



**Convention on the Rights
of Persons with Disabilities**

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Committee on the Rights of Persons with Disabilities

**Combined second and third periodic reports
submitted by Ecuador under article 35 of the
Convention, due in 2018***

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A. Purpose and general obligations (arts. 1–4)

Reply to the questions raised in paragraph 1

1. Article 340 of the Constitution of the Republic of Ecuador defines the national system of inclusion and social equity as the coordinated set of systems, institutions, policies, standards, programmes and services designed to ensure that the rights recognized in the Constitution are exercised, protected and enforced and that the country's development goals are realized. This should be achieved through domestic legislation and adherence to international standards.

2. The National Assembly of Ecuador has a law-making system¹ under which it publishes the texts of all bills and details of their status, thus ensuring that citizens have access to this information. This, in turn, ensures that human rights monitoring bodies have the opportunity to review bills on an ongoing basis prior to their adoption in order to verify their content and make the observations necessary to ensure that the bills include a disability perspective, reflect the principle of non-discrimination and are consistent with the Convention.

3. The National Assembly has promulgated the following laws which meet these criteria:

- The Organic Act on Communication (2013) and its implementing regulations
- The Organic Act on Disabilities (2014) and its implementing regulations
- The Organic Act on National Equality Councils (2014) and its implementing regulations
- The Comprehensive Organic Criminal Code (2014) and its implementing regulations
- The Organic Act on water resources, use and management (2014) and its implementing regulations
- The Organic Land Transport, Transit and Highway Safety Act (2014) and its implementing regulations
- The Organic Code of General Procedure (2015)
- The Sport, Physical Education and Recreation Act (2015) and its implementing regulations
- The Organic Act on Intercultural Education (2015) and its implementing regulations
- The Organic Act on Telecommunications (2015) and its implementing regulations
- The Organic Code on the Social Economy of Knowledge (2016) and its implementing regulations
- The Organic Code on Territorial Organization, Self-Government and Decentralization (2016) and its implementing regulations
- The Organic Code on Public Safety and Public Order Institutions (2017) and its implementing regulations
- The Organic Act on Human Mobility (2017) and its implementing regulations
- The Organic Act on Higher Education (2018) and its implementing regulations
- The Comprehensive Organic Act on the Prevention and Eradication of Violence against Women (2018) and its implementing regulations
- The Organic Act on Comprehensive Planning for the Amazon Special Territorial District (2018) and its implementing regulations

¹ Information available at <https://leyes.asambleanacional.gob.ec/>.

- The Organic Act on Promoting Production, Attracting Investment, Job Creation, Stability and Fiscal Balance (2018).
4. The Organic Act on the System for the Promotion and Protection of Rights is currently before the Legislative Council of the National Assembly pending its tabling for examination and preliminary debate.
 5. Ministerial Agreement No. MIDUVI 002-2018-05-16, contains guidelines for ensuring full compliance with Ecuadorian technical standards relating to accessibility and universal design in all social housing projects.
 6. In order to implement the above-mentioned pieces of legislation, the following resolutions have been issued:
 - Resolution No. 001-CONADIS-2018 of 20 February 2018 setting out the regulations governing the functioning of the collegiate body of the members of the National Council for Persons with Disabilities (CONADIS).
 - Resolution No. 0002-CONADIS-2018 of 20 February 2018 and Customs Service Resolution No. SENAE-2018-0082-RE of 26 April 2018 establishing public policy for streamlining procedure for the tax-exempt import of equipment for persons with disabilities and legal entities caring for persons with disabilities.
 - Resolution No. 0004-CONADIS-2018 of 27 February 2018 establishing public policy on civil registry services provided to persons with disabilities.
 - National Transport Agency Resolution No. ANT-NACDSGRDI18-0000040 of 11 June 2018 establishing regulations laying down the procedure for identifying vehicles for use by and the transport of persons with disabilities.
 - Resolution No. 0005-CONADIS-2018 of 2 May 2018 extending the validity of the disability cards issued by CONADIS and the Ministry of Health until 31 December 2019.
 7. Ecuador, together with Paraguay and Brazil, was a proponent of the Marrakesh Treaty to Facilitate Access to Published Works for Persons Who Are Blind, Visually Impaired, or Otherwise Print Disabled. In acceding to and ratifying this international instrument, Ecuador has fleshed out the regulatory framework for the rights of persons who are visually impaired, thereby facilitating their access to published works in accessible formats.

Reply to the questions raised in paragraph 2

8. The Technical Secretariat for Disability was dissolved by Executive Decree No. 1047 of 25 May 2016 with a view to decentralizing public policy on disability and implementing future policy by means of a cross-cutting approach that encompasses the entire public sector and directly involves various authorities including the Ministry of Health, the Ministry of Economic and Social Inclusion, the Ministry of Labour, the Ministry of Urban Development and Housing, the Ministry of Industry and Productivity and the Ministry of Telecommunications, under the oversight of CONADIS, which is responsible for implementing the National Agenda for the Equality of Persons with Disabilities.
9. In accordance with article 156 of the Constitution, CONADIS is empowered to formulate, mainstream, monitor, follow up and evaluate public policy on disability.
10. As the body that coordinates the implementation of the National Agenda for the Equality of Persons with Disabilities, CONADIS also coordinates the activities of the different decentralized policy-making and executive bodies and the planning and cross-cutting implementation of public policies on disability, in accordance with the National Development Plan 2017–2021, which is entitled “Lifelong Rights”.

Reply to the questions raised in paragraph 3

11. In accordance with article 156 of the Constitution, the Organic Act on National Equality Councils, published in Official Gazette No. 283 of 7 July 2014, establishes the

composition and duties of the five National Equality Councils. Article 7 provides that the councils should be made up of an equal number of representatives of civil society and State, selected on the basis of criteria that promote civil society participation and representation.

12. Each national equality council is composed of 10 members and their corresponding alternates. The composition of the collegiate body of CONADIS is as follows:

Civil society: one member for each type of disability, with one alternate:

- One member with a physical disability
- One member with an intellectual disability
- One member with a visual impairment
- One member with a hearing impairment
- One member with a psychosocial disability.

State: one member designated by each of the five branches of the State, with one alternate

- One member from the executive branch (a government minister)
- One member from the legislature
- One member from the judiciary
- One member from the electoral branch
- One member from the transparency and social control branch

13. Civil society representatives are elected through a public, merit-based competition convened by the Council for Citizen Participation and Social Control. Applicants must have the backing of one or more social organizations.

14. The five National Equality Councils are composed of an equal number of representatives of civil society and the five branches of government, each with their respective alternate. The four other councils (in addition to the National Council on Disability) are:

<i>Council</i>	<i>Civil society representatives</i>
National Council on Gender Equality	5 (3 women, 1 man and 1 member of the lesbian, gay, bisexual, transgender and intersex community)
National Council on the Equality of Peoples and Nationalities	5 (1 Montubio, 1 Afro-Ecuadorian and 3 indigenous persons)
National Council on Intergenerational Equality	5 (1 teenage boy, 1 teenage girl, 1 young man, 1 young woman and 1 older woman)
National Council on Equality in Human Mobility	5 (1 national of the United States/Canada, 1 national of Europe/Asia/Oceania, 1 immigrant, 1 national of the Americas/the Caribbean/Africa and 1 returned migrant)

15. CONADIS has a direct working relationship with the national federations of and for persons with disabilities and coordinates its activities with theirs on an ongoing basis. At the local level, each regional office works closely with the different associations and organizations of persons with disabilities and coordinates its activities with theirs.

16. In order to increase the participation of civil society organizations, CONADIS provides the five national federations of and for persons with disabilities with premises for their offices in Quito. The plenary of CONADIS has noted that there is currently no federation of persons with psychosocial disabilities and that there is therefore a need to

encourage persons with disabilities of this kind to organize themselves to form the corresponding representative associations.

17. Persons with disabilities throughout the country were encouraged to contribute to the development of the National Agenda for the Equality of Persons with Disabilities 2017–2021, which, within the framework of the National Disability Plan, provides the blueprint for the different public policies on disability, which are aligned with the Sustainable Development Goals and the National Development Plan 2017–2021. The Agenda brings together 12 public policies on disability along with 79 strategies and 109 indicators and targets to be met over a four-year period, all with a view to addressing the needs of persons with disabilities and improving their quality of life.

18. A total of 12,568 persons with disabilities and members of their families took part in civic dialogues at the provincial level, during which they contributed to the development of the National Agenda for the Equality of Persons with Disabilities. The participants were of different ages, genders and ethnic groups, reflecting the demographic reality in each province.

19. In 2014, the Committee on the Rights of Persons with Disabilities acknowledged the active contributions of civil society organizations of persons with disabilities and social organizations to the work of the National Observatory on Disability, the official social control mechanism. The Observatory is composed of representatives of the five national federations of and for persons with disabilities, namely, the National Federation of Persons with Physical Disabilities, the National Federation of Blind Persons, the National Federation of Deaf Persons, the National Federation of Persons with Intellectual Disabilities, Autism, Cerebral Palsy or Down Syndrome and the National Federation of Non-Governmental Organizations for Persons with Disabilities. In 2015, the Observatory launched public policy monitoring processes in relation to the disability classification system and public transport and issued reports on the results of the exercise.

20. Efforts are needed to strengthen the National Observatory on Disability and to create additional procedures for monitoring compliance with the related public policies.

21. In response to the recommendations contained in the above-mentioned reports, Ecuador has started to develop a new disability classification system. The system will be unveiled in December 2018 and enter into force in 2019.

Reply to the questions raised in paragraph 4

22. CONADIS has published a national compendium of legal standards on disability that is a compilation of the different national and international standards in the field of disability, including the Constitution, the Convention on the Rights of Persons with Disabilities and the Organic Act on Disabilities and its implementing regulations. The purpose of this publication is to raise awareness of the legal framework among persons with disabilities, members of their families and citizens in general. The compendium was launched nationwide through 303 workshops covering all of the country's 24 provinces and was published in the following formats:

- Digital accessible format on the official web page of CONADIS²
- Print format in Spanish and Kichwa

23. The following communication materials designed to raise awareness of the rights of persons with disabilities and the affirmative action measures provided for in the Organic Act on Disabilities, in accordance with the Constitution and the Convention on the Rights of Persons with Disabilities, have also been published:

- Audiovisual materials, with sign language interpretation, explaining the affirmative action measures in question and the procedures for accessing them. This format provides persons with visual and hearing impairments with a means of accessing information. Reproduction of the material in this format was prioritized over its

² www.consejodiscapacidades.gob.ec.

reproduction in Braille because this format facilitates access for a greater number of visually impaired people.

- Audiovisual materials, also supported by sign language interpretation, depicting the life stories of persons with disabilities from the different regions of the country and highlighting their potential, produced thanks to the combined efforts of their families, the State and community organizations.

24. These materials are available on the web page of CONADIS.³ The weekly reports of the Office of the President of the Republic are regularly disseminated in an accessible, audio format with subtitles and sign language interpretation.

25. To facilitate access to web-based material for persons with disabilities, the Government of Ecuador, through the Ministry of Telecommunications, has launched the Community InfoCentres project. Community InfoCentres are forums for participation and development that provide citizens living in rural and marginalized urban parishes in Ecuador with greater access to information and communication technologies.

26. Ecuador signed the Marrakesh Treaty on 8 May 2014 during the annual General Assembly of the World Intellectual Property Organization. By Executive Decree No. 258 of 27 December 2017, it delegated responsibility for implementing the Treaty and coordinating related activities to the National Intellectual Rights Service, the national authority responsible for intellectual copyright issues. To this end, working groups composed of representatives of CONADIS and the Ministry of Education, on behalf of the State, and representatives of the National Federation of Blind Persons, on behalf of civil society, are currently working to plan actions that will make it easier for students with a visual impairment to access materials used within the national education system.

B. Specific rights (arts. 5–30)

Equality and non-discrimination (art. 5)

Reply to the questions raised in paragraph 5

27. The national and international regulatory framework currently in force guarantees the principle of equality without discrimination for all citizens of Ecuador. In line with obligations assumed upon signing and ratifying the Convention on the Rights of Persons with Disabilities and other international human rights instruments, the Constitution guarantees compliance with this principle through article 11 (2), which provides that: “All persons are equal and shall enjoy the same rights, duties and opportunities. No person shall be discriminated against on grounds of his or her ethnicity, birthplace, age, sex, gender identity, cultural identity, civil status, language, religion, ideology, political affiliation, criminal background, socioeconomic status, migration status, sexual orientation, state of health, HIV status, disability or physical difference, or on grounds of any other distinction, whether personal or collective, temporary or permanent, whose aim or effect is to diminish or nullify the recognition, enjoyment or exercise of rights. All and any discrimination shall be punishable by law. The State shall take affirmative action measures to promote substantive equality for those who, notwithstanding their rights, find themselves in a situation of inequality.”

28. Developing the above provisions, the basic principles established in article 4 of the Organic Act on Disabilities include the following:

- “Non-discrimination: No person with a disability or any member of his or her family may be discriminated against and his or her rights may not be nullified or diminished because of his or her disability.
- Affirmative action shall be understood to include any measure that is necessary, proportionate and enforceable when a person with a disability finds him or herself in

³ www.consejodiscapacidades.gob.ec.

a situation of inequality in any sphere in which he or she enjoys and exercises his or her rights. All such action shall incorporate a gender, generational and intercultural perspective.

- Equality of opportunity: All persons with disabilities are equal before the law and are entitled, without discrimination of any form, to the equal protection and equal benefit of the law. The rights of persons with disabilities shall not be diminished or denied; any action that runs counter to this provision shall be punishable.”

29. The Organic Act on Disabilities gives practical effect to the principle of affirmative action, setting out more than 30 affirmative action measures (see Annex 1) in the areas of taxation, education, accessibility, education, work, public services and transport, among others. These measures are applied by the various public and private institutions working to guarantee the effective enjoyment and exercise of the rights of persons with disabilities and their families. For all policy-making institutions, applying these measures means conducting activities that are underpinned by the principle of non-discrimination and designed to promote the participation of persons with disabilities in education, employment, health, housing and communication, as detailed in the replies to paragraphs 22, 24, 25 and 26.

30. In keeping with the Organic Act on Disabilities, and in order to uphold the principles of equality and non-discrimination in practice, articles 176 and 177 of the Comprehensive Organic Criminal Code establish penalties for persons committing discriminatory acts against priority groups.

31. Articles 47 and 48 of the Constitution recognize the right of persons with disabilities to reasonable accommodation and set out the measures necessary to ensure that they can exercise this right, by means of plans and programmes designed to guarantee equal opportunities in accordance with their needs. Article 4 of the Organic Act on Disabilities defines accessibility as one of the fundamental principles for guaranteeing that persons with disabilities have access to the physical environment, transport, information and communication, as well as to services, since it removes the obstacles that hinder the enjoyment of their rights and creates the conditions necessary for them to achieve the highest degree of autonomy in their daily life, reasonable accommodation being understood in this context as the adjustments made for the benefit of persons with disabilities in order to guarantee their autonomy and independence in everyday activities, as provided for in the National Agenda for the Equality of Persons with Disabilities 2017–2021.

32. In accordance with the above, Ecuadorian Standards Institute technical standard No. 2315 on the accessibility of the physical environment to persons with disabilities and related terminology defines reasonable accommodation, in technical terms, as “modifications and adjustments of a functional nature and the adaptation of physical spaces and forms of communication and information to ensure their accessibility”.

33. Alongside these efforts, further work on the part of local governments, particularly technical training for action on the ground, is still needed.

Replies to the questions raised in paragraph 6

34. Responsibility for defending the rights of persons with disabilities whose rights have been violated or who have suffered discrimination, in accordance with the applicable national and international regulatory framework, lies with the judicial institutions.

35. The National Equality Councils were established to address the needs of priority groups and possible violations of their human rights by formulating the public policies that State agencies are required to respect, pursuant to the Organic Act on National Equality Councils and its implementing regulations. CONADIS is the entity responsible for formulating, mainstreaming and monitoring public policy on disability.

36. The Ombudsman’s Office, which serves as the national human rights institution, has introduced a number of mechanisms and procedures to prevent or put an end to human rights violations. As an independent body, the Office defends persons whose fundamental human rights have been violated, without State intervention. Between 2013 and 2016, it dealt with 1,084 complaints from persons with disabilities and other priority groups.

37. The remit of the Special Protection Service is to prevent violations of the rights of children, teenagers, women, older persons and persons with disabilities by providing emergency and specialized psychological care and social support. The Service has a coordinating role and refers cases to the institutions and authorities competent to prescribe measures to prevent the recurrence of discriminatory acts. In October 2017, the variable “persons with disabilities” was incorporated into the records system of the Special Protection Service so as to enable it to generate the related indicators. From October 2017 to March 2018, assistance was provided to 214 persons with disabilities who had suffered different forms of rights violations.

38. By Executive Decree No. 194, published in Official Gazette No. 109 of 27 October 2017, the implementing regulations of the Organic Act on Disabilities were amended and reissued in order to introduce certain benefits for persons with disabilities with immediate effect. As a result of this reform, persons with a disability rating of 30 per cent or more may avail themselves of all the affirmative action measures provided for by law, which include, inter alia, tax exemptions, credit facilities, scholarships and assistance for acquiring technical assistive devices.

39. The targets set under the National Agenda for the Equality of Persons with Disabilities 2017–2021 include the generation of baselines to facilitate the compilation of more extensive quantitative data on access to justice by persons with disabilities.

Women with disabilities (art. 6)

Replies to the questions raised in paragraph 7

40. The main remediation and affirmative action measures in place to prevent multiple and intersecting forms of discrimination against women and girls with disabilities are described below.

- In 2016, in a joint initiative with the National Council for Gender Equality and with the support of UN-Women, CONADIS launched the “Take a step towards equality: Stop violence against women” campaign, designed to raise public awareness of the need to respect women and to eliminate all forms of discrimination. The initiative was part of the United Nations Secretary-General’s Campaign to End Violence against Women (UNiTE).
- By Ministerial Agreement No. 006 of 22 January 2018, the Ministry of Economic and Social Inclusion issued guidelines for preventing and addressing physical, psychological and sexual violence against children, teenagers, persons with disabilities and older persons in care centres. Subsequently, it issued Ministerial Agreement No. 014 of 5 March 2018 establishing the general protocol for action to combat violence against children, teenagers, women, persons with disabilities and older persons, which lays down procedures for streamlining the response provided by the Ministry’s technical teams when cases of violence are detected within its services.

It is important to note that, nationwide, the Ministry of Economic and Social Inclusion supports 32,826 persons with disabilities through its social protection services.

- The Comprehensive Organic Act on the Prevention and Eradication of Violence against Women, one of the aims of which is to guarantee women and girls with and without disabilities effective access to justice, was published in Official Gazette No. 175 of 5 February 2018. The Act provides for the roll-out of a national programme of continuous, mandatory training and evaluation for public servants on gender mainstreaming, human rights and the prevention of violence against women, girls, teenagers, young people, adults and older persons.
- In 2018, CONADIS published its Guide to Sexual and Reproductive Rights and a Life Free from Violence for Persons with Disabilities. The aims of this publication are to make the sexual and reproductive rights of persons with disabilities more enforceable and to prevent violence against women with disabilities. The guide was

developed in cooperation with the United Nations Population Fund and will be distributed during the last quarter of 2018 through self-help groups comprising representatives of the national federations of and for persons with disabilities.

- In 2017 and 2018, respectively, the Council of the Judiciary, with the support of UN-Women, published its Handbook for the Application of Legal Standards on Women's Rights in Sentencing and Guide to Administering Justice with a Gender Perspective. The application of these documents, which focus on respect for the principles of equality and non-discrimination, entails mainstreaming a gender perspective in all judicial activities.

Reply to the questions raised in paragraph 8

41. The National Council for Gender Equality is one of the five National Equality Councils and is made up of an equal number of State and civil society representatives, as mentioned in the reply to the questions raised in paragraph 3. The National Equality Councils organize regular day-long workshops, in which women and girls with disabilities take part, with a view to making continual improvements to public policies on equality. Main activities conducted include:

- In an initiative organized in conjunction with the Council on the Regulation and Development of Information and Communication and the Consortium of the Provincial Autonomous Governments of Ecuador, the Five National Equality Councils ran day-long workshops, in which children, teenagers, young people, older persons, women, lesbian, gay, bisexual, transgender and intersex persons, representatives of indigenous nations and peoples, migrants and persons with disabilities took part, as a means of gathering contributions for a publication entitled "Communication and Journalism for Equality: Guidelines for communicating without discrimination". The document has been publicized on the web page of the Council on the Regulation and Development of Information and Communication⁴ and encourages the inclusion of messages that show respect for diversity in the information disseminated through different communication strategies.
- In 2016 and 2017, in coordination with the electoral branch and the Council for Citizen Participation and Social Control, CONADIS ran a training programme for leaders to promote the political participation of persons with disabilities organized in conjunction with the National Electoral Council and a training programme to promote the civic participation of persons with disabilities organized in conjunction with the Council for Citizen Participation and Social Control. Some 1,100 women with disabilities and female relatives of persons with disabilities took part in these training initiatives.
- In 2017, CONADIS held day-long workshops for the purpose of gathering input from civil society organizations of persons with disabilities on the draft Organic Act on the Prevention and Eradication of Violence against Women. Of the 543 persons with disabilities and members of their families who attended, 306 were women.

42. The National Agenda for the Equality of Persons with Disabilities 2017–2021 was constructed by means of an inclusive process during which 5,000 women with disabilities from across the country contributed to the formulation of public policy on disability.

Children with disabilities (art. 7)

Reply to the questions raised in paragraph 9

43. The actions undertaken by public and private institutions to prevent the abandonment of children are governed by the Code on Children and Adolescents. Articles 8, 9 and 10 of the Code establish safeguards, protection and enforceability as the key principles for guaranteeing the full exercise of children's rights, responsibility for which is shared by family and society.

⁴ www.cordicom.gob.ec.

44. The objectives of the Ministry of Economic and Social Inclusion include preventing violations of the rights of children and teenagers deprived of their family environment and restoring violated rights. This it achieves by means of its foster care service, whereby children and teenagers are placed with suitable, pre-registered and pre-qualified families, and their institutionalization is thus avoided.

45. In accordance with the Organic Code on Territorial Organization, Self-Government and Decentralization, the decentralized autonomous governments have rolled out comprehensive care programmes and services for children, including services for children with disabilities.

46. Article 153 of the Comprehensive Organic Criminal Code defines the offence of abandonment, which, in the case of children with disabilities, carries a prison sentence of 1 to 3 years. This provision is consistent with article 44 of the Constitution, which provides that, in ensuring the exercise of children's rights, "the principle of their best interests shall be respected and their rights shall take precedence over those of other people".

Reply to the questions raised in paragraph 10

47. The National Council for Intergenerational Equality is making considerable efforts to promote the participation of children and teenagers, including by:

- Promoting and raising awareness of teenagers' right to political participation by introducing optional voting for teenagers aged 16 years and above. In the last elections, held in February 2018, 408,581 teenagers from across the country voted; of those who voted, 5,732 had a disability.
- Establishing local advisory councils for children and teenagers as an appropriate mechanism for promoting the civic participation and organization of minors and as an alternative to establishing social organizations under the law, which entails drafting statutes, appointing a legal representative and having a legal domicile. In August 2018, a young deaf man was elected the second vice-president of the advisory council for children and teenagers.
- The creation of these forums for participation has encouraged the organization and establishment of committees for children and teenagers with disabilities, particularly in the cultural and voluntary sectors.

48. The Ministry for Economic and Social Inclusion has organized national events to provide groups of children and young people with and without disabilities with a space to reflect and connect and thus to encourage their social engagement and the exercise of their right to voice their ideas, suggestions, requests and criticisms in an informal manner within their communities. In 2018, the Ministry launched an initiative known as the "Agreement to keep children and teenagers in Ecuador smiling" in order to follow up on the concerns raised by the Committee on the Rights of the Child.

Awareness-raising (art. 8)

Reply to the questions raised in paragraph 11

49. Article 340 of the Constitution provides for a system of social inclusion and equity, implemented through domestic legislation and adherence to international standards.

50. As part of the commitments adopted by successive governments, Ecuador has devised plans and programmes for the integration of persons with disabilities. In addition, public officials are required to undergo disability awareness training.

51. In the field of disability awareness, a number of entities have been using accessible and online formats as a means of guaranteeing access for all, as described below.

(a) CONADIS

- Staged the play "Matices" for young people and university students, which was seen by more than 4,000 young people across the country.

- Organized the travelling show “Arco Iris de Alegría”, which includes puppets, music and fictional characters and is targeted at children of all school ages in the 24 provinces of the country. Overall, 12,138 children attended the show.
- Has published stories for children, guides for parents and teachers and activity books for distribution nationwide by the Ministry of Education through its regional educational offices. A total of 52,000 copies have been distributed throughout the country.
- Has produced and distributed videos telling the life stories of persons with disabilities. There are currently 14 videos available on the CONADIS website.⁵
- Has produced information spots on affirmative action measures in accessible format and made them available on the CONADIS website.
- Has placed billboards in all provinces of the country with messages promoting public policies on disability.
- Has produced and broadcast radio spots to raise general awareness of the services offered by public institutions working in the disability field.
- Plans and organizes the inclusive 5 kilometre charity race, first run in 2010, in which more than 1,000 athletes with disabilities, accompanied by members of their families, take part each year.
- Designed and runs a disability awareness course for public servants and private actors. As at July 2018, 234,222 persons had completed the course.

(b) The Ministry of Economic and Social Inclusion

- Has established committees of carers of persons with disabilities, in accordance with article 49 of the Constitution, which provides that: “Persons and families who care for persons with disabilities who are in need of continuous care (...) shall receive regular training in order to improve the quality of the care that they provide.” For this reason, since 2014, the Ministry has been conducting regular training for carers participating in the Joaquín Gallegos Lara voucher scheme.
- The Guide for Carers of Persons with Disabilities is the educational communication tool used for this purpose. The Guide contains seven modules on rights and self-esteem, organizing care, mobility, hygiene, vital signs, nutrition and sexual and reproductive health for persons with disabilities. A total of 10,000 copies have been distributed throughout the country.
- The carers’ committees are forums for promoting the visibility and recognizing the importance of informal care, empowering carers, building capacities for care and self-care, undertaking actions to promote the organization and redistribution of family care responsibilities, the recognition of self-esteem, the development of individual life plans and the creation of local care networks (mutual self-care) in cooperation with the State and the community, with a view to improving the living conditions of persons with disabilities and their caregivers. These committees are composed of carers, legal guardians and/or any other persons caring for persons with disabilities.

52. To date, the following committees have been established at the national level:

<i>Committees</i>	<i>No. of Committees</i>	<i>Number of carers who are Committee members</i>
Committees of carers who participate in the Joaquín Gallegos Lara voucher scheme	528	16 943
Committees of third-party carers	1 139	34 450
Total	1 667	51 393

⁵ www.consejodiscapacidades.gob.ec.

- Organized National Disability Day, under the slogan “Together we can achieve inclusion”, which included under its umbrella the National Conference on Good Inclusion Practices, the Cultural Artistic Encounter, the Entrepreneurship Fair, and a recreational space. Around 6,000 persons with and without disabilities took part.
- Organizes district-level meetings under the theme of “Together for inclusion”. A total of 40 such meetings have been held, attended by around 150 persons in each case.
- Conducted awareness-raising campaigns under the slogan “My voice, my community” in each of the nine regions.
- Organized a family training programme entitled “Let’s protect life without violence”, the aim of which is to build families’ care and protection capacities through a formative process that will equip them to defend and promote rights, especially those of persons belonging to priority groups. In partnership with the committees of carers of persons with disabilities, 1,366 family training workshops have been organized across the country, attended by 34,268 persons.

Accessibility (art. 9)

Reply to the questions raised in paragraph 12

53. Ecuador has adopted 10 standards on the accessibility of information and communication technologies for persons with disabilities, including the Ecuadorian Standards Institute technical standard on ISO/IEC 40500: W3C Web Content Accessibility Guidelines (WCAG) 2.0, designed to ensure that persons with disabilities can access information on the country’s websites. Ecuadorian Standards Institute technical standard No. 288 on the accessibility of web content was developed to implement the ISO Guidelines and establishes an obligation to observe not only the standard itself but also all related monitoring procedures, checks, penalties, compliance criteria and deadlines.

54. To ensure access to media content for persons with hearing disabilities, the Ecuadorian Professional Training Service has developed a professional accreditation system for sign language interpreters under which 48 sign language interpreters have already been accredited.

55. The Council on the Regulation and Development of Information and Communications runs the National Equality Agents Programme, which provides training for persons in leadership positions, with or without disabilities, who are responsible for identifying discriminatory media messages, in order to promote the right to quality communication.

56. Measures to improve the accessibility of the physical environment, communications and information will continue to be progressively implemented in the public and private sectors.

Reply to the questions raised in paragraph 13

57. A number of specific measures to standardize and enhance the accessibility of the physical environment have been adopted, as described below.

- A total of 26 Ecuadorian Standards Institute technical standards on the accessibility of the physical environment have been drafted and adopted. Their application will be compulsory in every public building or space and every private building or space open to the public in order to encourage the design and construction of physical environments that are more user-friendly and more accessible for all. Three technical standards on doors, bathroom facilities and terminology are in the process of being updated.
- A total of 10 Ecuadorian Standards Institute technical standards on playing fields and recreational areas have been adopted to encourage the development of inclusive leisure activities for all boys and girls.

- Ecuadorian Standards Institute technical standard No. 042, which establishes that compliance with the Institute's technical standards on the accessibility of the physical environment is obligatory and defines the related system of oversight and penalties, is being updated.
- A chapter on universal accessibility, compiling the key requirements of the Ecuadorian Standards Institute technical standards on accessibility, has been officially published as part of the Ecuadorian construction standards.
- The Ecuadorian Standards Institute technical standards on accessibility of the physical environment have been made available to consult and download, free of charge and without restriction, on the websites of CONADIS and the Ecuadorian Standardization Service.
- An online training course on the accessibility of the physical environment and the Ecuadorian technical regulations has been designed and made available to all on the CONADIS web platform. It is a free course organized with the academic backing of the Indoamerica University of Technology, with certificates of completion issued by CONADIS and the Ecuadorian Standardization Service.
- The decentralized autonomous governments are progressively reviewing, updating and promulgating municipal by-laws for implementation of the technical standards on the accessibility of the physical environment in public-sector projects and private projects with public access.

58. The first workshop on making elevators for the public transport system is currently being organized. Accessibility criteria have been incorporated into integrated transport systems, comprising transport vehicles and stops, in the cities of Quito, Guayaquil and Cuenca. Although this represents a significant step forward, in general the accessibility of public transport at the cantonal and parish administrative levels remains poor. To improve this situation, a greater level of commitment on the part of the decentralized autonomous governments, whose competencies are set out in the Organic Code on Territorial Organization, Self-Government and Decentralization, and awareness-raising strategies for the transport sector and citizens in general need to be enhanced.

59. It is important to highlight the efforts of the President of Ecuador, Lenín Moreno, who, as the United Nations Secretary-General's Special Envoy on Disability and Accessibility between 2014 and 2016, carried out a great deal of work at the international level to introduce accessibility mechanisms that enable persons with disabilities to engage more actively in society.

Situations of risk and humanitarian emergencies (art. 11)

Reply to the questions raised in paragraph 14

60. In accordance with article 389 of the Constitution, an inclusive risk management strategy and an inclusive family emergency plan were introduced in 2015. Initially, a total of 192 persons with disabilities and their families were georeferenced and trained to respond to situations of emergency caused by the Tungurahua and Cotopaxi volcanoes, both of which are in a permanent state of eruption. The strategy was then rolled out in 11 provinces and, through the emergency and humanitarian assistance system, response teams were able to swiftly attend to the needs of persons with disabilities following the April 2016 earthquake.

61. Various measures, including the organization of 1,838 cultural, sporting, academic and environmental events, have been taken to raise public awareness about risk management with an emphasis on inclusion.

62. Because of its importance, risk management has become a cross-cutting theme in government planning and has been incorporated into various development plans. For example, the 2017–2021 National Agenda for Persons with Disabilities defines situations of risk and humanitarian emergencies as a key element of public policy and prioritizes the safety of persons with disabilities and their families in the event of a disaster or situation of

risk. To flesh out this strategy, a risk prevention and mitigation protocol for persons with disabilities, covering prevention, response and recovery, is being developed. The protocol will soon be disseminated in accessible formats and training courses will be organized for both civil society and the institutions responsible for intervention.

Equal recognition before the law (art. 12)

Reply to the questions raised in paragraph 15

63. The Organic Code of General Procedure, published in Official Register No. 506 of 22 May 2015, repealed and replaced the Code of Civil Procedure. Under article 180 of the Organic Code, access to effective State protection and access to justice are guaranteed through various mechanisms, including through the provision of sign language interpreters for persons with hearing disabilities.

64. CONADIS has issued a national statement on the legal capacity of persons with intellectual disabilities, particularly their right to family life and marriage and, in coordination with the civil registry, has taken the following action:

- Awareness-raising activities targeting civil registry judges have been organized to inform them about the regulations protecting the right to marriage and the full legal capacity of persons with intellectual disabilities to enter into this type of contract.
- In a meeting in plenary, CONADIS issued resolution No. 0003-CONADIS-2018 regularizing marriage for persons with intellectual disabilities. The resolution highlights, inter alia, that civil registration services shall be provided to them free of charge, with no fees being levied either on a proportional basis or in accordance with their degree of disability.

65. Chapter three of the Handbook on the Rights of Persons with Disabilities within the Judiciary, co-authored by CONADIS and the Council of the Judiciary, focuses on the legal capacity of persons with disabilities. The content of the chapter is consistent with the Convention, which stipulates that States parties shall recognize that persons with disabilities enjoy legal capacity on an equal basis with others in all aspects of life.

66. This model incorporates the human rights approach and favours analysis of a person's legal capacity based on his or her type and degree of disability, in accordance with the principle of equality before the law. The Handbook includes the following table to illustrate the model:

<i>Substitute model</i>	<i>Supported model</i>
Developed in accordance with the biological/medical approach	Developed in accordance with the human rights approach
Persons with disabilities are “objects” in need of protection	Persons with disabilities are holders of rights
Only takes the person's limitations into account	Also takes external barriers into account
Inhibits skills and stifles voices	Enhances skills and offers support
Imposes the voice and opinions of others	Encourages participation, whether direct or supported
Results in an assistance-based system	The assistance-based system has no place because persons with disabilities are rights holders
System of interdiction	System of support and safeguards

67. A compendium of road maps and protocols for the protection of the rights of persons with disabilities has also been published to ensure that persons with disabilities and members of their families have clear guidelines for dealing with situations in which their rights have been violated and can contact the various entities equipped to provide an effective and sympathetic response to their needs. The compendium highlights that they should receive preferential, priority treatment and that due attention should be given to the principle of equality in recognizing them as persons before the law.

68. CONADIS is currently working on a proposal to amend the Civil Code to eliminate all discriminatory terms and bring it into line with the Convention's provisions on guardian- and wardship. In Ecuador, such arrangements are used mainly for persons with intellectual, psychosocial and hearing disabilities.

Access to justice (art. 13)

Reply to the questions raised in paragraph 16

69. The Government of Ecuador has taken the following steps to implement the recommendations made by the Committee on the Rights of Persons with Disabilities:

Recommendation

- A. Adapt training programmes for judicial personnel to ensure that they cover the rights of persons with disabilities included in national and international human rights instruments.

State action

70. Training programmes for judicial personnel: The Handbook on the Rights of Persons with Disabilities within the Judiciary has been published and 3,500 copies have been printed and distributed to justice officials around the country. Day-long training workshops on support and access to justice for persons with disabilities have been running since 2014. In recent years, this training has been based on the contents of the Handbook. In 2016, 2,459 judges received training.

71. The Handbook is designed to serve as "a practical reference guide on the work that justice officials carry out on a daily basis with, and for, persons with disabilities". If the victim or alleged victim in a criminal trial has a disability, he or she can turn to the National Protection and Support Service for Victims, Witnesses and other Participants in Criminal Proceedings.

72. The Council of the Judiciary has made the following additional efforts to promote access to justice for persons with disabilities:

- Awareness-raising on the subject of disabilities: 9,177 justice officials have passed the course offered on the CONADIS online platform.
- Training on the Ecuadorian Standards Institute's standard on the accessibility of the physical environment has been provided for technical staff of the Council of the Judiciary's strategic coordinating body for civil infrastructure, in order to improve the physical accessibility of the country's infrastructure.

73. Web accessibility training has also been provided, the aim being to achieve an A-status accessibility rating for the Council of the Judiciary's website before the end of 2018.

Recommendation

- B. Ensure that the Council of the Judiciary implements a national adaptation plan so that there is adequate accessibility to judicial facilities in terms of both their architecture and communications and that the plan includes the requirement to provide Ecuadorian sign language interpreters and Easy Read facilities for the participation of deaf persons and persons with intellectual disabilities, respectively.

State action

74. The Council of the Judiciary has implemented a national adaptation plan designed to ensure adequate accessibility conditions in judicial facilities at both the architectural and communications levels. A technical report for use in prioritizing the work required in the 237 buildings of the Council of the Judiciary nationwide was issued on 9 July 2015, following accessibility checks performed by the Council in conjunction with CONADIS. The report sets the following goals:

- To ensure effective access to justice for persons with disabilities, in accordance with the provisions set out in the Constitution and the Organic Act on Disabilities.
- To develop a prioritization methodology for determining the order in which the work required in the buildings of the Council of the Judiciary to ensure compliance with standards of accessibility to the physical environment should be carried out.

The Council of the Judiciary has reported that the services previously provided in the 85 judicial buildings that did not comply with Ecuadorian technical regulations on accessibility have already been moved elsewhere. To guarantee effective access to justice for persons with disabilities, CONADIS is working with the Ecuadorian Professional Training Service to introduce a certification system for the sign language interpreters who provide support for persons with hearing disabilities during legal proceedings.

Recommendation

- C. Ensure that the legislature introduce legislative reforms so that national criminal, civil, labour and administrative procedures include the requirement to make procedural accommodations for persons with disabilities, thereby enabling their access to justice on an equal basis with others.

State action

75. Reforms made to achieve the procedural accommodations that will enable persons with disabilities to access justice on an equal basis with others are as follows:

- Pursuant to article 180 of the Organic Code of General Procedure, persons with hearing disabilities have the right to make written statements in court hearings. If it is not possible to proceed in this manner, their statements will be made through an interpreter or, if no interpreter is available, with the help of a person with whom they can communicate. These persons are first required to swear on oath that they will tell the truth.
- Article 102 of the Organic Act on Disabilities establishes a special administrative procedure for addressing situations in which the rights of a person with disabilities have been violated, designating the Ombudsman's Office as the competent authority for such procedures.
- Article 504 of the Comprehensive Organic Criminal Code, concerning the rights of persons with disabilities appearing as witnesses, stipulates that persons with disabilities have the right to appear before the judge or prosecutor in a manner appropriate to their situation and cognitive development. To guarantee this right, technical tools such as closed-circuit television or videoconferencing may exceptionally be used. Recordings of statements made in this way may then be presented in oral hearings as evidence. A total of 116 Gessell Chambers have also been installed throughout the country.

76. Article 93 of the Organic Administrative Code, which came into force in July 2018, stipulates that “the authorities shall provide the channels and means necessary for the use of electronic services. They shall guarantee access to such services, irrespective of personal circumstances, means or knowledge.”

Liberty and security of the person (art. 14)

Reply to the questions raised in paragraph 17

- A. Refrain from declaring persons with disabilities accused of a criminal offence unfit to stand prosecution, which would entail security measures or other forms of deprivation of liberty;

77. The Comprehensive Organic Criminal Code establishes measures for addressing situations in which persons with disabilities have been deprived of their liberty:

- Article 536 – Alternatives to detention: Pretrial detention may be replaced by the precautionary measures set out in the Code. Alternatives to detention are not appropriate for offences punishable by a custodial sentence of more than 5 years. If the conditions of the alternative measure are breached, the court shall revoke the measure and order the accused to be remanded in pretrial detention.
- Article 537 – Special cases: Irrespective of the sentence that the offence carries, pretrial detention may be replaced by house arrest and the use of an electronic surveillance device in the following cases: 1. When the accused is pregnant and for 90 days following the birth. In cases where a child is born with an illness that requires special care from its mother, this time limit may be extended to a maximum of a further 90 days. 2. When the accused is over 75 years of age. 3. When the accused is in the terminal phase of an incurable illness, has a severe disability or is suffering from a catastrophic, highly complex, rare or extremely rare illness and is thus unable to care for him- or herself, in which case a medical certificate delivered by the relevant public body should be submitted.⁶

- B. Eliminate the use of involuntary or forced medication or treatment in diversion programmes for persons with disabilities who have been in contact with the criminal justice system.

78. The Ministry of Health has drawn up a plan to implement public policy for the deinstitutionalization of patients with psychosocial disabilities.

79. Implementing the policy involves establishing multidisciplinary reintegration teams that work with the decentralized autonomous governments to raise public awareness. Continuing this work while working with the extended families of institutionalized persons helps to guarantee the success of personalized treatment plans, the availability of specific health services and family support. A total of 131 psychiatric patients have already been reintegrated into the community. However, a number of individuals are still institutionalized, including 30 persons with psychosocial disabilities, 19 patients placed in institutional care by court order and 44 persons with severe and profound intellectual disabilities who have been abandoned by their families.

80. The reintegration process has improved the quality of life of persons with psychosocial disabilities, firstly, by enabling them to become actively involved in the community and to develop their social and professional skills with a certain degree of independence while reducing the chance of their becoming an economic and emotional burden for family and State, and, secondly, by contributing to improvements in all forms of public care ranging from, depending on the stage of illness, outpatient care, day care and/or rehabilitation services, to hospital care, which is reserved for the acute stages or relapses that are a normal part of any illness, thereby minimizing the occupancy of hospital beds.

⁶ Comprehensive Organic Criminal Code, Registro Oficial No. 180, 10 February 2014.

- C. Eliminate any form of procedure that allows the forced or involuntary institutionalization of persons with disabilities.

81. The World Health Organization resource book on mental health, human rights and legislation suggests several ways to protect the rights of persons with psychosocial disabilities who may need to be institutionalized. While it recommends always seeking to preserve autonomy as far as possible, it also suggests that the principle of autonomy may be disregarded if a patient's condition constitutes a threat to his or her safety or the safety of his or her family or community. In such cases, involuntary institutionalization is an acceptable solution, especially if there is no therapeutic alternative or alternative means of constraint.

82. Under the administrative guidelines for the use of informed consent in the Ministry of Public Security's health-care practices, informed consent is defined as a process of communication and discussion forming part of the relationship between a health-care professional and a capable patient by which an autonomous person voluntarily accepts, refuses or terminates a medical intervention. The guidelines establish the need for sufficient understanding of the information at hand and for this reason encourage health-care professionals to determine whether or not the patient is capable of making the decision in question, based on his or her current cognitive capacity and ability to understand, reason and communicate with medical staff.

83. The State has taken various measures to prevent the involuntarily institutionalization of persons with disabilities for reasons related to their medical or legal status. These measures have included:

- Following up on cases in which persons with psychosocial disabilities have been placed in psychiatric hospitals by court order. In the light of the Committee's recommendation, such security measures must be periodically reviewed in order to prevent situations in which a declaration of unfitness to stand trial is used as a pretext for applying security measures involving the indefinite deprivation of liberty of persons with mental health conditions. The cases of 27 patients hospitalized by court order have been reviewed.
- Establishing inter-institutional working groups composed of representatives of the Ministry of Public Security, the Ministry of Economic and Social Inclusion and the Ombudsman's Office to look at case studies and draw up road maps proposing legislation to protect and guarantee the rights of persons with disabilities and ensure the provision of adequate and timely care in registered cases.
- Approving, in 2016, guidelines for addressing offences committed by persons with mental health conditions that establish when and how confinement in a psychiatric hospital may be used as a security measure for persons with mental health conditions in conflict with the law.
- Approving, in 2017, regulations for the comprehensive care of persons declared unfit to stand trial for mental health reasons that provide guidance on the provision of comprehensive health care for persons with mental health conditions in conflict with the law. The purpose of these regulations is to improve the response of health-care professionals and justice officials hearing cases of this kind in court and thus to guarantee the rights of patients in practice.
- Monitoring and following up on cases in which persons have been declared unfit to stand trial and subsequently admitted to a psychiatric hospital. This process has led to the deinstitutionalization of patients originally hospitalized by court order and has helped to guarantee their rights to health and comprehensive care.

84. Although persons with disabilities who have been abandoned by their families might end up being institutionalized, to prevent such situations, article 48 of the Constitution provides that abandoning persons in such circumstances shall carry criminal penalties. Abandonment of a person is also defined as a criminal offence in article 153 of the Comprehensive Organic Criminal Code, which states that any person found to have abandoned a person with a disability (or any member of another priority group) shall

receive a custodial sentence of between 1 and 3 years and shall be liable for any injuries incurred by the abandoned person as a result.

Freedom from exploitation, violence and abuse (art. 16)

Reply to the questions raised in paragraph 18

85. Through the law-making system⁷ described in the reply to the questions raised in paragraph 1, CONADIS monitors legislation being discussed in the National Assembly on an ongoing basis in order to ensure that equality and non-discrimination are mainstreamed in all bodies of law.

86. Accordingly, one of the aims of the Comprehensive Organic Act on the Prevention and Eradication of Violence against Women, which came into force following its publication in Official Gazette No. 175 of 5 February 2018, is to ensure effective access to justice for women and girls with disabilities. The Act establishes a compulsory national training and evaluation programme for civil servants, which runs on an ongoing basis and covers the gender perspective, human rights and the prevention of violence against girls, teenagers and women of all ages, including young and older women.

87. Article 22 of the Comprehensive Organic Act states that “the cantonal rights protection boards of the decentralized autonomous governments and the Ombudsman’s Office shall be the bodies competent to agree on administrative measures for the immediate protection of persons protected under this Act”.

88. Article 23 of the Comprehensive Organic Act establishes that the “decentralized autonomous governments, through the cantonal rights protection boards, and the regional branches of the Ombudsman’s Office shall have gender specialists on their staff and shall be accorded adequate infrastructure and the resources necessary to apply and follow up on administrative protection measures”.

89. The Ministry of Urban Development and Housing runs decent housing programmes that are overseen by the social protection authorities and, through these programmes, is able to ensure that families whose members include persons with disabilities and that are living in situations of poverty can be housed together.

90. A compendium of road maps and protocols for the protection of the rights of persons with disabilities has been published and is available nationwide in accessible formats on the CONADIS website for use in the event of the rights of persons with disabilities being violated. The compendium offers clear guidance as to which bodies they should contact for effective and sympathetic support, with their needs being given preference and treated as a priority and the principles of equality and non-discrimination being given due attention in their recognition as persons before the law.⁸

91. Similarly, the Ministry of Education has issued a series of protocols for dealing with violence identified or committed within the education system. The “Open Your Eyes” campaign against child sexual abuse and exploitation, run by the office of the United Nations Children’s Fund in Ecuador, is supported by the Ministry of Education and the National Police and a number of the decentralized autonomous governments have taken up the campaign as part of their efforts to prevent sexual abuse.

92. Ministerial Agreement No. 006 of 22 January 2018, issued by the Ministry of Economic and Social Inclusion, contains guidelines for preventing and responding to incidents of physical, psychological and sexual violence against children, teenagers, persons with disabilities and older persons perpetrated by care service providers. In addition, the general protocol for responding to violence against children, teenagers, women, persons with disabilities and older adults, issued by Ministerial Agreement No. 014 of 5 March 2018, sets out “procedures for standardizing the response of the Ministry of

⁷ Information available at <https://leyes.asambleanacional.gob.ec/>.

⁸ www.consejodiscapacidades.gob.ec.

Economic and Social Inclusion's teams of experts to incidents of violence committed within the services regulated by the Ministry".

93. In 2015, the judicial authority issued a comprehensive care guide and protocols for use in centres caring for children, teenagers and women victims of domestic and/or sexual violence. In 2014, the Council of the Judiciary adopted protocols for case management and expert action and assessment in cases of violence against women or members of their families.

94. The Attorney General's Office has reported that, nationwide, in the period 2014–2017, 234 persons with disabilities received protection under the Protection and Support Service for Victims, Witnesses and other Participants in Criminal Proceedings.

95. In 2017, the Ministry of the Interior drew up a policing protocol for the arrest and detention of persons from priority care groups and the lesbian, gay, bisexual, transgender and intersex community, in which procedures for conducting arrests while respecting human rights are clearly set out.

96. The Guide to Sexual and Reproductive Rights and a Life Free from Violence for Persons with Disabilities co-authored by CONADIS and the United Nations Population Fund to support efforts to prevent gender-based violence places particular emphasis on the situation of girls and women with disabilities. The Comprehensive Organic Act on the Prevention and Eradication of Violence against Women came into force in February 2018.

Protecting the integrity of the person (art. 17)

Reply to the questions raised in paragraph 19

97. The Organic Act on the Health System⁹ guarantees the right of all persons to receive or refuse any medical treatment or intervention, subject to prior informed consent, and expressly prohibits forced sterilization under any circumstances.

98. The Ministry of Health issued a handbook on comprehensive sexual and reproductive health care for persons with disabilities in 2017.¹⁰ In conjunction with various federations and organizations of persons with disabilities, CONADIS plans to distribute the handbook through self-help groups and thus to emphasize that persons with disabilities have the right to be informed and to make decisions freely.

Liberty of movement and nationality (art. 18)

Reply to the questions raised in paragraph 20

99. To comply with article 416 of the Constitution, the Naturalization Act has been repealed and replaced by the Organic Act on Human Mobility.¹¹ Articles 2, 21, 63 and 93 of this Organic Act focus on disability and establish that the principles of non-discrimination, priority attention and preferential treatment for persons with disabilities should be reflected in programmes and policies on migration, visas and naturalization.

100. Article 2 of the Organic Act, on equality before the law and non-discrimination, states that all migrants in Ecuador shall enjoy the rights recognized in the Constitution, international instruments ratified by Ecuador and national law, without discrimination of any form.

101. Article 21 of the Organic Act, on identifying vulnerability, states that Ecuadorian citizens with disabilities who are in a vulnerable situation abroad, whether in transit or in their country of destination, shall receive priority attention, in accordance with the provisions of the Act, through Ecuador's diplomatic missions and consular offices. Notice

⁹ Organic Act on the Comprehensive Health System, Registro Oficial No. 423, December 2006.

¹⁰ Download the guide at <https://www.salud.gob.ec/wp-content/uploads/downloads/2017/09/manual-ss-disabilities-FINALWEB-1.pdf>.

¹¹ Organic Act on Human Mobility, Registro Oficial No. 938, February 2017.

of situations of vulnerability shall be issued either by the migration authorities in Ecuador or by the diplomatic missions or consular offices abroad.

102. Article 63, on permanent residence, states that persons with disabilities who are dependent on an Ecuadorian national or a foreign national permanently resident in Ecuador shall be entitled to the aforementioned migration status.

103. Under the aforementioned articles, the principles of non-discrimination, priority attention and preferential treatment for persons with disabilities are incorporated into programmes and policies on migration, visas and naturalization.

104. In 2018, the National Agenda for Equality in Human Mobility was adopted, which is consistent with the National Agenda for Persons with Disabilities 2017–2021 and is based on the guiding principles of equality and participation, as defined under the Constitution. The policies and guidelines set out in the National Agenda for Equality in Human Mobility include a disability perspective, the aim being to develop affirmative action plans and long-term measures to prevent migrants belonging to priority attention groups from falling into situations of vulnerability.

Living independently and being included in the community (art. 19)

Reply to the questions raised in paragraph 21

105. The Ministry of Economic and Social Inclusion, which is responsible for the social protection of persons with disabilities, provides both intramural services (provided within a physical structure or complex) and extramural services (provided at the beneficiary's home), as described below:

Intramural services

(a) Day centres for the comprehensive development of persons with disabilities: The aim of these centres is to encourage persons with disabilities to develop skills working together with their families. The centres are open for eight hours a day on weekdays.

(b) Inclusive referral and reception centres: The aim of these centres is to provide special and specialized care for persons with disabilities who have been abandoned and/or have no family support and who are at risk and in need of institutional support on an urgent, temporary or permanent basis. Services are provided 24 hours a day, 365 days a year by a multidisciplinary team of professionals.

Extramural services

(a) In-home and community-based assistance for persons with severe disabilities who live in hard-to-reach locations: The aim of this service is to develop the skills of persons with disabilities and to provide their families and carers with practical information and simple guidance for their care.

106. The Ministry of Economic and Social Inclusion also runs two cash transfer schemes to enhance the quality of life of persons with disabilities.

Joaquín Gallegos Lara voucher scheme

107. These vouchers correspond to a conditional cash transfer of US\$ 240 intended to improve the quality of life of persons with very serious disabilities who are in a critical socioeconomic situation and need assistance with everyday activities.

108. To be eligible to receive vouchers, caregivers have a responsibility to use the money appropriately, i.e. to pay for medical equipment, health, rehabilitation and habilitation services, food, specialized education, clothing and mobility devices for the person with a disability who is the intended beneficiary. Ongoing training for carers on rights, health and the organization of care is organized in coordination with the Ministry of Health, using the Guide for Carers of Persons with Disabilities as the main educational tool. As at May 2018, there were 24,303 registered beneficiaries of the Joaquín Gallegos Lara voucher scheme.

Disability pension

109. To qualify for this non-contributory pension of US\$ 50, potential beneficiaries must have a score of 28.20 in the Social Register – in other words, they must be in a situation of poverty or extreme poverty – and a degree of disability of 40 per cent or more. As of March 2018, 118,670 people were benefiting from this pension.

110. The disability pension is supplemented by the “A Whole Life” investment programme run by the technical secretariat of the same name through the “Las Manueles” mission. As of April 2018, the programme had deployed 74 brigades across the country to carry out home visits and identify the needs of 34,817 persons with disabilities and 12,054 persons thought to have disabilities. As a result, a total of 13,491 persons with disabilities have been referred to State programmes set up to address their needs through inter-agency coordination.

“Neighbourhood Doctors” scheme

111. Launched in August 2017, this scheme is designed to ensure that vulnerable groups receive priority attention. It entails making door-to-door visits to identify persons with disabilities and older persons in need of special care, pregnant women who are at risk, children under 5 years of age who are suffering from acute malnutrition, chronically ill persons requiring prompt attention, persons at risk of genetic illness and persons with suicidal tendencies. This scheme is part of the “A Whole Life” programme.

Freedom of expression and opinion, and access to information (art. 21)**Reply to the questions raised in paragraph 22**

112. The Organic Act on Communication¹² was drafted with input from multiple stakeholders, including persons with disabilities, to protect and guarantee the exercise of the right to be informed and to communicate and ensure access to information and communication media.

113. Article 10 of the Act prohibits the dissemination of messages or images that may violate the dignity or rights of persons with disabilities and guarantees the exercise of the right to access information through measures involving the use of sign language, subtitles and Braille.

114. The Act is consistent with the Convention on the Rights of Persons with Disabilities (articles 2, 4, 8, 9, 21, 24) and conforms to the principles and standards set out therein, recognizing communication-based rights such as the right to freedom of expression and information and the right of equal access to information, information technologies and communication.

115. Article 15 of the Organic Act’s implementing regulations establishes mechanisms to facilitate access to information and communication for persons with disabilities.

116. The National Assembly is currently discussing a reform of the Organic Act on Communication that should provide for the progressive adoption of mechanisms to give effect to the right to communication of persons with disabilities.

117. Lastly, the Organic Act on Disabilities includes provisions promoting access to communication (arts. 4 and 63) and audiovisual communication (art. 64) and the recognition of sign language (arts. 70 and 89) as a means of communication for persons with hearing disabilities.

¹² Organic Act on Communication, Registro Oficial No. 22, June 2013.

Respect for home and the family (art. 23)

Reply to the questions raised in paragraph 23

118. CONADIS is working with the Civil Registry to ensure that persons with disabilities have the identity and citizenship documents needed to exercise their right to marriage.

119. In a meeting in plenary, CONADIS promulgated resolution No. 004, establishing the conditions under which persons with disabilities may enjoy free-of-charge access to civil registration services, including marriage.

120. Subsequently, CONADIS issued a national statement on the legal capacity of persons with intellectual disabilities, particularly their right to family life and marriage, and took the following action, in conjunction with the Civil Registry:

- A communiqué on the regulations protecting the right to marriage and the full legal capacity of persons with intellectual disabilities to enter into this type of contract was issued to civil registry judges.
- Guidelines on how to ensure compliance with the fee exemptions accorded to persons with disabilities under article 22 of the Organic Act on Disabilities were also issued.

121. The Guide to Sexual and Reproductive Rights and a Life free from Violence for Persons with Disabilities, co-authored by CONADIS and the United Nations Population Fund, highlights the right of persons with disabilities to make free and informed choices on healthy sexuality and, by extension, to make their own choices about the nature of their relationships, emphasizing that marriage is a life choice open to all and that persons with disabilities have the legal capacity to enter into matrimony.

Education (art. 24)

Reply to the questions raised in paragraph 24

122. Ministerial Agreement No. 295-13, issued by the Ministry of Education, regulates the National Education System's mechanisms for supporting students with special educational needs, whether or not related to disability, in special education institutions, mainstream educational establishments and local inclusion support units.

123. On the basis of this Agreement, the Ministry of Education, through its educational programmes and services, seeks to ensure that the National Education System is inclusive and does not neglect priority groups. To this end, it provides the following services:

- Local inclusion support units: There are currently 140 local inclusion support units, including one in every district, providing assistance and guidance to educational institutions in areas such as pedagogy, psychology, educational inclusion, violence and discrimination. Each unit is staffed by a clinical psychologist, two educational psychologists and two educators. There is a need to gradually increase the presence of sign language interpreters throughout the country in order to improve the care available to students with hearing disabilities.
- The toolbox: The local inclusion support units use the "toolbox" method to carry out door-to-door surveys to identify persons who are not enrolled in any form of schooling for various reasons, including disability. Whenever a person meeting these criteria is identified, inter-institutional efforts to provide the child and his or her family with a support network that affords them access to, inter alia, educational services, social protection and health care are initiated. In 2017, the "toolbox" method led to the integration of 1,318 persons with disabilities into the national education system.
- Special education schools: These are classroom-based special educational services for students with visual, hearing, physical or intellectual disabilities, autism spectrum disorder and multiple disabilities. There are currently 106 State-run special education schools throughout the country.

- Inclusive schools: There are 7,101 inclusive mainstream schools nationwide attended by students with varying levels of disability who, based on a psychopedagogical assessment carried out by a local inclusion support unit, are able to integrate into mainstream education. Inclusive schools adapt their curricula and use inclusive education methods for students with disabilities.
- Inclusive education training for teachers: In 2018, the Ministry of Education trained 250 teachers in inclusive education and long-term development strategies. These teachers will themselves become trainers and will pass on their training to a further 5,000 teachers in inclusive mainstream schools.
- Hospital- and home-based schooling: As of 2017, the Ministry of Education and the Ministry of Health had set up 52 classrooms in public hospitals throughout the country, benefiting a total of 110 persons with disabilities.

124. The Ministry of Education has recruited 544 educational inclusion support personnel in the coastal catchment area. These professionals will provide advice and support to teachers who work with students with special educational needs in the classroom and will coordinate with the local inclusion support units in each district.

125. The Ministry of Education has also introduced a national educational management and support model for students with disability-related special educational needs and a bilingual and bicultural education model for persons with hearing disabilities. These models set out procedures and guidelines for learning processes, institutional planning, and the assessment and advancement of students with disability-related educational needs.

126. The table below shows the number of persons with disabilities officially registered in the National Education System.

<i>Type of education</i>	<i>2015/16</i>	<i>2016/17</i>
Special education	8 080	7 865
Mainstream education	10 310	11 533
Further education	531	722
Total	18 921	20 120

127. According to figures from the Ministry of Education, the number of students with disabilities rose by 1,199, or 6.33 per cent, between the 2015/16 and 2016/17 school years.

128. The above information was taken from the Ministry of Education's databases and was cross-checked against the National Disabilities Register managed by CONADIS, in accordance with its powers and mandate.

129. It has been found, however, that some school-age children and teenagers with disabilities are not in the National Education System because their disability prevents them from attending school. These children and teenagers receive support through the social protection services provided by the Ministry of Economic and Social Inclusion. A total of 9,340 persons with severe disabilities aged between 3 and 18 years old receive support through these services and are not in the National Education System.

<i>Service</i>	<i>Total</i>
Joaquín Gallegos Lara voucher scheme	7 708
Community and home-based support services	1 218
Referral and reception centres	53
Day-care centres	361
Total	9 340

Health (art. 25)

Reply to the questions raised in paragraph 25

130. The State guarantees full exercise of the right to health for all residents of Ecuador, including persons with disabilities and members of their families, through the various bodies that make up the National Health System.

131. The national “Neighbourhood Doctors” scheme promotes a comprehensive health-care model with a family, community and intercultural focus. Its objectives are: (a) guaranteeing equitable access to health-care services, with a focus on priority groups, and bringing health-care services closer to the community; (b) reorganizing the manner in which the resources available at the different levels of the health-care system are used; and (c) ensuring effective community participation in the everyday work of the health-care services.¹³

132. The comprehensive health-care model is intended to reorient health-care services, bringing them closer to the community and thus removing barriers to access, promoting the participation of civil society and fostering cross-sector cooperation at the local level. The Ministry of Health runs a health-care service inclusivity certification programme to promote an inclusive, rights-based approach in primary health-care facilities.

133. Currently, 725 facilities, representing 37 per cent of all primary health-care facilities under the authority of the Ministry of Health, have inclusive health-care service certification. The authorities are committed to ensuring that all facilities obtain certification in the near future.

134. For the provision of health care to persons with disabilities, the Ministry of Health has 1,597 facilities, including: 1,272 health clinics; 102 class A health centres; 39 class B health centres; 26 class C health centres, which offer maternity and emergency services; 24 specialist centres; 111 rehabilitation centres; 5 specialist comprehensive rehabilitation centres; 84 basic hospitals; 3 specialized hospitals; and 32 general hospitals.¹⁴ In addition, the Ecuadorian Social Security Institute’s rural social security scheme brings health-care coverage to rural workers and persons working in small-scale fisheries through its 651 clinics, which are used by 3,269 organizations and 344,675 families, encompassing a total of 1,155,157 persons.

135. The Ministry of Health has launched a neonatal metabolic screening programme to reduce early death among newborns through the early detection and management of metabolic disorders. Four types of disease may be detected: congenital adrenal hyperplasia (linked to intellectual disability and early death); hypothyroidism (linked to intellectual disability); galactosaemia (linked to intellectual disability and early death); and phenylketonuria (linked to intellectual disability).

136. Every child diagnosed receives comprehensive treatment, including free health care and services, continuous monitoring of his or her condition and ongoing access to medicine through the health centre nearest to his or her home.¹⁵

137. Through its operative units, the Ministry of Health is also implementing the following early detection and treatment programmes and strategies:

- Screening of the otoacoustic emissions of all children under 1 month old to detect hearing problems
- A programme for the early detection of hearing disabilities among preschool children aged 4 years old or under and school-age children aged 5 to 9 years old involving the early diagnosis of hearing problems and the provision of specialized care

¹³ References available on the website of the Ministry of Health: http://www.salud.gob.ec/wpcontent/uploads/2018/02/Manual_De_Estrategia_de_Abordaje_Medico_del_Barrio_2018.pdf.

¹⁴ Source: GeoSalud 3.0, Ministry of Public Health.

¹⁵ See <http://www.salud.gob.ec/guias-de-practica-clinica/>.

- A sight screening programme for the prevention of eye defects and the early and timely detection of eyesight problems in newborns, preschool children and school-age children through visual acuity tests, ocular motor testing and screening for refractive errors
- A neurodevelopmental screening programme to detect problems in the psychomotor development of children under 5 years old with a view to providing early and timely treatment that improves the child's motor abilities and quality of life. The cases of children found to be affected by retarded neurodevelopment are referred to specialized comprehensive rehabilitation centres for further action and follow-up.

138. The Ministry of Health's National Plan for Sexual and Reproductive Health 2017–2021 promotes inclusion, equality and respect for human rights within the framework of sexual and reproductive health. The plan links up different aspects of the National Health System with a view to ensuring the resources and systematic processes necessary to build on and update knowledge in the area of sexual and reproductive health and to develop strategies for improving the system of sexual and reproductive health indicators that represent priorities for the country.¹⁶

139. With support from CONADIS, the Ministry of Health has prepared a guidebook on comprehensive sexual and reproductive health care for persons with disabilities. The guidebook was the fruit of Ecuador's involvement in the "We Decide" study, a far-reaching research project led by the United Nations Population Fund, and is intended to help the Ministry of Health's operational staff to promote social inclusion, combat gender-based discrimination and violence and guarantee the exercise of the sexual and reproductive rights of persons with disabilities.

Work and employment (art. 27)

Reply to the questions raised in paragraph 26

140. The employment rate among persons with disabilities is calculated by cross-referencing the data held in the National Disabilities Register with the data held by the Ecuadorian Social Security Institute. This process is used to identify persons with disabilities who are in employment and are therefore integrated into the labour market.

141. Cross-referencing between the two databases revealed that, as of February 2018, 65,804 persons with disabilities were integrated in the job market, distributed as follows:

Persons with disabilities integrated in the labour market

<i>Sector</i>	<i>No. of persons with disabilities</i>	<i>Percentage</i>
Private	47 398	72
Public	16 058	24.4
Carers ¹⁷	2 348	3.6
Total	65 804	100

Source: Ecuadorian Social Security Institute/National Disabilities Register FEB-2018.

142. These data reveal increased compliance with the provisions of the Labour Code (art. 42 (33)), the Organic Act on Public Service (art. 64) and the Organic Act on Disabilities (art. 47), which provide that employers in the public and private sectors with more than 25 employees must reserve 4 per cent of their positions for persons with disabilities. This is evidenced by the fact that 65,804 persons with disabilities have been integrated into the workforce across 28,722 companies nationwide.

¹⁶ See <http://ecuador.unfpa.org/sites/default/files/pubpdf/PLAN%20NACIONAL%20DE%20SS%20Y%20SR%202017-2021.pdf>.

¹⁷ Article 48 of the Organic Act on Disabilities defines a carer as a person who is responsible and/or cares for a person with disabilities.

143. The rights of carers are set out in article 48 of the Organic Act on Disabilities, which states that persons with severe disabilities and children and adolescents with disabilities may be assisted by a carer. Carers currently represent 3.6 per cent of persons integrated into the labour market as a result of a disability.

144. The tripartite inter-institutional cooperation agreement signed by the Ministry of Labour, CONADIS and the National Federation of Persons with Physical Disabilities in 2017 has, through the Labour Market Integration Service, facilitated joint activities to promote the integration of persons with disabilities into society and the workplace in the public and private sectors at the national level. Nationwide labour inspections were conducted in November 2017 and April 2018, with the following results:

- Labour inspectors and customer service officers received information and training on disability policies and the use of positive language
- Private companies in 23 provinces around the country were inspected. Some were found to be in breach of recruitment regulations. Verification procedures were therefore initiated by the Internal Revenue Service with a view to the imposition of fines
- The labour inspections identified job vacancies in a number of provinces. The Labour Market Integration Service has therefore been organizing employment fairs throughout the country for the purpose of integrating persons with disabilities into the job market. The Labour Market Integration Service provides information on the labour market, socioprofessional self-assessment services, training, proactive labour exchange services and advice and support on an ongoing basis throughout the labour integration process.

145. The Ministry of Labour also offers support and guidance on the fulfilment of employment-related rights and responsibilities and organizes awareness-raising workshops on labour integration to increase access to and the sustainability of employment. It is important to raise awareness among employers so that employees with disabilities receive appropriate treatment.

146. Other measures taken to fulfil labour rights include:

- The issuance of a guidebook on best practices for the integration of persons with disabilities into the labour market, prepared jointly by private sector partners and CONADIS
- The development of a specific module on disabilities within the Inspector Integral 2.0 (Comprehensive Inspection) Platform to promote a new inspection model
- The adoption of Ministerial Agreement No. 82, establishing the regulatory framework for the elimination of discrimination in the labour market, which, in one of its preambular paragraphs, cites article 11 of the Constitution concerning the equality of all persons and the full exercise of rights, responsibilities and obligations. The purpose of the Agreement is to establish regulations that ensure access to recruitment processes on equal terms and to guarantee equality and non-discrimination in the workplace by establishing mechanisms for the prevention of psychosocial risks
- The adoption of Ministerial Agreement No. 108, establishing regulations to guarantee the labour market integration of persons with disabilities through the registration and oversight of carers, non-consanguineous carers and other persons responsible for supporting persons with disabilities

147. Civil society contributes to public policy through its continuous participation in discussion forums.

Adequate standard of living and social protection (art. 28)

Reply to the questions raised in paragraph 27

- A. Investigations undertaken by the State party to assess the situation of respect for and protection of the rights of persons with disabilities, especially women, children and older persons, in order to develop appropriate strategies for poverty reduction and the provision of social protection and public housing.
148. Analyses of the management and current situation of disability-related issues are used as a baseline for continuing and strengthening public policies for poverty reduction, social protection and housing as fundamental forms of affirmative action.
149. On the basis of the Ecuadorian Standards Institute technical standard on the accessibility of the physical environment for persons with disabilities and Ecuadorian construction standards (NEC-HS-AU), basic guidelines on universal accessibility for single- and multi-family occupancy social housing are being drawn up to ensure that the quality of the built environment is appropriate for all users. These social housing units form part of the “Together for You” programme.
150. To assess standards of social protection, CONADIS and the Ministry of Economic and Social Inclusion collected information from comprehensive development day-care centres, referral and reception centres and home and community care services with a view to identifying the positive aspects and challenges inherent in current care procedures and models. The results showed that the situation of care service users can be assessed using instruments and tools such as files for following up on and monitoring their aptitudes and skills and records of their socioeconomic, family and legal situations.
- B. Whether such strategies include tenders that meet the criteria of accessibility and universal design; and whether the free care provided to persons with disabilities is welfare-based.
151. Ministerial Agreement No. 002-2018-05-16, issued by the Ministry of Urban Development and Housing, contains guidelines for the development of social housing projects for beneficiaries of the National Development Plan 2017–2021, entitled “A Whole Life”. Pursuant to these guidelines, all social housing projects must comply with the national technical standards governing universal accessibility and design. Among beneficiaries, priority will be given, inter alia, to persons in situations of dual vulnerability, families whose members include one or more persons with disabilities, female-headed families and families living in poverty or extreme poverty.
152. The information gathered by CONADIS in the day-care and residential centres for persons with disabilities run by the Ministry of Economic and Social Inclusion has been used to identify persons with disabilities who are living in high-risk areas and unsanitary environments. Overall, 75 per cent of services provided comply with the architectural, interior design and functionality standards set in the regulations on the accessibility of the physical environment.
- C. Whether the free care provided to persons with disabilities is welfare-based.
153. Article 35 of the Constitution provides that persons with disabilities shall receive priority, specialized treatment in the public and private spheres, the aim being to mitigate existing material inequalities and promote the conditions necessary for real and effective equality by taking affirmative action in favour of discriminated or marginalized groups and thereby enhancing protection for persons who find themselves in situations of vulnerability as a result of their economic, physical or mental situation.
154. State social services are provided free of charge, in accordance with the Constitution, and are designed to create a social protection floor. They constitute fundamental safeguards that ensure access to services and the enjoyment of fundamental rights such as education, health and social inclusion. Persons living in disadvantaged socioeconomic conditions are given priority, affording them a degree of basic independence in accordance with the principles of equality and equity. All non-contributory services are

supplemented by family counselling services delivered in the homes and communities of rights holders.

- D. Measures taken to enable persons with disabilities to meet the additional costs that arise from their disability.

155. Annex 1 lists the affirmative action measures taken by the State to support persons with disabilities and their families.

Participation in public and political life (art. 29)

Reply to the questions raised in paragraph 28

156. In Ecuador, voting is optional for persons aged between 16 and 18 years old, persons over the age of 65 years old, Ecuadorians living abroad, members of the Armed Forces and the National Police, and persons with disabilities.

157. The Democracy Code¹⁸ guarantees political rights and the right to participate in the exercise of direct democracy in the various electoral processes. On the basis of the Code, the State has taken affirmative action to increase the participation of marginalized sectors of society in elections.

158. CONADIS and the National Electoral Council, the body responsible for guaranteeing the rights of citizens and political organizations to participate in political life, use inter-institutional cooperation agreements to implement mechanisms designed to increase the democratic participation of persons with disabilities in elections.

159. In 2006, the National Electoral Council made it mandatory to use media accessible to persons with a disability to ensure that they are aware of their right to vote and that they can access information on the policies of candidates for elected offices.

160. In 2016, CONADIS and the National Electoral Council carried out inclusion training and awareness-raising programmes through which 142 political organizations learnt how to promote the political participation of persons with disabilities in national and local elections. However, a stronger commitment from these organizations will be necessary to ensure the effective participation of persons with disabilities and the exercise of their right to “be elected”.

161. The “Right to Vote” campaign is designed to foster the active participation of persons with disabilities. The National Electoral Observatory is also involved in work to guarantee the participation of persons with disabilities and the fulfilment of their political rights, as established in the Constitution and the law.

162. Various accessibility mechanisms are now used during elections to encourage persons with disabilities to vote, including:

- Priority polling booths in all polling stations throughout the country
- Preferential voting
- Assisted voting
- Braille voting cards
- Home voting.

163. The introduction of these mechanisms has increased participation and turnout among persons with disabilities, despite the fact that voting is optional for them. A total of 75.64 per cent of registered persons with disabilities participated in the most recent election, held in February 2018.

164. Ecuador received the Accessibility Award in the 2017 International Electoral Awards held in Jordan on 5 December 2017 and organized by the International Centre for

¹⁸ The Democracy Code.

Parliamentary Studies in collaboration with the Independent Election Commission of Jordan and the European Centre for Electoral Support.

Participation in cultural life, recreation, leisure and sport (art. 30)

Reply to the questions raised in paragraph 29

165. Since 2014, the Ministry of Culture and Heritage has been running a competitive grants programme for arts festivals, including arts festivals with a disability focus, and reserving 5 per cent of available funds for festivals organized by or for persons with disabilities. The programme funds two types of activities: (a) practical proposals designed to build on artists' skills and provide technical assistance for the cultural activities of artists with disabilities, with a view to discovering, fostering and publicizing the artistic and cultural work of curators and artists with disabilities in every province, with the support of the decentralized autonomous governments; and (b) cross-cultural events showcasing the intercultural oral tradition of older persons with disabilities with a view to safeguarding the ancestral traditions and knowledge that form part of Ecuador's intangible heritage. In 2017, three candidates with disabilities were awarded a total of \$36,000.

166. As part of the regeneration activities following the earthquake of 16 April 2016, proposals to enhance accessibility in three museums in the province of Manabí have been drawn up.

167. In 2016, CONADIS launched the National Register for Artists with Disabilities. As of 2018, 386 artists were registered. Registrations are made through the CONADIS website.¹⁹

168. In the city of Quito, the House of Ecuadorian Culture runs a dance programme for persons with Down syndrome that has 30 participants. The premises of the House of Ecuadorian Culture were made more accessible in 2018, as part of preparations for the reopening of the National Museum.

Measures taken to ensure that sports facilities are accessible to persons with disabilities, on an equal basis with others.

169. The sports governing body, in coordination with CONADIS, is currently teaching staff responsible for sporting infrastructure about the accessibility regulations set by the Ecuadorian Standards Institute with a view to their gradual implementation in sports facilities. The following standards are covered by the training: Ecuadorian Standards Institute technical standards Nos. 3029-1, 3029-2, 3029-3, 3029-4, 3029-5, 3029-6, 3029-7 and 3029-11 on equipment for playing fields and recreational areas, standard No. 2239 on the accessibility of the physical environment, signage, requirements and classification for access to sports facilities and the Ecuadorian construction standard on universal accessibility (NEC-HS-AU).²⁰

170. Consultations are also being held to determine the level of accessibility of the sports facilities construction projects proposed by sports federations and regional and local leagues.

Ensure that persons with disabilities, particularly children, are able to participate in sporting activities on an equal basis with others.

171. Seven sports initiation schools were opened in 2018, one in each of the provinces of Imbabura, Sucumbíos, Guayas, Tungurahua, Manabí, El Oro and Morona-Santiago, and between them they are currently catering for 131 children with disabilities. Two single-sport schools were also opened: an athletics academy in the province of El Oro and a swimming academy in the province of Orellana.

¹⁹ www.consejodiscapacidades.gob.ec.

²⁰ See: <https://www.consejodiscapacidades.gob.ec/biblioteca/>.

172. The “Active Ecuador” project is a Government-run recreational programme offering activities such as dance therapy, recreational and traditional games and martial arts. It is open to everyone and operates nationally through 1,150 meetup points spread across the 24 provinces. The programme works with the comprehensive development day-care centres run by the Ministry of Economic and Social Inclusion to encourage persons with disabilities to take part in the meetups.

173. The Ecuadorian Paralympic Committee was established pursuant to Ministerial Agreement No. 1320 of 1 November 2012 as a sporting body with not-for-profit legal status that forms part of the Ecuadorian sports system and promotes adapted and Paralympic sports. It works in coordination with the national federations of adapted and Paralympic sports to train and foster the sporting talents of persons with disabilities with a view to their participation in high-performance events.

174. In 2016, high-performance athletes with disabilities won six Paralympic diplomas and in 2017 a number of them ranked among the world’s top three athletes in their field. Ecuadorian athletes have set themselves the challenge of winning podium positions in the 2020 Paralympic Games in Tokyo.

175. In 2018, 19 athletes with disabilities joined the high-performance training programme. They receive all forms of support needed to ensure that they are in top condition for international events, including clothing, nutrition, life and health insurance and assistance from an interdisciplinary team of sports physicians, psychologists, physiotherapists, coaches and assistants. Sports training incentives are also awarded, in the form of a monthly payment linked to the athlete’s chosen sport.

176. The Ecuadorian Paralympic Committee supported the participation of Ecuadorian athletes in the following events:

- The Second International Para Athletic Open held in Ecuador in 2017
- Information sessions in the province of Manabí, supported by the Agitos Foundation
- The First National Congress on Adapted and Inclusive Deaflympic and Paralympic Sports
- Participation of an Ecuadorian team in the 2017 World Para Athletics Championships in London

177. Ecuador has the following national federations of adapted and Paralympic sports: the Ecuadorian Federation of Sports for Persons with Physical Disabilities; the Ecuadorian Federation of Sports for Persons with Intellectual Disabilities; the Ecuadorian Federation of Sports for Persons with Visual Disabilities; and the Ecuadorian Federation of Sports for Persons with Hearing and/or Language Disabilities. These federations have between them set up 42 adapted and/or Paralympic sports clubs for persons with disabilities throughout the country.

178. There is a need to promote the participation and organization of persons with psychosocial disabilities so that they can set up a sports federation of their own.

179. The Ecuadorian Special Olympics Foundation, a sporting movement established in 1979, offers training for sports competitions to more than 22,000 athletes with intellectual disabilities throughout the country. Each province holds annual provincial games, a total of 800 games having taken place to date. In all, 18 national games have been held over the past 39 years in the cities of Quito, Guayaquil, Cuenca, Manta, Machala and Macas.

180. Since 2011, Grupo El Comercio (a national printed press agency), in partnership with CONADIS, has been organizing an inclusive, sponsored 5 kilometre run, known as the “Latest News” run, in the city of Quito. Athletes with disabilities are encouraged to participate. A total of 7,000 persons have participated since 2010.

181. Since 2016, the Ministry of Tourism, the National Federation of Persons with Physical Disabilities and CONADIS have jointly organized the following leisure-related activities:

- The Second Latin American and Caribbean Conference on Accessible Tourism, held in the province of Manabí in December 2016. This event was attended by 218 guests, including persons with disabilities and interested parties in the tourism sector
- Development of an accessible tourism website, www.turismoaccessible.ec, which contains information on more than 240 accessible places to eat and sleep throughout the country
- Launch of a virtual course on the needs of tourists with disabilities, developed by the National Federation of Persons with Physical Disabilities, with technical support from the Ministry of Tourism and CONADIS, intended to help individuals and companies providing tourism services to offer preferential, friendly and high-quality services to tourists with disabilities²¹
- Training in financial management and setting up tourism businesses for various associations and organizations of persons with disabilities
- In 2017, launch of the Public Enterprise Innovation Project (Innovativa E.P.) by the Ministry of Tourism, in collaboration with the Armed Forces University, the National Federation of the Blind and the AGORA Latin American career training project, through which a total of 26 persons with visual disabilities qualified as local tourism guides thanks to the project's adapted curriculum.

182. In 2018, the Ministry of Tourism, CONADIS, the Ecuadorian Municipalities Association and the National Federation of Persons with Physical Disabilities certified five accessible tourist circuits in the provinces of Pichincha, Azuay, Guayas, Tungurahua and Imbabura for inclusion in an official accessible tourism guide.

C. Specific obligations

Statistics and data collection (art. 31)

Reply to the questions raised in paragraph 30

183. The Ministry of Economic Affairs and Finance operates an expenditure guidance and classification system that is used to record the budgetary resources invested by public institutions in the implementation of the equality policies defined by the five National Equality Councils. All ministries that provide services are required to report through this system.

184. In addition, the Council for Citizen Participation and Social Control compiles annual reports on the management of executive agencies through which progress under various management indicators can be tracked.

185. Working with the Ministry of Health, CONADIS ensures that the information held in the National Disabilities Register²² is disaggregated by type and degree of disability, location, age group and gender. Work is currently under way to add migration and ethnic self-identification variables. The Government keeps a central register of data on violence against women.

186. As part of planning for the period to 2021, an information platform for measuring and monitoring the indicators set under the National Agenda for Persons with Disabilities 2017–2021 is due to be launched. The National Secretariat of Planning and Development oversees the results-based management of the public policies implemented under the National Development Plan 2017–2021, which includes sectoral and intersectoral planning.

²¹ The course is accessible through the CONADIS training platform at <http://plataformaconadis.gob.ec/plataforma-virtual/> or the website of the National Federation of Persons with Physical Disabilities.

²² Information available at: <https://www.consejodiscapacidades.gob.ec/wp-content/uploads/downloads/2018/03/index.html>.

187. For the 2017–2021 period, the National Development Plan 2017–2021, entitled “A Whole Life”, sets out 81 national policies designed to guarantee the rights of all persons, including persons with disabilities. Two key policies should be highlighted:

Policy 1.4: Guarantee comprehensive child development in order to stimulate children’s learning, taking due account of territorial specificities, cultural pluralism, gender and disabilities.

188. Policy 1.10: Eliminate all forms of discrimination and violence on ground of economic or social situation, cultural identity, religion, ethnicity, age, disability or migration status, with a focus on gender-based violence and its various forms.

International cooperation (art. 32)

Reply to the questions raised in paragraph 31

189. With a view to the inclusion of persons with disabilities in national plans to implement the 2030 Agenda for Sustainable Development, the United Nations Development Assistance Framework in Ecuador 2015–2018 provides a centralized, strategic tool for ensuring the quality and coherence of national plans and programmes that promote the participation of persons with disabilities in national and international activities overseen by the United Nations system at the national level. These plans and programmes are aligned with the National Development Plan 2017–2021 according to the following themes:

- Theme one: Lifelong rights for all and rights of nature for current and future generations, aligned with the People and Planet areas.
- Theme two: The economy at the service of society, aligned with the Prosperity and Planet areas.
- Theme three: More society, a better State, aligned with the Peace and Cooperation areas.

190. With a view to coordinating regional progress, international cooperation is being used to extend knowledge-sharing and enhance practices that support national plans for achieving the Sustainable Development Goals. North-South, South-South and triangular cooperation is on the rise. In 2018 and 2019, knowledge-strengthening programmes focusing on workforce integration and disability assessment and qualification systems will be carried out in cooperation with Chile and Argentina. Organizations of persons with disabilities participate in the design, implementation and monitoring of plans through various strategies established under the Organic Act on Citizen Participation, the activities of the National Disabilities Observatory and the proposals of organizations of and for persons with disabilities.

191. The National Plan for Persons with Disabilities contained in the National Agenda for Persons with Disabilities 2017–2018 was prepared in conjunction with civil society and is aligned with Sustainable Development Goals 3, 4, 5, 8, 9, 10, 11 and 16.

192. Civil society is constantly being encouraged to contribute to the work of executive agencies at meetings, round tables and conferences. Recent events have included:

- The “Building Equality” Summit, held between 20 and 24 November 2017 and attended by 400 persons with disabilities and 45 international speakers with disabilities. Within this framework, the Fourth Continental Congress on Community-based Rehabilitation and the First Regional Meeting on Public Policies relating to Information and Communication Technologies for Persons with Disabilities were organized, in cooperation with the regional office of the United Nations Educational, Scientific and Cultural Organization in Quito, which represents Bolivia, Colombia, Ecuador and Venezuela
- A technology fair held in November 2017, at which nine universities presented 39 projects relating to accessibility technologies for persons with disabilities

- The conclusion of an inter-institutional cooperation agreement between the Supreme Electoral Tribunal of Honduras, the Inter-American Institute of Human Rights, the Centre for Electoral Assistance and Promotion of Costa Rica, CONADIS, the National Electoral Council and the National Federation of Persons with Physical Disabilities, through which Ecuador provided technical assistance to promote the participation of persons with disabilities in the Honduran presidential elections of 26 November 2017.

193. In 2018, Ecuador decided to present a voluntary national review on its progress towards achieving the Sustainable Development Goals. It was submitted by the head of the National Secretariat of Planning and Development.

National implementation and monitoring (art. 33)

Reply to the questions raised in paragraph 32

194. Pursuant to its mandate to monitor the implementation of public policies on disability aligned with the Convention on the Rights of Persons with Disabilities, CONADIS regularly organizes regional intersectoral round tables that bring together representatives of State agencies involved in implementing these policies and representatives of civil society organizations, specifically federations and associations of persons with disabilities. These meetings provide a forum for interaction and the identification of alternative solutions for ensuring the enforceability of the rights of persons with disabilities and their families, in a framework respectful of human rights. Ongoing contact is maintained with representatives of the institutions involved in implementing public policies so that their work in the area of disability can be coordinated and monitored and compliance with the policies established in the National Agenda for Persons with Disabilities 2017–2021 can be verified.

195. CONADIS is a joint body composed of five representatives and their alternates. Each member is a rights holder and represents one of the five types of disability (physical, visual, hearing, intellectual, psychological) within the plenary. They are elected on the basis of merit through a competition organized by the Council for Citizen Participation and Social Control and are responsible, on an equal basis with the representatives of the five branches of the State (executive, legislative, judicial, social oversight, electoral) for formulating, mainstreaming, implementing, monitoring and assessing public policies on disability.

196. This report sets out the continuing progress made by Ecuador in implementing public policies on disability pursuant to the Convention on the Rights of Persons with Disabilities. It was prepared in collaboration with a wide range of Government institutions (representatives of the five branches of the State) and civil society stakeholders (representatives of federations and committees).
