



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the combined eighth and ninth periodic reports of Ecuador*

Constitutional, legislative and institutional framework

1. Please indicate whether the State party has adopted legislation that defines discrimination in line with article 1 of the Convention. Please provide information on the current status and time frame for the adoption of the various bills passed by the Legislative Council of the National Assembly whose adoption was pending review by the Committee on Justice and the Structure of the State, namely those on the procedural rules of the national councils for equality (CEDAW/C/ECU/8-9, para. 27),¹ intercultural practice for assisted births under the national health system (para. 28), greater protection for families in cases of multiple births (para. 29), access to social security for women (para. 30), eradicating discrimination, harassment and political violence against women in the public arena (para. 31) and combating trafficking and sexual exploitation (para. 32).

Legal complaint mechanisms and access to justice

2. Please indicate whether the specialized bodies for the investigation and punishment of violence against women are already functioning and provide detailed information on their composition and budget (para. 24). Please provide information on the protocols that have been designed by the working group on women and justice (para. 65) and indicate to what extent they include specific measures concerning indigenous women, Afro-descendant women, Montubio women and women with disabilities. Please provide specific information on court cases in which the Convention has been directly applied or invoked as a source of interpretation of the law in the State party.

3. Please explain whether any sanctions or penalties are imposed for acts of discrimination against women and, if they are, provide information and data on their nature and actual application. Please supply information on legal complaint mechanisms and legal aid provided at the local and national levels for all women,

* Adopted by the pre-sessional working group for the sixtieth session, meeting from 21 to 25 July 2014.

¹ Paragraph numbers refer to the combined eighth and ninth periodic reports of the State party.



including disadvantaged groups of women, and on measures to develop capacity-building programmes for the judiciary on equality of women and men.

National machinery for the advancement of women

4. Please provide information on the policies and programmes carried out by the Transition Committee of the Council for Women and Gender Equality, the status, composition, human resources and budget of the Committee and the Council and the mechanisms used by the Council to coordinate the agenda for gender equality. Please report on the number, composition and main functions of the national councils for women that are already operating. Please provide information on the adoption of a national strategy on equality or other policy instrument aimed at promoting equality of women and men and combating discrimination against women.

Temporary special measures

5. Please indicate whether any temporary special measures have been put in place to accelerate substantive equality of women and men in all areas covered by the Convention, including education, health, employment and economic and social life, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 on the subject. Please indicate the type of measures envisaged and how they will be implemented to achieve parity in the composition of the various collegiate bodies (para. 64).

Stereotypes

6. Please provide information on measures adopted by the Transition Committee of the Council for Women and Gender Equality and the Office of the Ombudsman, including awareness-raising campaigns, aimed at combating stereotypical portrayals of women, including by promoting respect for women's rights and protecting women against violence. Please clarify whether public campaigns have been conducted using formats accessible to women with disabilities.

7. Please provide information on specific measures to combat stereotypes of and violence against women on grounds of sexual orientation. Please provide information on the measures taken by the State party to address the phenomenon of "de-homosexualization" clinics (para. 143), to which people have been confined in order to undergo "reorientation treatment", and on any particular assessment of this phenomenon in Ecuadorian society. Please also provide information on the prevalence and prevention of hate crimes against women based on gender and sexual orientation, in addition to data on prosecutions and convictions of perpetrators of such crimes.

Violence against women

8. Please provide information on the main challenges to prosecuting various forms of violence against women, including lesbian women, and on the existence of protocols for the judiciary, as well as on the number of prosecutions and convictions of perpetrators. Please indicate the number of shelters for women who are victims of violence, their locations and the budget allocated thereto, in addition to the major difficulties in their functioning. Please clarify the scope and implementation of administrative settlement mechanisms as alternatives to judicial proceedings in cases of violence against women, children and adolescents (para. 93).

9. Please provide information on the current status of the draft comprehensive organic criminal code, in particular in connection with the criminalization of femicide (para. 105), violence against women and remedies for victims of violence, including compensation and reparations.

Trafficking in women

10. Please provide information on whether the country is considered a country of origin, transit or destination of trafficking in women and girls. Please indicate the measures taken by the State party to prevent trafficking and whether there are early warning mechanisms concerning women at risk. Please provide information on assessments relating to the National Plan for the Prevention and Punishment of Trafficking in Persons and Comprehensive Protection for Victims and on the challenges in combating trafficking in connection with the various forms of exploitation, such as pornography and prostitution. Please indicate the current status of the process to update the National Plan, specifying its goals and the measures envisaged. Please provide more detailed information concerning prosecutions and convictions of perpetrators in cases of trafficking and on the challenges faced by victims in gaining access to justice.

Participation in political and public life

11. Please provide information on policy measures to implement the constitutional provisions on parity, in particular in relation to the single-member/uninominal voting system, and on mechanisms to promote parity on the lists of candidates for local elections. Please also provide information on measures, including temporary special measures, to promote women's political participation and leadership. Please also provide updated information on the representation of women in the foreign service and indicate the number of women who have been appointed as ambassadors.

Education

12. Please provide information on the mechanisms in place to ensure access to education for women and girls living in rural areas, in particular women belonging to ethnic groups, and on measures to promote the enrolment of women in tertiary education and their choice of careers in non-traditional areas. Please provide data disaggregated by sex, age, geographical location and ethnicity on the dropout rates at all levels of education, in particular in rural areas, and information on the inclusion of sexual and reproductive health and rights in the regular school curriculum, targeting adolescent girls and boys, including in vocational training schools. Please provide information on prosecutions and convictions of perpetrators of sexual violence in the education system and on disciplinary measures taken against persons who have been found responsible in cases of sexual harassment. Please indicate whether any mechanisms have been implemented in schools to facilitate complaints by girls who are victims of sexual violence.

Employment

13. Considering the gender gap in access to employment and the gender pay gap, please indicate the measures envisaged by the State party to generate job opportunities for women and access to such opportunities, including through temporary special measures. Please provide information on the measures in place to

prevent discrimination against lesbian women in employment. Please provide disaggregated information on access by women to social security in the private and public sectors and on the measures envisaged to ensure access by women to social security schemes. Please provide detailed information on plans to address the lack of social security coverage in the State party.

Health

14. Reference is made to public policies in the area of health for women and girls for the period 2008-2011, including measures on intercultural aspects of health services and to encourage reporting of violence against women (paras. 209-211). Please provide information on measures in place to reduce maternal mortality, especially with regard to women's reproductive health, including the prevention of unsafe abortion. Please provide information on the process and conditions for women to gain access to legal abortion in the State party, including on the procedures in case of incomplete abortions.

15. Considering the high rate of teenage pregnancy and the prevalence of HIV/AIDS, please provide updated information on measures to tackle those challenges, in particular programmes targeted at disadvantaged groups of women.

Rural women

16. The State party lists a series of programmes aimed at promoting the economic participation of women, mainly through the provision of credits and grants to women's projects. Please elaborate on the content of the programmes and provide disaggregated data on the coverage of the allocations for young women and women living in rural areas, including women belonging to ethnic groups, as well as on the results of the programmes. Please provide information on the participation of women in decision-making processes and on the access of indigenous and Afro-Ecuadorian women to economic and social benefits. Please state the impact on women's rights of megaprojects for the exploitation of natural resources, in particular those relating to water, mining and petroleum.

17. Please provide detailed information on the measures, including temporary special measures, adopted to ensure that women have effective access to housing, land, property and means of production.

Refugee women

18. Please provide information on the procedures for recognition of refugee status, including on the temporary requirements to apply for asylum, and on gender-sensitive measures to support women and girls seeking refugee status. Please elaborate on the social and economic programmes, including in the areas of health, education and employment, for refugee women and provide updated statistical data on their extent and effective coverage. Please provide information on bilateral programmes envisaged or conducted together with the Government of Colombia to protect refugee women from violence and ensure their access to justice and redress.

Women in detention

19. No information is provided on the situation of women and girls in detention. Please provide information and data, disaggregated by age, geographical location

and ethnicity, on women and girls in detention and on existing mechanisms to monitor prisons and police stations in order to prevent torture and ill-treatment of women and girls. Please also provide information on the provision of sexual and reproductive health services for women in detention facilities, conjugal visiting arrangements, rules on visits by children and other family members, access to legal advice and education available to women and girls in detention, in addition to rehabilitation and reintegration programmes available upon release.

Women with disabilities

20. It is mentioned that the care and prevention of disability have been established as a policy in the State party (para. 124). In addition, information is provided on measures in the areas of employment and education of persons with disabilities. Please provide information on the situation of women and girls with disabilities, especially concerning measures to ensure the recognition of their legal capacity in law and in practice and to protect them against all forms of violence and ensure their access to justice and health care, including sexual and reproductive health services.
