

CESR Submission to the Committee on the Rights of the Child: Consideration of Report by Ecuador

Committee on the Rights of the Child
19th Session

Agenda item 4: Consideration of Report by Ecuador

Submission by the Center for Economic and Social Rights

The following comments are based primarily on the report “From Needs to Rights: Recognizing the Right to Health in Ecuador” (The Center for Economic and Social Rights, Quito, 1998; in Spanish).

1. The Center for Economic and Social Rights (CESR) notes the State Country Report contains much information that is overly general and that it lacks information about specific programs to address the many problems facing children.

CESR also notes that the Country Report lacks commentary on environmental threats, which are of grave importance to the health of children in Ecuador. For example, petroleum represents a serious threat to Amazon communities, and especially children; and leaded gasoline in the cities is also found to have seriously impacted children.

CESR suggests that any follow-up reports by Ecuador should include the following additional elements:

- statistical information for most recent years
- plans of the new government for guaranteeing children’s rights
- the designated budget for undertaking programs addressing children’s rights
- an integral analysis of the situation of children based on civil, political, economic, social and cultural rights
- description of contingency plans for dealing with emergency crises affecting children.

2. CESR suggests that the following questions, linked to the rights to nutrition and health, are pertinent to the Committee's review of the implementation on the Convention on the Rights of the Child in Ecuador:

- Given that the Ecuadorian Constitution does not define the right to health as a “public good”, but does define children as a highest priority, how will the government guarantee universal access for children to the health care system?
- Given that nutrition programs have been drastically cut in Ecuador over recent years, leaving approximately 95% of those children needing such programs with no access to them, how does the government justify those cuts and what actions will be taken to address them?
- Given that children in rural areas are worse off than children in urban areas in all health and nutrition indicators, why does the government continue to focus health resources in urban centers and how will the government assure more equitable spending?
- Given the tremendous imbalance (underscored by every institution, including public institutions, studying the problem) favoring spending on “curative” as opposed to “preventative” health care, and the fact that the government estimates that 80% of deaths could be avoided by increased preventative health care services, what will the government do to confront this imbalance?
- Given the tremendous disparities in spending between health and other concerns like foreign debt and military goods (health now receives less than 3% of the budget, while the debt consumes over 45%), what will the government do to ensure a higher priority to health and nutrition?
- Given that contaminated water is the principle cause of death for children between 1 and 4 in Ecuador, what steps has the government taken, or will it take, to address the most fundamental health issues like the lack of potable water and sanitation services?
- Given the scarcity of controls over consumer goods and particularly food, what will the government do to strengthen the application of the Law for the Protection of Consumers?
- What steps will the government take to improve transparency, participation, and accountability relating to children's rights?
- What steps will the government take to control private industries threatening children's rights, like mining and petroleum?

CESR also suggests the following question relating to recent actions taken by government:

- What steps were taken to ensure that recent government measures resulting in a quintupling of gas prices, with dramatic impact on the welfare of children, met government obligations under the Child's Rights Convention? For example,

what prior evaluation was taken in terms of impacts and rights? What programs and/or measures were taken to ensure that the most vulnerable populations would be spared the harshest impacts?

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