



General Assembly

Distr.: General
15 August 2022
English
Original: Spanish

Human Rights Council
Working Group on the Universal Periodic Review
Forty-first session
7–18 November 2022

National report submitted pursuant to Human Rights Council resolutions 5/1 and 16/21*

Ecuador

* The present document is being issued without formal editing.



I. Introduction

1. In 2021, Ecuador reaffirmed its commitment to fulfilling its national and international human rights obligations by submitting a voluntary midterm report on its follow-up to recommendations made during the third cycle of the universal periodic review.
2. To prepare the present report, relevant information was gathered from the five branches of government through the Human Rights Information System,¹ the country's coordination mechanism.²

II. Emerging issues

A. COVID-19

3. Owing to the global coronavirus disease (COVID-19) pandemic, Ecuador declared a national health emergency on 11 March 2020 and activated the National Emergency Operations Committee,³ which regularly announces health measures and releases statistical reports on the situation.
4. The measures taken by the President of the Republic to safeguard the public's welfare around the country and ensure social distancing⁴ included the declaration of a state of emergency, telecommuting for non-essential personnel, distance learning, border closures and the suspension of large-scale events.
5. The National COVID-19 Vaccination Plan (the "9/100 Plan"),⁵ launched on 18 June 2021, set a target of vaccinating 9 million people in 100 days, underscoring the priority given by the Government to ensuring universal health care and free access to vaccines.
6. A total of 35,168,849⁶ vaccine doses have been administered under the Plan, with vulnerable groups being given priority. To that effect, the State put in place a vaccination procedure reflecting an intercultural perspective in indigenous communities of the Waorani nationality in the Tagaeri-Taromenane Protected Zone⁷ and held vaccination drives in 36 detention centres around the country.
7. The success of the "9/100 Plan" can be seen in the decrease in hospital occupancy rates in the national health system, with less frequent hospitalization and a lesser need for intensive care units in COVID-19 cases, which has allowed the country's economy to gradually begin reopening.

B. Prison system crisis

8. The National Social Rehabilitation System is facing a structural crisis related to: (i) the rapid growth of the prison population, which has been caused by a number of factors; (ii) prison safety; (iii) the lack of effective crime prevention and social rehabilitation policies; and (iv) precarious conditions of deprivation of liberty.⁸ In response, the Government has ordered that the necessary resources be mobilized and that the National Police and the armed forces work together in order to reinforce and re-establish order and control both inside and outside prisons. In addition, pardons have been granted to persons deprived of liberty, bringing the rate of overcrowding down from 26.75 per cent to 8 per cent.
9. The State's priority is to transition from the use of a punitive approach in detention centres to an approach based on human rights and social rehabilitation. To this end, on 21 February 2022, the Government adopted a policy on social rehabilitation for the period 2022–2025.⁹ The policy was developed with the participation of persons deprived of liberty, their family members, scholars and members of the public and sets out 12 areas of work, 65 topics and 308 specific lines of action. It seeks to promote the rehabilitation of persons deprived of liberty and juvenile offenders and their reintegration into society.
10. Lastly, a prison census will be launched in August 2022. It will provide real-time information on the number of persons deprived of liberty and their sociodemographic profile

that will feed into decisions aimed at transforming the System and the lives of persons in this priority group.

C. Gender-based violence

11. According to the second National Survey on Family Relations and Gender-based Violence against Women, conducted in 2019, 64.9 per cent of women in Ecuador have experienced some type of violence¹⁰ based on gender.¹¹ The situation worsened during the lockdown from March to July 2020, when 51,630 domestic violence-related emergency calls were made.

12. Ecuador has adapted its Comprehensive National System for the Prevention and Eradication of Violence, implemented protocols on the provision of care and inter-institutional coordination¹² in responding to emergencies, developed a campaign for the prevention of violence against women and provided, without interruption, services adapted to the situation in the country after the pandemic.

13. Ecuador provides regular training for government officials and members of the general public on the eradication of violence. It also provides assistance to victims of violence through 45 comprehensive protection sites around the country.

III. Implementation of recommendations from the third cycle¹³

A. Cross-cutting issues

1. Cooperation with United Nations bodies

Recommendation 118.4

14. Since 2003, Ecuador has maintained a standing invitation to the United Nations special procedure mandate holders¹⁴ to visit the country and has provided any information requested. Some 190 official reports have been sent since 2020.

Recommendations 118.6–118.10

15. The Human Rights Information System¹⁵ is the national mechanism for coordinating reports. It brings together a network of focal points to prepare reports and follow up on recommendations made by United Nations bodies. Since its launch in 2019, four country reports have been prepared and, in coordination with the High Commissioner, capacity-building activities have been carried out for the focal points and regular upgrades have been made to the platform.

2. Constitutional and legislative framework

Recommendation 118.7

16. Ecuador ratified the International Covenant on Civil and Political Rights in 1969; since then, it has honoured its international commitment to implement that instrument. With the assistance of the Human Rights Information System, Ecuador is preparing its seventh periodic report to the Human Rights Committee. The report will contain an account of the progress made in complying with the Covenant and is expected to be submitted in August 2022.

3. Equality, non-discrimination and gender-based violence

Recommendation 118.13

17. The national equality councils are the institutions tasked with safeguarding and promoting the right to equality and non-discrimination of individuals, communes, communities, peoples, nationalities and other groups around the country. The councils have

drafted national agendas covering the period until 2025. The agendas have clear targets that will make it possible to measure the progress made and the impact of government policies in bringing about an inclusive society.

18. Ecuador has continued to strengthen the work of the councils and has included equality as a basic pillar of the social component of the 2021–2025 Opportunity Creation Plan.¹⁶

Recommendation 118.15

19. The 2022–2025 agenda prepared by the National Council for the Equality of Peoples and Nationalities seeks the eradication of violence, discrimination and all forms of social, ethnic, cultural and structural exclusion, especially racism. To this end, it promotes the mainstreaming of these aims in both the public and private sectors and at all levels of government. The Council is engaged in efforts to achieve compliance with Executive Decree No. 060, which established the Plurinational Plan to Eliminate Racial Discrimination and Ethnic and Cultural Exclusion.

Recommendation 118.16

20. The Council of the Judiciary has promoted equality and the principle of non-discrimination through training programmes. In 2020, it conducted workshops on COVID-19, indigenous peoples and the International Labour Organization (ILO) Indigenous and Tribal Peoples Convention, 1989 (No. 169), for 78 attendees; on homosexuality and hate crimes, for 93 attendees; on marriage equality, for 76 attendees; on sexual diversity and hate crimes, for 73 judges; and on the impact of discrimination on the overall health of LGBTI+ persons, for 70 attendees. In 2021, training sessions were held on gender stereotyping in the administration of justice in Ecuador, for 96 attendees; on trying cases and governing without gender bias, for 148 judges; and on violence and protection measures, for 2,223 attendees.

21. The Attorney General's Office provides ongoing training to prosecutors, clerks, assistants and administrative personnel. It has held workshops on tools for the investigation of crimes committed on the basis of racial discrimination; recent developments in inter-American procedural law and the case law of the Inter-American Court of Human Rights; social issues affecting people of African descent; hate crimes; indigenous justice; and the plurinational State.

Recommendation 118.22

22. The National Council for the Equality of Peoples and Nationalities has implemented a training plan for police officers that focuses on issues relating to interculturality and plurinationality. Eight hundred officers have been trained.

23. The National Council for Gender Equality has undertaken 32 awareness-raising campaigns on the rights of women and LGBTI+ persons, has held training sessions for public and private sector institutions on gender mainstreaming, and has provided training to the National Police under the Comprehensive Training Programme.

24. In 2020 and 2021, the Council for the Regulation, Development and Promotion of Information and Communications delivered 88 online courses on the rights of priority groups, in which 31,676 people participated. It also provided technical assistance to 7,035 people on violence- and discrimination-free content. In addition, several campaigns have been run to combat gender stereotypes and violence.¹⁷ Finally, the Secretariat for Human Rights, as the lead agency in the national system for the eradication of violence against women, regularly carries out campaigns to increase the public's understanding and raise public awareness with the aim of preventing and eradicating violence. It has also delivered courses to the cantonal rights protection councils, cantonal boards and units of the decentralized autonomous governments, and it holds events called "Days without Violence" to raise public awareness and change patterns of behaviour.

Recommendations 118.121–118.124, 118.129, 118.99, 118.119 and 118.120

25. The 2021–2025 Opportunity Creation Plan¹⁸ provides for the eradication of all forms of discrimination and violence against women. In November 2021, the State recognized the promotion and defence of gender equality and the empowerment of women in the social, economic and political spheres as a national priority. In that context, the budget for the eradication of gender-based violence was increased from 4.7 million in 2020 to 24 million for the period 2022–2025.

26. The Government is pursuing the implementation of the 2019–2025 National Plan for the Prevention and Eradication of Violence against Women. The Plan provides for a central register of incidents of violence that will make real-time data on violence available to all institutions and allow them to take the appropriate decisions to eradicate it.

27. The Government developed its “Purple Economy” policy, which promotes the economic rights of women and their right to a life free from violence, with the aim of reducing gender inequality through women’s empowerment.¹⁹ The Government is committed to opening 24 Purple Centres nationwide. These are inter-agency centres where coordinated actions are taken to prevent violence and to provide a prompt response and timely care. Six centres are currently expected to open in 2022.

28. Ecuador has manuals on the investigation of cases of femicide and the provision of comprehensive reparation to persons affected, including support payments for children whose mothers were victims of femicide.

29. The Ministry of Health has put in place awareness-raising activities for the prevention of gender-based violence and care pathways that benefited 138,619 users in 2021. In addition, it continuously provides comprehensive health care to victims of gender-based violence; in 2021, it served 19,962 people.

30. The Comprehensive Protection Services of the Secretariat for Human Rights provide comprehensive care to victims of violence. In 2021, they provided 18,605 services to women, children and adolescents who were direct or indirect victims of violence. In addition, the Secretariat has concluded agreements with shelters for the accommodation of female victims of violence and their children.

Recommendations 118.32, 118.125, 118.131, 118.127, 118.132, 118.133 and 118.135

31. The Council of the Judiciary²⁰ has established a comprehensive training plan on violence to train judicial officials in how to handle cases of violence against women, children and adolescents.²¹ It has also adapted the modules of the judicial information system in order to automate procedures relating to violence against women.²² In 2020, it created the “femicidios.ec” project, which is an information-gathering mechanism for disaggregated reporting on cases of femicide and cases involving the violent death of women.²³ In the same year, two special courts were set up for issues relating to gender-based violence in the provinces of Zamora-Chinchipec and Tungurahua. In addition, reinforcement was provided to 55 of the 164 courts in the country with jurisdiction to hear cases involving violence.

32. The Attorney General’s Office has trained 8,899 officials on the National Protocol for the Investigation of Femicides and Other Violent Deaths of Women and Girls,²⁴ put in place an online complaint form for cases of gender-based violence and carried out nationwide prevention campaigns. It handled 45,914 complaints regarding sexual offences and gender-based and domestic violence in 2020 and 50,865 in 2021.

33. The Public Defence Service assisted in 21,661 cases of gender-based violence in 2020 and 20,275 in 2021. The Organic Act on the Public Defence Service was published on 14 May 2021 and requires the Service to provide specialized assistance to victims of gender-based violence under the principle of specialized justice.²⁵ In line with this requirement, out of a total of 735 defenders, there are 124 nationwide who take on cases of gender-based violence.

34. Protection measures have been provided for through the cantonal rights protection boards at the cantonal level and through the parish commissioners at the parish level, both of

which have the authority to grant immediate protection measures, including protection orders.²⁶

Recommendations 118.126 and 118.128

35. The 2019–2025 National Plan for the Prevention and Eradication of Violence against Women is structured around four lines of action: prevention, care, protection and comprehensive reparation.

36. The Attorney General’s Office heads investigations into sexual offences and domestic, gender-based violence. The following have been put in place for such investigations: guidelines on the application of the Latin American Model Protocol for the Investigation of Gender-related Killings of Women,²⁷ guidelines on due diligence in the investigation of gender-based violence²⁸ and handbooks on the investigation of cases of femicide and on applications for comprehensive reparation measures in such cases. In cases involving allegations of sexual or domestic violence, the Attorney General’s Office requires judges to issue protection measures immediately.²⁹

Recommendation 118.130

37. Ecuador is in the process of creating a central register of incidents of violence. All data on violence against women will be consolidated in a single register accessible to the 22 institutions comprising the national system for the eradication of violence.

38. The National Statistics and Census Institute is currently responsible for collecting official data nationwide. The most recent statistics on gender-based violence are from the 2019 National Survey on Family Relations and Gender-based Violence against Women.³⁰

39. The Ministry of Health has systems in place to record information on the health-care services provided in all its facilities, and they include a category for comprehensive health-care services provided to victims of gender-based violence. Additionally, the National Council for Gender Equality put together the series *Mujeres y Hombres del Ecuador en Cifras IV* (Women and Men in Ecuador in Figures IV),³¹ which contains official gender indicators that reflect the current situation of women and LGBTI+ persons.³²

Recommendations 118.17–118.20

40. With the aim of eradicating all forms of violence and discrimination based on sexual orientation and/or sexual and gender diversity, the Government created the Office of the Undersecretary for Diversity under the Secretariat for Human Rights. The Office is developing an action plan on diversity, a government policy tool for the promotion of the rights of LGBTI+ persons, with the active participation of civil society.

41. The National Council for Gender Equality has prepared a document on affirmative action for transgender persons and lesbians and has coordinated with the Ministry of Economic and Social Inclusion to ensure that the LGBTI+ community is included in the programmes and policies put in place to respond to the COVID-19 health emergency.³³ Currently, 52 LGBTI+ persons receive some type of government subsidy.

42. Public servants have received training on the rights of the LGBTI+ community through awareness-raising workshops on the procedures available for LGBTI+ persons deprived of liberty and on sexual and gender diversity, held in connection with the Violence Prevention and Capacity-building Project to Promote Access to Employment for Women and Vulnerable Groups.

43. The Ministry of Health has prepared a manual on best practices in health care for LGBTI+ persons and educational and informational materials on gender and human rights for transgender women. In 2021, the Ministry carried out 4,450 awareness-raising activities that reached 21,605 people. In 2020, it provided health care to 51,435 members of the LGBTI+ community.

Recommendation 118.21

44. Under the Comprehensive Organic Criminal Code, acts of violence committed against individuals because of their gender identity or sexual orientation are punishable as hate crimes.³⁴ For addressing reports of such acts, the Attorney General's Office has developed expanded guidelines for the investigation of discrimination-related offences and hate crimes. In 2021, 384 reports of acts of hate were received.

45. An important aspect promoted by the Government is non-discriminatory access to justice. The Organic Act on the Public Defence Service states that the Service is responsible for providing free legal representation to victims of hate crimes and gender-based violence.³⁵

Recommendations 118.34 and 118.35

46. The Secretariat for Human Rights has put forward four proposed procedures for: (i) reporting cases where LGBTI+ persons and other persons have been treated in places that promote sexual reorientation practices, and for assisting such persons; (ii) establishing administrative procedures for shutting down organizations that promote so-called sexual reorientation therapies; (iii) providing emergency care to gender-diverse persons; and (iv) providing timely assistance in cases of violence and/or discrimination against LGBTI+ persons. These proposals will be approved when the 2021–2025 Action Plan on Diversity is adopted.

4. Environment*Recommendations 118.25, 118.26 and 118.85*

47. The 2021–2025 Opportunity Creation Plan³⁶ promotes sustainable resource use, climate change mitigation and ecosystem conservation through the adoption of policies supporting those aims in the electricity, mining and hydrocarbon sectors. The Ministry of the Environment, Water and the Ecological Transition is the lead institution for these efforts nationwide.³⁷ Work has been done to strengthen public institutions in connection with the implementation of the Stockholm Convention on Persistent Organic Pollutants and the Minamata Convention on Mercury, a project has been launched to support the transition to low-carbon e-mobility in Ecuador and an expert working group on gender and climate change has been set up.

48. The Agency for the Regulation and Control of Energy and Non-Renewable Natural Resources is working to reduce illegal mining in Ecuador. Zaruma is one of the places that have been given priority, as it is one of the country's cultural heritage sites. Between 2017 and November 2021, 1,081 inspections were conducted in connection with the monitoring and oversight of mining rights and 71 operations were carried out against illegal mining in the sector.³⁸

49. Since 2019, Ecuador has been promoting the implementation of the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) in connection with the fourth commitment under the First Open Government Action Plan, covering the period 2019–2022.³⁹ On 21 May 2020, Ecuador became the ninth country to ratify the Agreement. The Ministry of the Environment, Water and the Ecological Transition is in charge of the process and receives support from public institutions, non-governmental organizations, civil society and academia.

5. Development*Recommendations 117.1 and 118.76*

50. The 2021–2025 Opportunity Creation Plan,⁴⁰ the ultimate guide for the design and implementation of government policies, was adopted on 20 September 2021.⁴¹ The Plan is aligned with the 2030 Agenda for Sustainable Development and the Sustainable Development Goals and focuses on five thematic components: economic policy, social policy, comprehensive security, ecological transition and institutional measures. In addition, the document lays out 16 objectives relating to national priorities and sets 130 targets.

B. Civil and political rights

1. Judiciary and fair trials

Recommendations 118.36–118.45, 118.47 and 120.5

51. The independence and autonomy of the judicial branch are a key objective under the 2021–2025 Opportunity Creation Plan,⁴² in particular under the institutional component.⁴³ In addition, the Organic Act Amending the Organic Code of the Judiciary,⁴⁴ published on 8 December 2020, reinforces internal and external judicial independence and changes the penalties for judicial officials, in line with recommendations received by the State in the third cycle of the universal periodic review.

Recommendations 120.6–120.10

52. On 29 July 2020, the Constitutional Court⁴⁵ examined the scope of judicial independence and found that article 109 (7) of the Organic Code of the Judiciary, which addresses fraud, gross negligence and inexcusable error in the work of judges, was conditionally constitutional. The Court ruled that the application of this provision is contingent on the preparation of a duly reasoned judicial declaration of the existence of fraud, gross negligence or inexcusable error before disciplinary proceedings against a judge, prosecutor or public defender can begin in the Council of the Judiciary.⁴⁶ In the same ruling, the Court urged the National Assembly to amend the Code. One of the changes provided for under the Organic Act Amending the Organic Code of the Judiciary,⁴⁷ published on 8 December 2020, was the incorporation of the criteria set out in the Constitutional Court decision.

Recommendation 118.49

53. The cases identified in the report of the Truth Commission are being investigated by the Human Rights and Citizen Participation Directorate of the Attorney General's Office. The Directorate has prosecuted 10 cases since 2019 and plans to prosecute 3 more by 2022.

2. Right to an effective remedy

Recommendation 118.31

54. The National Police receives ongoing training on matters relating to human rights and the use of force⁴⁸ through the inter-institutional Comprehensive In-Service Training Programme. In 2020, 51,135 officers received training; by September 2021, 45,074 agents had been trained.

55. On 7 June 2022, the National Assembly passed a bill on the progressive use of force, which sets out rules for the appropriate use of force on the basis of the principles of legitimacy, necessity and proportionality.

56. The Attorney General's Office is the institution in charge of investigating offences relating to abuse of authority in the line of duty.⁴⁹ In 2020, it received 135 complaints, of which 112 are at the preliminary investigation stage. In 2021, it received 92 complaints, of which 83 are under investigation and 1 has resulted in a conviction.

Recommendation 118.46

57. Cost-free access to justice and effective judicial protection are constitutional rights and are an objective⁵⁰ under the 2021–2025 Opportunity Creation Plan.⁵¹ Statistics for 2020 show that the resolution rate for all cases entering the judicial system is 84 per cent.⁵² The same year, the judiciary's national system for mediation and arbitration handled 37,259 cases, resulting in savings of US\$ 9.21 million.⁵³ The national system of justices of the peace has handled 7,945 cases since its introduction, and there are now 423 such justices nationwide.⁵⁴

58. The Constitution also guarantees equal treatment before the courts and recognizes the right of every person to be heard in a timely manner and on terms of equality in all proceedings.⁵⁵

Recommendation 118.48

59. The Attorney General's Office heads investigations conducted prior to and during criminal trials. The Human Rights and Citizen Participation Directorate, which oversees the provision of support, advice and guidance to victims and the prosecution, ensures due diligence in the investigation of human rights-related complaints. Its directorate for transparency ensures that it is internally and externally independent, performs technical and legal management functions and allows the public to call for cases to be investigated objectively and in line with the code of ethics. Its directorate for legal oversight and prosecution assessment receives complaints regarding any failures by prosecutors to observe due process.

60. The National Directorate for Access to Justice of the Council of the Judiciary has implemented a project to reduce impunity and revictimization in investigations and sentencing by the judiciary in cases of sexual violence against women, children and adolescents. The project provides special training⁵⁶ for judicial officials and makes equipment available.

3. Freedom of expression, association and peaceful assembly*Recommendations 118.51, 118.52, 118.54, 118.60, 118.63 and 120.11–120.15*

61. The Organic Act on Communication was amended on 20 February 2019.⁵⁷ The positive changes made included the elimination of the concept of media lynching and the introduction of the idea of media self-regulation to ensure a balance between media responsibility and media freedom.

62. On 25 May 2021, the new President put a bill before the National Assembly⁵⁸ on an organic law on freedom of expression and communication that would replace the Organic Act on Communication.⁵⁹ In addition, Executive Decree No. 126⁶⁰ amended the General Regulations on the Organic Act on Telecommunications to bring administrative disciplinary and oversight procedures into line with the principles of proportionality and reasonableness.

Recommendations 118.56, 118.59, 118.61, 118.62 and 118.65

63. The State has developed plans to ensure universal access to information and communications technology (ICT). As of June 2021, Internet service was available in 73 per cent of the country's urban and rural parishes, out of a total of 1,045. For 2021, 91.02 per cent of parishes had fixed Internet access, and 92.46 per cent of the population had mobile access.

64. As digital literacy is one of the Government's priorities, the Ministry for Telecommunications and the Information Society provides training through 861 digital information centres and 25 "mega" digital information centres located in 755 parishes nationwide. Since their launch, they have provided some 31,936,058 services and held 1,467,180 training sessions.⁶¹

65. Ecuador has a system for the protection of journalists and media personnel that is run by the Council for the Regulation, Development and Promotion of Information and Communications. Between July and December 2021, 62 reports relating to attacks on media personnel were prepared, of which 14 were referred to the Attorney General's Office.

4. Prohibition of torture*Recommendations 118.9 and 118.33*

66. Since 2011, the Ombudsman's Office⁶² has served as the national mechanism for the prevention of torture and cruel, inhuman or degrading treatment or punishment. In 2020, it monitored social rehabilitation centres by holding meetings with the authorities and civil society organizations. In 2021, it conducted 14 visits to detention centres around the country.

67. The Regulations of the National Social Rehabilitation System⁶³ were adopted in July 2020. Under the Regulations, the System is governed by a technical board⁶⁴ comprising various State agencies with responsibility in the areas of education, health, labour, economic

and social inclusion, culture, sports and human rights. The Ombudsman's Office is also represented on the board, which is chaired by a representative of the President of the Republic.⁶⁵

68. The 2022–2025 Government Policy on Social Rehabilitation⁶⁶ provides for the strengthening of the national preventive mechanism and for coordinated efforts between the Ombudsman's Office and other relevant institutions.

5. Voting rights

Recommendation 118.50

69. In an effort to guarantee voting rights, agreements have been signed with public and private institutions to facilitate voting from home nationwide. During the last elections, 653 people registered to vote from home. Through the “They Have the Right to Vote” campaign, 272 persons with disabilities were able to participate in the first round of the 2021 general elections and 306 were able to take part in the second round.

70. The dialogue “Intercultural Perspectives on Electoral Observation” was held to promote the inclusion of ethnic groups in the democratic process. Partnerships among the National Electoral Council, international cooperation agencies and universities have been promoted to put an end to acts of gender-based violence associated with the exercise of political rights, and a campaign called “There is No Democracy without You” is being carried out to promote the participation of women and young people in the 2023 local elections.

71. Regulations have been adopted to implement a pilot scheme on overseas voting procedures. Compared to 2017, in 2021 there was a 12.77 per cent increase in the number of Ecuadorian emigrants taking part in elections from Phoenix (through an online voting pilot scheme) and a 3.58 per cent increase in those taking part from Ottawa (through a postal voting pilot scheme).

C. Economic, social and cultural rights

Recommendation 118.75

72. In line with the goal of the 2030 Agenda to “leave no one behind”, the Opportunity Creation Plan seeks to safeguard economic, social and cultural rights through four major objectives, 20 policies and 46 targets that are accompanied by an increase in the social budget that will allow Ecuadorians in every corner of the country to fulfil their dreams.

1. Health

Recommendations 118.94 and 118.95

73. The 2021–2025 Opportunity Creation Plan prioritizes the fight against all forms of malnutrition, especially chronic child undernutrition. A national early childhood strategy for the prevention and reduction of chronic child undernutrition has been put into place. It is called “Ecuador Grows without Child Undernutrition”.⁶⁷

74. To achieve this objective, a technical secretariat for “Ecuador Grows without Child Undernutrition”⁶⁸ was set up in 2021. Through the secretariat, a strategic plan for the prevention and reduction of chronic child undernutrition is being developed for the period 2021–2025, the advocacy and prevention programme “Life Cycle Nutrition under the Whole Health Model” is being implemented and, under the project “Life Cycle Nutrition – Zero Undernutrition”, in 2021 194,780 children between 6 and 23 months of age received powdered micronutrients and 506,515 children between 6 and 59 months of age received supplements.

Recommendation 118.96

75. Ecuador promotes good nutrition by strengthening family and campesino agriculture, which produces 70 per cent of the food consumed in the country. The Ecuadorian agricultural

sector policy for the period 2020–2030 is encouraging food security and food sovereignty by developing the sector to ensure that the population has access to a healthy diet.

76. A programme that used intersectoral policies to promote healthy diets in Ecuador was implemented from 2020 to 2022 and benefited 5,200 people.

77. The country promotes a reduction in sedentary behaviour by encouraging physical activity and participation in sports. Since 2014, the Ministry of Sports has been running a project called “Development of Physical Activity in Athletic Training, Physical Education and Recreation”; by 2021, it had benefited 157,889 people.⁶⁹

Recommendations 118.97, 118.98 and 118.100

78. The 2021–2025 Opportunity Creation Plan reflects a comprehensive view of health that encompasses sexual and reproductive health. There is an intersectoral policy for the prevention of pregnancy in girls and adolescents for the period 2018–2025, which is implemented locally through intersectoral committees. On the basis of this policy, a comprehensive care model was developed for pregnant and parenting girls and adolescents who are victims of sexual violence, and an inter-institutional care pathway was set up.

79. The Ministry of Health prepared a handbook on comprehensive care for pregnant adolescents under 15 years of age and provided training on comprehensive, adolescent-friendly care to 1,593 health workers in 2020 and 950 in 2021. It has also sponsored campaigns to prevent sexual violence and early unions.⁷⁰ In 2021, 3,537 students between 15 and 19 years of age were trained in sexual and reproductive rights and the prevention of pregnancy in girls and adolescents.⁷¹

80. Between 2020 and 2021, there was an 11 per cent decrease in the number of adolescent pregnancies, which declined from 69,369 to 62,059.

2. Education

Recommendations 118.101–118.111 and 118.113–118.118

81. Ecuador attaches priority to continuing the process of making access to education universal at the initial, basic, secondary and tertiary levels through inclusive and high-quality academic offerings.

82. In 2021, accrued education expenses amounted to US\$ 4,192,224,425. To close the gap between urban and rural areas, 100 rural schools have been reopened since May 2021.

83. From 2021 to 2022, 4,309,139 students were enrolled at all levels of education. Of these, 222,845 were indigenous, 64,957 were Afro-Ecuadorian and 59,951 were Montubio.⁷² Of the total number of students, 142,293 had access to bilingual intercultural education. In addition, 2,169 persons with disabilities entered the national education system in 2020 through the efforts of local inclusion support units, and 1,808 did so in 2021.

Recommendation 118.12

84. The 2021–2025 Opportunity Creation Plan⁷³ promotes the enjoyment of the right to comprehensive, free, intercultural, high-quality health care and the development of an education system that is innovative and inclusive at all levels. It seeks to create new opportunities in rural areas and places a focus on peoples and nationalities through guidelines that ensure equality and non-discrimination in development and land management plans by means of equality-based approaches to local planning.

85. The Act Amending the Organic Act on Intercultural Education was adopted on 31 March 2021, setting out universal access, non-discrimination and equal opportunity and treatment as guiding principles in education.⁷⁴ The Office of the Undersecretary for Higher Education Institutions has developed a project to increase the number of relevant, high-quality public degrees and programmes with the aim of generating relevant in-person and online academic offerings, taking into account geographic discrepancies and self-identified ethnicity.

3. Labour

Recommendations 118.87 and 118.88

86. The Organic Act on Humanitarian Support set out measures to support the sustainability of employment during the pandemic, including through the introduction of special contracts and the reduction of working hours owing to emergent circumstances.

87. The 2021–2025 Opportunity Creation Plan⁷⁵ seeks to generate more and better jobs, especially for women and young people, by promoting entrepreneurship, investment, a stronger production base and tourism.⁷⁶

88. Four laws have been adopted to safeguard the right to work: (i) the Organic Act Amending the Organic Act on Public Service to Protect Employment and Ensure Stability in the Public Service;⁷⁷ (ii) the Organic Act on the Inclusive Circular Economy;⁷⁸ (iii) the Organic Act Amending the Organic Act on Entrepreneurship and Innovation for the Effective Implementation of Youth Entrepreneurship;⁷⁹ and (iv) the Organic Act Amending Various Laws to Reinforce the Prevention and Combating of Illicit Trade, Strengthen Domestic Industry and Promote Electronic Commerce.⁸⁰

89. The Office of the President of the Republic issued Decree No. 123 to simplify procedures and formulate a government policy on job creation. The Decree put forward a road map that is now being applied nationwide, in conjunction with the guidelines of the Ministry of Labour.

Recommendations 118.89 and 118.90

90. The 2021–2025 Opportunity Creation Plan⁸¹ seeks to reduce wage gaps and promote inclusive employment and the participation of women in the labour market through the promotion of entrepreneurship and a free market economy.

91. The Secretariat for Human Rights heads the 2022–2025 Violence Prevention and Capacity-building Project to Promote Access to Employment for Women and Vulnerable Groups, which has been allocated a budget of US\$ 12 million.⁸²

Recommendations 118.91–118.93

92. A government policy is in place on the prevention and eradication of child labour. At present, 188 of 221 decentralized autonomous governments have strategies for the prevention and eradication of child labour, and 34 working groups have been set up around the country.

93. The Ministry of Labour carries out monitoring and awareness-raising efforts on an ongoing basis. In 2020, 9,678 people were trained in issues relating to child labour and protected adolescent labour. In 2021, the number rose to 18,992. In 2020, verifications were carried out or support was provided in labour inspections on 2,748 occasions in order to identify children and adolescents in situations of child labour in an employment relationship. The 421 cases identified were referred to the cantonal systems for the protection of the rights of children and adolescents. Another 6,363 verifications were also conducted, leading to the identification of 448 children and adolescents in situations of child labour.

94. There is a Unified Child Labour Registration System for the reporting of cases of children and adolescents in situations of child labour. Alerts are sent to central government agencies⁸³ so that they can provide services to enable the children's rights to be restored.

95. Ecuador also promotes the employability of the parents of children and adolescents in situations of child labour in order to address the root cause of the problem.

4. Social security

Recommendation 118.86

96. The 2021–2025 Opportunity Creation Plan⁸⁴ promotes universal access to social security. The Ecuadorian Social Security Institute is responsible for implementing the compulsory general insurance system and the campesino social insurance scheme, which are part of the country's national social security system.

97. During the pandemic, the Ecuadorian Social Security Institute prepared implementing regulations for the Organic Act on Humanitarian Support to Combat the COVID-19 Health Crisis, which promoted agreements between employers and workers to ensure the continuity of employment relationships and, consequently, the right to social security. Re-enrolment and continued affiliation were facilitated for individuals under the special voluntary insurance scheme who were unable to pay their contributions, and they were allowed to make those payments and maintain the length of their affiliation without interruption.

98. The Institute is strengthening the campesino social insurance scheme and the National Programme for the Promotion of Active and Healthy Ageing and promotes cooperation agreements with other States to extend social security coverage to Ecuadorian migrants abroad.

5. Adequate standard of living

Recommendations 118.77–118.79 and 118.81

99. A reduction in poverty has been seen following the pandemic, with the nationwide poverty rate decreasing by 5.3 percentage points, from 33.0 per cent to 27.7 per cent, between December 2020 and December 2021.

100. To eradicate poverty and promote sustainable development and the equitable redistribution of resources and wealth, the following laws have been adopted: the Organic Act on the Inclusive Circular Economy;⁸⁵ the Organic Act Amending the Organic Monetary and Financial Code to Defend Dollarization;⁸⁶ and the Organic Act on Entrepreneurship and Innovation.⁸⁷

101. The 2021–2025 Opportunity Creation Plan⁸⁸ seeks to eradicate poverty and ensure social inclusion through social protection measures for the public and universal access to basic services, including the Internet.

102. Public resources are allocated under the general State budget for the management of the social welfare sector. Resources in the amount of US\$ 1,370,830,426 were used in 2020 and US\$ 1,666,883,004 in 2021.

103. The Ministry of Urban Development and Housing provides comprehensive support to beneficiaries of social housing projects to help improve their living conditions. In 2021 and 2022, approximately 52,000 people benefited from housing projects nationwide.

104. In 2020, the social projects with the largest investment budget included the project to implement the COVID-19 Family Protection Cash Transfer and the project to fund the Human Development Cash Transfer and its variable component. Both support the distribution of the COVID-19 Emergency Family Protection Cash Transfer, which is intended to cover the basic needs of the poorest families through a payment of US\$ 120 for families with incomes below the cost of a basic basket of consumer goods.

105. In 2021, one of the projects with the largest budgets was the project to strengthen the programme of non-contributory cash transfers administered by the Ministry of Economic and Social Inclusion, which relates to the strategic objective of increasing the upward mobility of individuals and families in situations of vulnerability and extreme poverty.

106. Ecuador is also strengthening the solidarity-based social economic system through the Institute for a People- and Solidarity-based Economy, which uses capacity-building to promote sustainable and sound productive initiatives. In 2020 and 2021, 20,610 people were trained nationwide.

D. Groups in especially vulnerable situations

Recommendation 118.34

107. The Secretariat for Human Rights is the lead agency for government policies on human rights in the country. It works in conjunction with other entities such as the national

equality councils,⁸⁹ the Secretariat for the Management and Advancement of Peoples and Nationalities and the Ministry of Economic and Social Inclusion.

1. Children and adolescents

Recommendation 118.136

108. Birth registration is done at the Directorate General for Civil Registration, Identification and Documentation with a certificate of live birth issued for statistical purposes, or its equivalent (hard-copy or electronic), and the parents' identity cards. Registration takes place within three days of the birth and is free of charge.

109. The Constitutional Court has issued decisions to ensure universal birth registration. In ruling No. 184-18,⁹⁰ the Court stated that any child conceived through methods of assisted reproduction must be registered, regardless of whether the child's parents are of different sexes or of the same sex.

110. In decision No. 2185-19,⁹¹ the Court held that the birth of a child of an adolescent migrant could be registered without the authorization of the adolescent mother's legal guardian, any act by an institution in the National System for the Comprehensive Protection of Children and Adolescents or the initiation of any legal proceedings.⁹²

Recommendations 118.137–118.140

111. A draft organic code for the comprehensive protection of children and adolescents and the report for the second debate are currently before the National Assembly. The draft provides for the right of children and adolescents to live a life free from violence, among other rights to protection, and prohibits corporal punishment.⁹³

112. In 2021, the National Directorate of the Special Police for Children and Adolescents, under the Ministry of the Interior, carried out 9,659 operations in public places, with a total of 1,406 children and adolescents recovered and 2,307 rescued. Between January and May 2022, it carried out 2,230 operations, recovering 389 children and adolescents and rescuing 439. In addition, police instructions have been prepared on the handling of cases involving child and adolescent victims of violence, a campaign called "My Childhood and Adolescence without Violence" has been carried out and an action plan called "Happiness in the Time of Pandemic" has been put together.

113. The Ministry of Economic and Social Inclusion is working to raise awareness among users of its services that physical punishment is not a proper method of child-rearing. To this end, it has prepared a guide on mainstreaming a violence and discrimination prevention approach.

114. Ecuador promotes respect for the rights of children and adolescents in rural areas under the campesino social insurance scheme. Through the implementation of the National Plan on Health and Sexual Health, it seeks to ensure that children and adolescents lead a life free from violence and to eradicate corporal punishment in those communities.

Recommendation 118.141

115. On 30 August 2021, the Organic Act Amending the Comprehensive Organic Criminal Code to Prevent and Combat Digital Sexual Violence and Intensify the Fight against Cybercrime was published. The offences of child pornography and psychological violence against women and family members were amended, and school and academic bullying were made offences.

116. Work is being done on a national strategy to eradicate sexual violence in educational environments. It will set targets for prevention, care, access to justice and information systems.

117. In 2021, 3,617 teachers were trained as part of a project to strengthen measures for comprehensively addressing cases of violence detected or committed in the national education system. The Ministry of Education has also provided training to 6,246 schools, 101,276 teachers and 1,498,303 families on the prevention of sexual violence in the family.

118. In 2020, a handbook for district dispute settlement boards and officials handling cases of sexual violence in the education system was issued and a user's manual for the sexual violence registration system, which must be used for reporting cases of sexual violence in schools, was approved.

119. In 2020, the Attorney General's Office handled 158 reports of sexual offences in schools. Of those cases, 73 are under preliminary investigation, 3 have been scheduled for trial and 8 have been decided. In 2021, 79 reports were received; 54 of them are under preliminary investigation.

120. To combat impunity and revictimization, the Council of the Judiciary has provided special training for judicial officials who handle cases of sexual violence. From March to April 2022, 640 officials were trained.⁹⁴

121. In March 2022, the Council of the Judiciary approved a protocol to prevent the revictimization by judicial authorities of child and adolescent victims of sexual violence at school. It also created a comprehensive training plan for a specialization in violence against women, children and adolescents, sexual offences and femicide. In 2021, a course was held for 107 officials on procedures and expert opinions in cases involving offences against sexual and reproductive integrity.

122. The Attorney General's Office has implemented policy guidelines on the prevention of the criminal phenomenon of sexual violence against children and adolescents and on their access to justice, and has made it mandatory for children and adolescents to be entered into the National System of Protection and Assistance for Victims, Witnesses and Other Participants in Criminal Proceedings in cases involving offences against their sexual integrity.

2. Persons with disabilities

Recommendations 118.142–118.144 and 118.147

123. The National Council for Persons with Disabilities has formulated a national agenda for the period 2021–2025 to guide public and private efforts relating to disability.

124. Ecuador has a comprehensive social protection system that offers special protection to persons with disabilities. Currently, 33,192 persons with disabilities benefit from its services: 31,600 in home and community care, 379 in inclusive referral and accommodation centres, and 1,213 in day centres oriented towards comprehensive development.⁹⁵ There is also a social register that facilitates cash transfers and the delivery of pensions to persons with disabilities in situations of extreme poverty and/or vulnerability. As of June 2022, nationwide, 206,451⁹⁶ persons with disabilities were registered in the system and receiving benefits.

125. The national education system has been strengthened through the local inclusion support units, which reached 2,169 persons with disabilities in 2020 and 1,808 in 2021. There are 47,603⁹⁷ students with disabilities in the elementary, middle and secondary levels of education, 5,917⁹⁸ enrolled in universities and polytechnics, and 1,419⁹⁹ in technical institutes and institutes of technology.

126. The community-based assistance approach applied by the Ministry of Urban Development and Housing ensures social housing for persons with disabilities, and 1,375 persons with disabilities are now in such housing.¹⁰⁰

127. Since 2013, the Ministry of Health has been running a project to provide comprehensive and inclusive care for persons with disabilities, rehabilitation services and special health-care services nationwide. In 2020, it delivered 18,896 mobility aids, hearing aids and prostheses to 16,238 persons with disabilities.¹⁰¹

Recommendations 118.145 and 118.146

128. The Ministry of Labour has created a guidebook on best practices for the integration of persons with disabilities into the labour market, from a human rights-based perspective, and has promoted partnerships to support persons with visual impairments and help them join

the labour market. In 2020, it held 148 awareness-raising workshops for employers on the inclusion of persons with disabilities in the workplace, and in 2021, it held 399.

129. The Ministry of Labour and the National Council for Persons with Disabilities have entered into a cooperation agreement with the Federación Nacional de Ecuatorianos con Discapacidad Física in order to strengthen the Labour Market Integration Service for Persons with Disabilities.¹⁰² Under this agreement, 1,951 employment profiles were put together and 133 labour inspectors were trained in verifying compliance with the 4 per cent labour market integration requirement¹⁰³ between January and December 2021.

Recommendation 118.148

130. Access to justice and a life free from violence are key aspects of the agenda of the National Council for Persons with Disabilities for the period 2021–2025, and the Council has engaged in awareness-raising to counter violence against persons with disabilities. In 2021, it held 104 courses on disabilities, which reached 21,914 people; 33 courses on the sexual and reproductive rights of persons with disabilities and their right to a life free from violence, which had 4,723 participants; 23 courses for social communicators on the theme “Building Inclusion”, which reached 1,559 people; 35 training sessions on services for tourists with disabilities, which reached 5,891 people; and a panel discussion on the impact and importance of the leadership and participation of women with disabilities in society.¹⁰⁴

3. Peoples and nationalities

Recommendation 118.14

131. Since 2019, one of the main elements of the agenda of the National Equality Council for Peoples and Nationalities has been the eradication of discrimination and social exclusion through affirmative action and comprehensive reparation. Three fields of action were identified as being strategically important for the equality of indigenous, Afro-Ecuadorian and Montubio peoples and nationalities: health, education and territory. In addition, a committee was created for the Decade for People of African Descent, as were 12 technical commissions.

132. In 2020, the National Equality Council for Peoples and Nationalities prepared a proposal for a government policy on ethno-education. The new 2022–2025 Agenda for the Equal Rights of Indigenous Nationalities and Peoples, the Afro-Ecuadorian People and the Montubio People is in the adoption process.

Recommendations 118.80, 118.82 and 118.83

133. With the support of the World Bank, the State has implemented a project to strengthen the indigenous, Afro-Ecuadorian and Montubio community-based economies and overcome the barriers to education and employment that affect these communities.¹⁰⁵

Recommendations 118.49, 118.150, 118.153 and 118.154

134. On 24 May 2021,¹⁰⁶ the Secretariat for the Management and Advancement of Peoples and Nationalities¹⁰⁷ was created. Its main objective is to promote the advancement of peoples and nationalities through the establishment of productive projects and community businesses to improve their quality of life, safeguard their collective rights and create new opportunities to boost the community-based economy.

135. The Council of the Judiciary, the Central Ecuatoriana de Servicios Agrícolas, Movimiento Indígena y Campesino de Cotopaxi, the Spanish organization Manos Unidas and the Central University of Ecuador were awarded a European Union project for the strengthening of coordination and cooperation between the indigenous and ordinary systems of justice in Ecuador.

136. The National Equality Council for Peoples and Nationalities has signed an agreement with the Public Defender Service in order to reinforce the free advisory services, timely assistance and legal representation provided to individuals, communes, communities, indigenous peoples and nationalities, and the Afro-Ecuadorian and Montubio peoples. It has

also developed training programmes for public defenders and the authorities of the peoples and nationalities on the applicability of legal pluralism. In conjunction with other institutions such as the Ministry of the Interior and the National Police, it has facilitated interaction between police officers and indigenous peoples.¹⁰⁸

137. The Organic Act Amending the Organic Act on Intercultural Education was published in March 2021, and the Act Amending the Act on the Establishment of the Amawtay Wasi Intercultural University of Indigenous Nationalities and Peoples was published in August 2021.

138. In 2022, to mark the International Decade of Indigenous Languages, Ecuador created an inter-institutional committee to revitalize indigenous languages nationwide.

Recommendation 118.155

139. The Secretariat for Human Rights participates in the Amazon Cooperation Treaty Organization, an entity that promotes a regional policy for the protection of indigenous peoples living in isolation in the Amazon basin and of indigenous populations in border areas.¹⁰⁹

140. Since 2021, Ecuador has been taking part in a project on a contingency plan to protect the health of members of highly vulnerable indigenous peoples and those in a situation of initial contact.¹¹⁰ The project has three components: (i) diagnosis of the health situation and of how to deal with COVID-19 in Amazonian border regions; (ii) strengthening of the capacity of the health services to provide a coordinated response; and (iii) strengthening of indigenous early warning mechanisms.

141. Technical cooperation actions are being carried out to strengthen the monitoring system of the Tagaeri-Taromenane Protected Zone and its area of influence. These have led to an annual monitoring overflight to identify signs of indigenous peoples living in voluntary isolation, the provision of an outboard engine to improve the logistical arrangements for patrols looking for threats and the provision of food for workshops at the monitoring station.¹¹¹

Recommendations 118.151, 118.152 and 120.19

142. The Agenda for the Equal Rights of Indigenous Nationalities and Peoples, the Afro-Ecuadorian People and the Montubio People addresses the issues of land and territory and provides for improvements to the procedures for prior, pre-legislative and environmental consultation aimed at protecting the tangible and intangible heritage of the peoples and nationalities and at ensuring their right to be consulted in connection with any plan or programme for prospecting, developing and marketing non-renewable resources located on their lands and territories. This document also puts forward policies for democratic participation spearheaded by the National Equality Council for Peoples and Nationalities.¹¹²

4. Persons in situations of human mobility

Recommendation 118.156

143. On 5 February 2021, the Organic Act Amending the Organic Act on Human Mobility¹¹³ was adopted.¹¹⁴ Fourteen articles were amended to uphold the constitutional requirement that people must be treated equally and not be discriminated against regardless of whether they are in a situation of human mobility. The concept of refugee *sur place* was expressly incorporated.¹¹⁵

144. The Ministry of Foreign Affairs and Human Mobility put in place a procedure for the regularization of foreign nationals who are parents of Ecuadorian children or adolescents and who did not register their entry through official migration checkpoints; the 2020–2021 Comprehensive Plan for the Care and Protection of the Venezuelan Population in Human Mobility; the temporary “purple” visa for Afghan citizens who are victims of the conflict in the Islamic Republic of Afghanistan; and a pilot plan for interviewing separated or unaccompanied children and adolescents, in which 117 children and adolescents participated

in 2020. It also automated refugee status determination procedures through the Government's one-stop shop system. By December 2021, 38,437 requests had been handled.¹¹⁶

145. On 25 July 2019, an immigration amnesty was put in place for Venezuelan citizens¹¹⁷ and a procedure was established for regularization through the granting of a special temporary visa on humanitarian grounds. The regularization process began on 21 October 2019 and covered 93,066 Venezuelan citizens. A new special regularization procedure for Venezuelan citizens was launched on 1 June, under Executive Decree No. 436, and will be carried out in three stages.¹¹⁸

146. In 2021, the technical team of the National Council for Human Mobility was sent to a total of 139 cantons in 23 provinces to offer protection to persons in situations of human mobility. In this context, it formed strategic partnerships with institutions of higher education, creating an inter-institutional network; developed the "Rights without Borders" toolkit, which includes radio advertisements, the life stories of people in situations of human mobility and public opinion radio shows addressing human mobility and rights; and produced videos with basic legal definitions and specialized publications such as the National Agenda for Equality in Human Mobility.

147. During the COVID-19 pandemic, the Ministry of the Interior, through the National Police, created 37 humanitarian corridors to assist foreign nationals in situations of vulnerability.

Recommendation 118.157

148. The Ombudsman's Office and the Office of the United Nations High Commissioner for Refugees signed a letter of understanding to help people in situations of human mobility, particularly refugees, asylum-seekers, displaced persons and stateless persons.

149. Since the entry into force of the Organic Act on Human Mobility, the State has established a statelessness determination procedure in accordance with the 1954 Convention relating to the Status of Stateless Persons. Any person who is not considered a national by any State is recognized as stateless, and the Act establishes that this recognition is a declarative, humanitarian and apolitical act of the State. A temporary residence visa is granted following individualized proceedings that pay particular attention to people in vulnerable situations, and after two years, the person in question may renew the temporary visa or apply for a permanent residence visa.

150. The Public Defence Service provides free legal advice and representation regarding human mobility matters to migrants, asylum-seekers, refugees and stateless persons.¹¹⁹

5. Older persons

Recommendation 118.24

151. The National Council for Intergenerational Equality promotes the protection of older persons on the basis of the 2021–2025 National Agenda for Intergenerational Equality.¹²⁰

152. There is a specialized national system for the comprehensive protection of the rights of older persons, under the Ministry of Economic and Social Inclusion.

153. The Ministry of Economic and Social Inclusion provides assistance and care to older persons in situations of poverty, extreme poverty or vulnerability through residential geriatric centres, adult day care centres, venues where older persons can meet and socialize, and home care. In addition, it administers the comprehensive social protection system, which provides non-contributory cash transfers to cover shortfalls in their families' financial means.

154. As of September 2021, 310,354 people were receiving the "My Best Years" pension, and 53,830 were receiving the pension for older persons. In December 2021, a table of minimum maintenance payments for older persons was published, to ensure the right to economic protection for those who lack the necessary resources for their survival. Awareness-raising campaigns have been carried out: 49,888 people were reached by text message on World Elder Abuse Awareness Day; 681,373 people received text messages on

the use of non-contributory pensions; and 38,579 people were reached by text message on the International Day of Older Persons.

155. Since April 2020, activities and workshops for older persons have been conducted online. Home visits and medical and nursing care for such persons have been encouraged.

156. Thanks to the community-based assistance approach of the Ministry of Urban Development and Housing, 698 older persons have been able to obtain social housing.

6. Human rights defenders

Recommendations 118.53, 118.55, 118.57, 118.58, 118.64 and 118.66

157. In December 2019, an inter-institutional committee¹²¹ was formed to develop a comprehensive policy for the promotion and protection of the rights of human rights defenders and defenders of the environment. The committee prepared a concept paper on the development of a comprehensive policy, and a team from the Ombudsman's Office devised a methodology for gathering primary information on the situation of human rights defenders and defenders of the environment to serve as input for the design and implementation of the policy.

158. In 2020, the Attorney General's Office delivered a course on standards of protection for human rights defenders and held, for the first time, an online course on human rights targeting State agents responsible for criminal investigations, journalists and human rights defenders.

159. The Ministry of the Environment, Water and the Ecological Transition is working to identify potential amendments and/or new secondary legislation or governmental or institutional policies for human rights defenders in environmental matters, in accordance with the Escazú Agreement.¹²²

E. Other

1. Prohibition of enslavement, trafficking in persons and smuggling of migrants

Recommendations 118.68 and 118.69

160. The Organic Act Amending the Organic Act on Human Mobility includes a framework for the prevention of trafficking in persons and smuggling of migrants and for the protection of victims. The main steps taken include: (i) the consideration of victims of trafficking as persons under protection for humanitarian reasons, who can obtain a humanitarian visa for a period of up to two years; (ii) the creation of the Inter-Institutional Coordinating Committee for the Prevention of Trafficking in Persons and Smuggling of Migrants and for Victim Protection,¹²³ chaired by the Ministry of the Interior and comprising other governmental and civil society institutions; (iii) the mainstreaming, across all State institutions, of comprehensive policies for the prevention of trafficking in persons and smuggling of migrants; (iv) the updating of the registry of cases of trafficking in persons and smuggling of migrants, with the institutions that make up the Inter-Institutional Committee having responsibility for its implementation; and (v) amendments to the provisions relating to the crime of trafficking in the Comprehensive Organic Criminal Code.¹²⁴

161. The 2020 protocols on an inter-institutional response in the provision of care and comprehensive protection to victims of trafficking in persons and smuggling of migrants and the regulations on the operation of the Inter-Institutional Coordinating Committee for the Prevention of Trafficking in Persons and Smuggling of Migrants have been adopted.

Recommendations 118.70, 118.71 and 118.73

162. In November 2019, Ecuador adopted the 2019–2030 Action Plan against Trafficking in Persons,¹²⁵ which has five areas of focus: prevention, promotion, protection, investigation and governance.¹²⁶ Guidelines and materials have been prepared to give effect to the Plan,¹²⁷ and six campaigns against trafficking in persons¹²⁸ and three campaigns against smuggling

of migrants¹²⁹ have been conducted. In 2020, 19 workshops were held, reaching 3,201 people.¹³⁰

Recommendation 118.72

163. The National Police has a National Unit for the Investigation of Trafficking in Persons and Smuggling of Migrants, which carries out rescue operations nationwide. Between March and August 2020, two operations resulted in the rescue of victims and the arrest of perpetrators in Loja and Los Ríos. During an operation called “Rebirth 18”, three adolescent victims of trafficking for purposes of sexual exploitation were identified. On 24 July 2022, 13 suspected members of these networks were arrested and 38 suspected victims were identified. National and international operations are carried out regularly.

2. Business and human rights

Recommendations 118.27–118.29 and 120.4

164. Ecuador is the Chair-Rapporteur of the open-ended intergovernmental working group that is developing a legally binding international instrument on business and human rights.¹³¹ At the forty-sixth regular session of the United Nations Human Rights Council,¹³² Ecuador presented a draft resolution on behalf of the Movement of Non-Aligned Countries, which was adopted unanimously¹³³ as resolution 46/14.¹³⁴

165. Steps have been taken to develop a national action plan on business and human rights.¹³⁵ In 2021, an inter-institutional committee comprising 29 State institutions was created, as was a multi-stakeholder committee with representatives of business, trade unions, civil society, universities, peoples and nationalities. In 2022, funding is to be provided for a baseline study that will make it possible to assess the proper implementation of actions to achieve the Plan’s objectives.

Notes

- ¹ Este proceso incluyó la consulta interinstitucional a 48 puntos focales.
- ² Ejecutiva, legislativa, judicial, electoral, y transparencia y control social.
- ³ El Comité de Operaciones de Emergencia Nacional (COE) es un mecanismo del Sistema Nacional Descentralizado de Gestión de Riesgos, responsable de promover, planear y mantener la coordinación y operación conjunta en emergencias o desastres con los diferentes actores a nivel nacional. Está conformado por las máximas autoridades de las instituciones del Estado o sus delegados, y dirigido por el Presidente de la República del Ecuador o su delegado.
<https://www.gestionderiesgos.gob.ec/resoluciones-coe/>.
- ⁴ Mediante Decreto Ejecutivo No. 1017.
- ⁵ <https://www.salud.gob.ec/wp-content/uploads/2022/04/Plan-Nacional-de-Vacunacion-plan-9-100.pdf>.
- ⁶ Fecha de corte: 11 junio 2022. Disponible en:
<https://app.powerbi.com/view?r=eyJrIjoiYTtkzNTFkMmUtZmUzNi00NDcwLTg0MDEtNjFkNzhkZTg5ZWYyIiwidCI6IjcwNjIyMGRiLTliMjktNGU5MS1hODI1LTl1NmIwNmQyNjlmMyJ9&pageName=ReportSection>.
- ⁷ Previo a iniciar este proceso se difundió los beneficios y eventuales riesgos de la vacunación en el idioma Wao Tededo garantizando el acceso a la información y respeto a los valores culturales.
- ⁸ Según el diagnóstico de la UNODC, entregado al Estado, la crisis penitenciaria es estructural y responde a cuatro variables: (i) aumento acelerado de la población carcelaria como un fenómeno multicausal, (ii) seguridad comprometida en las prisiones, agravada por la corrupción y los niveles elevados de violencia, (iii) falta de políticas eficaces de prevención del delito y rehabilitación social y (iv) condiciones inhumanas y/o precarias de privación de la libertad, con un impacto especialmente negativo en las personas con necesidades especiales.
- ⁹ Fue presidida por la Secretaría de Derechos Humanos con asistencia técnica de Naciones Unidas. Disponible en https://www.derechoshumanos.gob.ec/wp-content/uploads/2022/02/18_02.-Politica-Publica-de-Rehabilitacion-Social_vF-.pdf.
- ¹⁰ Violencia física (35,4%), sexual (32,7%), psicológica con el (60%), económica - patrimonial (16,4%), y gineco-obstétrica (47,5%).
- ¹¹ https://www.ecuadorencifras.gob.ec/documentos/web-inec/Estadisticas_Sociales/Violencia_de_genero_2019/Boletin_Tecnico_ENVIGMU.pdf.
- ¹² Protocolo de Comunicación y Atención de Casos de Violencia de Género e Intrafamiliar durante la

Emergencia Sanitaria por Coronavirus COVID-19 (2020); Protocolo para la Atención a Víctimas de Violencia de Género bajo la Modalidad de Teletrabajo (2020), Norma técnica para la atención integral a mujeres víctimas de trata de personas en acogimiento institucional” y “lineamientos para el servicio de protección integral para la atención a mujeres víctimas de trata de personas y tráfico ilícito de migrantes”. (2020); Protocolo para la articulación de los sistemas locales de protección de derechos de niños, niñas, adolescentes y personas adultas mayores en el marco de la emergencia sanitaria COVID-19 (2021).

- ¹³ En esta sección se incluyen avances y desafíos en la implementación de las recomendaciones del tercer ciclo desde el informe de medio término al EPU, hasta la actualidad. Cada recomendación se ha identificado con el número asignado en el Informe del Grupo de Trabajo sobre el EPU de fecha 10 julio 2017.
- ¹⁴ Durante los últimos años ha recibido las visitas del Relator Especial de Naciones Unidas sobre la promoción y protección del derecho a la libertad de opinión; Relatora Especial de las Naciones Unidas sobre la violencia contra la mujer, sus causas y consecuencias; Relator Especial de las Naciones Unidas sobre el derecho de toda persona al disfrute del más alto nivel posible de salud física y mental; y del Grupo de Trabajo de Expertos de Naciones Unidas sobre los Afrodescendientes.
- ¹⁵ <https://siderechos.cancilleria.gob.ec/app/web/inicio.do>.
- ¹⁶ <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- ¹⁷ En 2020, el MSP desarrolló la campaña ESA ES para prevenir la violencia sexual y promover la salud sexual integral. En el mismo año, el CNIG creó la campaña Vivamos la Igualdad en conjunto con otros Consejos Nacionales y la SDH. El Ministerio de Cultura y Patrimonio lideró la campaña 16 Días de Activismo contra la Violencia de Género, y la Defensoría del Pueblo realizó una campaña para evitar el ciberacoso en niños, niñas y adolescentes, ofreciendo su portal de servicios como uno de los canales para la presentación de denuncias. En 2021, la SDH sensibilizó sobre la prevención y erradicación de la violencia contra las mujeres a través del diseño y desarrollo de varias herramientas e intervenciones digitales y/o presenciales, como: capacitación virtual de Prevención de la Violencia contra las Mujeres; curso de Contenidos Comunicacionales Libres de Violencia con Enfoque Comunicacional, Género y Derechos Humanos, dirigido a 400 comunicadores/as; capacitación virtual a 987 personas de los consejos cantonales de protección de derechos, juntas cantonales de protección de derechos y unidades de gestión internas de los GAD, con el tema Prevención de la Violencia contra las Mujeres; mesa de trabajo con 25 instituciones del Estado para las Jornadas Libres de Violencia; campañas digitales en redes sociales; campañas y capacitaciones en los Centros de Atención y Casas de Acogida. En 2022, se han desarrollado procesos de sensibilización, promoción y capacitación a servidores/as públicos/as de las Direcciones de Seguridad, Agentes Municipales y Cuerpos de Bomberos de los GAD. Se han incluido temas de género, roles y estereotipos, igualdad formal y material, violencia contra las mujeres en el ámbito laboral y rutas de denuncia.
- ¹⁸ <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- ¹⁹ <https://www.zonalegal.net/uploads/documento/14.59%20ECONOMIA%20VIOLETA%20POR%20UNA%20VIDA%20LIBRE%20DE%20VIOLENCIA%20PARA%20LAS%20MUJERES.pdf>.
- ²⁰ Art. 178 de la Constitución.
- ²¹ El plan cuenta con siete módulos y un total de 600 horas de formación teórica y práctica cuyo contenido ha sido elaborado con apoyo de ONU Mujeres y UNFPA.
- ²² Durante diciembre 2021, se capacitaron 1.241 funcionarios judiciales sobre el uso de estas nuevas funcionalidades.
- ²³ <https://www.funcionjudicial.gob.ec/femicidiosec>.
- ²⁴ <https://www.fiscalia.gob.ec/wp-content/uploads/2021/11/Protocolo-Nacional.pdf>.
- ²⁵ Art. 5.5.
- ²⁶ Art. 45 del Reglamento General de la Ley Orgánica para Prevenir y Erradicar la Violencia contra las Mujeres.
- ²⁷ Directriz No. FGE-DDHPC-D-008-2020.
- ²⁸ Directriz No. FGE-DDHPC-D-003-2020.
- ²⁹ Memorando Nro. FGE-CGAJP-DCJEAF-2020-03719-M, de 23 de noviembre de 2020.
- ³⁰ Esta herramienta fue construida, a través de la articulación entre el INEC, Consejo Nacional para la Igualdad de Género (CNIG), y Secretaría de Derechos Humanos (SDH) en el marco de la Comisión Especial Interinstitucional de Estadísticas de Género y Grupos Prioritarios. Disponible en <https://www.ecuadorencifras.gob.ec/violencia-de-genero/>.
- ³¹ <https://onedrive.live.com/?authkey=%21AMVb3ka1N5hwh%5F0&cid=76F4C3AD47561FBF&id=76F4C3AD47561FBF%21467&parId=76F4C3AD47561FBF%21294&o=OneUp>.
- ³² Tales como: mesa de construcción del RUV, mesas provinciales de justicia y género, mesas para seguimiento del Acuerdo Nacional 2030 – Por una vida libre de violencia –, mesa técnica de prevención y promoción de derechos, mesa técnicas sobre trata de personas, entre otras.

- ³³ Como la entrega de kits alimenticios y del bono de protección familiar por emergencia para un listado de 560 personas LGBTI+, principalmente población trans femenina en situación de pobreza.
- ³⁴ Art. 177.
- ³⁵ Art. 14.4.
- ³⁶ <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- ³⁷ Durante este período ha fortalecido las capacidades para la implementación de los convenios de Estocolmo y Minamata en 18 instituciones públicas, beneficiando a 174 servidores/as; ha promovido la migración de sistemas de ganadería convencional hacia sistemas sostenibles; ha activado el proyecto Apoyo para la Transición Hacia la Movilidad Eléctrica Baja en Carbono en Ecuador; ha adoptado medidas de adaptación al cambio climático a través del programa PROCAMBIO II ; ha aplicado sistemas de cultivos bajo cubierta en las zonas de amortiguamiento al Parque Nacional Podocarpus; ha creado huertos orgánicos en las comunidades a través de programas de educación ambiental; ha aprobado 12 proyectos de agua potable a nivel nacional; ha asignado recursos para la ejecución de sistemas de aguas potables a Juntas de Agua Comunitarias; ha planteado un proyecto para la construcción de una planta de tratamiento de aguas residuales en Morona Santiago; y ha trabajado en conjunto con otras instituciones para contrarrestar el cambio climático, por ejemplo creando la Mesa Técnica de Género y Cambio Climático.
- ³⁸ <https://www.controlrecursosyenergia.gob.ec/acciones-de-intervencion-de-actividades-mineras-ilicitas-en-zaruma-se-realizan-de-forma-ininterrumpida/>.
- ³⁹ <https://www.gobiernoabierto.ec/wp-content/uploads/2019/10/Plan-de-Accio%CC%81n-de-Gobierno-Abierto-Ecuador-2019-2022-VReprogrmado-F-espan%CC%83ol.pdf?x88241>.
- ⁴⁰ <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- ⁴¹ Este plan se basa en los principios de libertad, democracia, Estado de Derecho, igualdad de oportunidades, solidaridad, sustentabilidad y prosperidad, en cumplimiento de lo que determina el Código Orgánico de Planificación y Finanzas Públicas. El plan está alineado con la Agenda 2030 y sus ODS y se compone de cinco Ejes Programáticos: económico, social, seguridad integral, transición ecológica e institucional. Traza 16 objetivos que responden a las prioridades nacionales, y plantea 55 políticas y 130 metas que buscan avanzar hacia la erradicación de la pobreza, la reactivación económica y la generación de empleo.
- ⁴² <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- ⁴³ Objetivo 14. Fortalecer las capacidades del Estado con énfasis en la administración de justicia y eficiencia en los procesos de regulación y control, con independencia y autonomía.
- ⁴⁴ <https://www.funcionjudicial.gob.ec/www/pdf/ley%20reformatoria%20al%20COFJ.pdf>.
- ⁴⁵ http://esacc.corteconstitucional.gob.ec/storage/api/v1/10_DWL_FL/e2NhcNBlDGE6J3RyYW1pdGUhLCB1dWlkOiczOGJiNmFhZC11NmNmLTRmMDItOTQyZi1kMjc1YzMwM2U1NTUucGRmJ30=.
- ⁴⁶ En el caso concreto del error inexcusable la Corte ordenó que la autoridad judicial que lo declare deberá verificar los siguientes parámetros mínimos: i) que el acto u omisión judicial que se imputa como error inexcusable sea de aquellos errores judiciales sobre los cuales no se puede ofrecer motivo o argumentación válida para disculparlo; ii) que el acto u omisión judicial que se imputa como error inexcusable no se trate de una controversia derivada de diferencias legítimas e incluso polémicas, en la interpretación o aplicación de disposiciones jurídicas; iii) que el acto u omisión judicial que se imputa como error inexcusable cause un daño efectivo y de gravedad al justiciable, a terceros o a la administración de justicia.
- ⁴⁷ <https://www.funcionjudicial.gob.ec/www/pdf/ley%20reformatoria%20al%20COFJ.pdf>.
- ⁴⁸ Las capacitaciones se realizan a través de un sistema educativo conformado por dos procesos. Primero, una formación en derechos humanos a los/as aspirantes a policías en la que se incluyen actividades extracurriculares en temas de derechos humanos, género y uso de la fuerza. También se capacita a todo el universo de las/os servidores policiales de manera anual, a través del Programa de Capacitación Integral Continua (PCIC).
- ⁴⁹ **Art. 293.- Extralimitación en la ejecución de un acto de servicio.-** La o el servidor de las Fuerzas Armadas, Policía Nacional o seguridad penitenciaria que se extralimite en la ejecución de un acto del servicio, sin observar el uso progresivo o racional de la fuerza, en los casos que deba utilizarla y que como consecuencia de ello, produzca lesiones a una persona, será sancionado con pena privativa de libertad que corresponda, según las reglas de lesiones, con el incremento de un tercio de la pena. Si como consecuencia de la inobservancia del uso progresivo o racional de la fuerza se produce la muerte de una persona, será sancionado con pena privativa de libertad de diez a trece años.
- ⁵⁰ El Eje Institucional del plan enfatiza la importancia de garantizar una administración de justicia eficiente y transparente sin discriminación, el fortalecimiento del sistema democrático, la lucha contra la corrupción y la consolidación de un estado eficiente que preste servicios públicos de calidad para la

- garantía de derechos.
- 51 <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- 52 <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- 53 <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- 54 <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- 55 Art. 76.
- 56 En lo que va del 2022 se encuentran en proceso de capacitación 640 funcionarios/as judiciales.
- 57 https://www.arcotel.gob.ec/wp-content/uploads/2019/04/Reformatoria_LOC.pdf.
- 58 Actualmente se encuentra en informe para segundo debate. Disponible en <https://www.asambleanacional.gob.ec/es/multimedios-legislativos/64742-proyecto-de-ley-organica-para-la>.
- 59 https://www.asambleanacional.gob.ec/sites/default/files/private/asambleanacional/filesasambleanacionalnameuid-29/Leyes%202013-2017/1159-jcardenas/inf-2d-forme_sd_-_ley_libre_expresi%C3%B3n_%28comunicaci%C3%B3n%29_%281%29-signed-signed_firmado-signed-signed-signed.pdf.
- 60 https://www.fielweb.com/App_Themes/InformacionInteres/Decreto_Ejecutivo_No._126_20210619170756_20210619171202_20210619171423_20210619171630_20210619171639_20210619171727_20210619171810_20210619171944_20210619171957_20210619172007.pdf.
- 61 300.855 se registraron durante la pandemia.
- 62 <https://www.dpe.gob.ec/prevencion-contra-la-tortura-y-otros-tratos-o-penas-cruelles-inhumanos-y-degradantes/>.
- 63 https://atencionintegral.gob.ec/wp-content/uploads/2020/08/Reglamento-del-Sistema-de-Rehabilitacio%CC%81n-Social-SNAI-2020_compressed.pdf.
- 64 Presidido por un delegado del Presidente de la República, y conformado por instituciones del gobierno central y la Defensoría del Pueblo.
- 65 Reglamento del Sistema Nacional de Rehabilitación Social, Art. 10.
- 66 https://www.derechoshumanos.gob.ec/wp-content/uploads/2022/02/18_02.-Politica-Publica-de-Rehabilitacion-Social_vF-.pdf.
- 67 Tiene como finalidad disminuir de manera sostenible la desnutrición y/o malnutrición infantil que afecta a 1 de 4 menores de 5 años en el país; así como desarrollar mecanismos de prevención, identificación, y reducción de la prevalencia de la desnutrición crónica en la niñez menor a 24 meses de edad.
- 68 La Secretaría tiene como fin articular la construcción, implementación y monitoreo de estrategias y planes para prevenir y reducir la DCI.
- 69 También se han ofrecido servicios deportivos gratuitos como *Activo y Saludable Toda Una Vida*.
- 70 Campaña ESA ES.
- 71 Como parte de la *Campaña Todos ABC*.
- 72 <https://educacion.gob.ec/datos-abiertos/>.
- 73 Art. 2.1. <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- 74 <https://educacion.gob.ec/wp-content/uploads/downloads/2021/05/Ley-Organica-Reformatoria-a-la-Ley-Organica-de-Educacion-Intercultural-Registro-Oficial.pdf>.
- 75 <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- 76 Se planea construir redes de empleo, priorizando el acceso a grupos en situación de vulnerabilidad, con enfoque de plurinacionalidad e interculturalidad; y lograr una economía de mercado sostenible, creando las condiciones adecuadas para que el sector privado sea el responsable de la creación de oportunidades laborales.
- 77 09 diciembre 2020.
- 78 06 julio 2021.
- 79 19 octubre 2021.
- 80 27 agosto 2021.
- 81 <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- 82 Su ejecución anual en 2022 se enfoca en tres componentes: (i) generar capacidades técnicas, administrativas y de modelo de negocio que incluya incentivos para mujeres y población LGTBI+; (ii) establecer planes focalizados de sensibilización con contenidos de prevención de la violencia en cualquiera de sus formas hacia las mujeres, población LGBTI+ y niños, niñas y adolescentes; y (iii) abordar las condiciones de vida de estas poblaciones.

- ⁸³ Ministerio de Inclusión Económica y Social, Ministerio de Educación, Ministerio de Salud Pública, DINAPEN, y Registro Civil, Cedulación e Identificación.
- ⁸⁴ <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- ⁸⁵ 6 julio 2021.
- ⁸⁶ 3 mayo 2021.
- ⁸⁷ 28 febrero 2020.
- ⁸⁸ <https://www.planificacion.gob.ec/wp-content/uploads/2021/09/Plan-de-Creacio%CC%81n-de-Oportunidades-2021-2025-Aprobado.pdf>.
- ⁸⁹ El Art. 6 de la Ley Orgánica de los Consejos Nacionales para la Igualdad prevé la existencia de cinco Consejos: de género, intergeneracional, de pueblos y nacionalidades, de discapacidades y de movilidad humana.
- ⁹⁰ <https://portal.corteconstitucional.gob.ec/FichaRelatoria.aspx?numdocumento=184-18-SEP-CC#:~:text=%C2%B0%201692%2D12%2DEP%2C,de%20haber%20nacido%20en%20Ecuador>.
- ⁹¹ <https://portal.corteconstitucional.gob.ec/FichaRelatoria.aspx?numdocumento=2185-19-JP/21>.
- ⁹² Para garantizar la inscripción es suficiente el certificado de nacido vivo y cualquier documento que demuestre la identidad de los progenitores.
- ⁹³ http://ppless.asambleanacional.gob.ec/alfresco/d/d/workspace/SpacesStore/ae1233b6-2e30-4c22-a555-071c400a29d9/informe_aprobado_para_segundo_debate_del_proyecto_de_ley_de_copinna.-signed.pdf.
- ⁹⁴ 178 jueces, 172 ayudantes judiciales, 108 psicólogos peritos, 64 fiscales y 118 defensores públicos.
- ⁹⁵ <https://www.consejodiscapacidades.gob.ec/estadisticas-de-discapacidad/>.
- ⁹⁶ <https://www.consejodiscapacidades.gob.ec/estadisticas-de-discapacidad/>.
- ⁹⁷ <https://www.consejodiscapacidades.gob.ec/estadisticas-de-discapacidad/>.
- ⁹⁸ <https://www.consejodiscapacidades.gob.ec/estadisticas-de-discapacidad/>.
- ⁹⁹ <https://www.consejodiscapacidades.gob.ec/estadisticas-de-discapacidad/>.
- ¹⁰⁰ <https://www.consejodiscapacidades.gob.ec/estadisticas-de-discapacidad/>.
- ¹⁰¹ Además, ha creado lineamientos como el Proyecto de Fortalecimiento de la Atención Integral, Detección, Prevención, Rehabilitación y Habilitación de Personas con Discapacidad; Manual de Calificación y Recalificación de Discapacidades; y Manual Integral en Salud Sexual y Reproductiva para Personas con Discapacidad.
- ¹⁰² <http://www.discapacidadesecuador.org/sil/index.php?btnpagina=pagina-publico-servicios>.
- ¹⁰³ <https://www.consejodiscapacidades.gob.ec/wp-content/uploads/downloads/2022/04/Informe-Rendicion-de-Cuentas-CONADIS-2021.pdf>.
- ¹⁰⁴ <https://www.consejodiscapacidades.gob.ec/wp-content/uploads/downloads/2022/04/Informe-Rendicion-de-Cuentas-CONADIS-2021.pdf>.
- ¹⁰⁵ El Proyecto se basa en la implementación de cuatro componentes: (i) fortalecimiento de la gobernanza y planificación de inversiones locales; (ii) desarrollo de subproyectos territoriales que contribuyan a la generación de ingresos, soberanía alimentaria, mejoramiento de los medios de vida e inclusión financiera; (iii) promoción de un rango más amplio y una mayor calidad de oportunidades de desarrollo profesional y empleo; y (iv) gestión, comunicación y monitoreo.
- ¹⁰⁶ https://www.secretariapueblosynacionalidades.gob.ec/wp-content/uploads/downloads/2021/12/Decreto_Ejecutivo_N._29_20210424203023_20210424203031.pdf.
- ¹⁰⁷ Tiene entre sus funciones coordinar la construcción y ejecución de políticas, planes, programas y proyectos a favor de los pueblos y nacionalidades del Ecuador.
- ¹⁰⁸ Se creó el *Instructivo para el Acercamiento, Coordinación y Cooperación Policial con las Comunas, Comunidades, Pueblos y Nacionalidades del Ecuador*.
- ¹⁰⁹ La OTCA, ha desarrollado un trabajo significativo con pueblos indígenas en dos fases: Primera fase (2011–2014) en la “Elaboración de una Agenda Regional de Protección de los Pueblos Indígenas y en Contacto Inicial”, y Segunda fase (2016-2019) en “Pueblos Indígenas en las regiones de frontera, con enfoque en el manejo de recursos naturales y el conocimiento tradicional y la salud en las regiones de frontera”.
- ¹¹⁰ Este Proyecto se basa en tres componentes: (i) diagnóstico sobre la situación de la salud y cómo enfrentar la COVID-19 en regiones de fronteras amazónicas, (ii) fortalecimiento de la capacidad de respuesta articulada de los servicios de salud, y (iii) fortalecimiento de los mecanismos indígenas de alerta temprana. Como parte de este proyecto, se destaca el proceso de vacunación intercultural contra la COVID-19 en poblaciones indígenas en aislamiento voluntario (PIAV).
- ¹¹¹ Para este fin la Secretaría de Derechos Humanos suscribió una *Nota Reversal de Cooperación con el Fondo Ecuatoriano Populorum Progressi*.
- ¹¹² Entre ellas se destacan: (i) la creación de una política pública – con dotación de normatividad, institucionalidad, recursos presupuestarios, veeduría y justiciabilidad – encaminada a garantizar la realización de consultas prelegislativas, el establecimiento de diálogos en los niveles necesarios y la

formalización de negociaciones y acuerdos firmes en torno a asuntos que incidan sobre la definición y ejercicio de los derechos de los pueblos y nacionalidades; (ii) el fomento de prácticas de democracia comunitaria; (iii) la formulación de un mecanismo culturalmente pertinente, con fuerza legal vinculante para la realización de procedimientos de consulta ajustados a la Constitución y a las normas internacionales para asegurar el derecho al consentimiento previo, libre e informado en los casos que afectan la integridad territorial de los pueblos y nacionalidades, lo mismo que para las consultas ambiental y prelegislativa, (tal como lo han determinado reiteradamente varias sentencias de la Corte Constitucional; y (iv) la creación de protocolos de intervención para la realización de consultas prelegislativas sobre la adopción, codificación, reforma o derogación de leyes que incidan sobre la definición y ejercicio de los derechos de los pueblos y nacionalidades establecidos en la Constitución.

¹¹³ [https://www.asambleanacional.gob.ec/es/leyes-aprobadas?leyes-aprobadas=All&title=movilidad&fecha=.](https://www.asambleanacional.gob.ec/es/leyes-aprobadas?leyes-aprobadas=All&title=movilidad&fecha=)

¹¹⁴ Art. 91.A.

¹¹⁵ Art. 98.

¹¹⁶ Se recibieron y tramitaron 8.873 registros de solicitantes, 9.425 renovaciones de visas humanitarias y de protección, 991 impugnaciones, 83 casos de reunificación, 199 requerimientos de expedientes, 99 desistimientos y renunciaciones, 521 rectificaciones y actualización de datos, 18.246 asesoramientos redireccionados. También se adoptó un plan de contingencia para dar respuesta a las solicitudes de refugio y creciente demanda de servicios de ciudadanos/as venezolanos/as, generando 32.748 resoluciones entre 2018 y 2021.

¹¹⁷ Exoneración de multas por infracciones migratorias.

¹¹⁸ (i) regularización extraordinaria de venezolanos que ingresaron por puntos regulares; (ii) regularización extraordinaria de ciudadanos de otras nacionalidades que ingresaron por puntos regulares; y (iii) regularización extraordinaria de ciudadanos venezolanos que ingresaron por puntos irregulares.

¹¹⁹ Los servicios que brinda incluyen la presentación de la solicitud de reconocimiento de la condición de refugiado o apátrida, la asistencia letrada durante la entrevista y el patrocinio en el proceso de impugnación de decisiones que rechacen la solicitud. Adicionalmente, asesora y patrocina casos sobre inadmisión al territorio, regularización de permanencia, deportación e impugnación de sanciones administrativas migratorias.

¹²⁰ https://www.igualdad.gob.ec/wp-content/uploads/downloads/2022/04/ANII_2021-2025-signed.pdf

¹²¹ Conformada por la Secretaría de Derechos Humanos, la Defensoría del Pueblo, la Fiscalía General del Estado, el Consejo de la Judicatura, el Ministerio de Gobierno, el Consejo Nacional para la Igualdad de Género, el Consejo Nacional para la Igualdad de Pueblos y Nacionalidades y la Defensoría Pública.

¹²² Art. 9.

¹²³ <http://www.trataytrafico.gob.ec/comite>

¹²⁴ Art. 91, inciso primero.

¹²⁵ <http://www.trataytrafico.gob.ec/assets/archivos/planes/PLAN%20DE%20ACCI%C3%93N%20CONTRA%20LA%20TRATA%20DE%20PERSONAS.pdf>.

¹²⁶ El plan propone líneas de acción en distintos niveles: individual, familiar, comunitario y de país, y fomenta acciones concretas mediante el trabajo articulado de las diversas entidades estatales.

¹²⁷ Se han elaborado insumos como: Guía para el Abordaje del Delito de Trata de Personas Dirigido a Comunicadores y Periodistas, que incluyó seis talleres de socialización con 138 comunicadores del sector público y privado a nivel nacional; Guía Operativa para Identificar, Adquirir, Custodiar, Procesar y Utilizar Posibles Indicios o Elementos Probatorios en un Caso de Trata de Personas; Manual para la Coordinación Interinstitucional para Protección de Víctimas de Trata de Personas y Tráfico de Migrantes; Manual del Proceso de Registro para la Identificación de Víctimas y Seguimiento a las Actividades Interinstitucionales Ejecutadas para Combatir la Trata de Personas y Tráfico Ilícito de Migrantes; Norma Técnica para la Atención Integral a Mujeres Víctimas de Trata de Personas en Acogimiento Institucional y Lineamientos para el Servicio de Protección Integral para la Atención a Mujeres Víctimas de Trata de Personas y Tráfico Ilícito de Migrantes; Norma Técnica para Unidades de Acogimiento Institucional para Niñas, Niños y Adolescentes, Víctimas de Trata de Personas; y Cuadernillo Prevengamos la Migración Riesgosa.

¹²⁸ <http://www.trataytrafico.gob.ec/campa%C3%B1aTrata>.

¹²⁹ <http://www.trataytrafico.gob.ec/campa%C3%B1aTrafico>.

¹³⁰ En 2021, se organizó el taller Conocer para Responder, dirigido a 200 funcionarios/as del Ministerio de Trabajo. El Consejo de la Judicatura también ha capacitado sobre la trata como forma extrema de violencia a 973 jueces, fiscales y defensores en 2019, y 1.947 secretarios y ayudantes judiciales en 2020.

¹³¹ A la fecha, se han celebrado siete sesiones, la última en octubre de 2021.

¹³² Celebrada en Ginebra entre febrero y marzo de 2021.

¹³³ Se logró un amplio respaldo de países de la Comunidad Internacional, alcanzando más de 135 co-
auspicios.

¹³⁴ <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/074/22/PDF/G2107422.pdf?OpenElement>.

¹³⁵ En el marco de la implementación del Proyecto CERALC con el apoyo de ACNUDH, la
Organización para la Cooperación y el Desarrollo Económicos (OCDE) y la OIT.
