

SITUATIONAL ANALYSIS OF THE RIGHTS OF PERSONS WITH DISABILITIES

ECUADOR



COUNTRY BRIEF

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Disclaimer

This brief was prepared by the Technical Secretariat. It summarizes the key findings from the situational analysis report and does not necessarily reflect the position of the UNPRPD MPTF.

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ACRONYMS AND ABBREVIATIONS

AECID	Spanish Agency of International Cooperation for Development
ANID	National Agenda on Equality for persons with disabilities
CCA	Common Country Assessment
CNIG	National Council for Gender Equality
CONADI	National Council for the Care of Persons with Disabilities (Guatemala)
CONADIS	National Council for the Equality of Persons with Disability (Ecuador)
COORDINADEC	National Disability Coordinator in Ecuador
CPCCS	Council for Citizen Participation and Social Control
CRPD	Convention on the Rights of Persons with Disabilities
DPE	Ombudsman Office
ENCC	National Strategy of Climate Change in Ecuador
FAO	Food and Agriculture Organization
FEDEDIF	National Federation of Organizations of Persons with Physical Disabilities in Ecuador
FENASEC	National Federation of Deaf in Ecuador
FENCE	National Federation of Blind in Ecuador (by its Spanish acronym)
FENODIS	NGO Federation for Disability in Ecuador (by its Spanish acronym)
FEPAPDEM	Ecuadorian Federation for the Attention to Persons with Mental Disability
GADs	Autonomous Decentralized Provincial and Cantonal Governments
GBV	Gender Based Violence
INEC	National Institute of Statistics and Census
INEN	Ecuadorian Standardization Service
LGBTIQ+	Lesbian, Gay, Bisexual, Transgender, Transsexual, Transvestite, Intersex and Queer
LOD	National Disability Law (by its Spanish acronym)
LSEC	Ecuadorian Sign Language
MD	Ministry of Sports
MDT	Ministry of Labor
MIES	Ministry of Economic and Social Inclusion
MINEDUC	Ministry of Education

MSP	Ministry of Public Health
NGOs	Non-Governmental Organizations
OPDs	Organizations of Persons with Disabilities
PAHO	Pan American Health Organization
PND	National Development Plan (by its Spanish acronym)
PPIP	Multiannual Public Investment Plan
RIADIS	Latin-American Network of Organizations for Persons with Disabilities and their Families
SDG	Sustainable Development Goals
UN	United Nations
UN Women	United Nations Organization to promote gender equality and women empowerment.
UNCT	United Nations Country Team
UNDIS	United Nations Disability Inclusion Strategy
UNDP	United Nations Development Program
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNFPA	United Nations Population Fund
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations International Children’s Emergency Fund
UNPRPD	United Nations Partnership on the Rights of Persons with Disabilities
UNS	United Nations System
UNSDCF	United Nations Sustainable Development Cooperation Framework

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BACKGROUND

The United Nations Partnership on the Rights of Persons with Disabilities Multi-Partner Trust Fund (UNPRPD MPTF) is a unique partnership that brings together United Nations (UN) entities, governments, organizations of persons with disabilities (OPDs) and broader civil society to advance the implementation of the Convention on the Rights of Persons with Disabilities (CRPD) and disability-inclusive Sustainable Development Goals (SDGs) at the country level around the world.

The UN entities participating in UNPRPD are ILO, OHCHR, UNDESA, UNDP, UNESCO, UNICEF, UNFPA, UN Women and WHO. Other UNPRPD members include the International Disability Alliance and the International Disability and Development Consortium (IDDC). The main contributors to the UNPRPD MPTF are Australia, Finland, Norway, Sweden and the United Kingdom.

In 2020, with the Strategic and Operational Framework 2020-2025, UNPRPD adopted a new programme design approach. The Framework moves towards proactive, results-oriented joint programming to drive implementation of the CRPD and disability-inclusive SDGs.

In the same year, the UNPRPD launched its fourth funding call and invited UN Country Teams (UNCTs) to submit proposals for joint country-level programmes with the objectives of advancing CRPD implementation and improving the implementation of disability-inclusive SDGs. The selected teams were then allocated an initial budget to deliver an induction training, conduct a country situational analysis and complete a full joint programme proposal based on the findings of the situational analysis.

From April to August 2023, Ecuador UNCT conducted the comprehensive situational analysis. The methodology included a desk review of relevant literature, key informant interviews and focus groups, stakeholder mapping exercises, and consultative workshops with key stakeholders.

This brief provides a summary of the key gaps and opportunities presented in the full report. The full situational analysis report with additional background and context can be found on the UNPRPD webpage.

2 WHY A COUNTRY ANALYSIS?

Many countries still struggle to transform the CRPD into concrete policies, systems, programmes and services that uphold the rights of persons with disabilities. It is urgent that governments and their implementation partners deliver on their SDG commitments through CRPD-compliant interventions. To support countries in the most catalytic way requires understanding the main bottlenecks and priorities in each country in relation to the fulfilment of the CRPD. We needed to know who the key stakeholders are, how implementation/monitoring mechanisms are functioning (or not), which capacities stakeholders may need to improve, and which ongoing development processes could be leveraged to become more disability inclusive.

The situational analysis was designed to:

- Inform the design of future PRPD funded programmes in the country and serve as a baseline for these programmes;
- Inform UNCTs of gaps in terms of disability inclusion in ongoing national processes and programmes and recommend further, in-depth analysis where needed;
- Build a base of mutual understanding and working relationships among UN entities, government, OPDs and other civil society organizations, as well as the private sector and academia, as the basis for future co-design of joint programmes;
- Strengthen the capacity of those stakeholders to more effectively include and address the rights of persons with disabilities as outlined in the CRPD; and,
- Serve as an advocacy tool for ODPs and other civil society partners, both national and international.

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INTRODUCTION TO DISABILITY CONTEXT IN ECUADOR

 Population	18 million
 Disability Prevalance	>6%

Disability inclusion in Ecuador has evolved through three paradigms: the moral model, the medical model, and the social model. Until the 1970s, disability was addressed with a charity-based approach focused on family and social care. Civil society organizations, often founded by relatives of persons with disabilities, emerged in this period to manage care and advocate for rights, still treating disability as a medical issue. In the 1990s, the social model and human rights-based approach to disability gained prominence, marked by the 1998 Constitution of Riobamba recognizing disability as a state concern. The ratification of the Convention on the Rights of Persons with Disabilities (CRPD) in 2006 and 2008 furthered legal and regulatory advances, establishing persons with disabilities as rights holders.

Despite these advances, persons with disabilities in Ecuador continue to face significant challenges, including poverty, limited access to health services, education, employment, and social protection. In conclusion, while Ecuador has made regulatory strides towards implementing the CRPD, these legal tools have yet to significantly improve the daily lives of persons with disabilities.

According to the 2010 Population Census, 816.000 people self-identified as persons with disabilities, which would be around 6% of the population. This figure is clearly an underestimate. The data of National Council on Disability Equality (CONADIS), the governmental institution responsible for disability-related public policy, shows that only 471,205 persons with disabilities are registered formally (as of April 2023). Efforts to collect more detailed and disaggregated data on persons with disabilities, such as through the 2022 population census, are ongoing but not yet fully realized.

4 FINDINGS

4.1 Stakeholder coordination mechanisms

The 2008 Constitution of Ecuador enshrines the principles of equality, non-discrimination, equity, participation, and inclusion, explicitly recognizing the rights of persons with disabilities (Articles 47-50) in alignment with the CRPD. To implement these provisions, the government operates through several equality councils:

- National Council for Gender Equality (CNIG)
- National Council for Intergeneration Equality
- National Council for Equality of people and nationalities
- National Council for Disability Equality (CONADIS)

The key stakeholders responsible for implementing and monitoring the CRPD are highlighted below. A comprehensive outline of the stakeholders is included in the full report.

- 1 Equality and non-discrimination
- 2 Accessibility
- 3 Inclusive service delivery
- 4 CRPD-compliant budgeting and financial management
- 5 Accountability and governance

Government and its coordination mechanisms (national level)

The National Council for Disability Equality (CONADIS) governs disability public policy and ensures compliance with constitutional and legal obligations to uphold the rights of persons with disabilities. It has designed the National Agenda for Disability Equality (ANID) 2021-2025. It lacks sanctioning power but can recommend actions to guarantee rights. The council is composed of ten representatives from various state functions and civil society.

CONADIS is also responsible for mechanisms to coordinate inter-institutional efforts and promote civil society participation. One of the key coordination strategies includes roundtables with OPDs and civil society to disseminate information, gather feedback, and enhance citizen participation. CONADIS has a local office for each of the provinces where a specialist is responsible for establishing coordination mechanisms for each thematic area, creating alliances with the provincial and cantonal local governments (GADs) and other decentralized state functions.

Other national government stakeholders include:

- National Council for Gender Equality (CNIG) ensures the rights of women and LGBTIQ+ persons, including women and girls with disabilities.
- The ombudsman office (DPE) Promotes and protects human rights. It monitors the rights of persons with disabilities to prevent rights infringements and expand protective measures.
- The Ministry of Education (MINEDUC) develops inclusive education policies and supports students with disabilities or in vulnerable situations.
- The Ministry of Economic and Social Inclusion (MIES) formulates policies promoting inclusion and supports persons with disabilities, their families, and caregivers, especially those in poverty.
- The Ministry of Public Health (MSP) conducts disability assessments and provides technical aids. It manages the National Registry of Disabilities for data-driven policymaking.
- The Ministry of Sports (MD) promotes adapted and inclusive sports, coordinating with the Paralympic Committee and sports clubs.
- The Ministry of Labour (MDT) creates and implements labour policies and monitors compliance with labour rights for vulnerable groups, including persons with disabilities.
- The Council for Citizen participation and Social Control (CPCCS) promotes participation and monitors the appointment of authorities. It uses mechanisms like citizen oversight processes and observatories to ensure compliance with public policies on disability.

Local and community level structures

- Citizen observatories monitor and evaluate compliance with disability-related public policies. They operate at the provincial level, focusing on various areas such as health, education, and labour.
- Rights Protection Councils in local governments formulate and evaluate municipal public policies in coordination with national policies.
- Consulting Councils on the Rights of Persons with Disabilities advise local governments, channel information on needs and problems, and propose solutions.

Organizations of persons with disabilities (OPDs) and other CSOs

The Movement of Persons with Disabilities in Ecuador has traditionally been represented by five national federations of and for disability, among them: FENODIS - NGO Federation for Disability in Ecuador (by its Spanish acronym), which is a cross disability organization; FEDEDIF: National Federation of Organizations of Persons with Physical Disabilities in Ecuador; FENASEC: National Federation of Deaf in Ecuador; FENCE: National Federation of Blind in Ecuador (by its Spanish acronym); and FEPAPDEM: Ecuadorian Federation for the Attention to Persons with Mental (Intellectual) Disability.

These federations bring together associations located in the country's largest cities, but they have not been able to consolidate the representation of grassroots organizations located in peripheral areas and involving persons with disabilities from underrepresented groups, including girls and women, persons of ethnic diversity, of gender diversity, and persons with intellectual or psychosocial disabilities.

In recent years, groups, communities, and independent individual activists seeking to influence policy issues have emerged. Among the most renowned at the national level are the following: Fundación Comparlante and the Red Latinoamericana de Organizaciones de Personas con Discapacidad y sus Familias (RIADIS) - both regional in scope; Sordas Feministas; Acuerdo por la Discapacidad; and the Coordinadora Nacional de Discapacidades Ecuador (COORDINADEC by its Spanish acronym).

As seen in many countries, most organizations are led by males. As a result, women within these organizations are gradually organizing themselves and forming their own gender-specialized organizations with specific needs that transcend the disability movement as in the case of Colectiva Sordas Feministas (Feminist Deaf Collective).

In addition to the above, there are several civil society organizations that implement projects in favor of people with disabilities and provide services and support for them and their families, filling in for the institutional absence in rural and border areas.

UN and other international agencies

International cooperation focused on the development of persons with disabilities in Ecuador has been increasing in recent years.

CONADIS, has two international cooperation projects underway. Firstly, CONADI of Guatemala is supporting different disability issues by exchanging knowledge and technical experiences. Secondly, UNHCR will support the development of policies for inclusion of persons with disabilities in a situation of humanitarian crisis in the country.

In addition, United Nations System in Ecuador (UNS) implements a number of actions for disability inclusion, taking the United Nations Disability Inclusion Strategy (UNDIS) as a framework. For example, UNFPA and the Spanish Agency for International Development Cooperation (AECID), have supported the “We Decide Project” since 2017. It provides technical and financial assistance to development and implementation of disability inclusive policies. Also, OPDs have been supported so that women and young people with disabilities can access sexual and reproductive health services and a life free of gender-based violence.

Summary of stakeholder coordination analysis

Despite the establishment of institutional mechanisms for disability inclusion in Ecuador, there is a significant gap between their design and actual implementation. Persons with disabilities and their organizations (OPDs) perceive a lack of action and trust in institutions, including CONADIS. Although ANID (National Agenda for the Equality of Disabilities) provides a framework for planning and coordination, CONADIS faces weak acceptance from civil society, complicating public policy implementation.

4.2 Preconditions for disability inclusion

A critical new element of the UNPRPD strategy is its focus on the essential preconditions for disability inclusion to advance the CRPD. These preconditions must be met to address the requirements of persons with disabilities across all sectors. The following findings focus on the preconditions.

EQUALITY AND NON-DISCRIMINATION

Ecuador has developed several policies and laws to support persons with disabilities, starting with the 1994 Law for the Social Integration of Persons with Disabilities. The 2008 Constitution and subsequent laws have aimed to mainstream disability inclusion across public policies. However, the persistence of a medical-rehabilitative paradigm and high turnover of public sector staff hinder effective implementation. The 2021 National Agenda for the Equality of Disabilities outlines a comprehensive plan but faces challenges in practice.

Persons with disabilities experience a range of discrimination, including persistent stereotypes, unequal treatment when accessing services, and the inaccessibility of public spaces and information. Despite legal protections, a significant gap remains between legal equality and real-life experiences, leading to diminished autonomy and decision-making abilities. Persons with disabilities often face discrimination within their families, experiencing rejection, infantilization, and overprotection. These attitudes intersect with gender roles, disability type, and economic status. Persons with psychosocial and intellectual disabilities struggle with decision-making autonomy, and discrimination is further intensified for women and LGBTIQ+ individuals.

Key findings

The main barriers to achieving equity for persons with disabilities in Ecuador are cultural/attitudinal, structural, and budgetary.

- Cultural attitudes associate disability with incapacity, leading to patronizing and discriminatory behavior in family, societal, and state interactions. This results in persons with disabilities being treated as second-class citizens, limiting their decision-making power and autonomy.
- Despite legal and institutional advances, mechanisms to effectively apply disability laws and public policies are lacking. This impedes access to essential services and spaces, such as healthcare, education, justice, and employment, that are crucial for exercising their rights.
- The state budget lacks a specific, comprehensive allocation for disability-related needs. While some institutions like CONADIS, MSP, MIES, and MINEDUC have dedicated budgets for disability, these funds are insufficient to implement all necessary actions to ensure equity.

INCLUSIVE SERVICE DELIVERY

Disability assessment and referral services

The Ministry of Public Health (MSP) is tasked with the assessment, qualification, and accreditation process through the National Subsystem for the Qualification of Disability, while CONADIS oversees and monitors the system nationally. The 2020 regulation for qualification details the evaluation process, which involves specialized teams comprising general practitioners, clinical psychologists, and social workers. These teams use the manual “Valoración de las situaciones de minusvalía” to define disability. The evaluation process includes a medical examination, psychological assessment, and a social evaluation, which together determine the disability percentage. A score of 30% or more is needed for accreditation. Access to these assessment services is limited, especially in rural areas, leading to underreporting of disabilities. The system is currently being updated to better align with international human rights standards.

Disability support services

The Ministry of Economic and Social Inclusion (MIES) administers support through Comprehensive Day Care Centers, Inclusive Referral and Shelter Centers, and Home and Community Care, focusing on rehabilitation, medical support, and daily assistance. The Ministry of Health provides technical aids like white canes and wheelchairs. However, families and communities often bear the financial and care burden due to insufficient state funding, which heightens their vulnerability. Technical aids often lack durability and suitability for diverse needs and terrains. Community support systems, such as the Imbabura Disability Observatory and initiatives like Grupo Fénix and Huertomanías, address these gaps without state support. The institutionalization of children and adults with disabilities remains a significant concern, with no official data or policies for deinstitutionalization. As a result, OPDs have self-managed their own support services due to the lack of a formal community support system.

Mainstream services

The Organic/National Law on Disabilities (LOD) mandates the State to ensure that persons with disabilities can fully exercise their rights, including access to mainstream services through affirmative actions to achieve equality. Recently adopted laws also promote mainstreaming of disability – although some of them require review to fully align with the Convention on the Rights of Persons with Disabilities (CRPD) such as:

- Social Security Law (2022)
- Labor Code (2021)
- Organic Health Law (2022)
- Organic Law on Intercultural Education (2021)
- Comprehensive Organic Criminal Code (2013)
- Organic Law of Human Mobility (2017)
- Comprehensive Organic Law to Prevent and Eradicate Violence against Women (2018)

There are several ongoing pilot programs in various sectors such as “Ecuador sin Barreras” for labor inclusion, “Educar Ecuador” for educational inclusion, and various initiatives by the Ministry of Health and Ministry of Economic and Social Inclusion which are designed to support inclusion of persons with disabilities. The United Nations Population Fund (UNFPA) and the Pan American Health Organization have supported sexual and reproductive health strategies, and initiatives for rehabilitation and disaster risk management in hospitals for persons with disabilities.

Thus, disability is theoretically integrated into all public services. However, this is not the reality for persons with disabilities on the ground. Most respondents indicate that health services are rarely (60.9%) or never (39.1%) inclusive or accessible, with similar issues in transportation, mobility, labor inclusion, and education. Institutionalization and special schools are still the most common arrangements, although there has been some minor progress in the education sector in recent years.

Key findings

Persons with disabilities, especially from underrepresented groups, face difficulties in accessing health, education, work and social protection. Particularly, girls and women with disabilities in rural areas experience barriers in accessing sexual and reproductive health services and gender-based violence support. The most important gaps for accessing services are:

- Some of the recently adopted laws need revision to fully comply with CRPD
- 57.75% of persons with disabilities are not part of official registers due to the lack of access to assessment centers, especially in rural areas.
- The Disability Assessment Manual has not yet been updated to ensure compliance with international instruments that consider disability from the human rights model.
- The lack of state funded quality support system for persons with disabilities causes care work and its economic consequences to fall on the family, especially on women.
- Low-quality support products/technical aids.
- Lack of budget to develop deinstitutionalization initiatives, which would allow for a sustainable community support services system.
- The Informed Consent Manual for persons with disabilities of the Ministry of Health needs to be revised.

ACCESSIBILITY

In Ecuador, the INEN Standards, as mandated by the Organic Law on Disabilities (2012), regulate accessibility through 44 technical standards covering various environments and information formats. Accessibility includes formats like the Ecuadorian Sign Language (LSEC), Braille, easy-to-read materials, and technological tools (audio, images, links) to ensure information is accessible. The law mandates that institutions provide appropriate formats for visual and hearing disabilities and easy-to-read materials for intellectual disabilities.

Despite the regulatory framework, implementation remains weak. Accessibility varies based on disability type, location, gender, and technological proficiency. Larger cities fare better, focusing mainly on physical disabilities with features like ramps and Braille messages. However, these tools are often incorrectly implemented, sometimes hindering rather than helping access. Access to information is critically lacking, with few documents available in accessible formats like easy-to-read, subtitled, or LSEC. In rural areas, accessibility is further hampered by limited internet access, lack of mobile devices, and insufficient technological skills. The 2019 recommendation by the Committee on the Rights of Persons with Disabilities for a comprehensive accessibility policy, including physical and information access, remains unmet.

Key findings

- Accessibility planning mainly addresses physical spaces and urban architecture, primarily benefiting those with mild to moderate physical and visual disabilities. In rural areas, such accessibility measures are virtually non-existent.
- Access to information is significantly limited due to the lack accessible formats like audio, easy-to-read texts, subtitles, and Ecuadorian Sign Language (LSEC) interpretation. Individuals with hearing, visual, and intellectual disabilities face the most significant barriers to accessing information, especially those living in rural areas.

CRPD-COMPLIANT BUDGETING AND FINANCIAL MANAGEMENT

Disability inclusion is a key equality theme in Ecuadorian law, but the 2023 State budget lacks a specific line item for it. Instead, social sector institutions manage separate budgets for disability-related initiatives:

- CONADIS allocated USD 1,707,513.78 for 2023, focusing on policy proposals, monitoring, evaluation, and enforcement.
- MINEDUC allocated USD 505,851.84 for inclusive education in 2023.
- MSP allocated USD 6,222,218.95 for medical services for persons with disabilities in 2023. The MSP project on early diagnosis and technical aid is funded by the Inter-American Development Bank, representing 0.74% of MSP's total budget.
- MIES allocated USD 20,158,563.37 for disability protection in 2023, including three Inter-American Development Bank-funded projects for capacity building, care innovation, and social inclusion services, representing 27.24% of the disability budget.

International cooperation, especially from the UN, plays a crucial role in disability inclusion, for example: UN Women integrates disability into the “Caminando” project, focusing on economic independence for women. UNESCO, UNHCR and UNICEF collaborate on the Multi-Year Resilience Program, funded by the Global Education Cannot Wait Fund, emphasizing support for vulnerable groups, including persons with disabilities. UNFPA implements the We Decide Program, focusing on sexual and reproductive health and gender-based violence prevention for persons with disabilities, with a budget of USD 365,939.31. PAHO works on the Plan of Action on Disability and Rehabilitation 2030 and the INGRID H Strategy, with a budget of USD 9,600,000. The Resident Coordinators Office facilitates consultations for the United Nations Cooperation Framework for Sustainable Development 2022-2026 and promotes employment for persons with disabilities within the UN system through FAO-led talent mapping.

Despite these efforts, the disability marker is not yet included in UN budgets or international cooperation programmes, highlighting the need for better integration and mainstreaming of disability issues.

Key findings

- There is no specific line item for disability in the general state budget. In the budget of the National Council for Equality of Disabilities, the Ministry of Education, the Ministry of Health and the Ministry of Economic and Social Inclusion, there are items aimed at programs that include disability mainstreaming.
- Despite the fact that the UNS is working on the development of programs that incorporate disability inclusion, there is no disability inclusive marker for the budgets.

ACCOUNTABILITY AND GOVERNANCE

Inclusive evidence and data gathering systems

Ecuador has yet to enhance its National Registry of Persons with Disabilities to meet accessibility standards and accurately reflect the country's disability status. The National Council on Disability Equality (CONADIS) manages disability-related public policies and statistics, but only 471,205 persons with a disability are formally registered, while the expected number would be 5 times higher (around 15% of the population). The poor level of registration is due to poverty and lack of access to assessment services, especially in rural areas.

Most importantly, there is a lack of inter-institutional coordination of data, leading to unclear national figures on disabled persons and their needs. This results in significant underestimation by institutions. The National Institute of Statistics and Census (INEC) has included disability questions in the 2022 census and other surveys, with results pending publication. Additionally, the UNFPA Office in Ecuador has conducted studies on gender-based violence and disability, revealing important insights into the experiences of disabled women and girls.

OPDs report that statistical information from government institutions is circulated annually and in formats that do not meet accessibility standards for all disabilities. They suggest that data should be shared quarterly and improved with contributions from OPDs.

National accountability mechanisms

Ecuador submitted its initial report to Committee the on the Rights of Persons with Disabilities the in 2014 and a combined second and third periodic review report in 2018, published in 2019. CONADIS leads government institutions in reporting, responding to, and providing feedback on the Committee's recommendations. However, full compliance across various topics is not always evident. OPDs have implemented citizen oversight processes to review documents for shadow reports, but there is a perception that their feedback is often ignored.

In 2019, the Committee on the Rights of Persons with Disabilities recommended Ecuador to establish an independent mechanism for monitoring the implementation of the CRPD, involving the Ombudsman's Office (DPE). This mechanism was created in April 2020 and became operational in mid-2021, allowing provincial delegations to refer cases of systematic rights violations. Although the DPE has established a national monitoring mechanism, it lacks the power to enforce sanctions, limiting its effectiveness. Furthermore, the mechanism is not widely known among persons with disabilities and OPDs, hindering proper implementation.

Thanks to the ANID 2021-2025 initiative, participatory mechanisms are being implemented to monitor the outcomes of public policies in Ecuador. These mechanisms include a series of indicators to evaluate institutional progress in alignment with the recommendations from the Committee on the Rights of Persons with Disabilities (CRPD) in 2019.

The Council for Citizen Participation and Social Control has some citizen observatories for disability rights, but they lack coordination, with only the Imbabura province observatory being well-known. Similar coordination issues exist within Consultative Councils of the Cantonal Councils for the Protection of Rights and local governments, hindering the fulfillment of disability rights.

Organizations of Persons with Disabilities (OPDs) feel that accountability mechanisms like ANID and the DPE are not adequately disseminated and accessible. Therefore, they are not known and used effectively.

Key findings

- The recommendations issued by the Committee on Rights of Persons with Disabilities have not yet been totally addressed.
- Since 2020, the Ombudsman's Office has begun to monitor human rights violations against persons with disabilities. However, the scope of its actions is still very weak.
- Existing accountability mechanisms are insufficient and inaccessible and therefore these mechanisms are not effectively utilized by OPDs and persons with disabilities.
- There is a lack of a coordinated data system through which institutions report information disaggregated by disability variables, in accessible formats and with a regular updating period.
- OPDs do not have the knowledge and tools to systematize the information on disability that they collect in the course of their work.

4.3 Cross-cutting approaches: Participation, gender, inequalities

The UNPRPD has adopted three cross-cutting approaches to be intrinsically applied across all of UNPRPD MPTF's work, including its structures, programmes, and processes to ensure full and meaningful participation of all persons with disabilities.



Participation:

Enabling full and effective participation of persons with disabilities



Inequalities:

Ensuring the inclusion of marginalized and underrepresented groups of persons with disabilities



Gender:

Addressing gender inequality and advancing the rights of women and girls with disabilities

PARTICIPATION

State institutions like CONADIS, the Ministry of Health, Education, and Labor engage in internal consultation initiatives with national disability federations and large organizations. However, OPDs feel their participation is undervalued and often non-participatory, making them objects of attention rather than rights holders. Participation opportunities are largely unknown to grassroots OPDs, who are often not informed in an accessible manner about planning or monitoring processes. Many persons with disabilities, especially in rural or impoverished areas, are excluded from participation due to inaccessible information and outreach limitations.

GENDER

The intersection of gender and disability creates compounded vulnerabilities for women and girls with disabilities in Ecuador. They face invisibility due to patriarchal and ableist attitudes that limit their rights and participation.

Women and girls with disabilities experience structural and often unreported violence. For instance, women from the deaf community report silenced sexual violence and disbelief from justice personnel and families. Women with hearing, intellectual, and psychosocial disabilities face unconsented sterilizations and expropriation of inheritance. Women with physical disabilities report harassment during childbirth and in public transportation. Blind women face domestic violence where their mobility aids are taken away. Lesbian women with disabilities face compounded stigmas regarding their sexual orientation and disability, experiencing public discrimination and singling out for public displays of affection. Kichwa-speaking women caregivers of disabled girls face isolation and the sole responsibility of care due to gender roles, highlighting the absence of an inter-institutional care system and the fear of sexual violence.

Underrepresented groups, including women and girls with disabilities, often lack self-recognition, weakening their associative movements, particularly when compounded by other vulnerabilities.

INEQUALITIES

Access to services and participation varies significantly across disability types, locations, race/ethnicity, and gender. Individuals with visual, hearing, and intellectual disabilities face the greatest challenges due to technological and internet access barriers. Rural areas and poor sectors lack the necessary tools and infrastructure for participation. Persons with disabilities in these regions, especially women, girls, and those speaking non-hegemonic languages, are less likely to participate. Indigenous persons with disabilities face additional barriers due to a lack of formal recognition and registration.

Additionally, institutional abandonment in certain areas, like Esmeraldas and Guayaquil, exacerbates participation barriers. People in poverty focus on immediate needs, hindering their ability to engage in longer term participatory policy processes. There is also a distrust of external participation initiatives due to perceived exploitation by academic institutions and NGOs.

Moreover, despite Ecuador hosting a significant number of refugees and migrants, there is no data on persons with disabilities among them. The ANID 2021-2025 includes actions for persons with disabilities in migratory situations, but further research on disability inclusion in this context is needed.

4.4 Disability inclusion in broader development, humanitarian and emergency contexts

National Development Plans

The National Development Plan, (PND) 2021-2025 developed with the input of all equality councils, is Ecuador's main tool for public policy programming and management. It includes 16 objectives and 52 policies, three of which specifically concern persons with disabilities in health, education, and labour sectors. The plan sets specific goals for the inclusion of persons with disabilities in the workplace and high-performance sports. Additionally, the plan aims to ensure a life free of violence for vulnerable groups, including persons with disabilities. The plan is guided by the Pluriannual Public Investment Plan (PPIP), which is a public investment programming tool subject to annual review. The National Planning Secretariat monitors compliance with these goals using the "Open Data" platform.

The UN Cooperation Framework for Sustainable Development in Ecuador 2022-2026 is focusing on strengthening the National Statistical System and the sexual and reproductive health in general, but so far it lacks specific references to persons with disabilities. The UN Plan for Disability Inclusion (UNDIS) ensures UN agencies evaluate and report on their disability inclusion efforts and designates a focal point. Further efforts are suggested to mainstream and monitor disability inclusion, including the introduction of a disability marker in the financial system.

Climate change, disaster risk reduction and humanitarian action

In Ecuador, risk management and humanitarian response agendas include goals that emphasize priority groups, including persons with disabilities. However, there remains a significant gap between planning commitments and actual implementation, affecting vulnerable groups the most.

CONADIS, in collaboration with the Risk Management Secretariat (SGR), is working on disability inclusion in risk management. Their efforts are reflected in the "Guide for Inclusive Risk Management with a focus on persons with disabilities" published in 2019. The implementation of these plans is the responsibility of the local governments (GADs), which often lack the necessary resources or training.

In terms of climate change management, there is a National Climate Change Strategy of Ecuador (ENCC 2012-2025), formulated by the Ministry of Environment in collaboration with CONADIS. This strategy mentions persons with disabilities within the priority attention group together with other vulnerable population sectors and acknowledges, in a general way, the possible particular risk situations they may experience. However, there are no explicit targets, budgets, actions or indicators related to persons with disabilities.

In conclusion, the risk mitigation planned actions for persons with disabilities are not implemented, are insufficient or not shared with persons with disabilities. There is not enough information on the risk impact on persons with disabilities (such as climate change and the COVID-19 pandemic).

COVID-19 recovery

The COVID-19 pandemic hit a totally unprepared country where basic public services, such as health and education, were already experiencing a crisis due to low state investment. CONADIS promptly promulgated the Guide for the Prevention and Care of COVID-19 Infection in Persons with Disabilities and Persons with Temporary Disabilities and their Families. However, the OPDs consulted expressed a feeling of total abandonment during the pandemic, with almost total absence of medicines and public support services. The disability qualification processes were also halted. To date, there are no nationwide studies on the effects of the COVID-19 pandemic on the condition of persons with disabilities. Some persons with disabilities claim to have suffered a deterioration of their health and living conditions as a result of the pandemic.

5 CONCLUSIONS

After the interviews with OPD representatives and persons with disabilities, it is possible to conclude that disability-related national laws and guidelines have not been translated into concrete actions. This is noticeable in the daily aspects of their lives, which demonstrate a range of obstacles related to their inclusion in different aspects of society.

Thus, the following key gaps have been identified in systems, structures, policies and practices, among others:

- Cultural and attitudinal barriers persist due to the lack of knowledge about the human rights of persons with disabilities and their right to be included in all aspects of society. As a result, persons with disabilities are subject to patronizing/charitable and discriminatory attitudes in all spaces and relationships (with their family, with society, and with the State).
- Persons with disabilities and their organizations do not have sufficient knowledge and skills to demand and uphold their rights. The voices of some underrepresented groups of persons with disabilities are not heard and they are not yet organized in OPDs. Self-recognition and self-representation of persons with disabilities is limited.
- There are no measures to enable the social and political participation of persons with disabilities, particularly from underrepresented groups.
- Ecuador's legislation is not completely CRPD-compliant, for example, the Civil Code and the Organic Code of General Procedure need amendments to ensure the legal entitlements of Persons with disabilities are addressed properly.
- Ecuadorian state and local government institutional weaknesses are evident in the lack of continuity of public policies in the medium and long term. This affects the disability inclusion in public policies and limits the institutional capacity of CONADIS to guarantee the rights of persons with disabilities.
- There is limited access for persons with disabilities to both general services and to disability specific support services, especially GBV and SRH services. This is exacerbated for persons with disabilities from rural, frontier, and underrepresented groups.
- Accessibility standards have been adopted but they are not implemented or monitored. The engagement of persons with disabilities is poor and stakeholders working on accessibility do not consider the perspective of persons with disabilities.
- The coordination mechanisms between and among governmental, international, and academic institutions, civil society organizations, and OPDs are weak both at national and local levels.
- There is not enough accurate data on the numbers and the conditions of persons with different disabilities and there is no coordination between stakeholders on disability data management.
- The Ombudsman's Office has started to participate in the monitoring of human rights violations against persons with disabilities. However, the scope of its actions is still very weak.

In order to fill the gaps, this situational analysis makes mid- and long-term recommendations for actions and processes to ensure the implementation of a human rights-based approach to disability and to meet the CRPD goals, such as:

- Supporting CONADIS in the revision of the regulatory and public policy framework necessary to guarantee the full inclusion of persons with disabilities, with emphasis on underrepresented groups.
- Supporting CONADIS to develop processes that enable the full participation of persons with disabilities in national and local decision-making bodies, promoting leadership skills development and processes that include persons from more marginalized groups, as well as the creation and strengthening of OPDs in Ecuador.
- Supporting CONADIS and the Ombudsman's Office to monitor and enforce existing laws and policies that guarantee accessibility with an inclusive universal design approach, in terms of infrastructure, information and communication.
- Providing technical support to CONADIS and other ministries on the implementation of specific and time-bound targets, indicators and budgets and follow-up mechanisms to monitor effective access to both general and special support services for persons with disabilities, especially in rural areas.
- Supporting government entities to strengthen access for women and girls with disabilities to health care and justice services in rural areas, with emphasis on sexual and reproductive health care services and gender-based violence.
- Developing participatory coordination mechanisms between OPDs, public institutions, academia, and UN Agencies to share situational analysis and enable disability mainstreaming in the CCA, the UNSDCF, and the Humanitarian Country Team Response Plan.
- Supporting government institutions to strengthen in a coordinated manner the National Disability Registry, providing for the mainstreaming of the human rights of persons with disabilities.

More detailed recommendations are found in the full Situational Analysis.



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