



# Convention on the Elimination of All Forms of Discrimination against Women

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## Committee on the Elimination of Discrimination against Women Eightieth session

### Summary record of the 1830th meeting

Held at the Palais des Nations, Geneva, on Friday, 29 October 2021, at 3 p.m.

*Chair:* Ms. Acosta Vargas

## Contents

Consideration of reports submitted by States parties under article 18 of the Convention  
(*continued*)

*Tenth periodic report of Ecuador (continued)*

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*The meeting was called to order at 3 p.m.*

**Consideration of reports submitted by States parties under article 18 of the Convention** (*continued*)

*Tenth periodic report of Ecuador (continued)* ([CEDAW/C/ECU/10](#) and [CEDAW/C/ECU/QPR/10](#))

1. *At the invitation of the Chair, the delegation of Ecuador joined the meeting via video link.*

*Articles 10–14 (continued)*

2. **The Chair** invited the delegation to reply to the questions raised by Committee members at the previous meeting.

3. **Ms. Ordóñez** (Ecuador) said that the case involving charges of modern-day slavery against the Furukawa company had reached the appeal stage. In the interim, the authorities were making efforts to implement the reparation measures ordered by the lower court, including the restoration of workers' rights, financial compensation and guarantees of non-repetition.

4. The Government was working on the implementation of its Action Plan on Human Rights and Business and on the application of the Guiding Principles on Business and Human Rights endorsed by the Human Rights Council. The newly established Secretariat for the Development of Indigenous Peoples and Nationalities was overseeing a project intended to improve the situation of indigenous peoples.

5. **Ms. Reddock** said that she would welcome more details of the Action Plan on Human Rights and Business. She would also appreciate further information about any initiatives other than microcredit that were aimed at supporting women employed in the informal sector as part of the Government's strategy to rebuild the economy following the impact of the coronavirus disease (COVID-19) pandemic.

6. **Ms. Ordóñez** (Ecuador) said that the Action Plan on Human Rights and Business was being spearheaded by the Ministry of Foreign Affairs, with support from other State entities, including the Secretariat for Human Rights and the Ministry of Labour. The Action Plan was designed to extend beyond the usual scope of corporate social responsibility with the aim of ensuring that human rights were upheld in the private sector, particularly in textile production, agriculture and flower cultivation.

7. Under the Action Plan, companies of all sizes were obliged to have policies to prevent harassment, including sexual harassment, in the workplace and to ensure that women were able to obtain decision-making positions. Government-led initiatives were also in place to encourage the employment of women in traditionally male sectors such as computing, science and construction. An inter-agency committee had been set up to ensure that the Action Plan was aligned with the 2021–2026 Development Plan and to design the corresponding public policy.

8. Data gathered in March 2019 by the National Statistics and Census Institute had revealed that the economic value of unpaid care work was equivalent to 20 per cent of the country's gross domestic product. Great strides had been made in expanding social security coverage for domestic workers; 333,000 such workers had joined the social security programme in 2021.

9. In rebuilding the economy, the first priority was to tackle the health and economic aspects of the crisis caused by the COVID-19 pandemic. The second priority was to break down the barriers preventing women from obtaining formal employment. To that end, the Government was designing a framework, known as the "Purple Economy", consisting of three main pillars: tax incentives for companies with women in managerial posts; mechanisms for the sharing of parental leave; and measures to overcome the legal, social and cultural barriers to the employment of women. A study conducted in June 2019 had found that, among persons under the age of 30 years, women were twice as likely as men to be

unemployed. The Government was seeking to increase the availability of childcare and breastfeeding facilities and encourage men to share responsibility for care work.

10. A group led by the Office of the Vice-President had been established to promote the Purple Economy framework. The aim of the group, whose members included representatives of the private sector, chambers of commerce, the Ministry of Finance and the Ministry of Labour, was to collect and promote good practices in the employment of women in the formal sector. The Inter-American Development Bank had provided US\$ 400,000 for a baseline study of the situation of women with regard to employment and caring responsibilities in 2019 and 2020. One of the main aims of the policies being implemented by the Ministry of Economic and Social Inclusion was to build a national coordination mechanism to support women in combining work or study with childcare responsibilities and to increase men's participation in care work. Approximately 51 per cent of cash transfers provided by the Ministry went to women belonging to the most vulnerable groups.

11. **Ms. Peláez Narváez** said that the Committee was concerned at reports that many women, especially women of African descent or rural women, who migrated to cities to work for families from white or mestizo backgrounds received only food and board and were not paid a salary. She would welcome details of how the Government was tackling that problem. She wished to hear about how the Government planned to uphold the rights of Montubio, indigenous and Afrodescendent women who worked on monoculture plantations without employment contracts and were sometimes required to undergo pregnancy tests. She would also appreciate information about the steps the Government was taking to put an end to child labour, with particular regard to companies engaged in the extraction of natural resources in rural areas.

12. **Ms. Ordóñez** (Ecuador) said that the Ministry of Labour and the Ministry of Economic and Social Inclusion worked with the Ombudsman's Office to monitor working conditions and compliance with legislation on the minimum wage and contractual conditions. While the operations of the inspectorates overseen by the Ministry of Labour had been adversely affected by the COVID-19 pandemic, a number of complaints were currently under investigation.

13. In the area of child labour, the Ministry of Economic and Social Inclusion had entered into agreements with civil society organizations to run programmes aimed at protecting street children. The authorities provided cash transfers to the poorest families to help them combat malnutrition and ensure that children did not have to work. If a case of child labour was reported, a team of professionals, including a social worker and a psychologist, conducted a rapid assessment of the child's family situation; depending on the circumstances, the child might then be housed in a temporary shelter or with his or her extended family. The child then received follow-up services, as required, including social support and physical and mental health care.

14. **Ms. Chalal** said that she wished to know what urgent supplementary measures might be taken to reduce the number of early pregnancies in the State party and to raise boys and girls' awareness of issues surrounding sexual and reproductive health. In that connection, she asked whether the Government would make sexual and reproductive health a compulsory part of the secondary school curriculum and whether teaching staff in secondary schools received in-service training on sexual and reproductive rights.

15. She wondered whether the Government would consider amending the Criminal Code to permit access to abortion services for all pregnant women or, failing that, whether it would expand the grounds on which abortion was permitted to include cases involving incest, rape and serious malformation of the fetus. The Committee would be grateful to know why poor indigenous women and women of African descent faced a particularly high risk of death following an unsafe abortion and whether legislative measures would be taken to strengthen the right to medical confidentiality.

16. The State party might indicate whether it would allocate additional funding to make contraception more widely available and whether it would take steps to combat the stigmatization of persons who used contraception. She wished to know whether the Government would consider amending the Organic Act on Health to prohibit the forced sterilization of women with disabilities and ensure that a human-rights based approach was

taken to the treatment of all persons with disabilities. It would be interesting to know what progress had been made towards the adoption of the bill on intercultural practice for assisted births and whether any “de-homosexualization” clinics were still in operation.

17. **Ms. Ordóñez** (Ecuador) said that the Government had established an intersectoral committee on the prevention of teenage pregnancy and the elimination of child pregnancy. In order to combat teenage pregnancy, the Government had established youth clubs where young persons could meet with their peers to discuss issues surrounding sexuality, including intimate relationships, contraception, sexually transmitted diseases and consent. The Government had established nine regional committees responsible for implementing public policies on sexuality and strategies for eradicating sexual violence. Steps were being taken to develop a public policy on the elimination of sexual abuse in schools.

18. Student councils held workshops on sexual and reproductive health. The Government had worked with international organizations to develop strategic plans for the purchase and importation of contraceptive devices to overcome shortfalls in their availability at health-care centres. Primary care rooms had been established in more than 2,000 health-care units to treat victims of gender-based violence and sexual violence. When an adolescent girl was found to be pregnant, the entire social services network was activated to ensure that she received the necessary support.

19. A specific department had been set up within the Ministry of Public Health to address intercultural and plurinational approaches to sexual and reproductive health. In that connection, around 1,800 midwives specializing in intercultural approaches to childbirth had applied to the Ministry for authorization to practise. In Gaumote, hospital rooms had been adapted to enable indigenous women to give birth in a manner consistent with their ancestral customs.

20. The Government had significantly increased the funding allocated to preventing sexual abuse and teenage pregnancy and promoting sexual and reproductive health and the comprehensive development of young persons. The Constitutional Court had ruled that legislative measures should be taken to permit access to abortion services in all cases involving rape. Article 150 of the Comprehensive Organic Criminal Code established that abortion was permitted in cases where the pregnancy posed a risk to a woman’s life or health, which included cases where the fetus presented a genetic malformation incompatible with life.

21. The Ministry of Public Health had issued two technical standards relating to gender-based violence and abortion: a practical clinical guide to conducting therapeutic abortions, which dated from 2015; and a technical standard on caring for victims of gender-based violence and serious human rights violations. The two standards were applied in over 2,000 health-care establishments around the country. Over 200 health-care establishments used specialized protocols to identify victims of sexual abuse and to support pregnant girls. In cases where an adolescent had been made pregnant by an act of sexual violence, health-care establishments implemented a code of practice known as the Purple Code, which provided for access to counselling, emergency contraception and retroviral drugs. So-called de-homosexualization clinics were prohibited by law, as their practices were considered to constitute cruel, inhuman or degrading treatment. In recent months, two such clinics had been shut down. The Government’s strategy on sexual and reproductive education focused on men as well as women in order to combat negative cultural stereotypes about women’s role in society.

22. **Ms. Bonifaz Alfonzo**, noting that the National Assembly was currently discussing a bill that would permit abortion in cases involving rape, said that she wished to know whether the Government would consider permitting abortion on any other additional grounds.

23. **Ms. Ordóñez** (Ecuador) said that the National Assembly was indeed discussing the bill on abortion and would be amending the law in that regard if it decided to do so. The Secretariat for Human Rights was currently focusing its efforts on developing strategies for preventing unwanted pregnancies.

24. **Ms. Bethel**, noting that women’s quality of life had been adversely affected by the additional unpaid care work that they had taken on during the COVID-19 pandemic, said that

she would be grateful for more information on the Government's steps to bring about a national care work system and the proposed timetable for its implementation. She wondered whether the State party would take measures to reduce the burden of unpaid housework and care work on women, including by enhancing their access to affordable public services and breaking down the stereotypes and cultural norms that contributed to the problem. The Government might consider generating statistics and data on unpaid care work so that a monetary value could be attached to it and women could be compensated for it.

25. She asked what was being done to increase women's access to bank accounts and credit and to protect the ancestral intellectual property of indigenous women, especially in the area of craft production. The State party might describe any measures that it took to help women sell their craft products at a fair price. Given that women were much less likely than men to have access to a contributory pension, she wished to know what State benefits were available for persons working in the informal economy who did not make contributions to a pension fund and whether the social security system would be extended to include women working in the informal economy and older women. Lastly, she wondered what steps were being taken to establish a social protection floor in line with the International Labour Organization (ILO) Social Protection Floors Recommendation, 2012 (No. 202).

26. **Ms. Ordóñez** (Ecuador) said that the authorities had developed road maps for social protection in the context of the COVID-19 epidemic. The Ministry of Economic and Social Inclusion implemented programmes and provided assistance such as cash transfers for poor and vulnerable women and men. Women accounted for 51 per cent of the beneficiaries. The Ministry had allocated about US\$ 96 million for investment purposes and US\$ 1,574 million for expenditure in 2022.

27. The State was implementing the "Violet Economy" project to facilitate women's access to the formal labour market and to bridge the labour gap between men and women. Approximately 574,000 rural women had access to social security benefits. Women's access to credit presented a major challenge, since only about 30 per cent of women currently had access to banks and lacked a credit history. The Banco del Pacífico and BanEcuador provided loans for women, and the Bank of the Ecuadorian Social Security Institute ran campaigns to boost lending to women. The grass-roots economy and solidarity system also played an important role in providing women with loans. Young single women were unfortunately considered to be high-risk borrowers.

28. The Ministry of Agriculture and Livestock was implementing projects to promote the economic empowerment of rural women in 159 parishes, and nine sub-projects were being implemented on behalf of 1,056 families, 528 of which were headed by women.

29. The grass-roots economy and solidarity system was involved in a major project designed to support indigenous peoples and nationalities, Afrodescendent and Montubio communities, a budget of US\$ 40 million had been allocated for the project. Economic resources would be provided for activities that the 300 targeted communities deemed to be relevant. A gender perspective had also been included in the project.

30. The post-COVID strategy for rural areas was also very important. Women working in rural areas would greatly benefit from the US\$ 30 million that would shortly be provided for agricultural development.

31. **Ms. Bethel** said that she wished to know whether the State party was prepared to monetize women's unpaid care work, especially in light of the austerity measures and the COVID-19 crisis, since they had accounted for about 20 per cent of the country's gross domestic product.

32. **Ms. Ordóñez** (Ecuador) said that a number of ministries were involved in the national care work system. They had begun working on the project in 2020 but progress had been impeded by the pandemic. However, they hoped to implement the system in the near future, focusing on the inter-institutional nature of the system and the local, cantonal and provincial dimensions. An urgent economic bill would shortly be submitted to the National Assembly for discussion, the aim being to develop strategies to address the problem of unpaid care work.

33. The bill on the “Violet Economy”, which had reached the second reading stage in the National Assembly, also addressed paternal leave, joint parental responsibility and procedures for encouraging the recruitment of women. The authorities were collaborating with groups involved in promoting the “Violet Economy” to raise awareness in private-sector companies of the importance of care work. A pilot project was being conducted on the impact of care work on women’s physical and mental health. Procedures were also being developed to ensure a safe environment for women providing care for their children and other persons.

34. **Ms. Peláez Narváez** said that the Committee had been informed that restrictions on rural women’s right to property and on their use of land were conducive to poverty and impeded their access to food, decent housing, clean water and natural resources. The State party should take firm action to address such violations of their rights.

35. Rural women were frequently denied contracts, even when they were working on behalf of international companies that were exploiting natural resources. Moreover, when they were recruited as temporary staff, their labour rights were not respected. They also had extremely limited access to education and health care. For example, 20 per cent of women heads of household in rural areas had no educational background, and many of them were denied access to social security benefits. Rural women bore a huge work burden, especially because men frequently migrated from rural areas.

36. Violence against rural women was tolerated and indicators showed a high incidence of incest. Montubio women in coastal areas were unprotected and felt abandoned, even by non-governmental organizations.

37. She wished to know whether the State party’s rural development policy provided for the bolstering of micro-enterprises run by women and whether there were plans to facilitate women’s access to credit. She would also be interested in hearing more about any reforms to ensure that women, including Montubio and indigenous women, enjoyed the same social welfare benefits as male heads of household.

38. Many multinational and national companies involved in forestry, agricultural or mining industries were undermining the resources and territorial integrity of rural communities, creating environmental and health-related problems, in violation of the ILO Indigenous and Tribal Peoples Convention, 1989 (No.169). She wished to know what steps the State party was taking to address the precarious situation of indigenous women in terms of health, education, protection from violence and access to justice. She would also like to know what steps had been taken to protect defenders of indigenous rights to land, water and natural resources in face of the constant threats to their communities. How did the State party plan to combat gender discrimination in the realm of justice?

39. Women of African descent were victims of environmental contamination due to mining and other industries. Many of them moved to urban areas to seek employment and secure their right to food and housing. Women working in the palm oil sector were frequently denied all employment and security rights, and many were required to provide sexual services to stay alive. She wished to know what action was being taken to address such extremely serious human rights violations and to provide compensation to the victims. She also asked whether the State party monitored the impact of mining companies on community health and whether it would introduce procedures to guarantee that consultations were conducted on the basis of free, prior and informed consent of women in general and women of African descent in particular.

40. She regretted the lack of specific data and measures on behalf of women with disabilities, and the existence of forced sterilization and coerced abortion. The Civil Code restricted their right to marry and assume parental authority for their children. They were also exposed to violence, harassment, abuse and incest, not only in the family but also in mental health institutions. What action was being taken by the State party to address such violations?

41. Lesbian, gay, bisexual, transgender and intersex persons were reportedly subjected to discrimination in all areas. In particular, the practice of de-homosexualization in certain clinics was a form of torture. Only one clinic had been found guilty of the crime and the penalty was a fine of US\$ 6 and 10 days’ imprisonment for those responsible. She asked whether the State party was taking steps to end such barbarous conduct.

42. **Ms. Ordóñez** (Ecuador) said that 900 rural schools that had been closed down on account of the pandemic and for economic reasons were currently being reopened. The Ministry of Education promoted intercultural bilingual education and was recruiting community-based teachers with multicultural qualifications. A round table had been organized on the right to sexual and reproductive health of Waorani and Amazonian women. The Ministry of Health was setting up a health-care centre in the remote Amazonian district of Yasuni.

43. The Ministry of Urban Development and Housing had granted 400 land titles in a vulnerable sector in the province of Guayas with a large population of women of African descent. At the northern border, efforts were being made to tackle problems involving poverty, drug trafficking and related offences, such as human trafficking and sexual exploitation, and there were plans to establish Violet Centres and coordinate comprehensive protection services.

44. An environmental committee comprised of representatives of the National Gender Equality Council and the Ministry of the Environment was working on road maps, protocols, processes and public policy to guarantee the rights of rural women and women human rights defenders. As to specific activities undertaken to guarantee the collective rights of indigenous peoples and nationalities, the citizen monitoring mechanism, which comprised experts, civil society representatives and members of the public, oversaw hydrocarbon activities being carried out in the Ecuadorian Amazon. There was also regular monitoring of indigenous peoples in voluntary isolation carried out by 15 members of the Waorani community who monitored the untouchable area of the Amazon and reported to the Government. The Office of the Ombudsman, civil society organizations and a number of State institutions, including the Secretariat for Human Rights, were developing a policy for women human rights defenders and environmental rights activists. The Attorney General's Office investigated all complaints of intimidation and attacks against human rights defenders.

45. According to the National Disability Register, there were approximately 400,000 persons with disabilities living in Ecuador, about half of them women. They had access to a range of benefits, services – especially medical services and treatment – and exemptions. The forced sterilization of women with disabilities was prohibited under the Criminal Code. However, the relevant legal provisions needed to be updated, as forced sterilization was classified as a crime against humanity. The Office of the Ombudsman was currently working on two cases involving the sterilization of women with disabilities in the province of Azuay. Any such incidents were investigated by the Attorney General's Office, and reparations were provided to victims. The provisions of the Civil Code on the legal capacity of persons with disabilities continued to be debated in the National Assembly. As the oldest law on the statute book, the Civil Code, was certainly in need of reform.

46. With regard to digital connectivity, the Ministry of Telecommunications had installed 1,000 Internet points in rural and remote communities. The Ministry also ran information centres in very remote areas of the country that provided various online training courses, including classes on entrepreneurship for women. The centres' computers also had shortcuts to the online complaints portal of the Attorney General's Office and the main online public services, such as the social security platform.

47. When it came to the empowerment of rural women, efforts were being made to expand revenue-generating activities beyond agricultural production. The Ministry of Culture was also engaged in projects related to the ancestral knowledge and practices of indigenous and Amazonian women in the fields of handicrafts and food, for example, with a view to developing revenue-generating activities.

#### *Articles 15 and 16*

48. **Ms. Reddock** said that, in view of reports that child marriage, including de facto unions, continued to be a major challenge and that approximately 20 per cent of women under the age of 18 were in such relationships, she wished to know what mechanisms were in place to monitor implementation of article 3 of the 2015 Civil Code Reform Act, according to which persons who had not reached the age of 18 could not marry. She would be interested to know whether the State party would consider investigating the reported link between high

rates of sexual violence and early marriage and pregnancy. She would also like to know whether the issue of child marriage could be explicitly included in the equality agendas and in all public policy goals and territorial priorities.

49. The underlying causes of child marriage should be addressed, as the data were already available. While it was important to have a legal ban in place, she would be interested to know whether any work was being done with social workers and community officers to prevent child marriage and de facto unions.

50. The Committee was concerned that in the majority of cases it was the male partner who assumed the function of administrator of the marital partnership and that any assets accrued during the marriage, from either of the spouses, belonged to the partnership. It was also concerned that, upon the dissolution of a marriage, an ex-spouse with limited or no income should be allowed to have access to a small proportion of the other spouse's pension. In the light of the high rates of divorce in the country, she would like to know whether the State party planned to develop disaggregated data on the percentage of women who were administrators of the marital partnership, and whether that information could serve as the basis for introducing amendments to the Civil Code to make it more equitable to both parties in a conjugal relationship that had ended. Article 16 of the Convention provided that both spouses should have the same rights in respect of the ownership, acquisition, management, administration, enjoyment and disposition of property. According to a 2013 survey of agricultural production, 87 per cent of agricultural land was owned by men. She wished to know whether there had been any change in the situation since 2013 and what legal, educational and other mechanisms were in place to ensure more equitable access to land for women in both private and communal land systems.

51. **Ms. Ordóñez** (Ecuador) said that, in July 2021, the National Assembly had approved the ratification of the Inter-American Convention Against All Forms of Discrimination and Intolerance, which expressly prohibited discrimination on the grounds of gender identity and sexual orientation. Following the Constitutional Court's rulings on same-sex marriage and gender identity, the National Assembly now had to adopt legislation related to guarantee non-discrimination. The Office of the Under Secretary for Diversity, the lead agency for the rights of lesbian, gay, bisexual, transgender, queer and intersex persons, was working on an action plan for diversity for the period 2021–2025. The various national equality councils were aligning their national agendas with that action plan.

52. Progress had been made with respect to women's access to marital property. The law provided that both spouses should have equal property rights in both traditional marriages and de facto unions. The Ecuadorian Social Security Institute guaranteed that, if one of the spouses died, the surviving spouse would receive a pension. Efforts were being made to improve the quality of data in that area. Seventeen per cent of households were headed by women.

53. Child marriage and de facto unions, as well as sexual relations between adults and children, were strictly prohibited by law. Data on the number of investigations and prosecutions and their outcomes would be provided in writing.

54. Her delegation was grateful to the Committee for its questions, which had highlighted the areas in which there was still room for improvement. The Government would continue to focus on inter-institutional coordination and would strengthen the mechanism for monitoring implementation of the Convention.

55. **The Chair** said that the dialogue had given the Committee further insight into the situation of women and girls in the State party.

*The meeting rose at 4.50 p.m.*