



Convention on the Elimination of All Forms of Discrimination against Women

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**Consideration of reports by States parties
under article 18 of the Convention on the Elimination of
All Forms of Discrimination against Women**

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

Addendum

Replies by Ecuador**

[Date received: 4 December 2014]

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* The present document is being issued without formal editing.



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Introduction

On 9 November 1981, the Ecuadorian State ratified the Convention on the Elimination of All Forms of Discrimination against Women, article 18 of which establishes the obligation of the States parties to submit periodic reports to international bodies under United Nations treaties. Accordingly, on 13 December 2012, the Ecuadorian State submitted its combined eighth and ninth periodic reports to that body,

Pursuant to article 50 of its Rules of Procedure, the Committee on the Elimination of Discrimination against Women requested further information from the Ecuadorian State on 28 July 2014.

In that context, the Ecuadorian State hereby presents its report on the “List of Observations and Questions of the Committee on the Elimination of Discrimination against Women (CEDAW) regarding the State’s Combined Eighth and Ninth Report.”

The present report was prepared and approved by an inter-agency team composed of the Council for Gender Equality, the Ministry of Justice, Human Rights and Religion and the Ministry of Foreign Affairs and Human Mobility, with additional inputs from State institutions.

Finally, this document is presented in accordance with the Guidelines on the Form and Content of Reports to be Submitted by States Parties to the International Human Rights Treaties.”

Abbreviations and acronyms

ANE	National Assembly of Ecuador
ANIG	National Gender Equality Agenda
EOC	Emergency Oral Contraceptive
BDH	Human Development Bond
BIESS	Banco del Instituto Ecuatoriana de Seguridad Social [Bank of the Ecuadorian Social Security Institute]
BNF	Banco Nacional de Fomento [National Development Bank]
CC	Constitutional Court
CEAACES	Council for Evaluation, Accreditation, and Promotion of Quality in Higher Education
CGE	Office of the Comptroller General of the State, CITN – National Technical Inter-Agency Commission for Human Rights
CNE	National Electoral Council
CNI	National Councils for Equality
CNIG	National Council for Gender Equality
CNJ	National Judicial Council
COFJ	Organic Code of the Judiciary
COIP	Organic Comprehensive Criminal Code
CONADIS	National Council for Persons with Disabilities
CONAFPS	Corporación Nacional de Finanzas Populares y Solidarias [National Corporation for Grass-Roots and Solidarity-based Finance]
CONGOPE	Consortium of Provincial Autonomous Governments of Ecuador
CONSEP	National Council of Narcotic and Psychotropic Substances
CORDICOM	National Narcotic and Psychotropic Substances Control Board
CPCCS	Citizen Participation and Social Oversight Council
CRE	Constitution of the Republic of Ecuador
DP	Office of the Ombudsperson
DPE	State Office of the Ombudsperson
EAIS	Comprehensive Health Care Team
ENIPLA-PEA	National Intersectoral Family Planning Strategy - EAP Prevention of Adolescent Pregnancy

FGE	Public Prosecution Service [Fiscalía General del Estado]
GAD's	Decentralized Autonomous Governments
IAEN	Institute of Advanced National Studies
IESS	Ecuadorian Social Security Institute
LOC	Organizational Act on Communications
LOD	Organizational Act on Disabilities
LOPC	Organizational Act on Citizen Participation
MAGAP	Ministry of Agriculture, Aquaculture and Fisheries
MAIS	Comprehensive Health Care Model
MCDS	Ministry of Social Development
MDI	Ministry of the Interior
MF	Ministry of Finance
MGP	Prison Management Model
MIDUVI	Ministry of Urban Development and Housing
MIES	Ministry of Economic and Social Inclusion
MINEDUC	Ministry of Education
MINTUR	Ministry of Tourism
MJDHC	Ministry of Justice, Human Rights and Religion
MNPT	Mechanism for the Prevention of Torture
MPL	Women in detention
MREMH	Ministry of Foreign Affairs and Human Mobility
MRL	Ministry of Labour Relations
MSP	Ministry of Health
EAP	Economically active population
PGE	Office of the Attorney General [Procuraduría General del Estado]
PNBV	National Plan for Good Living
PNEVG	National Plan for the Eradication of Gender Violence against Children, Youth and Women
PPL	Persons in detention
RESG	Higher Education and Gender Network

SENESCYT	National Secretariat for Higher Education, Science, Technology and Innovation
SENPLADES	National Secretariat for Planning and Development
SETEDIS	Technical Secretariat for Disabilities, SPAVT – Protection and Care for Victims and Witnesses System
SSC	Rural Social Security
TCE	Electoral Disputes Tribunal
UAPI	Comprehensive Expert Care Unit [Unidad de Atención en Peritaje Integral]
UNFPA	United Nations Population Fund

Issue 1: Constitutional, legislative, and institutional framework

Please indicate whether the State party has adopted legislation that defines discrimination in line with article 1 of the Convention.

The Ecuadorian State adopted a new Organic Comprehensive Criminal Code (COIP) in 2014, which legally defines discrimination on grounds of sex, gender, and sexual orientation:

“Article 176 Discrimination: “any person who, except in the cases classified as affirmative action policies, propagates, practices or encourages any distinction, restriction, exclusion or preference on grounds of nationality, ethnicity, place of birth, age, sex, gender identity or sexual orientation, cultural identity, civil status, language, religion, ideology, socio-economic condition, migratory status, disability or state of health with the aim of nullifying or impairing the recognition, enjoyment or exercise of rights on an equal basis shall be punished by a term of imprisonment of one to three years. If the offence referred to in this article is ordered or carried out by public officials, it shall be punished by a term of imprisonment of three to five years.” (See Annex I)

The COIP also characterizes hate crimes on grounds of sex, gender and/or sexual orientation:

“Article 177.- Hate crimes: persons who commit acts of physical violence or psychological hatred against one or more persons on grounds of nationality, ethnicity, place of birth, age, sex, gender identity or sexual orientation, cultural identity, civil status, language, religion, ideology, socio-economic condition, migratory status, disability or state of health or HIV carrier status shall be punished by a prison sentence of one to three years ...” (See Annex 1)

Please provide information on the current status and time frame for the adoption of the various bills passed by the Legislative Council of the National Assembly whose adoption was pending review by the Committee on Justice and the Structure of the State, namely:

Bill on rules and procedures of the National Councils for Equality:

The bill became the Organic Act of the National Councils for Equality and was published in the Second Supplement to Official Gazette No. 283 of 7 July 2014 (See Annex 2)

Bill on intercultural practice for assisted births and the bill on greater protection for families in cases of multiple births:

Both bills have been incorporated into the preliminary draft Organic Health Code currently being prepared by the State and civil society. Its primary purpose is to strengthen the regulatory role of the State under the direction of the health authority and to reconstruct the national health system around the comprehensive public health network and the comprehensive family, community and intercultural health care model.

Bill on access to social security for women:

The bill was incorporated in the COIP, article 243 of which criminalizes the failure on the part of a juristic person to be affiliated to the Ecuadorian Institute of Social Security (IESS), while article 244 establishes that it is also a breach of the law not to be affiliated to the IESS when the employee is a natural person.

Bill on combating trafficking in persons and sexual exploitation.

The bill was incorporated in the COIP, article 91 of which characterizes the crime of trafficking in persons. Article 92 establishes the punishment; article 93, the principle that a victim of trafficking shall not be punishable for an offence that is the direct result of having been trafficked; and article 94 the punishment for a juristic person committing the crime of trafficking in persons. (See ANNEX 1).

Bill on eradication of harassment and violence against women in the public arena:

As with the above-mentioned bill, this one, too, was incorporated in the COIP, article 166 of which characterizes the crime of sexual harassment. (See Annex 1)

Issue 2: Legal complaint mechanisms and access to justice

Please indicate whether the specialized bodies for the investigation and punishment of violence against women are already functioning and provide detailed information on their composition and budget (para. 24).

As regards punishment bodies, through Resolutions 057-2013 and 077-2013, entitled “Rules governing the Operations of the Judicial Units to Address Violence against Women and the Family and of the Women and the Family Police Stations” and “The Establishment of Judicial Units to Address Violence against Women and the Family in Several of the Country’s Provinces”, respectively, the Judicial Council established 30 judicial units specializing in violence against women and the family in 24 cantons located in 19 provinces. These units are run by 80 specialized judges, trained in a course organized by the Judicial Council on A Comprehensive Approach to Violence against Women and the Family, and held in June and July 2013, before the judges took up their posts and began their activities.

To render these units operational, the Judicial Council issued resolutions No. 154-2014 and No. 172-2014, entitled “Issue protocols for judicial proceedings, intervention and expert appraisal in cases of violence against women or members of their family” and “Issues rules of procedure for judicial interventions in cases and acts of violence against women or members of their family”, respectively. Those resolutions sought to standardise procedures for reaching out to victims in the cases and acts of violence against women or members of their family currently characterized in the Organic Comprehensive Criminal Code (COIP).

Once the COIP entered into force, jurisdiction was expanded for another type of judicial unit. They now cover 73% of the national territory. The data show a total of 11,897 new cases of physical violence infractions in August and September 2014. There were 68,570 new cases of physical and psychological violence between 15 July 2013 and 30 July 2014.

The reference budget for implementing these units was approximately US\$23 million.

As regards specialized investigation bodies, the Public Prosecution Service [Fiscalía General del Estado- FGE] currently has 18 units specializing in the investigation of domestic violence and sex offenses, established on the basis of analysis of the incidence of such offenses in the various provinces. Each unit has a specialized Public Prosecutor, a secretary and a Prosecutor's assistance.

The FGE also operates 21 Comprehensive Expert Appraisal Response Units (*Unidades de Atención en Peritaje Integral* - UAPI) in the following cantons: Quito (7), Cuenca (1), Guayaquil (1), Santo Domingo de Los Tsáchilas (1), Quevedo (1), Sucumbíos (1), Riobamba (1), Ambato (1), Latacunga (1), Ibarra (1), Loja (1), Esmeraldas (1), San Lorenzo (1), Quinindé (1) and Manta (1). The expert appraisal teams comprise a forensic medicine professional, a psychologist, and a social worker, as well as a Gessel (one-way mirror) dome.

With assistance from judicial bodies, the Ministry of Public Health (MSP), and the judicial police's forensic medicine department, the FGE developed the following standardized protocols for investigating violence against women:

- a. Protocol for expert forensic medical appraisals of criminal violations relating to domestic violence and sex crimes and injuries when the victim's injuries are not life-threatening.
- b. Technical Standard for DNA testing in Ecuador.
- c. Informed consent form and expert forensic psychology appraisal for children and adolescents; adults; forensic evaluation report.
- d. Protocol, informed consent form and forensic social worker's appraisal.
- e. Gessel dome rules of procedure; instructions and know-how.
- f. Protocol for the single interview with victims, conducted by a psychologist.
- g. Protocol for taking advanced testimony in the Gessel dome.

(Each Protocol is attached in Annex 3)

Citizen oversight bodies

The Ecuadorian Centre for Women's Advocacy and Action, CEPAM GUAYAQUIL looked into two judicial units specializing in Violence against Women and the Family in Guayaquil. This citizen participation exercise was conducted between September 2013 and January 2014. In the course of their daily visits, the members of these oversight bodies observed the preparation of technical specifications, matrices, interviews, and the Comprehensive Response Model as applied by the units in Valdivia (a district in the southern part of Guayaquil) and in Florida (northern Guayaquil). The interim report was presented to the Judicial Council in June 2014, and all its recommendations were incorporated into the examined and approved version of the Judicial Proceeding Protocol, Response and Expert Appraisal Model for cases of violence against women and members of their family.

Please provide information on the protocols that have been designed by the working group on women and justice (para. 64 [Tr: 65?]) and indicate to what extent they include specific measures concerning indigenous women, Afro-descendant women, Montubio women and women with disabilities.

In August 2014, the Judicial Council issued the Protocol for Judicial Proceedings, Intervention and Expert Appraisal in Cases of Violence against Women or Members of Their Family (see Annex 4), which embodies several judicial proceeding tools for implementing a specialized, public administration of justice service. These protocols were drawn up using inputs prepared in the “Women and Justice” interagency round table.

The protocol is divided into three main sections: 1) General Protocol for judicial handling of cases of violence against women or members of their family; ii) Response Protocol for the judicial units for addressing violence against women or members of their family; and iii) Intervention Protocol for Technical Management and Expert Appraisal in cases of violence against women or members of their family.

The protocol includes measures relating to indigenous women, Afro-descendant women and Montubio women because it mainstreams an intercultural and non-discriminatory approach in proceedings and in the intervention models established for each stage of the judicial units’ specialized response.

As one of several measures to enable persons with disabilities to access justice, the protocol establishes that this group shall receive preferential treatment. Moreover, the National Council for Persons with Disabilities (CONADIS) and the Ministry of Economic and Social Inclusion (MIES) signed a Framework Agreement for Inter-Agency Cooperation. Under it, the Judicial Council increased awareness among 9,177 personnel regarding the correct way of catering for persons with disabilities. In addition, a “Handbook on the Rights of Persons with Disabilities” is being developed. This handbook is designed to cover the four types of disability: sensory, physical, intellectual and mental — and to serve as training material for judiciary personnel.

Please provide specific information on court cases in which the Convention has been directly applied or invoked as a source of interpretation of the law in the State party.

The National Court of Justice and the Constitutional Court of Ecuador, the Provincial Court of Justice of Pichincha, and the Electoral Disputes Tribunal have used the CEDAW as a source of interpretation. See the attached Table (Annex 5).

Please explain whether any sanctions or penalties are imposed for acts of discrimination against women and, if they are, provide information and data on their nature and actual application.

Regarding sanctions:Physical violence against a women or members of her family is punishable with the same penalties as those established for causing injuries, increased by one third. (Article 156 of the COIP).

Psychological violence against a woman or members of her family:

1. *If minor harm is caused [...] shall be punished by a term of imprisonment of thirty to sixty days. 2. If the harm inflicted is moderate [...] shall be punished with a term of imprisonment of six months to one year. 3. If severe psychological harm is caused [...] shall be punished with a term of imprisonment of one to three years. . (Article 157 of the COIP).*

Sexual violence against a woman or members of her family circle shall be punishable with the same penalties as those established for offences against sexual and reproductive integrity. (Article 158 of the COIP).

Physical violence against a woman or members of her family resulting in disability of less than three days shall be punished with an imprisonment term of seven to thirty days (Article 159 of the COIP).

Regarding fines:

Article 70 of the COIP establishes a range of fines for crimes punished by imprisonment. For instance, in the case of femicide, for which the imprisonment term is 22 to 26 years, the fine shall be 800 to 1,000 times the daily minimum wage. In cases not involving imprisonment, the fine depends on the type of offense.

As for prosecution and conviction of perpetrators, between entry into force of the COIP and 10 October 2014, there were 432 proceedings for the offense of physical violence and 942 for psychological violence. (See Annex 6)

Please supply information on legal complaint mechanisms and legal aid provided at the local and national levels for all women, including disadvantaged groups of women, and on measures to develop capacity-building programmes for the judiciary on equality of women and men.

As regards legal complaint mechanisms, as established above, there are 30 Judicial Units to Address Violence against Women and the Family in 24 cantons in 19 Ecuadorian provinces.

In other cantons in Ecuador, where there are no judges specializing in violence against women or members of their family circle, article 231 of the Organic Code of the Judiciary (COFJ) establishes that ordinary magistrates (*jueces/zas de contravenciones*) shall hear cases of offenses involving violence against women or members of their family.

Accordingly, article 643.2 of the COIP establishes: *If the competent magistrate (juzgador) finds that the act of violence against a woman or member of her family circle of which he is cognizant constitutes an offence, he shall, without prejudice to ordering protection measures, recuse himself from continuing to hear the case and shall send the file to the public prosecutor for the start of investigations, without subject the victim of the aggression to revictimization (...)*

All the aforementioned mechanisms are free of charge under article 12 of the COFJ. Likewise, article 643.3 of the COIP establishes that *“The Office of the Ombudsperson shall be obliged to provide assistance, advice, and monitoring of the proceedings for parties unable to afford legal representation.”*

As required by article 191 of the Constitution of the Republic of Ecuador (CRE) the Office of the Ombudsperson represented 6,554 women in 2012; 8,919

women in 2013; and, so far, 9,750 women in 2014. The Office of the Ombudsperson also provided legal representation to 253 adolescents in 2012, 303 in 2013, and 236, so far, in 2014. See Annex 7).

With respect to training and education of judiciary personnel, article 86 of the COFJ establishes that they should take part in educational and training programs (...). As far as training in gender issues is concerned, the Judicial Council has an Office of the Deputy Director for Gender Issues, which is tasked with mainstreaming a gender perspective in the justice system.

Through its Judicial Academy, the Judicial Council has run an Introductory Course on a Comprehensive Approach to Violence against Women and Members of their Family Circle for 730 judges of various kinds who will hear cases involving these offenses: criminal trial judges; family, women's and juvenile judges; magistrates (*contravencionales*) and criminal guarantees judges, extending coverage to all cantons in Ecuador.

From May to June 2013, the Judicial Council and the Institute of Advanced National Studies (IAEN) conducted the Course on "A Comprehensive Approach to Violence against Women and the Family" for 81 judges chosen to work in the specialized Judicial Units. It was the equivalent of a higher education diploma course and comprised 11 theoretical and practical modules.

Through its Judicial Academy, the Judicial Council has run an Introductory Course on a Comprehensive Approach to Violence against Women and Members of their Family Circle for 730 judges of various kinds who will hear cases involving these offenses: criminal trial judges; family, women's and juvenile judges; magistrates (*contravencionales*) and criminal guarantees judges, extending coverage to all cantons in Ecuador. [TR. Paragraph repeated].

By 21 November 2014 that training will have reached:

- Judges: 730
- Public Prosecutors: 732
- Ombudspersons: 242

As of 1 December 2014, another group will receive training imparted by:

- Secretaries of the Units addressing Violence against Women or Members of their Family Circle;
- Technical teams (psychologists; physicians; and social workers) working in the judicial units;
- Technical assistants dealing with the various actions pertaining to judicial proceedings in this field.

Issue 3: National machinery for the advancement of women

Please provide information on the policies and programmes carried out by the Transition Committee of the Council for Women and Gender Equality, the status, composition, human resources and budget of the Committee and the Council and the mechanisms used by the Council to coordinate the agenda for gender equality.

Regarding the current status of the gender architecture, since the Organizational Act of the Equality Councils entered into force, the Transition Council became the Council for Gender Equality, and is undergoing institutional restructuring to adapt to changes required by the law. The National Councils for Equality (CNI) are empowered by the Constitution to draft, mainstream, observe, monitor and evaluate public policies.

With respect to the policies and programs carried out by the CNIG, the principal technical policy instrument is the National Agenda on Women and Gender Equality 2013-2017 (ANMIG), since it opens the way to implementing the constitutional mandate of equality between men and women and LGBTI persons. Formulating the ANMIG involved an inclusive process from diagnostic assessment through to the proposing of policies and guidelines originating in the demand for them expressed by a diversity of women all over the country.

The ANMIG focuses on 9 core areas: 1. Reproduction and the Sustainability of Life; 2. A life free from violence; 3. Education and knowledge; 4. Health; 5. Sports and recreation; 6. Culture, communication and art; 7. Production and employment; 8. Environment; and 9. Power and decision-making. (See Annex 8)

9 Other major activities carried out by the CNIG are listed in Annex 9.

The annual gender architecture budget for 2014 amounted to US\$1,815,572.31 and was financed as follows: National Budget (tax revenue 001), US\$1,635,308.88; and Technical Assistance and Grants (contributions from international organizations, 701), US\$180,263.43. (See Annex 10)

The institution comprises 67 people under various forms of contract: appointment to a managerial position, temporary appointment, intermittent contract, seconded with pay, and professional contract. (See Annex 10)

Information on the machinery for coordinating the Council's Agenda for Gender Equality

Consistency and coordination in planning is assured through the Constitution (CRE) and the National Plan for Good Living (PNBV) and, at the most disaggregated level of State planning, through intersectoral and sectoral planning bodies. Planning is also linked horizontally to various public strategies and agendas, while National Agendas on Equality, like the ANMIG, are incorporated and cut across all of them.

ANMIG needs to be built into the National Planning System and mainstreamed across all levels of government because it helps achieve the goals of the PNBV, the Strategies for Transforming the Matrix of Ecuador's Productive Apparatus and the Poverty Eradication Strategy (See Annex 11).

The gender mainstreaming needed to implement the ANMIG requires actions from various different spheres of government: legal and regulatory provisions, the public agenda and the actual practice of democracy (See Annex 12).

The powers assigned to the CNIG enable it to guide coordination with the functions performed by the State and the Decentralized Autonomous Governments (GAD's):

- In the Executive Branch, for the coordination and implementation of intersectoral and sectoral policies for equality at the national and territorial level, including joint definition of targets and indicators.
- In the Legislature, to generate secondary provisions enforcing constitutional mandates with respect to guarantees and enjoyment of rights.
- In the Judiciary, to implement the specialized justice systems needed to protect the holders of those rights.
- In electoral bodies, to ensure parity in appointments to public office, in electoral processes;; as well as in political parties and movements.
- In Transparency and Social Oversight, to ensure citizen empowerment, participation and oversight by strengthening the holders of rights.
- In the GAD's, to coordinate implementation of Cantonal Councils for the Protection of Rights and the Permanent Commissions on Equality and Gender.

The ANMIG was launched in 2014 and is currently being publicized through 14 provincial meetings and 1 national event, as a strategy for tying in public policies on gender equality with local public policies. To ensure implementation of the Agenda, efforts will be made to coordinate with the institutions drafting and executing public policies as well as with the agencies specializing in the protection of rights.

Please report on the number, composition and main functions of the national councils for women that are already operating at the local level.

Between 2013 and the date of this report, 96 decentralized autonomous municipal governments approved the order to establish, organize and operate the Comprehensive Rights Protection System for persons and groups designated as being of priority concern. The list of municipalities that have adopted the order can be found in Annex 13. There are no national councils at the local level.

Please provide information on the adoption of a national strategy on equality or other policy instrument aimed at promoting equality of women and men and combating discrimination against women.

Through Resolution No. CNP-001-2013, the National Planning Council established a number of government priorities, one of which was to close gaps, eradicate poverty and achieve equality. Thus, the National Plan for Good Living (PNBV) and the instruments supplementing it had to observe those priorities.

Accordingly, the PNBV 2013-2017 is the main policy instrument for promoting equality, because it is the driving force shaping planning and macro-strategy, which has very clear objectives for eradicating discrimination.

Within that coordination process, the PNBV is structured around 12 national objectives. Of those, 8 objectives, 22 policies and 44 guidelines have to do with the rights of women and LGBTI persons. Compliance with all of them is obligatory for all departments of the State and levels of government. The ANMIG rounds out those objectives. The PNBV includes a series of government obligations and responsibilities for combating the structural causes of inequalities through a variety of mechanisms. These may be regulatory or they may involve transforming institutions and integrating or coordinating public goods and services.

Issue 4: Temporary special measures

Please indicate whether any temporary special measures have been put in place to accelerate substantive equality of women and men in all areas covered by the Convention, including education, health, employment and economic and social life, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 on the subject.

Substantive equality is based on appreciation of the potential of differences in society for boosting the development of both individuals and collective entities. On the regulatory side, progress made by the Ecuadorian State includes:

- The Organizational Act of the Legislative Branch mainstreams an approach based on women's rights and gender equality by establishing the Legislative Technical Unit, the purpose of which is to facilitate the legislative process and submit a non-binding report to the specialized committees and the General Assembly on issues such as "the language used in legislation and review of non-discriminatory language" and "the gender impact of proposed legislation".
- Article 14 (Equality Approaches) of the Organic Code of Planning and Public Finances stipulates that "*coordination mechanisms shall be established for the purposes of public planning and policy making with a view to mainstreaming gender, ethnic and cultural, generational, disability and mobility perspectives.*"
- The Labour Code establishes the rights of female and male workers, maternity and paternity leave, a ban on abrupt dismissal due to maternity, and the obligation to participate in medical and social services insurance.
- The Organizational Act on Communications (LOC) of 2013 prohibits content that discriminates on grounds of gender identity, sexual orientation, and other grounds.

Based on the LOC, the Council on the Regulation and Development of Information and Communication issued the *Regulations for Assessing the Communications Project of Applicants for Radio Spectrum Frequencies to Operate Private and Community Media and Open-Signal Television Channels*. Article 3 of those Regulations establishes that one of the project assessment criteria will involve awarding 15 points if the media Project includes at least 10% of content on gender equity issues and another 15 points if the media Project undertakes to include at least 50% of women on the payroll (See Regulations, attached as Annex 14).

With respect to economic and social life, the Organizational Act on the Grass-Roots and Solidarity-Based Economy (LOEPS) contains provisions benefiting

women. For instance, article 73 defines Grass-Roots Economic Units (*Unidades Económica Populares*) as those involved in the care economy, and domestic, family and sole proprietorships. Article 74 then goes on to define those responsible for the care economy as people who devote themselves full time to reproduction and life sustainability activities (the preparation of food, human care, and so on).

Article 129 of the LOEPS also provides for affirmative action measures in favour of women, in order to reduce economic, social, ethnic, generational and gender inequalities.

Finally, other sections of this report will address measures undertaken in the fields of education, health and employment.

Please indicate the type of measures envisaged and how they will be implemented to achieve parity in the composition of the various collegiate bodies (para. 64).

Pursuant to article 55 of the Organic Act on the Council for Citizen Participation and Social Control (CPCCS), that Council is responsible for appointing the members of the National Electoral Council and Electoral Disputes Tribunal through Citizen Selection Committees. Article 56 of the same Act provides that Citizen Selection Committees will comprise an equal number of women and men, chosen by separate drawings of lots for representatives of social organizations and citizens.

For its part, article 38.4 of the Organic Act on the CPCCS grants the plenary of the CPCCS power to organize the Citizen Selection Committees and to issue the rules governing each selection process. In exercising those regulatory powers, the CPCCS has guaranteed the gender parity principle in the following regulations:

- Regulations for constituting, organizing and operating citizen committees for the selection of authorities;
- Regulations governing competitive processes for selecting and appointing new members for a partial renewal of the National Electoral Council;
- Codification of the regulations governing competitive processes for selecting and appointing members of the National Electoral Council;
- Reform and codification of the regulations governing competitive processes for selecting and appointing members of the Electoral Disputes Tribunal;
- Regulations for electing representatives of the IESS bank's retirees;
- Regulations for evaluating and appointing justices of the First Constitutional Court for the 2012-2021 term.

(To see the specific provisions in the Regulations that establish gender equity, see Annex 15)

The following results were obtained by applying the gender parity principle in the processes leading to the appointment of collegiate bodies: in the 2011-2017 National Electoral Council there are 3 male and 2 female members; in the 2012-2018 Electoral Disputes Tribunal, 3 men and 2 women members; in the 2013-2019 Judicial Council, 3 men and 2 women members.

The Judicial Council, in turn, applied the parity principle in the competitive process for appointments to the National Court of Justice.

Issue 5: Stereotypes

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

In May 2013, what was then the Transition Committee to determine the public institutional framework for guaranteeing equality between men and women, in coordination with the Ministry of Justice, Human Rights and Religions (MJDHC) and UN Women, conducted a "Seminar on Women's Human Rights" for public servants. The core issue addressed was the transformation of social and cultural patterns by eradicating gender stereotypes conducive to violence.

Likewise, in connection with the National Plan to Eradicate Violence against Children, Adolescents, and Women (PNEVG) and in coordination with the institutions involved in the Plan, the CNIG contributed a spot in the second phase of the campaign to transform social and cultural patterns called "Act now Ecuador. No more gender violence" focusing on violence against children and adolescents. For this campaign, four spots were selected, dealing with physical and sexual violence, violence in general and peer violence. This campaign was televised during the first four months of 2014. The third phase – called "Learn about it, Speak out, and Act. For an Ecuador Free from Violence against Women and Girls" – was launched in November 2014.

The Ombudsperson's Office (DPE) established combating violence and discrimination as one of the four pillars of its work. It includes discrimination based on gender and thus encompasses the objective of getting rid of stereotypes and altering social and cultural patterns that foster discrimination against women. Measures adopted by the DPE, under the powers assigned to it, fall into three categories: education and sensitization, investigation and impact on public policies and the safeguarding of rights.. With respect to the first category, a series of events were organized to promote a culture supportive of human rights; in the second, the DPE has conducted research and coordinated with people involved in the formulation of public policies; and, in the third category, among other activities, the office has conducted investigations in defence of human rights, monitored the observance of due process, and engaged in legal representation to safeguard judicial guarantees (See Annex 16).

For its part, the Communications Directorate of the Technical Secretariat for Disabilities (SETEDIS) has conducted awareness campaigns using formats that are accessible to women, men, girls, boys, adolescents, and older persons with or without disabilities, in keeping with the Convention on the Rights of Persons with Disabilities and the Organizational Act on Disabilities (LOD).

Please provide information on specific measures to combat stereotypes of and violence against women on grounds of sexual orientation.

The purpose of the Council on the Regulation and Development of Information and Communication (CORDICOM) is to hear and settle cases of violations of the right to communicate. To that end, it checks for discriminatory

content in programs and advertising broadcast by the media. In order to ensure progress toward equality and non-discrimination in the media, the members of CORDICOM include a representative designated by the National Councils for Equality, so that the subjects addressed by each of the Councils are considered, including gender issues.

CORDICOM has so far issued 5 resolutions characterizing content as discriminatory because of degrading portrayal of the female body. It also made a pronouncement on 9 September 2014, sent to all media in Ecuador, regarding the sexist and discriminatory portrayal of women in the media.

With regard to stereotypes against the LGBTI community, the Superintendency of Information and Communication, in the exercise of powers conferred on it by Article 56 of the LOC, found Centro de Radio y Televisión CRATEL C.A. Teleamazonas liable for the dissemination of content that discriminated on grounds of sexual orientation during the program entitled “La Pareja Feliz”, broadcast on January 2, 2014.

During the period from 2012 to March 2014, the MJDHC held approximately 35 workshops addressing gender and sexual orientation issues. (See Annex 17)

At the same time, as already mentioned above, the COIP characterized two new offenses: discrimination (article 176) and hate crimes (article 177). Persons of diverse sexual orientation are potential victims of these offences.

Please provide information on the measures taken by the State party to address the phenomenon of “de-homosexualization” clinics (para. 143), to which people have been confined in order to undergo “reorientation treatment”, and on any particular assessment of this phenomenon in Ecuadorian society.

To address this phenomenon, the Public Health Ministry (MSP) included a new paragraph in article 22 of the Regulations for supervising rehabilitation clinics for persons with addictions. It reads: “no one shall be compelled to undergo any form of treatment or to remain confined in a medical establishment on account of his or her sexual orientation or gender identity”.

In addition, the MSP has taken specific steps, such as issuing Ministerial Agreement 1993, which regulates the annual operating licences for rehabilitation clinics for persons with addictions or dependency on psychoactive substances, and Agreement 0767, which regulates and bans the operating of addiction clinics whose purpose is to “cure” sexual orientation or gender identity.

In 2013, as part of the team coordinating inspections of “de-homosexualization” clinics, the MSP intervened in 4 clinics: Centro Manantial (Quito), La Esperanza (El Tena), Life and Family (Quito), Volver a Vivir (Manta). Three more inspections were reported in 2014: Volver a Nacer (Chone), 12 Pasos (Cuenca), y Hogar Renacer (Cuenca). All in all, 349 people were rescued, including 50 women. As for the penalties imposed, 5 centres were temporarily closed, 19 centres were closed permanently, and 1 (“Unión y esperanza”) case was taken to court.

For its part, the Public Prosecution Service (FGE) sent a prosecutor, who is a Permanent Delegate to the National Technical Inter-Agency Commission for Human Rights (CITN), to duly investigate and prosecute the crimes committed in the course of illicit activities carried on by clandestine centres or clinics.

Raids on clandestine clinics have been conducted in the following provinces: Tungurahua (1), Cotopaxi (1), Guayas (4), Los Ríos (1), Pichincha (7), Azuay (2), Manabí (1), Napo (1), Imbabura (2) and El Oro (2). More than 30 people have been prosecuted for human rights violations, such as hate crimes, kidnapping, trafficking in persons and torture (See Annex 18).

Please also provide information on the prevalence and prevention of hate crimes against women based on gender and sexual orientation, in addition to data on prosecutions and convictions of perpetrators of such crimes.

With respect to prevention, the MSP provided training for health personnel in three workshops, held in Quito, Guayaquil and Cuenca, on how to address sexual diversity, apart from the technical and legal treatment of addictions, in order to instil a clear understanding of the differences between these two subject matters.

Penalties imposed:

Discrimination on grounds of sex, gender, or sexual orientation is punished with a term of imprisonment of between one and three years. If said offence is ordered or carried out by public officials, it shall be punished by a term of imprisonment of three to five years (article 176 of the COIP).

A hate crime on account of sex, gender, or sexual orientation is punished with a term of imprisonment of between one and three years. If the acts of violence result in personal injury the guilty party shall be punished with the prison sentence applicable to the crime of injury increased by one third, and if the acts of violence are the cause of death the punishment shall be a term of imprisonment of 20 to 26 years (article 177 of the COIP).

Femicide is punished with be a term of imprisonment of 22 to 26 years (article 141 of the COIP).

Torture inflicted with the intention of modifying gender identity or sexual orientation is punished with a term of imprisonment of 10 to 13 years (article 151 of the COIP).

Issue 6: Violence against women

Please provide information on the main challenges to prosecuting various forms of violence against women, including lesbian women, and on the existence of protocols for the judiciary, as well as on the number of prosecutions and convictions of perpetrators.

One of the pillars of the new criminal indictment system is comprehensive protection of the rights of victims of crimes. Implementing such protection poses a major challenge and required preparation of the regulations and protocols already discussed under Issue 2.

Eradicating violence of any kind is a priority for the Ecuadorian State and, for that reason, it has implemented a series of immediate response mechanisms to protect citizens and women in particular. As the policy-making body for homeland security and one of the entities involved in the Plan to eradicate gender-based violence, the Ministry of the Interior has set up:

412 Community Police Units, already up and running; 10 Community Watchdog Units, already up and running; A new crime lab with state-of-the-art technology;

A program for disseminating “most wanted” campaigns (which include individuals wanted for femicide and rape), “disappeared” campaigns, and others, that serve as crime prevention tools;

1,024,266 safety alert buttons, distributed nationwide, that create a tie between the State and citizens and play an active part in crime prevention;

Modern, state-of-the-art buildings, “ecu 911” hotlines, transfer and custody of valuables, citizen security and citizen solidarity guidelines, and so on, and implementation of the “Citizen Security and Citizen Solidarity” project.

The guide to “Citizen Security and Citizen Solidarity” was drawn up to identify problems in a district or sector and then make recommendations. Citizens, policemen and government officials from all over the country participated in the process.

100,000 guides to “Citizen Security and Citizen Solidarity” are in the process of being distributed throughout the country via each Community Police Unit (UPC) through the end of 2014, so that citizens are familiar with them. The purpose of the Guide is to provide citizens with practical and feasible solutions and help improve social relations. Its suggestions and conclusions were prompted by the community itself and by the police officers taking part in the various workshops held in different parts of the country. The guide will be used as a tool to help the police and citizens work together on pre-empting incidents, misdemeanours and offenses. In no way will it be used to turn citizens into informants or participants in police operations. On the contrary, it will make use of free time, make the most of forums bringing citizens together, and anticipate small matters that could trigger violence.

Another challenge is to actually prosecute crimes of violence against women.

The COIP establishes exceptions to ordinary procedures when it is a matter of trying domestic violence offences and femicide, thereby constituting a specific procedure:

- i. Criminal violations constituting crimes of violence against women are tried under the ordinary proceedings contemplated in article 570 of the COIP. In light of the pro-victim principle, the following special features are worth noting:

Victims are entitled to comprehensive reparation (Articles 1, 77 y 78). No jurisdictional immunity applies [no se *reconoce fuero*] in trials of domestic violence offenses (Article 404.1).

The discretionary prosecution principle [principio de oportunidad] does not apply (Article 412).

For these offenses, the action brought is always public (Article 415), which means that it is up to the Public Prosecutor to bring an action without the need for a complaint.

Certain persons who because of their profession or occupation may become aware of the deed are obliged to denounce it (Article 422).

In domestic violence cases, it is not admissible to refrain from filing a private accusation (last paragraph of article 438).

The Public Prosecutor's office must be an office specializing in domestic violence (Article 443.4). If there are no investigatory units, reports by health professionals and private professionals accredited with the Judicial Council may be used (Article 450).

The equal opportunities principle shall be observed with respect to evidence (Article 454.7).

To obtain samples from examinations of victims of sexual violence, proper measures shall be taken based on their age and gender (463.2)

Medical and corporal examination of the victim, and/or aggressor is allowed if several rules designed to protect their rights and dignity are followed (Art.- 465).

It is forbidden to intercept, record and transcribe communications violating the rights of children and young people whenever there is a risk of revictimization (Article 476.9).

Raids may be carried out without a warrant in order to protect a victim (480.6)

In cases of domestic violence, a spouse, intimate partner, relatives and others may be summoned to testify (Article 502.4).

If those testifying are at risk, they may apply for protection under the victims and witnesses protection system (Article 502.9).

They may take part in videoconferences (Article 502.10).

Special arrangements for hearing the version or testimony of children and young people, persons with disabilities, and the elderly (Article 504).

Rules for testimony taking testimony from the victim (Article 510), above all to avoid revictimization.

When house arrest is ordered, the aggressor may not comply with that order at the address of the victim (Article 537).

Bail is not allowed (Article 544.4).

Immediate ordering of protection measures for both crimes and misdemeanours (Article 558).

Hearings are conducted in private (Article 562).

The investigation is always confidential (Article 584).

Conditional suspended sentences are not allowed (Article 630).

Fast-track proceedings are allowed (Article 635).

Combining all stages of a trial into a single hearing (procedimiento directo) is not allowed (Article 640.2).

Reconciliation (pre-trial settlement) is not allowed (Article 663)

- ii. Criminal violations amounting to minor domestic violence offences shall be processed using the fast-track procedure provided for in Article 643 of the COIP.

Please indicate the number of shelters for women who are victims of violence, their locations and the budget allocated thereto, in addition to the major difficulties in their functioning.

There are five shelters for women who are victims of violence, located in Azuay, Sucumbíos, Pichincha, Orellana and Guayas. There are also 15 care centres, located in Azuay (2), Cañar, Chimborazo, Cotopaxi, Bolívar, El Oro, Guayas (3), Esmeraldas, Loja, Manabí (2), Santo Domingo de Los Tsáchilas and Pichincha.

Originally, the plan was to cater to 63,400 users by 2014. In fact, in 2013 these centres managed to cater to 71,917 users and the plan is now to reach more than 131,667 beneficiaries by 2015. These data point to the enormous social impact of the project and effective implementation of the policies to combat violence against women.

The Ministry of Justice, Human Rights and Religious Affairs (MJDHC) is executing the project with a budget of US\$2,000,000, and has been granted approval by the Ministry of Social Development Coordination and backing from SENPLADES for expansion of the Project in 2015, with a budget of US\$3,102,149. Thanks to that expansion, the Project will attain its goals of 9 shelters and 18 Care Centres. The total amount spent on the Project will then be US\$10,639,637.68.

(For a breakdown of the budget for each shelter and care centre and the agreements signed, see Annex 19)

Please clarify the scope and implementation of administrative settlement mechanisms as alternatives to judicial proceedings in cases of violence against women, children and adolescents (para. 93).

Through its Specialized Special Protection Services (SEPE), the Ministry of Economic and Social Inclusion (MIES) provides care for women victims of domestic violence, and hears about and refers cases of violation of the rights of women, children and adolescents. SEPE has 55 offices nationwide, 40 in the MIES districts and 15 in district offices. The former are staffed with a team of two social workers, two psychologists, and one risk assessment specialist. In the 15 district offices, the team consists of one social worker and one psychologist. In 2013, SEPE handled 10,436 cases and in January through August 2014 another 8,080 cases. The most common cases involve sexual violence and harassment and domestic violence. They are referred to the judiciary and do not therefore involve administrative settlement mechanisms.

It is to be noted in this connection that the 23rd repealing provision of the COIP abolishes the jurisdictional and competence-related elements derived from application of the Law on Violence against Women and the Family, so that “(...) without prejudice to jurisdictional powers recognized in the Constitution, no authority in other departments of the State may perform administration of ordinary

justice functions (...).” Thus the COIP does not provide for administrative settlement mechanisms as alternatives to judicial proceedings.

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

The Comprehensive Organic Criminal Code (COIP) was adopted by the National Assembly on 28 January 2014 and entered into force on 10 August 2014. It includes the crime of femicide and its aggravating factors:

Article 141 Femicide: *Anyone who, as a result of power relations manifested in any form of violence, kills a woman because she is a woman or on grounds of gender shall be punished by a term of imprisonment of 22 to 26 years.”*

Article 142.- Aggravating circumstances in cases of femicide.- *Whenever one or more of the following circumstances apply, the maximum penalty provided for in the foregoing article shall be imposed: 1. An attempt was made to establish or restore an intimate partner relationship with the victim; 2. The following types of relationship existed or once existed between the perpetrator and the victim: family, conjugal, marital cohabitation, intimate partner, engagement, friendship, companionship, workplace or school-related ties or any other relationship involving trust, subordination or superiority; 3. If the crime is committed in front of the children or any other family member of the victim; 4. The body of the victim is exposed or tossed out in a public space.*

For a number of crimes, the COIP establishes as additional aggravating circumstances the fact that the victim is under 18 years or over 65 years of age, is pregnant or disabled, or suffering from a life-threatening illness. Crimes to which these considerations apply include sexual harassment, sexual abuse, rape, and sexual violence-related offences.

As regards remedies, article 77 of the COIP provides for comprehensive reparation for victims, meaning restitution, rehabilitation, compensation for material and immaterial losses, apology or symbolic measures, and guarantees of non-repetition. (Article 78 of the COIP).

Issue 7: Trafficking in women.

Please provide information on whether the country is considered a country of origin, transit or destination of trafficking in women and girls.

Ecuador is a country of origin, transit and destination of trafficking in persons. Trafficking in persons is a transnational organized crime. However, it also happens within the country, where indeed most instances [involving Ecuador] have occurred [Tr: Spanish is unclear].

Please indicate the measures taken by the State party to prevent trafficking and whether there are early warning mechanisms concerning women at risk.

To prevent trafficking in persons, the Inter-Agency Commission of the National Plan to Combat Human Trafficking, Smuggling of Migrants, Sexual

Exploitation, Labour Exploitation, Prostitution, Pornography and Other Forms of Exploitation of Women and Children and the Corruption of Minors has used its operational prevention platform to carry out the following activities: a) Training courses for government officials working in this field, as well as police officers and public prosecutors; b) sensitization of citizens through information fairs and social networks (Facebook and Twitter); c) billboards at the Quito airport; d) conclusion of bilateral agreements with Colombia and Peru to prevent and investigate this offence and protect victims. In addition, the Ministry of Tourism (MINTUR) is committed to preventing the sexual exploitation of children and adolescents and to that end regulates and oversees tourist activities and disseminates, promotes and encourages best practices to prevent the crime being committed in tourist activities.

At the same time, the International Co-Responsibility objective in the 2013-2017 National Equality for Human Mobility Agenda has established a policy of preventing and punishing any practice relating to trafficking in persons and smuggling of migrants, and of guaranteeing restitution and comprehensive reparation of the rights of the victims of these crimes.

As for early warning mechanisms, binational operations have been conducted with Colombia and Peru to dismantle networks. In addition, the Office of the Ombudsperson has conducted a survey of cases involving people engaging in human mobility.

Please provide information on assessments relating to the National Plan for the Prevention and Punishment of Trafficking in Persons and Comprehensive Protection for Victims and on the challenges in combating trafficking in connection with the various forms of exploitation, such as pornography and prostitution. Please indicate the current status of the process to update the National Plan, specifying its goals and the measures envisaged.

In this regard, the Ecuadorian State has evaluated the effectiveness of actions undertaken under the National Plan to Combat Human Trafficking. Thus, in 2009, some difficulties and shortcomings were detected and it became clear that the Plan needed updating. One of the principal difficulties encountered was the fact that the Plan adopted in 2006 focused on numerous and complex issues (human trafficking; the smuggling of migrants, sexual and labour exploitation, child pornography, corruption of minors, and so on), which precluded specialized, in depth attention to each of the offences. One limitation with respect to the trafficking issue was the fact that the Plan focused essentially on trafficking for sexual exploitation purposes, while other variants of this crime were left out. To overcome these problems, it was decided to adopt specific working agendas.

In 2010 a Committee was formed, composed of representatives of the National Secretariat for Migrants (SENAMI), the Ombudsperson's Office, the National Council for Children and Adolescents (CNNA), the Transition Commission to the Council on Gender Equity, the Judicial Council (CJ) and the Public Prosecution Service (FGE). The Committee took the decision to begin the process of reformulating the Plan and focusing in it exclusively on the trafficking in persons issue, given the complexity and special nature of this offence.

To ensure the availability of resources for this Plan and for the activities envisaged in the 2011-2013 Agenda, an investment project was prepared and

presented, and then approved by the National Secretariat for Planning (SENPLADES).

As of 2012, responsibility for trafficking in persons policies shifted to the Ministry of the Interior, via the Office of the Undersecretary for Democratic Guarantees. A Unit to Combat Trafficking in Persons and the Smuggling of Migrants was established. It constitutes a unit specializing in these offences and charged with coordinating the Ministry of the Interior's own jurisdictions and objectives.

In addition, new regulations were issued for the sectional entities (COOTAD), which assigned them concurrent sphere of competence for preparing a system to protect groups requiring priority attention. Consequently, the sectional entities are issuing municipal ordinances for implementing efforts to combat trafficking in persons at the section level.

Please provide more detailed information concerning prosecutions and convictions of perpetrators in cases of trafficking and on the challenges faced by victims in gaining access to justice.

With respect to the processes involved, Ecuador has a multisectoral protocol for comprehensive assistance and protection for victims of trafficking and an Inter-Agency Follow-Up Committee to see that victims and their family members have their rights restored and receive effective and comprehensive reparation.

As for information concerning prosecutions and convictions of perpetrators in cases of trafficking, in 2013 and between January and May 2014, the FGE obtained 13 indictments, 18 summons to court, and 11 convictions. In addition, two transnational trafficking cases were taken to court. (See Annex 20).

The main challenges in relation to victims' access to justice are: eliminating discriminatory stereotypes in general; amending the criteria used by justice system operators to request admission to the Victims and Witnesses Protect System; training justice system operations so that they can enhance their knowledge of trafficking in persons and above all characterize the type of offence.

Issue 8: Participation in political and public life

Please provide information on policy measures to implement the constitutional provisions on parity, in particular in relation to the single-member/uninominal voting system, and on mechanisms to promote parity on the lists of candidates for local elections.

The Organization Act on Elections and Political Organizations (Democracy Code) recognizes the principle of gender parity and rotation between men and women in electoral processes involving several candidates (*procesos de elección pluripersonales*). Provision has been made for an affirmative action, whereby if there is a tie between a man and woman for the last seat, the woman is to be declared elected.

In November 2012, the National Electoral Council established the Inclusion Commission and tasked it with generating inputs that would enable it to adopt the measures needed to guarantee gender equality. Concrete steps taken since its establishment include the project to research and analyse the results obtained at the

various stages of the 2012-2013 electoral cycle for national officials and the 2013-2014 electoral process for local officials. (Annex 21, Gender Indicators in the 2013 Elections; and Political Participation Indicators in the 2014 Elections).

The National Electoral Council (CNE) saw to it that, in both the 2013 general elections and in the 2014 sectional elections, the multi-candidate lists met rotation and gender parity requirements. In the most recent electoral process, 11,863 female principal candidates registered, along with 15,245 female alternate candidates, that is to say, they accounted for 43.8% and 41% of all candidates registered to take part in the elections. Of those female candidates, 1,444 were elected, indicating significant participation by women in electoral processes.

Women's representation in the National Assembly is currently 40% and women hold the three highest positions in the Assembly (the President and two Vice Presidents).

With respect to uninominal ballots, there is a disparity between men and women elected for the top positions in the decentralized autonomous governments (prefectures and mayoralties).

Please also provide information on measures, including temporary special measures, to promote women's political participation and leadership.

Measures to promote women's political participation:

Article 3 of the Democracy Code establishes that: *"the State shall promote gender parity in elected or appointed public office, in its executive and decision-making institutions and in political parties and movements. The names of men and women candidates included in electoral lists shall appear alternately and sequentially"*.

Article 7 of the Regulations governing the Registration and Qualification of Candidates for Election by the People provides that multiperson lists, for both principal and alternate candidates, must observe parity, with men and women listed alternately and sequentially.

The Regulations governing the Registration of Political Parties and Movements and the Registration of Officers/Executives stipulate that executive and decision-making positions must be shared equally between men and women as a requirement for registration.

The 2013-2014 Electoral Promotion Regulations stipulate that the contents of electoral propaganda must stress parity and gender equity, popular participation, and ideological pluralism.

The Citizen Participation and Social Oversight Commission (CPCCS) supported the project: "Quantitative Parity in Ecuador's 2014 Sectional Elections," which boosts the democratic system by expanding women's say, their leadership and their participation in politics. During the second stage of the project, in May 2013, several workshops were held, focusing on the local context with a view to promoting points of consensus and encouraging activism and highlighting the agenda generated in the workshops on the local electoral scenario. They culminated in September 2013 in the presentation of the "Ecuadorian Women's Political Agenda from a Local Perspective," which seeks to narrow gender gaps in the decentralized autonomous governments.

Mechanisms to promote women's leadership

The CPCCS has been setting up "Citizen Training and Information and Experience-sharing Schools" since 2013, with a view to empowering citizens to exercise their participation rights and use the mechanisms contemplated in the Organizational Act of Citizen Participation. Twenty-six schools started up in 2013 and another 30 in 2014, in different parts of the country, with 899 people participating in the first stage and 716 in the second stage in 2014. 51% of the participants were women.

These schools addressed 8 core topics (modules), one of which was gender, focusing on three major aspects: Sex and Gender, Equity and a Gender Perspective, Gender and Citizen Participation.

The CPCCS has also organized training courses in "accountability", bearing in mind that the more citizens know about this social oversight mechanism, the more likely they are to demand that authorities at the different levels of government account for their actions. The beneficiaries of the above activities were 1,911 men and 1,481 women. (See Annex 22)

In addition, as of August 2013, the CPCCS ran courses on participation rights for 3,640 men and 3,275 women. (See Annex 22)

The CPCCS has also trained citizens in the art of forming Citizen Assemblies. By August 2013, 4,212 men and 3,261 women had received such training. (See Annex 22)

Please also provide updated information on the representation of women in the foreign service and indicate the number of women who have been appointed as ambassadors.

Concerning the representation of women in the foreign service, in 2014 there were 221 women in the foreign service, including 16 ambassadors and 25 ministers.

Issue 9: Education

Please provide information on the mechanisms in place to ensure access to education for women and girls living in rural areas, in particular women belonging to ethnic groups, and on measures to promote the enrolment of women in tertiary education and their choice of careers in non-traditional areas.

Ecuador's 2006-2015 Ten-Year Education Plan aims to reduce the discrepancies in access to education between rural and urban areas. In the process, quality education coverage has been increased in both urban and rural areas. Thanks to that Plan, educational policies have had a beneficial impact on narrowing the educational divide in all sectors, with rural areas perhaps benefiting the most.

Implementation of the Plan has lowered differences between net attendance rates, so that in 2013 the rate for rural areas was 94.7%, compared to the urban rate of 97%. Compared to 2004, the net school attendance rate in rural areas has increased by 10 percentage points (See Annex 23). In addition, by 2013, the net attendance rate for general basic education [by gender] increased 6.6 percentage points to 95.8%, from 89.2% in 2004.

The implementation of three educational schemes under the Literacy with a Cultural Perspective Project, which allows for greater flexibility in both learning and teaching, has benefited women pertaining to ethnic groups, because they employ local human resources, appropriate teaching materials, and local languages reflecting local customs and nationalities. Furthermore, the project incorporates a gender perspective that allows participants of both sexes to continue their education. Of all the women taking part in literacy courses, 153,253 are racially mixed (mestizas), and 45,086 pertain to indigenous peoples and nationalities and are taught in their mother tongue.

To promote the enrolment of women in post-secondary education, Article 31 of the 2014 Regulations governing the Career Service and Promotion Prospects for Teachers in Higher Education provides for affirmative actions to ensure that women enjoy equal opportunities. Likewise, the 2010 Organizational Act on Higher Education established the principle of co-government, understood as shared management of universities and technical colleges by teachers, students, employees and workers, based on the principles of quality, equal opportunities, rotation, and gender equity and equality.

Finally, regarding women's access to careers in non-traditional fields, the Secretariat of Higher Education, Science, Technology and Innovation (SENESCYT) is fostering the "Strengthening Knowledge and Human Talent - Scholarships" project, which has been offering third- and fourth-level scholarship programs for Ecuadorians living in or outside the country. By the end of 2013, 4,411 men and women had been awarded scholarships and 102 received grants. (Annex 25)

According to data published by the National Institute of Statistics and Censuses (INEC) are now found in once predominantly male positions and professions. In 2001, only 64 women had university degrees in physics. By 2010, the number had risen to 1,125 women. Moreover, many women prefer scientific and intellectual professions: 53.3% of such professionals are women.

Please provide data disaggregated by sex, age, geographical location and ethnicity on the dropout rates at all levels of education, in particular in rural areas, and information on the inclusion of sexual and reproductive health and rights in the regular school curriculum, targeting adolescent girls and boys, including in vocational training schools.

Regarding dropout data for all levels of education nationwide, the overall dropout rate is 4.2% (female, 2.0%; male 2.3%). Most of the dropout in rural areas is at the early childhood and basic education levels; at the high school level is average [proportional to the number of pupils]. The data broken down by level of education can be found attached as an annex:

The percentage breakdown by level, area, and gender (Annex 26). The percentage breakdown by province, level, area, and gender (Annex 27)

As for the inclusion of sexual and reproductive health and rights in the regular school curriculum, Ecuador is implementing the National Intersectoral Strategy for Family Planning and the Prevention of Adolescent Pregnancies (ENIPLA – PEA). The chief objective pursued by this strategy is to lower adolescent pregnancy and infant and maternal mortality rates and provide access to education in sexuality and to effective and cost-free sexual and reproductive health services; and to do so from

rights- and gender-based, intergenerational and intercultural perspectives. The methodologies used to address teachers and students are designed to be both fun and educational, involving participatory exercises, roving courses, theatre discussions, photo stories, roadmaps and protocols, courses on initial approaches to and prevention of sexual violence in an educational setting (Annex 28).

Educational and communication-oriented materials were also handed out for activities geared to preventing adolescent pregnancy and gender violence in connection with the institutionalization of Comprehensive Sex Education in 2013. Those activities reached 5,314,440 beneficiaries.

Please provide information on prosecutions and convictions of perpetrators of sexual violence in the education system and on disciplinary measures taken against persons who have been found responsible in cases of sexual harassment.

The National Plan to Eradicate Sex Crimes in Schools was adopted in 2011 and envisages actions to be jointly undertaken by the entire educational community. In that context, a Tripartite Agreement was signed by the MINEDUC, the FGE and the CJ to make it possible to punish teachers and officials who are denounced under both criminal and administrative law.

In 2013-2014, as part of that process, the authorities conducted an awareness campaign in Ecuador's educational establishments, under the slogan "No more victims! Education without sexual violence", for students and parents all over the country. Intervention protocols were also adopted for professionals at all levels of educational institutions and in administrative decision-making bodies at the district and zone levels. (See Annex 29)

Please indicate whether any mechanisms have been implemented in schools to facilitate complaints by girls who are victims of sexual violence

Concerning mechanisms implemented in schools, article 3 of the Regulations on Sexual Offences in Education establishes the rights of victims of sexual offences in education and the procedures and mechanisms to be followed by teachers, technical and administrative staff, the authorities and other members of the educational community in all kinds of educational institutions and centres with regard to addressing and dealing with sexual offenses in the educational system and safeguarding the rights of victims.

In that context, between 2012 and 2014, the Initial Approach to and Prevention of Sexual Violence in Education courses were conducted and trained 24,000 teachers in: their role as guarantors of rights given the prevalence of sexual violence against children and adolescents; the factors playing a part in sexual violence in the student population; and the legal framework. The courses identified the agencies lending support (in health, education, and the judiciary) and comprehensive protection for victims of sexual violence in each locality and participants were given specific tools for preventing and detecting sexual violence and providing guidelines for the educational community.

Workshops were also held to impart knowledge about roadmaps and response protocols in cases of violence in an educational setting. They were attended by 5,198 adolescents, 4,385 teachers, 3,452 parents, and 68 administrative staff. It is

worth stressing that the outcomes of these efforts were clarity as to how to act in cases of sexual violence in schools, increased sensitivity, and appropriate support.

Issue 10: Employment

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

The 2010 Organizational Act on Public Service guarantees male-female parity in appointment and nomination positions in public service selection and recruitment procedures.

Through September 2014, SETEDIS had identified 180,595 women with disabilities. As regards access to employment and the economic sector, 40% of productive enterprises were headed by women. According to the Ministry of Labour Relations, out of a total of 78,577 persons with disabilities in the workforce, 24,484 are women.

Please provide information on the measures in place to prevent discrimination against lesbian women in employment.

The Ecuadorian State has established the Intersectoral Commission to Follow Up on the Presidential Commitment to Comprehensive Policies for Including and Restoring the Rights of the LGBTI Population. Made up of the MIES, MJDHC, MRL, MDI, MSP, MINEDUC, the Ministry Coordinating Social Development (MCDS), SENPLADES, CNIG and the Ombudsperson's Office (DPE), with technical support from the United Nations High Commissioner for Human Rights, the Commission is tasked with developing a comprehensive public policy proposal on this matter.

The core priority areas to be addressed in the proposal are health, education, labour, social security, housing, justice, security, equality and non-discrimination, the idea being to draw on strategies and actions in each of these sectors to be used in implementing the public policy. The Commission had until December 2014 to craft the comprehensive public policies proposal.

In November 2014, the President of the Republic presented some amendments to the Labour Code, including a rule that in the event of a person being dismissed due to discrimination against his or her sexual orientation, an additional year's salary shall be paid in addition to the already regulated compensation for abrupt dismissal.

Please provide disaggregated information on access by women to social security in the private and public sectors and on the measures envisaged to ensure access by women to social security schemes.

With regard to women's access to social security, the data show that women continue to account for 40% of all participants in social security scheme. Of Ecuadorian women living abroad, between 2010 and 2014, on average 57% were affiliated to a social security scheme. Furthermore, between 2005 and 2013, the

number of women affiliated increased by, on average, 9% a year. Abroad, the number of women affiliated grew by 183% between 2010 and 2014. (Annex 30)

With respect to participation in the IESS' General Compulsory Insurance scheme, between 2005 and 2014, on average 73% of women in the private and non-profit ("voluntario") sectors were insured, compared to 26% in the public sector. As for growth in the number of insured women by sector, in the aforementioned period, the figures for the private, non-profit and public sectors were 9%, 7% and 6%, respectively.

In the tenant farmer/farmhand and artisanal fisheries sectors, where there are comprehensive health, disability, old age, invalidity and life insurance programs, on the one hand, women heads of household insured under the Rural Social Security (SSC) scheme between 2005 and 2014 accounted, on average, for 20% of all SSC insureds. The number of [insured] women heads of household grew on average by 19% a year in the same period, with affiliations peaking at 68% in 2012.

At the same time, with respect to health insurance coverage of female dependents of heads of household affiliated to the SSC, those dependents accounted, on average, between 2005 and 2014, for 61% of all those covered by the SSC's comprehensive health programs. In that period, coverage for girls and women grew, on average, by 7% a year, with 2008 being the year when SSC coverage of dependent family members grew most (11%). (Annex 30).

Please provide detailed information on plans to address the lack of social security coverage in the State party.

With respect to plans to guarantee women access to social security schemes, the COIP specifically refers to offenses against the right to work and social security and imposes penalties ranging from fines to terms of imprisonment when an employer fails to register an employee with the IESS or illegally withholds contributions.

In addition, the IESS is meeting targets set in the 2013-2017 PNBV in relation to expansion of social security coverage in Ecuador. The first such target is to increase the share of the Economically Active Population (EAP) insured under the contributory social security scheme to 60% by 2017. The second is to increase the share of the rural EAP covered by contributory social security to 50% by 2017.

Issue 11: Health

Please provide information on measures in place to reduce maternal mortality, especially with regard to women's reproductive health, including the prevention of unsafe abortion.

In May 2013, the MSP's National First-Level Care Directorate constructed a matrix with guidelines based on the Comprehensive Health Care Model (MAIS) and ordered a survey of all pregnant women in first-level care establishments. Almost all (95%) of the information was compiled by December 2013, with a view to improving the performance of health professionals and familiarizing them with ways to reduce maternal mortality.

Reducing maternal mortality in first-level health care establishments has been a priority since July 2014 and risk is now assessed on the basis of the census findings, so that any cases requiring it are referred to the second level. In this way, the Comprehensive Health Care Team (EAIS) is able to implement the maternal mortality strategy and the communications plan, while ensuring that vital medicines are available.

To boost Ecuador's specialized human resources, the country has signed an agreement with Cuba, which ensures the participation of Cuban health professionals along with the implementation of a postgraduate program in family medicine and primary health care training for technical staff. As for coverage, new first-level health care establishments have been built to high quality standards with a view to providing humane and high-quality comprehensive and integrated care.

In order to identify the social and cultural determinants that play a part in maternal mortality and to generate evidence for the formulation of public policies that can help to reduce it, the MSP is preparing a Practical Guide to Promoting Health and Equality to address the maternal mortality issue. It is being written for health and equality promoters in every zone and district, who sit on local committees looking into maternal mortality cases.

Please provide information on the process and conditions for women to gain access to legal abortion in the State party, including on the procedures in case of incomplete abortions.

Regarding the process and conditions for women to gain access to legal abortion, in 2013 the MSP prepared Clinical Practice Guidelines for diagnosing and treating miscarriages and recurrent, incomplete and missed abortions, with instruments that make it possible to offer women better quality service, given that unsafe abortions constitute a serious public health problem. (See Annex 31)

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

The chief objective pursued by ENIPLA-PEA strategy -- a flagship project organized and promoted by the MSP, MINEDUC, MIES, and the MCDS -- is to lower adolescent pregnancy and infant and maternal mortality rates and provide access to education in sexuality and to effective and cost-free sexual and reproductive health services; and to do so from rights- and gender-based, intergenerational and intercultural perspectives.

The MSP is working to ensure access to comprehensive health care services and prioritizing sexual and reproductive health. In March 2013, it issued the "Regulations governing access to contraceptive methods in the National Health System," which are mandatory for the National Health System, so that all health teams provide full information and counselling regarding contraceptive methods, family planning, contraception, Emergency Oral Contraception (EOC), the prevention of sexually transmitted diseases, including HIV/AIDS, sexual health, and preventing adolescent and unplanned pregnancies. Access to such information and advice is to be considered a right that is recognized and accepted.

Measures implemented include training for health professionals in 9 zones of the country and for adolescents and young people (340 trainers of health

professionals, 4,214 health professionals, and 271 adolescents and young people). Another measure is the equipping of all MSP units with the wherewithal for at least 5 modern contraceptive methods (condoms, birth control implants, IUDs, pills containing a combination of hormonal drugs, and EOCs) and the installation of male and female condom dispensers in MSP units (2,110) and the public health network (80) for distribution free of charge.

It is worth mentioning the steadily growing role of EOCs in the reduction of unplanned and adolescent pregnancies. In 2010, 20,659 EOCs were handed out, and in 2011, 2012 and 2013 the numbers increased to 28,011, 84,247 and 123,504 units, respectively.

Since October 2012, the MINEDUC has been carrying out a series of programmes in educational institutions and with the community. Strategies have been proposed for working with students, authorities, teachers, administrative personnel, and parents on topics relating to sexuality as an integral part of life and sexual and reproductive health.

Role play-based methodologies used to teach sexuality as an integral part of life include, above all, peer work, confronting difficulties, and analysis of social stereotypes. These approaches have enabled participants to question their own experiences as well as certain cultural patterns embedded in society that have often not been debated. (See Annex 28).

As regards efforts to prevent catastrophic diseases like HIV/AIDS, in connection with the 2007-2015 National Multisectoral Strategic Plan to Respond to HIV/AIDS, the authorities published the Comprehensive Care Guide to Prevent and Control of Mother-to-Child transmission of HIV and Congenital Syphilis. Antiretroviral treatment is provided free of charge to all persons living with HIV/AIDS. Pregnant women are monitored up to the time they deliver and breast milk substitute formulas are provided for babies up to 18 months of age, when they are screened as part of the effort to prevent mother-to-child transmission.

The MSP has 32 clinics providing comprehensive care for patients with HIV, including persons of diverse sexual orientation and gender identity, male and female. There are also HIV units providing comprehensive health care to boys and girls less than 12 years of age.

As part of programmes specifically tailored to women in vulnerable situations, meetings have been held between various directorates in the MSP (the National Directorate for Human Rights, Gender and Inclusion; the National First Level of Care Directorate; the National HIV/AIDS Strategy; and ENIPLA-PEA), the sex workers network, and the United Nations Population Fund (UNFPA) to establish roadmaps for providing health care to sex workers, without discrimination, in health units.

Issue 12: Rural women

The report lists a series of programmes aimed at promoting the economic participation of women, mainly through the provision of credits and grants to women's projects. Please elaborate on the content of the programmes and provide disaggregated data on the coverage of the allocations for young women and women living in rural areas, including women belonging to ethnic groups, as well as on the results of the programmes.

According to the Vice Ministry of Aquaculture and Fisheries of the Ministry of Agriculture, Aquaculture and Fisheries (MAGAP), Ministerial Agreement No. 610 was issued in November 2012, containing Instructions for the Sectoral Production Council regarding Transfers of Public Funds to Persons governed by Private Law. Article 2 thereof states that grants may be given to associations accredited with the MAGAP and individuals directly engaged in agriculture, aquaculture and fisheries and pertaining to the low-income small producer productive segment: in other words all fishermen and women in the fisheries sector in coastal regions and the Galápagos. (See Annex 32)

According to the Vice Ministry of Aquaculture and Fisheries, the undersecretaryships in each area have executed several projects under the Participatory, Technological Innovation and Agricultural Productivity Programme, the National Sustainable Livestock Project and the National Forestry Project, respectively, all of which have SENPLADES approval. Several rural area development projects were carried out between 2009 and 2013 (Annex 33). One of the most important was a project to improve small farm irrigation techniques (Annex 34), which is still being executed and widely promoted.

Likewise, participation mechanisms have been implemented to enable citizens to take part in the formulation of plans and policies, as can be seen at public events, such as inclusive fairs, socialization and training workshops, and the registration and accreditation of beneficiaries in each of the Provincial Agricultural Directorates with which these activities have been jointly carried out. (See Annex 35)

At the same time the Office responsible for Overall Coordination of Planning at the MAGAP considers that part of its job is to budget for activities undertaken with a human rights and gender perspective.

It does so using expenditure guidelines classifiers that take into account article 14 of the Organic Code of Planning and Public Finances, which establishes that “*coordination mechanisms shall be established for the purposes of public planning and policy making with a view to mainstreaming gender, ethnic and cultural, generational, disability and mobility perspectives. In addition, such approaches will be built into public action choices in order to reduce socio-economic disparities and guarantee rights.*”

Plans will be made to apply gender-sensitive budget methodologies to improve the instruments used to plan, execute and monitor investment programmes and/or projects within the MAGAP.

In addition, the MAGAP's Office for Overall Coordination of Marketing Networks has worked to strengthen and/or establish alternative marketing circuits, in which women make up a majority, so that the direct sale of farm produce in short circuits increases women's incomes. In most cases it encourages a diversity of

crops, thereby strengthening the provision of food to households: in other words, narrowing food security gaps. Thus, according to the MAGAP, between May and August 2014, 548 farmers were incorporated into alternative marketing circuits nationwide. Over half (288) are women.

As for funding, equipment has been provided under other investment projects currently under way, which also receive funding. In several of the organizations with which the MAGAP has been working, such as RESASAK in Pichincha, a majority of the managers are women. This particular organization produces a monthly basket of agroecological products for direct sale.

Please provide information on the participation of women in decision-making processes and on the access of indigenous and Afro-Ecuadorian women to economic and social benefits. Please state the impact on women's rights of megaprojects for the exploitation of natural resources, in particular those relating to water, mining and petroleum.

Women's participation in decision-making processes

Pursuant to article 56 of the Organizational Act of Citizen Participation, Local Citizens' Assemblies are forums for public discussion organized by citizens in order to strengthen their collective capacity to interact with the authorities and, in that way, have a say in public administration. The composition of these Assemblies has to reflect gender equity. They are one of the mainstays of public administration in which women figure prominently. Thus:

In 16 provinces there are 136 Citizens' Assemblies comprising 7,068 people, including 3,302 women (42%). 38 assemblies have women presidents.

Of the 1,182 people holding executive positions in the Assembly, 475 are women (40.19%).

In short, on average, women's participation in the Assemblies is roughly 40%.

As of 2011, the Office of the National Deputy Director for Promoting Participation has included in its Annual Work Plan a target of conducting public discussion meetings between the authorities and ordinary citizens on matters of social interest in every province in the country. In 2014, up to the date of this report, 22 such events had been held, with women's participation averaging 45% nationwide. (See Annex 36)

Indigenous and Afro-Ecuadorian women's access to economic and social benefits

The CPCCS has conducted workshop attended by 1,100 women from indigenous communities. They were aimed at strengthening their organizations and promoting women's participation in the political sphere. The breakdown was as follows: in the province of Pichincha –Quito, 800 women took part in 2013; in the province of Oro –Machala, 100 women took part in 2012; and in the province of Chimborazo –Riobamba, 200 women took part in workshops in 2013.

The CPCCS established a Citizen Training School with a gender perspective in the province of Azuay. This forum triggered a process of reflection and education geared to promoting civic participation by women, highlighting the importance and role of women in rural areas, and contributing to the process of training young

women in matters relating to gender, development and participation, through personal and collective empowerment to work with fellow citizens in their sector.

As regards economic benefits, pursuant to article 7 of the Organizational Act of the CPCCS, that entity is responsible for establishing and regulating financial support mechanisms in the form of grants or non-reimbursable loans, to social organizations that win a bidding process for such funds. These tenders began in 2013 and are expected to continue to 2017.

In the first tender, in 2013, the Programme supported citizen initiatives for strengthening the social participation and organization of women in rural areas of Ecuador. The CPCCS granted US\$10,000.00 through bidding processes to the 13 best projects directed at women, with special emphasis on the indigenous, Afro-descendant and Montubio population. For the benefits of this programme, please see Annex 37.

Other data show us that rural women account for 49.45% of the national total, with 40.2% living on farms of less than 1 hectare. As for micro credit, 26% of it goes to women, 74% to men. In the specific case of the development fund, 18% of the credit goes to women, 82% to men. With respect to human development loans, 66% of the credit goes to women, 24% [Tr. sic] to men.

According to the National Corporation for Grass-Roots and Solidarity-based Finance (CONAFPS), in 2013 most of the funding went to women entrepreneurs in the Grass-Roots and Solidarity-based economy. Though 109,719 loan operations, women received investment credit totalling US\$ 125,283,129.40, while men received US\$ investment loans in 27,752 operations.

Even so, CONAFPS points out that although 79.83% of the loan operations were directed at women, they only received 63.81% of the funds: in other words, on average, loans to women were smaller than those received by men.

As regards the loan portfolio, CONAFPS figures show a high incidence of loans to priority sectors and segments. In 79.11% of all loan operations between 2008 and 2013, women received 62.55% of the credit generated. Since 2008, following adoption by the Board of the National Microfinance System Programme of a policy of providing incentives to allot funds to parts of the country with high poverty levels, 82.57% of funds (91.92% of the operations) under the Programme have been allocated to parishes with a poverty rate of more than 65%. Most such parishes are in rural areas.

Finally, the MIES has been promoting its Human Development Bond (BDH), in the form of direct monthly payments of US\$50 to heads of household (especially women heads of household) or spouses. Almost all (95%) of the beneficiaries of this policy are women heads of families living below the welfare line. The BDH has become a vehicle for other social and economic protection services, including the family assistance model of the "Family Plan" Strategy, which foster co-responsibility.

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

According to the MAGAP's SigTierras Programme, a significant and specific part of the current programme is its land ownership survey, which triggers a process by which title deeds are regularized. The survey will help identify social developments on the ground, such as the high rate of emigration by men and the feminization of much of the rural population. That programme, with its gender-sensitive perspective, is making sure that all communicational and promotional materials used in the phase prior to the survey and subsequently highlight and protect women's active role and leadership.

The processing and analysis of the data generated, in connection with the SigTierras Programme, will make it possible to ascertain, by gender, age and marital status, the number of owners, holders and occupiers of plots and compare them with regularization requirements, titling, couples' rights, access to basic services, land uses, and so on.

According to the Undersecretaryship for Land and Agrarian Reform, the idea is to engage in massive legalization of land, where the emphasis will be on democratizing the handing over of land. In that process, women are playing an increasingly prominent part, with safeguards to ensure that they have and use means of production. Associations are being encouraged and respected, along with local and regional complementarity.

The project entitled "Unified Access to Land of Family Farmers and Mass Legalization in Ecuadorian Territory" aims, among other things, to ensure that women have effective access to the means of production, as indicated in the Instructions for the Qualification of Members of the Agricultural Associations and/or Cooperatives registered in the Access to Land project, pursuant to article 8.b of the Administrative Resolution 002 of the Undersecretaryship of Land and Agrarian Reform of 28 February 2014: *"The share of women members in the organization shall be at least 30%."*

The operations manual of the Rural Good Living Programme sets out criteria for co-financing, differentiating between, inter alia, priority groups and families that rely only on the women's contribution. These groups receive access to a larger share of financial resources. The programme's performance report notes that between 25% and 30% of the participants in investment projects are females heads of household, under arrangements tailored to their circumstances.

The Reactivation of National Fine Flavour Coffee and Cocoa Project offers the following services for farmers:

- Technical advice on growing Arabica and Robusta coffee;
- Deliveries of national and imported seeds;
- Delivery of kits containing inputs to combat rust, planting kits, soil fertilizers, and foliar fertilizers;
- Mass production of plants using different systems;
- Financing: obtaining credit under an agreement between the MAGAP and Banco Nacional de Fomento (BNF).

The beneficiaries of this project are small coffee and cocoa farmers, 31.6% of them being women.

Finally, mention must be made of the important part played by various kinds of Ministry of Urban Development and Housing (MIDUVI) bonds and investment programs to secure tenure for disadvantaged sectors. They include: Urban Housing Bonds; the Rural Housing Programme; the "Manuela Espejo" Bond; the National Housing and Habitat Risk Management Project; Titling Bonds; the SAV-IDB II National Low-Income Housing Program; the SAV-IDB National Low-Income Housing Infrastructure Program; and Socio Vivienda. Together they issued 25,689 bonds in 2013. (See Annex 39)

Issue 13: Refugee Women

Please provide information on the procedures for recognition of refugee status, including on the temporary requirements to apply for asylum, and on gender-sensitive measures to support women and girls seeking refugee status.

As a host country, Ecuador guarantees protection to persons granted refugee status. In addition, Article 41 of the Constitution of the Republic of Ecuador recognizes the principle of non-return (*non-refoulement*).

In the Refugee and Stateless persons Directorate of the Ministry of Foreign Affairs and Human Mobility (MREMH), a number of initiatives are under way to assist women asylum-seekers and refugees. They include: inclusion of a gender perspective in the procedures applied by the Refugee Directorate at the MREMH, in particular to ensure the priority treatment of cases of women affected by torture, women at risk, women victims of violence, women heads of family, pregnant women and unaccompanied children or children separated from their family unit.

Please elaborate on the social and economic programmes, including in the areas of health, education and employment, for refugee women and provide updated statistical data on their extent and effective coverage. Please provide information on bilateral programmes envisaged or conducted together with the Government of Colombia to protect refugee women from violence and ensure their access to justice and redress.

Bearing in mind that most of the refugee population comes from Colombia, due to the armed conflict, women granted refugee status include women victims of persecution/displacement, women victims of sexual violence, torture, extortion, trafficking, and so on. The main measures to protect this population group are local integration, which poses a challenge to the country in terms of developing specific mechanisms to enable refugees to fully exercise their rights, especially access to justice for survivors of sexual violence, regardless of whether the crime was committed in the country of origin or the host country.

Issue 14: Women in detention

No information is provided on the situation of women and girls in detention. Please provide information and data, disaggregated by age, geographical location and ethnicity, on women and girls in detention and on existing mechanisms to monitor prisons and police stations in order to prevent torture and ill-treatment of women and girls.

The Ecuadorian state is implementing a new prison management model, involving major investments to improve the existing infrastructure, get rid of overcrowding, achieve better living conditions inside detention centres and seek effective rehabilitation of detainees.

In Ecuador no girls are in detention, because the Organizational Act on Children and Adolescents establishes that children cannot be indicted and cannot be held responsible, so that they cannot be tried and are not subject to social and educational rehab measures.

The MJDHC ensures that babies from 0 to 12 months of age live permanently with their mothers inside Social Rehabilitation Centres (CRS), in order to ensure that they are breast fed, as this is vital for their development. Children from 12 to 36 months of age can live at the Centre. However, during the day, from 8:00 a.m. till 5:00 p.m., they attend a Good Living Child Care Centre (CIBV). They are integral development facilities where children do activities suited to their age and in the afternoon they return and spend the night with their mothers. Once they reach three years of age, the children are handed over to close family members. As for data on women in detention, there are separate reports for adults and adolescents. At 10 August 2014, there were 1,999 adult women in detention: 32 of them in Provisional Detention Centres; 1,915 in Social Rehabilitation Centres; and 52 in Trust Houses (Casas de Confianza). (See Annex 40)

For data regarding adolescents at odds with the law, broken down by age, geographical location and ethnic origin, please see Annex 40.

As regards monitoring mechanisms to prevent torture and ill-treatment, the State Office of the Ombudsperson (DPE) has visited detention centres to inspect conditions. Following such visits, reports are sent to the authorities in the MJDHC for review and, after a prudential lapse of time, published. Petitions presented by the women detainees to the DPE during those visits are sent to the provincial government departments (*delegaciones provinciales*) and to the Office of the Director of General Counsel (*Dirección General Tutelar*) so that they can act on them in accordance with their spheres of competence.

Please also provide information on the provision of sexual and reproductive health services for women in detention facilities, conjugal visiting arrangements, rules on visits by children and other family members, access to legal advice and education available to women and girls in detention, in addition to rehabilitation and reintegration programmes available upon release.

With the entry into force of the new Comprehensive Criminal Code (COIP), the National Social Rehabilitation Council was replaced by a technical agency comprising the MJDHC, MSP, MINEDU, MRL, the Ministry of Culture, the Ministry of Sports and the DPE. Under the new prison management model, this

reform accords each ministry specific responsibilities within the system, depending on its specialty. For instance, all matters relating to medical care and health are handled directly by the Ministry of Health. It has established polyclinics inside detention centres to ensure proper care. So far they have provided first aid to 784 women.

As for sexual and reproductive health care, the MJDHC conducts promotion, prevention and recovery activities. The promotional activities involve handing out condoms and talks on the problems of unsafe sex. Under prevention, activities include detection, prevention and counselling on sexually transmitted diseases (STDs) and HIV/AIDS. Recovery activities refers to treatment of common illnesses. In addition, the MSP provides devices to prevent pregnancies and offers sterilization (tubal ligation) facilities.

As to legal counselling, the MJDHC appoints attorneys for women in detention who monitor their cases free of charge. The Office of the Ombudsperson also offers legal representation.

Conjugal visits are allowed once a week, with special areas set aside for them. The visits by family members to which women in detention are entitled are regulated by articles 713 to 718 of the COIP. They should be told which persons are allowed to visit them and which not.

Women in detention attend non-formal educational programmes (65 women), basic education classes (658 women), high-school classes (99) and tertiary education programmes (7). (See Annex 41)

As for rehabilitation programmes for detainees, the COIP establishes that they should address the following aspects: 1. Work-related 2. Education, culture, and sports 3. Health 4. Family and social ties 5. Reinsertion into society. Finally, as regards reinsertion after release, a programme called "CONQUITO" is being developed to train women in detention, write their curriculum vitae, and find them a job.

Issue 15: Women with disabilities

Please provide information on the situation of women and girls with disabilities, especially concerning measures to ensure the recognition of their legal capacity in law and in practice.

Article 48, paragraph 5, of the Constitution requires the State to design and implement specialized programmes of comprehensive support for persons with serious and severe disabilities, in order to achieve the greatest possible development of their personalities, promote their autonomy and reduce their dependency. In that way, the State is supporting the view that persons with disabilities are fully legally competent except for those who are subject to restrictions which have been imposed by the courts, such as injunctions.

Persons with disabilities have mechanisms to enable them to exercise their legal competence. They include the Attorneys' Office to Protect the Rights of Persons with Disabilities (Procuraduría de Discapacidades), a body set up inside CONADIS, comprised of legal practitioners who can take legal and administrative action in protecting the rights of persons with disabilities. These practitioners also

advise persons with disabilities on handling their finances, to ensure that they are not harmed.

Information to protect them against all forms of violence and ensure their access to justice and health care, including sexual and reproductive health services.

As for the specific query regarding protection against violence measures, the Constitution of the Republic provides that the prosecution and punishment of domestic and sexual violence, hate crimes and crimes perpetrated against particular groups such as persons with disabilities, given their special characteristics, should offer victims better protection.

For various offences, the Organic Comprehensive Criminal Code (COIP) also makes it an aggravating circumstance if the victim is under 18 or over 65 years of age, is a pregnant woman or person with disabilities or is suffering from a life-threatening illness. The offences within this category include sexual harassment, abuse and rape and other topics relating to sexual violence. It also includes among the offences against the right to equality discrimination on grounds of disability, as well as acts of physical violence and psychological hatred against persons with disabilities.

The current Civil and Criminal Codes and legislation provide for the various judges and authorities to make reasonable accommodations in the different procedures to ensure the full participation of persons with disabilities and to guarantee their rights. In this connection, the National Council of the Judiciary, the National Council on Disability Equality and the Ministry of Economic and Social Inclusion are undertaking various projects in the context of cooperation on matters of common interest in order to guarantee the right to justice for persons with disabilities, the aim being to ensure that the latter can exercise their right of access to the courts in keeping with national legislation and the provisions of international instruments. The projects in question are:

“Disability awareness campaigns aimed at officials responsible for the administration of justice.” “Training of judges, prosecutors, public defenders and representatives of the Ombudsman’s office on the topic of disability.” “Psychological assistance for persons with disabilities during and after judicial proceedings.” “Training in Ecuadorian sign language.” “Accessibility of the physical environment and information and communication within the justice system.” “Measures to address the current situation of persons with disabilities and persons with catastrophic illnesses deprived of liberty in social rehabilitation centres in Ecuador.”

Through the implementation of the affirmative action measures prescribed in the Organic Act on Disabilities, a mechanism is being developed to counter and curb this kind of discrimination and inequality. This Act provides for the protection, defence and enforceability of rights, making the Ombudsman’s Office responsible, within its sphere of competence, for monitoring and ensuring compliance with the rights of persons with disabilities or disabling conditions. The legal remedies available to persons with disabilities or their family members can thus be pursued under the provisions of the Organic Act on Disabilities itself or under the Organic Act on the Ombudsman’s Office, which likewise prescribes a procedural time limit.

It is worth stressing that the Ombudsman's Office has sought to comply with its mandate by applying for legal remedies, carrying out investigations and resolving cases where it is considered that the rights of persons with disabilities have been violated.

It should also be noted that, in view of certain situations, approaches are being made to State institutions to review their procedures in order to ensure that the rights of persons with disabilities are effectively guaranteed. The Judicial Council held the sixth phase of a staff awareness programme on the correct way of catering for persons with disabilities, which provided virtual training for 9,177 officials.
