



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the tenth periodic report of Ecuador*

1. The Committee considered the tenth periodic report of Ecuador (CEDAW/C/ECU/10) at its 1828th and 1830th meetings (CEDAW/C/SR.1828 and CEDAW/C/SR.1830), held on 28 and 29 October 2021.

A. Introduction

2. The Committee appreciates the submission by the State party of its tenth periodic report, which was prepared in response to the list of issues and questions prior to reporting (CEDAW/C/ECU/QPR/10). It also appreciates the State party's follow-up report to the previous concluding observations of the Committee (CEDAW/C/ECU/CO/8-9/Add.1). It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its multisectoral delegation, which was headed by the Secretary for Human Rights, María-Bernarda Ordóñez, and included other representatives of the Secretariat for Human Rights and of the Permanent Mission of Ecuador to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2015 of the State party's combined eighth and ninth periodic reports in undertaking legislative reforms, in particular the adoption of the following:

(a) Organic Act Amending the Organic Act on Public Service and the Labour Code to Prevent Workplace Harassment, in 2017;

(b) Human Mobility Act, which strengthens inter-agency coordination in the prevention, investigation and punishment of human trafficking and in the comprehensive protection of victims of trafficking, in 2017;

* Adopted by the Committee at its eightieth session (18 October to 12 November 2021).



(c) Comprehensive Organic Act to Prevent and Eradicate Violence against Women, aimed at preventing and eliminating gender-based violence against women, in 2018;

(d) Executive Decree No. 696, establishing a grant for children and adolescents up to 18 years of age who are orphaned as indirect victims of the femicide of their mothers and who are living in poverty, in 2019.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

(a) National Equality Agenda for Women and Lesbian, Gay, Bisexual, Transgender and Intersex (LGBTI) Persons, 2018–2021, in 2018;

(b) LGBTI Inter-institutional Round Table, in 2019;

(c) Action Plan to Combat Trafficking in Persons, 2019–2030, in 2019.

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party ratified the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization, in 2021.

C. Sustainable Development Goals

7. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.**

D. Parliament

8. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the National Assembly, provincial governments, municipal governments and parish administrations to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

E. Principal areas of concern and recommendations

General context

9. The Committee notes with concern that the financial and economic crisis triggered by low oil prices, appreciation of the United States dollar, increasing external financing costs and growing trade conflicts has been exacerbated by the coronavirus disease (COVID-19) pandemic. The Committee also notes with concern that the COVID-19 health crisis has triggered a deep recession, leading to increased poverty, and has revealed structural weaknesses, such as a lack of macroeconomic buffers, a high level of informal employment, a poorly prepared health-care system

and large gaps in access to public services. The Committee further notes with concern that the austerity measures adopted by the State party in an effort to consolidate public finances have had a disproportionate impact on women in all spheres of life. It is also concerned about the prevalence of gender-based violence against women, including domestic violence, and the feminization of poverty, which disproportionately affects women and girls belonging to disadvantaged and marginalized groups and those facing intersecting forms of discrimination. The Committee reminds the State party that, even in times of fiscal constraint and economic crisis, specific efforts must be made to advance women's rights, sustain and expand social investment and social protection and integrate a gender perspective into policies and programmes, focusing on disadvantaged and marginalized groups of women and seeking to avoid retrogressive measures.

10. In line with its guidance note on the obligations of States parties to the Convention in the context of COVID-19, issued on 22 April 2020, the Committee recommends that the State party:

(a) **Undertake a comprehensive study on the consequences of the financial and economic crisis and subsequent austerity measures on women and design an action plan to mitigate the adverse effects of such measures;**

(b) **Ensure the internal redistribution of its resources to overcome the consequences of the financial crisis, according priority to measures that support social inclusion and gender equality, and implement measures to redress pre-existing gender inequalities by placing women and girls at the centre of recovery strategies in line with the 2030 Agenda for Sustainable Development, with particular attention to unemployed women and women living in poverty, women belonging to ethnic minorities, indigenous women, older women, women with disabilities, migrant, refugee and asylum-seeking women, and lesbian, bisexual, transgender women and intersex persons;**

(c) **Take action to ensure that, in the context of restrictions on freedom of movement, sanitary measures and post-crisis recovery plans, women and girls are not relegated to domestic and other stereotypical gender roles;**

(d) **Review its strategies to ensure that all COVID-19 crisis response and recovery efforts, including the State party's emergency measures, are aimed at effectively preventing gender-based violence against women and girls; ensuring the equal participation of women and girls in political and public life and in decision-making in the context of recovery strategies, economic empowerment and service delivery; and ensuring that women and girls benefit equally from stimulus packages, including financial support for unpaid care roles, that are aimed at mitigating the socioeconomic impact of the pandemic.**

Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

11. The Committee notes that, under article 417 of the Constitution, the Convention and other international human rights treaties are directly applicable in the courts. The Committee remains concerned, however, that the provisions of the Convention, the Optional Protocol thereto and the Committee's general recommendations are not sufficiently known in the State party, including by women themselves. The Committee also notes with concern the lack of references to the Convention in court decisions in the State party.

12. The Committee recommends that the State party:

(a) **Develop a sustainable strategy, including by allocating sufficient financial resources, to disseminate the Convention, the Committee's**

jurisprudence under the Optional Protocol and the Committee's general recommendations among all stakeholders, including women's organizations;

(b) Continue raising awareness among women about their rights under the Convention, targeting in particular women belonging to disadvantaged groups, including indigenous women, Ecuadorian women of African descent, Montubio women, migrant, asylum-seeking and refugee women and women with disabilities;

(c) Promote capacity-building programmes for judges, prosecutors and lawyers on the Convention, the Optional Protocol thereto, the Committee's general recommendations and its findings on individual communications and inquiries, to enable them to directly apply the Convention and interpret domestic legislation accordingly.

Constitutional framework and definition of discrimination against women

13. The Committee commends the State party on its comprehensive legislative and policy framework for the elimination of discrimination against women. However, the Committee remains concerned about:

(a) Challenges to the effective implementation of, and the slow progress in bringing about the institutional changes necessary to enforce, such legislation and policies;

(b) Intersecting forms of discrimination faced by indigenous, Ecuadorian women of African descent and Montubio women, women with disabilities, migrant women, women asylum seekers and refugee women, and the lack of disaggregated data on the situation of women.

14. **In line with article 1 of the Convention and general recommendation No. 28 (2010) on the core obligations of States parties under article 2 of the Convention and reiterating its previous recommendations (CEDAW/C/ECU/CO/8-9, para. 11), the Committee recommends that the State party:**

(a) Strengthen the enforcement of legislation and policies aimed at eliminating discrimination against women in all areas covered by the Convention, including through the adoption of specific time frames, and give priority to the allocation of human and financial resources for their implementation in rural and remote areas and autonomous territories;

(b) Adopt specific targets and indicators aimed at addressing intersecting forms of discrimination against women.

National machinery for the advancement of women

15. The Committee takes note of the establishment of the Secretariat for Human Rights, in 2018. It commends the State party on the establishment of the Gender Directorate in the Ministry of the Interior, and the Directorate of Human Rights, Gender and Inclusion in the Ministry of Public Health. However, the Committee reiterates its concern that:

(a) The National Council for Gender Equality, the institution responsible for mainstreaming a gender perspective in all State policies, continues to lack a clear mandate to lead and coordinate the design and implementation of gender equality policies within the respective entities at the national and local levels and that, between 2017 and 2021, the percentage of the budget allocated for the implementation of gender equality policies was reduced by approximately 25 per cent;

(b) Local councils for the protection of rights continue to lack a mandate and specific guidelines for promoting the substantive equality of women and men;

(c) Cooperation between the National Council for Gender Equality and civil society organizations working on women's rights issues in the State party is insufficient.

16. The Committee recommends that the State party:

(a) **Strengthen the authority, mandate and coordination and monitoring role of the National Council for Gender Equality in relation to the design and implementation of public policies on gender equality, and provide it with sufficient human, technical and financial resources to effectively carry out its mandate to promote gender equality;**

(b) **Ensure that national and local authorities and the autonomous governments mainstream a gender perspective into their work in a coordinated manner;**

(c) **Ensure the systematic participation of women's organizations in the National Council for Gender Equality and decision-making processes concerning the advancement of women at the national and local levels.**

Temporary special measures

17. The Committee welcomes the entry into force on 3 February 2020 of the Reform of the Organic Act on Elections and Political Organizations of the Republic of Ecuador (Democracy Code), which provides for temporary special measures. However, the Committee is concerned that, despite favourable legal conditions, there are still barriers related to the composition of lists, the definition of constituencies, the method of seat allocation and the absence of a parity rule in single-person candidacies. It also reiterates its concern about the absence of temporary special measures in the State party's public policy aimed at reducing the multiple and intersectional discrimination faced by women belonging to disadvantaged groups, such as indigenous, Ecuadorian women of African descent and Montubio women, migrant women, women with disabilities and lesbian, bisexual and transgender women and intersex persons, in areas such as political participation, education, employment and health.

18. In line with its general recommendation No. 25 (2004) on temporary special measures, the Committee recommends that the State party:

(a) **Ensure full compliance with the temporary special measures provided for in the Democracy Code, including those relating to ethnic and cultural diversity, in the composition of lists, the definition of constituencies and the method of seat allocation, and introduce a parity rule in single-person candidacies;**

(b) **In consultation with women from the most disadvantaged groups, define and implement temporary special measures aimed at reducing discrimination against them in order to accelerate de facto equality between men and women.**

Stereotypes and harmful practices

19. The Committee notes with concern:

(a) The persistence of discriminatory stereotypes in the State party on the roles and responsibilities of women and men in the family and in society;

(b) That despite the closure of 26 clinics performing “sexual reorientation or ‘de-homosexualization’ therapies” and proceedings being initiated by the Office of the Attorney General against alleged perpetrators, the involuntary placement of women and girls in such clinics that continue to operate persists.

20. Recalling joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices and its previous recommendations (CEDAW/C/ECU/CO/8-9, para. 19), the Committee recommends that the State party:

(a) **Strengthen its efforts to eliminate patriarchal attitudes and discriminatory stereotypes regarding the roles of women and men in the family and in society, in particular by promoting the equal sharing of domestic and family responsibilities between women and men and increasing the number of affordable childcare facilities in the State party;**

(b) **Strictly enforce article 176 of the Comprehensive Organic Criminal Code on discrimination based on gender identity and legislation that prohibits “sexual reorientation” or “de-homosexualization”, ensure that cases are investigated and that perpetrators are prosecuted and, if convicted, punished appropriately, and that women and girls who are victims of such harmful practices have access to protection, including shelters and support services, and reparation.**

Gender-based violence against women

21. The Committee notes that different forms of gender-based violence are recognized in the Comprehensive Organic Act to Prevent and Eradicate Violence against Women, including physical, psychological, sexual, economic, patrimonial, symbolic, political, gynaecological-obstetric and online violence. It further notes that the Act establishes a comprehensive national system to prevent and eradicate violence against women, which provides guidance to State institutions in the elaboration of policies for the prevention and eradication of all types of gender-based violence against women. However, the Committee notes with concern the findings of the 2019 State-led survey on gender-based violence against women, revealing that 65 per cent of women in the State party had experienced such violence at some time and that 32 per cent of them had experienced such violence during the past 12 months. It also notes with concern the high rate of early pregnancies, often resulting from rape. The Committee further notes with concern:

(a) The high incidence of gender-based violence against women and girls, including sexual and domestic violence, in particular during the COVID-19 pandemic;

(b) The limited availability of specialized State victim support services, including shelters for victims of gender-based violence, and underreporting of domestic violence owing to social stigma and victims’ lack of trust in the law enforcement authorities;

(c) The reported high prevalence of sexual harassment in the workplace and educational settings;

(d) The low prosecution and conviction rates, resulting in impunity for perpetrators in sexual violence cases;

(e) The high number of femicides in the State party;

(f) The lack of disaggregated data on gender-based violence against women and girls, in particular with respect to women belonging to ethnic minorities, indigenous women, women with disabilities and migrant and asylum-seeking women.

22. Recalling its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, the Committee recommends that the State party:

(a) **Ensure the effective implementation of the provisions of the Comprehensive Organic Act to Prevent and Eradicate Violence against Women and articles 141 and 142 of the Comprehensive Organic Criminal Code by allocating the resources necessary and providing systematic and recurrent training to judges, prosecutors, the police and other law enforcement officers on their strict enforcement and strengthen measures to prevent, combat and punish all forms of gender-based violence against women;**

(b) **Continue raising awareness among women and men, girls and boys, including through educational and media campaigns, on the criminal nature of gender-based violence against women and girls;**

(c) **Ensure the availability of shelters for women who are victims of gender-based violence, strengthen support services for victims, as well as counselling and rehabilitation services, and ensure that those services are properly funded and accessible throughout the State party, that staff are properly trained and that the quality of the services provided is regularly monitored;**

(d) **Strictly enforce the Labour Code to Prevent Workplace Harassment and other relevant legislation to ensure that victims of sexual harassment in the workplace and in educational settings have access to reparation, strengthen the accountability of employers and require them to regularly review their company culture, and ensure the establishment of a whistle-blower hotline for reporting sexual harassment;**

(e) **Ensure that all sexual violence cases are investigated and that the perpetrators are prosecuted and brought to justice, and provide systematic training for judges, prosecutors, the police and other law enforcement official on gender-based violence and gender-sensitive investigation and interrogation procedures;**

(f) **Ensure the systematic collection of data, disaggregated by age, nationality, disability and the relationship between the victim and the perpetrator, on the extent of gender-based violence against women and girls in the State party.**

Trafficking and exploitation of prostitution

23. The Committee welcomes the efforts by the State party to prevent and combat trafficking in persons, in particular women and girls, including through international cooperation and awareness-raising campaigns. It commends the State party on the establishment of the Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling and of its Specialized Anti-Trafficking Unit. It further commends the State party on the adoption of its Action Plan to Combat Trafficking in Persons, 2019–2030, in 2019. However, it notes:

(a) That the State party continues to be a country of origin, transit and destination for trafficking in women and girls for the purposes of sexual and labour exploitation, and that trafficking and sexual exploitation of adolescent girls is

particularly prevalent in border areas, especially in the provinces of Sucumbíos, Carchi and Esmeraldas;

(b) The lack of disaggregated data and estimates on the number of women and girls recognized as victims of trafficking;

(c) The low number of investigations and prosecutions in relation to reported cases of trafficking, owing partly to the risk of deportation for women victims of trafficking who are undocumented or in an irregular situation, which discourages them from reporting and seeking victim assistance services;

(d) The lack of specialized shelters for women and girls who are victims of trafficking;

(e) The high number of migrant women and girls in prostitution and the lack of information on the measures taken by the State party to address the root causes of prostitution and reduce the demand for it.

24. Recalling its previous recommendations (CEDAW/C/ECU/CO/8-9, para. 23), and its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party continue to combat trafficking in women and girls for the purposes of sexual and labour exploitation and reinforce international, regional and bilateral cooperation with countries of origin, transit and destination to prevent trafficking. It also recommends that the State party allocate sufficient human, technical and financial resources to the Directorate for the Prevention of Trafficking in Persons and Migrant Smuggling and for the implementation of the Action Plan to Combat Trafficking in Persons, 2019–2030. It further recommends that the State party:

(a) Address the root causes of trafficking by enhancing educational and economic opportunities for women and girls and their families, thereby reducing their vulnerability to exploitation by traffickers;

(b) Strengthen its efforts to improve data collection on victims of trafficking, disaggregated by sex, age, country of origin, nationality and form of exploitation, and ensure adequate protection, support, rehabilitation and reintegration services for them;

(c) Increase the number and accessibility of State shelters, in both urban and rural areas, strengthen counselling and rehabilitation services across the State party, and provide sufficient funding to civil society organizations that provide shelters and victim support services;

(d) Address the root causes of prostitution, such as poverty and structural gender inequalities, as well as the demand for prostitution, and provide women who wish to leave prostitution with exit programmes and alternative income opportunities.

Participation in political and public life

25. The Committee notes the adoption of the reform of the Democracy Code in 2020, as a result of which 50 per cent of candidates on electoral lists of political parties will be required to be women by the 2025 elections. However, it notes with concern:

(a) That only 8 out of 25 ministers are women and that only 52 women candidates were elected in the parliamentary elections in 2021, accounting for 38 per cent of Members of Parliament;

(b) The prevalence of hate speech and harassment against women in political discourse, which hamper the participation of women in political and public life;

(c) The low representation of women at decision-making levels in the civil service, the foreign service and in the armed forces of the State party;

(d) The very low rate of participation of women belonging to disadvantaged and marginalized groups in political and public life.

26. Recalling its general recommendation No. 23 (1997) on women in political and public life, as well as target 5.5 of the Sustainable Development Goals, the Committee recommends that the State party:

(a) Adopt strategies and programmes to prevent gender-based violence that women politicians and candidates experience online and offline in public discourse and strengthen measures to prevent harassment and threats against them, including by requiring all political parties to develop policies to promote gender equality and combat harassment, and hold social media companies liable for unlawful user-generated content;

(b) Adopt temporary special measures in accordance with article 4 (1) of the Convention and the Committee's general recommendation No. 25, including statutory quotas for the equal representation of women in decision-making positions in the civil service, the foreign service and in the armed forces;

(c) Provide capacity-building on political campaigning and leadership skills and ensure that women candidates have access to sufficient campaign financing. In doing so, the State party should pay particular attention to underrepresented groups of women, such as indigenous women, women with disabilities and lesbian, bisexual and transgender women.

Education

27. The Committee welcomes the efforts of the State party to eliminate discrimination against women and girls and gender-based stereotyping in the education system, including through awareness-raising campaigns targeting young people, including girls and young women, on harassment in educational settings. It also welcomes the adoption of Executive Decree No. 460 of 19 July 2018, which provides for the inclusion of equality of women and men in school curricula and textbooks. The Committee, however, notes with concern:

(a) The low number of women and girls choosing non-traditional fields of study and career paths;

(b) The high illiteracy rates among women, which reached 6.5 per cent in 2018;

(c) The high school dropout rates among girls in rural areas, indigenous girls and girls belonging to ethnic minorities, as well as among adolescent girls and young women owing to early pregnancies;

(d) Reports of sexual harassment and sexual abuse in schools and universities;

(e) The lack of systematic professional training on sexual and reproductive health and rights for teachers at the secondary level of education;

(f) The lack of data, disaggregated by sex and type of disability, on children with disabilities, including girls, who complete school, vocational training and university education.

28. **Recalling its general recommendation No. 36 (2017) on the right of girls and women to education, as well as target 4.5 of the Sustainable Development Goals, the Committee recommends that the State party:**

(a) **Continue raising awareness of the importance of girls' and women's education at all levels as a basis for their empowerment;**

(b) **Continue to encourage women and girls to choose non-traditional fields of study and career paths, including in science, technology, engineering, mathematics and information and communications technology (ICT), and eliminate discriminatory stereotypes that may deter girls and women from enrolling in such fields of study;**

(c) **Continue to improve the accessibility and quality of education for all children, in particular disadvantaged and marginalized groups of girls, and address the disproportionately high rates of illiteracy among migrant girls, girls with disabilities and girls living in rural and remote areas and those living in poverty;**

(d) **Intensify efforts to reduce the school dropout among girls, including by raising awareness among parents, community leaders and women and girls about the importance of education for the personal development and career prospects of girls and women;**

(e) **Ensure that pregnant girls can continue their education and facilitate the reintegration into education of young mothers, including by combating cultural stigma through awareness-raising campaigns and by providing affordable childcare facilities;**

(f) **Strictly apply the 2018 Organic Act Reforming the Organic Act on Higher Education and ensure that a zero-tolerance policy on gender-based violence and harassment is effectively implemented in schools and universities, which should include counselling services, awareness-raising efforts and effective reporting mechanisms;**

(g) **Ensure that gender-sensitive, age-appropriate and accessible education on sexual and reproductive health and rights is included in curricula at all levels of education to foster responsible sexual behaviour with a view to preventing early pregnancies and sexually transmitted infections, including by providing teachers with systematic training for on sexual and reproductive health and rights;**

(h) **Strengthen the inclusion of girls with disabilities in the mainstream education system and include in its next periodic report information and statistical data, disaggregated by age and type of disability, on school attendance, dropout rates and access to vocational and university education for girls with disabilities.**

29. The Committee remains concerned about:

(a) Limited access to education for indigenous girls and women and Ecuadorian girls and women of African descent and the poor quality of education at all levels in rural areas;

(b) Limited access for indigenous girls and women to indigenous educational institutions owing to limited State funding for such institutions and to mainstream schools, which are typically located far from indigenous communities.

30. **Recalling its previous recommendations ([CEDAW/C/ECU/CO/8-9](#), para. 29), the Committee recommends that the State party:**

(a) **Strengthen the educational infrastructure in indigenous communities and rural areas, provide free and reliable school transport for indigenous girls and women in rural and remote areas and promote access by indigenous and rural girls and women to education by facilitating their enrolment in educational institutions at all levels;**

(b) **Ensure adequate opportunities for indigenous girls and women to receive instruction in their own languages in indigenous educational institutions by providing sufficient funding for such institutions and by ensuring that girls who have received their education in an indigenous educational institution have access to non-indigenous institutions at all levels of education.**

Employment

31. The Committee notes that the State party ratified the Domestic Workers Convention, 2011 (No. 189), of the International Labour Organization, in 2013. It welcomes the adoption of the National Equality Agenda for Women and LGBTI Persons, 2018–2021, which calls for the redistribution of care work, and article 18 of the 2017 Organic Act on Labour Justice and Recognition of Work in the Home, which establishes penalties for dismissal on discriminatory grounds. It further notes the 2021 court ruling against Furukawa Plantaciones, which was found guilty of modern slavery, and the State party's commitment to ensuring that former workers have access to reparation and to implementing a national action plan on business and human rights. However, the Committee notes with concern:

(a) That during the COVID-19 pandemic, 50 per cent of paid domestic workers, mainly women, lost their jobs and one third of them lost their social security affiliation;

(b) That 75 per cent of unpaid care work is performed by women;

(c) That the unemployment rate among women is 1.5 times higher than among men;

(d) That the full-time employment rate of women is 11.9 percentage points lower than that of men;

(e) The persistent gender wage gap;

(f) The situation of domestic workers, primarily women and girls, who work extremely long hours, often without pay and with little personal time, particularly those who live in the home of their employers;

(g) The persistently low labour market participation rate of migrant women, women belonging to ethnic minority groups, indigenous women and women with disabilities.

32. **Recalling its previous recommendations ([CEDAW/C/ECU/CO/8-9](#), para. 31), the Committee recommends that the State party:**

(a) **Provide details, in its next periodic report, on the proposed “violet economy”, which includes the institutionalization of parental co-responsibility; crèches and breastfeeding facilities in workplaces, as part of the proposed national care system; and on the implementation of the national action plan on business and human rights;**

(b) **Establish and strengthen mechanisms for the implementation of the Domestic Workers Convention, 2011 (No. 189) and its incorporation into national legislation;**

(c) **Ensure that the Inter-Agency Round Table to Support the Rights of Paid Domestic Workers addresses the exploitative labour conditions of child and adolescent domestic workers without work permits, most of whom are female, who work extremely long hours, sometimes without pay;**

(d) **Strengthen measures to eliminate occupational segregation, enhance access by women, including migrant women, Ecuadorian women of African descent, Montubio women, women belonging to ethnic minority groups, indigenous women and women with disabilities, to formal employment, and encourage women and girls to choose non-traditional career paths;**

(e) **Strengthen measures to prioritize the transition of women from part-time to full-time work, with the support of good-quality and accessible childcare facilities;**

(f) **Strictly enforce the principle of equal pay for work of equal value, in order to narrow and ultimately close the gender pay gap, by regularly reviewing wages in all sectors, applying gender-sensitive analytical job classification and evaluation methods and conducting regular labour inspections and pay surveys;**

(g) **Conduct a comprehensive survey on the labour conditions of domestic workers with a view to amending existing laws and immediately establishing procedures to monitor those conditions and adherence to relevant labour laws;**

(h) **Collect comprehensive data on the participation of migrant women, women belonging to ethnic minority groups, women in autonomous territories, indigenous women and women with disabilities in the labour market and include such information in the next periodic report.**

Health

33. The Committee welcomes the adoption of the Organic Health Code, which guarantees universal access to comprehensive health care at any time. It also commends the State party on the adoption of the National Sexual and Reproductive Health Plan, 2017–2021, and its Intersectoral Policy for the Prevention of Pregnancy in Girls and Adolescents, 2018–2025. The Committee further notes that, on 28 April 2021, the Constitutional Court ruled to decriminalize abortion in cases of rape. However, the Committee notes with concern:

(a) **The lack of access to safe abortion and post-abortion services and the shortfall in health professionals trained in providing such services, with 15.6 per cent of maternal deaths estimated to be caused by unsafe abortions;**

(b) **The high number of unwanted pregnancies;**

(c) **That women and girls with disabilities and belonging to minority groups and indigenous, migrant and asylum-seeking women and girls sometimes encounter difficulties in accessing sexual and reproductive health services and information.**

34. **In line with its general recommendation No. 24 (1999) on women and health and reiterating its previous recommendations (CEDAW/C/ECU/CO/8-9, para. 33), the Committee recommends that the State party:**

(a) **Legalize abortion in cases of rape, incest, threat to the life or health of the pregnant woman or severe fetal impairment, decriminalize it in all other cases and provide women with access to safe abortion and post-abortion services, in particular in cases of complications resulting from unsafe abortions;**

(b) **Intensify inclusive awareness-raising programmes to ensure that women and girls have confidential access to modern forms of contraceptives and information on sexual and reproductive health and rights, including their right**

to make autonomous decisions, and eliminate discriminatory gender stereotypes and attitudes regarding the sexuality of women and girls;

(c) Ensure that women and girls without sufficient means, including those belonging to disadvantaged and marginalized groups, have free-of-charge access to health care, including sexual and reproductive health services.

Economic empowerment of women

35. The Committee notes the high percentage of women who are self-employed or employed in the informal sector, without labour and social protection, and that women have only limited access to loans, other forms of financial credit, land, equipment and machinery related to their businesses.

36. The Committee recommends that the State party develop and implement policies and programmes for the economic empowerment of women and to this end:

(a) Establish the legal and operational framework to increase the participation of women in entrepreneurship and assist women in finding a suitable market and obtaining a fair price for their products domestically and in protecting the ancestral intellectual property of women especially in the area of artisanal and craft production;

(b) Provide support to women entrepreneurs by facilitating their access to income-generating opportunities and financial credit, including low-interest loans without collateral, land, equipment and machinery;

(c) Ensure the dissemination of information on the available loan schemes and income support, especially on allocated quotas, and proper guidance and assistance in relation to applications for loans and income support, especially for rural women in the area of agro-ecology;

(d) Ensure access for women who are self-employed or employed in the informal sector to childcare allowances and affordable and good-quality care services for children and sick and older family members in order to reduce the unpaid care work of women and develop social protection schemes for them, such as pensions.

37. The Committee notes that, prior to the pandemic, the value of unpaid work in the State party was estimated to represent around 15.2 per cent of the gross domestic product of Ecuador. It also notes that, according to data from the Superintendency of the People's Solidarity Economy, the loans received by women are on average 20 per cent smaller in amount than those received by men;

38. The Committee recommends that the State Party:

(a) Adopt transformative fiscal policies and strategies to meet the needs imposed by care work and to reduce the burden of care work on women, by responding to care work needs in regard to greater access to good-quality and affordable public services for women, such as health care, transportation, water, housing and energy;

(b) Implement the monetization of unpaid care work so that it can be recognized and women compensated for their unpaid care work;

(c) Increase women's financial autonomy by facilitating access to bank loans and other forms of financial credit without collateral, microcredit, markets, business scale-up, common production facilities and other production systems.

Climate change and disaster risk reduction

39. The Committee commends the State party on the measures taken to address the climate crisis. However, the Committee notes with concern:

(a) The lack of participation of indigenous women in the formulation and implementation of policies and strategies on climate change and disaster risk reduction;

(b) The lack of data and research on the gender-specific impact of the climate crisis, which disproportionately affects indigenous women and girls.

40. **Recalling its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party:**

(a) **Ensure the effective participation of indigenous women as active agents of change in the formulation and implementation of policies and strategies on climate change and disaster response and risk reduction;**

(b) **Ensure that policies and plans relating to disaster risk reduction and climate change explicitly include a gender perspective and take into account the particular needs of indigenous women.**

Rural and Montubio women

41. The Committee is concerned about the absence of a gender perspective in agricultural policies and programmes. It also notes with concern that rural and Montubio women have limited access to:

(a) Funding for their agricultural activities, agricultural loans and credit, new farming techniques and ownership of productive assets, such as land;

(b) Basic services, such as education and health care, including sexual and reproductive health services, as well as affordable modern contraceptive methods.

42. **In line with its general recommendation No. 34 (2016) on the rights of rural women, the Committee recommends that the State party:**

(a) **Integrate a gender perspective into agricultural policies, programmes and projects, in order to effectively address the needs of rural and Montubio women, and ensure that they can meaningfully participate in the development and implementation of agricultural policies, including with regard to decisions on land use;**

(b) **Expand access for rural and Montubio women to microfinancing and microcredit at low interest rates, income-generating activities and entrepreneurship opportunities, with a view to combating poverty and promoting the advancement of rural Montubio women, and enhance their security of land tenure;**

(c) **Intensify efforts to ensure that rural and Montubio women have adequate access to health care, education, employment, housing, safe water and sanitation and family planning services.**

Women with disabilities

43. The Committee notes with concern the lack of information on the situation of women with disabilities.

44. **In line with its general recommendation No. 18 (1991) on disabled women, the Committee recommends that the State party:**

(a) **Address intersecting forms of discrimination against women and girls with disabilities and ensure their inclusion by eliminating restrictions on their legal capacity, ensuring their access to justice, protection from gender-based violence, inclusive education, employment and health services, including sexual and reproductive health services, and by addressing their specific needs;**

(b) **Ensure that women and girls with disabilities have access to the labour market and to support services available to victims of gender-based violence, and ensure their rights to freedom of movement and freely to choose their spouse or partner.**

Indigenous women and girls

45. The Committee notes with concern that numerous foreign and national mining, oil, logging and agribusiness multinationals are threatening the territorial, cultural and socioeconomic integrity of indigenous women and girls in the State party, causing socioenvironmental damages that violate their collective rights. The Committee also notes with concern:

(a) The lack of legislation to protect the rights of indigenous women and girls to their traditional lands;

(b) The limited implementation of the principle of free, prior and informed consent and the lack of consultations and benefit-sharing with indigenous women and girls in relation to development projects affecting their collective rights to land ownership;

(c) Continued reports of hate crimes and discrimination against indigenous women and girls.

46. **The Committee recommends that the State party:**

(a) **Adopt legislation to protect the collective rights of indigenous women and girls to their traditional lands;**

(b) **Require the free, prior and informed consent of and consultations and benefit-sharing with indigenous women and girls in relation to development projects affecting their traditional lands, in accordance with international standards;**

(c) **Take measures to combat hate crimes and discrimination against indigenous women and girls, investigate any such cases and prosecute and punish the perpetrators.**

Migrant, refugee and asylum-seeking women

47. The Committee notes that the State party faced a sharp influx of Venezuelan nationals, of whom approximately 451,100 are currently living in the State party, and of whom the majority are women (51.2 per cent). It also notes that the State party hosts a large share of the refugees in the region, of whom 96.9 per cent are Colombian nationals. The Committee notes with concern:

(a) That asylum-seeking and migrant women, in particular those in an irregular situation, who experience gender-based violence, including domestic violence and rape, refrain from accessing victim support services for fear of being reported to the immigration authorities;

(b) The limited access for migrant and refugee women and girls to education and health care in the State party, despite legislation providing for access to health care for all migrants, irrespective of their status.

48. **In line with its general recommendation No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women and its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, the Committee recommends that the State party:**

(a) **Ensure that the process of determining refugee status is gender-responsive and that the specific needs of asylum-seeking and refugee women and girls are addressed as a matter of priority throughout the asylum process, in particular their protection needs upon arriving in the State party;**

(b) **Ensure that migrant and refugee women have adequate access to education and health-care services, irrespective of their status.**

Marriage and family relations

49. The Committee notes with concern:

(a) That despite the minimum age for marriage having been set at 18 years for women and men in the 2015 Civil Code Reform Act, the practice of child marriage persists in the form of de facto unions, in particular in rural areas and among indigenous communities;

(b) That under article 180 of the Civil Code the husband is designated as the administrator of marital property;

(c) That intangible assets, such as work-related benefits, are not included as part of the joint property of a married couple, even though the Civil Code provides that property obtained during the marriage is considered joint property, to be divided equally upon divorce;

(d) The absence of measures in place to ensure child support payments in cases in which the father fails to pay.

50. **Reiterating its previous recommendations ([CEDAW/C/ECU/CO/8-9](#), para. 37) and recalling its general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, the Committee recommends that the State party:**

(a) **Conduct research on the economic consequences of divorce for both spouses, taking into account the length of the marriage and the number of children, and adopt such legal measures as may be necessary to redress possible economic disparities between men and women upon the dissolution of marriage and family relations;**

(b) **Raise awareness among religious and community leaders, the media and the general public about the harmful effects of child and/or forced marriages on the health, education and life choices of girls, in collaboration with civil society and women's organizations;**

(c) **Expedite the amendment of the Civil Code with a view to repealing the provision under which the husband is designated as the administrator of marital property;**

(d) **Include intangible property (such as pension funds, severance payments and insurance benefits) accumulated during a marriage or union in the joint property to be equally divided upon dissolution of the relationship;**

(e) **Adopt measures to provide child support payments in cases in which the father fails to pay.**

Dissemination

51. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the parliament and the judiciary, to enable their full implementation.

Follow-up to the concluding observations

52. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 22 (a), 22 (d), 28 (c) and 34 (a) above.

Preparation of the next report

53. The Committee invites the State party to submit its eleventh periodic report, which is due in November 2025. The report should be submitted on time and cover the entire period up to the time of its submission.

54. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).
