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Committee on Economic, Social and Cultural Rights

Fifth periodic report submitted by Ecuador under articles 16 and 17 of the Covenant, due in 2024*, **

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* The present document is being issued without formal editing.

** The annex to the present document may be accessed from the web page of the Committee.



I. Introduction

1. The Republic of Ecuador submits to the Committee on Economic, Social and Cultural Rights its fifth periodic report under articles 16 and 17 of the International Covenant on Economic, Social and Cultural Rights. The present report was prepared by the Ministry for Women's Affairs and Human Rights in coordination with the Ministry of Foreign Affairs and Human Mobility, with support from the Office of the United Nations High Commissioner for Human Rights and the participation of 30 institutions belonging to the five branches of government.

II. Information relating to the articles of the Covenant

2. The Constitution¹ provides for the direct and immediate application of international human rights instruments that have been ratified by the State. In that regard, three types of constitutional guarantees – regulatory, public policy and jurisdictional – have been established.²

3. Article 428 of the Constitution provides for the Constitutional Court to resolve questions concerning the constitutionality of regulations that might contradict the Constitution or international human rights instruments. Judges can stay proceedings and refer them to the Court to ensure that national legislation is applied in a manner that is consistent with international standards. This process is regulated by the Organic Act on Jurisdictional Guarantees and Constitutional Oversight.

Article 1

4. The Government recognizes the Indigenous communes, communities, Peoples and nationalities, in accordance with the Constitution and with international covenants, conventions, declarations and other human rights instruments.³ One of the rights it upholds is their right to freely maintain, develop and strengthen their identity, sense of belonging, ancestral traditions and forms of social organization.

5. The principles of participation in collective organization set out in the Constitution include recognition of all forms in which society can be organized to express the people's sovereignty in developing self-determination processes and influencing the decisions, public policies and public oversight of all levels of government, public bodies and private entities that provide public services.⁴

6. It also addresses Indigenous justice and provides that the authorities of Indigenous Peoples, communities and nations will perform judicial duties on the basis of their ancestral traditions and Indigenous law, within their territory and with guarantees concerning the participation of women and their involvement in decision-making.⁵

Article 3

7. The main priorities in the area of combating stereotypes and eliminating direct and indirect gender-based discrimination in Ecuador are described below.

Enactment of regulations to eliminate barriers that prevent women from living in dignified and equal conditions and without violence

8. The Constitution establishes the principles of equality and non-discrimination and prohibits any form of discrimination based on, *inter alia*, sex, gender identity and sexual

¹ Articles 11.3, 417 and 416 of the Constitution.

² Articles 84–94 of the Constitution.

³ Article 57 of the Constitution.

⁴ Article 91 of the Constitution.

⁵ Article 171 of the Constitution.

orientation. International human rights instruments are directly applied. The Comprehensive Organic Criminal Code establishes the criminal offences of violence against women, domestic violence, femicide and trafficking in persons. The Organic Act on Communication contains articles related to combating gender-based discrimination and eradicating violence against women, girls and adolescents. The Civil Code provides for the annulment of marriages entered into by persons under the age of 18 years, with the aim of preventing child marriage. The Comprehensive Organic Act on the Prevention and Eradication of Violence against Women sets out comprehensive actions for the prevention of violence against women and for support, protection and reparations for victims. The Organic Act amending the Comprehensive Organic Criminal Code in the areas of preventing and combating online sexual violence and stepping up the fight against computer-based crimes sets out amendments to several articles with the aim of addressing online sexual violence. The Organic Act on Elections and Political Organizations (the Democracy Code) incorporates the principle of gender parity and the alternation of men and women in electoral lists. The amendments enacted in 2020 established a progressive quota policy to place women at the top of multicandidate lists. The Organic Act on Intercultural Education and the Organic Act amending the Organic Act on Higher Education set out the principles of equality and non-discrimination and contain provisions concerning the eradication and punishment of violence against women in education settings. The Organic Act on Labour Justice and Recognition of Domestic Work recognizes the labour rights of paid and unpaid domestic workers, including with regard to enrolment in social security schemes. The amended Organic Act on the Public Service establishes permits for persons performing caregiving tasks. The Organic Act on the Right to Human Care regulates the right to care for family members and establishes the obligation of employers to guarantee and respect these rights. The Organic Act on Rural Lands and Ancestral Territories accords priority in land redistribution to women and mothers who are heads of household and who have assumed responsibility for land maintenance. The Organic Act on the Promotion of the Purple Economy and its accompanying regulations are designed to reduce institutional barriers and promote the participation of women in decision-making roles and positions of power, especially women in vulnerable situations.

Strengthening of the judicial system for cases of gender-based violence, to ensure justice and avoid impunity

9. Under the National Agreement 2030, the Joint Commission was established. Comprising the Ministry of Economic and Social Inclusion, the Ministry for Women's Affairs and Human Rights, the Council of the Judiciary, the Attorney General's Office, the Public Defence Service and the National Court of Justice, the Joint Commission is responsible for coordinating actions between judicial and executive entities, with the aim of overcoming barriers to access to justice for victims of violence, especially women, girls and adolescents. In February 2020, the Commission set up provincial committees to address cases of sexual violence against children in the 24 provinces of Ecuador. The committees identify critical problems and propose immediate solutions, as well as public policy strategies to address cases at the local level. In 2021, the Commission worked to identify the main obstacles and solutions for the prosecution and specialized investigation cases of sexual violence and femicide and the provision of comprehensive reparation for victims. Legislative reforms were also discussed, such as the expansion of the scope of the voucher for children of femicide victims and the implementation of an inter-institutional support model for victims of violence.

10. Along the same lines, the Council of the Judiciary promotes the incorporation of a gender perspective in judicial proceedings and has promoted legal reforms that seek to establish specialized arrangements for the handling of offences related to gender-based violence, including those affecting sexual and reproductive integrity. This was reflected in the amendment made to article 570 of the Comprehensive Organic Criminal Code in December 2019 and the amendments made to article 232 of the Organic Code of the Judiciary in December 2020.

Creating and consolidating State institutions that contribute to closing gaps and overcoming inequalities through the implementation of plans, programmes and projects

11. A protocol for preventing and responding to cases of discrimination, harassment and all forms of violence against women in the workplace was issued in 2020.⁶ Between 2021 and 2023, 828 inspections were carried out, half of which focused specifically on verifying compliance with the human rights of women and situations of discrimination or harassment.

12. In 2021, the Ministry of Labour rolled out the psychosocial risk prevention programme, which covers gender-based sexual violence. Between 2021 and 2023, 16,476 people participated in 22 training opportunities, and 3,152 inspections were conducted.

13. Between 2021 and 2023, 1,339 awareness-raising workshops were held on the topics of equity rights in workplace inclusion, gender equality and sexual diversity perspectives, and workplace harassment. With regard to reparations for victims of sexual violence in the workplace, the Ministry of Labour provides administrative measures designed to help direct and indirect victims of violence or femicide into the labour market. Between March 2022 and August 2023, 247 people have been hired through the public employment service. In May 2022, the Ministry of Labour began to implement the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190) and the ILO Violence and Harassment Recommendation, 2019 (No. 206).

14. With regard to the prevention of sexual harassment in education settings, the Ministry of Education developed a participatory strategy for the prevention of sexual and gender-based violence, which uses a methodology that helps students develop their ability to discuss sexuality and provides information on preventing gender-based violence and sexual violence. The strategy was used to train 11,685 students in 2021, 64,488 students in 2022 and 9,095 students in 2023. In June 2023, the National Plan for the Prevention of Psychosocial Risks 2023–2030 was formulated, with the aim of preventing bullying in schools and physical, psychological and sexual violence in education settings. Awareness has been raised among 2,003,750 students. A total of 27,000 copies have been handed out, and 13,059 members of the education community have been trained on the protocols and procedures for dealing with situations of violence detected or committed within the education system.

15. The Protocol for preventing, detecting and responding to gender-based violence in sports was issued in 2022. In 2023, the preliminary institutional evaluation model for the accreditation of universities and polytechnic schools with regard to the incorporation of a gender perspective, the guide for addressing gender-based violence in the prevention, response and recovery phases of emergencies and disasters, and the Gender and Climate Change Action Plan were prepared.

Strengthening State institutions responsible for the protection and promotion of women's rights

16. The Ministry for Women's Affairs and Human Rights has 45 offices within the Comprehensive Protection Service that provide psychological support and assistance with social work and legal matters. In 2021, comprehensive services were provided to women, children and adolescents on 68,933 occasions, in 2022 on 65,968 occasions, and in 2023 to September, on 50,930 occasions. In addition, eight Purple Centres were created as spaces designated for the provision of comprehensive support to promote the recognition and restoration of the rights of these groups, with a focus on gender equality and women's rights and empowerment.

17. The Ministry for Women's Affairs and Human Rights also has five shelters located in the Provinces of Orellana, Azuay, El Oro, Guayas and Pichincha, which offer temporary refuge to women, in all their diversity, who have been victims of violence and who do not have a reliable support network. These spaces are used to provide comprehensive support, including legal advice, social work, psychological care, security and educational support.

⁶ Ministry of Labour Decision No. MDT-2020-244.

18. The Ministry for Women's Affairs and Human Rights also has 22 care centres located in the area coordinating offices, providing comprehensive and interdisciplinary legal, psychological and social services to women, children and adolescents who are victims of domestic and/or sexual violence. The shelters and care centres are operated on the basis of public-private agreements between the Ministry for Women's Affairs and Human Rights and organizations that promote human rights, providing a protection- and recovery-based approach.

Increasing the budget for the promotion of gender equality

19. According to data recorded by the Ministry of Economic Affairs and Finance using the spending guidance classifier tool for equality and environmental policies, the institutions within the Comprehensive National System for the Prevention and Eradication of Violence against Women reported \$0.02 million in 2021. In 2022, the figure was \$745.47 million, and in 2023 to August, \$512.34 million.

Implementing general legislative measures to guarantee women's rights

20. Ecuador has made significant progress in protecting the right to a life free from violence, through the approval of several key laws. In 2021, gender-based persecution was incorporated into the Organic Act on Human Mobility as an additional ground for the recognition of refugee status, making Ecuador one of the few countries to have done so. In addition, according to the Instructions accompanying the procedure for the determination of the status of refugees and stateless persons in Ecuador, persons applying on that ground are prioritized, and victims of gender-based violence are permitted to choose the gender of the person who interviews them, to avoid revictimization.

21. To implement these regulations, Ecuador has developed an ongoing training programme for public officials and, in coordination with the Office of the United Nations High Commissioner for Refugees (UNHCR), conducts awareness-raising activities, provides training to officials and operates mobile teams to improve access and interview processes. Since the coronavirus disease (COVID-19) pandemic, the online submission of asylum applications has been adopted as a national policy, facilitating access to the right to international protection. The option to submit applications online remains in place and, to date, has been used by 17,885 women.

22. The mission of the Ministry for Women's Affairs and Human Rights includes the promotion of the rights of the LGBTI+ population and the eradication of violence and discrimination based on sexual orientation and gender diversity. Among its most notable actions is the implementation of the LGBTI+ Diversities Action Plan 2022–2025, which is the first public policy in Ecuador to guarantee the rights of this population and includes 151 indicators and 148 mandatory actions for 28 institutions. In addition, the Ministry for Women's Affairs and Human Rights has developed a glossary⁷ of terms to facilitate understanding of sexual and gender diversity, a guide to conducting awareness-raising workshops and an inter-agency road map for addressing violence against LGBTI+ persons.⁸

23. It also has an administrative registry of sex- and gender-related variables for State institutions⁹ and, in collaboration with various institutions, has worked on updating inter-agency instruments such as the Manual of Best Practice in the provision of comprehensive healthcare for sex- and gender-diverse persons, which was issued in 2023, and the Protocol for cases of harassment, discrimination and violence based on gender and sexual orientation in universities, and the Protocol for LGBTI+ persons in situations of deprivation of liberty, which were both issued in 2024. Awareness-raising workshops have also been held in public institutions and a train-the-trainer programme has been organized on preventing violence and discrimination against LGBTI+ persons. In terms of data collection, a survey on the living conditions of LGBTI+ persons has been piloted in several cities and is

⁷ Ministry for Women's Affairs and Human Rights Decision No. MMDH-MMDH-2023-0002-A of 17 February 2023.

⁸ https://www.derechoshumanos.gob.ec/wp-content/uploads/2023/12/rutas_V3.pdf.

⁹ Ministry for Women's Affairs and Human Rights Decision No. MMDH-MMDH-2024-0001-A of 26 March 2024.

expected to be rolled out in 2025. In addition, the Ministry for Women's Affairs and Human Rights has produced educational materials such as the documentary "A Look at Diversity" and educational videos to raise awareness about gender diversity.

24. Similarly, the National Council for Gender Equality carries out comprehensive work to mainstream the gender approach both in public institutions and in the transformation of social and cultural patterns. One of its main responsibilities is the shaping of the National Agenda for Gender Equality 2021–2025, which covers issues such as employment, caring responsibilities, sexual and reproductive rights, education, political participation, a life free from violence, and climate change.

25. In 2023 and 2024, the National Council for Gender Equality supported gender mainstreaming in decentralized autonomous governments, prioritizing 6 provincial and 44 cantonal decentralized autonomous governments in 2023 and assisting 31 cantonal decentralized autonomous governments in 2024. It also distributed 720 toolkits with guidelines for local policies that incorporate a gender perspective. A Technical Standard was also approved in 2024 to ensure gender equality in the public sector. The National Council for Gender Equality and the National Electoral Council are providing training to political organizations for the 2025 elections on issues of political participation and prevention of gender-based political violence.

Articles 6 and 7

26. The Constitution establishes the right of all persons to work in a decent and appropriate environment with health, integrity, safety, hygiene and well-being guarantees. Ecuador is a signatory to 17 ILO conventions on occupational health and safety and, as a member of the Andean Community, it implements the provisions of the Andean Occupational Health and Safety Instrument and its accompanying regulations.

27. Ecuador recognizes work as a right and a social duty, as well as respect for dignity and fair wages and salaries,¹⁰ and is working on policies and programmes to guarantee full employment. According to data obtained by the National Statistics and Census Institute from the national survey of employment, unemployment and underemployment¹¹ and released in its report for the first quarter of 2024, unemployment in urban areas has decreased from 7.4 per cent in the second quarter of 2021 to 5.6 per cent in the first quarter of 2024, and in rural areas from 1.9 per cent to 1.3 per cent in the same period.

28. With regard to labour inclusion, Ecuador seeks to develop strategies to link the supply and demand of formal labour and the improvement of occupational profiles and for the oversight of employment and placement services. Between 2020 and 2024, 217,165 people have found job placements, and 277,971 people have received training.¹²

29. Under two strategies to strengthen employment and help people start their own businesses, namely, "Fortalece Empleo" and "Emprende EC", respectively, workshops are offered in-person and on the e-learning platform of the Ministry of Labour to equip people with tools to help them rejoin the labour market, make a career change or launch or build a business venture. Between 2021 and June 2024, 30,344 people, 60 per cent of them women, have benefited from these strategies.¹³

30. Fair wages in Ecuador¹⁴ are defined annually through tripartite dialogue with workers' and employers' representatives in the National Labour and Wages Council.¹⁵ If there is no

¹⁰ Article 33 onward of the Constitution.

¹¹ (chrome-extension://efaidnbmnnibpcajpcglclefindmkaj/https://www.ecuadorencifras.gob.ec/documentos/web-inec/EMPLEO/2024/Trimestre_I/2024_I_Trimestre_Mercado_Laboral.pdf).

¹² Public Employment Service Directorate of the Ministry of Labour.

¹³ It is important to mention that the workshops offered through the two strategies are aimed at all jobseekers over 18 years of age, without distinction.

¹⁴ Article 328 of the Constitution.

¹⁵ Articles 117 and 18 of the Labour Code.

consensus, the Minister of Labour sets them at a percentage increase equivalent to the projected consumer price index, as established by the relevant authorized public entity.

31. The unified basic wage applies to workers in general, and in particular to workers in small-scale industry, agricultural workers, maquila workers, paid domestic workers, artisans and microenterprise employees. Workers covered by the Labour Code must not be paid less than the amount established by the relevant governing body.¹⁶

32. In order to guarantee equality between men and women in terms of remuneration and any economic benefits for the same work or for work of equal value, the Organic Act on Equal Pay for Women and Men was issued in 2024. It establishes fundamental criteria, including competencies and qualifications, working conditions, effort and responsibility, as well as the obligation to train workers and/or employees and raise awareness, handle complaints of wage disparities and reward good practices. At present, the regulations to accompany the Act are being drafted.

33. With regard to workplace safety, a protocol for preventing and responding to cases of discrimination, harassment and all forms of violence against women in the workplace was issued in 2020. In 2022, Ministerial Resolution No. 44 was issued on checklists for compliance with occupational health and safety obligations, and in 2024, the Occupational Health and Safety Regulations were issued in Executive Decree No. 255.

34. The Organic Act on the Promotion of the Purple Economy and its accompanying regulations establish the offence of sexual harassment in the workplace and set out specific measures for the prevention of sexual harassment in the workplace and specific procedures for investigating complaints and imposing sanctions.¹⁷ Between January 2020 and June 2024, the Ministry of Labour has conducted compliance checks, averaging 1,000 inspections and 50 training sessions per year. It also issued two risk prevention guides.

35. Protection against dismissal is recognized in article 188 of the Labour Code, which states that the employer will be ordered to pay compensation commensurate with the employee's length of service. In addition, as part of the guarantees for union leaders, article 187 establishes that the summary dismissal of a worker who is a member of the board of directors of the workers' union cannot take effect until the end of the allotted term and does not prevent the worker from continuing to be part of the board.

Article 8

36. The Constitution¹⁸ guarantees the right of workers and employers to organize without prior authorization, including to form unions, guilds, associations and other types of organization. The State is responsible for encouraging the establishment of such organizations and ensuring that they function in a democratic, participatory and transparent manner. The Labour Code¹⁹ establishes a clear legal framework for the formation of associations, the management of collective conflicts, the protection of freedom of association and other related aspects.

37. The Organic Act on the Public Service provides for public officials to organize to defend their rights, improve public services and exercise the right to strike, with certain exceptions, for example for members of the armed forces and the National Police.²⁰

38. The Constitution²¹ also provides for collective labour disputes to be resolved through conciliation and arbitration tribunals and guarantees collective bargaining, with legal exceptions. The right to strike²² is recognized in both the Constitution and the Labour Code.

¹⁶ Article 122 of the Labour Code.

¹⁷ Articles 9 and 13 of the Organic Act on the Promotion of the Purple Economy, 2023.

¹⁸ Article 326 (7) and (8) of the Constitution.

¹⁹ Articles 440–458 of the Labour Code.

²⁰ Organic Act on the Public Service 2017 (amended), Supplement to Official Gazette No. 1008, Friday, 19 May 2017.

²¹ Articles 12 and 13 of the Constitution.

²² Article 14 of the Constitution.

However, the Constitution²³ prohibits the shutdown of essential public services such as healthcare, education and justice and establishes limits to guarantee operations in those sectors.

39. Unions must be officially registered in the Single Labour System of the Ministry of Labour. The System facilitates the registration of trade unions, the updating of data and the monitoring of the status of trade unions in Ecuador.

Article 9

40. Ecuador recognizes social security as an inalienable right of all persons and a paramount duty and responsibility of the State. The social security system is governed by the principles of solidarity, mandatory membership, universal coverage, equity, efficiency, subsidiarity, sufficiency, transparency and participation.²⁴ In addition, the Constitution establishes that the social security system is public and universal, that it cannot be privatized and that it is governed by the principles of mandatory membership, sufficiency, integration, solidarity and subsidiarity.²⁵

41. The Ecuadorian Social Security Institute is an autonomous body regulated by law and is responsible for providing mandatory universal insurance benefits to its members. The National Police and the armed forces have their own special social security systems. Their social security entities are part of the integrated public health network and the social security system.

42. The Ecuadorian Social Security Institute has 101 health facilities, and external providers are contracted where necessary. The Institute also provides immediate support to people from priority and vulnerable groups.

43. With regard to retirement, the number of beneficiaries receiving an old-age or disability pension from the Ecuadorian Social Security Institute has increased from 447,823 in 2020 to 540,195 in 2023.

Article 10

44. In recent years, Ecuador has made progress in the protection of the family and related rights, most notably through the June 2019 ruling of the Constitutional Court recognizing equal marriage and legalizing same-sex marriage.²⁶ Under the Act on the Prevention and Eradication of Violence against Women, which includes protection against domestic violence, Cantonal Women's Protection Boards were created to provide survivors of violence with rapid and effective protection measures.

45. Another significant advance is the Organic Act on the Right to Human Care,²⁷ which guarantees the right to care and joint parental responsibility in the performance of family obligations. The Act also establishes paid maternity and breastfeeding leave for both biological and adoptive mothers and grants care rights to fathers in specific situations. The regulations ensure work-life balance and protect people with caregiving responsibilities, promoting gender equality and human rights.

46. With regard to child labour, the Technical Standard of the Child Labour Eradication Service²⁸ was issued. It establishes the protocol for the identification and follow-up of cases of child labour and the restitution of the child's rights. The Standard is focused on the

²³ Articles 15 and 16 of the Constitution.

²⁴ Article 34 of the Constitution.

²⁵ Article 367 of the Constitution.

²⁶ Constitutional Court ruling No. 11-18-CN/19.

²⁷ Article 3 of the Organic Act on the Right to Human Care, published on 12 May 2023 in Supplement No. 309 of the Official Gazette.

²⁸ <https://www.inclusion.gob.ec/wp-content/uploads/2023/05/7-01-2023-signed-signed-signed-signed-signed0615803001674611116-signed-signed0149503001683151269-3.pdf>.

provision of technical and psychosocial support for affected minors and the coordination of intersectoral resources to ensure their comprehensive protection.

47. The Child Labour Risk Identification Model²⁹ was released after being designed with assistance from ILO and the Economic Commission for Latin America and the Caribbean. Ecuador is the first member country of the Latin America and the Caribbean Free of Child Labour Regional Initiative to use this statistical tool.

48. The Ecuador-Colombia Binational Operational Plan for the eradication of hazardous child labour in the mining sector is being implemented.³⁰ An agreement has been concluded between the Ministry of Economic and Social Inclusion and ECU 911 to coordinate actions and provide support to people involved in begging, child labour, street situations or human mobility.³¹ The “Rights with Dignity” campaign was led by the Ministry of Economic and Social Inclusion at the national level and the Ministry’s Child Labour Eradication Programme.^{32, 33}

49. Lastly, the Ministry of Education has an action protocol for the National Education System.³⁴ The protocol includes pedagogical and administrative measures to protect minors, ensure they remain in the education system and prevent them from returning to work. Special emphasis is placed on the early identification of cases and the provision of comprehensive support for students and their families.

50. With regard to older persons, the Constitution establishes that they must receive priority and specialized attention in the public and private spheres, particularly in the fields of social and economic inclusion and protection against violence. It also guarantees free and specialized healthcare, as well as, *inter alia*, free access to medicines, paid work commensurate with their abilities, universal retirement, discounts on public services and private transportation and entertainment services and access to housing.³⁵

51. Ecuador has an Organic Act on Older Persons,³⁶ which is aimed at promoting, regulating and guaranteeing the rights of older persons, pursuant to the principles of priority and specialized care, in accordance with the Constitution and international laws. The Act incorporates a gender perspective, a focus on human mobility and intercultural aspects. In addition, the Comprehensive Organic Criminal Code establishes the offence of mistreatment of older persons and sets out penalties of 1 to 3 years’ imprisonment for physical, psychological or sexual abuse and penalties for the abandonment of vulnerable persons.³⁷

52. The Ministry of Economic and Social Inclusion provides specialized care through 14 gerontological centres providing direct care in residential, daycare and alternative recreational spaces and has concluded 428 cooperation agreements with public and private institutions throughout the country to provide care for older persons in a range of settings.³⁸

53. With respect to trafficking in persons, Ecuador has enacted the Organic Act against Trafficking in Persons and the Smuggling of Migrants³⁹ and its implementing regulations.⁴⁰ Action Plan against Trafficking in Persons 2019–2030; Action Plan against the Smuggling of Migrants 2024–2030; preparation of manuals (5), protocols (2), instructions (4), guides (2):

²⁹ <https://www.trabajo.gob.ec/ecuador-cuenta-con-el-modelo-de-identificacion-para-velar-por-la-erradicacion-del-trabajo-infantil/>.

³⁰ <https://www.inclusion.gob.ec/en-ibarra-mies-socializo-el-plan-operativo-binacional-ecuador-colombia-para-la-erradicacion-del-trabajo-infantil/>.

³¹ <https://www.inclusion.gob.ec/mies-y-ecu-911-firman-convenio-para-articular-acciones-y-atender-a-personas-en-mendicidad-trabajo-infantil-situacion-de-calle-y-movilidad-humana/>.

³² <https://www.inclusion.gob.ec/en-las-provincias-del-norte-del-pais-derechos-con-dignidad-llega-a-miles-de-personas-para-prevenir-la-mendicidad-y-el-trabajo-infantil/>.

³³ <https://www.inclusion.gob.ec/ninas-ninos-y-adolescentes-del-programa-de-erradicacion-del-trabajo-infantil-del-mies-en-duran-comparten-con-la-primera-dama/>.

³⁴ <https://educacion.gob.ec/wp-content/uploads/downloads/2023/11/situaciones-de-trabajo-infantil.pdf>.

³⁵ Articles 36–39 of the Constitution.

³⁶ Organic Act on Older Persons, 2019.

³⁷ Articles 153 and 156 of the Comprehensive Organic Criminal Code.

³⁸ <https://www.inclusion.gob.ec/direccion-poblacion-adulta-mayor/>.

³⁹ Second supplement to Official Gazette No. 252 of 16 February 2023.

⁴⁰ Executive Decree No. 237 of 22 April 2024.

manual for identification and referral of cases of labour exploitation and forced labour (2023); manual on the monitoring of inter-agency activities to combat trafficking in persons and the smuggling of migrants (2024); manual on initial approaches to dealing with victims of trafficking in persons (2024); manual on the monitoring of inter-agency activities to combat trafficking in persons and the smuggling of migrants (2024); manual on the identification and registration of victims of trafficking in persons and the smuggling of migrants (2024); inter-agency protocol for assistance and protection for victims of trafficking in persons (2024); binational protocol between Ecuador and Colombia on protection and assistance for victims and survivors of trafficking in persons (2023); instruction manual on the examination of cases in the granting of humanitarian visas for victims of trafficking in persons (2023); instruction manual on assistance for and protection and repatriation of Ecuadorian victims of trafficking in persons rescued abroad (2023); instruction manual on assistance for and protection and repatriation of non-Ecuadorian victims of trafficking in persons rescued in Ecuador (2023); instruction manual on the examination and identification of cases eligible for humanitarian visas and/or renewal of visas for foreign nationals who are victims of trafficking in persons (2023); guide on the care and protection of victims and potential victims of trafficking in persons and the smuggling of migrants (2023); and guide to detecting cases of trafficking in persons (2024).

54. Other noteworthy developments include the following: participation in three binational meetings with Peru, Colombia and Chile (2023); signing of two international agreements with the Counter Human Trafficking Joint Task Force and Operation Underground Railroad; design of campaigns, fairs, workshops and training and awareness-raising sessions (4,130 participants trained and awareness raised among public officials, civil society officials and the general public); and strengthening of the System for Registering Cases of Trafficking in Persons and the Smuggling of Migrants, as well as of the process for certifying statistical operations on trafficking in persons and the smuggling of migrants, which will provide reliable statistics to continue with specific actions in this area.

55. In addition, 35 embassy and consulate officials, 2,970 professionals from the education system and 60 agents of the Anti-Crime Intelligence Unit were trained in psychological first aid and the use of the System for Registering Cases of Trafficking in Persons and the Smuggling of Migrants and the System for Monitoring Trafficking in Persons and the Smuggling of Migrants. Training in documentary investigation techniques was also provided to 49 police officers from the Anti-Crime Intelligence Unit.

56. Within the framework of the activities of the Inter-institutional Coordination Committee for the Prevention of Trafficking in Persons and the Smuggling of Migrants and for Protection of Victims, an action and cooperation plan has been produced to combat the offences of trafficking in persons and the smuggling of migrants, creating spaces for coordination in strengthening the response capacities of security and justice institutions in cases of trafficking in persons and analysis of best practices developed by the Ibero-American Network of Specialized Prosecutors against Trafficking in Persons and the Smuggling of Migrants of the Ibero-American Association of Public Prosecutors. A protocol on collaboration between the judicial systems of Ecuador and Peru in the investigation and prosecution of the offence of trafficking has also been developed.

57. The Attorney General's Office has drafted several technical documents on trafficking in persons and the forced recruitment of children and adolescents for the purpose of criminal activity. These advances include the criminal policy and guidelines on the offence of trafficking in persons,⁴¹ which guides prosecutors and field teams in conducting proactive investigations and using special investigative techniques that prioritize evidentiary means other than the victim's testimony and encourages the application of a human rights approach.

58. In addition, the operational guide on the custody and processing of evidence in cases of trafficking in persons and the operational guide for prosecutors have been prepared. They set out the minimum guidelines to be followed in the investigation of this offence.

⁴¹ https://www.fiscalia.gob.ec/politicas-y-directrices-institucionales/#flipbook-df_45351/1/.

Article 11

59. One of the objectives of the National Development Plan 2023–2025 is to achieve across-the-board improvements in living standards for the country’s population by fostering equitable access to healthcare, housing and social welfare and adopting policies that help to reduce poverty and extreme poverty – specifically, measures that improve employability and self-employment skills, access to finance, and support for, and the economic inclusion of, persons working in the grassroots and solidarity-based economy. The goal is to reduce the rate of extreme poverty deriving from low income from 9.81 per cent in 2023 to 9.12 per cent in 2025 and to reduce the rate of poverty deriving from unmet basic needs from 30.84 per cent in 2023 to 30.11 per cent in 2025.

60. In parallel, the Government will implement programmes and services targeting the most vulnerable, including comprehensive child development services, intergenerational support, support for persons with disabilities and special protection, and will distribute vouchers and cash allowances to those living in poverty and extreme poverty. A budget of more than \$147 million, to be used to attend to the needs of these priority groups in all stages of their lives, is envisaged to ensure that these plans are realized.⁴²

61. Through application of the Organic Act on the Food Sovereignty System,⁴³ the Government endeavours to ensure self-sufficiency in healthy and nutritious food. The Act encourages small-scale, campesino production that respects agricultural biodiversity and traditional methods. The Government is also pursuing specific policies for ensuring food security and encouraging agroecological and family production and is promoting citizen participation and nutrition education with a view to strengthening local and sustainable production across the country.

62. The Government contributed to the update of the regional Food and Nutrition Security and Hunger Eradication Plan 2030, carried out at the regional office of the Food and Agriculture Organization of the United Nations (FAO) in Chile. Engagement in this forum is crucial, as it allows the Government to contribute actively to the formulation of regional food policies, to exchange experiences with other States and to strengthen its leadership in the promotion of food and nutrition security, in line with global and local challenges.

63. The National Agricultural Strategy for Rural Women is also making progress. The main results achieved to date are as follows: 5,770 rural women now have access to channels through which to sell their goods; 5,608 women now have access to new and/or improved irrigation and drainage services; 3,957 rural women are receiving training in learning communities to acquire the knowledge and skills that will guarantee them sustainable production; 1,534 rural women are working as promoters of sustainable production systems; and 7,548 women have between them benefited from more than \$19 million in flexible loans.

64. The 2022 census in Ecuador revealed significant advances in access to basic services, although progress has been gradual. Nationwide, 84.2 per cent of homes had access to drinking water through the public supply network in 2022, compared with 72 per cent in 2010. Access to sewerage systems had risen from 53.6 per cent in 2010 to 65.8 per cent in 2022, while the coverage of the garbage collection system had increased from 77 per cent to 88.7 per cent in the same period.

65. The Organic Act on Social Housing⁴⁴ establishes a legal framework for guaranteeing the right to adequate and decent housing, prioritizing families in vulnerable situations. The prioritization criteria encompass family units caring for older persons, pregnant female heads of household, persons with disabilities, families affected by catastrophic illnesses and families exposed to violence. The National Habitat and Housing Plan 2021–2025⁴⁵ is

⁴² <https://www.inclusion.gob.ec/mies-proyecta-una-atencion-cercana-a-los-175-mil-beneficiarios-en-el-2024-en-guayaquil-duran-y-samborondon/>.

⁴³ Official Gazette No. 349 of 27 December 2010.

⁴⁴ <https://www.habitatytvivienda.gob.ec/wp-content/uploads/downloads/2022/07/Ley-Organica-de-Vivienda-de-Interes-Social-y-Publico-1.pdf>.

⁴⁵ https://www.habitatytvivienda.gob.ec/wp-content/uploads/downloads/2024/08/PNHFV5_VALIDACION_SNP_VR30-5-2023-SV.pdf.

designed to reduce the housing deficit through investments that foster safe and healthy environments, support the provision of basic services and ensure respect for cultural and environmental needs.

66. Ecuador also has a system of subsidies for accessible housing, which includes quotas for the construction of housing, using universal design, for persons with disabilities. Since 2022, the “Creating Homes” (Creamos Vivienda) programme has increased the supply of social housing and improved the quality of life of vulnerable citizens through action in areas including priority social housing, property titling, home improvement kits and green regeneration. With support from the Inter-American Development Bank, the State invested \$152.41 million in housing projects in 2022 and 2023 combined. In addition, in 2024 it launched the “5/25/5” mortgage programme, which facilitates access to housing for families who do not qualify for traditional loans.⁴⁶ One particular example of success is the “Guayaquil Dream” (Sueño Guayaquileño) project, through which 668 families have benefited from fully subsidized housing.

Article 12

67. The aim of the health system in Ecuador⁴⁷ is to protect, develop and restore citizens’ capacity to lead a healthy life while guaranteeing inclusion, equity and respect for cultural and social diversity. The system is built on gender-related, generational, bioethical and intercultural principles. The Ministry of Health⁴⁸ regulates and oversees public and private health sector services.

68. The 10-Year Health Plan 2022–2031,⁴⁹ which sets out national healthcare policy, was based on an exhaustive analysis of data and input from more than 700 key actors. Its objectives include reducing disparities in access to healthcare, promoting well-being in all stages of life, preventing disease, guaranteeing access to quality healthcare services and ensuring an efficient healthcare system.

69. Accessibility issues are addressed in the Organic Act on Disability,⁵⁰ designed to guarantee access to spaces, services and goods for persons with disabilities and eliminate barriers to their social integration.⁵¹ The Ministry of Health adheres to specific standards to ensure the accessibility of the built environment⁵² and offers disability prevention screening services including sight and hearing tests, neurodevelopmental screening and red pupillary reflex tests. Between January and July 2024, 465,069 screenings were carried out.

70. The Ministry of Health establishes the processes through which comprehensive services are made available to Ecuadorian and foreign nationals at the different levels of healthcare, with a priority focus on vulnerable groups and persons with disabilities and ensuring quality and sensitivity in service delivery. Disability classification, reclassification and certification procedures in Ecuador are regulated under Ministry of Health Decision No. 00227-2023.⁵³

71. To regulate and standardize the health system, the Ministry of Health has introduced a system of standardized maximum fees for specific health services. The system is used to manage service fee payments, prioritize healthcare services and regulate payments to the private sector. In addition, to guarantee access to healthcare, regulations governing the pricing of medicines for human use⁵⁴ have been developed, which define and regulate procedures for fixing, reviewing and monitoring the retail sale price of medicines in Ecuador.

⁴⁶ <https://www.habitatyvivienda.gob.ec/boletin-106/>.

⁴⁷ Articles 358 and 359 of the Constitution.

⁴⁸ Article 361 of the Constitution.

⁴⁹ <https://plandecenaldesalud.msp.gob.ec/>.

⁵⁰ Article 4 (8), Organic Act on Disability.

⁵¹ Article 58, Organic Act on Disability.

⁵² ISO 21542, Accessibility of the Built Environment, Ecuadorian Universal Accessibility Building Standard (NEC-AU).

⁵³ Official Gazette No. 451 of 12 December 2023.

⁵⁴ Decree No. 400 (second supplement to Official Gazette No. 299, 29 July 2014).

72. The Constitution⁵⁵ establishes that the State must guarantee access to safe, effective and high-quality medicines, promoting domestic production and the use of generic medicines according to public health needs and prioritizing these interests over economic ones. Under the Health Act,⁵⁶ the Ministry of Health is tasked with formulating policies and programmes to ensure the availability of high-quality medicines, at low cost, with an emphasis on generic medicines.

73. Additionally, the Act on the Production, Import, Marketing and Sale of Generic Medicines for Human Use⁵⁷ establishes a requirement for the public bodies responsible for healthcare to exclusively acquire generic medicines, in accordance with the official list of basic medicines.

74. It is important to note that the medicines included in the eleventh revision of the official list of basic medicines are considered “essential” medicines and that, accordingly, healthcare facilities forming part of the comprehensive public healthcare network and facilities of the complimentary healthcare network that provide health services to patients of the comprehensive public healthcare network have a responsibility to guarantee that these medicines are available to patients who require them, based on the approved therapeutic indications detailed in the corresponding therapeutic register.

75. Medicines not included in the official list of basic medicines – principally those indicated for the treatment of rare or low prevalence illnesses – can be acquired subject to authorization pursuant to Ministry of Health Decision No. 00119 of 2023⁵⁸ and provided that the decision to use the medicine is based on solid scientific evidence that attests to its clinical efficacy. Centralized mechanisms exist for the procurement of medicines that are difficult to acquire, either because they are not officially registered or owing to interruptions in the supply chain. Such medicines are generally acquired through international organizations and agreements signed with them.

76. Antiretroviral drugs are procured centrally under the national HIV strategy through the Pan American Health Organization Strategic Fund. Drugs for the treatment of chronic diseases are acquired by health coordinating offices and decentralized operations units either through the electronic catalogue of the national public procurement service or by means of reverse tenders. The Ministry of Health also manages the acquisition and distribution of international drugs for the treatment of haemophilia, oncological diseases, diabetes (rapid- and intermediate-acting insulins) and other conditions, thereby meeting 100 per cent of supply needs.

77. For purposes of monitoring, overseeing and evaluating the different processes in the drug supply chain in all health facilities forming part of the comprehensive public healthcare network, the Ministry of Health has adopted regulations for managing the supply of drugs and medical devices⁵⁹ and the administrative and financial oversight thereof. Any biomedical equipment acquired must comply with the technical requirements established for the item in question, including the product specifications set out in the national or international certificates of manufacture. In this way, quality of production and correct application of the equipment is assured.

78. The Ministry of Health regulatory framework for the area of maternal health consists of the following: a handbook for the prevention of obstetric and gynaecological violence;⁶⁰ instructions for the registration and interpretation of the forms associated with the technical standard for Mother- and Child-Friendly Health Facilities;⁶¹ guidelines for the use and correct completion of comprehensive health record books; the family planning policy and regulations;

⁵⁵ Article 363 of the Constitution.

⁵⁶ Article 6 (20) of the Organic Act on Health.

⁵⁷ Article 6.

⁵⁸ Supplement to Official Gazette No. 297 of 25 April 2023.

⁵⁹ Ministry of Health Decision No. 00049-2022.

⁶⁰ Ministry of Health Decision No. 00025-2024.

⁶¹ Ministry of Health Decision No. 00018-2022.

the regulations governing access to contraceptive methods;⁶² and the guidance for comprehensive care in educational settings.⁶³

79. The Ministry of Health made neonatal metabolic screening mandatory in 2011, and this is proving to be one of the most effective public health strategies in Ecuador. The purpose of this screening, which is carried out within 28 days of birth, is to prevent intellectual disability and early death in newborns through early detection and treatment of metabolic disorders such as adrenal hyperplasia, hypothyroidism, galactosemia and phenylketonuria.

80. Having established that the barriers to access to health services encountered by the Indigenous Peoples and nationalities of Ecuador are mainly of a geographical and sociocultural nature, the Ministry of Health has developed and implemented mechanisms and regulations that are adapted not only to urban environments but also to rural areas, especially hard-to-access areas. These mechanisms and regulations include health measures that take account of ancestral language, show respect for traditional clothing and nutrition, and are linked with and complementary to traditional ancestral medicine. They also include strategies to guarantee transport for the transfer of the patient and an accompanying person in the event of emergency and when they are ready to return home as well as coordination with community leaders in the management of health-focused extramural activities and health problems, thereby fostering trust and a sense of shared responsibility on the part of external users. The mechanisms and strategies are enshrined in the regulations for application of the intercultural approach in healthcare facilities of the national health system⁶⁴ and the regulations for the care, referral and transfer of patients from hard-to-access communities.

81. Similarly, childbirth care with an intercultural focus⁶⁵ is promoted throughout the country based on instructions and guidelines for childbirth and a technical guide for culturally appropriate childbirth care.⁶⁶ Following the introduction of these regulations, 149 delivery rooms are now equipped to cater for free position delivery with an intercultural focus, with 46 of them (26.17 per cent) meeting 100 per cent of requirements. Overall, 71.01 per cent of total deliveries (11,523 deliveries) in the first four months of 2024 were free position deliveries. In the same period, 71.75 per cent of deliveries (17,743 deliveries) were assisted.

82. To tackle diseases related to water use and consumption, the Ministry of Health has carried out an exhaustive review of community-based health promotion activities. A total of 8,823 health promotion activities were conducted between January and August 2024, raising awareness among 72,461 persons nationwide.⁶⁷

83. Under the Constitution, non-medicinal drug use is considered a public health problem and drug use cannot be treated as a criminal offence. In addition, the Organic Act that addresses non-medicinal drug use advocates a holistic preventive approach. As the lead agency in the field, the Ministry of Health, with international technical assistance, is working to improve the quality of the support services available to persons with drug use problems. It is also developing strategies for preventing drug use among specific population groups. In 2024, the authorities rolled out the “New Mind” (NuevaMente) strategies for preventing drug use among children and adolescents, which are focused on strengthening protective factors and reducing risk factors, and the “Without pressure, there’s fun” (Sin presión, hay diversión) strategy, as part of the set of alternative, holistic and sustainable development measures included in national drug policy.

84. In addition, in application of Interministerial Decision No. 001-2024, the Ministry of Health and the Ministry of the Interior are engaged in a process of dialogue, involving thematic round tables, with a view to revising, from an interinstitutional and intersectoral perspective, Resolution No. 001-CONSEP-2013, concerning the maximum permissible limits for possession of drugs for personal consumption, which was repealed by Executive Decree No. 28 of 2023.

⁶² Ministry of Health Decision No. 2490.

⁶³ Ministry of Health Decision No. 0226-2018.

⁶⁴ Ministry of Health Decision No. 0082-2017.

⁶⁵ Ministry of Health Decision No. 00112-2020.

⁶⁶ Ministry of Health Decision No. 0000000474-2008.

⁶⁷ <https://www.salud.gob.ec/gacetas-epidemiologicas-etas-2024/>.

85. A total of 1,202 activities focused on promoting healthy lifestyles and preventing the use of tobacco, alcohol and other drugs among young persons aged from 10 to 19 years old were carried out in the first six months of 2024. The Ministry of Health runs 10 specialist centres providing residential treatment for persons with alcohol and drug consumption problems. In 2023, 18,279 persons received support in primary care facilities, 4,940 were cared for in secondary care facilities and 925 received care in tertiary care facilities.

86. The Ministry of Health leads the national response to HIV/AIDS and, for this purpose, created the National Multisectoral AIDS Committee in 2011. The Committee works in coordination with other bodies involved in the HIV/AIDS response to formulate strategies such as the National Multisectoral Strategic Plan 2023–2025, which sets out strategic guidelines for the prevention, diagnosis and treatment of HIV and the monitoring of persons living with the virus.

87. In collaboration with the Joint United Nations Programme on HIV/AIDS and the Global Fund to Fight AIDS, Tuberculosis and Malaria, the Ministry of Health has drafted a proposal for a model social contract and service package. The aim of the social contract is to include civil society organizations in the provision of State-financed community services that cover a specific geographic area and/or population group. The Ministry of Health is currently piloting the model and the associated services, thereby reaffirming its commitment to community-based public healthcare.

88. As part of combination HIV prevention efforts, by the end of 2024 the availability of pre-exposure prophylaxis (PrEP) services had been expanded from 20 facilities to 45 facilities, including 5 Ecuadorian Social Security Institute facilities, 1 facility of the Armed Forces Social Security Institute and 1 facility of the National Police Social Security Institute. PrEP is a preventive treatment for persons at substantial risk of acquiring HIV and is available to all without charge. In the first six months of 2024, nationwide, 1,577 persons from key population groups availed themselves of PrEP services.

89. The Ministry of Health runs 239 facilities that provide care in cases of occupational and non-occupational exposure (sexual violence, unprotected sex and condom failure). Currently, 2,500 persons, most of them either victims of sexual violence or persons who had had unsafe sex, have received post-exposure prophylaxis.

90. HIV testing is available to the public, without charge, at all levels of care but with an emphasis on primary care. No prior appointment or medical consultation is necessary.

91. In application of the National Strategy for the Elimination of Mother-to-Child Transmission (Plus), the Ministry of Health has stepped up actions aimed at preventing mother-to-child transmission of HIV, syphilis, hepatitis B and Chagas disease by offering screening, timely detection of positive cases and referrals to relevant care and treatment. The Strategy encompasses several key lines of action. The implementing regulations have been updated in line with the National Strategy for the Elimination of Mother-to-Child Transmission (Plus) as well as the clinical practice guidelines for HIV in adolescents, adults, children and pregnant women and the protocol for hepatitis B and C. An agreement covering screening and follow-up services for pregnant women with HIV and cases of perinatal exposure has been concluded with DYB (Desarrollo y Autogestión), a non-governmental organization. Health professionals throughout the country have been trained in the care of pregnant women with HIV and the study of advanced HIV disease. In addition, a computerized healthcare information system is used to record the use of PrEP and HIV self-tests in facilities run by the Ministry of Health, the Ecuadorian Social Security Institute, the Armed Forces Social Security Institute and civil society. A 2023 country report was prepared as part of the Global AIDS Monitoring (GAM) reporting process, and dialogues and meetings with civil society and public sector organizations have been organized to raise awareness of the new model used by the National Multisectoral AIDS Committee. Additionally, a road map has been developed to promote the prevention of HIV, sexually transmitted infections and hepatitis in the Amazon region and guarantee comprehensive care for persons with HIV/AIDS and/or sexually transmitted infections.

92. To provide comprehensive HIV care, the Ministry of Health has established 51 comprehensive care units, spanning 24 provinces of the country, in which multidisciplinary teams provide comprehensive care for those living with HIV, monitoring

for pregnant women with HIV and for HIV-exposed infants under 18 months of age, antiretroviral treatment and follow-up testing. Through these comprehensive care units, the Ministry of Health is currently providing medical care, antiretroviral treatment, viral load and CD4 count testing and, after testing, adherence and treatment support on a monthly, quarterly or biannual basis, for all persons living with HIV.

93. Comprehensive care for hepatitis B and C is provided by the Ministry of Health through 45 service units, which provide care, treatment and follow-up for patients diagnosed with hepatitis B and C at any one of the different healthcare levels. The Ministry of Health guarantees diagnosis, treatment and follow-up and has the stock of drugs and medical devices necessary for implementation of this strategy. For the first time, the Ministry is now procuring the drug that cures hepatitis C for all patients nationwide.

94. The Government tracks and reports on progress towards the goals of the Global Partnership for Action to Eliminate all Forms of HIV-Related Stigma and Discrimination through the Ministry for Women's Affairs and Human Rights and the Ministry of Health. It is working to develop a work plan for the settings that the country has prioritized for action, in conjunction with civil society organizations active in HIV-related areas. The content of the online platforms used to educate and inform employees of the main public sector institutions involved in the HIV response has been updated. A proposal has been tabled for the establishment of an observatory to monitor the human rights of persons forming part of key population groups and persons living with HIV, which would be managed by the National Multisectoral AIDS Committee with input from public institutions, supporting agencies and civil society organizations, and a new operating model for the Committee has been developed.

95. Treatment and care for persons affected by mental illness is provided by the Ministry of Health through the Specialized Psychiatric Centre⁶⁸ operated and managed by Health District Coordinating Authority No. 9. Hospital-based mental health units that provide comprehensive care for persons with mental health disorders have been established in basic, general and specialist hospitals providing secondary and tertiary level services. These units also provide short-stay inpatient treatment for persons with acute and severe mental disorders.

96. Additionally, the Organic Act on Mental Health, which entered into force in January 2024, introduced a requirement for mental health services to be made available in primary and secondary care facilities with a view to moving from a hospital-based care model to a community-based model. The Ministry of Health is currently developing the regulations implementing the Act.

Articles 13 and 14

97. The Constitution⁶⁹ provides that education must serve the public interest and must be accessible to all without discrimination. Access to compulsory education is guaranteed at the initial, basic and secondary levels, and education is free up to the tertiary level of post-secondary education. The criteria governing access to the National Education System, including suggested ages of admission and procedures for ordinary, extraordinary and automatic enrolment, are set forth in the Organic Act on Intercultural Education and its implementing regulations, the application of which serves to guarantee the right to education.

98. As the lead education authority, the Ministry of Education is spearheading various initiatives for guaranteeing access to inclusive, high-quality education, with a focus on specific population groups. These initiatives include: the educational levelling up and academic acceleration service, benefiting 31,876 students in 757 institutions; the "Learning on Time" national plan, in place in 4,244 beneficiary educational institutions; the "Everyone in the Classroom" strategy, under which 26,144 potential beneficiaries have been identified and 17,238 – 11.73 per cent of them pregnant teenagers or mothers under 20 years old – have been reintegrated into the education system; the "Strengthening Learning through Remote Tutoring" strategy, under which 4,632 students are learning with the aid of 823 university

⁶⁸ San Lázaro Specialized Mental Health Care Outpatient Centre.

⁶⁹ Article 28 of the Constitution.

tutors and 101 tutorial coordinators; and the “Learning Networks” strategy, under which 4,356 networks spanning 41,627 educational institutions and including 79,664 teachers have been created.

99. The regulations governing home-schooling and blended and distance learning, issued in October 2023, cover the educational options available at the secondary level for all population groups.⁷⁰

100. Currently, the specialist baccalaureate, which consists of instruction in one of six specialist areas (agriculture, industry, arts, services, information and communications technologies, and sport), is offered in 1,585 educational institutions, and 274,799 students are following this course of study. The vocational baccalaureate, which offers instruction in three specialist areas (services, industry and agriculture), is offered in 17 educational institutions, with 322 students enrolled. In August 2024, the catalogue of vocational specializations available under the new specialist baccalaureate curricula was expanded to update the range of specialist education options in line with technological advances, Industry 4.0 and the sustainable development agenda and provide students with the skills and competencies necessary for a successful transition to the world of work or higher education.⁷¹

101. To address the issue of unfinished education, regulations governing formal education for young people, adults and older persons who did not complete their schooling were issued in July 2024.⁷² The Ministry of Education provides literacy, post-literacy, upper basic general and upper secondary education (both academic and vocational) to enable persons in this category to complete their education. This flexible portfolio of educational services includes virtual and assisted options for blended and distance learning.

Article 15

102. The Constitution protects the right to freedom of expression and artistic creation⁷³ and provides for a national cultural system that strengthens national identity, protects and promotes the diversity of cultural expression and encourages free artistic creation.⁷⁴

103. The Organic Act on Culture establishes the Ministry of Culture and Heritage as the lead authority of the national cultural system, responsible for formulating and implementing cultural policies that promote creative freedom.⁷⁵ The Ministry of Culture and Heritage and the National Intellectual Property Rights Service have concluded an agreement to promote the right of authors to be recognized as creators. In the period 2020–2024, approximately 12,500 artistic works were registered, with literary and musical works making up the majority.

104. In its invitations to apply for cultural development funds, the Institute for the Promotion of Creativity and Innovation includes a requirement for applicants to provide proof of registration of their works with the National Intellectual Property Rights Service. This measure provides an incentive for artistic creation and underscores the necessity of authors having their rights formally recognized.

105. Protection for intangible cultural heritage is in place throughout the country⁷⁶ and is considered a responsibility shared by the bearers, groups and communities that create, preserve and transmit the various forms as well as by public and private institutions and citizens in general, who are responsible for protecting this heritage within their area of authority or expertise. In the past three years, certification has been granted to various forms of cultural expression, including, among others, traditional dances, festivals, embroidery, food and attire. In addition, a number of forms of cultural expression have been added to the Representative List of Intangible Cultural Heritage and are backed by research and

⁷⁰ Ministry of Education Decision No. MINEDUC-MINEDUC-2023-00069-A.

⁷¹ Ministry of Education Decision No. 00065-A.

⁷² Ministry of Education Decision No. MINEDUC-MINEDUC-2024-00046-A.

⁷³ Article 21 of the Constitution.

⁷⁴ Article 377 of the Constitution.

⁷⁵ Organic Act on Culture, articles 25 and 26.

⁷⁶ Ministry of Culture and Heritage Decision No. MCYP-MCYP-2024-0141-A of 13 August 2024.

safeguarding plans. The pasillo form of song and poetry was inscribed on the Representative List of Intangible Cultural Heritage in 2021.

106. In the course of 2024, more than \$583,000 was allocated to funding the international travel of Ecuadorian artists in various disciplines. During the Paris Olympic Games, the country's hospitality house, Casa Ecuador Paris 2024, served as a hub for showcasing its cultural identity, traditions, art, music and gastronomy to a diverse international audience and promoting Ecuadorian national identity abroad.

III. Information on follow-up to the Committee's concluding observations (E/C.12/ECU/CO/4)

Information relating to paragraphs 5 and 6 (a), (b), (c) and (d)

107. The adverse macroeconomic conditions of 2017 and 2018, which included a high level of debt, equal to 59 per cent of gross domestic product (GDP), and a fiscal deficit equal to 5.64 per cent of GDP, were exacerbated by the economic paralyses of 2019 and the contraction in economic activity caused by the coronavirus disease (COVID-19) pandemic in 2020. Having requested financial support from multilateral organizations, the Government received \$6.5 billion, which it assigned to the balance of payments, healthcare and social protection, including cash transfers to 1.2 million vulnerable families. Despite the economic fragility of 2023, which was heightened by the security crisis and political transition, the Government was able to take fiscal measures to reduce the deficit and bolster employment while maintaining social spending as a priority.

108. Accrued social spending increased from \$10.542 billion in 2019 to \$13.805 billion in 2023, with the following breakdown by sector: 34.64 per cent for education; 22.79 per cent for health; 22.79 per cent for social security; 14.15 per cent for social welfare; 0.71 per cent for urban development and housing; 0.69 per cent for labour; and 0.27 per cent for culture.

109. The Constitution⁷⁷ requires the State to plan its development so as to guarantee the exercise of rights, foster social and territorial equity and involve communities and peoples living in harmony with nature. This objective is reflected in the National Development Plan, which guides the country's economic and fiscal decisions in a manner designed to ensure appropriate use of public resources. In respect of education and health, the Constitution provides for annual budget increases equal to at least 0.5 per cent of GDP until the corresponding allocations reach 6 per cent and 4 per cent of GDP respectively. These increases are regulated in the 2022 amendments to the Organic Code on Public Finances and Planning. The draft budgets for 2023 and 2024 adhered to these provisions in their allocations of resources to education and the health system.

110. In June 2022, the Office of the President issued Executive Decree No. 457, establishing new guidelines for the optimization of public spending and ending the previous austerity measures. At the close of 2023, the general State budget stood at \$32.216 billion, with accruals at 95.19 per cent, 6 per cent higher than in 2022. This increase reflects the standardization of teachers' salaries, the opening of new medical units, increased social welfare transfers, electoral expenses and heightened security expenditure. The Ministry of Education, the Ministry of Health, the National Police and the Ministry of Defence accounted for 72 per cent of expenditure on personnel costs. The breakdown of expenditure by key sectors, which together absorbed 85 per cent of the total, was as follows: 43 per cent for education; 19 per cent for health; 10 per cent for interior affairs; 7 per cent for defence; and 7 per cent for justice. Other priority areas⁷⁸ where expenditure was necessary to address the key needs of the population and the security crisis accounted for the remaining 15 per cent.

⁷⁷ Articles 275 and 276.

⁷⁸ These other areas include social security-related expenses included under the Income and Transfers heading of the institutional budget of the Ministry of Defence.

Information relating to paragraph 7

111. The state of emergency declared in Ecuador in October 2019, by means of several decrees, was imposed in accordance with the Constitution and was ratified by the Constitutional Court, which established certain limits, including a prohibition on the dispersal of peaceful protests and an obligation to respect human rights. In coordination with the judiciary and other entities, the National Police took measures to guarantee public order and uphold rights during protests. The Organic Act on the Legitimate Use of Force of 2022 and the Human Rights Manual issued in 2024 also provide frameworks for the use of force. Since 2022, 15,500 members of the Armed Forces have been trained in the legitimate use of force and humanitarian law in collaboration with the International Federation of Red Cross and Red Crescent Societies and other organizations.

Information relating to paragraph 8 (a)

112. The Constitution guarantees the right of association, assembly and protest and recognizes the right to resistance.⁷⁹ Officers of the National Police have a duty to guarantee security and public order while respecting human rights. Various regulatory texts and guidelines have been adopted to this end, including a human rights handbook for police officers, a handbook for police operations to maintain public order and the Organic Act on the Legitimate Use of Force of 2022 and its implementing regulations.

113. The Ministry of the Interior and the General Command of the National Police issue guidance for ensuring respect for human rights and the legitimate use of force prior to any protest. When involved in policing protests, the Armed Forces adhere to the principle of respect for the right to peaceful demonstration and use force only as a last resort, in compliance with national and international human rights instruments. Restrictions on public gatherings have been imposed only as a means to prevent risks in public spaces.

Information relating to paragraph 8 (b)

114. As a rights-based State, Ecuador guarantees security and respect for human rights through the Ministry of the Interior and the National Police, which are regulated by the Organic Code on Citizen Security and the Act on the Legitimate Use of Force. The Ministry of Defence also operates in accordance with human rights standards. In 2019, in the face of social protests prompted by economic austerity measures, a state of exception was declared under Executive Decree No. 884, which was confirmed to be in line with the Constitution. The measures were limited to 30 days and were proportionate and effective in restoring public order without affecting the right to peaceful protest. Monitoring and oversight mechanisms were in place to assess their application.

Information relating to paragraph 8 (c)

115. The President has the power to impose measures to support the proper functioning of the public administration without the need to consult citizens, except in cases where consultation is required under the Constitution or other specific laws. However, the President may convene public consultations, as provided for under article 80 of the Organic Act on Citizen Participation, so that the opinions of citizens and civil organizations may be taken into account in decision-making processes. Such consultations are of a purely advisory nature as those consulted have no decision-making power, but they serve to foster broader citizen participation in the public administration and allow the voices of diverse sectors of society to be heard in the governmental decision-making process.

⁷⁹ Articles 66 (13), 98 and 163.

Information relating to paragraph 9

116. In recent years, the Constitutional Court has issued important rulings on economic, social, cultural and environmental rights, addressing issues such as education, social security, food, water, health, employment and a healthy environment. The Court has reiterated that the State is required to guarantee the progressiveness of rights, prohibiting regressive policies. Noteworthy rulings include No. 1438-20-JP/23, which protected the right to education of scholarship holders, and No. 615-14-JP/23, which reaffirmed the irrevocable nature of the right to social security. Other rulings protected access to food (No. 4-16-EI/21), water (No. 533-15-EP/23), healthcare (No. 127-21-IN/23), and equity in police training (No. 791-21-JP/22). The Constitutional Court also addressed the right to decent work (No. 16-16-IN/22), the link between the environment and health (No. 2167-21-EP/22), the protection of ancestral knowledge (No. 22-17-IN/22), the inclusion of persons with disabilities in the labour market (No. 1292-19-EP/21), and access to quality medication (No. 679-18-JP/20).

Information relating to paragraph 10

117. The Government is working to formally establish a national coordination mechanism for the implementation and follow-up of human rights recommendations. The objective is to strengthen the participation of State institutions in the implementation of recommendations and ensure the mainstreaming of human rights in public policy. To this end, the Ministry of Foreign Affairs and Human Mobility and the Ministry for Women's Affairs and Human Rights, with support from the Office of the United Nations High Commissioner for Human Rights (OHCHR), have prepared a draft interministerial agreement that will formally establish this mechanism.

Information relating to paragraphs 11 and 12

118. Nationally determined contributions are the key policy instruments established under the Paris Agreement and reflect each country's climate commitments, as updated every five years. The Government presented its first nationally determined contribution, for the period 2020–2025, following a participatory process, with a view to reducing greenhouse gas emissions and increasing climate resilience in prioritized sectors. National projects cover the productive and strategic sectors, promoting decarbonization and low-emission economic development.

119. In the energy sector, the Government promotes renewable energy, energy efficiency and sustainable mobility. Although the national economy depends on oil exploitation, the Government has taken measures that contribute to the global fight against climate change. Recent tenders for oil concessions have been restricted to previously exploited areas, and no new mining concessions have been granted since 2018. This demonstrates that extractive activities are not in conflict with the country's climate commitments, which seek to balance development and climate sustainability.

Information relating to paragraphs 13 and 14

120. The Government has established an inter-institutional committee made up of representatives of the Ministry for Women's Affairs and Human Rights, the Ombudsman's Office, the Attorney General's Office, the Council of the Judiciary, the Ministry of the Interior, the five national equality councils, the Public Defence Service, the Council for the Development and Promotion of Information and Communication and the Ministry of the Environment, Water and the Ecological Transition. The purpose of the committee is to develop a comprehensive policy for promoting and protecting the rights of defenders of human rights and the environment.

121. During the first phase of its work, the inter-institutional committee prepared a concept paper on the development of the comprehensive public policy. The committee agreed that, as a second step in the development of the policy, it is necessary to collect and systematize

information with which to prepare a diagnostic analysis to identify problems and provide possible solutions to conflicts that have emerged.

122. A methodology is currently in place to begin gathering primary information using a qualitative approach involving in-depth interviews, surveys and consultations with focal points who support defenders of human rights and the environment at the national level in order to prepare an initial analysis. In order to complete the analysis, international financial cooperation has been secured from the Spanish Agency for International Development Cooperation with support from OHCHR. The project has been validated and is expected to be implemented once the resources have been allocated.

123. The Ombudsman's Office has prepared a report analysing the situation of defenders of human rights and the environment in Ecuador in cases involving the defence of the rights of the environment and the criminalization of human rights defenders.

124. In 2023, the Attorney General's Office developed a criminal justice policy to guarantee access to justice and protection in criminal investigations involving defenders of human rights and the environment. With regard to human rights defenders engaged in journalism in Ecuador, a prevention and protection mechanism safeguarding the work of journalists⁸⁰ was established under article 42.1 of the Organic Act on Communication. The mechanism is managed by the Council for the Development and Promotion of Information and Communication, which is a technical body designed to ensure the safety of journalists. This mechanism, which was implemented after the issuance of its general regulations, carries out risk assessments, takes urgent measures and monitors attacks, among other functions.

Information relating to paragraph 16

125. With regard to hydrocarbon activities in the Tagaeri-Taromenane Protected Zone, under article 57 (2) of the Constitution and Executive Decree No. 751, all extractive activities are prohibited in perpetuity, including hydrocarbon, forestry and mining activities, so no concessions are granted in this zone. With regard to unlawful activities, the Directorate for Monitoring and Follow-up of the Protection of Indigenous Peoples in Voluntary Isolation continues to implement the monitoring system in the Tagaeri-Taromenane Protected Zone and its area of influence in order to safeguard the human and land rights of peoples in voluntary isolation. This is achieved through coordination with the Ministry of the Environment, Water and the Ecological Transition to detect and monitor illegal environmental activities (illegal mining, logging and hunting). In order to adopt measures to ensure Indigenous Peoples' legal security with regard to the land, territories and natural resources they have traditionally occupied and used, the Government, within the framework of the eleventh round of bidding for oil concessions, carried out a prior consultation process in several blocks in the south-east, including blocks 79 and 83.

126. With respect to the mining projects in Mirador, San Carlos Panantza and Río Blanco, the Ministry of Energy and Mines is developing strategies to guarantee compliance with the right to prior consultation of the Indigenous communities in the areas of influence of these projects. In addition, the Ministry of the Environment, Water and the Ecological Transition established procedures for the adjudication of lands within the State Forest Heritage and Protective Forests and Vegetation to inhabitants with acquired rights, in accordance with the principles of equity and solidarity. This strategy is focused on sustainable forestry development and is aimed at preserving forests through the allocation of land to Indigenous Peoples, Afro-Ecuadorian communities, settlers and other interested social groups, promoting sustainable forest management to guarantee the provision of raw materials and environmental services.

127. Since 2008, the Ministry of the Environment, Water and the Ecological Transition has carried out 2,343 land allocation processes nationwide for the benefit of 87 communes, communities, peoples, nationalities and associations. Under the Results-Based Payment Project, a baseline survey of land tenure in eight protective forests and six protected areas

⁸⁰ <https://www.consejodecomunicacion.gob.ec/visor-de-alertas/>.

has identified the case files of five Shuar communities located within the Kutuku-Shaimi protective forest, two of which are expected to be allocated land in 2024.

128. With regard to oil blocks 79 and 83, no environmental authorizations have been issued and no hydrocarbon activities have been identified in these blocks.

Information relating to paragraph 16 (b)

129. Since 2020, protected areas have been established in the four existing subsystems: State, community, decentralized autonomous government and private. In order to establish each new protected area, the Ministry of the Environment, Water and the Ecological Transition carries out a participatory process to ensure that the people living in the area are in agreement with the establishment of the conservation mechanism and are aware of the restrictions and obligations that come with belonging to a protected area. This process includes: (1) information and awareness-raising; (2) prior consultation; (3) participation in the preparation of a management plan; and (4) the signing of agreements.

130. Ensuring the participation of local communities increases the likelihood that these areas will be protected in an effective and sustainable manner. In the case of private and community subsystems, in accordance with Ministerial Decision No. 083 of 8 August 2016, it is a mandatory requirement of the procedure for declaring and managing protected areas to issue a document guaranteeing that the community or private owners expressly wish to include the corresponding territory within the National Protected Areas System. With regard to the decentralized autonomous government subsystem, the mandatory requirements include the issuance of a report on the participatory designation process and a land tenure report containing the files of each owner or occupant.

131. In order to manage protected areas, management plans are developed in a participatory manner with various strategic stakeholders such as communities, decentralized autonomous governments, academia, non-governmental organizations and public and private entities. As part of the process of preparing management plans, meetings and workshops are held to consider the participants' considerations or contributions, which are incorporated or dealt with in accordance with the regulations in force.

132. On 28 April 2022, the National Assembly, together with the Ombudsman's Office, presented a bill on an organic code on prior, free and informed consultation concerning environmental and legislative matters. The bill, which is still under review, regulates the procedure for convening, organizing and conducting prior consultations and calculating and declaring the results thereof and promotes citizen participation.

Information relating to paragraph 16 (c) and (d)

133. The Constitution⁸¹ prohibits the exploitation of non-renewable natural resources within protected areas and inviolable zones. However, in accordance with Legislative Decision No. 0, published in the second supplement to Official Gazette No. 106 of 22 October 2013, the exploitation of blocks 31 and 43 was declared to be of national interest, which is why they have been granted an environmental administrative authorization.

134. However, there was a pending dispute relating to the failure to hold a referendum on this exploitation. In 2023, pursuant to ruling No. 6-22CP/23, the Constitutional Court, with respect to the exploitation of block 43, decided that action should be taken in accordance with the procedure established for referendums in the Constitution and the Code of Democracy. A referendum was held on 20 August 2023 and its results were made official pursuant to Decision No. PLE-CNE-2-31-8-2023 of 25 October 2023. The result of the referendum, in which a majority of voters supported the proposal, resulted in the Government keeping the crude oil in the Ishpingo-Tambococha-Tiputini block in the subsoil indefinitely. In accordance with the result of the referendum and the decision of the Constitutional Court, no

⁸¹ Article 407.

environmental administrative authorizations have been maintained or issued in respect of block 43.

Information related to paragraphs 17 and 18 (a) and (b)

135. The Constitution⁸² recognizes the collective right of communes, communities, peoples and nationalities to free, prior and informed consultation in respect of projects involving the exploitation of non-renewable natural resources on their lands that may have an environmental or cultural impact on them. This right, which is recognized by both the Constitution and secondary legislation, is applied equally, including for people of African descent. In addition, the constitutional framework has promoted the regulation of ancestral lands, highlighting their relevance to Afrodescendent identity and culture.

136. In March 2024, the Ministry of Energy and Mines issued a manual for the implementation of free, prior and informed consultations,⁸³ the purpose of which is to set out the constitutional standards governing their implementation. The manual states that they must be implemented prior to the issuance of administrative measures on plans and programmes for prospecting for, producing and selling non-renewable resources located on the lands of Indigenous communes, communities and nationalities.

137. The Ministry of the Environment, Water and the Ecological Transition, through initiatives for reducing emissions from deforestation and forest degradation in developing countries and additional forest-related activities that protect the climate (REDD+), developed national REDD+ consultation guidelines in order to guide the consultation process that all REDD+ activities undergo before being implemented. The guidelines also serve to ensure that decisions taken in implementing and executing REDD+ measures incorporate the world-view and traditional knowledge of local communities and that decisions are taken in accordance with their forms of governance and development aspirations. The work carried out within the framework of the REDD+ C safeguards is directly linked to traditional knowledge.

138. The Secretariat for the Management and Advancement of Peoples and Nationalities has georeferenced social and environmental conflicts in Indigenous communities relating to pollution caused by oil-related activities and mining. It has also processed information relating to social and environmental conflicts as part of efforts to disseminate the Agenda for Equality and established round-table dialogues with experts from the countries that make up the Andean Community, at which perspectives, progress and best practices relating to free, prior and informed consultation are discussed with a view to developing a methodological reference mechanism at the regional level that will help to ensure the right to consultation by the Indigenous nationalities.

139. Rulings No. 69-16-IN/21 and No. 1325-15-EP/22, which relate to the violation of collective rights to pre-legislative consultation and to free, prior and informed consultation, respectively, are being followed up by the Ombudsman's Office.

Information relating to paragraphs 19 and 20

140. The Government is aware of the comprehensive needs in the northern border region and has therefore strengthened the work conducted by the Ministry of Economic and Social Inclusion, which provides extramural and intramural social inclusion services to priority groups, implemented either directly or through agreements with social organizations. In the community of La Merced de Buenos Aires, home-based care services are provided to 70 children aged between 1 and 3 years from the surrounding communities as part of comprehensive child development efforts.

⁸² Article 57.

⁸³ Ministry of Energy and Mines Decision No. MEM-MEM-2024-0002-AM, <https://www.lexis.com.ec/noticias/registro-oficial-del-dia-manual-para-operativizacion-de-consulta-previa-libre-e-informada-para-expedicion-de-medidas-administrativas-en-concesiones-mineras>.

141. The Ministry of the Interior has checkpoints for registering people entering and leaving the country at international airports and seaports, in addition to land checkpoints located at the binational border service centres in San Miguel (Sucumbíos) and Huaquillas (El Oro). The National Border Service Centre is located in Rumichaca (Carchi) and migration checkpoints are located in Tufiño (Carchi), Macará, Jimbura and Lalamor (Loja).

142. The National Directorate of Border Control of the National Police was established on 27 July 2016 to operationally coordinate with police services at the national and inter-institutional levels in order to strengthen control in border areas, ensuring security and public order through enforcement and interdiction operations to combat transnational crimes.

143. In 2024, a mobile barracks was donated by the Embassy of the United States of America to operate in emergency or highly serious situations, including natural disasters and situations involving terrorism, drug trafficking or illegal mining. The barracks has increased operational capacity at the border, providing a facility for up to 40 police officers and increasing operational activity by 9 per cent with respect to 2022.

Information relating to paragraphs 21 and 22

144. In order to implement a progressive tax policy in Ecuador that reduces inequality and guarantees greater economic, social and cultural rights, a number of measures are proposed: to adjust income tax rates, with the possible introduction of new tax brackets; to introduce taxes on large estates, inheritances and capital gains to prevent wealth concentration; and to develop tax incentives for companies that invest in key sectors such as education, health and technology. In addition, steps will be taken to strengthen monitoring in order to combat tax evasion and ensure that additional revenue is efficiently allocated to social programmes.

145. The Government's fiscal policy is guided by a long-term perspective aimed at increasing the tax burden. Thus, since the adoption of the United States dollar as the national currency, the country has significantly increased the tax burden from 13.9 per cent of GDP in 2000 to a historical record of 22 per cent of GDP in 2015.

146. The tax burden fell in 2016 owing to the fall in the global price of oil in 2015 and the earthquake in the Province of Manabí in 2016. However, the tax burden in recent years has remained at an average of 19.5 per cent, despite the problems caused by the COVID-19 pandemic in 2020.

147. In December 2023, the Organic Act on Economic Efficiency and Job Creation of 2023 was adopted to improve the Ecuadorian economy through tax incentives that stimulate investment and job creation. The Ministry of Economic Affairs and Finance has estimated that the Act will generate a net fiscal impact of \$382 million in 2024. The Act is aligned with the National Development Plan, which is aimed at establishing a simple, progressive and efficient tax system that reduces tax evasion and promotes sustainable economic growth. The National Development Plan for 2024–2025 provides for the taxes raised from the mining sector to increase from \$202 million in 2022 to \$248 million in 2025 and for the share of the budget financed by domestic tax revenues to increase from 32.37 per cent in 2022 to 34.16 per cent in 2025.

148. The purpose of these measures is to strengthen the regulatory framework governing public-private partnerships, to attract private investment and to close the service and infrastructure gap. The Organic Act on Economic Efficiency and Job Creation establishes public-private partnerships as a key means of managing public assets and services, with the Secretariat for Public-Private Investment being responsible for structuring and awarding projects. In addition, direct and progressive taxes have been prioritized, making it possible to increase income tax revenue from 4 per cent of GDP in 2021 to 4.9 per cent in 2023.⁸⁴

149. The objective of the Government's tax policy is to make the income tax system more progressive, focusing on individuals and adjusting tax rates and tax expenditure for individuals and companies. These measures have improved direct taxation and helped to

⁸⁴ Internal Revenue Service 2024.

reduce inequality, as reflected by the fall in the Gini coefficient to 0.457, the lowest level since 2007, mitigating the negative effects of COVID-19.

Information relating to paragraph 23

150. In May 2022, the Government established the Secretariat for Public Policy on Combating Corruption, now the General Secretariat of Public Integrity, with the aim of coordinating, managing and evaluating the implementation of the National Public Integrity Policy. This entity designs and submits a proposal for a national public integrity system, advises the President on integrity and anti-corruption issues, and follows up on the National Public Integrity Strategy. Emphasis is placed on preventing corruption, monitoring the implementation of the Strategy and coordinating with other entities to ensure integrity in public service.

151. The Strategy encompasses nine strategic areas, including raising awareness of corruption, transparency in public spending and the use of technology in the fight against corruption. Ecuador has signed several international conventions, including the United Nations Convention against Corruption and the Lima Commitment, to strengthen its capacity to prevent, detect and punish corruption.

Information relating to paragraph 25

152. The Ministry of Economic Affairs and Finance uses the spending guidance classifier tool in equality and environmental policies to identify spending in these areas, promoting transparency without infringing regulations governing the allocation of public resources.

Information relating to paragraphs 27 and 28

153. The Government recognizes the right to asylum and refuge in its Constitution and in the Organic Act on Human Mobility, allowing individuals to apply for refugee status without the need for documentation, including a passport. The only condition is that they must be in the territory of Ecuador. The procedure is free and accessible nationwide. Persons with refugee status are entitled to a temporary residence visa for international protection, which grants them access to the same rights and obligations as an Ecuadorian citizen. In 2022, the Ministry of Economic and Social Inclusion, in coordination with the Ministry of the Interior and the Ministry of Foreign Affairs and Human Mobility, developed a protocol for assisting unaccompanied children and adolescents, guaranteeing them access to an expedited asylum application process and humanitarian visas to regularize their migration status.

154. Between 2016 and 2023, the Government launched the “One Path” (Un Solo Rumbo) campaign to prevent violence and xenophobia, raising awareness among 19,140 people.⁸⁵

Information relating to paragraph 29

155. In Ecuador, as in the rest of Latin America, there are still structural inequalities between men and women in all areas. The national employment, unemployment and underemployment survey reveals that the percentage of women within the economically active population was 3.59 per cent in 2019 and 3.54 per cent in March 2024. Although this fall is marginal, it suggests that women continue to face obstacles to their full participation in the labour market.

156. The percentage of women in decent jobs was 43.53 per cent in 2019 and 28.72 per cent in March 2024. However, it is important to note that the difference in the percentages of

⁸⁵ <https://drive.google.com/drive/folders/1AX4GekTu8MZgOgVJokT1XO7-RAET-clW?usp=sharing> and dissemination through the web.
<http://unsolorumbo.ec/>.

women and men in decent jobs changed from 15.71 per cent in 2019 to 9.8 per cent by March 2024, with the gap narrowing by 5.91 percentage points.

157. In 2019, women earned 22.98 per cent less than men on average but the percentage difference had fallen to 11.77 per cent by March 2024, showing a narrowing of the gender gap.

Information related to paragraph 30 (a) and (c)

158. The Ministry of Labour issued a ministerial decision to regulate the obligations of employers and establish inspection procedures and a protocol for preventing and responding to cases of discrimination and violence against women in the workplace.⁸⁶ In addition, guidelines for the mandatory registration of equality plans⁸⁷ were published in January 2024. The purpose of these plans is to guarantee equal treatment and opportunities, eliminate gender-based discrimination and promote the professional advancement of women in the workplace.

159. The Ministry of Labour is also responsible for issuing guidelines on responding to cases of workplace harassment, sexual harassment and gender-based harassment and for promoting equality in collective bargaining. In order to recognize companies that excel in this area, the Ministry of Labour established the Purple Seal (Sello Violeta), a distinctive certification awarded to companies that promote equal treatment and opportunities in the workplace.

Information relating to paragraph 30 (b)

160. On 2 June 2020, guidelines on preventive measures and the protection of workers and civil servants belonging to priority groups at greater risk of SARS-CoV-2 were issued to provide guidance on telecommuting and the gradual return to work. In addition, the Ministry of Labour implemented a number of awareness-raising programmes, including a course on safe institutions that are free from violence against women, implemented with the support of the German Agency for International Cooperation, that raised awareness among 245,698 civil servants between February 2019 and April 2024. Furthermore, in collaboration with the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) and the National Council on Gender Equality, a course on gender mainstreaming was held for 30,031 public sector, private sector and civil society officials and a course on safe companies raised awareness of violence against women among 616 workers.

161. A total of 1,996 awareness-raising workshops were held on topics such as workplace harassment, equity-related rights and inclusion in the labour market, raising awareness among 89,265 employers and people from civil society between January 2020 and April 2024. The Ministry of Labour manages the “Find a Job” public employment service, which connects employers with jobseekers around the country. This service placed 115,469 women⁸⁸ in jobs between January 2019 and December 2023, contributing to economic recovery and labour inclusion.

Information relating to paragraph 30

162. The Labour Code⁸⁹ establishes that the National Council on Labour and Wages is the body responsible for setting the unified basic wage for private sector workers on an annual basis in accordance with a tripartite dialogue mechanism. The Council also advises the Minister on wage policies with a view to balancing the factors of production. In November

⁸⁶ Ministry of Labour Decision No. MDT-2020-244 and Ministry of Labour Decision No. MDT-2024-013.

⁸⁷ The law, agreement and guidelines can be found at the following link:
<https://www.trabajo.gob.ec/implementacion-de-la-ley-violeta/>.

⁸⁸ Public Employment Service Directorate of the Ministry of Labour.

⁸⁹ Article 117.

2023, the regulations on wage setting were amended to state that the basic wage for 2024 should be established by 22 December 2023, which was not achieved owing to the failure to reach consensus in the meetings of the Council.

163. In the absence of an agreement, the Ministry of Labour set the unified basic wage at \$460 per month for 2024. This wage is applicable to workers in small-scale industry, agricultural workers, maquila workers, domestic workers and microenterprise employees, in accordance with Ministry of Labour Decision No. MDT-2023-175 of 15 December 2023. This increase of 2.223 per cent with respect to the 2023 wage will also serve as a reference for setting sector-based minimum wages. The decision was based on the projected rate of inflation with a view to reducing poverty and meeting the needs of workers.

Information relating to paragraphs 33 and 34

164. See the response provided in relation to article 8.

Information relating to paragraphs 35 and 36

165. The Government is implementing the “Commitment to Employment” project, the purpose of which is to strengthen the professional profiles and promote the inclusion in formal employment of young people between the ages of 18 and 26 years, women, and adults between the ages of 45 and 64 years. The project is focused on identifying the technical skills required by the labour market, managing training, certifying occupational skills and creating mechanisms for facilitating entry into the labour market. Planned activities include conducting skills surveys of employers, strengthening the platform of the Public Employment Service, conducting prospective studies on the future of work, establishing new professional profiles and providing training and certifying skills through accredited organizations.

Information relating to paragraphs 37 and 38 (a) and (g)

166. The Constitution⁹⁰ establishes that the social security system is public and universal and cannot be privatized, ensuring that the needs of the public are met through mandatory universal insurance and special regimes. The system is governed by the principles of inclusion, equity, compulsoriness, sufficiency, solidarity and subsidiarity. Benefits must be funded by contributions from workers, employers, the self-employed, Ecuadorian nationals living abroad and the State.

167. With regard to the recommendations made by the Committee in its Views in *Trujillo Calero v. Ecuador*, since 2014, the Ecuadorian Social Security Institute has implemented an automated and secure system that enables affiliates, retirees and the general public to gain access to their employment history and other services online.

168. This system allows affiliates to check their contributions, salaries and contribution times and employers’ compliance with payments, thereby guaranteeing their right to request information relating to social security in an efficient and accessible manner.

Information relating to paragraph 38 (b) and (c)

169. In 2024, the Ecuadorian Social Security Institute introduced a new contribution system for young entrepreneurs engaged in formal or informal economic activities and for persons who are not economically active, such as students, who wish to join the system on a voluntary basis. These affiliates have access to benefits such as old-age pensions, disability pensions, dependants’ pensions, funeral assistance, occupational risk insurance and comprehensive healthcare.

⁹⁰ Article 367.

170. The Ecuadorian Social Security Institute provides affiliates and their dependants with protection relating to health, maternity and other contingencies, including comprehensive medical care, diagnosis, treatment, illness prevention and rehabilitation. Beneficiaries of maternity insurance receive care during pregnancy, childbirth and the postnatal period and have the option of choosing between public and private healthcare providers, subject to legal restrictions. In addition, the OEI 33 programme promotes upward mobility for persons in vulnerable situations through cash transfers and training, benefiting more than 1.4 million persons registered with the social protection system.

Information relating to paragraph 38 (d) and (e)

171. In accordance with the laws in force, persons who are not in employment can become affiliates on a voluntary basis. In order to become an affiliate, a person must have an identity card and an active taxpayer's identification number, be over 15 years of age if he or she is self-employed, and have no debts with the Ecuadorian Social Security Institute. These affiliates are covered for the contingencies set out in the Social Security Act, except for severance and unemployment.

172. Persons who carry out unpaid work in the home are protected by the Ecuadorian Social Security Institute against contingencies such as old age, death and total or permanent disability and are also entitled to funeral assistance, as set out in the Social Security Act.

Information relating to paragraph 38 (f)

173. The Ecuadorian Social Security Institute supports the Ecuadorian migrant community around the world. Ecuadorians living abroad can become voluntary affiliates and gain access to benefits and services such as retirement pensions, life insurance, dependants' pensions and international agreements relating to retirement. Currently, Ecuador has agreements with 13 countries, which allow affiliates to retire abroad.

Information relating to paragraphs 39 and 40 (e)

174. Executive Decree No. 370, enacted on 8 March 2022, provides for an allowance for children and adolescents who have been orphaned by the violent death of their mother or mother figure. The benefit is extended to children under 18 years of age in cases of femicide, murder, homicide and rape. An enforceable judgment is not required, since the provisional allowance is granted on the basis of the preliminary results of the investigation. The purpose of the allowance is to mitigate the impact of gender-based violence on affected minors.

Information relating to paragraph 40 (a), (b), (c) and (d)

175. Over the last five years, the Government has devoted financial and human resources to eradicating violence through legal reforms and new regulations. The Comprehensive Organic Criminal Code of 2014 established as offences the violation of a person's physical, psychological or sexual integrity and femicide. In 2021, digital violence was also established as an offence. The Comprehensive Organic Act on the Prevention and Eradication of Violence against Women, under the auspices of the Ministry for Women's Affairs and Human Rights, established the Comprehensive National System for the Prevention and Eradication of Violence against Women, which involves 24 ministries. The System has provided inputs for the preparation of compliance reports and the adoption of public policies, as well as a mechanism for following up on the National Plan for the Prevention and Eradication of Violence against Women.

176. In 2023, the operating regulations of the inter-institutional committee, the commissions and the technical committee of the Comprehensive National System for the Prevention and Eradication of Violence against Women were established to prioritize specific annual measures and to comply with the recommendations made in the evaluation of the

Comprehensive Organic Act on the Prevention and Eradication of Violence against Women carried out by the National Assembly on 7 March 2023.

177. In 2007, the Government established a public policy to prevent and eradicate violence against women under the National Plan for the Eradication of Gender-based Violence against Children, Adolescents and Women. The policy was evaluated by the National Planning Secretariat 10 years after its launch. The recommendations resulting from this evaluation gave rise to the establishment of the National Plan for the Prevention and Eradication of Violence against Women 2020–2030.

178. The Plan provides for clarity in the definitions, objectives and methodologies to be followed as fundamental principles governing the coordination between institutions of the executive, judicial, and oversight and transparency branches. In 2022, 142 indicators were established to measure the efficacy of management processes and the results obtained on the basis of the strategic actions and competencies of the institutions that form part of the Comprehensive National System for the Prevention and Eradication of Violence against Women. The Plan addresses the management of the National Observatory on Violence against Women and the single registry on violence.

179. Following its adoption, the institutions that make up the System have disseminated a user-friendly version of the Act, building the capacity of public officials in order to strengthen their skills and transform their institutions, training the general public in preventive measures, the promotion of rights and the recognition of violence against women as an offence of a public nature and raising awareness of the bodies to which victims can turn for assistance.

180. The Government has also established the Organic Act on support and comprehensive and transformative reparation for children, parents and other relatives of victims of femicide and other deaths resulting from gender-based violence, which sets out guidelines on protection and reparation. The details of the procedures will be set out in the implementing regulations for the Act.

Information relating to paragraphs 41 and 42

181. Poverty and extreme poverty in Ecuador are multidimensional problems that are measured in relation to factors such as housing, basic services, standards of living, education, employment and social protection. The Secretariat for the Management and Advancement of Peoples and Nationalities is working to reduce poverty by strengthening and reinvigorating the economies of Indigenous Peoples, nationalities, people of African descent and Montubios. This is achieved by implementing productive projects that form part of the Comprehensive Development Project and by recognizing the legal personality of organizations of these groups, thereby promoting organizational strengthening, the preservation of land, cultural values and the economic recovery of their members.

182. Currently, the Project for the Comprehensive Development of the Indigenous, Afro-Ecuadorian and Montubio Peoples and Nationalities (2021–2025) is being implemented to support the socioeconomic and cultural strengthening of these communities. Between 2021 and 2023, 67 projects were implemented in areas such as handicrafts, agriculture, livestock husbandry, productive infrastructure, floriculture and tourism, benefiting 26,355 people in 67 parishes at a cost of more than \$4 million.

183. In order to guarantee the rights of communities, including ancestral communities, peoples, nationalities and organizations, regulations have been established to facilitate the granting of legal personality. Between 2021 and 2023, 396 organizations obtained this recognition, enabling them to exercise their rights and pursue economic, productive, cultural and social goals. The Secretariat for the Management and Advancement of Peoples and Nationalities also coordinates with governing agencies to promote rights and public policies for improving living conditions. This involves the organization of participatory processes to identify development needs in Indigenous communities such as the Epera, Chachi, Awá and Tsáchila nationalities; the promotion of 17 national food sovereignty and culture fairs between 2022 and 2023; and the updating of the National Agenda for the Equal Rights of Indigenous, Afro-Ecuadorian and Montubio Peoples and Nationalities 2021–2025.

Information relating to paragraphs 43 and 44 (d)

184. In Ecuador, chronic childhood malnutrition affects 20.1 per cent of children under 2 years of age and 17.5 per cent of children under 5 years of age, with a higher prevalence among boys than girls. In order to address this problem, the Government implemented the “Ecuador Grows without Child Malnutrition” strategy in 2020 to prioritize the prevention and reduction of chronic childhood malnutrition in children under 2 years of age and pregnant mothers. The Technical Secretariat for the strategy leads its implementation, coordinating measures among different institutions and using a prioritized package of services that includes vaccination, prenatal check-ups, education and cash transfers.

185. Since the implementation of the Strategy, significant resources have been invested and the budget allocated to it has continually risen, reaching \$352.9 million in 2024. The strategy is based on six strategic lines of action, including the establishment of the Intersectoral Committee and the Advisory Council to ensure efficient coordination between public and private actors. As of March 2024, more than 109,000 people had benefited from the “1,000 days” allowance, and the Ministry of Health expanded healthcare coverage for pregnant women and children under 2 years of age, significantly improving access to prenatal check-ups and medical care.

186. In addition to the provision of services, 710 parishes and 133 cantons have been prioritized so that actions can be targeted at the most vulnerable areas. Under the strategy, intersectoral cantonal committees coordinate local actions and information systems have been strengthened with the establishment of the Universal Nominal Tracking System, which monitors 530,196 children and 97,530 pregnant women. With regard to infrastructure, the connectivity of 753 health facilities has been improved, anthropometric equipment has been acquired and the supply of biological products and micronutrients has been guaranteed.

187. The strategy includes educational communication campaigns to encourage behavioural changes around chronic childhood malnutrition, with 221 educational communication plans being implemented at the local level. In 2023 and 2024, fairs, recreational activities and training days attracted more than 150,000 participants. The strategy also promotes healthy eating and the regulation of school canteens to combat malnutrition in children over 2 years of age.

188. At the time of writing, 1,604 professionals have been hired to carry out activities to promote and provide healthcare. There are 1,517 breastfeeding support groups in primary care facilities and 82 such groups in secondary care facilities.

189. Within the prioritized package of services, the Ministry of Health is responsible for ensuring a complete vaccination schedule, prenatal check-ups and the monitoring of healthy children. The Civil Registry ensures that children obtain a unique identification number in a timely manner. The Ministry of Economic and Social Inclusion organizes educational activities through the “Growing with our Children” programme and the child development centres and also manages cash transfers to families. The Ministry of Education ensures that pregnant women can gain access to, and remain in, safe educational settings. The Social Registry Unit is responsible for assessing the socioeconomic conditions of families to facilitate their access to cash transfers and other complementary services. Lastly, the National Statistics and Census Institute conducts and updates the national survey on child malnutrition every year.

Information relating to paragraph 44 (a)

190. Under the Project for the Regularization of Rural Land and Ancestral Territories, the Ministry of Agriculture and Livestock has reported on the allocation of 1,293.29 hectares to 189 beneficiaries. In accordance with the regulations in force, legal entities formed by campesinos with little or no land, campesino family farmers, and small and medium-sized producers of the grassroots and solidarity-based economy can gain access to programmes for the redistribution of State land. These organizations must be structured in accordance with solidarity-based schemes and be legally recognized.

Information relating to paragraph 44 (c)

191. Under the Project for the Regularization of Rural Land of the Ministry of Agriculture and Livestock, land is awarded for redistribution to associations of rural people that meet certain priority criteria. These associations must include persons with disabilities or dependent family members, female heads of household, workers with more than one year of service, landless rural heads of household, landless young persons, or returning migrants, provided that they belong to one of the two poorest quintiles.

192. The Ministry of Agriculture and Livestock is also committed to transferring, as a matter of priority, an area of productive land measuring no less than one family production unit in order to promote agricultural production. Families are provided with training and technical and financial support. In addition, the Ministry guarantees the recognition and protection of collective forms of land tenure, excluding associations, federations and other similar groups that are regulated under the Civil Code and are not considered to constitute communes, communities, Indigenous Peoples or nationalities. These associations may undertake land tenure regularization processes in accordance with the Organic Act on Rural Lands and Ancestral Territories.

Information relating to paragraph 44 (e)

193. In order to promote the establishment and preparation of healthcare facilities within the framework of the certification process for mother- and baby-friendly health facilities, 319 healthcare professionals were trained in 43 hospitals and outpatient units of the Ministry of Health, in collaboration with the United Nations Children's Fund (UNICEF) and the Foundation for Research and Management in Health Services. Online workshops have also been held to strengthen quality management in facilities and the training of 170 professionals specializing in obstetric emergencies.

194. Technical support has been provided to a number of health subsystems, with 80 professionals being trained to provide direct care to mothers and newborns. National workshops, train-the-trainer events and capacity-building sessions have been held to prepare facilities for their self-evaluation and pre-evaluation processes. These measures have led several facilities to issue letters indicating their intention to become certified, which will help to improve the quality of maternal and neonatal care in Ecuador.

195. At the time of writing, 17 facilities of the Ministry of Health and the Ecuadorian Social Security Institute are certified mother- and baby-friendly health facilities.

Information relating to paragraph 44 (f)

196. The school meals programme of the Ministry of Education has validated and approved 11 sets of technical specifications for food and food combinations to cover the nutritional requirements applicable to catering in schools. This programme has evolved over the years, undergoing different forms of administration and changing the contents of food rations to reach 2,877,114 beneficiaries in 2022. The programme is permanent and mandatory.

Information relating to paragraph 44 (g)

197. The Ministry of Agriculture and Livestock identifies producers and producers' organizations that conserve, use and propagate campesino seeds as an alternative way of prolonging the genetic quality and adaptive characteristics of species, contributing significantly to food sovereignty, the conservation of agrobiodiversity and the collective right of peoples and nationalities to preserve the quality and nature of their food.

Information relating to paragraphs 45 and 46

198. The Government, as part of its efforts to reduce inequality, is implementing the “Strengthening Intercultural Health in Ecuador” project for the period 2023–2025. The project has a budget of \$20,054,030.69⁹¹ and is aimed at promoting community participation, strengthening ancestral medicine, developing intercultural competencies among Ministry of Health staff and adapting the comprehensive healthcare model to incorporate an intercultural approach. In addition, it has regulations that reduce barriers to healthcare, promoting respect for cultural characteristics such as language, clothing and food and coordination with ancestral medicine. It is being implemented in 64 health districts, with 69 family doctors and 79 community facilitators being hired to incorporate interculturality into the National Health System.

Information relating to paragraph 48 (a)

199. See the responses relating to article 12.

Information relating to paragraph 48 (c) and (d)

200. The National Social Rehabilitation System has taken a number of measures to reduce prison overcrowding and improve prisoners’ living conditions. Since 2020, 43 repatriations have been carried out, 1,267 pardons have been handed down and 23,566 privileges, including placement in semi-open institutions and early release, have been granted. In addition, the National Social Rehabilitation System has issued regulations for identifying persons deprived of their liberty who participate in treatment programmes and are eligible for prison privileges.

201. In order to improve living conditions, the National Social Rehabilitation System has created specific cell blocks for older persons in several detention centres and has established centres exclusively for women, in line with the recommendations made by international organizations. Improvements to infrastructure have also been made, such as the reconstruction of cell blocks in Guayas Prison No. 1, and essential materials such as uniforms, cleaning supplies and tools for rehabilitation activities have been purchased. In 2020, the prison population reached 38,618, with an effective capacity of 29,746, resulting in an overcrowding rate of 29.83 per cent. In May 2023, the population was recorded at 32,222, with a capacity of 27,714, giving an overcrowding rate of 16.27 per cent.

202. The National Social Rehabilitation System has also facilitated access to public institutions and foundations that monitor the human rights of persons deprived of their liberty, allowing their representatives to visit detention centres.

Information relating to paragraphs 49 and 50 (a), (b) and (c)

203. As part of the efforts made to develop the National Mental Health Policy, and in order to implement the community-level mental health model in the comprehensive public health network, the Ministry of Health is developing a list of standard variables to improve the quality of mental health data in the public health system. Furthermore, mental health screening is being implemented in healthcare services and the variables used in the healthcare registration platform are being updated. Initiatives relating to suicide prevention have been incorporated into the policy, with activities, indicators and goals being established.

204. For more information, see the response relating to article 12.

⁹¹ Official communication No. SNP-SNP-SGP-2022-0434-O of 21 November 2022. Unique Project Code (CUP): 123200000.0000.388156.

Information relating to paragraph 50 (d)

205. Since 2018, the Ministry of Health has had a protocol for the provision of mental healthcare and psychosocial support in emergencies, disasters or catastrophes. In addition to this instrument, work is under way on a protocol for the strategic implementation of mental healthcare services in emergencies with a view to establishing a mental health committee within the framework of the technical committee on health in emergencies and disasters.

Information relating to paragraphs 51 and 52 (a)

206. In July 2018, the Intersectoral Policy for the Prevention of Pregnancy in Girls and Adolescents for the period 2018–2025, which is coordinated by the Ministry of Health, the Ministry of Education, the Ministry of Economic and Social Inclusion and the Ministry for Women’s Affairs and Human Rights, was issued. In order to implement the Policy, the regulations governing the National Interministerial Committee for the Prevention of Pregnancy in Girls and Adolescents were adopted in 2020, establishing nine local intersectoral committees responsible for implementing the policy. Among the advances made, the Ministry of Economic and Social Inclusion adopted a technical standard for the Psychosocial Support Service in 2023, trained 18,864 officials in the prevention of gender-based violence in 2022, and trained 8,927 officials in fields such as violence and cyberbullying in 2023. In addition, the Ministry of Economic and Social Inclusion disseminated a training plan on gender-based violence among 8,928 users. Under the “Growing with our Children” programme, efforts are made to protect and restore the rights of girls and adolescents in vulnerable situations, with special attention being paid to pregnant girls under 14 years of age.

207. In 2024, the first phase of the educational communication campaign on the prevention of pregnancy was launched under the Comprehensive National System for the Prevention and Eradication of Violence against Women, reaching 5,979 people. The Ministry of Education has implemented a number of projects with budgets ranging from \$1,373,002.15 in 2019 to \$190,310.07 in 2021 that are focused on strengthening the comprehensive approach to violence and the prevention of pregnancy in girls and adolescents. A total of \$75,559.20 was disbursed in 2023 and the disbursement of \$191,512.57 is planned for 2024. Between 2019 and 2022, the Ministry of Health disbursed \$8,991,906.37 on measures to prevent pregnancy in girls and adolescents and launched a new project for 2023–2025 with a budget of \$14,845,389.90 to address the sexual and reproductive health of adolescents.

Information relating to paragraph 51 (d)

208. Since September 2023, as part of the “Everyone in the Classroom” strategy, the Ministry of Education, in coordination with the Technical Secretariat for the “Ecuador Grows without Child Malnutrition” strategy, has been implementing a system of alerts for pregnant girls and adolescents and/or mothers under 20 years of age who are outside the National Education System. Currently, 1,544 girls and adolescents who are pregnant or mothers are in the National Education System.

209. In addition, a proposal has been put forward to provide educational services for: (a) pedagogical levelling up and acceleration, with a view to guaranteeing access, re-enrolment, retention and progress for baccalaureate students who are behind or out of step in their studies; and (b) a technical baccalaureate for young persons, adults and older persons who did not finish school to enable them to develop professional skills to promote employability, entrepreneurship and continuity in higher education.

Information relating to paragraph 51 (f)

210. In 2021, the Constitutional Court, in its ruling No. 34-19-IN/21, found that the phrase “of a woman with a mental disability”, contained in article 150 (2) of the Comprehensive Organic Criminal Code, was unconstitutional, thereby decriminalizing the termination of

pregnancy in the event of rape. On this basis, operational guidelines for comprehensive care and effective access to voluntary interruption of pregnancy resulting from rape have been developed and 2,500 health professionals around the country have been trained in them.

Information relating to paragraph 51 (h)

211. On 1 June 2018, the Ministry of Health and the Ministry of Education issued a manual on comprehensive healthcare in educational settings,⁹² the purpose of which is to improve students' quality of life through comprehensive and sustainable health management based on developing their capacities, promoting health and implementing preventive measures in schools.

212. The plan is implemented in three stages, covering different age groups: the first stage is for students aged from 3 to 5 years, the second for students aged from 6 to 19 years and the third for students aged 20 years or above. As of January 2024, the Ministry of Health reported that 75.45 per cent of the country's public educational institutions are affiliated with health centres.

Information relating to paragraph 52 (b), (c) and (d)

213. On 23 October 2023, the Government issued the National Strategy for Comprehensive Sexuality Education,⁹³ which all educational institutions in the country are required to implement. Its purpose is to establish guidelines on the implementation, support for, and monitoring of comprehensive sexuality education at all levels of the education system. Since 2021, curricular tools for teachers have been published, with 21,173 teachers⁹⁴ undertaking the RECONOCE massive open online training course. Furthermore, 1,525 adolescent clubs have been established in health facilities and a pilot project on comprehensive sexuality education has been implemented with 6,665 adolescents.

214. With regard to reproductive health, the country's regulatory framework includes laws and protocols that regulate access to contraceptive methods, with a budget of more than \$5 million in 2023 and an estimated budget of \$4 million for 2024. A total of 22,180 emergency oral contraceptives have been purchased and the "Demystifying Sexuality" web page has been created to provide a source of reliable information. In addition, toolkits for the promotion of sexual and reproductive health and the prevention of gender-based violence are being used. The Ministry of Health has 365 facilities that are certified to provide comprehensive adolescent-friendly care. It has also made improvements to hospital infrastructure and distributed anti-shock garments to prevent maternal deaths at a cost of \$136,229.76.

215. The Ministry of Health has issued instructions on screening for physical, psychological and sexual violence in girls and adolescents between 10 and 18 years of age, a manual on comprehensive care for pregnant girls and adolescents under 15 years of age and the 2023 manual on comprehensive healthcare for adolescents.

Information relating to paragraph 53

216. The Constitution establishes that non-renewable natural resources may be exploited only in accordance with environmental principles. In order to guarantee the right to water, the Single Water Authority of the Ministry of the Environment, Water and the Ecological Transition is responsible for establishing and delimiting water protection zones and areas for the conservation, maintenance and recovery of water resources and their associated ecosystems. To date, the Single Water Authority has delimited 32 water protection areas in

⁹² Interministerial Decision No. 0226-2018.

⁹³ Decision No. MINEDUC-MINEDUC-2023-00065-A.

⁹⁴ For more information, see <https://mecapacito.educacion.gob.ec/buenvivir/>.

the country. These areas cover 263,876.17 hectares and contribute significantly to the conservation of water resources for human consumption and food sovereignty.

Information relating to paragraph 54

217. The country has a gender and climate change action plan that sets out 38 short- and medium-term measures for mainstreaming the gender and intercultural perspectives in climate change management. The plan promotes women's empowerment and autonomy in decision-making related to the management of ecosystems, biodiversity and water resources, making use of ancestral knowledge to reduce climate risks. It also addresses the training of women in the use of clean technologies, the reduction of excessive workloads, the promotion of sustainable businesses and the facilitation of access to flexible credit, training and technical assistance for the conservation of natural resources.

Information relating to paragraph 55

218. The Ministry of Education promotes early access to education for children aged 3 and 4 years through the Family Support Service for Early Childhood, which offers assisted distance education, allowing teachers to visit the homes of children who cannot attend an educational institution.

219. Between 2018 and 2023, the Family Support Service for Early Childhood provided support to a significant number of children, with the number increasing after the COVID-19 pandemic. While the number of children receiving support dropped significantly to 1,851 in 2020 as a result of the pandemic, the figure rose to 20,528 in 2021. In 2022 and 2023, the Service attended to more than 18,500 children each year. In the area of intercultural bilingual education, the Ministry of Education and the Secretariat of Bilingual Intercultural Education and Ethno-Education are working together to manage 1,736 bilingual educational institutions, strengthening competencies, human talent, infrastructure and budgets.

Information relating to paragraph 56 (a)

220. The budget assigned to the Ministry of Education has increased: it was assigned \$3,817.97 million in 2020, and \$4,615.71 million has been approved for 2024.

Information relating to paragraph 56 (b)

221. On 21 November 2023, the curriculum framework for learning for the National Education System⁹⁵ was issued, introducing a competency-based curriculum. The competencies in question, which encompass knowledge, skills and attitudes, are divided into three areas: basic (communicative-linguistic, logical-mathematical and socioemotional), integration-related (global citizenship, culture, sports and sustainability), and innovation-related (metacognition, entrepreneurship, technical-scientific and digital). The purpose of this curriculum is to shape independent, discerning and creative individuals who are capable of facing individual and collective challenges.

222. The process of certifying linguistic proficiency will be implemented in the Sierra region for the 2024/25 school year, requiring teachers who form part of the intercultural bilingual education system to demonstrate their competence in the ancestral language of their nationality. As at 31 December 2023, the language proficiency of 56.6 per cent of teachers has been certified.

⁹⁵ Agreement No. MINEDUC-MINEDUC-2023-00086-A.

Information relating to paragraph 56 (c)

223. The purpose of the Service for Levelling up and Accelerating Learning of the Ministry of Education is to level up the knowledge and skills of school-age children and adolescents who are moderately or severely behind or out of step in their schooling, providing them with an accelerated process that allows them to return to the grade or course that corresponds to their age. Between 2017 and 2024, the Service provided support to 26,920 children, 19,822 of whom live in urban areas and 7,090 in rural areas.

224. The Ministry of Education has also implemented the “Learning on Time” national plan, the purpose of which is to provide technical and pedagogical support to the authorities of educational institutions through face-to-face and/or online visits to encourage the implementation of strategies for levelling up and recovering learning in order to improve levels of learning. It has provided support to 4,244 institutions since November 2021.

Information relating to paragraph 56 (d)

225. The Ministry of Education implements educational programmes and services for young people, adults and older persons who did not complete their schooling, using hybrid formats and detention centre services to teach courses relating to literacy, post-literacy, higher basic general education and preparation for the baccalaureate. The Ministry also makes use of distance education to teach courses relating to upper basic general education and preparation for the baccalaureate and provides services to deaf persons. In the 2023/24 period, the figures indicate that 48,059 women and 47,469 men benefited from these services.

Information relating to paragraph 57

226. In intercultural bilingual education institutions operating under the bilingual intercultural education and ethno-education system, teachers teach classes in the languages of the 14 nationalities, and daily activities are contextualized, promoting dialogue in the predominant language and the integration of knowledge, wisdom and world-views using tools such as *taptanas* (abacuses), magic boxes, magic triangles and educational texts, including inter-learning guides for each nationality, stories and visual materials. Students at the 1,736 intercultural bilingual institutions include foreign students⁹⁶ who are enriched by the experiences, language, culture and cosmovision of the peoples and nationalities of Ecuador.

Information relating to paragraph 57 (a)

227. The policy on educational inclusion in Ecuador is supported by 389 professionals from local inclusion support units who provide psychopedagogical support, assistance and follow-up to 14,621 students with specific educational needs and 583 teachers specializing in inclusion who have advised more than 25,000 teachers throughout the country. In addition, the Universal Inclusion for Learning Project, which is financed by the Inter-American Development Bank and has a budget of \$7.6 million until 2026, is aimed at strengthening comprehensive support for students with disabilities, providing resources and technical advice to specialized educational centres and other support institutions.

228. The National Strategic Plan on Afro-Ecuadorian Ethno-Education 2020–2025 seeks to redefine and strengthen the cultural identity of the Afro-Ecuadorian people within the intercultural bilingual education system. This plan addresses key areas such as quality, access

⁹⁶ For the full report, see https://educacionec-my.sharepoint.com/:b/g/personal/elizabeth_chamik_educacion_gob_ec/EcXcJ3pVeZIJlxXET5KYHpkBF9LD3B8R5vVsZfOBAR6Vcg?e=2ARgpX and the matrix of students’ ancestral languages, https://educacionec-my.sharepoint.com/:x/g/personal/elizabeth_chamik_educacion_gob_ec/Ea4ZrRYEe3REIXM5r3Gd9yIBqyYtVJGLtlcwpU5MjhNKmw?e=Zpak32.

and rights, and promotes the training of teachers and managers, the evaluation of quality standards, and inter-institutional cooperation. Currently, the Secretariat of Intercultural Bilingual Education is working on the dissemination of the Afro-Ecuadorian educational model.

Information relating to paragraph 57 (c)

229. The Secretariat of Bilingual Intercultural Education and Ethno-Education uses the bilingual intercultural education model to strengthen and implement a policy of intercultural bilingual education for all peoples and nationalities that is tailored to their languages, culture and world-view. In addition, the expanded curriculum for the general unified intercultural bilingual baccalaureate provides culturally relevant education in the final three years of schooling prior to higher education, ensuring continuity. There are 14 national intercultural bilingual curricula for general basic education for the Achuar, A'i Kofán, Andwa, Awa, Siona, Chachi, Eperara, Kichwa, Siekopai, Sapara, Shiwiar, Shuar, Tsa'chila and Waodani nationalities, and there is an expanded curriculum for the general intercultural bilingual baccalaureate.⁹⁷

Information related to paragraphs 59 and 60 (a) and (b)

230. The Secretariat of Bilingual Intercultural Education and Ethno-Education is actively working to strengthen, revitalize and recover the Indigenous and Afrodescendent languages of Ecuador, including Achuar Chicham, Kichwa and Shiwiar Chicham. Research is undertaken, educational materials are created and technicians and teachers are trained in order to preserve these languages and transmit them to future generations.

231. In collaboration with UNICEF and the United Nations Educational, Scientific and Cultural Organization (UNESCO), steps are being taken to revitalize languages such as Atupama Sapara, which is endangered. The Secretariat of Bilingual Intercultural Education and Ethno-Education is currently working on strengthening the A'ingae language of the A'i Kofán nationality.⁹⁸

232. In February 2023, in order to promote the use of the languages of the 14 nationalities of Ecuador, the “Diverse Languages, Live Them” intercultural meeting was held to commemorate International Mother Language Day, with the participation of parents, scholars, students and teachers of the nationalities. The “Seed of Indigenous Heritage, Identity and Memory” event⁹⁹ was organized as part of the International Decade of Indigenous Languages (2022–2032), with the participation of wise women from the 14 nationalities, educational coordinators and the general public. In addition, the Secretariat of Bilingual Intercultural Education and Ethno-Education signed a letter of intent with the Casals Catalá cultural centre in Quito, strengthening languages and interculturality.¹⁰⁰

⁹⁷ Intercultural bilingual curricula <https://educacion.gob.ec/egb-intercultural-bilingue/>.

⁹⁸ Terms of reference for the development of the pedagogical methodology for early childhood education on the basis of the wisdom of the A'i'cofan nationality, https://educacionec-my.sharepoint.com/:b/g/personal/elizabeth_chamik_educacion_gob_ec/ERsd-a0vqgZNiQ-NPgt0XHoBhGcwLhEijqeZwTTQux8hA?e=hKE6Ua.

https://educacionec-my.sharepoint.com/:b/g/personal/elizabeth_chamik_educacion_gob_ec/Ea5wbyDhJHVArcEkg2vdSVGABIkk6RMjCarSPLiLR0ZwEgg?e=mzk774.

⁹⁹ Executive Decree on the International Decade of Indigenous Languages: https://educacionec-my.sharepoint.com/:b/g/personal/elizabeth_chamik_educacion_gob_ec/Eaztly1S17BMpSHmiAN8b-0BBw_qx6qhFOSDYtjRsKjzcA?e=pUzNO8.

¹⁰⁰ https://educacionec-my.sharepoint.com/:b/g/personal/elizabeth_chamik_educacion_gob_ec/EZtDqw5msyhDqnju1-ftcO4Brn_Hum95PJDO0FG0hpm3gg?e=5nCeJo https://educacionec-my.sharepoint.com/:b/g/personal/elizabeth_chamik_educacion_gob_ec/EUtCLdh79RtIgwDYJ4mriy0BfgMtiH4iEpSOfNnF84xzVw?e=543Zp0.

233. At the same time, the Secretariat of Bilingual Intercultural Education and Ethno-Education is working to promote the certification of language proficiency through the language proficiency certification website. The purpose of this process is to highlight the use and pedagogical application of ancestral languages in the intercultural bilingual educational units. In 2024, test items translated into the 14 languages of the Ecuadorian nationalities will be incorporated into the language proficiency tests on this website.

234. The Secretariat of Bilingual Intercultural Education and Ethno-Education has been conducting training courses in the languages of the nationalities for teachers at the basic and intermediate levels.¹⁰¹

Information relating to paragraph 61

235. Ecuador is a signatory to the ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), which recognizes the right of Indigenous and tribal Peoples to prior consultation. The Act amending the Organic Act on Comprehensive Planning for the Amazon Special Territorial District establishes the rights of Indigenous Peoples to comprehensive development, allocating significant resources from oil operations for the development of social projects and the life plans of the nationalities.

Information relating to paragraph 62 (a)

236. The Government guarantees the rights of Indigenous and Afrodescendent Peoples by allocating resources from oil operations for their comprehensive development in accordance with the Act amending the Organic Act on Comprehensive Planning for the Amazon Special Territorial District. In the process of updating the National Agenda for the Equal Rights of Peoples and Nationalities, an agreement was reached on a public policy to develop mechanisms for ensuring that the Peoples in question can exercise authority over the protection of the environment, the sustainability of resources and the equitable distribution of land and water.

Information relating to paragraph 62 (b)

237. There is no hydrocarbon activity in block 22 or fields 86 and 87 as no invitation to tender has been issued for these areas and they have not been assigned to any operator.

238. Although block 83 has been assigned to a private operator, no hydrocarbon operations or activities have been carried out there and no environmental administrative authorizations have been issued for the block.

Information relating to paragraph 62 (c)

239. The Ministry of Agriculture and Livestock promotes the recovery and dissemination of the ancestral knowledge of the peoples and nationalities through the collection of traditional practices, the holding of knowledge dialogues and the training of technicians and producers in techniques based on this knowledge.

Information related to paragraphs 63 and 64 (a) and (b)

240. The digital transformation agenda for the period 2022–2025 seeks to address challenges in the area of open innovation and to measure progress towards the establishment

https://educacionec-my.sharepoint.com/:b/g/personal/elizabeth_chamik_educacion_gob_ec/EXM1JjQvx9VHoxOId4XE9JQCBUPhtGujUcz8QaNeiocuQ?e=JD77k7.

¹⁰¹ https://educacionec-my.sharepoint.com/:b/g/personal/elizabeth_chamik_educacion_gob_ec/EaIr4ZT-KApPv5l-wifaazIBk2EmpwzQiYxYz3Pv4vcHtg?e=M1GeSC.

of smart and sustainable cities. The Ministry of Telecommunications and the Information Society has implemented the Universal Service Plan 2022–2025, with a view to ensuring equitable and quality access to telecommunications services, in addition to initiatives such as the National Cybersecurity Strategy and the National Network of Cyberincident Response Teams.

241. Since the implementation of these policies, the 4G coverage rate has improved from 77.84 per cent in 2022 to 78.49 per cent in 2023. Fixed and mobile Internet coverage increased from 74.44 per cent in 2022 to 78.21 per cent in 2023, fixed and mobile Internet access has expanded and 25 rural parishes have gained access to advanced mobile services. In addition, more than 94,000 citizens, including members of Indigenous and Afrodescendent communities, have been trained under the “Free Digital Centres” project with the aim of reducing the digital divide and promoting skills in key technological areas.

Information relating to paragraph 65

242. The Executive Decree of 2018, which establishes the adoption of the 2030 Agenda as public policy in Ecuador, highlights the importance of aligning national planning instruments with the Sustainable Development Goals. This allows the country to coordinate national priorities with the global goals established in the 2030 Agenda, ensuring a coherent approach among the various levels of Government and public bodies.

243. The Development Plan for a New Ecuador 2024–2025 reflects a strong commitment to the Sustainable Development Goals. The plan is structured around four areas (social; economic; infrastructure, energy and the environment; and institutional) and encompasses 9 objectives, 70 policies, 176 strategies and 105 goals.

Information relating to paragraph 66

244. The Government has implemented a monitoring system that uses indicators to evaluate the enjoyment of economic, social and cultural rights, including a multidimensional poverty index. This index covers four main areas: education; labour and social security; health, water and food; and habitat, housing and a healthy environment. Twelve indicators designed to measure the enjoyment of people’s rights are used, based on data from the national employment, unemployment and underemployment survey. In addition, the National Development Plan and the Statistical Development Plan support the monitoring of the progress made towards the Sustainable Development Goals.

245. The National Development Plan has 105¹⁰² indicators that are monitored by 32 public institutions and reported on periodically. These indicators are available for public consultation and are progressively assessed in accordance with the established goals.

246. With regard to the 2030 Agenda, the Government has developed the Statistical Development Plan,¹⁰³ which is divided into two documents that identify statistical operations and short- and long-term strategies for reporting on the Sustainable Development Goals. The Government has established 240 indicators, of which 14 are multipurpose and 226 are single-purpose. The indicators are published on the website of the National Statistics and Census Institute.

Information relating to paragraph 67

247. The Ministry for Women’s Affairs and Human Rights, in collaboration with the Ministry of Foreign Affairs and Human Mobility, disseminates the concluding observations, particularly to parliamentarians, public officials and judicial authorities. This report includes information on the participation of the institutions of the five branches of the State.

¹⁰² <https://www.planificacion.gob.ec/plan-de-desarrollo-para-el-nuevo-ecuador-2024-2025>.

¹⁰³ <https://www.ecuadorencifras.gob.ec/objetivos-de-desarrollo-sostenible/>.

Information relating to paragraph 68

248. The Government sent its report on follow-up to the concluding observations adopted by the Committee on the implementation of the recommendations contained in paragraphs 6 (b) and (d) (austerity measures), 18 (a) (right to be consulted and to free, prior and informed consent), and 40 (a) (protection of the family and children) on 11 November 2021.
