

For participants only

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COMMITTEE ON THE RIGHTS OF THE CHILD
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IMPLEMENTATION OF THE CONVENTION OF THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with
the consideration of the initial report of Ecuador
(CRC/C/3/Add.44)

General measures of implementation
(Arts. 4, 42, and 44)

1. In light of information provided in paragraph 324 of the report, please further indicate measures undertaken to bring domestic legislation (e.g., Civil Code, Penal Code, Labour Code, etc.) in line with the principles and provisions of the Convention on the Rights of the Child.
2. Please indicate whether indicators have been developed and disaggregated data collected concerning the status of all children, including the most vulnerable groups (such as children born out of wedlock, children with disabilities, girls, children victim of any form of exploitation, and children belonging to minority and indigenous groups). What difficulties were encountered in the collection and use of these data and indicators for the design of policies and programmes for the effective implementation of the Convention?
3. Please provide further information on existing or foreseen mechanisms to coordinate the activities between all Ministries involved in children issues as well as between the local and central authorities.
4. With regard to information provided in paragraphs 99 and 102 of the report, please provide further information on existing or foreseen mechanisms, both at the local and national levels, for the monitoring of the implementation of the Convention and regarding the proposed establishment of local Ombudsman's offices for children.
5. With regard to information provided in paragraphs 36-37 of the report, please provide updated information on measures taken to implement economic, social and cultural rights to ^Athe maximum extent of [...] available resources[@] (art. 4 of the Convention). Please provide information on the allocation of budgetary resources for children, both at the local and central levels.
6. With regard to information provided in paragraph 54 of the report, please provide an evaluation of the objectives, achievements and constraints in the process of implementing the National Plan of Action of 1991.

7. With regard to the difficulties specified in paragraph 108 of the report, please indicate what further measures have been taken, or are planned, to train professional groups such as judges, lawyers, law enforcement and army officials, civil servants including at the local level, personnel working in institutions and places of detention for children, health personnel and social workers, about the Convention. In addition, please indicate what measures have been taken to raise the awareness on the rights of the child of Government officials, legislators, non-governmental organizations and the mass media, as well as the public at large including children themselves.

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8. In respect to the recommendation mentioned in paragraph 109 of the report, please indicate what measures are being taken or are planned for the translation of the Convention into major indigenous languages, in particular Quechua.

9. Please provide further information on how governmental institutions relate to non-governmental organizations, especially in relation to the new institutional framework established by the Children's Code for the promotion and protection of children's rights. Please also explain how non-governmental organizations will be involved in the future for the design and implementation of policies and programmes for children.

Definition of the child
(Art. 1)

10. With regard to information provided in paragraph 68 of the report, please provide further details on the efforts to harmonize the different age-limits in domestic legislation.

11. Please provide further information on how the criterion of puberty is used under criminal and civil law and whether the principles and provisions of the Convention are taken into consideration.

General principles
(Arts. 2, 3, 6, and 12)

12. Please indicate which specific measures have been adopted or envisaged to reduce economic, social and geographical disparities, including between rural and urban areas, to prevent and combat discrimination against the most disadvantaged groups of children, such as children belonging to indigenous communities, the girl child, children with disabilities, children born out of wedlock, and children who are living and/or working on the streets.

13. Please provide further information on specific measures taken or planned to ensure that the principles of the Best interests of the child (article 3) and Respect for the views of the child (article 12) are reflected in legislation, or action taken by social welfare institutions, courts of law and administrative authorities. Please also provide some examples of implementation of these principles by courts and/or administrative bodies.

Civil rights and freedoms
(Arts. 7-8, 13-17 and 37(a))

14. With regard to information provided in paragraph 195 of the report, please provide further information on measures taken to ensure that birth registration procedures are widely known by the general population. Furthermore, please indicate the measures taken or envisaged to support indigenous communities in setting-up their own system of civil registration as part of the official system (para. 200).

15. With regard to information provided in paragraph 213 of the report, please provide further information on the way the Network for the Care of Abused Children and the National Office for the Protection of Pupils function. Please indicate if the authorities have considered undertaking research on the issue of child abuse (para. 147). Have any cases of ill-treatment been submitted to national courts? Is corporal punishment specifically prohibited by law, and if so, how is this law implemented?

16. With regard to article 17 of the Convention and the information provided in paragraph 281 of the report, please provide additional information on the measures taken or envisaged to protect children from being exposed to violence and pornography in the media, including electronic media.

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Family environment and alternative care

(Arts. 5, 18 para. 1 and 2, 9, 10, 27 para. 4, 20, 21, 11, 19, 39 and 25)

17. Please indicate to what extent the State Party provides for parental education in the performance of child-rearing responsibilities and if there are other family counseling services. Please furthermore indicate the steps taken in the spirit of article 18 of the Convention to encourage the participation of both parents in upbringing their children.

18. With regard to information related to adoption (paras. 143-145), please provide further information on the issue of child disappearances and handovers. Please provide further information on the laws, court procedures, policies and practice regulating national and intercountry adoption and their compatibility with the principles and provisions of the Convention, especially with article 21. Additionally, please provide information on the private agencies dealing with adoptions.

19. In light of article 39 of the Convention, please provide further information on the steps taken and/or envisaged to promote the physical and psychological rehabilitation of children victim of any form of neglect, exploitation, and abuse, including domestic violence and sexual abuse.

Basic health and welfare

(Arts. 6, para. 2; 23, 24, 26, and 18, para. 3, and 27 paras. 1-3)

20. Please provide further information on specific measures taken or planned, particularly in rural and urban-marginalized areas, to ensure basic services such as clean drinking-water and sanitation and to reduce the high rate of infant mortality.

21. Please provide further information on measures taken or foreseen to address adequately adolescent health issues, including the prevention and treatment of Sexually Transmitted Diseases (STDs) and HIV/AIDS, and the measures adopted to promote health information and education on HIV/AIDS among the general population, especially groups at high risk and children.

22. Please indicate measures taken to guarantee the fullest possible social integration, inclusion and individual development for children with disabilities, in the spirit of article 23 of the Convention. In light of paragraph 164 of the report, please indicate if the State party is envisaging to adopt specific legislative provisions for children with disabilities. Please also provide statistics on the number of children with disabilities and further information on related governmental programmes for children with disabilities.

23. With regard to information provided by the State report in paragraph 177 regarding standard of living, please provide further information in relation to the implementation of poverty alleviation measures, especially in regard to children belonging to disadvantaged communities (e.g., indigenous populations, Afro-Ecuadoreans, children living and/or working in the streets and children from urban poor and marginalized areas).

Education, leisure and cultural activities
(Arts. 28, 29, and 31)

24. Please provide further information, such as scope, budget allocation, spending, and geographical coverage, on the programme of bilingual intercultural education for children of indigenous communities.

25. Please indicate measures undertaken and resources devoted by the State party for the implementation of article 31 of the Convention, especially in relation to children living among poor communities.

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26. With reference to information provided in paragraph 185 of the report, please indicate if measures have been taken by the State party to include human rights education, especially the rights of the child, in the school curricula.

27. Please provide further information in relation to the participation of children in school to the process of decision making.

Special protection measures
(Arts. 22, 30, and 32-40 of the Convention)

28. In view of information provided by the report in paragraph 219, please indicate if the State Party envisage adopting domestic legislation for the protection of refugees.

29. With regard to the situation of children deprived of their liberty, please provide additional information, in particular to the following issues:

- the opportunities for the contact with families;
- the pre-trial detention;
- the way the conditions in such institutions are monitored;

- the guarantees to ensure the periodic review of placement;
- the complaint procedures in cases of ill-treatment;
- the prohibition of life imprisonment;
- the education, health and social services facilities in these institutions and prisons;
- the use of arrest, detention or imprisonment of a child as a measure of last resort and for the shortest period of time;
- disaggregated data of children placed in detention centers and on the number of cases of child offenders deferred to the Minor's Tribunals;

30. In view of information provided in paragraphs 245 to 250 of the report regarding the situation of child labour, has the State Party envisaged to become a party to ILO Convention No 138 concerning the minimum age for work? Please also provide further details on the plans to formulate a national policy to prevent and combat economic exploitation, especially the most hazardous forms of labour.

31. Please provide information on existing domestic legislation related to child prostitution, and indicate if this legislation covers girls as well as boys. Regarding the information provided in paragraph 250 of the report, please indicate research to improve the understanding on sexual abuse and sexual exploitation of children, including prostitution, pornography, and incest has been undertaken or considered. Please also indicate whether the State Party is taking into account the recommendations formulated in the Agenda for Action adopted at the 1996 Stockholm World Congress against Commercial Sexual Exploitation of Children.

32. With regard to information provided in paragraph 252 of the report, please provide further information on existing concrete measures to combat the sale of and use of drugs by children and to assist them in their physical and psychological rehabilitation.

33. In light of article 30 of the Convention, please indicate further measures undertaken, including in the framework of the International Decade of the World's Indigenous People, to promote and protect the rights of children belonging to indigenous populations.