93.84	95.44	95.14	99.62	109.66	102.78	95.68
0531	Major appliances	94.02	95.25	94.54	99.12	109.45	100.83	94.16
0532	Small electric appliances	90.95	94.58	96.67	100.45	105.61	107.72	95.14
054	Glassware, tableware and household utensils	91.49	97.26	99.37	100.55	102.58	101.92	96.74
0540	Glassware, tableware and household utensils	91.49	97.26	99.37	100.55	102.58	101.92	96.74
055	Tools and equipment for house and garden	90.11	92.32	96.93	97.92	99.19	97.00	90.47
0552	Small tools and various accessories	87.66	89.81	94.29	95.25	98.43	97.27	90.69
056	Goods and services for routine household maintenance	94.20	97.81	99.91	101.54	103.81	105.63	106.18
0561	Non-durable household goods	91.76	95.27	97.33	98.91	99.88	100.11	99.08
06	Health	89.77	93.58	97.39	101.12	104.04	106.81	108.65
061	Medical products, appliances and equipment	96.15	97.10	97.96	98.96	100.49	103.78	106.11
0611	Pharmaceutical products	97.61	97.81	98.02	98.65	99.93	103.10	105.90
0612	Other medical products	82.01	86.65	95.60	101.99	104.44	119.02	117.37
0613	Therapeutic appliances and equipment	89.42	94.92	99.13	101.93	106.20	107.94	105.78
062	Outpatient services	86.96	93.19	97.63	104.30	109.63	111.11	112.13
0621	Medical services	86.10	92.94	99.36	105.45	110.74	111.48	113.72
0622	Dental services	84.87	92.06	93.98	106.19	114.97	117.39	117.46
0623	Paramedical services	95.35	98.39	99.04	101.03	103.37	105.03	105.19
063	Hospital services	88.82	93.06	100.21	103.40	107.02	110.34	111.91
0630	Hospital services	88.82	93.06	100.21	103.40	107.02	110.34	111.91
07	Transport	95.94	97.56	97.71	99.78	105.71	106.06	106.29
071	Purchase of vehicles	102.89	102.09	99.17	102.49	108.20	105.49	105.98
0711	Motor vehicles	103.18	102.31	99.33	102.48	107.22	104.27	105.30
0713	Bicycles	91.73	92.93	91.73	99.11	99.85	99.89	98.54
072	Operation of personal transport equipment	94.62	95.94	96.89	97.94	98.44	99.14	98.29
0721	Vehicle spare parts and accessories	98.12	101.05	98.18	97.83	93.16	91.75	90.01
0722	Vehicle fuels and lubricants	97.63	97.88	97.96	98.15	99.05	99.34	99.03
0723	Vehicle maintenance and repairs	89.67	91.64	95.02	97.08	99.64	102.94	100.90
0724	Car park charges and road tolls	89.27	93.15	93.91	99.93	100.62	100.48	101.13
073	Transport services	91.98	94.89	95.73	98.04	108.17	111.72	112.44
0732	Passenger transport by road	91.92	95.52	97.10	97.88	108.30	113.23	113.80
0733	Passenger transport by air	93.09	92.85	90.31	99.62	106.92	96.18	98.47
08	Communications	96.13	96.00	95.90	95.60	94.63	94.14	94.43
081	Postal services	100.65	100.65	100.65	100.65	103.50	103.94	101.39
0810	Postal services	100.65	100.65	100.65	100.65	103.50	103.94	101.39
082	Telephone and telefax equipment	103.80	104.20	98.99	95.64	75.42	61.24	53.20
0820	Telephone and telefax equipment	103.80	104.20	98.99	95.64	75.42	61.24	53.20

<i>No.</i>	<i>Item</i>	<i>Jan. 12</i>	<i>Dec. 12</i>	<i>Dec. 13</i>	<i>Dec. 14</i>	<i>Dec. 15</i>	<i>Dec. 16</i>	<i>Sept. 17</i>
083	Telephone and telefax services	95.72	95.55	95.72	95.58	96.32	97.05	98.11
0830	Telephone and telefax services	95.72	95.55	95.72	95.58	96.32	97.05	98.11
09	Recreation and culture	93.75	92.99	97.30	97.54	99.21	100.60	98.97
091	Audiovisual, photographic and data-processing equipment	100.84	98.66	96.03	94.79	98.39	94.41	86.92
0911	Equipment for the reception, recording and reproduction of sounds and images	102.24	101.16	95.93	94.27	97.80	92.55	81.73
0912	Photographic, cinematographic and optical equipment	76.14	78.63	78.06	83.72	83.76	80.74	76.97
0913	Data-processing equipment	111.96	103.67	103.38	97.11	99.52	93.27	87.39
0914	Recording media	97.20	94.38	94.32	92.87	101.26	105.24	100.67
093	Other recreational items, gardens and pets	90.12	93.56	93.91	96.25	98.90	96.62	96.07
0931	Maintenance and repair of other major durables for recreation and culture	86.27	91.19	90.79	94.36	94.11	88.36	87.61
0932	Equipment for sport, camping and open-air recreation	99.95	100.72	102.48	102.58	108.13	104.45	101.39
094	Recreational and cultural services	92.27	89.43	99.43	99.42	101.32	111.82	115.73
0941	Recreational and cultural services	110.66	94.45	125.74	122.88	127.59	170.50	178.76
0942	Cultural services	86.97	90.09	90.77	92.06	93.41	95.40	98.63
095	Books, newspapers and stationery	90.73	91.24	97.28	98.18	97.28	97.40	96.94
0951	Books	89.22	87.63	97.33	98.61	95.56	95.38	94.59
0952	Newspapers and periodicals	91.72	93.33	97.93	98.28	99.04	98.83	98.36
0954	Stationery and drawing materials	90.98	93.19	95.91	96.69	100.37	101.84	102.42
10	Education	84.40	89.90	95.33	100.32	103.67	106.39	110.65
101	Preschool, primary and secondary education	84.81	91.07	96.65	101.69	104.13	107.17	113.81
1010	Preschool, primary and secondary education	84.81	91.07	96.65	101.69	104.13	107.17	113.81
102	Secondary education	86.96	92.27	96.69	100.85	107.10	110.09	116.77
1020	Secondary education	86.96	92.27	96.69	100.85	107.10	110.09	116.77
104	Tertiary education	81.79	86.48	93.36	99.67	101.05	102.30	104.11
1040	Tertiary education	81.79	86.48	93.36	99.67	101.05	102.30	104.11
11	Restaurants and hotels	87.56	92.28	98.14	102.18	107.07	108.11	109.63
111	Catering services	87.79	92.51	98.44	102.54	107.66	108.71	110.24
1111	Restaurants, cafes and similar establishments	87.79	92.51	98.44	102.54	107.66	108.71	110.24
112	Accommodation services	78.24	82.61	86.39	88.53	84.58	85.04	86.02
1121	Accommodation services	78.24	82.61	86.39	88.53	84.58	85.04	86.02
12	Miscellaneous goods and services	89.95	93.07	95.64	101.65	105.24	108.88	105.65
121	Personal care	90.60	93.74	96.33	102.39	106.46	111.60	107.27
1211	Hairdressing salons and personal grooming establishments	87.82	91.38	97.08	101.47	105.15	110.81	111.50
1213	Other appliances and products for personal care	91.23	94.27	96.11	102.56	106.73	111.78	106.52

Social spending (food, housing, health, education)

<i>Item of expenditure</i>	<i>Average monthly household spending (\$)</i>	<i>Total monthly household spending (\$)</i>	<i>Households that spend</i>		<i>Percentage of households that spend</i>
			<i>Households</i>	<i>Households</i>	
Food, not including non-alcoholic beverages	151.45	584 496 340.68	3 859 422	3 923 123	98.4
Housing, including water, electricity, gas and other fuels	46.19	177 342 239.42	3 839 376	3 923 123	97.9
Health	50.18	179 090 619.56	3 568 938	3 923 123	91.0
Education	98.59	104 381 478.16	1 058 751	3 923 123	27.0

1. Right to education

19. Following the adoption of the current Constitution in 2008, the educational sector participated in a very significant process of educational reform. The country now has several national planning instruments, including the National Development Plan 2017–2021 – A Whole Life and the Organic Act on Intercultural Education. The 10-Year Educational Plan 2006–2015, adopted in 2006, has become State policy and was updated by the 10-Year Sectoral Education Plan 2016–2025.

20. One of the main achievements of the past 10 years has been the expansion of educational coverage, especially in secondary education, although coverage has increased in both primary and secondary or high school education. According to the National Employment, Unemployment and Underemployment Survey (ENEMDU) carried out by the National Statistics and Census Institute, the net high school attendance rate rose from 51.2 per cent in 2007 to 85.86 per cent in 2016, while the net primary school attendance rate rose from 93.78 per cent in 2006 to 97.18 per cent in 2016, an overall increase of 20 percentage points. This increase was seen across all ethnic groups.

21. The following table¹⁰ gives the percentage of children and adolescents enrolled in the different educational establishments: public, private and municipal.

	<i>% National</i>	<i>% Urban</i>	<i>% Rural</i>
Enrolment in general basic education			
Public establishment	80.46	74.14	91.78
Private establishment	15.29	20.83	5.38
Municipal establishment	4.25	5.04	2.84
High school enrolment			
Public establishment	79.58	75.56	88.99
Private establishment	15.03	18.46	6.99
Municipal establishment	5.39	5.98	4.01
Number of students enrolled¹¹			
<i>Public</i>		<i>Private</i>	
<i>2007–2008</i>	<i>2015–2016</i>	<i>2007–2008</i>	<i>2015–2016</i>
2 381 939 students	3 802 431 students	685 712 students	810 198 students
	54% increase		11% increase

¹⁰ Source: National Statistics and Census Institute - National Employment, Unemployment and Underemployment Survey (ENEMDU) December 2016.

¹¹ Source: Administrative Registry, Ministry of Education.

22. In 2016, 96.2 per cent of children and adolescents were attending basic education establishments, a 5-point increase over 2007. According to the National Statistics and Census Institute, in 2016, the net attendance rate in general basic education was 96.23 per cent (96.78 in urban areas and 95.28 in rural areas): 69.38 per cent for boys and 73.4 per cent for girls. This significant achievement means that there is now almost no gender gap or ethnic and cultural gap in access to basic education, with enrolment in this level of education nearing 100 per cent.

23. The substantial improvement in access to basic education is especially marked among indigenous children and adolescents. According to the National Statistics and Census Institute, in 2016 the net attendance rate in general basic education was 59.87 per cent for the indigenous population and 56.59 per cent for the Afro-Ecuadorian population, enrolment among these ethnic groups having increased by an average of 6 percentage points.

24. Access to basic education has also increased for children and adolescents with disabilities, who account for 1.87 per cent (20,120 students with disabilities on the National Disability Register of the Ministry of Public Health) of all students (1,073,073) attending schools belonging to the national educational system, including 106 special education schools. That their net attendance rate is over 90 per cent is a major achievement in terms of equity and guaranteeing the right to education.

25. This increased access to basic education for groups that have traditionally been discriminated against in Ecuadorian society represents important progress towards eliminating inequalities in basic education coverage and was made possible by the continuation and combination of policies pursued in recent years to expand educational provision by adding eighth, ninth and tenth grades to schools and reducing barriers to access by promoting free education, eliminating quotas, establishing a school meals service and providing school supplies and uniforms.

26. One of the actions taken by the Ministry of Education has been the adoption of the Bilingual Intercultural Education Model, which takes account of the cultural and linguistic diversity of Ecuador's peoples. Thanks to globalization processes, the spread of democratic ideas and the growing acceptance of social diversity, members of the country's peoples and nationalities are making marked progress towards a qualitative improvement in their lifestyle and quality of life, while preserving their cultural roots.

27. The Higher Education Strategic Plan 2017–2021 establishes a national target for ensuring that students have access to, remain in and successfully complete higher education by guaranteeing equity and equal opportunity for them to access, remain in and successfully complete quality academic processes in higher education (training, research and networking).

28. According to 2016 higher education statistics, the number of students enrolled in tertiary education (universities and polytechnics) increased from 514,625 to 567,854 between 2012 and 2016. In terms of the democratization of access to and inclusion in higher education, the number of women undergraduates rose from 290,346 in 2012 to 300,340 in 2016. In the latter year, 54,620 students identifying as indigenous, Afro-Ecuadorian or Montubio enrolled as undergraduates.

29. Important progress has been made in the quality of higher education. For instance, the number of lecturers with a doctoral degree increased from 1,056 in 2012 to 2,776 in 2016. Quality has also been improved by the introduction of quota policies that help historically excluded groups enter the higher education system, with the result that the number of such students increased from 2,027 in the first semester of 2015 to 32,990 in the second semester of 2016.

30. It should be mentioned that the national scholarship system administered by the National Secretariat of Higher Education, Science, Technology and Innovation forms part of a national policy of developing human talent with a view to building a knowledge society. The number of scholarships awarded for higher education studies rose from 237 in the period from 1995 to 2006 to 11,505 in 2015.

31. In 2009, investment in research, development and innovation amounted to 0.39 per cent of GDP. By 2014, it had risen to 0.44 per cent of GDP, a considerable increase over a short period of time. In this connection, mention should also be made of the creation of the University for Experimental Technological Research (Yachay), whose aim is to educate ethically aware individuals. Its areas of research are life sciences, nanoscience, information and communication technologies, renewable energy and climate change and petrochemicals.

2. Right to health

32. While public spending on health in Ecuador stayed at levels close to 1 per cent of GDP in the period from 1990 to 2006, one of the lowest rates in Latin America,¹² from 2007 onward social spending grew dramatically,¹³ with big increases in the coverage and quality of education and public health. By 2016, spending on public health had increased to 2.92 per cent of GDP.

33. The coverage and quality of public health have thus improved dramatically. Health investment increased from 1.7 per cent of GDP in 2010 to 2.7 per cent in 2016 and the average number of physicians per 10,000 inhabitants rose from 8.58 to 20.52 between 2001 and 2016.

34. With regard to overall mortality rates, in 2015 the mortality rate was 4 per 100,000 inhabitants. Of total deaths that year, 72.8 per cent were the result of non-communicable diseases. The principal causes of death include: ischaemic heart disease, diabetes mellitus and cerebrovascular diseases (7.8, 7 and 6.3 per cent respectively).¹⁴ The 10 main causes of death in 2015 are shown in the following table.¹⁵

<i>Disease</i>	<i>Cases</i>	<i>%</i>
Ischaemic heart disease	5 064	7.8
Diabetes mellitus	4 566	7
Cerebrovascular diseases	4 105	6.3
Hypertension	3 480	5.3
Influenza and pneumonia	3 271	5
Traffic accidents	3 091	4.7
Cirrhosis and other liver diseases	2 258	3.4
Malignant tumour of the lymphatic tissue	1 793	2.7
Suicide	1 686	2.6
Heart failure	1 503	2.3

35. Infant mortality declined from 21.83 deaths per 1,000 live births in 1990 to 9.07 in 2016. The gap between urban and rural areas in this regard has also narrowed. It should be mentioned that the reduction in infant mortality was achieved through the distribution of medical technology, the expansion of health service coverage, particularly primary health care, and progress towards universal immunization.

¹² Databases and Statistical Publications of the Economic Commission for Latin America and the Caribbean (CEPALSTAT). Latin American and Caribbean statistics. Available at: <http://estadisticas.cepal.org/cepalstat/>.

¹³ Ministry of Finance of Ecuador and Financial Management System, eSigef and Central Bank of Ecuador. Extract from Ecuador's Integrated System of Knowledge and Social Statistics (SICES), available at: <http://www.conocimientosocial.gob.ec/pages/EstadisticaSocial/herramientas.jsf>.

¹⁴ National Statistics and Census Institute. Statistics of births and deaths 2000–2015. Extract from the Integrated System of Knowledge and Social Statistics (SICES), available at: <http://www.conocimientosocial.gob.ec/pages/EstadisticaSocial/herramientas.jsf>.

¹⁵ Source: National Statistics and Census Institute. Statistics of births and deaths 2000–2015.

36. Life expectancy at birth increased from 58.9 years in the five-year period 1970–1975 to 75.6 in the period 2010–2015.¹⁶ Infant mortality declined from 21.84 per 1,000 live births in 1990 to 9.32 in 2010 and 8.35 in 2015.¹⁷

37. According to the 2014 Survey of Living Conditions, chronic malnutrition continues to be prevalent in rural areas. Although malnutrition mainly affects children in the lowest socioeconomic quintiles, 47.3 per cent of children with chronic malnutrition belong to the population living above the poverty line in Ecuador.¹⁸ The decline in the prevalence of chronic malnutrition can nevertheless be observed in each of the relevant national surveys: 28.9 per cent in 2004,¹⁹ 27.5 per cent in 2006,²⁰ 25.3 per cent in 2012²¹ and 23.9 per cent in 2014.²²

38. In the two years prior to the 2010 Population and Housing Census,²³ 18 per cent of births were to teenage mothers aged 12 to 19. Teenage pregnancy, generally unwanted, is measured by the fertility rate for women aged 15 to 19. According to the latest Population and Housing Census (2010), nearly one in every five women (18.5 per cent) had at least one child at age 19, and 18 per cent of all births in the country were to teenage mothers aged 15 to 19.²⁴ The percentage of women aged 15 to 49 years using family planning methods increased between 2006 and 2014. In 2006, 45.66 per cent of women in this age group were using family planning, while by 2014 this percentage had increased to 55.21.²⁵

39. Maternal mortality, understood as the death of the mother within 42 days following the end of pregnancy, has dropped significantly. In 2010, the maternal mortality ratio was 59 per 100,000 live births, while in 2015 it was 44.6.²⁶ Generally speaking, maternal deaths are caused by complications during pregnancy and childbirth or afterwards. The main complications, responsible for 75 per cent of maternal deaths in 2015, were: (a) severe bleeding (mainly postpartum); (b) infections (generally postpartum); (c) gestational hypertension (eclampsia and pre-eclampsia); (d) complications of childbirth; and (e) unsafe abortion.²⁷

40. Health service coverage has been greatly expanded, health service costs for lower-income groups have been reduced and the quality of care has improved. The decline in the percentage of the population without health services in their parish, from 6.4 per cent in 1990 to 1.5 per cent in 2001 and 0.6 per cent in 2010, is evidence of the major improvement in health service coverage. In 2010, 84,000 people had no health service in their parish, over half of whom were in the Andean region and the remainder in the coastal and Amazon regions.

¹⁶ National Statistics and Census Institute. Life expectancy at birth. Series: 1950–2025. Extract from Ecuador’s Integrated System of Social Indicators (SIISE), available at: <http://www.siise.gob.ec>.

¹⁷ Ibid.

¹⁸ Plan toda una vida 2017. Programa Acción Nutrición para la Infancia Plena de 0 a 5, su futuro es hoy (A Whole Life plan 2017. Healthy Childhood Nutritional Action Programme for children aged 0 to 5 years, their future is now). Available at: <http://todaunavida.gob.ec/programa-accion-nutricion/>.

¹⁹ National Statistics and Census Institute. Population and Maternal and Child Health Survey (ENDEMAIN), 2004.

²⁰ National Statistics and Census Institute. Survey of Living Conditions, 2006.

²¹ National Statistics and Census Institute. National Health and Nutrition Survey, 2012.

²² National Statistics and Census Institute. Survey of Living Conditions, 2014.

²³ National Secretariat of Planning and Development, *Atlas de Desigualdades, Datos Demográficos*, p. 80. Available at: <http://www.planificacion.gob.ec/ecuador-cuenta-con-su-atlas-de-las-desigualdades-socio-economicas/>.

²⁴ Ibid.

²⁵ National Statistics and Census Institute. Survey of Living Conditions, 2006 and 2014. Extract from the Integrated System of Social Indicators (SIISE): Dimensión Nacional 2000–2014. Available at: <http://www.siise.gob.ec>.

²⁶ Ibid.

²⁷ National Statistics and Census Institute. Statistics of births and deaths, 2000–2015.

41. With regard to cases and rates of communicable and non-communicable diseases, Ministry of Health data for 2016²⁸ on an estimated population of 16,528,730 (Population projections – National Statistics and Census Institute) are as follows:

<i>Disease group</i>	<i>Disease</i>	<i>Cases</i>
Acute respiratory infections	Acute respiratory infections	5 908
Food- or water-borne	Diarrhoeal diseases	30 078
	Food poisoning	2 328
	Salmonella	935
Vector-borne	Dengue fever	2 736
	Plasmodium vivax	34
Chronic communicable	Pulmonary tuberculosis BK virus +	1 844
	HIV	3 123
Vaccine-preventable	Hepatitis B	78
	Whooping cough	144
Zoonoses	Some bacterial zoonoses	81
Chronic non-communicable	Hypertension	7 597
	Diabetes	16 370
Due to external causes	Accidents in the home	-
	Traffic accidents	-
	Violence and abuse	-
Mental health	Depression	-

42. With regard to the percentage of women aged 15 to 49 who use contraception, the National Statistics and Census Institute, basing itself on the 2012 Health and Nutrition Survey, reports that 81.4 per cent of women who are married or in a long-term relationship use some form of contraception. Of these, 67.2 per cent use a modern contraceptive method and 12.6 per cent use a traditional method.²⁹

43. In 2014, around one in five women (21.6 per cent) had had at least one child by the age of 19, while in 2015, according to the annual birth records of the Statistics and Census Institute, 21.2 per cent of all births in the country were to women aged 12 to 19 years. However, 79.5 per cent of girls aged 12 to 14 have some knowledge of contraception, compared with 98 per cent of women aged 15 to 49.³⁰

44. The Government is implementing the National Sexual and Reproductive Health Plan 2017–2021, which adopts a broad, comprehensive approach to sexuality designed to include women, men and the lesbian, gay, bisexual, transgender and intersex population with their different care needs, rather than an approach to sexual and reproductive health based solely on maternal and child health concepts and practices.³¹

45. With regard to efforts to combat gender violence and violence against women, it should be mentioned that one in six Ecuadorian women aged 15 or over (60.6 per cent of all women)³² has experienced physical, psychological, sexual or economic abuse on one or

²⁸ *Source:* Hospital beds and stays 2016, National Statistics and Census Institute.

²⁹ Ministry of Public Health of Ecuador, Plan Nacional de Salud Sexual y Salud Reproductiva (National Sexual and Reproductive Health Plan): Office of the Deputy Minister of Governance for Public Health, March 2017, Quito, Ecuador, p. 21.

³⁰ *Ibid.*, p. 21.

³¹ In 2015, the project “National plan for strengthening the family” was undertaken with the primary aim of reducing the incidence of teenage pregnancy in Ecuador and contributing to teenagers’ all-round development.

³² *Atlas de Desigualdades Socio-Económicas, Violencia de Género* (Atlas of Socioeconomic Inequalities, Gender Violence), p. 100, 2013.

more occasions simply because she is a woman. Violence affects women of all ages, all ethnic and cultural groups, all socioeconomic groups and all regions of the country. That is why one of the nationwide targets of the National Development Plan 2017–2021 – A Whole Life is to eliminate the different forms of discrimination and eradicate gender violence.

3. Child labour

46. According to the findings of the most recent survey of child labour, conducted in 2013 by the Statistics and Census Institute, child and adolescent labour has roughly halved in the past decade: from 16 per cent in 2006 to 8.56 per cent in 2013. Huge gaps have been narrowed, especially with regard to rural areas and the indigenous population, as well as working children who do not attend school.

47. As regards institutional powers, the Ministry of Labour heads the National Committee for the Progressive Elimination of Child Labour, which coordinates awareness-raising, monitoring and follow-up activities. As the executing agency for the Ministry's activities to eliminate child labour, the Committee also coordinates the Project for the Elimination of Child Labour, which runs from 2007 to 2017. In order to continue efforts to this end, there are plans to institutionalize the project within the Ministry of Labour and to implement the National Plan for the Elimination of Child Labour. The National Strategy for the Elimination of Child Labour was drawn up on the basis of the first National Survey of Child Labour designed by the Statistics and Census Institute in 2012. The Strategy, in which the central Government worked with decentralized autonomous governments, succeeded in reducing the child labour rate from 12.5 per cent in 2007 to 5.9 per cent in 2015. The Ministry of Economic and Social Inclusion, for its part, is responsible for organizing the national special protection system designed to restore the rights of children and adolescents, giving priority to those who work.

48. Throughout the 10 years of the Project for the Elimination of Child Labour, technical assistance was provided to 99 decentralized autonomous governments through the drafting of 38 ordinances and 40 road maps for the elimination of child labour at the local level. The Project developed strategic alliances by forming a business network of more than 37 public and private institutions to help eliminate child labour throughout the value chain of the institutions concerned. It is the lead agency for all child labour-related matters and uses the Unified Child Labour Registration System to organize and deliver the services that all working children and adolescents need in order to protect and restore their rights and promote their all-round development.

49. Ecuador has promoted specific public policy lines for the prevention and elimination of child labour, including the priority of eliminating child labour on rubbish dumps by 2011. As the first successful attempt in the region to completely eliminate child labour from a specific economic activity, this was an unprecedented achievement. As a result, 2,160 children and adolescents were removed from working on rubbish dumps in 78 cantons and 3,000 workplace inspections were carried out to combat child labour and regularize the status of adolescent workers.

50. By comparison with 2006, Ecuador has made steady progress in eliminating child labour. By December 2016, the number of child and adolescent workers had been reduced substantially. According to ENEMDU data, the number of adolescent workers aged 15 to 17 years has declined by 17.17 per cent: from 33.66 per cent in December 2006 to 16.49 per cent in December 2016. Among children aged 5 to 14, the rate has declined by 7.19 per cent: from 12.12 per cent in December 2006 to 4.93 per cent in December 2016.

51. According to ENEMDU 2016, almost 5 per cent (4.93 per cent) of children and adolescents aged 5 to 14 (over 168,000) are involved in child labour. This rate puts Ecuador below the average for child labour in the Latin America and Caribbean region.

52. Since 2009, Ecuador has been working through the political and technical inter-institutional panel that brings together public institutions with responsibilities in this area. The panel is headed by the Ministry of Labour and invites private institutions and international cooperation agencies to participate in a consultative, advisory and technical

assistance capacity. It establishes national priorities for combating child labour, designs and coordinates strategic actions and defines the roles and functions of each institution.

53. In this same line of work, the Ministry of Labour promoted the formation of a producers' panel for the prevention and elimination of child labour. The panel serves as a forum for inter-institutional dialogue and coordination to support the development of public policies with companies belonging to the country's production sector. The panel comprises the Chamber of Agriculture, the national associations of livestock producers, timber growers, African palm-oil producers, banana exporters and flower exporters and the Chamber of Construction.

54. The Ministry of Labour also promotes the Business Network for a Child Labour-Free Ecuador, which seeks to commit businesses to taking socially responsible action to eliminate child labour throughout their value chain. It is responsible for the national inspection system, which was recently reorganized and increased the number of inspectors from 22 to over 200.

55. In the area of public policy, the elimination of child labour was included in the goals and targets of the National Development Plan 2007–2010, the National Plan for Good Living 2009–2013, the National Plan for Good Living 2013–2017 and the National Development Plan 2017–2021 – A Whole Life, which aims to eliminate child labour among 5- to 14-year-olds and to reduce the child labour rate from 4.9 per cent to 2.7 per cent by 2021.

56. The incidence of child labour in Ecuador is significantly higher among boys. In 2012, 68.2 per cent of all child and adolescent workers were boys, with girls accounting for the remaining 37.2 per cent. In the case of indigenous children, in 2012 it was found that 29 per cent of children who self-identified as indigenous were working. The provinces with the highest incidence of child labour, in both 2007 and 2016, were those in the Amazon region (16.37 per cent at the end of 2016),³³ followed by those in the Andean region.

57. According to ENEMDU data for 2007 and 2016, the tipping point at which child labour increases is 12 years, the age normally coinciding with the end of primary school. One of the main changes in this regard has been the significant increase in the net attendance rate in basic education. The percentage of children aged 5 to 14 attending basic education, by age, grade or level as established by the Intercultural Education Act, rose from 91.2 per cent in 2007 to 96.2 per cent in 2016. This figure is roughly the same for both genders, with 95.5 per cent of boys and 95.2 per cent of girls attending basic education in 2016.

58. The efforts made to provide universal basic education are reflected in the data on child labour. In 2001, 73 per cent of all working children were not attending school. By 2012, according to the first child labour survey carried out by the Statistics and Census Institute, this figure had dropped to 24.9 per cent. There has thus been a significant change in the composition of child labour among children aged under 15: while in 2001 most working children were not attending school, by 2012 this situation had been reversed, with most working children combining work and education.

4. Labour rights

59. On the basis of the rights recognized in the 2008 Constitution, the National Plan for Good Living 2009–2013 was intended to guarantee stable, fair and decent work in its various forms (Goal 6). The 2013–2017 Plan redefined this as guaranteeing decent work in all its forms (Goal 9). The National Development Plan 2017–2021 aims to generate decent, quality work and employment, giving incentives to the production sector (Policy 5.1). Although considerable progress has been made, differences persist among various population groups, determined by their age, sex, place of residence and/or ethnic and cultural identity.

³³ National Secretariat of Planning and Development, online reference at: <http://bit.ly/li674XZ>, revised on 30 October 2017.

60. Currently, 95 per cent of the economically active population are employed or self-employed, irrespective of the quality and conditions of the work they perform, with the result that unemployment rates have remained in single digits, ranging from 3.8 per cent in 2014 to 6.5 per cent in 2009. In 2016, the national unemployment rate was 5.2 per cent, with higher rates in urban areas (6.5 per cent) and the provinces of Esmeraldas (8.9 per cent), Pichincha (7.6 per cent) and Sucumbíos (6.6 per cent). There are major ethnic gaps in access to employment, mainly affecting Afro-Ecuadorians, whose unemployment rate is nearly 10 per cent. In March 2017, 4.4 per cent of the urban economically active population were unemployed, 1.3 percentage points fewer than in March 2016 (5.7 per cent). If the unemployment rate is disaggregated by gender, the unemployment rate for women (5.5 per cent) can be seen to be higher than that for men (3.6 per cent). Moreover, 21.4 per cent of the economically active population are underemployed.

61. One of the major achievements of recent years has been the steady rise in the unified basic salary, which in 2017 reached US\$ 375, more than double its 2007 level (US\$ 170). Currently, 41 per cent of the economically active population have decent jobs, meaning that two in every five workers are paid at least the minimum wage. Geographically speaking, there is a 20-point difference between the proportion of workers with decent jobs in urban areas (48 per cent) and those in rural areas (28 per cent). There are also significant gender gaps: 32 per cent of women have decent jobs, compared with 48 per cent of men. Lastly, in 2016 the underemployment rate was around 20 per cent nationwide, but more pronounced in rural areas (22 per cent).

62. In 2016, the indicator for informal sector employment was 43.7 per cent. Ethnic groups are traditionally overrepresented in this sector, as are rural workers and especially older workers. Informal sector activity is especially prevalent among the indigenous population, employing 7 out of 10 indigenous workers.

63. In 2016, 44 per cent of the population were covered by contributory social security schemes, with a 7-point difference in coverage between the urban population (46 per cent) and the rural population (39 per cent). New policy guidelines are designed to increase access to and coverage by social security, emphasizing the importance of decent work that recognizes workers' rights.

64. In the past decade, Ecuador has implemented active job-creation policies among various population groups: incentives for hiring young people, mandatory quota of 4 per cent for the recruitment of persons with disabilities, upgrading of vocational and professional skills by awarding scholarships to over 19,000 students to pursue advanced training abroad and promotion of occupational skills certification programmes that had benefited over 20,000 people by 2016. Normative frameworks have also been developed, enabling young students in technical and higher education to undertake practical training and internships in appropriate conditions, thereby facilitating their subsequent access to the job market.

65. Importance has been attached to reconciling home and family responsibilities with work by introducing new rights such as unpaid childcare leave. One passive employment policy has been the introduction of unemployment insurance and a National Labour and Wages Council has been set up to improve industrial relations.

66. Of the total number of persons in employment (fully employed plus underemployed), 57.9 per cent are working in the formal sector and 34.9 per cent in the informal sector. Agriculture employs the highest percentage of workers (29.3 per cent), followed by commerce (17.9 per cent) and industry (10.3 per cent). The cities with a full employment rate above the national average of 38.5 per cent are Cuenca (61.9 per cent), Quito (57.7 per cent), Ambato (46.6 per cent), Machala (48.1 per cent) and Guayaquil (49.1 per cent).

67. In addition to raising the minimum living wage each year, a "decent wage" was established in 2010, corresponding to the cost of the basic household basket of goods. For 2016, this wage was set at US\$ 429.57, compared with the minimum living wage of US\$ 366. Women continue to be paid less than men, however, even though the gender gap has narrowed significantly. In 2011, men's incomes were 18.98 per cent higher than

women's, while in March 2017 the wage gap in favour of male workers had risen to 21.88 per cent.

5. Social security and pension rights

68. As part of the constitutional provisions on the right to stable, fair and decent work, social security is recognized as a universal, inalienable right of all working people (art. 34). Accordingly, a number of policies have been implemented to expand social security coverage and benefits.

69. Between 2006 and 2017, there was a substantial increase in enrolment in social security schemes: 106 per cent for men and 163 per cent for women, reflecting a remarkable increase in women's social security coverage. In rural areas, the number of employers contributing to the farmworkers' social security scheme rose from 173,559 in 2006 to 389,707 in July 2016. The number of retired agricultural workers covered by the scheme increased from 24,880 in 2006 to 64,674 in July 2016. There was also an increase in the number of dependents covered by the scheme, from 489,010 beneficiaries in 2006 to 803,912 in July 2016.

70. As part of efforts to make social security universal, a social security scheme has been created for unpaid female household workers, enabling 208,119 such workers to exercise their right to social security. Following the same principle, several other social security schemes have been created, such as those for Ecuadorians living abroad, young workers and paid female domestic workers.

71. With regard to pension rights, the benefit paid to persons aged over 65 (\$513.63 according to the December 2007 ENEMDU) increased by an average of 5.33 per cent a year between 2011 and 2016, as can be seen from the following table.

<i>Year</i>	<i>65 and over</i>	<i>% increase</i>
2011	204 763	
2012	220 866	5.20%
2013	238 615	5.30%
2014	258 845	5.57%
2015	279 786	5.37%
2016	305 457	5.96%
2017	326 180	4.60%

72. Ecuador has ratified the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189). With a view to implementing the Convention within the country, the 2014 Organic Act for the Protection of Labour Rights and the 2012 Organic Act on Labour Justice and Recognition of Domestic Work were enacted to regulate domestic work, with the result that by 2016, 208,140 domestic workers – 94.5 per cent of them women – were covered by social security.

73. Unemployment insurance was introduced in 2016. This benefit is paid over a five-month period to unemployed workers enrolled with the Ecuadorian Social Security Institute (IESS). By December 2016, 25,000 unemployed workers had accessed the benefit.

74. In the second quarter of 2017, the Ministry of Culture and IESS introduced the cultural workers insurance programme, a special voluntary enrolment scheme that will guarantee labour and social security rights for cultural workers, professionals, researchers, creators, performers, producers, technicians and managers. In its first phase, the programme provides benefits such as disability and old age pensions, a dependents' pension, health care, occupational risk insurance and mortgage loans.

6. Housing

75. According to data published by the National Statistics and Census Institute, by the end of 2015, housing shortage and overcrowding indicators had improved significantly

thanks to the contributions of both the Government, through its social housing programmes, and private enterprise. The percentage of homes in Ecuador that do not meet minimum quality and/or habitability standards declined from 23.2 per cent in 2006 to 13.4 per cent in 2015.

76. Between 2010 and 2016, the Manuela Espejo housing project provided 12,020 housing solutions nationwide. Upon their relocation to new housing in 2017, families received social management support in the form of community action plans, organizational skills-building, development of community living arrangements and workshops on how to make good use of housing.

77. In 2016, approximately 17 per cent of homes in the country had no drinking water supply or sanitation, while 59 per cent of homes in rural areas had access to a public water supply. Housing conditions have to do with structural issues. For instance, the proportion of substandard housing declined by 2.03 percentage points (from 35.73 to 33.70 per cent) between 2009 and 2016. Rural areas deviate from the national average, with a rural housing shortage of 40.01 per cent in 2016. The percentage of substandard housing among the lowest quintile of the population (42.5 per cent) is 1.95 times higher than for the highest quintile (21.8 per cent). In December 2016, 31 per cent of urban housing was up to standard, compared with 40 per cent of rural housing.

78. According to ENEMDU 2016, the nationwide housing shortage amounts to 587,110 housing units (13.4 per cent): 327,669 (24.8 per cent) in rural areas and 259,441 (8.5 per cent) in urban areas. If population growth rates are included in the analysis, the estimated housing shortage when new households are added will total 2,742,247 homes, with the country's main cities – Quito, Guayaquil, Santo Domingo, Manta, Portoviejo, Ambato, Cuenca, Machala and Loja – being most seriously affected.³⁴

B. Constitutional, political and legal structure of the State

79. According to article 1 of the Constitution, Ecuador is a constitutional State of rights and justice that is social, democratic, sovereign, independent, unitary, intercultural, plurinational and secular, organized as a republic and governed on a decentralized basis. Concerning the primacy of the Constitution within the country, article 424 establishes that the Constitution is the supreme law of the land and takes precedence over the entire domestic legal framework. The same article stipulates that in order to be legally binding, norms and acts of the public authorities must be in conformity with the Constitution. It also states that the Constitution and international human rights treaties ratified by Ecuador that recognize rights more favourable than those enshrined in the Constitution take precedence over any other legal norm or act of the public authorities.

80. Interculturalism and plurinationalism as components of a single, unitary State are embodied in the adoption of the principle of *buen vivir* or *sumak kawsay* (good living) as a means of interpreting certain rights and guiding the public policy of inclusion, equity and resource management, as well as in the recognition of self-determination of peoples, communities and nationalities and the ways in which society is organized in order to develop self-determination processes. With regard to inclusion of the principle of good living, title II of the Constitution, on rights, contains a chapter on the rights that constitute good living, which include the rights to water, a healthy and ecologically balanced environment, communication, information, culture, science, education, habitat, housing, health, work and social security. Title VII, on the system of good living, establishes a number of guarantees and guidelines designed to promote inclusion and equity, as well as the sustainable use of natural resources in a manner that is respectful of other living beings.

³⁴ The number of housing units for new households is calculated by taking the 2015 projected population aged 15 to 64 years and dividing it by the number of household members according to the 2010 Population and Housing Census. The population aged 15 to 64 is used to project the demand for new housing, since this is the age group most likely to form new households.

81. Recognition of the rights of communities, peoples and nationalities can be found in chapter 4 of title II on rights. Article 56 establishes that indigenous communities, peoples and nationalities, Afro-Ecuadorians and the Montubio people and communes are part of the State. Article 57 recognizes the following rights, among others: (a) to uphold, develop and strengthen their identity, feeling of belonging, ancestral traditions and forms of social organization; (b) to keep permanent, inalienable, non-seizable and indivisible ownership of their community lands; (c) to free, prior and informed consultation on plans and programmes for prospecting, producing and marketing non-renewable resources located on their lands; (d) to keep and develop their own forms of coexistence and social organization and to create and exercise authority in their legally recognized territories; and (e) to develop, strengthen and maximize the intercultural bilingual education system.

82. Chapter 2 of title II recognizes the rights of persons with disabilities. Article 47 stipulates that the State shall guarantee disability prevention policies and, along with society and the family, ensure equal opportunities for persons with disabilities and their social inclusion.

83. In section 2 of chapter 1 of title IV of the Constitution, on participation and the organization of power, article 96 recognizes all forms of organization of society as an expression of the people's sovereignty to develop self-determination processes and influence the decisions, public policies and public oversight of all levels of government, public bodies and private entities that provide public services. Article 97 states that these organizations shall be able to, inter alia, develop alternative forms of mediation and conflict resolution, seek reparations, put forward economic, political, environmental, social, cultural or other proposals and claims that contribute to good living, exercise their right to resist and seek recognition of new rights.

84. The republican organization of the State is established in title IV of the Constitution, on participation and the organization of power, and in title V on the territorial organization of the State. These titles define: (a) the form that social participation shall take; (b) the institutions of the central Government; (c) decentralized autonomous governments and special regimes; and (d) the system of jurisdiction.

85. The rights of participation provided for in title II, on rights, and title V, on participation and the organization of power, establish guidelines as to the form that participation in government shall take. Article 95 states that citizens, individually or collectively, shall play an active role in decision-making, planning and management of public affairs and public oversight of State institutions and their representatives, as part of an ongoing process of building citizen power. The same article establishes that participation shall be governed by the principles of equality, autonomy, public discussion, respect for difference, public oversight, solidarity and interculturalism and that it shall be exercised by means of mechanisms of representative, direct, community democracy.

86. The same title contains provisions on article 1 of the Constitution, on the elements of a democratic State, concerning the form that participation in the republican organization of the State is to take. Article 100 of the Constitution establishes that every level of government shall be governed by democratic principles, to which end participation bodies shall be set up comprising elected officials representing deconcentrated authorities and society in the territorial sphere of the corresponding level of government. Article 100 also provides that participation in government bodies shall be aimed at: (a) the drafting of national, local and sectoral plans and policies between governments and citizens; (b) improving the quality of public investment and drafting development agendas; (c) drawing up participatory budgets of governments; (d) building democracy with permanent mechanisms for transparency, accountability and public oversight; and (e) promoting citizen participation and fostering communication processes.

87. Article 103 in section 4 of title IV, on direct democracy, states that grass-roots initiatives can be used to propose the creation, amendment or repeal of laws to the legislative branch and even to submit constitutional amendments which, if they are not considered by the legislative branch, may be put to a referendum by the National Electoral Council. Under article 104, a referendum may also be called by the corresponding electoral body, as ordered by the President of the Republic, on matters that are deemed appropriate;

by decentralized autonomous governments on issues of interest to their jurisdiction; and by citizens on any matter. Under article 105, persons in possession of their political rights may recall elected authorities.

88. Section 5 of title IV refers to political organizations. Article 108 recognizes political parties and movements as non-State public organizations that express the political plurality of the people and uphold inclusive, non-discriminatory philosophical, political and ideological beliefs. It stipulates that the organization, structure and functioning of such organizations shall be democratic and guarantee rotation of power, accountability and parity between men and women in their leadership bodies. Article 109 stipulates that political parties must be national in nature, as must political movements at any level of government, including those representing Ecuadorians abroad, and shall accordingly state their ideological principles, propose a government platform and keep a record of their members. Lastly, articles 110 and 111 establish that parties and movements shall be funded by membership dues and, provided they meet the requirements stipulated by law, by State allocations that are subject to oversight. They also recognize the right of political parties and movements to exercise political opposition at all levels of government.

89. Article 112 in section 6 of title IV, on political representation, states that political parties and movements may present candidates for election. Article 113 bars the following persons, among others, from standing as candidates for election: persons with State contracts; persons convicted and sentenced for, *inter alia*, unlawful enrichment or embezzlement; persons who owe maintenance payments; persons who have exercised executive authority in *de facto* governments; and serving members of the armed forces and national police.

90. Article 114 provides that elected authorities may be re-elected only once, whether consecutively or not, to the same office. Article 115 stipulates that the State shall, through the media, guarantee equitable and egalitarian electoral campaigning to foster debate and disseminate candidates' platforms. Article 116 orders the establishment of an electoral system for multi-person elections that adheres to the principles of proportionality, equality of votes, equity, parity and rotation of power between men and women, while article 117 prohibits amendments to electoral law during the year prior to the holding of elections.

91. With regard to State institutions, chapters 2 to 6 of title IV regulate the five main branches of the central Government, while chapter 2 of title V establishes the territorial organization of the State and chapter 3 of title V regulates decentralized autonomous governments. The five main branches of the central Government are: (a) legislative branch; (b) executive branch; (c) judicial and indigenous justice branch; (d) transparency and public oversight branch; and (e) electoral branch.

92. Chapter 2 of title IV regulates the National Assembly. According to article 119, members of the Assembly must be Ecuadorian nationals, be at least 18 years of age and possess political rights. Article 118 stipulates that the Assembly shall comprise a single chamber, based in Quito, and that the term of office of its members shall be four years. It shall comprise 15 members representing the nation as a whole, plus two members for each province and one further member for every 200,000 inhabitants or fraction thereof over 150,000 inhabitants according to the most recent population census. Article 123 stipulates that the Assembly shall be installed, without needing to be convened, on 14 May of the year of its election and shall meet in ordinary, permanent session throughout the year, with two 15-day recesses per year, during which it may meet in special session. All its meetings must be public, barring exceptions provided by law.

93. Article 120 establishes the Assembly's functions, the most important being: (a) to swear into office the President and Vice-President of the Republic elected by voters; (b) to declare physical or mental incapacity preventing the President from fulfilling his or her duties and to decide his or her termination of office; (c) to consider the President's annual reports and express opinions thereon; (d) to participate in the constitutional reform process; (e) to issue, codify, amend and repeal laws and interpret them, generally with binding effect; (f) to create, amend or eliminate taxes by law; (g) to adopt or reject international treaties wherever appropriate; (h) to audit the activities of the executive, electoral and transparency and public oversight branches and other public sector bodies; (i) to adopt the

general State budget, stipulating limits on the public debt, and monitor spending; and (j) to grant amnesties for political offences and pardons on humanitarian grounds.

94. According to article 122, the highest organ of the legislative branch shall comprise the President, the two Vice-Presidents and four members elected by the plenary Assembly. Article 124 stipulates that parties or movements whose Assembly members account for 10 per cent of the membership of the Assembly may form a legislative caucus, as may parties and movements that join together to do so, while article 126 stipulates that specialized standing committees shall be set up to fulfil the Assembly's tasks, with their number, establishment and powers to be governed by law.

95. Article 127 establishes prohibitions for Assembly members and article 128 stipulates that they shall enjoy parliamentary immunity from the National Court of Justice and shall not be held civilly or criminally liable for opinions they express or decisions and actions they take in performance of their duties both inside and outside the National Assembly. Article 128 also stipulates that prior consent must be obtained from the National Assembly before instituting criminal proceedings against one of its members, except in cases unrelated with the member's performance of his or her duties.

96. Article 129 establishes that the President or Vice-President may be impeached by the Assembly only in the case of crimes against the security of the State; extortion, bribery, embezzlement or unlawful enrichment; or genocide, torture, enforced disappearance, kidnapping or murder for political reasons or reasons of conscience. Article 130 provides for the possibility of removing the President from office for assuming functions that do not form part of the powers vested in the Presidency by the Constitution, subject to a favourable ruling by the Constitutional Court, or in the event of a serious political crisis and internal unrest.

97. Article 132 sets out the legislative process, while article 134 states that the following may submit bills: (a) members of the National Assembly, with the support of a legislative caucus or 5 per cent of Assembly members; (b) the President of the Republic; (c) the other branches of the State, within their area of jurisdiction; (d) the Constitutional Court, the Prosecution Service, the Attorney General's Office, the Ombudsman's Office or the Public Defence Service, within their sphere of competence; and (e) citizens in possession of their political rights and social organizations that have the backing of 0.25 per cent of citizens registered on the electoral roll. According to articles 137 to 139, such bills shall be subject to two debates and shall be disseminated publicly so that persons affected by them may appear before the Assembly to put forward their reasons and arguments. Once approved, bills shall be sent to the President so that he or she can confirm or object to them. In the latter case, if the objection is total, the bill may be considered only after a year has passed; if the objection is partial, the President shall submit an alternative text, and the Assembly can either support it or adopt the original bill, subject to a favourable Constitutional Court ruling in cases where the presidential objection is based on a claim of unconstitutionality.

98. Article 141 in chapter 3 of title IV, on the executive branch, states that the President of the Republic is the Head of State and Government and is therefore in charge of the public administration. The executive branch comprises the Offices of the President and Vice-President of the Republic, ministries of State and other bodies and institutions necessary for performing the functions of directing, planning, executing and evaluating national public policy. Article 144 stipulates that the President's term of office shall begin within 10 days following the installation of the National Assembly, before which time he or she must swear the oath of office. The President's term of office shall be four years and he or she may be re-elected only once. Article 145 lists the instances in which the President may leave office, which include: (a) expiry of the presidential term of office; (b) voluntary resignation; (c) removal as provided for in the Constitution; (d) physical or mental incapacity; (e) relinquishment of the office as confirmed by the Constitutional Court; and (f) recall.

99. Article 147 establishes the duties of the President of the Republic, which include: (a) to observe and enforce the Constitution, international treaties, laws and other legislative provisions falling within his or her sphere of competence; (b) to present in person the basic outlines of the policies that he or she will pursue; (c) to define and direct the public policies

of the executive branch; (d) to submit the proposed National Development Plan to the National Planning Council for adoption; (e) to direct the public administration according to a decentralized approach and to issue the necessary decrees for its composition, organization, regulation and oversight; (f) to create, change and abolish ministries, entities and coordinating bodies; (g) to report annually to the National Assembly on the implementation of the National Development Plan and the proposed targets for the coming year; (h) to transmit the draft general State budget to the National Assembly for approval; (i) to appoint and remove ministers of State and other public servants for whose appointment he or she is responsible; (j) to determine foreign policy, sign and ratify international treaties and appoint and remove ambassadors and heads of mission; (k) to participate in the legislative process by proposing legislation and to issue the necessary regulations for the enforcement of laws; (l) to call referendums in the cases and according to the requirements laid down in the Constitution; (m) to convene special sessions of the National Assembly; and (n) to exercise supreme authority over the armed forces and national police and to appoint members of their high commands.

100. Article 151 establishes that ministers of State shall be politically, civilly and criminally responsible for actions taken and contracts entered into during the performance of their duties, independently of the State's subsidiary civil liability. Article 152 lists persons barred from becoming ministers, who include relatives of the President or Vice-President, State contractors or members of the armed forces or police on active duty. Article 154 establishes two functions of ministers of State in addition to those defined by law, namely: (a) to guide public policy in their area of responsibility; and (b) to report to the National Assembly as required on the areas for which they are responsible.

101. Article 156 gives the National Equality Councils responsibility for ensuring the full enjoyment and exercise of the rights enshrined in the Constitution and in international human rights instruments, to which end they shall be responsible for formulating, mainstreaming, implementing, monitoring and evaluating public policies on gender, ethnic, generational, intercultural, disability and human mobility issues, in keeping with the law and in coordination with governing bodies, executing agencies and human rights protection bodies at all levels of government. Article 157 stipulates that the Councils shall consist of equal numbers of representatives of civil society and the State and shall be chaired by the President of the Republic. The National Equality Councils were established by organic law on 17 July 2014 and are currently covered by the 2015 Organic Act on National Equality Councils and its implementing regulations. There are National Equality Councils for gender, intergenerational matters, peoples and nationalities, disability and human mobility.

102. Chapter 4 of title IV regulates the judiciary and indigenous justice. Articles 167 to 170 set out the principles governing the administration of justice, which include: (a) internal and external independence; (b) administrative, economic and financial autonomy of the judiciary; (c) unified jurisdiction; (d) free access to justice; (e) public trials; (f) oral proceedings, consolidation, cross-examination and adherence to the principle whereby the parties delimit the scope of a case; (g) simplification, consistency, effectiveness, immediacy, speed and economy of proceedings; (h) due process; and (i) creation of a judiciary that meets the criteria of equality, equity, integrity, competition, merit, openness, challenge and public participation.

103. Article 171 deals with indigenous justice, establishing that the authorities of indigenous communities, peoples and nationalities shall perform judicial functions, based on their ancestral traditions and their own laws, within their own territory and shall guarantee participation and decision-making by women. It also stipulates that indigenous authorities shall apply their own laws and procedures to settle internal disputes, provided that these do not conflict with the Constitution or the human rights recognized in international instruments. Lastly, the State guarantees that public institutions and authorities will respect indigenous judicial decisions, although such decisions are subject to monitoring to ensure their constitutionality.

104. Articles 172 to 176 establish the principles governing the judicial branch, which include: (a) administration of justice according to the Constitution, international human rights instruments and the law; (b) due diligence; (c) judges' responsibility for delays, negligence, denial of justice or breaches of procedure; (d) possibility of judicial challenges

to administrative acts; (e) barring of judicial officials from working as lawyers; (f) specialized administration of justice for children and adolescents; and (g) selection of judicial officials on the basis of competition and merit.

105. Article 177 states that the judicial branch shall comprise judicial, administrative, auxiliary and autonomous organs, while article 178 establishes that the organs of the judicial branch are: (a) the National Court of Justice; (b) provincial courts of justice; (c) tribunals and courts established by law; and (d) magistrates' courts. The Council of the Judiciary is the organ of administration, governance, oversight and discipline; notaries, court auctioneers and sequestrators are auxiliary organs; and the Public Defence Service and the Attorney General's Office are autonomous organs.

106. Article 181 gives the Council of the Judiciary the following responsibilities: (a) to draw up and implement policies for improving and modernizing the judicial system; (b) to consider and adopt the draft budget of the judicial branch; (c) to direct the selection process for judges and other judicial officials, as well as public processes for their evaluation, promotion and punishment based on reasoned decisions; (d) to administer the training and professional development of judges by organizing judicial training and advanced training schools; and (e) to ensure the transparency and efficiency of the judicial branch.

107. Article 182 establishes that the National Court of Justice shall have nationwide jurisdiction, be based in Quito and consist of 21 judges, who shall be organized into specialized divisions and shall serve for nine years. A third of the Court's judges shall be replaced every three years and they shall be ineligible for re-election. The article further stipulates that the President of the Court, who shall represent the judicial branch, shall be chosen from among the Court's judges and shall serve for three years. The Court shall also have alternate judges, who shall be subject to the same rules as standing judges.

108. Article 183 stipulates that in order to serve as a judge on the National Court of Justice, it is necessary to be an Ecuadorian national, be in possession of political rights, have a university degree in law that is legally recognized in Ecuador and have worked with proven integrity as a lawyer, judge or university lecturer in law for at least 10 years. The Council of the Judiciary shall select judges through a competitive, merit-based selection process that is subject to challenge and public oversight and shall seek to ensure parity between men and women.

109. Article 184 gives the National Court the following responsibilities in addition to those laid down by law: (a) to hear appeals for cassation and revision and other appeals established by law; (b) to develop the system of judicial precedents based on identical judgments handed down on three separate occasions; (c) to hear cases brought against public servants who have immunity from prosecution; and (d) to present bills related to the system of administration of justice. Concerning the second of these, article 185 states that judgments of the specialized courts that reiterate the same opinion on the same point on three separate occasions shall be referred to the plenary Court, so that the Court may deliberate and reach a decision within a maximum of 60 days on whether or not it agrees with the opinion. If it does agree, the opinion shall constitute binding case law.

110. Article 186 stipulates that provincial courts shall operate in each province and shall comprise the number of judges necessary for dealing with cases. Judges shall have completed judicial training, have worked in the legal profession or have taught law at university level and shall be assigned to specialized divisions corresponding to those of the National Court of Justice. The Council of the Judiciary shall determine the number of courts and tribunals according to the needs of the population, bearing in mind that each canton must have at least one judge specialized in the family, children and adolescents or in juvenile offenders, according to the population's needs, and that in places where there is a social rehabilitation centre, there must be at least one court specialized in enforcing prison safeguards.

111. To guarantee unified jurisdiction, article 188 establishes that members of the armed forces and national police shall be tried by the ordinary courts and that disciplinary offences shall be subject to their own procedural rules. Moreover, for reasons of rank and administrative responsibility, the law shall regulate cases of immunity from prosecution. Articles 191 to 193 define the regulatory framework for the Public Defence Service, stating

that its purpose is to ensure full and equal access to justice for persons whose vulnerability or economic, social or cultural situation prevents them from retaining defence counsel to protect their rights. Pursuant to these articles, the Public Defence Service provides a timely, efficient, effective and free expert legal service to support and advise on the rights of persons in all matters and bodies. Accordingly, it shall enjoy administrative, financial and economic autonomy and have human and material resources and working conditions equivalent to those of the Attorney General's Office. The articles also establish the obligation for university law schools to organize and maintain free legal defence and advisory services for persons with limited economic means and groups requiring priority attention.

112. Article 178 of the Constitution states that the Council of the Judiciary is the organ responsible for governance, administration, oversight and discipline of the judicial branch and shall exercise its disciplinary powers in accordance with the Code of the Judiciary, while article 194 states that the Attorney General's Office shall function as a decentralized body with administrative, economic and financial autonomy and that the Attorney General shall be its highest authority and legal representative.

113. Article 195 states that the Attorney General's Office shall, on its own authority or at the request of a party, direct the preliminary inquiry and criminal investigation, performing this public function in accordance with the principle of a timely minimum investigatory process, with special regard for the public interest and victims' rights. If it finds grounds, it shall formally charge the alleged offenders before the competent judge and set forth the charges in the course of the criminal proceedings.

114. Article 195 stipulates that, in order to perform these functions, the Attorney General's Office shall organize and direct a comprehensive, specialized investigation, forensic medicine and forensic science service, which shall include civilian and police investigators, and a system of protection and assistance for victims and witnesses involved in criminal proceedings, as well as fulfilling other obligations established by law. With regard to the victim and witness protection system, article 198 stipulates that the Attorney General's Office must work with public institutions pursuing similar interests and objectives and also coordinate the participation of civil society organizations.

115. Turning to the transparency and public oversight branch of government provided for in chapter 5 of title IV, article 204 establishes that this branch of government shall promote and encourage the oversight of public sector institutions and bodies and private sector individuals or legal entities that provide public services or carry out public activities, to ensure that they carry out their activities responsibly, transparently and equitably. To this end, the transparency and public oversight branch shall foster public participation, protect the exercise of and ensure respect for rights, and prevent and combat corruption. The article stipulates that the branch shall comprise the Council for Public Participation and Oversight, the Ombudsman's Office, the Office of the Comptroller General and Superintendencies, which shall have legal personality and administrative, financial, budgetary and organizational independence.

116. Article 205 states that representatives of the institutions that make up the transparency and public oversight branch shall be appointed for a five-year term, shall be immune from prosecution by the National Court of Justice and shall be liable to impeachment by the National Assembly. It also establishes that their senior authorities shall be Ecuadorian nationals in possession of their political rights, who shall be appointed by means of a competitive, merit-based public selection process involving the submission of candidacies and subject to public oversight and challenge.

117. Article 206 provides that standing representatives of the above institutions shall set up a coordination body, which shall elect a chairperson each year. The functions of the coordination body shall be: (a) to formulate public policy in the areas of transparency, oversight, accountability, fostering of public participation and preventing and combating corruption; (b) to coordinate the action plan of the institutions that make up the transparency and public oversight branch, without affecting their autonomy; (c) to coordinate the formulation of the national anti-corruption plan; (d) to present to the National Assembly proposals for legislative change in areas within their sphere of

competence; and (e) to report annually to the National Assembly on the action taken to fulfil their responsibilities.

118. Under article 207, the aim of the Council for Public Participation and Oversight is to foster and encourage the exercise of participation rights by promoting and establishing mechanisms for public oversight in matters of public interest and appointing the corresponding authorities under the Constitution and the law. The article stipulates that the Council shall comprise seven standing members and seven alternates, who shall elect a chairperson from among them to serve as their legal representative for a term of two and a half years. Council members shall be elected from among candidates put forward by social and citizens' organizations, according to a procedure conducted by the Electoral Council through a competitive, merit-based public selection process involving the submission of candidacies and subject to public oversight and challenge.

119. According to article 208, the Council's functions and duties include: (a) promoting public participation, encouraging public discussion processes and fostering education in citizenship, values, transparency and how to fight corruption; (b) establishing accountability mechanisms for public sector institutions and bodies; (c) investigating reports of acts or omissions that affect public participation or give rise to corruption; (d) issuing reports that point to evidence of liability, making the necessary recommendations and taking the corresponding legal action; (e) acting as a party to proceedings in cases brought as a result of investigations; (f) requesting from any institution or public official the information needed for investigations or proceedings; (g) appointing the senior authority of the Prosecution Service and Superintendencies from the shortlist proposed by the President of the Republic; (h) appointing the senior authority of the Ombudsman's Office, the Public Defence Service, the Attorney General's Office and the State Comptroller's Office after the corresponding challenge and oversight process; and (i) appointing the members of the National Electoral Council, the Electoral Tribunal and the Council of the Judiciary after the corresponding selection process.

120. Article 211 defines the State Comptroller's Office as the technical body responsible for monitoring the use of State resources and also the private legal entities that make use of public resources. According to article 213, Superintendencies are technical bodies responsible for overseeing, auditing, monitoring and intervening in economic, social and environmental activities, as well as the services provided by public and private entities, to ensure that these comply with the law and are in the general interest. To do so, they may act on their own authority or at the request of the general public. Articles 214 to 216 deal with matters related to the Ombudsman's Office, a public law body that has national jurisdiction, legal personality and administrative and financial autonomy. The Office has a decentralized structure, with representatives in each province and abroad. It is responsible for protecting and safeguarding persons living in Ecuador and protecting the rights of Ecuadorians abroad. In 2012, the Office became the national mechanism for the prevention of torture and is recognized as such by the United Nations.

121. Chapter 6 of title IV of the Constitution regulates the electoral branch. Article 217 stipulates that the electoral branch shall guarantee the exercise of political rights, expressed through suffrage, and rights related to the political organization of Ecuador's citizens. It comprises the National Electoral Council and the Electoral Tribunal, which are based in Quito and have their own legal personality, nationwide jurisdiction and administrative, financial and organizational autonomy. Article 217 also stipulates that the Council and the Tribunal shall be governed by principles of autonomy, independence, openness, transparency, equity, interculturalism, gender parity and integrity.

122. Articles 218 and 219 deal with the National Electoral Council, stipulating that it shall comprise five standing members and five alternates, who shall serve for a six-year term, with part of the membership being renewed every three years. The chairperson shall be elected from among the members for a three-year term and shall serve as legal representative of the electoral branch. Members of the Council must be Ecuadorian nationals and possess political rights. Under article 220, the Electoral Tribunal shall comprise five standing members and five alternates, who shall serve for a six-year term, with part of the membership being renewed every three years. The eligibility requirements for members of the Tribunal are the same as those for judges of the National Court of

Justice and the Tribunal's chairperson is elected for a three-year term from among its members.

123. Articles 222 to 224 establish common rules for political and public oversight, which include: the possibility of impeaching members of the Council and the Tribunal for failure to fulfil their duties and responsibilities; subjecting electoral bodies to public scrutiny by giving political organizations and candidates the power to monitor and oversee electoral activities and ensure that they are public; and making the Council for Public Participation and Oversight responsible for appointing members of the Electoral Council and the Electoral Tribunal, as indicated above.

124. With regard to the decentralized autonomous governments, special regimes and system of jurisdiction provided for in title V of the Constitution, articles 238 to 240 stipulate that decentralized autonomous governments shall have political, administrative and financial autonomy and shall be governed by the principles of solidarity, subsidiarity, inter-territorial equity, integration and public participation.

125. According to the same articles, the corresponding law will establish a national system of compulsory, progressive jurisdiction in which policies and mechanisms will be developed for offsetting territorial disparities in the development process. The following are defined as decentralized autonomous governments: (a) rural parish councils; (b) municipal councils; (c) metropolitan councils; (d) provincial councils; and (e) regional councils. The decentralized autonomous governments of regions, metropolitan districts, provinces and cantons shall have legislative powers within their spheres of competence and areas of territorial jurisdiction. (See table 26 in the annex, detailing the sphere of jurisdiction, organization, institutions and powers of these governments.)

II. General framework for the protection and promotion of human rights

126. Article 3 of the 2008 Constitution stipulates that the State has a primordial duty to protect human rights, while articles 10 and 11 establish the principles governing the exercise of rights, including the obligation to make reparation for rights violations and the determination of the State's responsibility in this area.

C. Acceptance of international human rights norms

127. Ecuador is a party to 13 core international human rights treaties³⁵ and has recognized the competence of eight individual communications procedures and possible investigation procedures.³⁶ The internal ratification process for the one remaining core human rights

³⁵ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; International Covenant on Civil and Political Rights; Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty; International Convention for the Protection of All Persons from Enforced Disappearance; Convention on the Elimination of All Forms of Discrimination against Women; International Convention on the Elimination of All Forms of Racial Discrimination; International Covenant on Economic, Social and Cultural Rights; International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; Convention on the Rights of the Child; Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict; Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography; and Convention on the Rights of Persons with Disabilities.

³⁶ Individual complaints procedures: Convention against Torture; Optional Protocol to the International Covenant on Civil and Political Rights; Optional Protocol to the International Convention for the Protection of All Persons from Enforced Disappearance; Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women; individual complaints procedure under the International Convention on the Elimination of All Forms of Racial Discrimination; Optional

treaty, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, began in August 2017.³⁷

128. Ecuador is also a party to all the inter-American human rights treaties, with the exception of the Inter-American Convention on Protecting the Human Rights of Older Persons, the Inter-American Convention against Racism, Racial Discrimination and Related Forms of Intolerance and the Inter-American Convention against All Forms of Discrimination and Intolerance. However, it should be mentioned that Ecuador began the ratification process for the latter two Conventions in 2017.³⁸

129. Ecuador has formulated reservations and declarations in respect of the following conventions: reservation to the Convention against Torture,³⁹ declaration upon signing the Convention on the Rights of the Child⁴⁰ and declaration upon ratifying the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.⁴¹

130. It should be added that Ecuador is a signatory to most of the United Nations international human rights instruments, a number of ILO instruments and the main international humanitarian law treaties. It is also a member of the United Nations Educational, Scientific and Cultural Organization, the Organization of American States and the Union of South American Nations, an associate member of the Southern Common Market and a member of the Andean Community.

D. Legal framework for the protection of human rights at the national level

131. Title II of the 2008 Constitution recognizes a whole range of new rights that are not to be found in international treaties, including the rights to water; to permanent, safe access to healthy food appropriate to the population's diverse identities and cultural traditions; to live in a healthy, ecologically balanced environment that guarantees sustainability and good living; to free, intercultural, inclusive, diverse and participatory communication in all spheres of social interaction, through any means and in any form, in one's own language and with one's own symbols; to a human-centred education that will guarantee the individual's all-round development, in a framework of respect for human rights, a sustainable environment and democracy; to culture and knowledge; and to housing, health, work and social security.

132. Specific and special rights have also been recognized for groups requiring priority attention, such as older persons, young people, migrants or migrant groups, pregnant

Protocol to the International Covenant on Economic, Social and Cultural Rights; individual complaints procedure under the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; and Optional Protocol to the Convention on the Rights of Persons with Disabilities.

³⁷ http://tbinternet.ohchr.org/_layouts/TreatyBodyExternal/Treaty.aspx?CountryID=53&Lang=EN.

³⁸ http://www.oas.org/es/sla/ddi/tratados_multilaterales_interamericanos_firmas_estados_E.asp.

³⁹ Reservation declaring that Ecuador will not permit extradition of its nationals.

⁴⁰ Declaration by Ecuador stating that, "in signing the Convention on the Rights of the Child, it reaffirms that it is especially pleased with the ninth preambular paragraph of the draft Convention, which pointed to the need to protect the unborn child, and believed that that paragraph should be borne in mind in interpreting all the articles of the Convention, particularly article 24. While the minimum age set in article 38 was, in its view, too low, the Government of Ecuador did not wish to endanger the chances for the Convention's adoption by consensus and therefore would not propose any amendment to the text".

⁴¹ Declaration by the Government of the Republic of Ecuador that, "in accordance with the provisions of its Constitution, military service is compulsory. Citizens who invoke conscientious objection on moral, religious or philosophical grounds are assigned to community service in the manner prescribed by law. Article 5 of the Compulsory Military Service Act states that military obligations begin, for Ecuadorian citizens, at 18 years of age and end at 55 years of age. The period between the ages of 18 and 55 shall be called 'military age'. With the entry into force of the 2008 Constitution, the content of this declaration ceased to apply.

women, children and adolescents, persons with disabilities, persons with catastrophic illnesses, persons deprived of their liberty, users and consumers, and communities, peoples and nationalities.

133. All public authorities and public officials have a duty to guarantee these and other rights. However, the Constitution sets out specific provisions that public authorities must adopt with respect to rights. Articles 120 (6) and 133 (2) state that the National Assembly shall progressively develop the content of rights by issuing, codifying and amending organic and ordinary laws or repealing laws that are counterproductive to the effective enjoyment of rights. Article 147 (1) and (3) establishes that the President of the Republic shall observe and enforce the Constitution, international treaties, laws and other relevant legal norms and shall therefore define and direct public policies that develop recognized rights. Article 172 stipulates that judges shall administer justice in accordance with the Constitution, international human rights instruments and the law. Throughout the section on principles governing the administration of justice and the judicial branch, reference is made to the rights of access to justice, effective judicial protection and guarantees of due process.

134. Article 204 establishes that the transparency and public oversight branch is responsible for fostering and encouraging public participation and protecting the exercise of and respect for rights. The same is true for the electoral branch, which under article 217 is responsible for guaranteeing the exercise of political rights expressed through suffrage and rights related to the political organization of Ecuadorian citizens.

135. The most important institution, however, called upon directly to study, interpret and protect the human rights recognized in the Constitution and in international instruments, is the Constitutional Court provided for in chapter 2 of title IX on the primacy of the Constitution. Article 429 establishes that the Court is the highest organ responsible for oversight, interpretation of the Constitution and administration of justice in this regard.

136. With regard to guaranteeing the recognition, exercise and protection of human rights and reparation for their violation, title III of the Constitution is devoted to establishing appropriate legislative, public policy and judicial protection safeguards. Among legislative safeguards, article 84 stipulates that the National Assembly and all other organs with legislative powers have an obligation to adapt laws and other legal norms, formally and materially, to the rights set forth in the Constitution and international treaties and such other rights as are necessary to guarantee the dignity of individuals or communities, peoples and nationalities. It also establishes that in no case may any changes to the Constitution, laws, legal norms or public authority acts infringe recognized rights.

137. With respect to safeguards in the area of public policy, public services and public participation, article 85 stipulates that the formulation, execution, evaluation and monitoring of public policy and public services guaranteeing the rights recognized in the Constitution shall be governed by the following provisions: (i) public policy and the provision of public goods and services shall be directed towards the realization of good living and all rights and their formulation shall be guided by the principle of solidarity; (ii) without prejudice to the primacy of the general interest over private interests, when the implementation of public policy or the provision of public goods and services has the effect of harming or threatening constitutional rights, such policy or provision shall be reformulated or alternative measures shall be taken to reconcile the conflicting rights; (iii) the State shall ensure that the budget for the execution of public policy and the provision of public goods and services is distributed fairly and on a basis of solidarity; and (iv) the participation of individuals, nationalities, peoples and communities in the formulation, execution, evaluation and monitoring of public policy and public services shall be guaranteed.

138. Concerning judicial safeguards, articles 86 and 87 establish ordinary provisions, while articles 88 to 94 provide for the following remedies: (a) remedy of protection; (b) remedy of habeas corpus; (c) remedy of access to public information; (d) remedy of habeas data; (e) action for non-compliance; and (f) special remedy of protection. The remedy of protection, established in article 88, is intended to ensure direct, effective protection of the rights recognized in the Constitution and may be lodged when these rights have been violated by acts or omissions of any non-judicial public authority, by public policies that

prevent the enjoyment or exercise of constitutional rights, by acts of private individuals that cause serious harm, by the provision of unsuitable public services either on behalf of or under concession from a public authority or if the affected person is in a subordinate position, is defenceless or is a victim of discrimination.

139. The remedy of habeas corpus, provided for in articles 89 and 90, is designed to secure the release of a person who has been unlawfully, arbitrarily or illegally deprived of his or her liberty and to protect the life and physical integrity of persons who have been detained. Once the remedy has been lodged, the judge must convene a hearing within 24 hours, at which the detainee, the authority in whose custody he or she is being held, the public defence counsel and the person who ordered or caused the detention, as well as the arrest warrant, must be present. Moreover, the hearing must be held in the place of detention. A decision must be taken on the remedy within 24 hours following the hearing and if the detention is found to be illegal or arbitrary, the person must be released immediately. The articles also provide that if a detainee is found to have been a victim of any form of torture or cruel, inhuman or degrading treatment, he or she must be released and given comprehensive, specialized care, and alternatives to prison must be imposed wherever possible. Lastly, if the place of detention is unknown and there is evidence of the involvement of a public official or any other agent of the State, or persons acting with their authorization, support or acquiescence, the senior representative of the national police or the competent minister must be summoned to the hearing to make a statement so that the necessary measures can be taken to locate the detained person and the persons responsible for the detention.

140. The remedy of access to public information, provided for in article 91, is designed to guarantee access to public information in cases where such access has been expressly or tacitly denied or where such information has been provided in incomplete form and is not reliable. The remedy may be used even in cases where the refusal to provide information is based on the secret, confidential or other nature of the information in question. Moreover, the competent authority must have declared the information confidential in accordance with the law prior to the request for access to it.

141. Article 92 deals with the remedy of habeas data, which is intended to ensure that the person who lodges it or his or her legal representative is aware of the existence of and has access to any documents, genetic data, databases or archives containing personal information and reports on the person and his or her property that are held by public or private bodies in either physical or electronic form. The person also has the right to know the origin, use, purpose, destination and period of validity of the archive or database containing his or her personal information. Lastly, the person whose data they are has the right to request the person holding them to allow access to them free of charge and to update, correct, remove or delete them, and also the right to claim for damages.

142. Action for non-compliance is provided for in article 93, which establishes that its purpose is to guarantee application of the laws constituting the legal system, enforcement of judgments and follow-up to the reports of international human rights bodies, in cases where the law or decision that has not been complied with contains a clear, express and enforceable obligation to do or not to do something. Because of the specific nature of the action, it must be lodged with the Constitutional Court.

143. Lastly, article 94 provides for the special remedy of protection, which may be lodged against judgments or final rulings through which, by act or omission, the rights recognized in the Constitution have been violated. This remedy is also lodged with the Constitutional Court and is applicable in cases where ordinary and special remedies have been exhausted within the legal time limit or where the failure to lodge these remedies is not attributable to the negligence of the person whose right has been infringed.

144. The Equality Councils, created by the Constitution and governed by the 2014 Organic Act on Equality Councils and the 2015 implementing regulations, replace the former thematic councils and are responsible for ensuring the full enjoyment and exercise of the rights enshrined in the Constitution and the law and in international human rights instruments. There are Equality Councils for gender, intergenerational matters, peoples and nationalities, disability and human mobility. The main activities assigned to the National

Equality Councils include the preparation of the National Equality Agendas, the first of which covered the period 2014–2017 and the second covers the period 2018–2021. The Agendas are planning instruments and contain a series of policies and guidelines for State action in the area of human rights.

145. Pursuant to Executive Decree No. 748 of November 2007, the President of the Republic created the Ministry of Justice, Human Rights and Religious Affairs, giving it the following responsibilities, among others: (a) to help improve the services provided by justice sector institutions by expanding their coverage and making them subject to quality standards and by coordinating the execution of efficient management programmes, making available the necessary economic, financial, material and technological resources; (b) to coordinate action guaranteeing effective access to timely, quality justice as a fundamental right of all inhabitants of the Republic; (c) to establish networks to support the judicial branch and the Public Prosecution Service in seeking ways to resolve the conflicts that arise in social rehabilitation centres and other judicial conflicts of concern to the public administration; (d) to promote the introduction of appropriate mechanisms for disseminating human rights and legal and trial information; and (e) to coordinate, execute and monitor the programmes and projects of the various agencies involved in the social rehabilitation system, as well as programmes and projects related to the care and protection of young offenders.

146. Executive Decree No. 1317 of September 2008 gave the Ministry of Justice, Human Rights and Religious Affairs responsibility for coordinating the enforcement of judgments, precautionary measures, provisional measures, amicable settlements and recommendations and decisions emanating from the inter-American human rights system and the universal human rights system, as well as other obligations arising from international human rights commitments. To this end, it was given the power to, inter alia: (a) transmit decisions to the competent authority with a view to the opening of investigations and the determination of individual responsibilities with regard to human rights violations; (b) coordinate with the Ministry of Finance the payment of material and non-material reparation to victims of human rights violations; (c) coordinate with the competent State agency the implementation of measures necessary for complying fully with obligations; (d) draw up legislative amendments to bring the legal system into line with international human rights standards; (e) coordinate with the Ministry of Foreign Affairs and Human Mobility the domestic implementation of any international instrument establishing international human rights obligations for the State; (f) undertake the follow-up, monitoring and internal evaluation, within Ecuador, of compliance with domestic human rights laws and policies, with a view to including the relevant data in the State's reports to human rights treaty bodies.

147. In March 2012, the Specialized Unit of the Truth Commission became the Directorate of the Truth and Human Rights Commission, with nationwide jurisdiction and responsibility for coordinating, assisting and investigating cases of human rights violations and crimes against humanity. The former Specialized Unit of the Truth Commission was created on 25 November 2010 and investigated the 118 cases for which there was documentary evidence to support their judicial investigation.

148. The Unit was made up of members of civil society who had distinguished themselves as human rights campaigners. Its mission was to conduct a thorough, independent investigation based on the testimony of victims and witnesses and on State archives, even where these were secret or confidential. During its work, it investigated cases of extrajudicial execution, enforced disappearance, torture and arbitrary detention. The final report of the investigation was presented in June 2010 and documented a total of 118 cases, 17 of which involved enforced disappearance.

149. With regard to acceptance of the jurisdiction of regional human rights bodies, Ecuador ratified the American Convention on Human Rights on 8 December 1977. Pursuant to article 62 (1) thereof, on 24 July 1984 it recognized as binding, ipso facto, the jurisdiction of the Inter-American Court of Human Rights on all matters relating to the interpretation or application of the Convention. Accordingly, as stipulated in article 68 of the Convention, Ecuador undertook to comply with the judgment of the Court in any case to which it is a party, in addition to permitting the execution of compensatory damages

stipulated by the Court in accordance with domestic procedure governing the execution of judgments against the State.

150. Article 41 of the American Convention establishes that the body responsible for promoting respect for and defence of human rights in the hemisphere is the Inter-American Commission on Human Rights, which has the power, *inter alia*, to take action on petitions lodged with it by persons claiming that their rights have been violated. Under articles 41 (b) and 43, the Commission considers petitions and makes recommendations to States for the adoption of measures to put an end to and make reparation for violations. It may also request States to supply it with information on the adopted measures in order to determine their appropriateness.

E. Framework within which human rights are promoted at the national level

151. The Constitution establishes an important framework for linking the activity of public authorities with the safeguarding of human rights and the participation of individuals, peoples, communities and nationalities who possess these rights and form social organizations in order to promote and protect them. The above-mentioned rights of participation, which are governed by article 61 of title II, on rights, of the Constitution, envisage the involvement of Ecuadorian citizens in matters of public interest, their right to be consulted and their right to monitor the actions of public authorities.

152. The constitutional provisions on public policy safeguards mentioned above also envisage the participation of individuals, communities, peoples, nationalities and civil society organizations in the formulation, execution, evaluation and monitoring of public policies and services. A number of State institutions at the different levels of government therefore guarantee opportunities for involvement in the implementation of their activities, with a view to, *inter alia*, informing and consulting participants and jointly drawing up or amending policies, projects and plans.

153. With regard to the promotion of human rights, and given the wide range of institutions that execute rights-related policies, it should be mentioned that the Council of the Judiciary has taken action to promote respect for human rights that emphasizes access to justice for vulnerable groups, such as the design and application of a handbook on the rights of persons with disabilities in the judicial branch,⁴² a report on the accessibility of the Council's infrastructure, a guide to the application of the restorative justice approach in juvenile justice,⁴³ guides to the consideration of crimes committed by mentally disturbed persons (decision No. CJ-DG-2016-10 of 18 January 2016) and a guide to the mainstreaming of the principle of interculturalism in ordinary justice (decision No. CJ-DG-2016-055, adopted on 13 April 2016). There are also a number of institutional programmes at the different levels of government.

154. The Ministry of Justice, Human Rights and Religious Affairs is the institution responsible for promoting human rights both among the general public and within the public sector. It has an office dealing with the general public, which advises individuals, peoples, communities and nationalities on the exercise and enforcement of their rights, through interviews, documentation and even the circulation of handbooks and explanatory leaflets on specific rights.

155. The Ministry of Foreign Affairs and Human Mobility establishes specialized protection services for restoring the threatened and/or violated rights of children, adolescents and their families whose cases were transferred to the Ministry of Justice, Human Rights and Religious Affairs from the Ministry of Economic and Social Inclusion by Executive Decree No. 1288 of 3 January 2017. Mention should be made in this connection of the work being done by the Ministry of Foreign Affairs to comply with the recommendations of the international human rights treaty bodies, which it does through its

⁴² <http://www.funcionjudicial.gob.ec/index.php/es/component/content/article/585.html>.

⁴³ <http://www.funcionjudicial.gob.ec/index.php/es/component/content/article/586.html>.

publications and through public sector campaigns to promote a human rights culture among public employees and ensure that they bring a thorough knowledge of and respect for human rights to the performance of their functions.

156. With regard to public sector training, between 2012 and 2016 the Ministry of Foreign Affairs and Human Mobility trained 5,000 public employees from different State institutions, such as the national police, the metropolitan police, the Ministries of Defence, the Interior, Health, Education, Agriculture and Sport, the armed forces, the Prison Staff Training College and the Attorney General's Office. Workshops used participatory methodologies, took a cross-cutting approach to human rights and covered, inter alia, topics arising from international obligations, the foundations of human rights, gender, collective rights and health rights.

157. The Ministry of Foreign Affairs and Human Mobility has also worked with the programme for accrediting and updating the qualifications of human rights instructors (Comprehensive Continuous Training Programme) and has provided training to the programme's instructors on the rights of children and adolescents, in addition to the subjects already mentioned. In 2014, the Ministry of Justice, Human Rights and Religious Affairs, in cooperation with the United Nations, made the Human Rights Information System (SIDERECHOS) web platform available to the general public. The System performs the function of gathering and coordinating information on the rights of persons living in Ecuador and shows the recommendations made to Ecuador by international human rights protection systems.

158. Mention should also be made of the training programmes, media campaigns, specialized training, empowerment activities, advisory services and participation programmes on issues such as trafficking in persons and smuggling of migrants, rights of Afro-Ecuadorian peoples and of indigenous peoples, communities and nationalities, children and adolescents, women, persons with disabilities and older persons, among others, sponsored and promoted within and by institutions such as the Prosecution Service, the Ministry of Foreign Affairs and Human Mobility, the Office of the Vice-President of the Republic, the Ombudsman's Office, the Ministry of the Environment, the Ministry of Tourism, the Ministry of Economic and Social Inclusion, the national police, the Office of the Deputy Minister for Human Mobility, the Ministry of Culture, public and private universities, colleges, schools, social organizations, neighbourhood associations, foundations, political movements and other public and private institutions.

159. In the national planning sector, Area 1 of the National Development Plan 2017–2021, adopted in ordinary meeting of the National Planning Council on 22 September 2017, is aimed at achieving lifetime rights for all, recognition of human beings as authentic subjects of rights throughout their lifetime and implementation of the principle of “good living” as provided for in the Constitution. It is important to note that the goals, policies and targets of this Area constitute binding norms for the creation of sectoral and intersectoral planning instruments. Another fundamental aspect of this Area is that it also envisages, during the Plan's period of validity, the implementation of eight emblematic actions aimed essentially at ensuring respect for human rights in Ecuadorian society.

160. Concerning general State budget investment in ensuring respect for rights, the amount of such investment can be deduced only with respect to social rights established in national policies, such as social welfare, urban development and housing, education, health and labour. The information available from the Ministry of Finance on annual budget spending in the social sector for the period 2013–2017 is reproduced in the following table.

General State budget (consolidated budget spending by sector)⁴⁴

(Accrued liabilities in dollars)

<i>Year</i>	<i>Social welfare</i>	<i>Urban development and housing</i>	<i>Education</i>	<i>Health</i>	<i>Labour</i>	<i>Total</i>
2013 (to Dec)	1 365 263 493.76	803 546 018.31	4 666 910 435.95	2 007 946 187.64	115 414 712.01	8 959 080 847.67
2014 (to Dec)	1 259 444 921.14	733 640 872.44	4 792 199 326.19	2 200 510 168.00	107 827 823.08	9 093 623 110.85
2015 (to Dec)	1 074 832 610.57	534 182 931.87	4 525 435 068.33	2 361 812 084.81	70 911 523.62	8 567 174 219.20
2016 (to Dec)	1 029 669 493.17	856 740 745.54	4 360 034 708.90	2 427 055 070.84	49 268 305.24	8 722 768 323.69
2017 (to Oct)	789 039 613.50	539 754 442.82	3 605 425 310.10	2 025 565 903.19	39 520 427.76	6 999 305 697.37
Total	5 518 250 132.14	3 467 865 010.98	21 950 004 849.47	11 022 889 414.48	382 942 791.71	

Expenditure in dollars

<i>Year</i>	<i>Social welfare</i>	<i>Urban development and housing</i>	<i>Education</i>	<i>Health</i>	<i>Labour</i>	<i>Total</i>
2013 (to Dec)	1 363 590 636.55	800 617 524.48	4 656 558 926.78	1 951 178 940.67	114 530 331.23	8 886 476 359.71
2014 (to Dec)	1 248 285 626.74	676 689 449.66	4 701 796 129.42	2 155 648 988.44	102 690 623.55	8 885 110 817.81
2015 (to Dec)	1 056 582 865.22	396 718 987.59	4 188 946 027.91	2 119 301 999.11	65 923 043.62	7 827 472 923.45
2016 (to Dec)	1 028 792 554.16	815 031 762.47	4 300 349 139.71	2 363 549 742.04	49 254 576.99	8 556 977 775.37
2017 (to Oct)	786 156 338.68	462 019 633.74	3 557 896 101.96	1 998 004 395.79	39 343 405.51	6 843 419 875.68
Total	5 483 408 021.35	3 151 077 357.94	21 405 546 325.78	10 587 684 066.05	371 741 980.90	

F. Reporting process at the national level

161. Under Executive Decree No. 1317 of September 2008, responsibility for the process of national reporting to international treaty bodies was assigned to the Ministry of Foreign Affairs and Human Mobility and the Ministry of Justice, Human Rights and Religious Affairs. Article 2 (7) of the Decree stipulates that the Ministry of Justice must participate jointly with the Ministry of Foreign Affairs and Human Mobility in the process of drafting and approving the State's reports to human rights committees and other human rights treaty bodies, as part of the system of public coordination, with the Ministry of Foreign Affairs being responsible for presenting the country's reports to those bodies.

162. Under this system, the Ministry of Justice, Human Rights and Religious Affairs compiles information and prepares specific reports to the different human rights treaty bodies. The Minister of Justice then transmits the approved reports to the Ministry of Foreign Affairs and Human Mobility. Once these have been reviewed and approved by the authorities of the Ministry of Foreign Affairs, they are transmitted to the Office of the United Nations High Commissioner for Human Rights in Geneva, Switzerland.

⁴⁴ Source: 31 October 2017, 08.32h, from <https://bi.finanzas.gob.ec/ibmcognos/cgi-bin/cognos.cgi>. Prepared by the National Secretariat of Planning and Development.