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Committee on the Elimination of  
Discrimination against Women  
Fifth session  
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Concluding comments of the Committee on the Elimination of  
Discrimination against Women: Ecuador

Initial report

226. The Committee considered the initial report of Ecuador (CEDAW/C/5/Add.23) at its 72nd, 73rd and 78th meetings, on 14 and 19 March 1986 (CEDAW/C/SR.72, 73 and 78).
227. The representative of Ecuador, in his introduction of the report, informed the Committee that Ecuador's Constitution guaranteed equal rights for everyone and that the Government promoted the application of all legal provisions to ensure those rights. He stated that the provisions of the Convention were reflected in the national legal system.
228. He stated that, within Ecuador's national development plan, the subprogramme for women and young people reflected the Government's official recognition of the important role that could be played by women in the development of the country, a recognition that had been further reinforced by the establishment of the National Women's Office to monitor, plan, evaluate and undertake activities relating to the status of women.
229. His Government had stressed the importance of education and had provided equal access to education for all, with priority attention being given to the rural population. The full participation of women in human resource development was recognized as an important aspect of economic and social development.
230. It was pointed out that the majority of voters in the last election had been women and there was an increasing number of women in public office.
231. The right to work, the representative continued, was guaranteed by the Constitution and the Labour Code provided for equal pay. Several institutes were collaborating with the United Nations, particularly the International Research and Training Institute for the Advancement of Women (INSTRAW), to enhance the integration of women in the development process.
232. He pointed out that many steps had been taken to implement the provisions of the Convention. However, despite all the achievements made in the various sectors, there was still a need for improvement and strengthening of the legislation to eliminate discriminatory practices. It was hoped that the draft Act on the Legal Equality of the Sexes, when adopted, would be another step towards improving the status of women.
233. The members of the Committee expressed appreciation for the representative's introduction, which complemented the information contained in the written report, and expressed regret that some of the statistical information referred to in that report had not been made available. It was clear, they felt, that the report reflected the good will and intentions of the Government, but many members expressed concern about the persistence of prejudices and traditional views with regard to the role of women.
234. Some members requested more information on the National Women's Office in terms of its membership and its authority to introduce policies to the Government. One expert referred to the Office's recourse to the mass media for changing the traditional image of women and asked how that was done. Some experts inquired about the placement of the Office within the Ministry of Social Welfare.

235. One member expressed concern about article 525 of the criminal law on rape and requested clarification. Another requested clarification on the term "white slavery". Questions were also raised on prostitution and whether steps were being taken to abolish it.
236. Some members questioned whether women were well enough informed to take advantage of the application of the Convention, whether legal advice was provided to them on their rights and whether legal remedies had been used for violation of those rights. One expert asked if women had access to legal aid and if such legal aid was free.
237. With regard to education, many members expressed concern that certain activities for girls perpetuated the traditional view of the role of women, which, in turn, had grave implications for future employment opportunities. Some members requested more data on the literacy rate, the level of compulsory education, co-educational facilities and vocational training. It was also noted from the report that female teachers were expected to deal mainly with young children. In this context, one expert objected to the words used to describe female teachers. Some experts asked if there were special educational programmes for indigenous women.
238. More statistics and data were requested regarding the labour force, representation of women in the unskilled and skilled labour force and in the professions, income and wages, taxation and unemployment rates, as well as the restrictions on access to certain jobs. It was noted that many of the provisions of the Labour Code and pension rights were discriminatory.
239. Questions were also asked regarding the importance and character of the rural sector of the economy and the situation of rural women with regard to ownership of land, access to bank loans, etc.
240. One member pointed out that the provisions of the social insurance pension reflected the view that men were the bread-winners and asked whether there was any difference in entitlement for a common-law wife. Some members asked if social insurance was compulsory, if it was deducted from the income or if the employer paid for it, and how many women were involved.
241. with regard to maternity leave, many members asked if employers did in fact comply with the Labour Code, particularly in terms of providing child-care facilities for workers. One member noted that maternity leave was not granted to domestic servants.
242. One expert requested more information on the report being prepared by the Ministry of Public Health, as mentioned in the initial report. Some members noted the high fertility rate and requested information on family-planning programmes and access to contraceptives, as well as statistics on the infant mortality and date on childbirth at home and in the hospital.
243. Some experts noted that the Civil Code had many discriminatory features and many experts asked if the proposed Act on the Legal Equality of the Sexes would ensure the elimination of such discriminatory practices.
244. Some experts requested more information on marriage and divorce rates, the legal status of children (including those born out of wedlock) and property rights upon dissolution of marriage. One expert asked if judicially separated women could

remarry and what was the difference between a "divorced" and a "judicially separated" woman.

245. More information was also requested on the participation of women in promoting peace, the role of the informal sector of the economy and the role of women in that sector, and the sharing of household duties. One member raised the question of the role of the Catholic Church.

246. In view of the many areas requiring urgent attention and to the extent that resources may be limited, one expert asked if the Government of Ecuador had set any priorities for dealing with the elimination of discrimination against women.

247. The representative of Ecuador, in responding to the question raised, explained that women in his country had free access to legal advice and that rural women were provided free of charge with legal defence and interpretation. He said that in his country the bodies dealing with the advancement of women were the National Women's Office, established in 1980, which had also regional offices and training centres around the country, and various other institutes and departments concerned with women and children.

248. Referring to a question about the number of indigenous inhabitants, the representative replied that it was offensive to make such a categorization that did not exist under the law. Ecuador was a melting pot of various indigenous groups. It was a party to all international instruments on human rights and did not tolerate racial discrimination. The majority of the population was bilingual, using Spanish as the main language of education and Quechua as the language for inter-cultural relationships.

249. He said that prostitution was of minor importance in the country and that trading in prostitutes, the "white slave trade", was severely punishable.

250. Concerning the political participation of women, he said that women were active in political parties; they were found in the leading professions and also in the legislature. Voting was obligatory for both sexes.

251. Children of Ecuadorian mothers or fathers born abroad could acquire Ecuadorian nationality. By acquiring another nationality women lost their Ecuadorian nationality.

252. The representative was pleased to state that the struggle against illiteracy had been a major achievement of his country. The national literacy campaign had started in 1944, and presently only 5 to 8 per cent of the population were illiterate. Education was administered without discrimination; it was free of charge at the primary, secondary and higher educational levels, and parents and girls were completely free in their choice of education. Education in fields traditionally considered to be women's fields was also administered to boys. The State allocated 30 per cent of its funds to education. Colleges were mixed or unisex and the general policy fostered co-education.

253. There was no discrimination in labour legislation; the representative then enumerated various types of work that were considered as dangerous and prohibited for women and minors. An additional question was asked about the reasons for certain categories of work being considered dangerous for women and not for men and whether such a measure was not meant to keep women away from certain highly competitive industries. The expert said she would welcome a revision of such protective legislation.

254. The representative stated that both sexes took part in household work and that women were also engaged in technical professions. In his country, 20 per cent of the economically active population were women, but as Ecuador was mainly an agricultural country, more than half of the women lived in rural areas, where they performed domestic tasks without remuneration in their own homes, took care of livestock and family plots and were thus chiefly responsible for the country's economic progress. More and more women could be seen in small-scale industry in the agro-industrial field, but they also held senior positions in professional and technical trades.

255. For nursing mothers, day-care centres and low-cost food was provided. Under the Constitution and the Labour Law women received equal pay with men and were covered by equal social security. Ecuador experienced unemployment and a high rate of underemployment among women.

256. As Ecuador was a democratic, free and pluralistic society with 90 per cent of the population Catholic, no demographic measures could be imposed upon the population. But progress in promoting "conscious" parenthood was being made, not through authoritarian measures, but by genuine development activities. Family planning programmes were carried out with full respect for individual concerns. Abortion was prohibited except in case of rape and for therapeutical reasons. In 1977 the State had launched a "mother and child food assistance programme".

257. Both women and men could be landowners. In matrimonial relationships both partners were joint owners of property. With the authorization of their parents, girls could contract marriage at 12 and boys at 14. Women could adopt the surname of the spouse or retain their maiden names. As both divorce and separation existed, one expert asked whether a couple could get a divorce without going through legal separation. The representative explained that divorce by mutual consent could be obtained immediately; legal separation existed only in cases where divorce was not wanted because of economic reasons or the children. Specific causes for divorce were provided by law.

258. Efforts were being made to modernize agriculture; however, currently, rural women had insufficient access to technical resources.

259. In reply to one request made to make the annexes referred to in the country report available to the Committee, the representative said that the annexes could be consulted in the secretariat. They had been attached to the report, but they were too voluminous to be translated and distributed.

260. The representative mentioned round tables and seminars held in the country in observance of the International Year of Peace.

261. The representative said that all further concerns of the Committee would be considered in the country's subsequent report and further data would be supplied.

262. Members of the Committee thanked the representative of the State party for the replies provided and asked for additional information on the situation of rural women, the incidence of prostitution, divorce and legislation regulating women's work.

263. The representative of the State party replied that trafficking in prostitution had occurred in the past, and informed the Committee that Ecuador had become party to the United Nations Convention for the Suppression of the Traffic in Persons and

of the Exploitation of the Prostitution of Others (General Assembly resolution 317 (IV) of 2 December 1949). He added that Ecuador was an agricultural country. Extensive developmental efforts had to be carried out in order to modernize agriculture. There were rural schools which taught modern skills and work methods. Rural women, however, worked with traditional, simple tools, and he informed the Committee that in general there was no electricity in the rural areas. Divorce could be obtained by mutual consent or through the court. Regarding protective labour legislation, he stated that women and minors were not employed in certain dangerous work such as the manufacture of explosives, glass and paint.