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Committee on Economic, Social and Cultural Rights

Information received from Ecuador on follow-up to the concluding observations on its fourth periodic report^{*}, ^{**}

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* The present document is being issued without formal editing.

** The annexes to the present document are available on the Committee's website.



I. Introduction

1. On 14 November 2019, the Committee issued concluding observations on the fourth periodic report of Ecuador (E/C.12/ECU/CO/4). In paragraph 68 of that document, the State party was requested to provide, within 24 months of the adoption of the concluding observations, information on the implementation of the recommendations contained in paragraphs 6 (b) and (d) (austerity measures), 18 (a) (right to be consulted and to free, prior and informed consent) and 40 (a) (protection of the family and children).

II. Information relating to implementation

Reply to paragraph 6 (b) of the concluding observations

2. Regarding the prioritization of spending in the areas of health and education, the Ministry of Economic Affairs and Finance – the lead agency for public finances and development planning – has introduced mechanisms linking public sector budgets with the National Development Plan. Since 2018 there has been sustainable investment in infrastructure and other development projects, with State resources supplemented by national and international private investment under a public-private partnership scheme.

3. The Government and the Inter-American Development Bank have launched a process to identify and enhance the value of various State assets through solutions that will generate additional income for the maintenance and expansion of the country's social and productive infrastructure.

4. The eighteenth transitional provision of the Constitution stipulates that: "The State shall progressively allocate public resources from the General Budget of the State for initial basic education and secondary education leading to a high school diploma, with annual increments of at least 0.5 per cent of gross domestic product (GDP) until the share amounts to 6 per cent of GDP." The twenty-second transitional provision establishes that "The General Budget of the State aimed at funding the national health system shall be increased every year by a percentage not less than 0.5 per cent of GDP until it accounts for at least 4 per cent of GDP."

5. Article 178 of the Organic Code of Planning and Public Finance states that "the senior authority of each public entity and agency and the officials in charge of budget management shall be responsible for managing and fulfilling objectives and goals and for strictly adhering to the approved allocations in accordance with the provisions of this Code and technical standards". The Ministry of Economic Affairs and Finance has complied strictly with the provisions of the Constitution, as is clear from the annual draft State budgets that are approved by the National Assembly (see table 1).

6. Under article 3 (5) of the Constitution, one of the State's primary duties is "planning national development, eliminating poverty and promoting sustainable development and the equitable redistribution of resources and wealth to enable access to the good way of living". Article 280 states that "the National Development Plan is the instrument to which public policies, programmes and projects, the programming and execution of the State budget and the investment and allocation of public resources shall adhere. It shall coordinate the exclusive areas of competence between the central State and decentralized autonomous governments. Compliance with the Plan shall be mandatory for the public sector and recommended for other sectors."

7. Article 10 (1) of the Organic Code of Planning and Public Finance provides that "national planning is the responsibility and competence of the central Government and is carried out under the National Development Plan. The President of the Republic may decide the form whereby the executive branch is organized institutionally and territorially to exercise this competence."

The following progress was achieved under the National Development Plan between 2017 and 2021:

Main achievements in 2018

8. The downswing in the business cycle, dollar appreciation and the drop in oil prices between 2014 and 2016 had a negative impact on the incidence of extreme income poverty and the national and rural multidimensional poverty rates. In that context, the Government, through programmes such as Less Poverty, More Development (*Menos pobreza, más desarrollo*) and My Best Years (*Mis mejores años*), made cash transfers to population groups living in extreme poverty so as to increase their incomes and guarantee a minimum level of consumption.

9. In the field of health, the prevalence of exclusive breastfeeding during the first six months of life increased thanks to the activities of the Ministry of Health, which supported the adaptation and use of breastfeeding rooms in private-sector companies and registered 30 establishments as prepared for “mother- and child-friendly” certification. Furthermore, to increase the number of health professionals as a proportion of the population, scholarships were awarded to 4,365 trainees and additional medical specialty programmes were created, bringing the number of such programmes to 98.

10. In education, the Government sought to provide high quality initial, basic and secondary education services with a view to including and keeping children in school and ensuring that they complete their studies. Significant progress was made in strengthening intercultural education capacity, as the Secretariat for the Intercultural Bilingual Education System expanded the curriculum in the 14 indigenous languages.

Main achievements in 2019

11. To reduce maternal mortality, the Ministry of Health conducted epidemiological surveillance of severe maternal morbidity in 31 hospitals using the near-miss approach. Enhanced access to contraceptive methods, focusing on post-obstetric event contraception, resulted in a 30 per cent reduction in maternal mortality. In addition, 300 health professionals received training to improve their handling of obstetric and neonatal emergencies.

12. To decrease the adolescent birth rate among 15- to 19-year-olds, an investment project for preventing pregnancy in girls and adolescents was launched for the period 2019–2022. Under this initiative, comprehensive adolescent-friendly health services with a rights-based approach were made available to adolescents of both sexes. Services in this area were available in 930 primary health-care facilities; 1,095 primary health-care facilities at which multipurpose consulting rooms were adapted to provide adolescent-friendly care; and 56 secondary and tertiary facilities that were adapted to provide primary care for victims of sexual violence.

13. Another health policy measure aimed at children and adolescents was the issuance by ministerial decision of technical guidelines to ensure access to comprehensive adolescent-friendly services. In this framework, 20,208 health professionals were trained in the intersectoral policy for the prevention of pregnancy in girls and adolescents, in comprehensive adolescent-friendly care and in sexual and reproductive health counselling.

14. Training on sexual and reproductive health was provided for 1,472 experts, analysts and teachers in the framework of the ABCs for All campaign, which promotes literacy, post-literacy and higher basic education. The 171 health promotion helpline was also introduced.

15. To reduce the birth rate among 10- to 14-year-old girls, a technical standard on the comprehensive care of victims of gender-based violence and serious human rights violations, including a specific section on the care of girls under the age of 14, was issued pursuant to a ministerial decision.

16. The Ministry of Health, as the national health authority; the Ministry of Education, as the authority responsible for the education system; the Ministry of Economic and Social Inclusion, as the lead agency for the economic and social inclusion of girls and adolescents; and the Ministry of Justice, Human Rights and Religious Affairs (now the Secretariat for

Human Rights) worked together to develop and adopt, by interministerial decision, the intersectoral policy for the prevention of pregnancy in girls and adolescents 2018–2022.

Main achievements in 2020

17. The coronavirus disease (COVID-19) pandemic brought major challenges in 2020. The Government focused its activities on giving continuity to planned measures, considering the new circumstances.

18. In the field of education, the Government continued to implement the ABCs for All campaign and the Monsignor Leónidas Proaño Baccalaureate, aimed at persons aged 18 to 29 who have not completed their secondary education, benefiting 25,215 persons. It also continued to implement the Basic Education for Young People and Adults project, for which purpose it reopened 108 rural schools that had closed in previous years. The Government also launched the COVID-19 Educational Plan, providing the educational community (students, teachers, families) with educational resources including teaching notes, digital textbooks, material on the prevention of gender-based violence and other digital resources.

19. The gross enrolment rate in technical higher education increased. In 2020, projects were carried out to provide 89 public higher technical institutes with data links, Internet services and virtual data centres.

20. The narrowing of the wage gap between men and women reflects progress on gender equality issues. Although this is a problem that transcends government measures, various steps have been taken since the 2018 adoption of the Comprehensive Organic Act on the Prevention and Eradication of Violence against Women and its implementing regulations to promote the knowledge and application of the principles of gender equality and non-discrimination against vulnerable groups and groups requiring special consideration. A protocol for preventing and responding to cases of discrimination, harassment and all forms of violence against women in the workplace was adopted in 2020.

21. Finally, in accordance with the principle that States should recognize the enjoyment and exercise of safe, orderly and regular migration, several measures have been taken for the care and protection of vulnerable persons in situations of human mobility. These include the Comprehensive Plan for the Care and Protection of the Venezuelan Population in Human Mobility in Ecuador 2020–2021, the approval of regulations, protocols and procedural manuals for the provision of services by district coordination offices, technical offices and consular offices, and staff training to improve the delivery of services.

22. Regarding the draft budgets of institutions funded from the General Budget of the State, the Organic Code of Planning and Public Finance stipulates that the lead agency for national planning and public investment, in coordination with the lead agency for public finances, will issue a four-year budget plan and guidelines for the preparation of the draft Annual Investment Plan.

23. Accordingly, each year the National Secretariat of Planning sends guidelines for the formulation of the draft Annual Investment Plan to the entities that are funded from the General Budget of the State. It then compiles the information and sends it to the Ministry of Economic Affairs and Finance for consolidation and the creation of budget structures, before the budget as a whole is submitted to the National Assembly for approval. During this process of preparing the Annual Investment Plan, appropriate steps are taken to coordinate with the entities funded from the General Budget of the State in order to ensure that they can properly discharge their responsibilities and functions on behalf of society.

24. The Annual Investment Plans for 2019, 2020 and 2021 together provided for a total investment of \$5,580.69 million in the social welfare, education and health sectors.

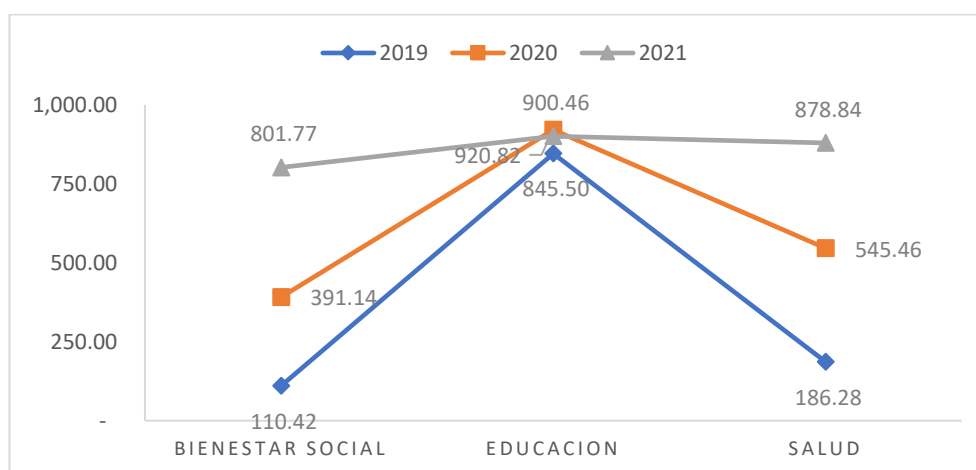
Table 1
Investment in selected sectors
(Millions of dollars)

Year	Social welfare	Education	Health
2019	110.42	845.50	186.28
2020	391.14	920.82	545.46
2021	801.77	900.46	878.84

Source: Integrated Financial Management System, as at 31 December 2019, 2020 and 2021.

25. The above table shows that in 2020, the overall budget allocated to these three sectors increased by \$715.23 million, or by 62.62 per cent, compared with 2019. In 2021, this budget increased again by \$723.66 million, or 38.96 per cent.

Figure 1
Investment in selected sectors
(Millions of dollars)



Source: Integrated Financial Management System, as at 31 December 2019, 2020 and 2021.

26. The figure shows that while investment in the social welfare and health sectors has continued to climb year on year, investment in education remained stable.

Reply to paragraph 6 (d) of the concluding observations

27. The Government has constantly strived to ensure the enjoyment of economic, social and cultural rights, including through efforts to formulate policies that mainstream or specifically address the free and effective enjoyment of human rights. In that context, the new National Development Plan 2021–2025, entitled “Creating Opportunities”, was adopted by Decision No. 002-2021-CNP of 20 September 2021.

28. The Plan has 16 objectives, under which it sets out policies and targets to guarantee the economic, social and cultural rights of Ecuadorians in accordance with the Constitution and international commitments of Ecuador.

29. The National Development Plan has five thematic components:

- **Economic component:** includes 4 objectives and 17 policies. Policies include those aimed at generating more and better jobs, especially for women and young people, and promoting entrepreneurship; strengthening trade links and attracting investment; consolidating non-oil exports; increasing production, competitiveness and promotion of the tourism, industry, agriculture, aquaculture and fisheries sectors; boosting food sovereignty and security; and modernizing the national financial system and ensuring fiscal sustainability to strengthen the monetary system.

- **Social component:** includes 4 objectives and 21 policies. Under this component, the Plan addresses issues related to poverty eradication; access to social security; the right to adequate housing with access to basic services, including digital connectivity and new technologies; and the eradication of all forms of discrimination and violence, especially against women. It highlights the importance of access to comprehensive, free, quality health care, the fight against all forms of malnutrition, especially chronic undernutrition among children, the strengthening of sexual and reproductive health services, the prevention of drug use and universal access to vaccines. It seeks to promote an inclusive and quality education system at all levels, to drive sporting excellence and to generate new opportunities for rural people, especially those belonging to indigenous peoples and nationalities.
- **Comprehensive security component:** includes 2 objectives and 8 policies. Under this component, the Government recognizes the importance of guaranteeing national sovereignty, territorial integrity and State security to ensure the right of the population to security and public order. It includes a policy on enhancing disaster risk management and emergency response through a planning-centred culture that enables a rapid response to different events. Another policy relates to the improvement and strengthening of the National System of Social Rehabilitation in terms of prevention, deterrence, control, emotional support and crisis response.
- **Ecological transition component:** includes 3 objectives and 9 policies. This component addresses issues such as the sustainable use of natural wealth and resources, the conservation of ecosystems, the reduction of deforestation, climate change mitigation and adaptation, environmental best practices and the provision and proper use of water resources, considered essential for development.
- **Institutional component:** includes 3 objectives and 8 policies. This component covers the administration of justice, regulations and oversight with a view to enhancing State efficiency and public integrity, and the fight against corruption through tools such as open government and political dialogue. Other policies seek to strengthen the international relations and strategic position of Ecuador, with an emphasis on respect for its national sovereignty over land and sea, and to guarantee the rights of persons in situations of human mobility.

30. In accordance with Executive Decree No. 371 of 19 April 2018, in which the Government declared a public policy to achieve the goals and targets of the 2030 Agenda for Sustainable Development by ensuring they are aligned with national planning and development, the National Secretariat of Planning, with technical support from the United Nations Development Programme, conducted an exercise linking the Sustainable Development Goals with the objectives, policies and targets of the National Development Plan 2021–2025. The alignment of national planning with the Goals is a fundamental step for the implementation of the 2030 Agenda and the fulfilment of the economic, social and cultural rights related to the Goals.

31. The National Development Plan addresses the major human rights challenges currently facing the country and sets objectives, policies and targets for economic recovery and social protection, focusing on the most vulnerable population groups as a priority. The first and second components of the Plan envisage the implementation of social and economic policies for the universalization of health services, quality education, employment protection and economic recovery.¹

32. In the same vein, the Organic Act on Humanitarian Support to Combat the COVID-19 Health Crisis was adopted on 22 June 2020. It is composed of four chapters, seven general provisions, four repealing provisions, one interpretative provision referring to article 169 (6) of the Labour Code on the termination of employment contracts due to unforeseeable circumstances or force majeure, and 23 transitional provisions. The Act introduces measures in favour of social welfare and the revival of production, including: the reduction of school fees, the temporary suspension of tenant evictions, a freeze in the cost of basic services, a discount on electricity rates, a ban on the termination of health insurance policies or the

¹ Universal access to COVID-19 vaccines has been provided through a campaign to vaccinate 9 million Ecuadorians in 100 days (Plan de Vacunación 9/100).

suspension of coverage owing to late payment, the extension of coverage of the Ecuadorian Social Security Institute, payment facilities for social security, commercial loans for economic recovery and the protection of private-sector employment, interest rates to stimulate economic recovery, the rescheduling of credit repayment obligations contracted with financial and non-financial entities, the rescheduling of insurance premium payments, the suspension of vehicle registration and inspection and price fixing for staple food products.

33. Notable measures to support the sustainability of employment include agreements between employers and employees to preserve jobs, minimum conditions for the validity of such agreements and penalties for breaching them, the introduction of renewable fixed-term contracts, the reduction of the working day due to unforeseeable circumstances or force majeure, holiday entitlement, unemployment benefits, the prioritization of locally recruited workers and professionals and locally procured goods and services, and measures in favour of the job stability of health workers.

34. Following the publication of the Organic Act on Humanitarian Support to Combat the COVID-19 Health Crisis, the Ministry of Labour issued Ministerial Decisions No. MDT-2020-171, No. MDT-2020-172 and No. MDT-2020-173, all dated 9 September 2020, which established exceptions to the application of chapter III of the Act in order to ensure the effective enjoyment of the rights and guarantees of public- and private-sector workers.

35. Ministerial Decision No. MDT-2020-174, also of 9 September 2020, amending Ministerial Decision No. MDT-2020-077 of 15 March 2020, expanded the guidelines for the reduction, modification or suspension of working hours during the public health emergency.

36. Ministerial Decision No. MDT-2020-181, issued on 14 September 2020, set forth guidelines for telecommuting under the Labour Code, in accordance with the first amending provision of the Organic Act on Humanitarian Support to Combat the COVID-19 Health Crisis, in order to ensure the proper functioning of this mode of work and contribute to sustainable employment and the revival of the economy without undermining the rights of employers and workers.

37. Ministerial Decision No. MDT-2020-185, issued on 17 September 2020, laid down the formula and technical procedure for calculating the annual variation in the unified basic wage, safeguarding worker's rights by making it legally impossible to reduce the basic wage. It established a legal procedure and criteria that reduce discretion in the process of setting the unified basic wage, favouring legal certainty and due equity between workers and employers.

38. In accordance with the Labour Code and with the aim of promoting job creation in different productive sectors, on 30 October 2020 the following regulations were issued: Ministerial Decision No. MDT-2020-220, which regulates the special contractual arrangements for the productive sectors; Ministerial Decision No. MDT-2020-221, which regulates the special contractual arrangements for the tourism and/or cultural and creative sectors; Ministerial Decision No. MDT-2020-222, which contains guidelines for regulating entrepreneurship contracts; and Ministerial Decision No. MDT-2020-223, which contains guidelines for regulating the special contractual regime for young people to access the labour market and incentives for their training.

39. Furthermore, to include policies for the prevention and eradication of discrimination, harassment at work and all forms of violence to which public servants may be subjected, on 25 November 2020, the Ministry of Labour issued Ministerial Decision No. MDT-2020-244, which established the protocol for preventing and responding to cases of discrimination, harassment and all forms of violence against women in the workplace.

40. Ministerial Decision No. MDT-2020-249 of 30 November 2020 set the unified basic wage, from 1 January 2021, for workers in general, including workers in small industry, agricultural workers, maquila workers, paid domestic workers, craftsmen and craftswomen and microenterprise employees. Ministerial Decision No. MDT-2020-282 of 22 December 2020 referred to the setting, by various sectoral commissions, of salaries, sectoral minimum wages and pay rates for different branches of the private sector. Ministerial Decision No. MDT-2020-286 of 24 December 2020 established the special working regime for academic staff of private higher education institutions.

41. Pursuant to Ministerial Decision No. MDT-2020-054 of 22 December 2020, the terms and deadlines for approvals, administrative inquiries, administrative appeals, collections, collective procedures and other administrative procedures and their statutes of limitations, before any department of the Ministry of Labour, were suspended from 23 December 2020 until 17 January 2021.

42. Ministerial Decision No. MDT-2017-0109 of 10 July 2017, containing the General Instruction on Internships, was amended by Ministerial Decision No. MDT-2021-042 of 5 February 2021 so that employers can consider students on work/study programmes as counting towards the requirement that they recruit a number of interns equal to 4 per cent of their staff.

43. On 8 March 2021, the Government launched the Purple Economy public policy to promote an inclusive economic recovery and women's empowerment. The policy has three fundamental aspects: access to credit, productive assets and markets; employment protection and strengthening of enterprises; and the generation of alternatives for economic recovery. The policy is implemented by actors including public bodies and public financial institutions, whose contribution focuses on developing credit products.

44. The Ecuadorian State has continued to formulate public policies to promote economic recovery and safeguard rights, including:

- A public policy on agriculture
- An industrial policy composed of a public policy on trade, tariffs, quality, export promotion and competitiveness and a public policy for promoting and attracting domestic and foreign investment²
- A national policy for sustainable urban mobility
- A national public policy on comprehensive reparation for survivors of violence against women and surviving family members of femicide victims
- A development plan for the higher education system
- A strategy to combat sexual violence in schools

Reply to paragraph 18 (a) of the concluding observations

45. As the main action taken to update regulations by conducting consultations with indigenous peoples on the development of a legal, administrative and public policy framework necessary for the enjoyment of the right to be consulted and to free, prior and informed consent, in accordance with international human rights standards, the Ministry of the Environment, Water and the Ecological Transition is implementing the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, known as the Escazú Agreement, which was ratified by Ecuador on 21 May 2020 and entered into force on 22 April 2021. Several challenges for implementation were identified in a diagnostic analysis of the Agreement's conformity with the current political, regulatory and institutional framework. These challenges are being addressed in coordination with Hemisferios University, representing civil society and academia, with the support of the German Agency for Technical Cooperation.

46. The Ministry of the Environment, Water and the Ecological Transition, in keeping with its commitment to the principle of citizen participation, has joined the Open Government Partnership and forms part of the multi-stakeholder forum established in that framework. As part of the process, it helped prepare the draft action plan which will define the commitments of Ecuador under the Partnership. Moreover, the Ministry has launched a platform that will allow the general public to access the National System of Environmental and Sustainability Indicators and other publications containing national environmental information generated by the Ministry. Similarly, the Unified Environmental Information System has been

² In accordance with Executive Decree No. 68, art. 2.

strengthened to expedite access and the processes of environmental regularization, control, monitoring and certification.

47. Ecuador is a signatory to International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), published in Official Gazette No. 206 of 7 June 1999, which recognizes the right of indigenous and tribal peoples to prior consultation and describes the principles and procedures to which they are entitled. Article 6 (a) of the Convention states that Governments shall “consult the peoples concerned, through appropriate procedures and in particular through their representative institutions, whenever consideration is being given to legislative or administrative measures which may affect them directly”. In conformity with the Convention, article 57 of the Constitution provides for free, prior and informed consultation, thus guaranteeing access to information for all communities. Articles 81 and 83 of the Organic Act on Citizen Participation also provide for free, prior and informed consultation.

48. The Constitutional Court, in its judgment No. 001-10-SIN-CC of 2010, recognized that the State’s duty to conduct free, prior and informed consultations as laid down under article 57 (7) of the Constitution cannot be properly understood without considering indigenous peoples’ special relationship with their territories. The Court identified several criteria that any free, prior and informed consultation process must meet and ordered the National Assembly to pass a law on the matter within one year, in accordance with pre-legislative consultation procedures also set forth in the judgment. Moreover, the Court, in its judgment No. 38-13-IS/19, ordered the National Assembly “to promulgate the relevant organic acts regulating the right to pre-legislative prior consultation, within one year”. The legislature has not yet adopted the legal instrument regulating prior consultation.

49. The following bills on this subject are currently before the National Assembly committee on constitutional guarantees, human rights and collective rights: a draft organic act on the collective rights of indigenous communes, communities, peoples and nationalities (2014); a draft organic act for the protection of the genocultural heritage of indigenous and ancestral communes, communities and nationalities, Afro-Ecuadorian people and the Montubio people and other groups (2017); and a draft organic act on the collective rights of Afro-Ecuadorian people (2019). There is also a draft organic act on the pre-legislative consultation of indigenous communes, communities, peoples and nationalities (2012). These bills have all been included in the committee’s 2021 workplan and will be consolidated in a draft organic code on the collective rights of indigenous communes, communities, peoples and nationalities.

50. Furthermore, the National Council for the Equality of Peoples and Nationalities prepared the Agenda for the Equal Rights of Indigenous Nationalities and Peoples, Afro-Ecuadorian People and Montubio People 2019–2021, drawing on inputs provided by civil society and other representatives linked to indigenous peoples and nationalities, Afro-Ecuadorian people and Montubio people during 24 provincial parliaments that were organized under an agreement with the National Electoral Council. The outcomes of the intercultural round tables set up by the Government of the then President Lenin Moreno in the context of the national social dialogue convened by Executive Decree No. 40 were also taken into account. Observations and suggestions were also gathered at the “Guardianes de la Minga” national workshop organized by the Ministry of Agriculture with the participation of 400 members of productive organizations, the National Council for the Equality of Peoples and Nationalities and the farmworkers’ social security scheme. On 12 September 2019, the Council, at an ordinary plenary meeting, formally adopted the Agenda for the Equal Rights of Indigenous Nationalities and Peoples, Afro-Ecuadorian People and Montubio People.

51. The fifth component of this Agenda, “Territory”, addresses the challenge of ensuring the permanent ownership of community lands and control over the management of territories – a key element in the process of building an intercultural and plurinational State. The Agenda states that recognizing and registering the communal property of indigenous communes, communities, peoples and nationalities is a key function of the State under article 57 (4) and (5) of the Constitution and that the biodiversity of their ancestral territories must be protected through appropriate legal measures (land titling), demarcation and environmental policies.

52. The rights of indigenous peoples and nationalities over their land and territories are correlated with the right to free, prior and informed consultation, which is compulsory for any plans or programmes that may have a direct impact on the lives of indigenous persons.

Reply to paragraph 40 (a) of the concluding observations

53. Article 71 of the Organic Code of Planning and Public Finance states that “The President of the Republic shall be responsible for the National Public Finance System of Ecuador, which shall be administered by the ministry in charge of public finances.” Thus, the Ministry of Economic Affairs and Finance, as the lead agency for public finances, provides information on a programme structure that includes programmes, projects, activities and items. Budget programmes are in line with institutional strategic objectives, which indicate the goods and services that each institution should deliver to the population to meet specific needs. It is therefore the implementing institutions and the various lead agencies in the social, productive and labour sectors that can provide detailed information on the resources earmarked for promoting gender equality and women’s empowerment. Details of the adjusted and executed budgets of the entities that make up the Comprehensive National System for the Prevention and Eradication of Violence against Women are provided for the period 2017–2021 (see table 2).

54. To promote the implementation of the Comprehensive Organic Act on the Prevention and Eradication of Violence against Women, the Secretariat for Human Rights, through the Office of the Undersecretary for the Prevention and Eradication of Violence against Women, Children and Adolescents, has taken several steps to ensure the availability of financial and human resources and the collection of data on violence against women, children and adolescents and underlying patterns.

55. The annual operating plan of the Office of the Undersecretary was prepared and approved with a 2021 budget of \$2,190,344.80, of which 99 per cent was earmarked for agreements with comprehensive care centres and shelters for women, girls and adolescents who are victims of violence – an amount which covers payments to professionals, technical teams and beneficiaries and training costs. The other 1 per cent was allocated to improving the play areas of the comprehensive protection services and producing educational and communication materials for the comprehensive protection services and the district coordination offices (see annex 1).

56. A budget of \$631,797.38 was set aside for strengthening the comprehensive protection services of Ecuador, which offer psychological, legal and social counselling. This allocation, under the item “Staff expenditure”, enabled the recruitment of 33 civil servants.

57. Service providers and users have received training on the regulations, technical instruments, tools, models, protocols and methodologies that have contributed to the country’s progress towards the institutional prevention and eradication of violence against children and adolescents. Training was provided on: (a) the technical standard for the comprehensive institutional care of women victims of trafficking in persons; (b) guidelines for comprehensive protection services on the care of women victims of trafficking in persons and migrant smuggling; (c) the updated care model for shelters; and (d) the communication and care protocol for cases of gender and intra-family violence during the COVID-19 health emergency.

58. The professionals of the Secretariat for Human Rights who work for the care of victims of gender-based violence, particularly women, children and adolescents, participated in technical capacity-building provided by the United Nations Children’s Fund, the United Nations Population Fund, the International Organization for Migration and the United Nations Entity for Gender Equality and the Empowerment of Women. This capacity-building was organized in the framework of strategic partnerships, with each entity contributing in its area of expertise.

59. The Secretariat for Human Rights has signed agreements with established civil society organizations, care centres and shelters with a view to strengthening their care models and expanding nationwide coverage of care services for victims of gender-based violence.

Managing data on violence against women and underlying patterns

60. Thanks to the establishment of the Special Statistical Commission on Security, Justice, Crime and Transparency and the formation of a Statistical Strengthening Group involving several public institutions, the authorities have been able to remedy the absence of national official statistics on femicide by establishing a single register of femicides, which is essential for the formulation of contextualized public policies.

61. A computer system known as “Alexandra” has been developed and launched to enable the reporting and consolidation of data on specialized care provided to victims of violence and rights violations. Training and awareness-raising on the system is currently being carried out by the CompuSoft consultancy firm and the International Organization for Migration.

62. A Tableau system for the periodic reporting of management and performance indicators, aligned with the main components of the National Plan for the Prevention and Eradication of Violence against Women, has been developed in partnership with the International Organization for Migration. The technical staff of the Secretariat for Human Rights are currently testing and receiving training on the system, which will allow them to compile information on management, performance and impact indicators and to develop monitoring and reporting mechanisms to strengthen the comprehensive rights protection system and the institutions that make up the Comprehensive National System for the Prevention and Eradication of Violence against Women.

63. The National Council for Gender Equality has organized various activities to give effect to the Comprehensive Organic Act on the Prevention and Eradication of Violence against Women. It allocates an amount to be sent to the Secretariat for Human Rights every six months, part of which is for human resources (see table 3).

64. In 2020 and 2021, the indicator used to calculate this amount was the number of persons who participated in events to promote and raise awareness of the human rights of women and lesbian, gay, bisexual, transgender and intersex persons.

65. Activities conducted between January 2020 and June 2021 included awareness-raising of the Comprehensive Organic Act and the toolbox for gender mainstreaming in local governance; dialogues with civil society, held in person in March 2020 and virtually in September 2020, which raised awareness of the National Agenda on Women and Gender Equality; and eight events with the participation of women and lesbian, gay, bisexual, transgender and intersex persons (approximately 350 people in total). The organizers of these events sought to ensure the representation of women at different stages of the life cycle, indigenous women, women with disabilities and women in situations of human mobility. The following materials were disseminated:

- A communication campaign on the political participation of women and political violence against them (<https://www.youtube.com/watch?v=Zosub4zxT94&t=2s>)
- A video on the ILO Violence and Harassment Convention, 2019 (No. 190)
- A video on the Comprehensive Organic Act, available since November 2019 on institutional websites, social media accounts and YouTube channels (<https://www.youtube.com/watch?v=nNjPCvI68fs>)

66. Training and capacity-building were organized for political and civil society organizations on the right of women and lesbian, gay, bisexual, transgender and intersex persons to political participation and on the prevention of gender-based political violence. In view of the pandemic and the state of emergency, virtual training sessions were run. The National Council for Gender Equality developed a module on gender and public policy which can be integrated with the platform of the National Electoral Council and used by political organizations. The Council provided the course content to the Institute for Democracy, which delivered the training via webinars.

67. The National Council for Gender Equality and the Secretariat for Human Rights signed agreements to promote women’s political participation in the 2021 election, to prevent political violence and to monitor the registration of candidates to detect persons disqualified from standing for office. To this end, they held several meetings and developed inputs including a basic document containing the rules on becoming a candidate if a person has

committed gender-based violence or defaulted on child-support payments, on gender parity and on political violence.

68. The “Women, Elections and Equality” campaign, which addressed political participation, the percentage of female candidates at the top of lists, political violence and disqualification from standing for office, was disseminated via institutional social media accounts and videos.

69. Regarding the collection of data, the following measures were taken:

70. A self-care and emotional support guide was introduced as part of the 2019 survey on family relations in Cayambe. The survey is a statistical tool for measuring gender-based (physical, psychological, sexual, property-related and/or gynaecological-obstetric) violence in the public (social, educational and labour) and private (family and partner) spheres, as well as the institutional response.

71. The Special Statistical Commission on Security, Justice, Crime and Transparency has developed indicators on femicide and the context in which it occurs. The Statistical Strengthening Group responsible for the femicide indicator provides weekly updates on the number of femicide victims and the status of prosecutions in order to broaden the analysis of data retrieved from administrative records and inform decision-making on the prevention and eradication of gender-based violence. These efforts are coordinated with the Asociación Latinoamericana para el Desarrollo Alternativo (Latin American Association for Alternative Development), which represents organizations that record gender-related violent killings or femicides committed by individuals who are not necessarily prosecuted for that offence, with the aim of validating both the official femicide register and the register maintained by civil society. In addition, the Gender Equality Observatory of the Economic Commission for Latin America and the Caribbean maintains statistics on femicide, allowing the comparison of Ecuador with the other countries of the region.

72. The Special Statistical Commission on Gender and Priority Groups has developed indicators to follow up on Sustainable Development Goal 5, allowing the measurement of gender-based violence for the generation of official statistics.

73. Sexual orientation and gender identity have been defined as variables in the Integrated System of Prosecutorial Actions.

74. The fourth edition of the publication *Mujeres y Hombres del Ecuador en Cifras* (Women and Men in Ecuador in Figures), part of the Strategic Information Series, was updated with the support of the Gender Equality Policies area of the Regional Programme for social cohesion in Latin America (EUROSociAL) and the coordinating office of the UNFPA project to implement an early warning and response system at the northern border of Ecuador. This technical input contains statistical data on the lived experience of women and the lesbian, gay, bisexual, transgender and intersex community and the wide gender gaps that cause poverty, an excessive burden of unpaid work, subordination and situations of violence – all problems exacerbated by the COVID-19 pandemic.

75. A web page with statistical information on gender has been created and seven modules – on population and households, education, health, economy, time use, violence and participation – are being progressively uploaded. Each module displays various indicators that can be accessed by public and private institutions, civil society organizations, researchers, students and the general public (<https://www.igualdadgenero.gob.ec/estadisticas-de-genero/>).

76. Research on gender-based violence has been produced and disseminated. The United Nations Development Programme supported the publications *Embarazo en mujeres adolescentes con discapacidad, su vinculación con la violencia basada en género y los desafíos en el cuidado humano* (Pregnancy in adolescent women with disabilities, its link to gender-based violence and challenges in human care) (2017) and *Cuerpos que sí importan. Estudio de casos sobre violencia basada en género en niñas, adolescentes y mujeres con discapacidad* (Bodies that matter. Case study on gender-based violence against girls, adolescents and women with disabilities) (2019). These texts make an important contribution to public policymaking on the care of girls, adolescents and women with disabilities, the prevention and eradication of violence against them and the punishment of the perpetrators of this violence.

- The research study *Del silencio a la visibilidad: activismos, politización y derechos humanos de las mujeres lesbianas en Ecuador* (From silence to visibility: activism, politicization and human rights of lesbian women in Ecuador) traces the evolution of lesbian activism, its agenda, the current situation – including contexts of violence – and the human rights of lesbian women in Ecuador. It recommends public policies for equality and non-discrimination on the grounds of sexual orientation, gender identity or gender expression. It has six chapters and includes empirical data.

77. Further details on the budgets and activities of institutions working to implement the Comprehensive Organic Act on the Prevention and Eradication of Violence against Women, and on the collection of data on violence against women and underlying patterns, can be found in the January–June 2021 management report on the implementation of the Act by the public institutions that make up the Comprehensive National System for the Prevention and Eradication of Violence against Women (see annex 2).
