

ECUADOR

NATIONAL COUNCIL FOR WOMEN CONAMU

Questionnaire to Governments on Implementation of the Beijing Platform for Action (1995) and the Outcome of the Twenty-Third Special Session of the General Assembly (2000)¹

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PART ONE: OVERVIEW OF ACHIEVEMENTS AND CHALLENGES IN PROMOTING GENDER EQUALITY AND WOMEN'S EMPOWERMENT

A legal and institutional framework promoting women's rights

In the ten years from 1995 to 2005, Ecuador underwent a series of severe crises, characterized by structural adjustment policies, political instability manifested in a succession of three governments in five years, and the consequent debilitation of democratic institutions. In that environment, the free exercise of human rights was impaired, with women and their families being the hardest hit. Nevertheless, despite the ungovernable state of the country, significant progress was made in terms of recognition of women's rights and government policies on gender issues.

As a consequence of Beijing, the women's movement in Ecuador was consolidated as a combination of different schools of thought and women's organizations. In 1996, following the Fourth World Conference on Women and based on the Beijing Platform for Action, the first Equal Opportunity Plan (1996-2001) was drawn up as part of a process headed by the then National Directorate for Women, DINAMU (now the Council, CONAMU) with the participation of some 200 women.

In 1997 "an institutional, state system [was consolidated], responsible for guaranteeing, implementing, and requiring recognition of women's rights, with the establishment of the National Council for Women as the oversight organ for government policies with a gender perspective,"² combined in a very effective way with reinforcement of the National Congressional Committee on Women and the Family, which was granted by constitutional mandate the status of a Specialized Permanent Commission in 1998, and with the establishment, that same year, of the Office of the Assistant Director for Women and Children in the Office of the Ombudsman (*Defensoría del Pueblo*).

The institutional status of gender issues in Ecuador was strengthened in 1998 in the framework of the Constituent Assembly by the inclusion of women's rights in the Political Constitution. The 1998 Constitution contains a body of law with new elements conducive to an inclusive and nondiscriminatory society, with equal opportunities for all men and women and it constitutes a valuable instrument for justice and the empowerment of women³

The Constitution establishes fundamental principles, such as *non-discrimination* and *equal protection of law*; as well as the right to personal integrity and a life free from violence; freedom to decide on one's sexual life; the right to receive information and education on sexuality; the right to decide when and how many children to procreate; the right to receive equal remuneration for work of equal value; equal rights and opportunities for women and men to access and determine productive and ownership resources, to name two of the most important.

² Programa estratégico para la inserción del enfoque de género y la protección integral de los derechos humanos de las mujeres. [Strategic Program for Gender Mainstreaming and Comprehensive Protection of Women's Human Rights], prepared by Rocío Rosero Garcés and Ariadna Reyes Ávila for UNIFEM. Quito, August 2003.

³ Rosero Garcés, Rocío, Ariadna Reyes Ávila and María Pilar Vela, De las demandas a los derechos. Las Mujeres en la Constitución de 1998 [From Demands to Rights. Women and the 1998 Constitution]. Quito, June 2000. p. 37

Despite the headway made with legislation, in day-to-day practice Ecuadorian women are subject to severe discrimination. Statistics show that women and girls still have less access to basic social services, are not well paid, play little part in decision making, and endure violence at home and harassment at school. Ecuadorian women are the victims of dual discrimination: as women and on account of their ethnic and cultural origins; diminishing these kinds of discrimination is an essential challenge the country faces.

The objective pursued by the new legislation and reforms on behalf of the rights of women was to “prepare the regulatory framework for implementing the improvements with respect to human rights introduced into the Constitution, generating the conditions really required for fulfillment of the obligations of the State, civil society, and the family, in a manner that guarantees the full exercise of women’s rights as citizens.”⁴

Pro-equity policies: A general assessment

Phase One: impact on sector policies

From the start, CONAMU has focused on formulating, crafting, and guiding government policies on behalf of women in the areas in which it specializes: violence, education, sexual and reproductive health, the environment, development and local governments, using a number of different strategies, and has posted some major achievements, including:

- Making an impact on sectoral agendas;
- Generating and harnessing know-how regarding specific sets of issues;
- Sensitization and training of government policy decision-makers and operators;
- Legal reform, the creation of instruments and institutional mechanisms for comprehensive protection of women’s rights;
- Strengthening the civic participation of women and promoting social audit mechanisms (*contraloría social*);
- Partnerships within and between states; and,
- Institutional coordination mechanisms.

In its initial phase, CONAMU managed to position gender issues on sectoral agendas, facilitating the incorporation of a gender perspective in programmes, plans, and projects in such a way as to transform women’s lives through the promotion and protection of their rights and ensuring their access, on equal terms with men, to the fruits of development.

CONAMU’s main achievement in that period was to generate “awareness in each sector of the gender issues underlying political and administrative decisions. In generating that sectoral awareness, mainly by working at the central level (although experience is also being developed through decentralized pilot projects), the Council has managed to position itself for carrying out its mission and to have an impact on agendas by adopting two strategies: by providing technical and political advice for decisions that, when turned into laws and government macro policies on social issues, become mandatory for the various sectors; and through specific projects permeating the different levels of sectoral decision making.”⁵

⁴ CONAMU/UNIFEM, Sistematización de buenas prácticas del CONAMU en formulación de políticas públicas de género [Systematization of good practices of CONAMU in drawing up government policies on gender issues]. Document written by Cecilia Valdivieso Vega, Ariadna Reyes Ávila and Rocío Rosero Garcés. Quito, August 2003, p. 20.

⁵ Idem. page 26.

Phase Two: A comprehensive system for the protection of rights

In an overall assessment of the process of institutionalizing the gender approach, we note that this new sectoral awareness involving gender-related actions in the specific fields covered by CONUMU actually debilitated a more comprehensive grasp of the need for government policies for gender equity. In light of that observation, the challenge facing CONAMU in phase two is to achieve genuine understanding of the need to build a cross-sectoral vision into the formulation of gender equity policies, programmes, and projects, and really to include women of a variety of ages and ethnic origins.

Likewise, it is essential to incorporate gender and human rights approaches in the debate on the forging of government policies and to place the formulation and shaping of gender policies as a priority item on the public agenda, as a specific area within social protection and macrosocial policies. Alongside its work in this field, CONAMU is developing strategies that will allow it to influence the formulation of macroeconomic policies that, taken together, are geared to eradicating poverty, constructing democratic governance, and finding an alternative model for the sustainable development of the country.

Achieving these goals presupposes an institutional repositioning of the Council and of pro-Equity issues via a national political and social pact focusing on a basic agenda regarding women's concerns and their human rights, in which the various State players, social organizations, women's organizations, an international cooperation partners need to make a commitment to the country.

In this second phase, the proposal regarding institutional activities and formulation of the Equal Opportunity Plan aims to take as its base the rights system underpinning CONAMU's current strategy, while lending added strength to a cross-sectoral and concurrent rationale for pro-Equity action.

Coordination of pro-Equity policies and international conferences and covenants

The current government's Human Development Agenda incorporates Millennium Summit goals, which include halving by 2015 the proportion of people suffering extreme poverty in 1990, from 26 percent to 13 percent. That requires sustained growth of GDP in the order of 5.1 percent a year between 2000 and 2015.

The Concluding Comments of the Committee on the Elimination of Discrimination against Women, made during the Twenty-ninth session of the General Assembly, held in New York between June 30 and July 18, 2003, following Ecuador's final review of Implementation of the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW), contain a series of recommendations to the Ecuadorian State regarding observance of the rights established in that Convention. The Concluding Comments document is being distributed among women's organizations and human rights organizations in general, and among the various public sector institutions.

At the same time, through its official delegations to the preparatory meetings for the El Cairo + 10 and Beijing + 10 meetings, the Ecuadorian State has reaffirmed its commitment to the El

Cairo and Beijing Platforms for Action and the importance of preserving the spirit of both instruments.

CONAMU is currently working on a proposal to coordinate its institutional activities in connection with the proposed new Equal Opportunity Plan, which embodies the human rights systems that will guide the Council's work, with the approaches adopted in international conferences and conventions on human rights and development, especially those addressing women's issues and gender equity. Such coordination will, on the one hand, help shape pro-Equity policies and, on the other, direct international cooperation agency resources and projects toward issues on Ecuadorian women's agenda and international commitments. One of the leitmotifs will undoubtedly be the Millennium Development Goals, especial Goal 3: "Promote gender equality and empower women."

PART TWO. PROGRESS IN IMPLEMENTATION OF THE CRITICAL AREAS OF CONCERN OF THE BEIJING PLATFORM FOR ACTION

A. Women and poverty

Current situation

Regarding the poverty and exclusion that women in Ecuador currently undergo, it is worth citing the UNDP's Common Country Assessment, which states that "it is the women, especially rural women, who suffer most deprivation. Inequality between men and women is still manifested in access to services, the labor market, and public life. Unemployment is greater among women and much of the work they do is poorly paid or unpaid."⁶

"In 2001, the poorest 20 percent of the population received only 1.7 percent of total national income, while the richest quintile received 64.32 percent. Over half the population (52.8 percent) cannot satisfy its basic needs; and of that group 57.8 percent live in rural areas. This situation affects men, women, boys, and girls to different degrees."⁷

According to Integrated Household Survey System data for November 2003, the average income for women in urban areas is US\$167, whereas for men it is US\$249. The situation in rural areas is even worse: US\$126 for women and US\$192 for men.

As for housing, only 68 percent of all women heads of household (643,359 nationwide) have, or are paying for, a home of their own. In urban areas only 6.6 percent of women heads of household own land; in rural areas, the figure is 55 percent.

Measures adopted

The Ecuadorian State has prompted some public policy initiatives for the eradication of poverty through bodies responsible for planning and designing the country's social policies, the chief responsible organ being the Social Cabinet (*Frente Social*).

Established by Executive Decree 614, published in Official Register 134, of August 3, 2000, the Social Cabinet is the state body charged with consolidating social policy by coordinating the efforts of the Ministries of Social Welfare, Education, Health, Labor, and Housing, jointly with mixed (State and civil-society) autonomous public entities working in this field, such as the National Council for Women (CONAMU), the Council for the Development of Ecuadorian Nationalities and Peoples (*Consejo Nacional de Desarrollo de las Nacionalidades y Pueblos Indígenas del Ecuador* - CODENPE), the National Council on Disabilities (CONADIS), the National Institute for Children and the Family (INNFA), the Emergency Social Investment Fund (FISE), and the Solidarity Fund. The National Health Council (CONASA) has also been approached. In 2003, the Office of the Vice President of the Republic and the Ministry of Economy and Finance were added to the list with a view to coordinating economic policy and

⁶ Common Country Assessment (CCA). *Visión del Sistema de las Naciones Unidas sobre la situación del Ecuador* [United Nations Assessment of the Situation in Ecuador], p.7.

⁷ Inter-American Development Bank report. *Análisis sobre las brechas de género en Ecuador* [Analysis of gender gaps in Ecuador]. A study carried out by Rocío Rosero Garcés and Ariadna Reyes Ávila. June, 2003, p. 28.

social policy. Structurally, the Social Cabinet has three organs responsible for planning and executing the actions entrusted to it: the Council of Ministers, the Expanded Social Cabinet Council, and the Social Front Technical Secretariat (STFS).

The Social Front Secretariat is an autonomous technical unit attached to the Ministry of Social Welfare, responsible for giving practical form to the resolutions adopted by the Social Cabinet and providing technical assistance to the institutions in charge of implementing social policy. The STFS considers that “only public policies conceived as an integrated strategy simultaneously addressing the three fundamental dimensions of development (the macroeconomy, equity, and competitiveness) can combat poverty and inequalities, given the extensive links and synergies among these three dimensions. To induce a trend toward development in the midst of the current crisis, it no longer suffices to promote economic adjustment, offset by a few mitigating social and productive measures. Nor is it possible to make major headway on social and productive issues if one ignores the increasing constraints imposed by unresolved economic and financial imbalances.”⁸ With those considerations in mind, the Social Sector backs the government policy guidelines reflected in the “Human Development Agenda,” a document that the Social Cabinet uses as a basis for its work.

The actions posited by the Government’s Human Development Agenda (HDA) are aimed at helping families and the Ecuadorian State manage the risk and vulnerability factors to which they are exposed. The core idea underlying the social risk management approach is that individuals, households, and communities are vulnerable to multiples risks stemming from natural or man-made causes.⁹ The HAD proposes linking the Government’s three -- social, economic, and productive – agendas; “at the interface of the three agendas are the strategies needed to reduce poverty and to incorporate hitherto excluded sectors in productive and redistribution-equity circuits.”¹⁰

The objectives of the Basic Social Agenda underpinning the Human Development Agenda are: to address, prevent, and reduce extreme poverty and to promote equitable redistribution of wealth (*la justicia social redistributiva*), in its spatial, sectoral, and generational dimensions.

In April 2004, CONAMU signed a Cooperation Agreement with the Social Front Technical Secretariat (STFS) on Poverty and Gender. Its aim is to establish the Inter-Institutional Cooperation Framework for gender mainstreaming and comprehensive protection of women’s rights in national poverty reduction policies. The main specific goals are to:

- Formulate and implement social protection policies, especially in the Human Development Bond Programme (*Programa de Bono de Desarrollo Humano*).
- Carry out a joint action strategy to influence implementation of the Ecuador-Italy debt swap.

⁸ www.frentesocial.gov.ec

⁹ Frente Social, Boletín Informativo [Information Bulletin] No. 1. June 2003, p.3.

¹⁰ Idem, p.3.

- Build a gender perspective into the draft 2005 budget, including indicators and planning criteria for analyzing the impact of social sector spending on achievement of the gender equity goals established in the Constitution.
- Increase the coverage provided by the Free Maternity and Child Care Act, especially in rural areas and along the northern border.
- Promote the participation of women in social auditing (*contraloría*) and monitoring of the Free Maternity Act.
- Conduct a study of the use made of the services and benefits provided under the Free Maternity and Child Care Act.

Under the Cooperation Agreement signed with ECLAC, CONAMU is currently coordinating a study on “Gender equity and the Human Development Bond Programme.” Its purpose is to evaluate the programme from a gender perspective: its coverage, scope, and impact on rights already acquired by women, on their quality of life and access to basic social services and its transparency (*visibilidad*) by means of ongoing dialogue among governmental and nongovernmental players with the active participation of women as the principal beneficiaries.

In light of the poverty of women in rural areas and as part of an initiative undertaken by First Ladies of the Region, CONAMU and the Inter-American Institute for Cooperation on Agriculture (IICA) together developed the Programme of Support for Rural Women (PADEMUR), which is designed to promote and support actions aimed at improving the lot and gender status of rural women, with a view to strengthening their participation and role in sustainable development, by means of their social, political, and economic empowerment. The Programme includes training in rights and self-esteem, technical and entrepreneurial assistance, financing, reducing the domestic workload, and land titling. A pilot scheme phase has been carried out for the first three components of the Programme in cantons with high indices of poverty and unsatisfied basic needs.

With a view to contributing to an improvement in the quality of life of women by means of a credit line to finance projects and initiatives aimed at promoting equal opportunities, eradicating discrimination on grounds of gender, and helping to overcome poverty, a pro-women fund, known as the Fondo Promujeres, was established in 2003 through a trust administered by Corporación Financiera Nacional. The projects concerned may be presented by women’s organizations, central and local government institutions, and other development organizations.

Rural microfinance training courses have been developed as subprograms, with a gender perspective and local credit systems to support rural women’s production initiatives and self-management mechanisms as part of the PADEMUR Programme’s financing component and backed by Fondo Promujeres. Credit system proposals have been put forward and tested in consultation with women’s organizations and local financial institutions in three cantons with high poverty and unsatisfied basic needs indices. A management system has been set up, with the participation of local counterparts, who support the creation and consolidation of public sector institutions, to execute the Programme in four geographical areas of the country.

Within the PADEMUR framework, studies have also been conducted of women's productive systems and subsystems in three cantons, addressing such topics as use of time, the feminization of poverty, domestic chores, and unpaid labor.

Obstacles encountered

The chief obstacle has to do with the development model currently in effect, which accords priority to economic growth over people's welfare, with macroeconomic policies in labor, financial, fiscal, and trade matters that, in a context of crisis, have expanded and exacerbated unemployment, underemployment, and poverty, with particularly dire consequences for women.

Major obstacles have been identified with regard to legislation and administrative practices shaped by a culture of exploitation and discrimination, which perpetuates gender gaps, reproduces and reinforces inequality, and blocks access to and control of financial resources, particularly in connection with home and land ownership, thereby curtailing the full exercise of property rights for men and women on an equal basis.

The insufficiency of the fiscal resources allocated in the National Budget to Fondo ProMujeres and the Programme of Support for Rural Women, two key strategies for narrowing gender gaps and fighting poverty, indicates the still only incipient sensitivity of the central government to the situation of women.

Although much effort has been devoted to acquiring strategic information about the status of women and gender relations, there are still not enough statistics available for technical staff or decision-makers of both sexes to draw up plans, agendas, policies, and strategic programmes, focusing specifically on improving women's living conditions on the basis of clear indicators and goals.

B. Training and education of women

Current situation

The figures on women's access to education in the past decade are promising. Males still have a higher school enrolment rate, but the attendance rate for females (*la tasa de matriculación femenina*) is better than that for males. In general, girls and young women perform better at school. Overall, rural schooling statistics are worse for both females and males.

Despite improvements, there are gender-related aspects of education that are worth noting. Although school attendance rates for females have risen, we should examine the fact that generally young and adolescent girls continue attending school and college while at the same time taking on responsibility for domestic chores that include looking after siblings and cooking, and sometimes also for community tasks. The double or triple workload phenomenon starts early for females. Males, for their part, are forced to drop out of school to work outside the home and to devote all their time to their job.

The illiteracy rate is another important indicator. In 2001, the illiteracy rate for Ecuador was 8.4 percent. In urban areas, female illiteracy (5.8 percent) was slightly higher than the rate for men (4.6 percent); in rural areas, the difference was substantial: 11.6 percent for men, compared to 16 percent for women (The National Statistics and Censuses Institute, INEC, 2001).

As for post-secondary education, women still enter professions matching the roles traditionally assigned to them, such as nursing and teaching, which are poorly paid and not appreciated. According to information supplied by the Ecuadorian Professional Training Service (SECAP), women sign on for courses in administration, garment manufacturing and handcrafts.

Measures adopted

One of the problems detected in the Ministry of Education and Culture (MEC) with respect to sexual harassment and abuse is the lack of mechanisms for lodging complaints and investigating and punishing offenses. It is also unclear what administrative bodies are responsible for dealing with such cases. Furthermore, investigation, punishment, and appeal procedures tend to be long-drawn-out and cumbersome. The absence of MEC policies to address these issues leads to violation of the rights of the victims of sexual harassment and impunity for the perpetrators. CONAMU has accordingly organized research into mechanisms and procedures that enable the MEC to address recurrent sexual harassment and abuse issues in the educational system from a human rights perspective.

The main outcome of this process was the promulgation of the Special Rules of Procedure and Mechanisms for Hearing and Dealing with Sexual Offenses in the Educational System contained in Ministerial Agreement No. 4708, signed by the Ministry of Education and Culture on December 13, 2002. A plan was also drawn up for activating commissions at each of the Provincial Directorates of Education in Ecuador enabling CONAMU to provide appropriate technical assistance on gender issues to deal with these issues.

The CONAMU-MEC Inter-Institutional Cooperation Agreement of 1998 established a forum for coordinating activities known as the Pro-Gender Equity Network, aimed at facilitating within the MEC the incorporation of a gender perspective in Ecuador's educational policies. The first Pro-Gender Equity Network was established in Quito in October 1997 and has been run since then by 10 female specialists of the MEC appointed by the National Directorates for Supervision, the National Directorate for Professional Advancement (DINAMEP), the National Department for Continuing Popular Education (DINEPP), Rural Education, Curriculum and Planning. CONAMU embarked on an intense gender training course with the Network's technical team, which resulted in a planning arrangement with DINAMEP involving the design and presentation of educational proposals and packages for professional promotion courses in gender issues and the formation and training of a national network of facilitators.

Armed with that experience, CONAMU began work on a collectively designed proposal for strengthening the MEC's Pro-Gender Equity Network and for the establishment of new mechanisms in the Ministry's provincial directorates. This diagnostic assessment and consultation process eventually led in 2003 to the establishment of two mechanisms for

coordinating gender mainstreaming in educational policies in Ecuador's coastal and western departments (*Subsecretarías de Educación del Litoral y del Austro*).

As the body responsible for promoting, grading, and ongoing training of teachers, the National Directorate for Professional Advancement (DINAMEP) put forward a joint proposal with CONAMU to incorporate a gender perspective in the Directorate's national teacher training policies. A module offering training in gender and education is currently available as part of the regular curriculum, with grades recognized by the Ministry for teacher promotion purposes. This means that male or female teachers can opt to do this course as a recognized part of their studies, not as an off-curriculum and academically worthless subject.

Obstacles encountered

Ecuador's social and economic crisis and migration have led to deterioration in the standard of living of the population and have, specifically, led to a decline in the school enrolment and attendance rate for girls, although accurate figures on this are hard to come by.

The available statistics do indicate that adult women need literacy classes. However, the government does not consider this a priority and, as a result, fails to allocate sufficient funding for proposals for addressing this issue.

One of the obstacles to getting rid of socially and culturally induced patterns of discrimination is vocational training, which has traditionally ignored or cultivated a gender bias. Here the media also play a key role, with most of them still propagating ideas that perpetuate discrimination based on gender.

Generally speaking, mid-level management in the education system is still relatively insensitive to gender issues and women's rights. The broad conclusions of a UNICEF study of the subject are that while the education system has not regressed in this regard, no real progress has been made either.

C. Women and health

Current situation

Although 92.6 percent of women of child-bearing age are familiar with some kind of family planning method, only 35.3 percent actually use one to control their fertility. Among married women or those living with their partner, the percentage increases to 56 percent. Just over one quarter (26 percent) of all men with access to contraceptives actually use them, which means that responsibility for family planning is still almost exclusively left to women.

Lack of information on sexuality and contraceptive methods increases the number of undesired pregnancies, especially among adolescents and young women. The 1998 Standard of Living Survey showed that in that year 9.8 percent of all adolescent girls, or 596,254, became pregnant.

Major gaps can also be seen in insurance coverage. In 1999, 0.4 percent of women and 4.7 percent of men were covered by private health insurance; national health insurance that year covered 23.9 percent of the actually employed economically active male population, compared to 6 percent of the female workforce. Another alarming statistic is that 76.2 percent of women and 69 percent of the actually employed economically active (male and female) population had no kind of health insurance at all, whether public or private.

“65 percent of women have ceased treating their illnesses. They have sought alternative, less costly health care for the family and use traditional medicine, but they put off treating their own maladies until they become acute.”¹¹

Measures adopted

Women’s access to sexual and reproductive health care throughout their lives is guaranteed by the Free Maternity and Child Care Act, known by its Spanish acronym LMGYAI, which is funded by an annual budget allocation (of US\$ 20,000,000 in 2004). It is estimated that the Act will benefit 2, 450,000 people, of whom 1.6 million will be adult women and 800,000 will be girls and children under 5 years of age.

Of the 43 services provided under the LMGYAI, which include care during pregnancy, confinement, post-partum, family planning, detection of cancer of the uterus and breast, detection of congenital defects, and detection of HIV/AIDS in pregnant women, etc. , most constitute preventive health care for women and children. Not included in this category are obstetric emergencies, the treatment of sexually transmitted diseases, and treatment of the most common children’s diseases, including those requiring hospitalization.

Ecuador now has an HIV/AIDS law. Through a Trust Fund for the Global Program on Aids project, negotiations are currently under way for financing to pay for treatment drugs, prevention activities, and awareness campaigns. Due to budget constraints, the LMGYAI used only to cover HIV/AIDS detection for pregnant women in at-risk groups. This year, however, thanks to an increase in the budget allocation for the Act, the test is now carried out on all pregnant women.

With regard to legislation, the Ministry of Public Health and the Congressional Health Commission are working on proposed amendments to the Health Code. One of the core areas addressed by the reforms is sexual and reproductive health.

International cooperation has been a major source of funds for research into the status of women. With the support of several international agencies, work is currently under way on the design and testing of the questionnaires for the national maternal-child health survey to be conducted in 22,000 households and through interviews with 14,000 women on sexual and reproductive health and the health of children of both sexes. The survey includes questions about domestic violence, nutritional status, and general data on households and social programs. The estimate cost of this project is US\$700,000.

¹¹ UNDP. Crisis y Derechos Humanos en el Ecuador [Crisis and Human Rights in Ecuador]. Country study for the 2000 Human Development Report by Rocío Rosero Garcés, with the help of Cecilia Valdivieso Vega. Quito, January 2001.

Despite the dearth of government funding for research, more emphasis is in fact being placed on dissemination of the available statistics on women's health. In most cases, data gathering and analysis systems in general, and those dealing with health issues in particular, now include a breakdown by sex.

As for monitoring of actual compliance with the allocation of government resources to health, it should be pointed out that while budgetary appropriations have increased each year for implementation of the Free Maternity and Child Care Act, the funds do not always reach the health centers in sufficient quantities or on time. Thus, Women Users Committees have been formed for citizen oversight of compliance with the women's health rights contemplated in a number of legal provisions and, in particular, to monitor implementation of the LMGYAI. For 2003, the State devoted US\$20,000 to promoting these Committees. Family Care International and Ecuador's National Council for Women are jointly developing critical route procedures for complaints of failure to comply with the Free Maternity and Child Care Act. Thanks also to the contribution of the Quality Assurance Project (QAP), technical instruments are being devised to enhance the quality of the care provided under the Act.

The establishment, strengthening, and legitimization of Women Users Committees all over the country with a view to monitoring and raising the quality of health services through social control, accountability, and co-responsibility for health care is one of the principal achievements in this field.

Over the past year, the Free Maternity and Child Care programme has introduced a "1-800-Madres" telephone line to receive complaints or information from mothers. A half-yearly bulletin is also published, listing expenditures, transfers of resources, and the amounts that were not in fact used for the benefits prescribed by the Act.

Obstacles encountered

Implementation of the LMGYAI Act has been less effective than it might have been due to snags with fund transfer mechanisms and delays on the part of the sources of finance, such as the Ministry of Economy and Finance and the Solidarity Fund. These delays are then used as excuses for reintroducing charges to users for services rendered, a policy that in practice reduces access to them.

Another difficulty stems from including municipalities as both managers and providers of funds under the programme along with the Ministry of Public Health as executing agency. This is a novel scheme, which has already caused some confusion regarding the functions of the Fund Management Committees, which are chaired by mayors and the health services.

There is an ongoing debate in Ecuador about who should pay for women's sexual and reproductive health care and basic health care for children under 5. One proposal suggests that women would indeed be able to defray the costs of treating their children of under 5 years of age. Another school points out that there is little red tape governing revenue from charges and, given the constant decline in the Ministry of Health budget, the only solution would appear to be to charge directly for services.

As for progress with legislation, the Congressional Commission on Health and the Environment has not been open to, or politically willing to endorse, women's concerns and the gender approach in the Health Code reform process. Accordingly, social pressure from the women's movement is essential for bringing about needed changes in the Health Code and for strengthening and activating the strategic partnership with the Specialized Permanent Commission on Women's Issues, Children, and the Family.

Despite major increases in Ministry of Public Health coverage, further effort is needed since it is estimated that a quarter of the population has no access to any kind of health service. While some services, like pre-natal care, have attained 87 percent coverage, that for assisted childbirth is only 45 percent, and coverage for post-partum care, detection of breast cancer or cancer of the uterus, and check-ups for children aged 1 to 5 is much more restricted.

There is no national network of public laboratories for detecting HIV/AIDS, nor are all the laboratories that do exist certified. Much the same applies to birth defect detection facilities.

The generation of knowledge is a fundamental strategy in the public policy formulation process. Nevertheless, the Ecuadorian State has not made research into women's health issues a priority in its allocation of resources. Ecuador's investment in research is one of the lowest in Latin America.

The overall health sector budget has suffered a sharp cutback compared to the previous year, increasing the malaise among health workers and the number of stoppages in the public health services. One of the major national budget constraints applies to expenditure on supervision and monitoring. Accordingly, it is worth pointing out that the State devotes few resources to promoting citizen participation in surveillance and social control.

The institutionalization of a system for improving sexual and reproductive health care services has proceeded very slowly in Ecuador and is subject to shifts in the political will of the authorities in that area.

D. Violence against women

Current situation of women

There are no official national statistics on domestic and gender-related violence against women in Ecuador. Nevertheless, numerous studies indicate that eight out of every 10 Ecuadorian women have been victims of violence, domestic violence being the most frequent form it takes.

In 2003, over half (51 percent) of complaints filed in Quito concerned physical maltreatment. Psychological maltreatment was denounced in 47 percent of the cases registered. If we examine the relationship between the aggressor and the victim, in 56 percent of the cases the aggressor is the spouse. Partners living with the victim are the aggressors in 16.32 percent of cases. In nearly three out of every four cases (72 percent), the victims are between 20 and 49 years of age, the age group most likely to suffer domestic violence.

There are other key factors with respect to Ecuadorian laws. The country's Criminal Code does not specifically define domestic violence as a crime, which to some extent implies that it is not really regarded as a violation of women's rights; Act 103 treats domestic violence as a misdemeanor (*contravención*): a category less serious than a crime.

There are no effective mechanisms for safeguarding the physical and emotional integrity of the victims of violence, as the Victims and Witnesses Protection Programme established for that purpose does not have enough funds to enable it to operate.

Measures adopted

In the years following the Fourth World Conference on Women in Beijing, the Ecuadorian State managed to set in motion a scheme for institutionalizing government policies on violence. The subject began to figure on the public agenda following the commitments undertaken during the major conferences of El Cairo, Vienna, and Beijing, thanks to the combined efforts of organizations for the advancement of women that had been working on the subject of violence since the late 1980s and, later on, in 1995, on the development of the first Equal Opportunity Plan (1996-2000), in the chapter on violence against women.

In 1994 the Women and Family Commissariats (*Comisarías de la Mujer y la Familia*) were established in response to a demand of the women's movement and legal consultants' offices in Ecuador. That constituted the first step toward the establishment, coordinated by CONAMU, of Commissariats all over the country, the first being those in Guayaquil, Quito, Cuenca, Esmeraldas and Portoviejo.

The scheme's weaknesses surfaced later on and led to a revised version, which maintained a mixed (NGO counterpart-Commissariats) structure and incorporated other bodies, such as the Office for the Defense of Women's Rights (ODMU), municipal governments, and the National Institute for Children and the Family (INNFA).

The promulgation of Act 103 on Violence against Women in 1995 meant that the commissariats acquired the legal mechanisms and procedures needed to deal with cases of domestic violence. During preparation, negotiation, and passing of the Act, CONAMU focused on ensuring that there was ongoing dialogue with all State sectors and civil society, as well as specific consultations with national and international women experts, in such a way as to guarantee a consensus in favor of a well crafted bill. A fundamental part in that process was played by the mobilization of women in support of the bill all over the country and for its presentation to the National Congress. CONAMU and the National Association of Women Judges were responsible for lobbying and negotiating within the Commission on Civil Matters and the Commission on Criminal Matters.

At a later stage, given the need to have a body within the Ministry of the Interior specifically in charge of coordinating the establishment of the commissariats and above all in order to ensure that the Ministry assumed responsibility for allocating the necessary financial resources, the

National Directorate of Commissariats was established by Ministerial Agreement in March 2000. In February 2002 it became the Directorate for Gender (*Dirección de Género*).

Currently, CONAMU provides the Directorate for Gender with technical assistance on issues of violence. One of the principal tasks has been advising on the preparation of rules and regulations governing the setting up of new commissariats. Working jointly with specialized NGOs and the Directorate for Gender, and with technical and financial support from the Justice and Society Fund (Fondo Justicia y Sociedad), CONAMU drew up the proposed implementing regulations for Act 103 and the draft Manual on Procedures in Cases of Domestic Violence.

The Inter-Institutional Committee for Supervision of Women's Human Rights (Comité Interinstitucional de Vigilancia de los Derechos Humanos de las Mujeres) was installed on March 31, 2004, with the participation of the National Directorate for Gender (DINAGE), the Women's Division of the Office of the Ombudsman, the Office of the Attorney General (Ministerio Público), the National Police, the police force's Office for the Defense of Women's Rights (ODMU), the Congressional Commission on women's issues, children, youth, and the family, the Center for the Advancement of Women (CEPAM), the María Guare Foundation, the Equity Foundation (Fundación Equidad), the Observatory on a Life Free from Violence, the Ecuadorian Association of Municipal Government Staff (AME), the Ecuadorian Association of Female Municipal Employees (AMUME), the United Nations Development Fund for Women (UNIFEM) and the United Nations Population Fund (UNFPA). During the second meeting of the Committee it was recommended that delegates of the National Judiciary Council and of the Supreme Court be incorporated. The Committee members resolved to form a specialized committee to review and negotiate adoption of operational regulations for the commissariats, establishing clear mechanisms and rules of procedure for them.

Obstacles encountered

Legal advice mechanisms need to be placed on a more sustainable footing within local government administrations. CONAMU does provide technical support in this area. However, sufficient human and financial resources are essential for sustaining and strengthening these projects providing women with legal counseling.

One of the chief obstacles encountered with respect to violence is the lack of training for personnel on issues to do with women's rights, violence, and local government policies, especially at the local level. A major investment therefore has to be made in sensitizing and training both local authorities and technical teams.

Political instability and constant changes of authorities prevent the implementation of initiatives aimed at enhancing women's access to justice in general. Although the subject of domestic and gender-related violence now figures prominently on the public agenda, the changes in the authorities in the executive, legislative, and judicial branches of government have a dampening effect, bringing to a halt activities such as publication of the regulations governing the operations of the commissariats and negotiation of the Manual on Procedures in Cases of Domestic Violence.

E. Women and armed conflict

The current situation

The violence in Colombia has a number of effects on our country. The conflict there and implementation of “Plan Colombia” have a marked impact on the population along the northern border, in the provinces of Sucumbíos, Carchi and Esmeraldas.

In order to formulate government policies to protect the rights of women living in situations of risk and to reduce their vulnerability as much as possible, CONAMU conducted an investigation into the effects on the lives of women in these areas. “Women near the northern border are affected by and exposed to three types of hazard. One is the violence stemming from the Colombian conflict and application of “Plan Colombia”; another is the increased poverty, which creates greater economic insecurity and fewer job opportunities for women; and the third is greater instability within households and the concomitant increase in cases of domestic violence.”¹²

The research study identified at least six different sets of women directly affected by the conflict: farming community women (campesinas) living in the border area; indigenous women in rural areas; so-called “raspachina” women picking the leaves off the bushes in coca plantations; women microentrepreneurs and merchants; young or adolescent women with children; women refugees, and Colombian women migrants. Also impacted, along with all these groups of women, are their children. The group at most risk are the farming community and indigenous women living in the rural areas along the border.

F. Women and the economy

Measures adopted

CONAMU’s development division has devised programmes for implementing economic and labor policies with a gender perspective, as well as mechanisms for coordinating and negotiating intersectoral agendas.

Together with the Technical Advisory Committee of the Inter-ministerial Employment Commission,¹³ CONAMU organized the Forum on “Employment Policies and Gender” as an institutionalized vehicle for dialogue and consensus-building, with the participation of State and civil society stakeholders, in connection with the formulation of employment policies with a gender perspective. In a Ministerial Agreement signed in January 2003 by the Ministry of Labor and Human Resources and the Ministry of Tourism, the composition and operational rules of the Forum were formalized, the objective being to “promote gender equity by building a technical and political forum to shape government employment policies.”

¹² CONAMU, *Mujeres en riesgo frente al Plan Colombia*. [Women jeopardized by “Plan Colombia”]. By Xiomara Ventura. Quito, June 2002. p. 40.

¹³ The Commission was formed in February 2001 and comprises the Ministers of Labor and Human Resources, Social Welfare and Public Works, Manufacturing, Foreign Trade, Fisheries and Competitiveness, Urban Development and Housing, Tourism and Environment.

This initiative arose out of the ECLAC-GTZ Project “Institutionalization of labor policies with a gender perspective” (Phase I), in which the Ministry of Tourism and CONAMU entered into a partnership aimed at gender mainstreaming in that Ministry and in the policies, programmes and projects of the tourism sector. The Forum drew up a joint operating guidelines proposal, setting forth strategies, objectives and the principal spheres of action. The proposal stressed the technical and political nature of the Forum.

One of the leitmotifs of the agenda and proposed operating guidelines is the need to bring in technically and politically qualified staff to the Ministry of Labor and Human Resources, the Ministry of Tourism, and other institutions responsible for drawing up Ecuador’s labor and economic policies.

Accordingly, actions have been carried out with respect to research, the generation of strategic information, communication, awareness-raising, and training in gender and government policies for the members of the Employment Policies and Gender Forum. A start has also been made on the ILO Project “Gender, poverty and employment” and Phase II of the Project “Labor Policies with a Gender Perspective.” Research so far has focused on the following topics: i) Incorporation of a gender perspective in poverty eradication strategy; ii) Diagnostic assessment, gender, ethnic groups, poverty and employment in Ecuador. Here, it should be pointed out, strategic partnerships have been struck with ECLAC, UNIFEM, and the National Institute of Statistics and Censuses, INEC, with a view to constructing employment and gender indicators.

The PADEMUR proposal is also a poverty reduction strategy geared to enhancing the quality of life for women in rural areas.

Obstacles encountered

The participation of State and civil society players in actions designed to achieve this goal does not mean that a women’s rights and gender equity perspective has been fully incorporated into sector or inter-sectoral policies and programmes. Promotion of women’s economic rights has stemmed exclusively from the national body responsible for overseeing gender policies.

[A major obstacle has been] the lack of sufficient funds to cover the costs of actions to advance economic and rights and gender issues. The funds allocated to the PADEMUR project in the National Budget are modest and the flow erratic.

The lack of resources for gender issue activities prevents appropriate installation of a technical advice system at the local level. Staff at that level need specialized courses to enable them to advance the process of formulating local government policies with a gender perspective.

[Another hurdle is] the unwillingness of the Ministry of Labor to allow consultation and participation of the national authority for gender issues and of civil society in monitoring compliance with international agreements on labor and gender issues. Nor does that Ministry have a dialogue and coordination mechanism to handle specialized technical assistance on gender and labor policy issues.

G. Women in power and decision-making

Current situation

With respect to the Beijing provisions on access of women to decision-making spheres, it should be noted that the Ecuadorian State has acceded to important initiatives of the women's movement aimed at increasing women's participation as candidates in national elections and for senior positions. The Constitution and lower-ranking legislation contain significant provisions designed to promote and increase women's involvement in politics. Nevertheless, there are still substantial gaps.

In the May 2000 elections, 1,253 women were elected by the people to 24 percent of the total number of posts filled by election. Women mainly fill local authority positions: particularly in municipalities and on parish boards (*juntas parroquiales*). In the last elections to the Congressional Chamber of Deputies in 2002, 18 women and 82 men were elected. An unusual event occurred during those elections, when one of the 18 women deputies elected, the representative for Guayas and a member of the Social Christian Party, relinquished her claim to a seat in order to place her husband, her alternate representative on the list, in first place. The Forum of Women Parliamentarians challenged her right to do this before the Waivers and Qualifications Commission of the National Congress.¹⁴

Some women ministers have been appointed under the current government, especially in the tourism, foreign trade, foreign affairs and education portfolios. However, the participation of women at these decision-making levels is partly due to the high turnover in these positions. Today there are women ministers of Foreign Trade and Tourism.

Measures adopted

Article 102 of the 1998 Constitution establishes that "The State shall promote and guarantee the equitable participation of women and men as candidates in the popular electoral processes, in instances of leadership and decisions in the public arena, in the administration of justice, [and] in the organisms of control and political parties."

The law amending the Elections Act stipulated that at least 30 percent of the candidates on political party lists had to be women, on an alternating and sequential basis. The provision was applied for the first time in the 2000 elections (although the "alternating and sequential basis" principle was ignored).

The Supreme Electoral Tribunal has issued instruments and regulations contrary to the principles of alternation and sequentiality, such as its Instructions regarding Registration of Candidacies for the election of provincial prefects, mayors, provincial councilors, municipal councilors and members of rural parish boards; the General Regulations for implementing the Elections Act, and the Instructions for Registration and Qualification of Candidacies.

¹⁴ Fundación Justicia, Equidad y Desarrollo [Justice, Equity and Development Foundation. Quito, December 2002, cited in the report of the Inter-American Development Bank "Análisis sobre las brechas de género en Ecuador" [Analysis of gender gaps in Ecuador]. Study prepared by Rocío Rosero Garcés and Ariadna Reyes Ávila. June 2003, p.6.

Under these circumstances, the women's movement and CONAMU have joined forces to monitor and lobby for compliance with the Political Constitution of Ecuador and the Elections Act. As a result of those joint actions, the Constitutional Tribunal declared Article 40 of the Regulations governing the Elections Act to be unconstitutional and confirmed the constitutionality of the affirmative actions contemplated in that Act.

The political parties represented in the National Congress do not appoint women as party whips (*Jefaturas de Bloque de partido*): positions that undoubtedly entail the exercise of power and decision-making in Congress. Likewise, in the Executive Branch, only once, in 1996, has the Vice-President of the Republic been a woman. Following the fall from power of President Abdalá Bucaram, the Vice-President, Rosalía Arteaga, was supposed to succeed him but was unable to do so because of a political pact in the National Congress, which claimed that the presidential succession was a constitutional vacuum. By means of an Executive Decree the National Government recently acknowledged Rosalía Arteaga's presidency.

The Employment Protection Act (*Ley de Amparo Laboral*) of 1997 required a minimum 20 percent quota for women as presiding judges of Higher Courts, ordinary judges, notaries, registrars and other posts relating to the judicial function. However, despite this measure of affirmative discrimination in their favor, women occupy fewer posts in the judiciary than men.

Obstacles encountered

Women who venture into politics in Ecuador face ingrained cultural prejudices in the political parties and their leaders about women entering the world of politics, historically considered a public and therefore exclusively masculine domain. Apart from that, to be able to wield power, substantial ongoing preparation is required to be able to hold one's own in different spheres and to convey insight into the specific concerns of women within a macropolitical framework.

H. Institutional mechanisms for the advancement of women

Replies on this chapter are given in section II of the document.

I. Human rights of women

Measures adopted

As indicate at the beginning of this document, the 1998 Constitution is the legal instrument par excellence for the protection and promotion of women's rights. It enshrines fundamental principles of human rights, such as equal protection of law and non-discrimination, as well as guarantees such as habeas data and habeas corpus.

The incorporation of the gender perspective in the Constitution and the granting of constitutional status to specific demands was the outcome of a process in which women's organizations and CONAMU collectively drafted proposals. Most of them were incorporated, with a few specific concerns still pending in the spheres of sexual and reproductive rights and the granting of

constitutional status to CONAMU. The lobbying of members of the Constituent Assembly went hand in hand with demonstrations by women's organizations, which came to play a key role in achieving established goals.

Major reforms were introduced in connection with the following: non-discrimination, human rights and violence, sexual and reproductive rights, the family, work, access to resources and social security, education and communication, and government policies to ensure equal opportunities and political participation.

The 1998 constitutional amendments worked in favor of a review of Ecuador's laws and induced changes based on a gender and women's rights perspective. The process relied strategically on consensus-building, which materialized in the signing of a Letter of Commitment between the Congressional Commission on women's issues, CONAMU and the women's movement. Under inter-institutional cooperation agreements, technical and financial assistance was also provided by UNICEF-Technical Cooperation of the Netherlands, the Centro sobre Derecho y Sociedad (CIDES) and CONAMU.

Reform proposals were put forward for the following areas of legislation: the Social Security Act, the Health Code, the Draft General Law of Education, the Higher Education Act, the Elections Act, the Political Parties Act and the Labor Code. Work was also done on a proposed amendment to the Draft Code of Criminal Procedures. Most of the proposals were accepted by Congress and the rest included via presidential veto, with one exception. In particular, amendments were introduced regarding procedures and proof in cases of rape.

The Political Participation Forum drafted a set of proposals regarding various pieces of legislation. The only ones passed were those regarding amendments to the Elections Act that required at least 30 percent participation by women on electoral lists for elective positions, with a formula for gradually raising that participation in increments of 5 percent until parity is reached.

The Forum on Violence drafted the bill on institutionalizing women's commissariats, their transition to the Judicial Function, the strategy for negotiating with the Executive, and the regulations implementing Act 103.

The Family Code bill was drafted, incorporating the gender perspective as a cross-cutting theme of its rules and regulations and specially introducing the subject of domestic violence in the chapters on rights and duties, the responsibilities and duties of parents toward their children, and grounds for divorce.

The bill on the establishment of Legal Advisory Services envisages training in women's human rights and domestic and gender-related violence for women users of the services, women's organizations, leaders, and bodies within the justice system that enforce the Law on Violence against Women and the Family.

Obstacles encountered

One of the principal obstacles has been the need to begin lobbying all over again in respect of the new deputies in Congress, especially those sitting on the Commission for women's issues and the family, in order to raise awareness of gender and rights issues and on the importance of passing legislation guaranteeing the rights of women and girls in different spheres, especially in family and criminal law. This process has delayed the enactment of amendments to the Criminal Code and Family Code, as well as the issuing of rules and regulations that would facilitate implementation of Act 103 and of the Women and Family Commissariats.

As in other areas, lack of funds is the main impediment to progress in fulfilling existing commitments to eradicate violence against women. No funds have been allocated in the National Budget to pay for training courses for justice system personnel.

J. Women and the Media

Measures adopted

According to Article 81 of the Constitution “publicity that, through any method, promotes violence, racism, sexism, [and] religious or political intolerance and which affects the dignity of human beings is prohibited.”

Likewise the Constitution established the State's obligation to adopt “measures that ensure that children and adolescents have [inter alia] the following guarantees:...7. Protection against the influence of harmful programmes or messages that are disseminated through any means of communication and [programs or messages that] promote violence, racial or gender discrimination, or the adoption of false values.” (Article 50.)

The media drew up the Code of Ethics and Self-Regulation of the Media [*el Código de Ética y Autorregulación Publicitaria*]. However, they have adapted it to suit their purposes. There are no express provisions in Ecuadorian law on the use of women as publicity objects or for commercial purposes.

The Government's “Connectivity Agenda” seeks to expand access by the general population to communication technologies and to make Ecuador part of the information society. Here it is essential to acknowledge the different levels of access of the population and take steps to narrow the divides.

It is also important to underscore the existence of a large number of media that are independent vis-à-vis the government and are capable of voicing citizen's opinions and contributing to the forging of a participatory democracy.

Obstacles encountered

No significant progress has been made with respect to the media. On the one hand, this reflects failure to allocate funds for addressing this particular issue and, on the other, the persistence of

discriminatory social and cultural patterns that prevent the media from helping to foster a balanced, non-stereotype, image of women.

K. Women and the Environment

Measures adopted

CONAMU initiated an important process of institutionalizing the gender perspective in environmental policies. It has led to the official establishment of a technical division within the institution devoted to this area, with substantial funding from international cooperation agencies.

Based on research focusing on gender equity and women's rights in environmental policies and how they might be applied in Ecuadorian society, an inter-institutional working strategy was devised along with an action plan: both fully supported by the Ministry of the Environment and CONAMU.

“If we take stock of actions undertaken in connection with the environment, we can assert that the establishment of a space, within the State, for work on gender and the environment is a significant step forward for addressing the inequities resulting from that relationship.”¹⁵

CONAMU is currently discussing the possibility of joining the National Council for Sustainable Development, set up in 1999 as a body advising the Office of the President of the Republic on the preparation of sustainable development policies and plans. One of this Council's key initiatives has been to build a consensus around the “Green Social Pact.” Members of the Council include the Ministry of Environment and the Ministry of Agriculture, representatives of the business sector, and environmentalist, indigenous and community farmer NGOs.

The Inter-Institutional Forum on Gender and the Environment was formed toward the end of 2002, led by the Ministry of the Environment and CONAMU. Participants include environmentalist organizations and international cooperation agencies fostering the incorporation of a gender perspective in Ministry of the Environment policies and programmes. The Gender and Environment Forum is an important experiment in the setting up of inter-institutional coordination mechanisms. By taking on a leadership role in this Forum, CONAMU has managed to position itself as a benchmark for government environmental policies with gender equity. The Forum provides an opportunity in which dialogue constitutes the principal working strategy, identifying key players for constructing a joint project aimed at gender mainstreaming in environmental policies, laws, regulations and strategies.

In the framework of the Inter-Institutional Forum on Gender and Environment, collective recommendations and observations have been formulated in respect of the Water Act, which is still being debated in Congress, and with regard to the Forestry Act and Ecuador's Forestry Strategy. Those initiatives were prompted by the Ministry of the Environment's Forestry Policy programme.

¹⁵ CONAMU/UNIFEM. Pág. 34.

As part of the process of institutionalizing the gender perspective and protection of women's rights in environmental policies, CONAMU has begun taking steps to define the organ that would be responsible for this area within the Ministry of the Environment. In the process, it has come to the conclusion that it is essential to introduce a phase of awareness-raising and training in gender issues for technical staff in the various different departments of the Ministry of the Environment, through talks and workshops for sharing experiences in connection with the subject of women's rights in environmental policies.

Work is currently under way on defining guidelines for incorporating gender criteria in decentralized environmental programmes. This is being done with the Local Environmental Management Directorate, which forms part of the Environmental Quality Subsecretariat of Ecuador's Ministry of the Environment (MAE).

"In short, the problem is that in most state institutions dealing with environmental issues there is no sense of how women participate in environmental management, no value is attached to that participation, the relationship between men and women in environmental managements has not been thought through, and there is no differentiation between the effects of environmental laws, policies, and programmes on women as opposed to men. Nor are the constitutional rights of women validated."¹⁶

L. The girl child¹⁷

Current situation

In a markedly unequal country, children as well as women have less access to basic social services. As a result, overall they face constant restrictions on the full exercise of their human rights.

According to the United Nations Common Country Assessment for Ecuador, nearly 70 percent of the country's 4.8 million children live in poverty. , almost 70 percent of whom are poor. Approximately 430,000 children aged 5-17 years must work and 15 percent of children [under 5 years] suffer from acute or moderate malnutrition. Between 1990 and 2001 no progress was made toward universal coverage in basic education and the net primary-school enrolment rate stagnated at 89 percent. Indigenous and afro-Ecuadorian children together form the most vulnerable segment of the population. Almost 90 percent of those children live in poverty and only 39 percent complete primary school. Although infant and maternal mortality rates have declined substantially, half all current infant deaths are preventable.¹⁸

According to the Standard of Living Survey, in 1994 7.9 percent of girls aged 15-19 years were pregnant and in 1998 that figure rose to 9.8 percent.¹⁹ These percentages are no doubt higher in

¹⁶ Diagnóstico, estrategia y Plan de Acción del CONAMU sobre la equidad de género y los derechos de las mujeres en las políticas ambientales y en el imaginario de la sociedad ecuatoriana. [Diagnostic, strategy and Action Plan of CONAMU on gender equity and women's rights in environmental policies and thinking (*imaginario*) of Ecuadorian society]. María Cuvi, Alexandra Martínez. Quito, December 2002, p. 43.

¹⁷ Taken from Fundación Observatorio Social del Ecuador and UNICEF, El enfoque de género y los derechos de niños, niñas y adolescentes en Ecuador [The gender perspective and the rights of boys, girls, and adolescents in Ecuador]. Document prepared by Rocío Rosero Garcés and Cecilia Valdivieso Vega. Quito, April 2003.

¹⁸ UNICEF. Draft country programme document prepared for the Annual Session 2003 of the Executive Board to be held from 2-6 June 2003.

¹⁹ UNFPA. State of world population, 1998. The new generations. New York, 1998.

rural areas and among adolescent girls with fewer years of schooling: 32.3 percent of adolescent girls without any school education and 16.7 percent of those who had begun but not completed primary school were already mothers.

The global figures cited in the foregoing paragraphs reveal the plight of children and adolescents in Ecuador. In general terms, we can say that although there have been improvements in some fields, poverty continues to constitute a massive constraint on the exercise of those children's and adolescents' rights.

The overall statistics do not point to considerable differences in the exercise of boys' and girls' rights. Nevertheless, we need to examine some specific problems, go beyond the figures, and focus on the situation of girls as subjects of rights. An analysis of that kind will highlight the need to include a gender perspective in the gathering, processing, and analysis of statistical information and in the design, implementation and evaluation of policies, programs and projects intended to raise the quality of life from children and adolescents in our country.

Measures adopted

The Ecuadorian State has not taken any specific human rights measures based on the particular needs of girls. However, within the framework of general actions on behalf of children an effort is being made to build a gender perspective and protection of women's and girls' rights into policies directed at children.

Preparations are currently under way for a National Policy for the Integral Protection of Children and Adolescents and its accompanying Ten-year Plan for Integral Protection 2004-2014, as a coordinated set of government policies on behalf of children and adolescents, with targets and indicators that can be monitored, and that consider the higher interest of children a linchpin of sustainable human development. These policies and their respective Plan are shaped by Articles 193 and 195 of the Children's Code.

The Plan is based on the principles established in the [International] Convention on the Rights of the Child: the Higher Interest of the Child (*Interés Superior del Niño*); Equality and Non-Discrimination; Absolute Priority; Co-responsibility of the State, Society and the Family; and the Basic Function of the Family. Studies have begun on incorporating the gender perspective in the Ten-year Plan for Children.

Construction of the Plan has been coordinated by the Social Front Technical Secretariat since September 2002. The National Council for Children and the Family ratified this role of the Secretariat on March 12, 2004 and an Inter-Institutional Committee was installed to oversee the process. CONAMU sits on that Committee. A team of specialists is currently carrying out consultations with a view to revising the basic Plan document and incorporating the cross-cutting themes of gender, interculturality, and disabilities.

A key piece of national legislation is the Children's Code, promulgated in December 2002. It establishes legal recognition of children as citizens, with their own rights, and thus as stakeholders in national development. This recent law fills the gaps left in the former Minors'

Code and lays down clear rules and procedures for the exercise of rights, as well as punishments for authorities and institutions that fail to observe or respect the rights of children and adolescents.

Article 6 established the principle of Equality and Non-Discrimination and points out that “All children and adolescents enjoy equal protection of law and shall not be discriminated against on grounds of their birth, nationality, age, sex, ethnic origin, color, social origin...or any other status of their own or of their parents, or representatives, or family members.”

The Code establishes other measures that specifically protect girls and female adolescents. Article 25 stipulates that “The authorities and institutions providing health care and assistance for children and adolescents shall establish appropriate conditions for care during pregnancy and childbirth, on behalf of the mother or child, especially in the case of adolescent mothers...”

With respect to education, for instance, the Code establishes punishments for “educational establishments that deny or hamper the entry of children and adolescents for reasons of health, disability, ethnic origin, pregnancy, social or religious status... either of their own or of their parents or legal representatives.” Article 249.3.

The Children’s Code also establishes the Decentralized National System for the Integral Protection of Children and Adolescents as an “interlocking set of public and private agencies, entities, and services that define, execute, oversee and evaluate policies, plans, programmes and projects, with a view to guaranteeing integral protection of children and adolescents; [...] ensuring the official recognition, exercise, enforceability and restitution of the rights of children and adolescents...” Article 190.

The National Council for Children and the Family and the Cantonal Councils for Children and Adolescents belong to this set of agencies defining, planning, overseeing and evaluating National System policies. So far there have been no governmental policies for children with a gender perspective.

Obstacles encountered

Neither the women’s movement nor the movement in support of the rights of children have managed to articulate their proposals in such a way that protection of girls and adolescents has become a core component in their presentation of concerns and solutions to their problems. Nor have we, as the bodies responsible for policies on behalf of children and adolescents, or the National Council for Women managed to incorporate the life-cycle approach in the formulation of proposals for eliminating gender discrimination and guaranteeing the full exercise of women’s rights.

PART THREE. INSTITUTIONAL DEVELOPMENT

The institutional status of gender and of human rights

As mentioned in Part One of this Report, the establishment of the National Council for Women (CONAMU) was the starting point for the process of consolidating the institutional status of gender in Ecuador.

CONAMU was created by Executive Decree No. 764 published in the Official Register No. 182 on October 28, 1997, as the body in charge of formulating and promoting government policies with a gender perspective. It enjoys independent legal status, with its own capital and administrative and financial regime, and operates directly with the Office of the President of the Republic. It is the body responsible for regulating the introduction of the gender perspective into plans, programmes and projects and its enforcement in all public sector entities.

Article 41 of the 1988 Political Constitution of Ecuador establishes the obligation of the State to form and execute policies to achieve equality of opportunity among women and men through a specialized organism that shall see to the incorporation of a gender focus in State plans and programmes and offer technical assistance for its obligatory application. Similarly, Article 254 establishes that the national system of planning shall take age, ethno-cultural, [and] local and regional differences into account and shall incorporate a gender focus.

One of the most important features of CONAMU's modus operandi is the composition of its Board of Directors. It includes delegates of the State and of national organizations forming part of the women's movement, thereby setting an example of civil society-State co-responsibility for working out general guidelines for Ecuador's gender equity policies.

The representatives of civil society are delegates of three national women's organizations: Foro Nacional Permanente de la Mujer Ecuatoriana, Confederación de Mujeres Ecuatorianas por el Cambio (CONFEMEC) and Coordinadora Política de Mujeres del Ecuador (CPME). The State entities represented on the Board are: the Office of the President of the Republic (Chair of the Board), delegates of the Ministry of Social Welfare's General Secretariat for Management, and delegates of the National Planning and Development Secretariat, SENPLADES (known, until February 2004, as the National Planning Office - ODEPLAN).

As mentioned earlier, CONAMU is being re-structured in coordination with the National Technical Secretariat for the Development of Human Resources and Public Sector Remunerations (SENRES), overcoming the sectoral bias that has long characterized institutional policy. The current proposal aims to achieve an approach that cuts across sectors in the formulation of pro-gender equity government policies. It will be based on four sets of rights: a) Promotion and protection of social and political participation, the exercise of citizenship, and democratic governance; b) Promotion and protection of the right to a life free of violence, to peace, health, sexual and reproductive rights, and access to justice; c) Promotion and protection of cultural and intercultural rights, quality of life, autonomies; and d) Promotion and protection of economic rights, work, and access to financial and nonfinancial resources.

The establishment of CONAMU has been accompanied by the creation of other bodies that are also designed to oversee observance of human rights and of the constitutional precepts of equal protection of law and non-discrimination.

One example of the institutional status accorded to gender concerns is the Congressional Commission on Women's Issues, Children and the Family established in 1998 as a Special Commission, then elevated in August of that year, by constitutional mandate, to the rank of Permanent Specialized Legislative Commission, charged with legislating and overseeing compliance with the rights of children, adolescents, women, youth, senior citizens, and persons with disabilities. Also in 1998, a women and children's division was formed in the Office of the Ombudsman as a specialized mechanism to protect the human rights of women. However, its status today is only that of a Directorate.

Other pro-Equity mechanisms

Much progress has been made in Ecuador in generating opportunities or mechanisms for inter-institutional coordination of gender equity issues. In the various technical areas covered by CONAMU that strategy has been pursued in order to ensure processes in which the outcomes are the fruit of consensus-building with the key governmental and nongovernmental players. These different thematic areas of CONAMU (Education, Health, Development, the Environment, Decentralization and Violence) have set up coordination mechanisms in the various technical and political spheres, such as negotiating tables, pro-gender equity networks, gender committees, gender directorates, women's offices and consultations with gender experts on sectoral topics.

In a limited number of cases, working agendas or inter-institutional agreements have been signed. However, one of the chief hurdles is the dearth of funds in sector budgets for action on gender issues.

“Perhaps the best illustration of problems with funding for population and development issues, in the context of an overall reduction of social investment in this decade, is the financing of the Free Maternity and Child Care Act, passed in 1998. A budget appropriation of US\$21 million a year was assigned for implementation. In fact, in 1999, it made do with US\$8 million and in 2002 it received US\$17 million. Despite the increase – a response to social pressure exerted by women's organizations and by CONAMU -- there is still a shortfall. In other areas of sexual and reproductive health, budgets remain tiny. The fact is: there is a huge gap between needs to be satisfied and available resources, which means that the possibilities of access by the poor become even more remote.”²⁰

Another obstacle, apart from the lack of funding, is the short supply of qualified specialists in the line ministries. Accordingly, CONAMU has, in its projects, invested in sensitization and training of those responsible for deciding on and operating government policies related to gender and women's rights.

²⁰ UNFPA, Informe sobre el Cumplimiento de la Plataforma de Acción de El Cairo [Report on Implementation of the Platform of Action of El Cairo]. Quito, March 2004, p.67.

Ecuador's gender "mechanism" (CONAMU) and its 2004-2008 Strategy

The core of CONAMU's current strategy is, as we mentioned earlier, "to continue the process of institutionalizing gender in government policies from a cross-cutting and inter-sectoral standpoint, based on an understanding of the role of the Council as the guiding body for the promotion, protection, exercise, and mandatory recognition (*exigibilidad*) of women's human rights, as a constitutional mandate transforming the lives of women by organizing the Council's work on sets of rights that help to shape strategies for formulating, crafting, negotiating, embodying and guiding central and local governments' policies on gender issues."²¹

The priority items on the Council's current agenda are:²²

- ❖ Drafting the New (2004) Gender Pact, by formulating, designing and executing the new (2004-2008) Equal Opportunity Plan.
- ❖ Helping to forge democratic governance with a gender perspective; in other words, a participatory and inclusive democracy facilitating the political, social, and community-based participation of women. It is essential to strengthen the institutional status of gender at the governmental level in order to increase the chances of having an impact on the government agenda and the National Budget, thereby advancing the promotion, protection, exercise, and mandatory recognition of women's rights;
- ❖ Strengthening policies specifically targeting protection of rural women and at-risk groups: the victims of violence, the displaced and refugees; pregnant adolescents, women sex workers, women working in conditions of exploitation, indigenous women and women who form part of ethnic minorities, afro-Ecuadorian women or *mestizas* in families or communities that reject them, women in prison, migrants and others;
- ❖ Implementing simultaneously the measures, mechanisms, and services required to put governmental gender policies into effect;
- ❖ Ensuring that governmental gender-related policies can be implemented through services networks and citizen participation mechanisms.

The new Equal Opportunity Plan (PIO)

The first (1995-2000) PIO was based on the eleven critical areas of concern of Beijing as a viable platform for initiating the process of institutionalizing government policies for the protection of women's rights. The first PIO made it possible to "reveal the whole set of gender inequalities and encourage the establishment of an institutional mechanism at the highest level of government to govern those policies. Today that "mechanism" is the National Council for Women, CONAMU"²³.

The current PIO aims to "take a trans-sectoral and integral approach to the problems Ecuadorian women face, which involves influencing the whole set of government policies. Influence must

²¹ National Council for Women, CONAMU/UNIFEM. Consultoría para la formulación de una estrategia de posicionamiento y relacionamiento con la cooperación bi y multilateral. [Consultancy regarding the formulation of a positioning strategy and ties with bilateral and multilateral cooperation]. Team of consultants: Ariadna Reyes Ávila and Cecilia Valdivieso Vega, ACDemocracia y Desarrollo Working Group. Quito, January 2004, p. 11.

²² Taken from CONAMU's institutional presentation. Rocío Rosero G. (sociologist), Executive Director, October, 2003.

²³ CONAMU, Documento Diseño del PIO [Blueprint for the Equal Opportunity Plan]. Prepared by Ariadna Reyes Ávila. Quito, February 2004, p. [sic]

also be brought to bear on the technical and political instruments that may help to narrow inequality gaps and which, in any event, require inter-sectoral and trans-sectoral action, as well as the participation of civil society in social control and surveillance of the exercise of women's rights."²⁴

In drawing up the new Plan, CONAMU is currently seeking to tap the experience it has acquired and lessons learned and to integrate the challenges it faces in a technical and political approach entirely germane to the debate on democratic governance.

Budgets for action on gender issues

There is no policy in Ecuador for allocating resources to the design, execution, and monitoring of programmes and projects geared to promoting equal opportunities and the elimination of gender gaps.

"CONAMU's budget comes under the social sector or, more precisely, the social welfare heading, and amounts to US\$ 2,269,386, or 0.15 percent of the budget for the whole sector. In that regard...it should be pointed out that CONAMU's budget appropriation in 2003 was equivalent to 0.024 percent of the National Budget."²⁵

A multi-pronged strategy is therefore needed, with a National Budget and local budgets that are sensitive to gender issues and the product of a participatory and consensus-building process reflecting women's concerns and those of the population as a whole. For that, the budget-building process has to be from the bottom up.

That, in turn, presupposes transparency at all times with respect to government investment in gender issues; hence the need for indicators.

Gender-sensitive statistics

Government policy formulation has benefited since 1997 from Ecuador's Integrated Social Indicators System (SIISE), operated by the Social Front Technical Secretariat. This national statistical information system makes it possible to work on the basis of official data, set goals and measure outcomes, especially in the social policy sphere. It can be accessed through information packages in bulletins, on CDs, and over the Internet.

SIISE has a special subset of indicators, known as SIMUJERES, illustrating gender gaps in various spheres of public and private life. Despite this step in the right direction, specific indicators still need to be constructed to reflect the different dimensions of gender-related inequalities.

In connection with commitments undertaken in a number of international agreements, covenants and conferences, CONAMU is lobbying for the construction of indicators that make it possible

²⁴ Idem., p. [sic]

²⁵ Report of the Inter-American Development Bank, Análisis sobre las brechas de género en Ecuador [Analysis of Gender Gaps in Ecuador]. Study prepared by Rocío Rosero Garcés and Ariadna Reyes Ávila. June 2003, p.9.

to keep track of these gaps and to monitor on an ongoing basis the State's observance of women's human rights.

PART FOUR. MAIN CHALLENGES AND ACTIONS TO ADDRESS THEM

4.1. Macro challenges

4.1.1 The new PIO: The political and social gender pact

As the governing body with respect to pro-Equity policies, CONAMU sees the new Equal Opportunity Plan as the technical instrument to address the demand from different groups of women by connecting it with what the State can supply and as the means for establishing a social and political gender pact with all sectors.

As currently conceived, the proposed new Equal Opportunity Plan envisages drawing up an agenda to cover the whole gamut of Ecuadorian women. This entails constructing a political agenda with young women, indigenous women, afro-Ecuadorian women, women from low-income sectors, lesbians, sex workers, women entrepreneurs, to name just some of the principal groups, and reflecting those of their demands that were not taken up in the 1995-2000 agenda or in government proposals.

The Political and Social Gender Pact thus constitutes a tool for political consensus with respect to a confluence of different agendas geared to topics of national concern, rights upheld in the Constitution, and the various international instruments for promoting and protecting women's rights.

Both the Equal Opportunity Plan and the subsequent consolidation of the new Political and Social Gender Pact are envisioned as core components of a broad process of developing government policies designed to achieve equality. From the outset of that process women have an opportunity to address issues that affect them all, without losing sight of diversity.

4.1.2. Strengthening of pro-Equity mechanisms

The way CONAMU is set up has so far followed a thematic, sector-oriented model that has allowed it to exert influence on the various government agendas at both the central and local levels.

This thematic, sector-oriented model has scored some goals with respect to the process of institutionalizing the gender perspective. "The main achievement has undoubtedly been to generate awareness in each sector of the gender issues underlying political and administrative decisions. In generating that sectoral awareness, mainly by working at the central level (although experience is also being developed through decentralized pilot projects), the Council has managed to position itself for carrying out its mission and to have an impact on agendas by adopting two strategies: by providing technical and political advice for decisions that, when turned into laws and government macro policies on social issues, become mandatory for the various sectors; and through specific projects permeating the different levels of sectoral decision-making."²⁶

²⁶ CONAMU/UNIFEM. Page 26.

One of the principal strategies CONAMU intends to pursue to implement the commitments established in international instruments such as the Beijing Platform of Action is to create and reinforce pro-Equity mechanisms. CONAMU's current leadership favors boosting the various different institutional mechanisms for coordinating gender initiatives in central government and at the local authorities level, such as inter-institutional committees, women's offices, pro-Equity networks, and working groups.

4.1.3. Gender-sensitive budgets

In CONAMU's view it is essential to build the gender perspective into national and sectoral budgets. Gender-sensitive budgets are powerful tools for establishing and strengthening pro-Equity gender mechanisms in the different sectors, for carrying out programmes and projects to promote gender equality, and for the full exercise of women's rights.

Accordingly, it is vital to develop a strategy that ensures that the national budget is imbued with a cross-cutting gender perspective. Part of such a strategy involves efforts to sensitize and train technical and executive staff inside the institutions responsible for fiscal management, such as the Ministry of Economy and Finance and the congressional Budgets Commission.

To that end, CONAMU must continue pushing for the inclusion of gender indicators in public investment projects, since they "are a tool for redistributing income, as well as being essential for the formulation of gender-sensitive budgets. If such (gender-sensitive) budgets are achieved, they will shape the way in which governments address the practical and strategic needs of women. In the short, medium and long term they will constitute an indicator for gauging the extent of compliance with the government's national and international commitments"²⁷ in respect of women's rights.

4.2. Ongoing sectoral challenges

Poverty

- Harmonizing economic and social policy on the basis of a development model geared to social justice and the principles of equality, equity and social and cultural diversity.
- Gender mainstreaming in plans, policies, programmes, and projects, in keeping with the government's stated development priorities, including economic reactivation and the eradication of poverty.
- Influencing planning and decision-making in such a way that investment priorities favor the social strata living in poverty and the recently impoverished, focusing particularly on groups of women in situations of risk: poor women in rural and urban areas, women heads of household, migrants, the population on the northern border and ethnic minorities.
- Strengthening and boosting existing mechanisms for dialogue and consensus-building, with the participation of other civil society players of both sexes, with a view to posting these issues on the political agenda and developing and implementing action-oriented strategies and

²⁷ CONAMU/ UNICEF. Diseño del Índice de Género para la medición y evaluación de los proyectos de inversión pública [Design of the Gender Index for measuring and evaluating public investment projects]. Document prepared by Zonia Palán and Edith Segarra, with the help of Bolívar Palán. Quito, April 2003, p.11.

legal reforms, in coordination with entities upholding the institutional status of gender (the congressional Commission on Women's Issues, Youth, Children and the Family).

- Developing an action strategy at various planning and management levels to coordinate policies, programmes and projects capable of modifying institutional structures, conceptions and practices on the basis of an equity perspective allowing access by women and men to financial and nonfinancial resources on an equal footing.
- Increasing the budget appropriation for Fondo Promujeres activities, as a poverty reduction strategy.
- Creating indicators to document more objectively the feminization of poverty in Ecuador and thereby achieve a partnership between the institution responsible for gender policies, the technical agency responsible for compiling national statistics, and the bodies determining macrosocial policies, in order to integrate gender in government analysis, policies, and programmes.

The economy

- Completing and sustaining the Programme of Support for Rural Women in Ecuador (PADEMUR) in the areas in which it is being implemented, by negotiating national budget allocations to execute the programme.
- Formally institutionalizing cooperation between the national body responsible for gender policies and the Labor Ministry, so that labor policies are designed to guarantee women's right to employment, to equitable working conditions, and respect for their rights in the workplace.
- Documenting women's contributions to the national economy.

Education

- Gender mainstreaming in educational policies.
- Drawing up massive, low-cost educational plans and programmes in the short term that incorporate gender, the rights of women and girls, and life-cycle perspectives.
- Drawing up co-education proposals in conjunction with the Ministry of Education and other institutions specializing in these fields and implementing them through pilot projects.
- Establishing operating units for actions addressing gender concerns within the Ministry of Education and endowing them with the necessary human and financial resources, so that they can coordinate government and private initiatives.
- Producing materials on a massive low-cost scale for disseminating ideas that promote equity and the rights of children and adolescents.
- Supporting the organization of girls, youth, women teachers and mothers to defend their rights and to monitor observance of the principle of non-discrimination in education, particularly cases in which women and girls are expelled or rejected because they are pregnant.
- Backing medium and long-term programmes and projects designed to bring about cultural changes.
- Incorporating interculturality as a key element in educational policies.

Health

- Publicizing the rights conferred under the Free Maternity and Child Care Act among the population, especially in rural areas and indigenous communities.

- Promoting legal reforms to ensure a timely flow of resources and to establish punishments for those who charge for services that are free, according to the Act. Accordingly, it is necessary to repeal or amend the Executive Decree issued after the Act was promulgated that arbitrarily allows charging for benefits already determined to be cost-free.
- Reaching national agreement on whether the State should finance sexual and reproductive health care and basic health care for children under 5 years of age, or whether women should be charged directly for these services.
- Fostering a debate and national agreements on the role of municipalities in the provision of health services.
- Putting forward – through CONAMU’s technical team and in coordination with the Ministry of Public Health – proposals for amendments to the Health Code that would introduce the gender perspective.
- Achieving the signing of an Agreement with the peasant worker social security regime (*Seguro Social Campesino*) to extend coverage to persons who are not affiliated; and broadening the social base of the Free Maternity Act to include families affiliated to Seguro Social Campesino and indigenous women, including traditional midwives.
- Include traditional medicine practitioners for referral of pregnant patients, in childbirth and post-partum work, and health care for children under 5, all at low cost, and thereby initiate coordination between formal and informal health care services.
- Establishing resource transfer mechanisms, procedural protocols and other instruments that might enable agreements to be reached with the Izquieta Pérez Institute, Health Ministry laboratories and the Red Cross.
- Promoting research into women’s health issues and enhancing the quality of data and their timeliness and dissemination. CONAMU is currently negotiating the inclusion of key questions on the situation and status of women in various information-gathering survey questionnaires.
- Supporting and strengthening user committees and other surveillance and monitoring mechanisms to cover health services and the handling of resources by the competent authorities, so as to contribute to the formation of “health citizenship.”

Communications

- Promoting communication policies that induce the media to be open to women’s concerns and those of civil society in general, enabling women to participate through the media and helping them to express their concerns through them.
- Supporting the drafting and negotiation of laws and regulations that provide for punishment of media acting in a discriminatory manner and infringing women’s rights.

The environment

- Including CONAMU at the highest decision-making levels, such as the National Committee on Climate and the National Committee on Biosecurity.
- Organizing grassroots demands and a critical mass so that the gender and environment issue figures prominently on the agendas of environmentalist and women’s movements.
- Generating institutional and legal mechanisms within the Ministry of the Environment to back the incorporation of the gender perspective in environmental policies and the way the Ministry itself is run.

- Conducting research to cull information and knowledge, from a gender perspective, about access to and the use and control of natural resources.
- Building the gender perspective into environmental monitoring and other information systems.
- Introducing the geobenchmarking (*georeferencialidad*) variable in the design of local government policies on gender issues.

Violence

- Involving local and provincial governments in the domestic violence issue in order to formulate public policies at those levels.
- Continuing to support the development of pilot projects, in order to detect, *inter alia*, domestic violence, maltreatment, and sexual offenses outside the family, timely treatment mechanisms to put an end to the aggressions and intervention to help victims recover, with a view to formulating local and national policies in this field.
- Achieving implementation in the judiciary of the family courts model and other conventional mechanisms for addressing violence.
- Achieving publication of the regulations implementing the Law on Violence against Women and the Family and the Manual of Procedures for standardizing enforcement of the law in the judicial bodies responsible for enforcing it. Achieving also full incorporation of amendments regarding women's rights in the Family Code and the Criminal Code.
- Institutionalizing the *Observatorio del derecho de las mujeres y las niñas a una vida libre de violencia* (Observatory on the right of women and girls to a life free from violence), in coordination with the various entities responsible for reinforcing the institutional status of gender.
- As regards women in situations of risk: a) conducting studies with a gender perspective on the impacts of migration on women and their families and encouraging the organization of productive initiatives financed by the foreign exchange generated by migrants; and b) coordinating strategies to assist women living near the northern border, in the framework of programmes and projects undertaken in that zone.

Human rights challenges

- One of the challenges encountered in building government institutions in Ecuador, especially gender-related institutions, involves incorporating a rights perspective in the formulation, implementation, monitoring, and evaluation of policies, programmes, and projects.
- The rights perspective also entails promoting and strengthening enforcement and actionability mechanisms in respect of women's human rights. Women and women's organizations must become promoters and watchdogs for their own rights, making use of the legal tools and institutional mechanisms available for demanding observance of each and every one of them.
- Incorporating the human rights perspective in both CONAMU and government policy and practice.
- Strengthening the rule of law.

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