



**COALICIÓN NACIONAL  
DE MUJERES DEL ECUADOR**

# **UNIVERSAL PERIODIC REVIEW Ecuador 2022**

**Women's National Coalition of Ecuador  
Femicide Victims Families' Network**

**August, 2022**

# **GENERAL INTRODUCTION**



**COALICIÓN NACIONAL  
DE MUJERES DEL ECUADOR**



**RED FAVIFE**

RED DE FAMILIAS  
DE VICTIMAS DE  
FEMICIDIO

# **LACK OF REPARATION FOR CHILDREN AND FAMILIES OF FEMICIDE VICTIMS**

# Femi(ni)cidios 2022

En Ecuador desde el 1 de enero hasta el 31 de mayo **118**

**1.163** vidas de mujeres arrebatadas por la violencia misógina y patriarcal desde el 2014, cuando se tipificó el feminicidio en el Ecuador.

**muerdes violentas de mujeres por razones de género**  
incluidos 5 transfeminicidios y 60 feminicidios por delincuencia organizada.



### EDADES

- + frecuente: 29 años
- + joven: 1 año
- + adulta: 64 años

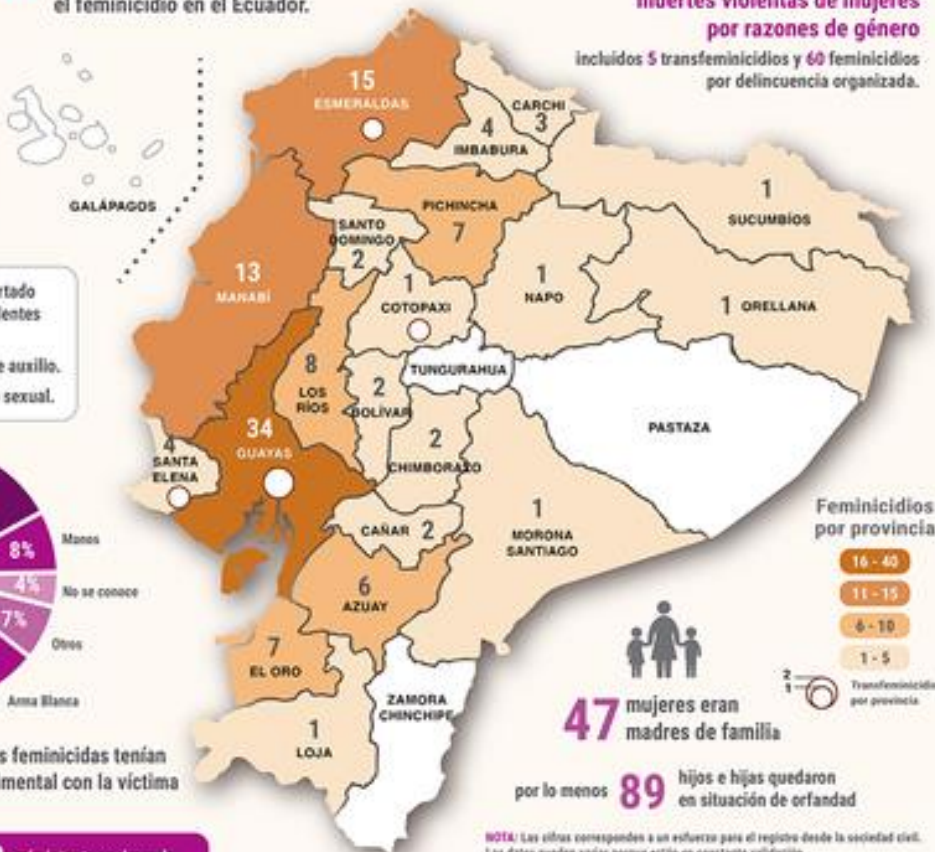
12 eran menores de edad

- 19** mujeres habían reportado previamente antecedentes de violencia.
- 4 mujeres tenían una boleta de auxilio.
- 9 mujeres sufrieron abuso sexual.



**73%** de los casos, los feminicidas tenían un vínculo sentimental con la víctima

9 feminicidas se suicidaron 3 más intentaron hacerlo



### Feminicidios por provincia



2 1- Transfeminicidios por provincia

**47** mujeres eran madres de familia

por lo menos **89** hijos e hijas quedaron en situación de orfandad

NOTA: Los cifras corresponden a un esfuerzo para el registro desde la sociedad civil. Los datos pueden variar porque están en constante validación.

ALIANZA FEMINISTA PARA EL MAPEO DE LOS FEMINICIDIOS EN EL ECUADOR

MEMORIA, JUSTICIA Y REPARACIÓN  
#VivasNosQueremos #NadieNosCalla #BastaDeFemicidios



From 2014 until May 2022, **1.163 women** have been victims of a violent death in Ecuador.

More than **50%** were mothers. At least **1300** children have become orphans due to femicide in the country.  
2021: 197 femicides  
**2022: 180** femicides (femicides, transfemicides y organized crime femicides)

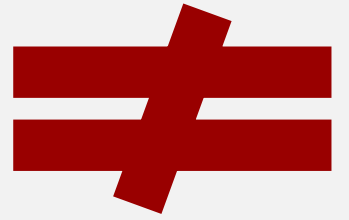
In 2020, the *UN Special Rapporteur on VAW*, stressed that Ecuador has one of the **highest femicide rates** in the region.

\*Credit: Fundación ALDEA & Feminist Alliance for Femi(ni)cide Mapping in Ecuador

**One femicide takes place every 30 hours and 31 minutes.**

**#EPUEc2022**

# CHILDREN AND OTHER NEXT OF KIN BECOME THE INVISIBLE VICTIMS OF FEMICIDE



- **Discrepancy between CSOs` figures and between official government data (and between state institutions data):** The Feminist Alliance reports that from 2014 to 2021, more than 1280 children became orphans due to femicide. The Ministry of Economic and Social Inclusion (MIES in its Spanish acronym) estimates that around 536 children became orphans due to femicide from 2014 to January 2022. In March 2022, President Lasso publicly stated that there were 563 orphaned children.
- There is an absence of official data about the current living situation of child survivors of femicide and other violent deaths women victims.

**\*Sources:** Fundación ALDEA, Mapas de feminicidios del 2021 en Ecuador (2021) <<http://www.fundacionaldea.org/mapas>> accessed 22 March 2022.

MIES, *Informe Técnico de respuesta a Asamblea Nacional, Mgs. Dallyana Marianela Passailaigue Manosalvas, Asambleísta - Pedido de información Memorando Nro. MIES-CGAJ-2022-0272-M* (10 March 2022).

# Absence of Measures of Reparation

- **No comprehensive reparations** for the victims' families:
  - Only compensation-prision (victims hardly ever get compensation determined in the ruling)
  - **No rehabilitation** or other measures for those affected,
  - No clear criteria on how courts should decide who shall assume the responsibility of the children of the victim: caregiver - orphanages, foster homes, relatives.
- Justice operators:
  - No training on the **best interests of the child principle**.
  - Lack of understanding that fathers who have been violent with the mother, pose a high risk for the children as well.
- The **CEDAW Committee and other UN Human Rights** mechanisms have tackled the need to address VAW in civil cases, such as paternity, custody, child abuse, neglect proceedings, accommodation, residency, contact, divorce, etc.
- **No symbolic reparations**, such as social memory, which represent an important precedent for identification and empowerment in a cause of struggle. Also it is important to generate social and public spaces aimed at exalting and symbolically restoring the lives of those victims.

# Measures proposed by the Executive Branch... insufficient

2019

**Executive Decree No. 696:** establishment of the "Allowance for children and adolescents orphaned by femicide".

- Orphaned children and adolescents were entitled to the right only if there was an enforceable sentence, their condition was of poverty, and the delivery of the contribution would be only to the legal representatives (Art. 2. c). This regulation implied process and result obstacles and a regressive effect on the rights of the children and adolescents who, due to the violent death of their mother based on gender, should have access to this right.
- Around 120USD per month for the underaged children of femicide victims. Lack of funding, difficult requirements and lack of data left most of the children without access to it.

2022

**Executive Decree No. 370:** "Allowance for Children and Adolescents Orphaned by the Violent Death of their Mother or Parent".

- As of March 2022, after two years, a new decree was approved. The reform made by the current Government to the Executive Decree improves some of the requirements but it does not include elderly mothers and fathers or disabled persons who were in charge of the victim of femicide and other violent deaths. In addition, establishing that the allowance will be "provisional" in the event of a change of the type of crime during the criminal process, goes against the need to compensate the victims' families.
- The children and adolescents who may benefit from the allowance are not only those orphaned by femicide, but also in case of murder, homicide and rape resulting in death. It does not include "hitman killing or hired assassination". The failure to include the crime of hired assassination in the reform also leaves the victims' families defenseless.
- *Public institutions responsible for providing the allowance indicate there is no funding for this.*

# ACCESS TO JUSTICE IN ECUADOR: DENIED

→ There is solid evidence that children and other family members (next of kin) become the **invisible victims of femicide**. They will most certainly suffer the consequences and deep sequels of the brutal crime. Judges do not consider them or their needs during the criminal legal process.

→ **Judicial reparation measures** (restitution, compensation, symbolic benefits, rehabilitation, satisfaction, and guarantees of non-repetition) in cases of Femicide and other violent deaths of women are **absent or misinterpreted** in the Ecuadorian Judicial System. **No human rights standards are followed by judges.**

→ Ecuadorian Criminal Justice is not considering the **best interests of the child** principle together with a **gender/child-sensitive, intersectional, and transformative approach to reparations.**

→ Leaving children and other family members with no access to justice, remedy, and comprehensive reparations are **human rights violations.**



## -URGENT RECOMMENDATIONS-

- Approve specific legislation that contemplates comprehensive and multidimensional reparations for children and other family members of victims of femicide and other violent deaths of girls and women (judicial reparations measures standards for Justice Administration and priority in relation to State services). This should include elderly mothers and fathers, and persons with disabilities that the victim was responsible of.
- This legislation should include clear standards for justice operators in relation to the principle of the best interests of the child and an intersectional, child-sensitive, gender-transformative approach to reparations.

→ Provide sufficient financial resources and specialists for the implementation of the INTEGRAL ORGANIC LAW TO PREVENT AND ERADICATE VIOLENCE AGAINST WOMEN, particularly, in relation to shelters for women and children victims of violence.

→ Enact and implement the Public Policy for the Comprehensive Reparation of Victims and Survivors of VAW and Family Members and Femicide.

→ Debate and reform legislation, considering the active participation of women's social organizations that provide direct care to victims and survivors of lethal violence against girls, adolescents and women.

**Many thanks!**