



Economic and Social Council

Distr.: General
20 December 2011
English
Original: French

Committee on Economic, Social and Cultural Rights

Pre-sessional Working Group
5–9 December 2011

Implementation of the International Covenant on Economic, Social and Cultural Rights

**List of issues to be taken up in connection with the consideration of the
third periodic report of Ecuador concerning the rights covered by
articles 1 to 15 of the International Covenant on Economic, Social and
Cultural Rights (E/C.12/ECU/3)**

I. General information

1. Please provide information on the cases in which the Covenant has been invoked in the courts.

II. Issues relating to the general provisions of the Covenant (arts. 1–5)

Article 1 – Self-determination

2. Please indicate to what extent the measures taken or planned by the State party will permit prior consultations with indigenous peoples to be carried out more effectively and systematically as part of the decision-making process concerning the development of natural resources located in their traditional territories. Also indicate how successful the use of judicial and other remedies has been in ensuring that indigenous peoples' ownership rights to their traditional lands and the natural resources located on them are respected in cases in which the State has granted concession contracts that infringe upon those rights.

Article 2, paragraph 2 – Non-discrimination

3. Kindly provide information on the legal provisions under which forms of discrimination other than racial discrimination are punishable offences and on the penalties for violations of the legal provisions mentioned in paragraph 51 (b) (ii) of the State party's report.

Article 3 – Equal rights of men and women

4. In view of the high unemployment rate among women, please explain how the Equal Opportunities Plan 2005–2009 mentioned in paragraph 80 of the State party's report has contributed to the promotion and protection of women's economic rights and to their integration into the economy.

III. Issues relating to the specific provisions of the Covenant (arts. 6–15)

Article 6 – The right to work

5. Please provide information on the impact of the steps taken to regularize the informal economy and, in particular, on the bill in support of retailers, self-employed persons and microentrepreneurs mentioned in paragraphs 119 to 121 of the State party's report.

6. Please provide comparative unemployment statistics disaggregated by sex, age, ethnic group and rural/urban areas.

Article 7 – The right to just and favourable conditions of work

7. Kindly indicate whether steps have been taken to raise the minimum wage in order to ensure a decent standard of living for workers and their families. Also describe the measures taken to eliminate gender-based wage gaps.

Article 8 – Trade union rights

8. Please provide information on any restrictions or limitations on the exercise of the right to form or join a trade union by temporary or foreign workers.

Article 9 – The right to social security

9. In view of the fact that, as noted in paragraph 148 of the State party's report, only 22 per cent of the economically active population has social security coverage, please provide information on the impact of the steps taken to rectify that situation. In addition, kindly apprise the Committee of the steps taken to ensure that women — particularly women who work in the home, indigenous women and women living in rural areas — have access to social benefits and social protection programmes.

Article 10 – Protection of the family, mothers and children

10. Indicate to what extent the National Policy on the Eradication of Violence and the various committees and programmes mentioned in paragraphs 299 to 306 of the State party's report have succeeded in reducing violence, including rape and sexual abuse of girls in public and private schools.

Article 11 – The right to an adequate standard of living

11. Please provide information on what impact poverty-reduction measures have had on the most underprivileged and marginalized sectors of the population and particularly on the 69.8 per cent of the members of indigenous groups who, according to paragraph 19 of the State party's report, are living in extreme poverty.

12. Kindly provide information on the housing shortage and on the availability of social housing, particularly for the most underprivileged or marginalized individuals or groups. Also furnish information on the number of forced evictions conducted in the State party and indicate whether or not these evictions are governed by laws that are in keeping with international standards.

13. Indicate what specific steps have been taken to protect collectively owned land and, in particular, to ensure that title to collectively owned land has not been illegally transferred to individuals.

Article 12 – The right to physical and mental health

14. Please provide information on the results of the plan for rapidly reducing maternal and neonatal mortality that is mentioned in paragraph 393 of the State party's report and on the practical application of the Free Maternity Care Act. Also please furnish information on the steps taken to reduce the high rate of teenage pregnancy. Describe the family planning services that are available and the measures adopted to ensure that emergency contraceptives are available and accessible, particularly in rural areas. Supply information about the steps taken by the State party to promote sexual and reproductive health education as part of the regular school curriculum for adolescents and on the number of adolescents who have access to and use these services.

15. Supply information on the impact of the Intercultural Health Model mentioned in paragraphs 18 and 395 of the State party's report.

16. Please provide information on the impact of the steps taken to facilitate access to health-care services, particularly in rural and remote areas, by, inter alia, doing away with economic, cultural and social obstacles to such access. Also furnish information on the measures adopted to improve the quality of these services. Describe the extent to which the project entitled "Constructing a Priority National Policy on Rural Women" provides indigenous women with greater access to basic services.

Articles 13 and 14 – The right to education

17. Please furnish information on the progress made in implementing the Education Plan for 2006–2015 mentioned in paragraphs 424 and 425 of the State party's report and on the impact that the National Basic Education Programme for Young People and Adults (mentioned in paragraph 435 of the State party's report) has had on the illiteracy rate.

Article 15 – Cultural rights

18. Please provide information on the specific measures adopted to protect, promote and disseminate the cultural heritage of indigenous peoples and ethnic groups. Supply information on the specific steps taken to provide people, particularly underprivileged and marginalized groups and individuals, with access to cultural goods and services. Describe

what impact the projects on intellectual property mentioned in paragraph 463 of the State party's report have had.
