



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

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**Committee on the Elimination of Discrimination
against Women**

**Tenth periodic report submitted by Ecuador under article
18 of the Convention, due in 2020*****

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** The annexes to the present report are available on the Committee's web page.



Replies to the list of issues prior to reporting (CEDAW/C/ECU/QPR/10)

A. Replies to paragraph 1 of the list of issues

The overall situation of women

1. The last Population and Housing Census of Ecuador was conducted in 2010 and the data used in the present document therefore correspond to population projections made by the National Statistics and Census Institute. In 2020, the population was 17,510,643 inhabitants; 58.25 per cent of people were between 18 and 64 years old; and 8,844,706 of the total population were women (50.51 per cent). Of these, 5,750,850 lived in urban areas (65.02 per cent) and 3,093,856 in rural areas (34.98 per cent).

2. In terms of ethnic self-identification, 72.57 per cent of women consider themselves to be of mixed race; 7.09 per cent indigenous; 7.02 per cent self-identify as Afro-Ecuadorian/mulatto; and 6.85 as Montubio. The white population has a lower percentage at 6.14 per cent, and 0.33 per cent for “others”. The provinces with the highest population density are Guayas, Pichincha and Manabí.

3. With regard to the population with disabilities, as of March 2020, there are 485,325 persons in the National Disability Register, of whom 213,263 are women (43.94 per cent).

4. In terms of suitable employment status,¹ the gap between men and women was reported as 30.1 per cent in 2018, which implies a reduction compared with 30.6 per cent in 2014. Regarding the level of gender pay, the percentage of the labour income gap between men and women fell from 23 per cent in 2014 to 21.9 per cent in 2016; while in 2018 it stood at 17.9 per cent.²

5. In December 2019, the overall employment rate stood at 96.7 per cent for men and 95.4 per cent for women; however, the full employment rate³ was 44.8 per cent for men and 30.6 per cent for women. In the same year, underemployment⁴ stood at 19 per cent for men and 16.2 per cent for women, while unemployment stood at 4.6 per cent for women and 3.3 per cent for men. The average labour income of an employed man is \$345.5; while for a woman it is \$292.7.

6. Unpaid work is mainly concentrated in unpaid household activities, followed by social and health services, as well as recreational activities; 72.1 per cent of this is done by women, which means that three out of ten women (30.4 per cent) work without pay. In 2017, for example, women aged 12 and older spent an average of

¹ Labour indicators: National Survey of Employment, Unemployment and Underemployment, December 2019. See <https://bit.ly/3cv4ulp>.

² Technical Secretariat for Planning of Ecuador. Progress report on the achievement of the 2030 Agenda for Sustainable Development, 2019.

³ Sufficient or full employment: persons in employment who, during the reference week, receive work income equal to or above the minimum wage, or work equal to or more than 40 hours per week, regardless of the desire and availability to work additional hours.

⁴ Underemployment: employed persons who, during the reference week, earned less than the minimum wage and/or worked less than the legal working day and are willing and available to work additional hours. The sum of underemployment owing to insufficient working time and insufficient income.

31 hours per week on unpaid work activities, compared to 11.3 hours for men in the same period.⁵

7. With regard to rural women, 36 per cent have access to land compared to 43 per cent of men, which results in a gap of 4.3 per cent in land ownership. In the agricultural sector, 13.9 per cent of women are paid, compared to 35.1 per cent of men. This figure is explained by the fact that the work done by women is not paid because it is considered an extension of domestic work.

8. With regard to the care⁶ provided by the Ministry of Economic and Social Inclusion in December 2018, most of the beneficiaries of special protection services were women, at 51.5 per cent. Among the beneficiaries with disabilities, 49.36 per cent are women and 50.63 per cent are men. According to the social register⁷ of the Ministry of Economic and Social Inclusion, at the national level 64,882 women are living in extreme poverty, poverty and non-poverty.⁸ Women (92 per cent) are the main beneficiaries of human development credit.⁹

9. According to data from the National Statistics and Census Institute, in 2015 there were 2,436 births resulting from teenage pregnancies, which meant that every day, seven girls between 10 and 14 years became mothers; and in the 15 to 19 age range, 158 adolescents experience early motherhood every day (National Statistics and Census Institute, 2016). In 2015, according to the Study on Omission Costs in Sexual and Reproductive Health in Ecuador,¹⁰ 6,487 adolescents dropped out of school because they were pregnant; more than half of them (56 per cent) were in basic education at the time, resulting in a total of 36,871 years of schooling lost, with an average of 5.8 years per woman. This equates to \$728.5 million in lost income that would have been earned had they not dropped out before high school. In fact, 44.3 per cent of pregnant women (aged 15 to 24) interrupted their studies or did not re-enter the education system.¹¹

Information gathering and monitoring of the Sustainable Development Goals

10. The Council for Citizen Participation and Social Control carries out an annual accountability process to demonstrate the progress made by public institutions in incorporating a gender perspective in their management and policies. According to 2018 data, with respect to decentralized autonomous governments: 16.44 per cent of parish governments, 51.58 per cent of municipal governments and 56.52 per cent of

⁵ National Statistics and Census Institute, National Survey of Employment, Unemployment and Underemployment, December 2017. Secretariat of the “Plan toda una vida” (Lifetime Plan). Misión Mujer (Women’s Mission) flagship programme, 2018.

⁶ Services of the Ministry of Economic and Social Inclusion: for comprehensive child development, older persons, persons with disabilities and special protection.

⁷ Social register: a land register containing individualized social, economic and demographic information at the household level. It allows institutions to identify their target populations in order to better focus efforts on groups living in poverty.

⁸ Non-poor people are defined as those who are able to consume what is valued in the basic food basket in terms of food and can acquire what is in the non-food basket: spending on housing, clothing, education, health and transport, among other things. (National Statistics and Census Institute. Poverty in Ecuador Profiles and Associated Factors 2006–2014).

⁹ “A monthly cash transfer of \$50 that is conditional on compliance with requirements such as co-responsibility, established by the Ministry of Economic and Social Inclusion, and received by representatives of nuclear families (mothers, fathers) who are under the poverty line”. See <https://bit.ly/2Mf10QL>.

¹⁰ Study of Omission Costs in Sexual and Reproductive Health in Ecuador, 2017. See <https://bit.ly/3dlxdk1>.

¹¹ Secretariat of the Lifetime Plan. “Misión Mujer” flagship programme, 2018. See <https://bit.ly/2Az406r>.

provincial governments have adopted measures to include the gender perspective in their policies.

11. In 2019, the Secretariat for Human Rights and the Ministry of Economic and Social Inclusion signed the 2030 National Agreement 2030¹² with the following areas of focus: (a) Prevention of violence, transformation of sociocultural patterns and positive and violence-free parental co-responsibilities; (b) Strengthening of specialized systems for the comprehensive protection of rights and social and community support networks; and (c) Access to justice, promotion and restitution of victims' rights. Within the framework of the latter, the National Joint Commission on Access to Justice was created, which incorporated the justice system and the creation of specialized technical subcommissions.

12. Through Executive Decree No. 371 of 19 April 2018, Ecuador adopted the 2030 Agenda for Sustainable Development and the implementation of the Sustainable Development Goals as State policy.¹³

13. In this context, the Technical Secretariat for Planning of Ecuador issued technical standards for the monitoring and evaluation of the Sustainable Development Goals. In 2019, the progress report on the achievement of the 2030 Agenda was published.¹⁴

14. The national development plan for 2017–2021 (“Lifetime Plan”) focuses on guaranteeing a dignified life for all people, a more just and equitable society, the promotion of equality in all areas and the eradication of all types of discrimination, exclusion and poverty. The Plan also includes a number of targets directly linked to the reduction of gender gaps and an annual evaluation of progress.

15. The Secretariat of the Lifetime Plan monitors the seven flagship missions that are part of the national development plan and are focused on caring for people throughout their lives: “Misión Ternura” (Mission Tenderness), “Impulso Joven” (Youth Momentum), “Mis Mejores Años” (My Best Years), “Menos Pobreza Más Desarrollo” (Less Poverty, More Development), “Casa Para Todos” (Homes For All), “Las Manueles” and “Misión Mujer” (Women’s Mission).¹⁵ The latter¹⁶ is a public policy whose main objective is to promote the full autonomy of women throughout their lives by promoting a life free of violence, improving access to sexual and reproductive rights for adolescents and creating institutional and social conditions to increase their access to economic resources.

16. In addition, it is important to note that the Technical Secretariat for Planning of Ecuador has a list of public policies in the national equality agendas, as well as

¹² 2030 National Agreement. See <https://bit.ly/2ZTrTAV>.

¹³ By resolution No. SIPE-003-2020 of 17 January 2020.

¹⁴ Technical Secretariat for Planning of Ecuador, 2019. Progress report on the achievement of the 2030 Agenda for Sustainable Development.

¹⁵ The Secretariat of the Lifetime Plan is a State agency that promotes the generation of public policies, in addition to the coordination and implementation of programmes and missions. These initiatives promote meetings the basic needs of population groups in conditions of extreme poverty, poverty and vulnerability. Their purpose is to ensure that people can progressively enjoy their rights throughout their lives, thanks to public policies for the social and human development of the population; and to propose, coordinate and implement in an efficient, effective and transparent manner the Lifetime Plan, aimed at groups with unmet basic needs and at-risk groups.

¹⁶ Technical Secretariat of the Lifetime Plan. “Misión Mujer” flagship programme. See <https://bit.ly/2Az406r>.

strategies defined by the sectoral cabinets involved in cross-sectoral planning for gender mainstreaming.¹⁷

17. Since 2014, the National Statistics and Census Institute has undertaken the task of developing the statistical development plan for Sustainable Development Goal indicator reporting, a key measure for the implementation of the 2030 Agenda.

18. The National Statistics and Census Institute has a Special Commission on Gender Statistics, which, with the advice of the National Council for Gender Equality, coordinates mechanisms to obtain Sustainable Development Goal indicators, specifically for Goal 5. Between 2017 and 2018, the Commission devised methodology sheets for three Tier I indicators, as well as two data availability reports for Tier II-long term indicators.

19. The Office of the Comptroller General, as part of the work coordinated with the Organization of Latin American and Caribbean Supreme Audit Institutions, participated in an audit to assess the preparedness of the national Government to implement Goal 5, Gender Equality. It focused on three action areas: planning, financing and monitoring. The results of the review helped to identify “63 per cent progress in the planning process for the implementation of Goal 5, 25 per cent progress in the financing process and 80 per cent progress in the monitoring process”, which made it possible to formulate recommendations for each of the institutions.

20. The Office of the Comptroller General is also carrying out a management audit of a study and assessment of the policies implemented to achieve Sustainable Development Goal 1 “End Poverty”, with respect to target 1.2 (indicator 1.2.2: multidimensional poverty); and target 1.4 (indicator 1.4.1: basic services), with a gender perspective (Goal 5), within the framework of an audit coordinated with the Organization of Supreme Audit Institutions of Southern Common Market (MERCOSUR) and associated States. The audit has three main areas of focus: (a) Adaptation of the Goal 1 targets from a gender perspective; (b) Mechanisms to ensure that targets 1.2 and 1.4 are achieved; and (c) Monitoring and evaluation of results.

21. In order to improve the collection and analysis of data relating to the mandate of the Convention on the Elimination of All Forms of Discrimination against Women, Ecuador has established a human rights information system called “SIDERECHOS”, which is a tool that, among other functions, makes it possible to follow up on the recommendations made to Ecuador by international human rights bodies.

B. Replies to paragraph 2

Convention on the Elimination of All Forms of Discrimination against Women in the training of civil servants

22. The institutions that provide services (the Ministry of Public Health, the Ministry of Economic and Social Inclusion, the Ministry of Education and the Secretariat for Human Rights) and those that are part of the justice system (the Council of the Judiciary, the Attorney General’s Office and the Public Defender Service), have strengthened the capacities of their staff on issues related to the Convention, including: equality and non-discrimination, human rights, inclusion and diversity, prevention of gender violence and specialized care for women victims of violence.

¹⁷ Technical Secretariat for Planning of Ecuador, 2020. Document from the list of national agendas and sectoral strategies.

23. The Ministry of the Interior has a comprehensive training programme for all police personnel. This programme is carried out annually on a mandatory basis and the average participation rate of the police force is 95 per cent. One of the topics that is part of the curriculum is gender-based violence and non-discrimination.

24. In addition, the National Council for Gender Equality provides technical assistance to State institutions in order to safeguard the principle of gender equality and non-discrimination. It promotes training and awareness-raising processes for public sector officials, including the National Police. From 2016 to 2019, a total of 5,957 people were trained on women's rights, gender, gender-based violence, gender diversity, access to justice and on the Comprehensive Organic Act to Prevent and Eradicate Violence against Women.

Plan of action for the implementation of the Committee's recommendations

25. In 2015, the Ecuadorian State, with the support and technical assistance of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women), established the "Mechanism for Follow-up to Implementation of the Recommendations of the Committee on the Elimination of Discrimination against Women", which has a coordinating unit composed of the Ministry of Foreign Affairs and Human Mobility, the Secretariat for Human Rights and the National Council for Gender Equality.

26. The Mechanism has been used for follow-up and reporting to other treaty bodies and other intergovernmental bodies requesting information on progress on women's rights, such as the country follow-up report to the recommendations of the Committee on the Elimination of Discrimination against Women in 2017; the 2019 report on the 25-year review of the implementation of the Beijing Declaration and Platform for Action; and the 2019 report on the Follow-up Mechanism to the Belém Do Pará Convention. At the end of 2019, the Mechanism was activated on the occasion of the visit of the United Nations Special Rapporteur on violence against women, its causes and consequences, Ms. Dubravka Simonovic.

C. Replies to paragraph 3

Implementation of the Comprehensive Organic Criminal Code and legislation to prevent violence

27. The Public Defender Service, in compliance with the twentieth transitional provision of the Comprehensive Organic Criminal Code, expanded the functions of the institution and assumed the obligation of implementing the framework for the victims' legal defence unit. (Resolution No. DP-DPG-2014-043).

28. During this period, specific legislation has been passed to put an end to violence as an extreme expression of discrimination against women, while recognizing their diversity and multiple realities. Intersectionality has been incorporated as an element of the conceptual framework that allows us to understand and recognize the different coexisting identities, as well as the interconnected systems of oppression present in society. The most recent regulation approved by the country, in February 2018, is the Comprehensive Organic Act to Prevent and Eradicate Violence against Women, which was developed with the input of the women's movement of Ecuador.¹⁸

¹⁸ For the full text of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women, see www.igualdad.gob.ec/wp-content/uploads/downloads/2018/05/ley_prevenir_y_erradicar_violencia_mujeres.pdf.

Measures to end de facto discrimination and intersecting discrimination

29. The State has a National Equality Agenda for Women and Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons, prepared by the National Council for Gender Equality, which guides the implementation of the action areas of the 2017–2021 National Development Lifetime Plan. The Agenda is a technical and political instrument to address the multiple causes of gender discrimination and gender inequality gaps, and also to combat misogyny, homophobia and all forms of gender-based discrimination.

30. Of particular note is Constitutional Court Ruling No. 184-10-SEP-CC of May 2018 in favour of the rights of the Ecuadorian girl Satya Bicknell-Rothon and her family. In the ruling, violations were declared of the constitutional rights to effective judicial protection, to due process in the guarantee of motivation, to personal identity in relation to obtaining nationality, to equality and non-discrimination, to the family in its various forms, and to the principle of the best interests of children and adolescents. In turn, the Directorate General for Civil Registry, Identification and Certification was ordered to immediately register Satya Bicknell-Rothon as an Ecuadorian national and to recognize her as the daughter of two mothers.

31. Regulations to eradicate discrimination in the workplace, issued by the Ministry of Labour, came into force in 2017.¹⁹ They establish discrimination on the grounds of sex, gender, gender identity and sexual orientation of the worker concerned. In addition, Ministerial Decision No. MDT-2017-0082 was adopted, which establishes the mandatory implementation of the psychosocial risk prevention programme in the public and private sectors.

32. In June 2019, the Constitutional Court approved equal marriage by Ruling No. 10-18-CN/19. The resolution is binding and mandatory. The ruling approving same-sex marriage stems from a protective action filed with the civil registry after it refused to conclude a marriage contract for two men in 2018. In 2015, Ecuador recognized the de facto union of same-sex couples through a reform to the Civil Code.

33. The National Agenda for Equality in Human Mobility 2017–2021²⁰ is a public policy instrument in force that aims to reduce socioeconomic gaps and safeguard the rights to human mobility without discrimination of people, who are understood as subjects of rights with specific needs and conditions. It is proposed to address this phenomenon from the perspective of promoting safe, orderly and regular migration.

34. In response to the indigenous women’s population group, the National Council for Gender Equality, together with the Secretariat for Human Rights and the Institute of Higher National Studies, with the support of UN-Women, organized national dialogues to develop a regional proposal for a General Recommendation on Indigenous Women by the Committee on the Elimination of Discrimination against Women. A text was submitted for consideration by the expert Gladys Acosta, a member of the Committee.²¹

35. In 2018, Ecuadorian indigenous women created the “Mandate of the Amazonian Women Defenders of the Jungle on the Front Lines Against Extractivism”, which contains 22 points on which they demand attention from the Ecuadorian State. These include safeguarding the rights to self-determination, to the protection of territories, to security and protection for women defenders of human rights and for nature from

¹⁹ By means of Ministerial Decision No. MDT-2017-0082 of 2017.

²⁰ National Agenda for Equality in Human Mobility 2017–2021. See <https://bit.ly/3huCXu1>.

²¹ Document of recommendations for the experts of the Committee on the Elimination of Discrimination against Women, drawn up by the National Council for Gender Equality and by indigenous women.

conflicts with logging, oil, hydroelectric and mining companies, and to access for organizational structures and women's organizations without State intervention. These are demands that were included in Presidential Commitment No. 487.

36. In relation to persons with disabilities, the National Council for Gender Equality developed research on gender-based violence, sexual and reproductive rights and pregnancy in adolescents with disabilities, as well as training for public officials.

37. The National Council for Persons with Disabilities published the "Guidelines and Protocols for Access to Justice for Persons with Disabilities". In total, 10,298 persons with disabilities and their families have been trained in the use of the guidelines and protocols. The "Guide for the Empowerment and Participation of Women with Disabilities" (2020) was also developed.

38. During 2015 the National Statistics and Census Institute, with technical advice from the National Council for Gender Equality, conducted research on the living conditions of transgender persons in Ecuador. This was a qualitative and quantitative study in which information was collected on the situation of discrimination, exclusion and/or violence that these people experience or have experienced within their families and in terms of their education, labour, health, justice and participation. The National Council for Gender Equality is conducting similar work with lesbian women and the results will be presented in the second half of 2020. The National Council for Gender Equality elaborated the "Guide to the Rights of LGBTI Persons", which provides basic legal information for the exercise of the right of defence.

39. In December 2018, the National Statistics and Census Institute conducted the multi-year follow-up survey to the national development plan, a multipurpose survey to ascertain the population's perception of discrimination based on ethnicity, sex, gender, age, disability and mobility status.

40. The Technical Secretariat of the Lifetime Plan implemented the "National Study of Country Costs of Violence against Women in Ecuador", which includes four substudies: individual, household and community costs; business costs; government costs; and the costs to microenterprises led by women. It was supported by the German International Cooperation Agency.

D. Replies to paragraph 4

Judicial units specializing in gender-based violence

41. The Ecuadorian State, through the judiciary, provides national coverage to deal with cases of violence against women, with special attention paid to remote areas of the country.

42. The Attorney General's Office has 308 gender-competent prosecutors' offices (235 multipurpose unit and 73 gender units) throughout the country. For its part, the Ministry of the Interior has 1,575 community policing units and 16 community surveillance units for the country.

43. The Council of the Judiciary has 37 judicial units specializing in violence, covering 23 provinces and 49 cantons; five criminal law judicial units on violence against women, covering four provinces and nine cantons; 23 criminal multipurpose judicial units covering 13 provinces and 34 cantons and 107 multipurpose judicial units. In 2019, the Council of the Judiciary incorporated 111 new judges, reaching a total of 807 officials in specialized units, including both administrative and technical staff. In addition, in the same year, work was done to improve the equipment of 96 judicial units.

44. In 2019, the Council of the Judiciary implemented the “Plan to strengthen specialized judicial units with jurisdiction over violence against women or members of the nuclear family”, approved by resolution No. 049-2019.

45. The Public Defender Service reported that as of 2019 it had 1,111 staff members; 733 are public defenders providing advice and legal representation to women victims of gender violence throughout the country. In the provinces of Pichincha and Guayas there are specialized victim care units with interdisciplinary teams. A public defender remains in the remand unit 24 hours a day, seven days a week.

46. In the period from 2015 to 2019, the average annual codified budget for the four entities of the national justice system (the Council of the Judiciary, the Attorney General’s Office, the Public Defender Service and the Constitutional Court) was \$627.95 million (see table 1).

47. The Public Defender Service and the National Council for the Equality of Peoples and Nationalities signed an inter-institutional cooperation agreement to strengthen and expand free advisory services, timely assistance and legal representation for individuals, communes, communities, indigenous peoples and nationalities, Afro-Ecuadorian people and the Montubio people.

2030 National Agreement

48. The National Joint Commission on Access to Justice was created in July 2019 within the framework of the 2030 National Agreement, under priority area No. 7 on access to justice – “For a Life Free of Violence”. It consists of the National Court of Justice, the Council of the Judiciary, the Attorney General’s Office, the Public Defender Service, the Ministry of Economic and Social Inclusion and the Secretariat for Human Rights.

49. The Commission’s objectives are to analyse critical issues for immediate solutions to the processes of prosecution, specialized investigation and comprehensive reparation for victims of the crimes of sexual violence and femicide; the standardization of records of crimes of violence, according to international human rights standards; and analysis of the reforms proposed by the National Assembly to the Comprehensive Organic Criminal Code, as well as regulations relating to the Comprehensive Organic Act to Prevent and Eradicate Violence against Women and the proposed reforms to the Organic Code for Children and Adolescents.

E. Replies to paragraph 5

Protocols for cases of gender-based violence

50. In 2014 the Council of the Judiciary, by means of resolution No. 154-2014, issued protocols for case management and expert action and assessment in cases of violence against women or members of their nuclear families.²²

51. In 2018, by means of resolution No. 052A-2018, the Council of the Judiciary repealed the aforementioned protocols in order to implement the Comprehensive Organic Act to Prevent and Eradicate Violence against Women.²³ The new resolution sets out the plan for the optimization and strengthening of specialized judicial units; the instructions on judicial proceedings for protective measures; the continuous training plan for justice officials; the plan to modify and update the Ecuadorian

²² Protocols for case management and expert action and assessment in cases of violence against women or members of their nuclear families. See <https://bit.ly/2Mglyaf>.

²³ Resolution 052A-2018. See <https://bit.ly/2yU4X9c>.

automated system for judicial proceedings; and the protocol for judicial management and expert action.

52. In 2014, by means of resolution No. 049-2019, this plan was updated, incorporating 119 professionals: 23 initial reception judicial assistants, 34 doctors, 28 psychologists and 34 social workers to cover the demand for technical and initial reception staff in the specialized judicial units.

Access to justice for women who have abortions

53. Article 150 of the Comprehensive Organic Criminal Code establishes that “Abortion performed by a doctor or other qualified health professional with the consent of the woman or her spouse, partner, intimate partner or legal representative, when she is unable to consent, shall not be punishable”, when the aim is to safeguard the life or health of the pregnant woman, or if the pregnancy is the result of rape of a woman with a mental disability.

54. Between 2014 and 2018, a total of 97 cases were filed for abortion, of these 65 have been resolved and 32 are pending. Of the cases resolved, 54 per cent have resulted in a conviction and 46 per cent in a not-guilty verdict. Among the measures adopted in the cases of conviction, 16 were sentenced to imprisonment, 13 received suspended sentences under summary procedures, and in six cases non-custodial socio-educational measures were ordered.

Training on legislation prohibiting discrimination and gender-based violence

55. In 2019, 384 judges and 214 prosecutors were trained in the use of the digital platform known as the automated system for the delivery of information to the judicial branch.²⁴ A total of 1,149 judges and 2,767 prosecutors were trained in its use in the first quarter of 2020. This tool allows judicial authorities to obtain the digital archives of emergency services or records of the services provided by the ECU 911 Integrated Emergency System, in order to incorporate them into an investigation and determine violations.

56. Since 2015, the Council of the Judiciary has trained 475 notaries nationwide on equality and non-discrimination. In 2016, it trained 150 mediators using a part-distant learning model of the introductory course on gender-based violence. In 2017, a virtual course on tools for incorporating the gender perspective in judgments was held, in which 863 judges participated.

57. The Judicial Training Academy, in compliance with resolution No. 49-2019 of the Plenary of the Council of the Judiciary, developed a continuous training programme for justice officials to implement the Comprehensive Organic Act to Prevent and Eradicate Violence against Women.²⁵

58. Between 2015 and 2019, ongoing and mandatory training processes were conducted for National Police personnel, including on gender-based violence and non-discrimination. There were 42,527 registered participants, including police officers, instructors, cadets and trainees.

²⁴ The automated system for the delivery of information to the judicial branch is a tool that allows judicial authorities to obtain digital archives, whether video surveillance recordings, audio recordings of emergency services or records of the services provided by the ECU 911 system, in order to incorporate them into an investigation to determine violations.

²⁵ Council of the Judiciary, 2020. Implementation report on the training programme for the application of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women.

59. Between 2017 and 2019, the Public Defender Service trained 302 officials on violence, victimology, the prevention of sexual exploitation and abuse, domestic violence, the gender-sensitive administration of justice and human rights.

F. Replies to paragraph 6

National mechanism for gender equality

60. In 2014, the Organic Act on National Equality Councils was issued,²⁶ which regulates the functioning of the national mechanism for gender equality

61. The National Council for Gender Equality²⁷ is the State's gender mechanism. Its mandate is to ensure the full enjoyment and exercise of the rights of women and gender-diverse persons. One of its main responsibilities is to mainstream the gender perspective in all State functions and to influence social and cultural patterns in order to safeguard equality and non-discrimination.

62. In 2017, the National Council for Gender Equality provided technical assistance to the Office of the Comptroller General, the entity responsible for "establishing and coordinating the mechanisms, instruments and procedures for accountability"; to the Council for Citizen Participation and Social Control, for the incorporation of the gender approach in the accountability model of decentralized autonomous governments; and to the entities responsible for the oversight of State management.²⁸

63. The Ministry of Economic Affairs and Finance updated the design of the system for the classification of spending on gender equality policies, verifying that the categories correspond to the policies and guidelines of the 2014–2017 Agenda on Women and Gender Equality, and since this year it has also insisted on the mandatory use of the system for the classification of spending on equality and environmental policies.

G. Replies to paragraph 7

Implementation of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women

64. The Comprehensive Organic Act to Prevent and Eradicate Violence against Women came into force in February 2018. The bill²⁹ included the participation of the women's movement, and the legislative and executive branches. The initiative was promoted by the President of the Republic in 2017, including the creation of the "Great National Crusade to Combat Violence against Women and the Family".

65. In July 2017, the National Assembly resolved to categorically condemn all types of violence against girls, adolescents and women in Ecuador and urged State institutions to strengthen care and response services, as well as programmes and plans.

66. For the implementation the Comprehensive Organic Act, the Crusade established four technical round tables: on the single registry on violence; on countrywide application the Organic Act; on prevention; and on access to justice which, in 2019, became the National Joint Commission on Access to Justice.

²⁶ Published in the Second Supplement to Official Gazette No. 283 of 7 July 2014.

²⁷ National Council for Gender Equality. See www.igualdadgenero.gob.ec/.

²⁸ Article 94 of the Organic Act on Citizen Participation.

²⁹ Some legislation was taken as a reference in the drafting of this regulation, including from Spain, Mexico, Uruguay and Colombia; inputs were also received from civil society organizations.

67. The Comprehensive Organic Act has four components for the eradication of violence: prevention, care, protection and reparation.

68. In 2017, the general State budget allocated \$345.8 million to preventing or addressing violence against women. Most of the expenditures came from the health sector (68.93 per cent), followed by the education sector (19.48 per cent) and the justice sector (11.45 per cent). With regard to the expenditure strategy, 88.26 per cent was allocated to address the health consequences for battered women and their school-age children; 11.37 per cent for judicial response and only 0.37 per cent for prevention.³⁰ In 2018, 225 institutions had allocated \$656,994,046.72 in resources for the category of gender equality policies, \$611,935,974.34 (93 per cent) of which was implemented. In 2019, the institutions had allocated \$705,590,310.54 in resources for the category of gender equality policies, \$689,902,524.55 (97.78 per cent) of which was implemented. In 2020, the institutions comprising the comprehensive national system to prevent and eradicate violence against women had allocated \$443,457,952.21 for gender equality policies, \$180,183,554.51 of which was implemented from January to June, according to data from the Ministry of Economic Affairs and Finance.

69. The Secretariat for Human Rights is the lead agency for the implementation of the Comprehensive Organic Act. In 2019, the Secretariat established the Subsecretariat for the Prevention and Eradication of Violence against Women, Children and Adolescents.

70. Since 2018, the single registry on violence drawn up by the Ministry of the Interior has been updated from the records of the institutions that are part of the comprehensive national system to prevent and eradicate violence against women, taking into account demographic identification variables of the victim and aggressor, the types of violence and environments where the event occurred. The Secretariat for Human Rights is developing the conceptual and methodological framework for the single registry on violence and its standardization. A working group was set up for that purpose in 2019 by means of resolution No. SDH-SDH-2019-007-R.

71. The Secretariat for Human Rights issued regulations for the application of administrative protection measures by local rights protection boards³¹ and the model ordinance to implement the cantonal system to prevent and eradicate violence against women, girls, adolescents, young people, adults and older persons, in all their diversity. There is a comprehensive response plan and there are general guidelines for the application of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women in decentralized autonomous governments.

72. The Secretariat for Human Rights coordinated the creation of the management model for the comprehensive national system to prevent and eradicate violence against women, in order to implement the Comprehensive Organic Act within the framework of a strategic alliance between the Regional Bureau for Latin America and the Caribbean of the United Nations Development Programme and the Development Bank of Latin America. In 2019, the Ministry of Economic and Social Inclusion and the Secretariat for Human Rights, within the framework of the 2030 Agreement, established commitments with civil society and 160 local authorities on the prevention of violence, the strengthening of local protection systems and access to justice. The first national meeting of the 2030 Agreement Advocacy Group was held within that framework.

³⁰ The direct governmental costs of violence against women in Ecuador, 2017. German Agency for International Cooperation and Prevention of Violence against Women (PreViMujer).

³¹ Secretariat for Human Rights, 2019. Resolution No. SDH-2019-0023-R.

73. As part of the 2030 Agreement, the Ministry of Economic and Social Inclusion, together with the Secretariat for Human Rights and the National Council for Intergenerational Equality, with assistance from the Inter-American Development Bank, trained 5,355 operators of specialized systems for the comprehensive protection of rights and access to justice in 218 cantons and 23 provinces, in coordination with the National Council for Gender Equality.³²

Focus area: prevention, article 40 of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women

74. The Council of the Judiciary, with support from UN-Women, designed the tool for the application of legal standards on women's rights in sentencing; the guide for the administration of gender justice; the manual for civil society action against gender-based violence; and the following outreach materials for users of the justice system: (a) general recommendations for filing a complaint with the judicial units or the prosecutor's office; and (b) a pocket-sized booklet with general recommendations for filing complaints.

75. In addition, with advice from UN-Women, the Council of the Judiciary published "Qualitative and Quantitative Performance Evaluation Parameters for Judges with Jurisdiction over Violence against Women".

76. The Council for the Regulation and Development of Information and Communication designed and implemented a virtual course for the training platform on communication and information rights, entitled "Women free from violence", in order to increase knowledge about the Comprehensive Organic Act to Prevent and Eradicate Violence against Women. It also has a training plan on communication tools with a gender perspective for various audiences.

77. The Office of the Ombudsperson of Ecuador, in 2019, developed 71 teaching-learning processes, including training, awareness-raising and dissemination, with 2,194 people. Basic aspects of human rights, the gender approach, women's rights, equality and non-discrimination, and the right to a life free of violence were addressed.

78. The Office of the Ombudsperson published a theoretical support and methodological guide, entitled "Gender Equality and Human Rights" as a result of cooperation with the women's network of the Ibero-American Federation of Ombudspersons and the project to strengthen the Ibero-American Federation of Ombudspersons of the German Agency for International Cooperation (PROFIO-GIZ), within the framework of the powers granted to it by the Comprehensive Organic Act and the Academia Aeronáutica Mayor Pedro Traversari Specialized Commission of the National Assembly.

79. The Ministry of Public Health conducted a total of 4,124 awareness-raising activities in 1,786 health facilities in 139 districts; with 66,378 participants from clubs, local health committees and the community in general. The topics addressed were prevention, approaches and guidelines for addressing human rights and gender-based violence.

80. The Ministry of Labour, in cooperation with the National Council for Gender Equality, implemented a virtual course for public servants on public policies for gender equality.

³² Final report, 2030 Agreement "For a Life Free of Violence".

81. The ECU 911 Integrated Security Service, as part of the inter-agency protocol for receiving alerts related to gender-based violence, implemented a permanent induction programme on gender and violence prevention.

82. In the rural sector, through the National Council of Rural Parish Governments of Ecuador, a meeting of rural women was organized in December 2019 to analyse the decentralized implementation of the Comprehensive Organic Act countrywide.

Focus area: assistance, chapter IV of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women

83. The Secretariat for Human Rights has a network of services providing assistance to women victims of violence. The services follow a mixture of approaches, following the signature of specific agreements with women's organizations: there are five shelters and 16 comprehensive care centres for women living in situations of violence. In 2019, the centres provided psychological, legal and social care for an average of 60,624 women; and 3,574 women and their children were placed in the shelters, in addition to those in continuous accommodation.³³

84. Ecuador has 45 comprehensive protection services in 40 cantons in the country, which offer psychological, legal and social counselling. During 2019, the comprehensive protection services served a total of 53,759 persons, all of whom were victims of either of physical, psychological, sexual or material violence, of human trafficking or of abandonment. Eighty-one per cent of them were women, girls and adolescents and 19 per cent were men.

85. Through Ministerial Decision No. 267 of the Ministry of Public Health, the regulation was issued in 2018 for the implementation of primary health care services and a single form for alleged cases of gender-based violence and serious human rights violations, and their information management model.³⁴ The total number of cases addressed in 2015 was 24,300; 23,238 in 2016; 24,146 in 2017; 33,773 in 2018; and 29,456 in 2019.

86. In the period from 2016 to 2019, the Public Defender Service dealt with 76,356 requests for assistance to victims of gender-based violence.

87. The Ministry of the Interior increased response units at the national level for rapid and effective access to immediate protection mechanisms for victims of violence against women. As of 2019, there were 253 police stations, 756 parish commissioners, 24 offices of the intendant, 17 community surveillance units, 1,584 community policing units, 34,446 preventive police officers and 70 police officers from the domestic violence department.

Focus area: protection, chapter V of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women

88. In 2019, the Secretariat for Human Rights issued procedural regulations for ordering immediate administrative protection measures,³⁵ which include the general guidelines for their implementation, taking into account services related to first reception, receipt of applications, authorizations, notifications, referral to the judicial branch and follow-up.

³³ The figures are provisional and subject to review by the Secretariat for Human Rights.

³⁴ Ministry of Public Health, Ministerial Decision No. 267-2018. Primary health care services and a single form for alleged cases of gender-based violence and serious human rights violations, and their information management model.

³⁵ Secretariat for Human Rights, 2019. Resolution No. SDH-2019-0023-R.

89. In 2019 the Ministry of the Interior issued a procedural manual for parish commissioners entitled “Managing the Authorization of Immediate Administrative Protection Measures to Stop and Prevent Violence against Women”.³⁶

90. The Ministry of the Interior issued instructions to the National Police entitled “Police operations for the execution of urgent actions and immediate administrative protection measures to stop and prevent violence against women”. The granting of immediate administrative protection measures is carried out by means of an automated system that includes 60 variables in seven sections, where the situation of violence is detailed; the specific process document is generated according to the case; and, lastly, notification is given of the measures ordered. Between January and August 2019, a total of 1,257 measures were granted.

91. The Office of the Ombudsperson, under a pilot project, monitors and controls the granting of immediate administrative protection measures in the following order: receipt of the notification; scheduling of an on-site visit to the affected person, alleged aggressor and parish commissioner who issued the protection measure; and preparation of the report with recommendations, which may include the need to issue a new measure or modify one already issued.

92. The Secretariat for Human Rights, the Ministry of Economic and Social Inclusion, the National Council for Gender Equality and the National Council for Intergenerational Equality signed an agreement to strengthen the capacities of the cantonal rights protection boards in the issuance of immediate administrative protection measures.

93. The Attorney General’s Office has a national system for the protection of victims and witnesses, the purpose of which is to safeguard the physical and psychological integrity of victims or witnesses who are at risk as a result of their participation in a publicly prosecuted criminal case. At present, the country’s 23 units are assisting 68 persons (relatives of victims or survivors) in connection with crimes of femicide. Between 2015 and 2019, 208 protected persons were registered. The budget from 2015 to 2019 is attached in table 3.

94. The Office of the Ombudsperson has opened 686 defence proceedings at the national level, including with respect to monitoring due process, protection measures and follow-up of compliance with immediate administrative protection measures.

Focus area: reparation, chapter VI of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women

95. In 2017, the Council of the Judiciary conducted a virtual course on comprehensive reparation for victims of violence against women or members of the nuclear family, in which 1,550 judges, prosecutors, public defenders and technical staff participated.

96. The Council of the Judiciary established that, from an analysis of judgments in cases of femicide between 2014 and 2016, 92 per cent of cases provided some measure of effective reparation in favour of the victims; however, most of these cases ultimately involved compensation for material and non-material damages.

97. The convictions established the following different types of reparation measures: rehabilitation (7 per cent); compensation (55 per cent); satisfaction, compensation and non-repetition (2 per cent); satisfaction and compensation (6 per cent); and compensation and rehabilitation (30 per cent).

³⁶ Ministry of the Interior, 2019. Resolution No. MDI-MP-S-OMAPIPVM-054.

98. In order to provide some form of reparation to indirect victims in cases of femicide, the State of Ecuador, through Executive Decree No. 696 of 8 March 2019,³⁷ established a bond for children and adolescents up to 18 years of age who are orphaned as indirect victims of the crime of femicide of their parents and who, according to their social register, are in a situation of poverty.

99. With the technical support of the European Union programme to increase social cohesion in Latin America (EUROsociAL) and the International and Ibero-American Foundation for Administration and Public Policies, the Secretariat for Human Rights and the Technical Secretariat for Planning of Ecuador carried out an evaluation of the 2015–2017 National Plan for the Eradication of Gender-Based Violence Against Children, Adolescents and Women. They also provided significant inputs for the elaboration of the new 2020–2023 National Plan for the Prevention and Eradication of Violence against Women, supported by the German Agency for International Cooperation.

100. The National Council for Equality in Human Mobility and the Secretariat for Human Rights prioritized proposals that involve strengthening the mechanisms for training and dissemination of rights for the prevention of gender-based violence against women and changing sociocultural patterns that foster violence; and, at the same time, strengthening psychological and social care for persons in human mobility who are victims of psychological, physical and sexual violence, as well as referrals to other bodies.

101. In 2018 the Ministry of Economic and Social Inclusion issued prevention and care guidelines in cases of physical, psychological and sexual violence against children and adolescents detected in the care services. In addition, it issued the general protocol for responding to violence against children, adolescents, persons with disabilities, older persons and women, inside or outside the walls of public and private services or any other service regulated by the Ministry.

102. In 2018, the Secretariat for Higher Education, Science, Technology and Innovation issued a protocol for responding to cases of harassment and gender-based and sexual violence in higher education institutions; and, together with National Council for Gender Equality, drew up a protocol for responding in cases of harassment, discrimination and violence based on gender and sexual orientation in higher education institutions.³⁸ This protocol has been publicized in higher education institutions, in coordination with the Higher Education Council, with the participation of 249 women and 118 men. Indirectly, in universities and polytechnics, 511,177 students, 70,105 teachers and 34,528 administrative staff were involved; while technical and technological institutes worked with 153,359 students, 18,133 teachers and 1,842 administrative staff. Since the issuance of the Protocol, additional proposals have been generated at the university level, one of them being the creation of the inter-university network for feminist research on sexual harassment.

103. The Central University of Ecuador issued a general protocol for preventing, addressing and punishing cases of sexual and gender-based violence³⁹ and founded the Institute for Research on Gender Equality and Rights, whose objective is to generate knowledge for the creation of academic spaces for effective equality and non-violence.

³⁷ Bond for children and adolescents orphaned by femicide. Presidential Decree No. 696 of 8 March 2019. See <https://bit.ly/2Mgm8or>.

³⁸ Approved by the Council of Higher Education, by means of resolution RPC-SO-20-No.301-2018 of 23 May 2018.

³⁹ General Protocol for Preventing, Addressing and Punishing Cases of Sexual and Gender-Based Violence. See <https://bit.ly/2MiQyGu>.

104. The Higher Education Council, the regulatory body of the higher education system, urged universities and polytechnic schools to generate affirmative actions in response to the regulation guaranteeing equality for all actors in the higher education system.⁴⁰ In 2018, 30 universities and polytechnic schools and two higher technology institutes delivered their equality plans, while 10 universities and polytechnic schools did so in 2019. In 2020, 20 universities and polytechnic schools and 13 higher technology institutes reported the implementation of affirmative actions for the fulfilment of the principle of equal opportunities.

105. The teaching community has been trained through an introductory course to prevent gender-based violence in higher education.⁴¹

Second survey on family relations and gender-based violence against women

106. Between July and August 2019, Ecuador conducted a second national survey on family relations and gender-based violence against women,⁴² focusing on women aged 15 and older, with the aim of updating statistical information on the prevalence of different types of violence against women, taking into account the contents of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women.

107. The information collected contains different levels of disaggregation: tabulated indicators and variables disseminated at the national level, including by urban, rural and provincial geographic area, ethnic self-identification, types of violence, areas, marital or conjugal status. At the same time, the level of statistical representativeness of the information was also considered in order to obtain monitoring indicators for the 2030 Agenda.

“De-homosexualization” clinics

108. The Constitution recognizes equality and non-discrimination. Articles 176 and 177 of the Comprehensive Organic Criminal Code criminalize offences affecting LGBTI persons, such as acts of hatred, discrimination and torture.

109. The Council of the Judiciary indicated that between 2014 and 2017 a total of 142 court cases were reported, of which 117 have been resolved.

110. The LGBTI Inter-institutional Round Table was established in 2019 with a view to creating an inter-ministerial agreement on administrative measures for the effective exercise of the rights of persons with diverse sexual orientations and gender identities in the executive function, for the generation of alerts against “de-homosexualization” clinics and acts of violence, hatred and discrimination against the LGBTI population, as well as the investigation of violent deaths; and procedures for the care and reporting of persons held against their will in health facilities for addiction treatment.

111. In 2016, a procedure was developed to deal with and handle complaints about “de-homosexualization” clinics,⁴³ so that the response in such cases removes impunity for violations and restores protection for victims, both from the justice services and from the social care services. The procedure is divided into six phases: detection, referral, protection, investigation and punishment, case monitoring and implementation of comprehensive reparation measures.

⁴⁰ Resolution RPC-SO-22-No.414-2017 of 28 June 2017.

⁴¹ Resolution RPC-SO-40-No.735-2019 of 20 November 2019.

⁴² National Statistics and Census Institute, 2019. Second national survey on family relations and gender-based violence against women. See <https://bit.ly/2TXc7k9>.

⁴³ Procedure for handling complaints and dealing with cases of LGBTI persons held against their will in health facilities providing treatment services to persons with a problematic consumption of alcohol and other drugs. See <https://bit.ly/3dxvIF3>.

Gender-based violence monitoring system

112. The Council of the Judiciary permanently monitors cases of violence against women or members of the nuclear family through the Ecuadorian automatic judicial processing system, which allows the recording of disaggregated information on the data of the victim, the aggressor, the act of violence and the stages of the judicial process. Specific modules make it possible to record criminal and administrative protection measures and comprehensive reparation mechanisms for direct and indirect victims.

H. Replies to paragraph 8

Femicide

113. The Comprehensive Organic Criminal Code entered into force in 2014. For the first time, it classifies femicide as a crime against the inviolability of life and, in article 141 thereof, defines femicide as follows: “A person who, as a result of power relations manifested in any type of violence, kills a woman because she is a woman or because of her gender status, shall be punished with imprisonment of 22 to 26 years”. Article 142 describes the aggravating circumstances.⁴⁴

114. The State has a Commission on Citizen Security and Justice, headed by the National Statistics and Census Institute, whose purpose is to promote the production and strengthening of information on security, justice, crime and transparency, including femicide, through the design, development and implementation of statistical plans and projects.⁴⁵

115. In May 2019, based on the work developed by the Commission’s Statistical Strengthening Group, a document was issued entitled “Indicator production: number of victims of femicide registered in the judicial system”, which establishes the process to standardize the official number of femicide cases based on the data registered by the Attorney General’s Office and the Ministry of the Interior. The number of cases of femicide is thus reported periodically according to the proceedings, by pre-procedural and procedural phase, and the number of cases prosecuted, as per the concluding determination and taking into account variables such as age and victim-perpetrator relationship. In line with this methodology, 27 femicide cases were registered in 2014; 55 in 2015; 67 in 2016; 102 in 2017; 60 in 2018; 67 in 2019; and 27 by June 2020.

116. The variables available in the traceability of the statistical register of femicide include information that characterizes the event (province, canton), the victim (age, sex, ethnicity, pregnancy status, etc.), the alleged aggressor/offender (age, sex, ethnicity, etc.) and the judicial process (pre-trial and trial status of the case) (see tables 4, 5 and 6).

117. The table below shows that the criminal offence can be analysed independently of other criminal offences of violent deaths of women, which makes it possible to

⁴⁴ Article 142. Aggravating circumstances of femicide. When one or more of the following conditions is met, the maximum penalty provided for in the previous article shall be imposed: (a) Having attempted to establish or re-establish a dating or intimate relationship with the victim; (b) There is or has existed between the perpetrator and the victim a family relationship, marital relationship, cohabitation, intimacy, courtship, friendship, companionship, work, school or any other relationship that implies trust, subordination or superiority; (c) If the crime is committed in the presence of the victim’s children or other family members; and (d) The victim’s body is exposed or dumped in a public place.

⁴⁵ Based on Resolution No. 005-DIREJ-DIJU-NT-2019.

understand the problem and to propose inter-institutional actions to curb the phenomenon of femicide.

Other criminal offences of violent deaths of women

<i>Period</i>	<i>Murder</i>	<i>Femicide</i>	<i>Manslaughter</i>	<i>Contract killing</i>
2014	95	27	64	1
2015	107	55	6	7
2016	102	67	11	2
2017	81	102	14	0
2018	64	60	12	2
2019	70	67	14	0
As at June 2020	20	27	10	0
Total	539	405	131	12

Source: Ministry of the Interior (murder statistics).
Prepared by the Attorney General's Office⁴⁶

118. To address cases of femicide, the Attorney General's Office uses the Latin American Model Protocol for the investigation of gender-related killings of women (femicide), drawn up by UN-Women and the Office of the United Nations High Commissioner for Human Rights.

119. Since 2014, the Attorney General's Office has been managing the integrated system of prosecutorial actions, which allows for greater control of institutional management.

I. Replies to paragraph 9

120. The Human Mobility Act⁴⁷ and its implementing regulations⁴⁸ were adopted in 2017 to foster technical, political and operational inter-agency coordination in the prevention, investigation and punishment of the crime and in the comprehensive protection of victims of trafficking and smuggling. Under the Act, the Inter-Agency Coordinating Committee for the Prevention of Trafficking in Persons and Migrant Smuggling and for Victim Protection was established, in addition to the regulations governing its operation.⁴⁹ The Committee has a protocol for operationalizing assistance and protection for victims or alleged victims of trafficking in persons.⁵⁰ One of its main tasks was to update, design and implement the new anti-trafficking policy.

121. Work on the new action plan to combat trafficking in persons for 2019–2030⁵¹ began in April 2018 and input was received from the International Organization for Migration. It promotes the implementation of specific operational measures for enhanced coordination between the different institutions on prevention, the promotion

⁴⁶ Ibid.

⁴⁷ Human Mobility Act, 2017. See <https://bit.ly/2AfdjIK>.

⁴⁸ Regulations relating to the Human Mobility Act, 2018. See <https://bit.ly/2M4WHpQ>.

⁴⁹ Approved by means of Decision No. 0010, published in Official Gazette No. 240 in 2018. See <https://bit.ly/2zJmNfg>.

⁵⁰ Ministry of the Interior, 2017. Protocol on inter-agency action for the comprehensive care, protection and assistance of alleged victims and victims of trafficking in persons.

⁵¹ Action plan to combat trafficking in persons, 2019–2030. Approved by means of Ministerial Decision No. 0194-2019 of 25 November 2019. See <https://bit.ly/2M9SPDS>.

of rights, comprehensive protection for victims and investigation and prosecution. It also incorporates a gender-sensitive approach into its activities by recognizing that “women are at the heart of public action as subjects of rights and special protection so as to implement effective measures aimed at changing social practices such as violence and at seeking comprehensive reparation”.⁵²

122. Ecuador has implemented a system for registering trafficking in persons and migrant smuggling in order to generate filtered data on the victims and to follow up on each case, including the victim protection entity.⁵³

123. In 2018, the national human mobility plan was adopted,⁵⁴ in conjunction with the following four policies: promoting universal citizenship and free international movement; creating conditions that foster safe and orderly migration; better protecting migrants’ rights; and defending the diversity, integration and coexistence of migrants.

124. Work was also done on the Strategic Plan for Integrated Border Security – Northern Border (2018)⁵⁵ which contains measures to strengthen the defence, care and protection of trafficking victims in the border area with Colombia.

125. The Ministry of the Interior established the Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling, with a Specialized Anti-Trafficking Unit, which became the National Unit for the Investigation of Trafficking in Persons and Migrant Smuggling in 2019. A new National Directorate to Combat Violence against Women, Family, Children, Adolescents and Trafficking in Persons was also created.

126. The National Directorate to Combat Violence against Women, Family, Children, Adolescents and Trafficking in Persons expanded its staff from 32 to 49 police officers and set up the National Specialized Unit for the Investigation of Transnational Organized Crime to investigate trafficking cases.

127. In 2019, a human trafficking and migrant smuggling tracking system was launched. This digital tool monitors implementation of the action plan to combat trafficking in persons 2019–2030, stores data in order to track the completion of planned activities and has a data repository available for download.

128. The Ministry of Foreign Affairs and Human Mobility, the Ministry of the Interior and the Ministry for Equality in Human Mobility, in the sub-committee on trafficking in persons and migrant smuggling, drew up special instructions on authorizing children and adolescents to leave the country as a crime prevention measure.

129. On 18 January 2018, the Ministry of the Interior signed an agreement with the International Centre for Missing and Exploited Children to activate the Amber Alert, known as “Alerta Emilia” in Ecuador.⁵⁶ Ecuador is a member of the Global Missing Children’s Network. When a child or adolescent goes missing, their picture and information are immediately sent to mobile devices and mass media via the alert system in order to locate the victim as quickly as possible.

130. The system is operational and there is a protocol for the “Alerta Emilia” programme.⁵⁷ This is a national mechanism for coordinating between the main

⁵² Ibid.

⁵³ For more information, see <https://bit.ly/2XIyUj>.

⁵⁴ National human mobility plan, 2018. See <https://bit.ly/3esqNzG>.

⁵⁵ Strategic Plan for Integrated Border Security – Northern Border, 2018. See <https://bit.ly/2XdcdX5>.

⁵⁶ Named after Emilia Benavides, who was trafficked for the purpose of sexual exploitation/child pornography, 2018.

⁵⁷ Ministry of the Interior, 2019. Protocol for the “Emilia Alert” programme. Approved on 20 April 2018 by means of Inter-Agency Agreement No. 0012. See <https://bit.ly/2zwh5ZF>.

institutions of the judiciary and the security sector, including the Ministry of the Interior, the Council of the Judiciary, the Attorney General's Office, the Public Defender Service and the National Police, to guide implementation of the programme.

131. Implementation of the Alert has resulted in the standardization of technical criteria for the preparation of standardized posters; the creation of a photo dissemination strategy; a checklist/risk assessment in cases of missing children, the consolidation of a single missing persons database by the Attorney-General's Office and the Ministry of the Interior-National Police; the creation of a website⁵⁸ and a mobile application; and the development of guidelines and protocols for inter-agency coordination.

132. The Ministry of Foreign Affairs and Human Mobility and the Ministry of Economic and Social Inclusion, with the support of the United Nations Children's Fund (UNICEF), developed a procedure for the care of children, adolescents and their families in a migration context in Ecuador in order to: ensure that all unaccompanied children and adolescents are able to enter the country; conduct, without distinction, an assessment and determination of the best interests of the child; and identify and implement immediate and sustainable measures to protect and guarantee the pertinent rights in each case.

133. In the context of the migration of Venezuelan nationals, a plan to address the unusual migratory flows of Venezuelan citizens was formulated in 2018. In 2019, by Presidential Decree, immigration amnesty was granted to Venezuelan citizens who had not violated Ecuadorian laws.

134. With regard to measures to prevent trafficking in persons, several campaigns have been run, such as the "#Aquí Estoy" (#Here I am) campaign, which was launched on 11 April 2019 by the Inter-Agency Committee to circulate warnings through all State information channels regarding fraudulent job offers, and a toll-free helpline has been set up. In addition, the "Prevent Risky Migration" campaign was run and a virtual course on trafficking in persons was organized, in which 31,537 people participated.

135. In 2016, the Council of the Judiciary organized a virtual course on extreme forms of violence: femicide and trafficking in persons. A total of 3,208 judges, prosecutors and public defenders participated.

136. The Ministry of Economic and Social Inclusion has two dedicated shelters for victims of trafficking for purposes of commercial sexual exploitation, in Machala and Quito. It also funds a home for trafficked girls and adolescents (Quito), which is run by the Alas de Colibrí Foundation. In July 2018, the municipality of Quito and the Attorney-General's Office opened the Arupo shelter for adolescent women trafficked for purposes of sexual exploitation and their children (0 to 3 years). The shelter can accommodate up to 19 adolescents aged from 12 years to 17 years and 11 months. The victim and witness protection system provides them with psychological support, social work assistance and other services to help them rebuild their lives.

137. The Directorate for the Assistance and Protection of Ecuadorians Living Abroad of the Ministry of Foreign Affairs and Human Mobility handled seven cases of trafficking of Ecuadorian women and girls in 2018 and four cases in 2019.

138. Article 104 of the Human Mobility Act provides that: "The Vice-Ministry of Human Mobility, at the request of the Ministry of the Interior, shall grant, on an exceptional basis, temporary residence visas to foreign victims of trafficking in persons and migrant smuggling, pursuant to the Human Mobility Act and these regulations". Secondary legislation has been under development since 2019 on the

⁵⁸ See www.desaparecidosecuador.gob.ec/.

granting of temporary visas to victims of trafficking in persons on an exceptional basis. The Ministry of Foreign Affairs and Human Mobility is preparing a set of instructions to be applied by the Inter-Agency Committee concerning applications for temporary residence visas on the grounds of being a victim of trafficking, and a protocol on the granting of temporary residence visas to victims of trafficking in persons on an exceptional basis.

139. In 2014, the Ministry of Public Health issued regulations on the supervision of establishments in which sex work is carried out.⁵⁹ These set out guidelines and directives for their operation and grant the National Agency for Health Regulation, Control and Surveillance powers to verify compliance with this standard.

140. In 2017, the Ministry of Public Health published a handbook on the provision of comprehensive health-care services for persons performing sex work,⁶⁰ which recognizes the prevailing social conditions of sex work and identifies approaches that will ensure dignified care of and prevent discrimination against sex workers.

141. The protocol for inter-agency action on the comprehensive assistance and protection of victims of trafficking in persons and the protocol for inter-agency action on migrant smuggling include a model for the care of women, children and adolescent victims of trafficking and smuggling. The aim is to achieve a coordinated response in the comprehensive assistance and protection of this group and the restoration of their rights.

J. Replies to paragraph 10

142. The reform of the Quota Act in 2000 established a mandatory quota for women's participation in all candidacies elected by popular vote of 30 per cent for principal candidacies and 30 per cent for alternate candidacies, with the exception of the presidential ticket. The same body of law establishes that the quota shall increase by 5 per cent in each electoral cycle until parity is achieved, with consideration also given to ethnic and cultural participation.

143. A comparison between the results of the candidacies in 2014 and 2019 shows an increase of 0.8 per cent. In 2014, women accounted for 42.1 per cent of candidates, while men made up 57.9 per cent. In 2019, those rates were 42.9 per cent for women versus 57.1 per cent for men.

144. The Office of the Ombudsperson, in conjunction with women's organizations, launched a process in 2019 to uphold the principle of parity in the country's deputy mayor's offices as a guarantee of the right to material equality.

145. As at March 2020, the Office of the Ombudsperson had filed 89 protection actions, of which 27 had been won and two were waiting to be heard. Twenty-three female deputy mayors had been appointed as a result of protection actions filed by the Office of the Ombudsperson.

146. In 2019, the electoral authority, the National Electoral Council, supported by UN-Women, conducted two studies that provided evidence in support of legislative reform and regulatory and institutional changes concerning gender equality: "Status of democratic parity in Ecuador" and "Study: political violence against women in Ecuador".

⁵⁹ Issued by means of Ministerial Decision No. 4911 of 2014. See <https://bit.ly/2TNZvfi>.

⁶⁰ Approved and issued by means of Ministerial Decision No. 109-2017 of 2017. See <https://bit.ly/2XdHadq>.

147. The reform of the Democracy Code entered into force in February 2020. It reflects progress in the area of gender, including the incorporation of measures to ensure adherence to the law and the constitutional principle of parity.

148. These measures will be implemented gradually, until women make up 50 per cent of the names at the top of the lists, 15 per cent or more of those at the top of the lists per political organization at the national level, and at least 30 per cent of those at the top of the lists registered by the political organization for multi-person and single-person elections. When registering multi-person and single-person candidacies, women must make up 50 per cent of the top of the lists. This instrument recognizes and punishes gender-based political violence, which is defined in article 280 of the Democracy Code.

149. The National Council for Gender Equality works with the National Electoral Council and the Democracy Institute to carry out activities that guarantee women and LGBTI persons the right to political participation pursuant to the principle of equality and non-discrimination. A process was launched in 2018 to raise awareness of political participation and gender equality among rural women from indigenous communities in four provinces of the country.⁶¹

K. Replies to paragraphs 11, 12, 13 and 14

Sexual offences in the education system

150. The Comprehensive Organic Criminal Code defines and establishes penalties for offences against sexual and reproductive integrity. The commission of such offences against children and adolescents is an aggravating circumstance. The Code also punishes the crimes of statutory rape, distribution of child pornography and the sale of sexual services.

151. In 2017, the Ministry of Education, the Council of the Judiciary and the Attorney-General's Office enacted protocols and guidelines for handling situations of violence identified or arising within the education system,⁶² to guide the work of the student counselling departments⁶³ and the educational community in dealing with cases of violence. The protocols apply to the offences and minor offences of negligence, physical violence, psychological violence and sexual violence and must be implemented by all educational institutions, at all levels and in all modalities.

152. The Ministry of Education updated the protocol in January 2020, and that same year issued a handbook for district dispute settlement boards and officials handling cases of sexual violence in the education system, to enable the boards to ensure the best interests of the child and avoid revictimization during administrative processes.⁶⁴ The user's manual for the sexual violence registration system was also approved for mandatory registration of cases of sexual violence in the education sector at all levels.

153. The "Educating in the Family" programme⁶⁵ has trained 317,799 families in the prevention of bullying and school violence, 1,463,955 families in the prevention of sexual violence and 253,393 families in sex education and relationships.

⁶¹ Puná in Guayas, Comunidad de la Amazonía in Morona Santiago, Otavalo en Imbabura, Chamanga in Esmeraldas.

⁶² Ministry of Education, 2017. Protocols and guidelines for handling situations of violence identified or arising within the education system. See <https://bit.ly/2XG8UXs>.

⁶³ The student counselling departments are made up of 3,323 professionals working in educational institutions in accordance with the guidelines contained in the Intercultural Education Act.

⁶⁴ By means of Ministerial Decision No. MINEDUC-MINEDUC-2020-00001-A of 10 January 2020. See <https://bit.ly/2yP34KW>.

⁶⁵ See <https://educacion.gob.ec/educando-en-familia/>.

154. The Ministry of Education trained 1,105,440 students, 96,863 teachers, 11,717 authorities, 708,786 families and/or legal representatives of educational institutions on the protocol for handling cases of violence identified or arising within the education system.

155. In 2018, the National Council for Gender Equality issued technical guidelines on preventing and combating discrimination on the grounds of sexual diversity and gender identity in the national education system.⁶⁶

156. In 2017, an inter-agency agreement was signed between the Ministry of Education, the Attorney-General's Office, the Secretariat for Human Rights⁶⁷ and the Council of the Judiciary on ensuring violence-free educational spaces. Committees on access to justice were established to settle critical issues affecting the resolution of cases in the education system.

157. The judicial branch assigned top priority to the pre-trial investigation and prosecution of crimes committed at any time against children and adolescents that violate their sexual and reproductive integrity. Between 2014 and 2019, 9,743 cases of sexual violence were reported. In every case, a plan to provide support and restore rights was devised.

158. Between 2018 and 2019, 1,013 judges completed a training course on children and adolescent victims of crimes that violate their sexual and reproductive integrity.

Human rights education in schools

159. Through Executive Decree No. 460 of 19 July 2018,⁶⁸ it was decided to amend the general regulations relating to the Comprehensive Organic Act to Prevent and Eradicate Violence against Women. The decree also provided for the updating of curricula at all levels of education and of textbooks and teaching guides to include equality between men and women based on the principle of non-discrimination. This document makes gender equality in all political, economic and social spheres a requirement.

160. From the 2018/19 academic year onwards, all education systems have included a curriculum hour for classroom work on comprehensive human development, with the aim of preventing violence and sexual abuse.

161. The Ministry of Education approved a handbook for facilitating a participatory approach to the prevention of gender-based and sexual violence⁶⁹ to strengthen and expand knowledge of the issue of sexual violence, provide education on rights and encourage the public to share appropriate knowledge on sexual rights. As of 2019, 31,750 students in the second and third years of their high school diploma and 1,412 teachers had been trained.

162. In 2018, Ecuador issued an intersectoral policy on preventing pregnancy in girls and adolescents (2018–2025)⁷⁰ to help reduce the incidence of pregnancy in this age group by upholding their sexual and reproductive rights and their right to personal integrity and a life free of violence.

⁶⁶ Ministry of Education, 2018. Technical guidelines on preventing and combating discrimination based on sexual diversity and gender identity in the national education system. See <https://bit.ly/3ceNjL0>.

⁶⁷ Then the Ministry of Justice and Human Rights.

⁶⁸ See <https://bit.ly/36OHWkn>.

⁶⁹ Handbook for Facilitating a Participatory Approach: prevention of gender-based and sexual violence. See <https://bit.ly/36IX9DL>.

⁷⁰ Intersectoral policy for the prevention of pregnancy in girls and adolescents (2018–2025). See <https://bit.ly/3djwLTk>.

163. In 2017 the National Council for Gender Equality conducted qualitative research on pregnancy in adolescent women with disabilities, its link to gender-based violence and care challenges.⁷¹ In 2019, it undertook a study entitled “Bodies that matter. Case study on gender-based violence against girls, adolescents and women with disabilities”.⁷²

164. The Technical Secretariat of the Lifetime Plan is responsible for coordinating and monitoring the Lifetime Plan, a flagship intersectoral public policy supported by the national development plan for 2017–2021. The Plan includes “Misión Mujer”, the second component of which is “Preventing pregnancy in girls and adolescents”.⁷³

165. In the context of “Misión Mujer”, the Ministry of Public Health has undertaken to ensure the effective implementation of comprehensive sex education programmes, respecting the gradual autonomy of girls and boys and the informed decisions of adolescents and young people about their sexuality and taking a participatory, intercultural, gender-based and human rights-based approach.

166. Regarding sex education, the Ministry of Public Health reported in 2019 that comprehensive and youth-friendly services for adolescents were strengthened; adolescent clubs were revived, in coordination with local health committees; change was fostered in sociocultural patterns that normalize gender-based violence, adolescent pregnancy and early unions; and tools were updated for promoting sexual and reproductive health and a life free of violence.

167. In 2017, the Ministry of Education issued a protocol for handling pregnancy, motherhood and fatherhood among students in the education system⁷⁴ and in 2019 it issued a methodological guide on preventing pregnancy in girls and adolescents.⁷⁵

168. The first pregnancy prevention days for girls and adolescents were held in October 2018, in which more than 3,000 adolescents participated.

169. In 2018, the Ministry of Economic and Social Inclusion developed a methodology for positive development in adolescence, which has been adapted for use by technical teams working to prevent and provide care during pregnancy for girls and adolescents who are pregnant or mothers and victims of violence.

170. As part of the intersectoral policy for the prevention of pregnancy in girls and adolescents, the Ministry of Economic and Social Inclusion carried out awareness-raising and training activities on violence prevention. The participants consisted of 237,175 women and 45,359 men, 5,596 girls and 4,803 boys under 16 years of age and 17,895 girls and 766 boys aged 16 years.

Education quality and access for girls from disadvantaged groups

171. Pursuant to the Intercultural Education Act,⁷⁶ amended in 2017, an intercultural approach must be mainstreamed in the national education plan, as well as in the curriculum, school textbooks and the standards and indicators of educational quality and evaluation processes.

⁷¹ “Pregnancy in adolescent women with disabilities, its link to gender-based violence and care challenges”, 2017. See <https://bit.ly/2At5aAn>.

⁷² “Bodies that matter. Case study on gender-based violence in girls, adolescents and women with disabilities”, 2019. See <https://bit.ly/2ZMWdg6>.

⁷³ Technical Secretariat of the Lifetime Plan, Preventing pregnancy in girls and adolescents. See <https://bit.ly/2ZPSmPc>.

⁷⁴ Protocol for handling pregnancy, motherhood and fatherhood among students in the education system, 2017. See <https://bit.ly/2ZQL3Xz>.

⁷⁵ Methodological guide on preventing pregnancy in girls and adolescents, 2019. See <https://bit.ly/2XLcsrH>.

⁷⁶ Intercultural Education Act. See <https://bit.ly/2Animac>.

172. There are 6,795 mainstream and 10 special rural educational institutions in Ecuador. As of 2019, a total of 513,648 girls and adolescent girls were reported to be enrolled in rural educational establishments.

173. The National Directorate of Intercultural Bilingual Education ensures intercultural mainstreaming through good-quality education programmes that are culturally, linguistically and environmentally relevant and thus able to meet the educational needs of peoples and nationalities.

174. In 2018, the Office of the President of the Republic decreed the establishment of the Secretariat for the Intercultural Bilingual Education System,⁷⁷ an entity responsible for coordinating, managing, monitoring and evaluating public policies on intercultural bilingual education, to ensure that communities, peoples and nationalities are able to exercise their rights, according to the principles of interculturality and plurinationality; and provides the educational community with curricular and teaching materials to facilitate pedagogical activities in intercultural bilingual community education centres.

175. Ecuador has devised an intercultural bilingual education system model⁷⁸ to develop the cognitive, psychomotor and emotional skills and abilities of students of peoples and nationalities in intercultural bilingual educational institutions. It has also formulated pedagogical guidelines to enhance implementation of the model (2019).⁷⁹

176. Through Ministerial Decision No. 295-13, the Ministry of Education issued regulations concerning the care of students with special educational needs in mainstream education establishments or in special education institutions.

177. Thanks to the work of the 140 district inclusion support units, 1,318 persons with disabilities were integrated into the national education system in 2017.

178. There are 108 special education institutions in Ecuador for students with visual, hearing, physical or intellectual disabilities, autism spectrum disorders and multiple disabilities. In addition, 7,101 inclusive mainstream institutions nationwide are making curricular adjustments and implementing inclusive methodologies in the education of persons with disabilities.

179. In 2018, 250 teachers were trained in inclusive education and sustainable development strategies. These teachers will themselves become trainers and will pass on their training to a further 5,000 teachers in inclusive mainstream schools.

180. The Ministry of Education developed a national model for the management and care of students with disability-related special educational needs⁸⁰ in special education institutions. On that basis, two types of services were established: inclusive or special educational institutions that provide education services to students with disability-related special educational needs; and inclusive or special classrooms within mainstream educational institutions.

181. Thanks to the bilingual bicultural education model for hard-of-hearing persons,⁸¹ procedures have been set out concerning pedagogy, institutional planning, evaluation and promotion for hard-of-hearing students with educational needs.

⁷⁷ Established by Executive Decree No. 445 of 6 July 2018. See <https://bit.ly/2ZQVg6l>.

⁷⁸ Intercultural bilingual education system model, 2013. See <https://bit.ly/2Xk74fY>.

⁷⁹ Pedagogical guidelines to strengthen implementation of the intercultural bilingual education system model, 2019. See <https://bit.ly/3gCMwa2>.

⁸⁰ Ministry of Education, 2019. National model for the management and care of students with disability-related special educational needs in special educational institutions.

⁸¹ Bilingual bicultural education model for hard-of-hearing persons, 2019. See <https://bit.ly/2TURPaX>.

182. In 2016, a national model for hospital and home-based educational management and support was developed,⁸² with the aim of providing educational support so that children and adolescents can catch up on their academic work after long hospital stays.⁸³ The model has expanded in hospitals, shelters and treatment centres in the comprehensive public health network and complementary network as a public policy that recognizes students in situations of greater vulnerability.

183. As of 2018, 60 hospitals, five centres specializing in the treatment of alcohol and drug addiction, one shelter and one psychiatric institute were implementing the hospital and home-based educational support programme.

L. Replies to paragraph 15

Access to formal employment

184. The 2018–2021 National Equality Agenda for Women and LGBTI Persons, in core aspect No. 2 on the sustainability of life, includes the redistribution of care work, since domestic and care responsibilities are shouldered almost exclusively by women, which limits the exercise of their economic rights.

185. Article 18 of the Organic Act on Labour Justice and Recognition of Work in the Home,⁸⁴ issued on 9 October 2017, establishes penalties for dismissal due to discrimination: “In the event of dismissal due to discrimination because of a worker’s status as an older person or their sexual orientation, among other cases of discrimination, the worker shall be entitled to additional compensation amounting to one year’s salary, but shall not be entitled to reinstatement”.

186. Since 2017, the National Council for Gender Equality has been supporting a process led by the Ministry of Labour, with advice from the United Nations Development Programme, to create a seal of gender equality in the workplace. This is a recognition awarded by the Seal Committee (comprising public and private entities) to companies or organizations that make a voluntary commitment to excellence in achieving gender equality.

Social security

187. Ecuador has implemented voluntary affiliation to the social security system, which is open to self-employed workers (including those in the informal sector) and to Ecuadorians living abroad. They contribute 20.5 per cent of the contribution base or salary they receive.

188. Resolution No. 516 of the Board of Directors of the Ecuadorian Social Security Institute⁸⁵ sets out the regulation of voluntary contributors in the country and abroad and establishes members’ entitlements, such as old age and disability pensions, widows’ and dependents’ pensions, funeral assistance, health care within Ecuador, health coverage for children under the age of 18, health coverage for spouses upon payment of an additional 3.41 per cent, and mortgage loans. The basis for each member’s contribution shall correspond to the monthly value that the member

⁸² National model for hospital and home-based educational management and support, 2016. See <https://bit.ly/2zJmGAo>.

⁸³ Ministry of Education, 2016. National model for hospital and home-based educational management and support.

⁸⁴ Organic Act on Labour Justice and Recognition of Work in the Home. See <https://bit.ly/2XR0SLw>.

⁸⁵ Published in Official Gazette Special Edition No. 687 of 15 August 2016 and amended on 18 October 2018.

establishes in their application, which may not be less than the unified basic salary set by the Ministry of Labour (see table 7).

189. As of December 2019, 234,868 unpaid household workers were affiliated with the social security system of the Ecuadorian Social Security Institute, which represents an average annual growth rate of 30.5 per cent since 2015. Furthermore, as of December 2019, 786,466 women in the private sector were affiliated, reflecting average annual growth of -0.1 per cent, while the growth rate among affiliated women in the public sector was 1.6 per cent, or 333,167 women.

190. According to data from the National Survey of Employment, Unemployment and Underemployment, the overall participation rate of women during the period 2011–2017 ranged from 47.8 per cent to 55.6 per cent, while the equivalent figures for men were 78.3 per cent and 80.6 per cent, respectively.⁸⁶

191. The level of education plays a greater role in labour market entry for women. In 2015, 26.4 per cent of women in the employed economically active population had completed higher education, compared with 18.3 per cent of men. This trend may be observed in urban areas, where the rate among women is 33.6 per cent compared with 24.8 per cent among men. Similarly, in rural areas, 6.67 per cent of men and 10.01 per cent of women have completed higher education.⁸⁷

192. In order to promote employment among the younger population, including women, the Organic Act on the Promotion of Youth Employment, Exceptional Regulation of the Working Day, Severance Pay and Unemployment Insurance was published in March 2016.⁸⁸ Under this Act, changes were made to labour laws to promote employment among young women and men, primarily in the private sector (including payment of stipends, affiliation to the social security system and youth employment contracts).

193. The Ministry of Labour is also executing two projects. “Mi primer empleo” (my first job)⁸⁹ aims to give young university students the opportunity to complete pre-professional internships in public or private entities. During 2018 and 2019, most of the interns were women.

194. The second project is called “Empleo joven” (youth employment). It was launched on 25 October 2018 with the aim of encouraging the private sector to create new vacancies by offering incentives. As at 22 January 2020, 3,788 young men and 2,106 young women aged between 18 and 26 years had been employed through the project.

195. The Ecuadorian Professional Training Service was established by the Ecuadorian State in 1966. Since 2015, the participation of women has been higher than that of men (see table 8).

Domestic workers

196. On 18 December 2013, the Government of Ecuador ratified the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization (ILO), with the aim of improving the living and working conditions of domestic workers. It was the eleventh ILO member State and the fifth Latin American State to do so.

⁸⁶ Ibid.

⁸⁷ Information reported by the National Statistics and Census Institute, June 2020.

⁸⁸ Organic Act on the Promotion of Youth Employment, Exceptional Regulation of the Working Day, Severance Pay and Unemployment Insurance, 2016. See <https://bit.ly/2TWKuYF>.

⁸⁹ “Mi primer empleo” project. Social programme that has been in operation since 2007. See www.trabajo.gob.ec/mi-primer-empleo/.

197. In November 2018, the Ecuadorian State established the Inter-Agency Round Table to Support the Rights of Paid Domestic Workers, with the participation of the National Union of Domestic and Related Workers, the National Union of Paid Domestic Workers, the Ecuadorian Confederation of Free Trade Union Organizations, Simón Bolívar Andean University, CARE Ecuador – Equal Value, Equal Rights Programme, UN-Women, the Ministry of Labour and the National Council for Gender Equality, the entity that coordinates the Round Table.

Monitoring and prevention of sexual harassment in the workplace

198. On 9 October 2017, the Organic Act Amending the Organic Act on Public Service and the Labour Code to Prevent Workplace Harassment was enacted.⁹⁰

199. The activities of the Inter-Agency Round Table to Support the Rights of Paid Domestic Workers included promotion of the signing by the Ecuadorian State of the Violence and Harassment Convention, 2019 (No. 190) and ILO Recommendation No. 260.

200. In addition, in March 2019, the Inter-Agency Round Table prepared guidelines for the support of paid domestic workers in cases of workplace violence and harassment,⁹¹ which set out the steps for gaining access to justice and indicated the entities, protection measures and other resources available to address situations of violence.

201. The Ministry of Foreign Affairs and Human Mobility, with the support of UN-Women, issued a domestic protocol for preventing, combating and eliminating all forms of workplace harassment of a sexual nature⁹² on 6 August 2019 through Ministerial Decision No. 106.

202. The Technical Secretariat of the Lifetime Plan and the German Agency for International Cooperation provide certification of violence-free spaces. As at June 2020, 42,598 civil servants (46.22 per cent of whom were women and 53.78 per cent of whom were men) from 54 institutions in the central public sector had successfully completed the online certification course. As at 15 June 2020, 1,195 women and 915 men working in the decentralized autonomous governments had been certified.

M. Replies to paragraph 16

Clinical practice guidelines for therapeutic abortion

203. The Ministry of Public Health provides timely, comprehensive and good-quality care to women undergoing a therapeutic abortion⁹³ or seeking an abortion because they were raped and have a mental disability. To that end, the Clinical Practice Guide for Therapeutic Abortion (2015)⁹⁴ was issued in order to provide care, diagnose, evaluate and offer timely treatment of therapeutic abortion, thus contributing to a reduction in maternal morbidity and mortality in Ecuador and improving health care for women in these situations. From January to July 2020, services relating to 74 cases of sexual violence and 13 pregnancies that ended in abortion were provided.

⁹⁰ Organic Act Amending the Organic Act on Public Service and the Labour Code to Prevent Workplace Harassment, 2017. See <https://bit.ly/36Lqf5f>.

⁹¹ Guidelines for the support of paid domestic workers in cases of workplace violence and harassment, 2019. See <https://bit.ly/2Xfx9rF>.

⁹² Domestic protocol for preventing, combating and eliminating all forms of workplace harassment of a sexual nature, 2019. See <https://bit.ly/2MeeBqb>.

⁹³ Therapeutic abortion: an abortion performed when a pregnancy affects a woman's health or life. Clinical Practice Guide for Therapeutic Abortion, 2015. See <https://bit.ly/2XF6tnW>.

⁹⁴ Clinical Practice Guide for Therapeutic Abortion, 2015. See <https://bit.ly/2XF6tnW>.

204. The grounds for a therapeutic abortion under Ecuadorian law are set forth in the Comprehensive Organic Criminal Code (article 150).⁹⁵

205. On 4 August 2017, through Memorandum No. MSP-2017-0790-M,⁹⁶ the Minister for Public Health reminded medical personnel of their obligation to provide timely care to women who arrive with abortions in progress or suffering the consequences of abortions already performed.⁹⁷ From January to December 2019, 25,327 health-care services were provided. From January to July 2020, 7,777 services were provided.

206. The same document also refers to violence against women and to the role of health-care personnel in these cases, stating that “they have an obligation to report when the patient is a victim of crime and requires protection to prevent a recurrence, for example, in cases of violence and sexual violence”. Lastly, the document emphasizes the importance of safeguarding patient confidentiality.

Confidentiality in sexual and reproductive health and rights services

207. In 2014, the Ministry of Public Health issued regulations for the management of confidential information in the national health system.⁹⁸ Article 27 thereof states that: “Only personnel in the health-care chain who need to know the user’s identifying data may have access to it; in short, personnel carrying out activities that by their nature involve the management of such information.” In 2019, 80 health-care professionals received training on the Clinical Practice Guide for Therapeutic Abortion and on professional confidentiality.

208. The Ministry of Public Health provides effective care, including an appropriate referral process from lower levels for treatment for complications arising from abortion, in compliance with current regulations and with the human rights framework. In 2018, 800 professionals received awareness-raising training and in 2019, 21,285 health-care professionals were trained on human rights.

Decriminalization of abortion

209. In 2019, the Justice Commission of the National Assembly issued a report that took a favourable view of decriminalizing abortion in four circumstances, namely, when the pregnancy is the result of rape, incestuous rape or non-consensual insemination or when the embryo or fetus has an acquired congenital pathology. It did not garner enough votes in the Plenary of the National Assembly. From January to June 2020, services were provided to 7,636 pregnant girls aged 10 to 14 years and 142,781 pregnant adolescents.

Incest as a cause of child pregnancy

210. While the Comprehensive Organic Criminal Code does not consider incest to be a crime, it criminalizes rape, for which the maximum penalty is linked to certain

⁹⁵ Article 150.1: “When performed to avert danger to the life and health of the pregnant woman, and provided such danger cannot be averted through other means;” Article 150.2: “If the pregnancy is the result of the rape of a woman with a mental disability.”

⁹⁶ The Ministry of Public Health issued Memorandum No. MSP-2017-0790-M entitled “Provision regarding ensuring comprehensive care for women experiencing gestational loss and its complications”.

⁹⁷ “Health-care facilities have an obligation to provide timely and expeditious care to women who arrive with abortions in progress or with the consequences of abortions already performed, in order to safeguard their right to life. This in no way implies a legalization of cases of abortion that are penalized in the Comprehensive Organic Criminal Code”.

⁹⁸ Regulations for the management of confidential information in the national health system, 2014, issued by means of Ministerial Decision No. 5216-A-2014. See <https://bit.ly/3cpBKRj>.

aggravating circumstances, including the following: “the attacker is a guardian, legal representative or someone close to the family or in the victim’s environment, a minister, an education or health-care professional, or anyone with a duty of care towards the victim”.⁹⁹

211. In 2019, following the amendments to the Comprehensive Organic Criminal Code, incestuous rape was criminalized in article 171.1: “Any person who rapes a relative from an older, younger or the same generation, who is related by blood to the fourth degree or by marriage to the second degree, shall be punished with the maximum custodial sentence provided for in the previous article. If the victim dies, the penalty shall be imprisonment for a term of 22 to 26 years.”¹⁰⁰ For the period from January to June 2020, 1,724 cases were recorded of services provided to girls under 14 years of age who were victims of sexual violence in the automated daily record of consultations and outpatient care and the care registration platform of the Ministry of Public Health. Whether those consultations were related to incest was, however, not specified.

Access to contraceptive methods and sexual and reproductive health information

212. In 2017, Ecuador formulated its national sexual and reproductive health plan for 2017–2021. It also has the Ecuador 2018–2025 intersectoral policy for the prevention of pregnancy in girls and adolescents,¹⁰¹ whose primary objective is to help adolescents gain universal access to information and education, including comprehensive sex education and sexual and reproductive health services, thus enabling them to make free, responsible and healthy decisions about sexuality and reproduction.

Figures for women’s access to contraceptive methods and preventive consultations, disaggregated by age

	<i>Girls</i>	<i>Adolescent girls</i>	<i>Young women</i>	<i>Adult women</i>
	<i>10 to 14 years</i>	<i>15 to 19 years</i>	<i>20 to 29 years</i>	<i>30 years and over</i>
2019	22 922	132 283	346 030	196 183
2020 (January–June)	7 111	42 303	119 817	70 211
Total	30 033	174 586	465 847	266 394

Source: Ministry of Public Health statistics.

Prepared by the Ministry of Public Health.

213. For the period from January to June 2020, a total of 21 preventive family planning consultations on emergency oral contraception were recorded. The Ministry of Public Health has also set up a confidential toll-free helpline (171, option 2), which provides advice to the general public, including to adolescents. From January to July 2020, a total of 4,780 calls were received. Of that total, 39 were made by children aged 10 to 14 years and 595 were made by adolescents aged 15 to 19 years.

⁹⁹ Comprehensive Organic Criminal Code, 2014. Section four, offences against sexual and reproductive integrity.

¹⁰⁰ Organic Act Amending the Comprehensive Criminal Code, 2019.

¹⁰¹ Intersectoral Policy for the Prevention of Pregnancy in Girls and Adolescents (2018–2025). See <https://bit.ly/2TRhHV5>.

Health code

214. In 2012, the National Assembly began to draft a health code, which continues to be debated by lawmakers.

215. The Ministry of Public Health has issued a handbook on the comprehensive care model for the national community and intercultural family health system,¹⁰² in which it recognizes that health determinants can protect or harm individual and collective health and that behavioural, environmental, biological and social determinants also exist.

Culturally appropriate birth

216. The Ministry of Public Health has been implementing respectful, free-positioned and culturally appropriate childbirth care since 2008, based on the Technical Guide for Culturally Appropriate Care in Childbirth¹⁰³ (see table 9).

217. The Guide to Technical Specifications for Labour and Recovery Units was updated and renamed the Instructions on Technical Specifications for Delivery Care.¹⁰⁴ This provides mandatory regulation of all first- and second-level Ministry of Public Health facilities that perform deliveries. The aim is to adapt delivery services to the needs of the population, taking into account customs and cultural traditions, through technical and regulatory instruments that ensure the process is appropriate.

218. The Ministry of Public Health has certified ancestral midwives associated with the national health system. A total of 1,434 midwives are associated with the Ministry of Public Health, of whom 957 are recognized by their community and 95 have been certified in accordance with the handbook on cooperation between ancestral midwives and the national health system.¹⁰⁵

N. Replies to paragraph 17

219. In 2019, the Ministry of Economic and Social Inclusion granted 31,310 human development loans to women, amounting to a value of \$32,252,710. Of the women receiving these loans, 49 per cent were mestizo women, 19 per cent were indigenous women and 11 per cent were Montubio women. In addition, 68.8 per cent were engaged in agricultural work and 55.6 per cent were aged between 30 and 45 years. Furthermore, 36,978 women gained access to training through the Economic Inclusion Schools in order to initiate or strengthen their productive entrepreneurship.¹⁰⁶

220. In 2019, the Bank of the Ecuadorian Social Security Institute ran two campaigns to boost lending to women: “Para ti Mujer” (for you, women) and “Gracias Mamá” (thank you, Mom).

221. According to data from the Bank, the number of unsecured loans granted to women increased by 4 per cent between 2010 and 2019. They were used to pay off debt, pay health-care and education costs and, in many cases, to purchase household

¹⁰² Ministry of Public Health, 2016. Handbook on the comprehensive care model for the national community and intercultural family health system. See <https://bit.ly/2MgZ9tr>.

¹⁰³ Ministry of Public Health, 2008. Technical Guide for Culturally Appropriate Care in Childbirth. See <https://bit.ly/3cp3y8o>.

¹⁰⁴ Technical Specifications for Delivery Care, 2020. See <https://bit.ly/36JF0W8>.

¹⁰⁵ Handbook on cooperation between ancestral midwives and the national health system, 2016. See <https://bit.ly/2ZRq0UQ>.

¹⁰⁶ Source: Directorate for Entrepreneurship and Labour Promotion, December 2019.

goods. These loans are mostly granted to women between the ages of 40 and 60, followed by women between the ages of 60 and 80 (see table 10).

222. The National Institute of Grassroots Economy and Solidarity aims to foster and promote the living conditions of persons and organizations subject to the Organic Act on the Grassroots Economy and Solidarity, which contains gender components.

223. In 2019, 480 women received solidarity loans through the grassroots economy and solidarity system. Through a project to strengthen rural actors in the grassroots economy and solidarity, 800 organization partners were trained in 2019 on organizational, financial and technical development, of whom 40 per cent were women.

224. BanEcuador promotes inclusion, partnerships and a better quality of life among micro, small and medium entrepreneurs, primarily in agribusiness, trade and services in rural and urban low-income sectors and disadvantaged groups, by offering socially oriented financial services. Between May 2016 and January 2020, \$1,189,363,271.21 was disbursed nationally for women's entrepreneurship.

225. According to the Central Bank of Ecuador, whose responsibilities include supervising the national monetary system and registering loans and their beneficiaries, 6.8 million customers were registered in the national financial system in 2018, of whom 16.1 per cent (1,094,189) were women. This represents an increase of 250,919 women over 2017.

O. Replies to paragraph 18

226. The Ministry of Agriculture has handed over rural land in 12 provinces,¹⁰⁷ which has benefited 1,810 women of African descent, mestizo women, Montubio women and indigenous women between the ages of 18 and 65 who belong to different social organizations.

227. In March 2019, the Ministry of Agriculture formulated a national agricultural strategy for rural women, which is a tool for empowering rural women in family farming. The strategy was developed through a participatory process aimed at identifying the gaps and barriers affecting women in the agricultural sector, which can be addressed through differentiated policies and measures, and at approving a common agenda, with the support of the World Food Programme, the Food and Agriculture Organization of the United Nations and UN-Women.

P. Replies to paragraph 19

228. The Ecuadorian Constitution provides for three types of consultation: (a) pre-legislative consultation, which involves consulting indigenous peoples and nationalities in cases where legislative work may affect the rights of this segment of the population (article 57, paragraph 17); (b) prior consultation, with regard to administrative acts of the State pursuant to the exploration or exploitation of natural resources (article 57, paragraph 7); and (c) environmental consultation that is unrelated to peoples or nationalities. (article 298).

229. On 20 February 2019, the Office of the Ombudsperson issued Decision No. 021-DPE-DD-2019, which establishes and regulates a system for monitoring due process in cases involving free, prior, informed, good faith and environmental consultation.

¹⁰⁷ Carchi, Chimborazo, Cotopaxi, El Oro, Esmeraldas, Guayas, Imbabura, Los Ríos, Manabí, Pichincha, Santo Domingo and Zamora Chinchipe.

230. In November 2018, an inter-agency cooperation agreement was signed between the Ministry of Urban Development and Housing, the Homes for All Public Corporation and Petroamazonas EP on the construction of single-family homes for rural communities in the province of Orellana. Petroamazonas EP, through its community relations programme, has also implemented projects to improve educational, recreational and sanitation infrastructure.

231. The Ministry of the Environment, through the environmental and social reparations programme, implements mechanisms, instruments and strategies for the comprehensive reparation of public losses of natural heritage and living conditions, in order to uphold the individual and collective right to live in a healthy and ecologically balanced environment, as established by the Environment Code¹⁰⁸ and its regulations.¹⁰⁹

Q. Replies to paragraph 20

232. Under article 9 of the Constitution of Ecuador, “foreign nationals on Ecuadorian territory shall have the same rights and duties as Ecuadorians...”. The Ecuadorian State therefore guarantees them the full exercise of their rights.

233. Ecuador has ratified the eight main human rights instruments and all international instruments that protect migrants’ rights. One of the priorities of the national development plan for 2017–2021, the “Lifetime Plan”, is the gender-sensitive protection and promotion of migrants’ rights in Ecuador and abroad. Since the entry into force of the Organic Act to Prevent and Eradicate Violence against Women in 2018, significant action has been taken to assist women who are victims of violence and in need of psychosocial and legal support.

234. On 6 February 2017, the Human Mobility Act and its implementing regulations entered into force. This normative framework comprehensively upholds the constitutional principles on the rights and obligations relating to the recognition, care and protection of migrants. By means of Ministerial Decision No. 907 of 16 February 2018, the Ministry of the Interior established a time frame within which foreign nationals in an irregular migratory situation on Ecuadorian territory could regularize their status without having to pay fines for migratory offences. This gave foreign women migrants the chance to obtain a temporary or permanent residence visa in Ecuador and access to higher education, work and other opportunities.

235. On 25 July 2019, the Office of the President of the Republic issued Executive Decree No. 826, by which it established a protocol for processing and issuing temporary residence visas for humanitarian reasons for children and adolescents of Venezuelan nationality during the regularization of Venezuelan citizens.¹¹⁰ Ecuador has also eliminated the requirement for a criminal record certificate to be provided for children and adolescents entering Ecuador.¹¹¹

236. According to the report issued by the migration system for the registration of Venezuelan citizens of the Ministry of the Interior, as at 11 August 2020, 75.4 per cent of the Venezuelan citizens entering Ecuador were in the 18 to 55 age group

¹⁰⁸ Environment Code, 2017. See <https://bit.ly/2MdF3QJ>.

¹⁰⁹ Regulations implementing the Environment Code, 2019. See <https://bit.ly/2yT7tFW>.

¹¹⁰ Protocol for processing and issuing temporary residence visas on an exceptional basis for humanitarian reasons for children and adolescents of Venezuelan nationality during the regularization process for Venezuelan citizens, as provided for in Executive Decree No. 826 of 25 July 2019. See <https://bit.ly/2zNUfkP>.

¹¹¹ By means of Ministerial Decision No. 0000002 of the Ministry of Foreign Affairs and Human Mobility and the Ministry of the Interior dated 1 February 2019.

(economically active population), 18.6 per cent were in the 0 to 17 age group and 5 per cent were over 56 years of age. Furthermore, 50.9 per cent were women and 49.1 per cent were men. Measures focusing on women migrants are detailed below.

Prevention of discrimination

237. Ecuador is committed to measures that prevent all types of discrimination, including xenophobia, as a means of ensuring social inclusion. Campaigns have been run on an annual basis since 2016 and 86,093 people have been trained on preventing discrimination and xenophobia in the national education system. These campaigns are directed at students, parents and teachers. This year, the Ministry of Foreign Affairs is also implementing a project to prevent and raise awareness of all forms of discrimination (known as “Un solo rumbo” (a single direction), whose goal is to promote respect for, inclusion of and the rights of foreign nationals in Ecuador.

Social services provided by the Ministry of Economic and Social Inclusion

238. From January 2019 to 31 July 2020, the Ministry of Economic and Social Inclusion provided 119,418 services in border and host cities. Priority has been given to unaccompanied children and adolescents, including support in youth-friendly spaces, support in rest tents, humanitarian assistance, support for settled families, support under the protocol for the special protection of children and adolescents in human mobility contexts, all at an annual reference cost of \$1,336,610. In addition, through Interministerial Decision No. 0000006 of 18 March 2020, a procedure was established for the regularization of foreign nationals who are parents of Ecuadorian children or adolescents and who did not register their entry through official migration checkpoints.

Health

239. During 2019, 509,258 services were provided to Venezuelan citizens at an annual reference cost of \$45,267,290.81. During the pandemic, there have been 935 confirmed cases of foreign nationals with the coronavirus disease (COVID-19), 521 of whom were Venezuelan nationals (55.7 per cent). All were treated in the public health system (cut-off date 26 September 2020).

Education

240. During the 2019/20 educational cycle, a total of 69,241 students of foreign nationality entered the Ecuadorian public education system, 50,097 of whom were Venezuelan (72 per cent). The annual reference cost of this service is \$37,121,493.55.

Trafficking in persons and migrant smuggling

241. To combat these transnational crimes, the national Government has established the Inter-Agency Coordinating Committee for the Prevention of Trafficking in Persons and Migrant Smuggling and for Victim Protection, and has devised a plan of action to combat trafficking in persons in Ecuador for 2019–2030. The plan contains a clear assessment of the country’s current situation and a strategic framework for analysing the problem. It proposes lines of action at different levels. It should be noted that 3 per cent of the total number of rescued victims (579 since 2017) are of Venezuelan nationality.

Forums with civil society

242. The Ecuadorian State has implemented measures such as national round tables on migration (national, intersectoral and zonal), which serve as a mechanism for dialogue to identify needs, raise awareness of public policies and coordinate action.

This has been implemented since 2018 and the participants include State institutions of the executive branch, decentralized autonomous governments, academia, civil society and international organizations. The round tables are currently held on a bimonthly basis.

International cooperation

243. In the current context caused by the COVID-19 pandemic, Ecuador is making greater efforts to manage new financial resources that can be channelled to expand services for migrant women and is prioritizing gender-sensitive care programmes for migrant women and girls and adolescent migrants to ensure their inclusion and reduce their vulnerability. Consequently, some donors such as Canada, France and the United States of America, and non-governmental organizations such as CARE International, the Hebrew Immigrant Aid Society and other members of the Response for Venezuelans platform, have provided grants and loans for projects of this kind.

244. In order to strengthen the technical litigation skills of public defenders, the Public Defender Service signed a cooperation agreement with the Office of the United Nations High Commissioner for Refugees (UNHCR) for the provision of technical support on migration processes and the defence of human rights. It issued the first instructions on handling cases concerning migrants subject to a deportation hearing,¹¹² a document that sets out the steps to be taken in the migration and asylum cases handled by the Public Defender Service. The aim is to standardize the work of public defenders in deportation proceedings and establish minimum budgets for that purpose.

245. In Quito and Guayaquil, a specialist public defender has been offering free legal services to migrants since 2016; in the provinces, such services are provided by public defenders who are competent in several areas.

246. In February 2017, pursuant to the second transitional provision of the Human Mobility Act, the Public Defender Service issued instructions on services for migrants and persons in need of international protection in the determination of refugee status and the regularization of immigration status.¹¹³ These instructions set out the legal assistance that the Service provides to migrants who are applying for visas or seeking asylum in Ecuador.

247. The Public Defender Service offers free legal advice and representation in cases involving asylum, statelessness, denial of entry, deportation and the regularization of immigration status.

248. In June 2020, an instrument was signed with representatives of UNHCR, UN-Women, UNICEF and the Ministry of Foreign Affairs of Colombia to extend for a period of six months a project on strengthening institutional capacities to protect children, adolescents and young people affected by violence and armed conflict in the Colombia-Ecuador cross-border area. It has been implemented since January 2019 using resources from the Peacebuilding Fund, with a focus on gender, human rights and migration. The National Agenda for Equality in Human Mobility 2017–2021¹¹⁴ includes public policy measures aimed at providing migrants with access to emergency health-care services.

¹¹² Instructions for handling cases concerning migrants subject to a deportation hearing, 2016. Approved by means of Decision No. DP-DPG-2016-037. Published in Official Gazette No. 727 of 6 April 2016. See <https://bit.ly/2TWlhxp>.

¹¹³ Instructions on services for migrants and persons in need of international protection in the determination of refugee status and the regularization of immigration status, 2017. See <https://bit.ly/2AunAAI>.

¹¹⁴ National Agenda for Equality in Human Mobility 2017–2021. See <https://bit.ly/2Y1hYHI>.

249. Furthermore, Ecuador continued to implement a project to prevent risky migration in Ecuadorian adolescents (phase 2) in 2019, which has reached 30,000 people nationally. The aim of the project is to raise awareness among adolescents in the ninth and tenth years of general basic education of the risks and forms of violence associated with undocumented migration in the cantons and parishes with the highest rates of risky migration.

250. Within its remit, the Ministry of Foreign Affairs and Human Mobility keeps the registry up to date, as well as a protocol on the determination of migration status. Through the “School for Families” programme, in 2019, nearly 6,500 families in the province of Carchi (on the northern border with Colombia) participated in the first training module entitled “The right to have rights”.

R. Replies to paragraph 21

Child marriage

251. In 2015, the National Assembly adopted the Civil Code Reform Act,¹¹⁵ article 3 of which provided for the amendment of article 83, establishing that “persons who have not reached the age of 18 may not marry”, thereby bringing the Ecuadorian State into line with the Committee’s observations on the abolition of child marriage in Ecuador.

Administration of marital property

252. Prior to 2015, the Civil Code provided that persons joined in marriage were not required to stipulate which of the two was to administer the marital property and “if not established in the marriage certificate, the husband shall be presumed to be the administrator”. The Civil Code Reform Act (2015) repeals article 102, paragraph 3, of the Civil Code and establishes as an essential requirement for the validity of the marriage “the free and spontaneous expression of consent of the spouses and the mandatory determination of who will administer the marital property”, thereby implementing the Committee’s recommendation to repeal the provision designating the husband as administrator of matrimonial assets.

S. Replies to paragraph 22

Administration of marital property

253. As indicated in the preceding paragraph, the “inventory of marital property” is included, as established in the Ecuadorian marital property regime.¹¹⁶

254. Concerning child support payments, the judicial branch has implemented a single maintenance payments system. The Council of the Judiciary is responsible for ensuring the proper and timely collection and payment of child support payments.

T. Replies to paragraph 23

Violence against children and adolescents

255. Article 46, paragraph 4, of the Constitution of the Republic of Ecuador enshrines minors’ right to protection and care in relation to all types of violence, abuse, sexual

¹¹⁵ Civil Code Reform Act, 2015. Published in Official Gazette No. 526, Second Supplement, 19 June 2015. See <https://bit.ly/2Mce2x8>.

¹¹⁶ Ecuadorian marital property regime. See <https://bit.ly/2ZVkeYW>.

exploitation or any other form of exploitation, or negligence leading to such situations.

256. In article 67 of the Organic Code for Children and Adolescents,¹¹⁷ abuse is defined as “any conduct that, whether by act or omission, causes or may cause harm to the physical, psychological or sexual integrity or health of a child or adolescent, by any person, including their parents, other relatives, educators and persons in charge of their care, whatever the means used for that purpose, its consequences and the time required for the victim to recover”.¹¹⁸

257. In December 2017, during an official visit by members of the Committee on the Rights of the Child to Ecuador and in accordance with the observations on the last report submitted by the Ecuador to the Committee, the Office of the Vice-President of the Republic proposed that a compact be drafted with children and adolescents at the national level, in order to raise public awareness of the human rights of children and adolescents; implement public policies consistent with human rights standards; consolidate progress, overcome existing gaps in the exercise of their rights and mitigate the impact of different forms of violence; call on political society and civil society to redefine the paradigm of childhood and adolescence to enable their full participation; provide unequivocal protection for the investment in childhood and adolescence; and prevent macroeconomic changes from affecting the validity of their rights.

258. Subsequently, in February 2018, Ecuador held a referendum and popular consultation, during which citizens were asked, among other issues, about the advisability of amending the Constitution to ensure that sexual crimes against children and adolescents would never be subject to a statute of limitations. Citizens voted in favour of this amendment (with 73.53 per cent of the valid votes).¹¹⁹

259. As a means of raising awareness and providing training on good parenting practices, the Ministry of Economic and Social Inclusion designed a positive parenting programme entitled “Growing up in families: positive parenting”, which aims to reach 433,059 families. With regard to the strategy for the prevention and eradication of child labour, the Ministry of Economic and Social Inclusion devised and approved in 2019 a management model for preventing and eradicating child labour, which has a Technical Standard for Child Labour Eradication Services.¹²⁰ In this context, 10,870 children and adolescents involved in child labour were assisted in Ecuador in 142 care units. For 2020, the plan is to assist 11,450 children and adolescents performing child labour.

U. Replies to paragraph 24

260. The Ministry of the Environment,¹²¹ with technical assistance from UN-Women, developed a methodology for mainstreaming gender throughout the preparation of the country’s first nationally determined contribution and its implementation plan. Gender-corrective targets were incorporated into the plan of action through two specific programmes:

¹¹⁷ Organic Code for Children and Adolescents, 2003. See <https://bit.ly/2XiGRhv>.

¹¹⁸ Ibid.

¹¹⁹ National plan for the prevention of violence against children and adolescents and the promotion of positive parenting.

¹²⁰ Technical Standard for Child Labour Eradication Services. Approved by means of Ministerial Decision No. 124 of 7 August 2019. See <https://bit.ly/2TWuqWL>.

¹²¹ Currently the Ministry of the Environment and Water.

- PROAmazonía: this programme seeks to improve the situation and position of women in the Ecuadorian Amazon in socioenvironmental processes to address climate change, through mitigation and adaptation programmes with approved methodologies for gender-sensitive action. PROAmazonía receives technical assistance from UN-Women Ecuador through the project “Gender mainstreaming in PROAmazonía”.
- FORECCSA: this programme aims to enhance the empowerment of women, girls and adolescents through adaptation measures that reduce women’s workload, facilitate their agricultural work, increase their income and widen their access to representation and decision-making forums. It was implemented with technical assistance from UN-Women.

261. The National Council for Gender Equality has helped train officials from the Ministry of the Environment on gender, and leads the gender and climate change round table in conjunction with the Ministry of the Environment. The gender and climate change action plan and the construction of the georeferenced information system on gender and climate change are under way.

262. The National Technical Secretariat for Risk Management has conducted seven awareness-raising workshops for the actors of the nationalized risk management system; run the virtual course “Prevention of gender-based violence”, which raised awareness among 346 users; and published a training manual on gender-based violence.¹²²

263. In response to the Mandate of Amazonian Women,¹²³ the Office of the Ombudsperson issued Decision No. 101-DPE-REV-EXP-2018 regarding the facts presented by the Amazonian Women Defenders of the Jungle on the Front Lines against Extractivism.

V. Replies to paragraph 25

264. The Central Bank of Ecuador, in coordination with the World Bank, is developing a national financial inclusion strategy to improve access to and use of good-quality financial services that foster public well-being, including that of women from different social groups.

265. The decentralized autonomous governments, supported by the Secretariat for Human Rights, have developed their own regulations for effective compliance with the Comprehensive Organic Act to Prevent and Eradicate Violence against Women.

266. In 2019, the decentralized autonomous government of Riobamba adopted Ordinance No. 07-2019, aimed at preventing and progressively eradicating discrimination and violence against women in the canton of Riobamba.¹²⁴

267. In November 2019, the decentralized autonomous government of the municipality of Cayambe adopted an ordinance to implement the cantonal system to prevent and eradicate violence against women, girls, adolescents, young people, adults and older persons, in all their diversity.

268. The decentralized autonomous government of the municipality of Archidona has trained the Cantonal Board for Rights Protection and the political units to grant

¹²² National Technical Secretariat for Risk Management. Training manual on gender-based violence.

¹²³ Mandate of the Amazonian Women Defenders of the Jungle on the Front Lines Against Extractivism. See <https://bit.ly/3dxoIm9>.

¹²⁴ Municipality of the city of Riobamba, 2019. Ordinance No. 07-2019. Prevention and progressive eradication of discrimination and violence against women in the canton of Riobamba.

immediate administrative protection measures to women victims of gender-based violence. To date, 264 measures have been granted to 44 women (November 2018 to January 2020).

269. In 2018, the decentralized autonomous government of the municipality of Ibarra adopted an ordinance for the prevention and eradication of violence against women and gender-based violence in the canton.

270. In January 2018, the decentralized autonomous government of the municipality of Manta launched a public policy agenda for the protection of the rights of priority groups for the period 2018–2023. In June 2018, an ordinance establishing the Cantonal Board for the Protection of Women’s Rights was adopted, which aims to create mechanisms that provide women victims of gender-based violence with comprehensive care.

271. In April 2019, the decentralized autonomous government of the municipality of Cuenca issued an ordinance for preventing and eradicating violence against women and for comprehensive victim support in Cuenca.¹²⁵

¹²⁵ Ordinance for the prevention and eradication of violence against women and for comprehensive victim support in Cuenca, 2019. See <https://bit.ly/2MhHyBu>.