

COMMITTEE ON THE RIGHTS OF THE CHILD
38th Session
Pre-sessional Working Group
4-8 October 2004

IMPLEMENTATION OF THE CONVENTION ON THE RIGHTS OF THE CHILD

List of issues to be taken up in connection with the consideration of the second and third periodic report of Ecuador CRC/C/65/Add.28

Part I

Under this section the State party is requested to submit in written form additional and updated information, if possible, before 15 December 2004:

A. Data and statistics, if available

1. Please provide disaggregated statistical data (by sex, age, indigenous and ethnic groups, urban and rural areas) covering the years 2001 and 2002 and 2003 on the:
 - a. number and proportion of children under 18 living in the State party;
 - b. number and proportion of children belonging to indigenous, ethnic groups, and refugees.

2. In light of article 4 of the Convention, please provide additional data disaggregated for the years 2002, 2003 and 2004, on budget allocations and trends (in absolute figures and percentages of the national and local budgets and/or GDP) allocated to the implementation of the Convention, evaluating also the priorities for budgetary expenditures given to the following:
 - a. education (different types of education, i.e. pre-primary, primary and secondary education);
 - b. health care (different types of health services, i.e. primary health care, vaccination programmes, adolescent health care and other health care services for children, including social insurance);
 - c. support programmes for families;
 - d. children with disabilities;
 - e. the protection of children who are in need of alternative care including the support of care institutions;

- f. programmes and activities for the prevention and protection from child abuse, child sexual exploitation and child labour;
 - g. juvenile justice.
3. With reference to children deprived of a family environment and separated from parents, please provide disaggregated data (by sex, age, indigenous and ethnic groups, urban and rural areas) for the years 2001, 2002 and 2003 on the number of children :
 - a. separated from their parents due emigration for economic reasons;
 - b. separated from their parents due to other reasons;
 - c. placed in institutions;
 - d. placed with foster families;
 - e. adopted domestically or through inter-country adoption and;
 - f. living with the parents deprived of their freedom.
 4. Please provide disaggregated statistical data (by sex, age, indigenous and ethnic groups, urban or rural areas) covering the period 2001, 2002 and 2003 on the:
 - a. number and percentage of children with disabilities;
 - b. number of children with disabilities either taken care of in the family or living in institutions;
 - c. number of children with disabilities being enrolled in regular education, how many benefit from the special education system and how many are not in school; and
 - d. facilities and services available for children with disabilities.
 5. With reference to child abuse, please provide disaggregated data (by age, gender and types of violations reported) over the years 2001, 2002 and 2003 on the:
 - a. number of individual complaints received per year in the last three years;
 - b. number and percentage of reports which have resulted in either a court decision or other types of follow-up; and
 - c. programmes and activities to sensitize the parents and the public in general concerning child abuse.
 6. Please provide disaggregated statistical data (by sex, age, indigenous and ethnic groups, urban and rural areas) covering the years 2001, 2002 and 2003 in percentage of the relevant age group on the:
 - a. enrolment in percentage of children in primary and secondary schools;
 - b. percentage of children completing primary and secondary education;
 - c. number and percentage of drop-outs and repetition rate;
 - d. ratio teacher per children and number of children per class;
 - e. number of children who attend pre-school education.
 7. Please provide updated disaggregated statistical data on:
 - a. adolescent health, including early pregnancy and sexually transmitted infections (STIs);
 - b. children affected or infected by HIV/AIDS;

- c. rates of infant and child mortality;
 - d. rates of immunization;
 - e. drug and alcohol abuse;
8. Please provide the following statistical data of children (disaggregated by sex, age, type of crime) for the last three years (2001-2003):
- a. number of persons below 18 who allegedly committed a crime reported to the police;
 - b. number of persons below 18 who were sentenced and the nature of sanctions (community service; detention; other types of sanctions);
 - c. the number of juveniles (under 18) detained and imprisoned, the location of their detention or imprisonment (e.g. police station, jail or other place) and the lengths of their detention or imprisonment, including pre-trial detention;
 - d. number of persons below 18 detained in adult facilities;
 - e. reported cases of abuse and maltreatment of persons below 18 occurred during their arrest and detention.
9. With reference to special protection measures, please provide statistical data (including by sex, age, indigenous and ethnic groups urban and remote areas) per year between 2001 and 2003 on the number of children:
- a. involved in domestic violence, including physical, sexual and psychological
 - b. involved in sexual exploitation, including pornography, sale and trafficking and the number of those children who were provided access with recovery and reintegration treatments;
 - c. involved in substance abuse and the number of those children who received recovery and reintegration treatments;
 - d. involved in child labour (formal or informal sectors, including domestic work);
 - e. that have disappeared.

B. General Measures of Implementation

1. Please provide more information on the efforts undertaken by the State party to harmonize domestic law with the provisions and principles of the Convention. Please specify the legal status of the Convention in the domestic legal order and if the Convention can be directly invoked in Courts (please provide examples).

2. Please provide more information on mechanisms to coordinate policies and programmes on children's rights.

3. Please also provide information as to what extent the National Decentralized System of Comprehensive Protection for Children and Adolescent (*Sistema Nacional*

Descentralizado de Protección Integral de la Niñez y Adolescencia) has been implemented.

4. Please indicate whether the State party has developed a National Plan of Action.
5. Please provide more information on the Office of the Ombudsman for Women and Children, including the mandate, resources and constraints.
6. Please provide information on the system of data collection and whether it covers all persons below 18 and all areas referred to in the Convention.
7. Please provide additional information on how governmental institutions cooperate with non-governmental organizations, especially concerning the participation of representatives of civil society in the design and implementation of policies and programmes for children.
8. Please provide information on the dissemination of the Convention on the Rights of the Child in the State party. Please also specify whether measures have been taken to sensitize and/or train professional groups working for/with children on the rights of the child.
9. Please indicate the issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention.

Part II

Please provide the Committee with copies of the text of the Convention on the Rights of the Child in other languages or dialects of the State party, when available. If possible, please submit these texts in electronic form

Part III

Under this section, States parties are invited, whenever appropriate, to briefly (3 pages maximum) up-date the information provided in their report with regard to:

- new bills or enacted legislation
- new institutions
- newly implemented policies
- newly implemented programmes and projects and their scope

Part IV

The following is a preliminary list (that does not contain issues already covered in Part I) of major issues that the Committee intends to take up during the dialogue with the State party. They do not require written answers. This list is not exhaustive as other issues might be raised in the course of the dialogue.

1. Implementation of a national plan of action.
2. The new Children and Youth Code.
3. Birth registration.
4. Right to express views freely and have them given due weight in decisions which affect children, including in schools and in the family.
5. Monitoring system regarding international or inter-country adoption.
6. Violence against children, in particular corporal punishment, including in the family and in schools. Measures taken to address domestic violence, sexual abuse and access for victims and perpetrators to recovery and reintegration assistance after abuse.
7. The access of children with disabilities to education and professional trainings. Measures taken to ensure the non-discrimination of children with disabilities.
8. Quality of and accessibility to health services in particular in remote areas.
9. Measures taken to address adolescent health concerns, including reproductive health, mental health and early pregnancies.
10. Child poverty and disparities between the rural and urban areas.
11. Completion of primary education and access to quality education
12. Sexual exploitation.
13. Juvenile justice, including alternative forms of sanctions for young offenders.
14. Disappeared children.
15. The situation of Colombian children in Ecuador.