

GRUPO DE PENSAMIENTO AFRODESCENDIENTE ECUADOR

ALTERNATIVE REPORT FOR THE UN COMMITTEE ON THE ELIMINATION OF RACIAL DISCRIMINATION¹ (Executive Summary)

SESSION 93°
July – August 2017



¹ This Alternative Report is an extract of the Alternative Report for the 93th session addressed to the CERD Committee. Due to **financial constraints**, our organizations could not afford the comprehensive translation of the present report. It is important that the UN, CERD Committee and other organizations know that local organizations, especially the ones that are not totally aligned with the state, operate on voluntary basis and/or under precarious conditions.

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EXECUTIVE SUMMARY

Main concerns:

1. Despite that the *Plan Nacional del Buen Vivir* seeks to eradicate racial and social discrimination according to its 2nd and 6th objectives by the formation of territorial circumscriptions of indigenous people and other nationalities, they do not mention to the Afro-Ecuadorian people as the Constitution does in Article 60.
2. It is also not known about the establishment of citizen oversight and the participation of civil society organizations (those who are not related to the ruling party or the government) in the articulation of public policies. Furthermore, they have not considered the specific needs of the Afro-Ecuadorian population; or at least the dissemination of this information that should be available at the website of the National Secretariat of Planning and Development (SENPLADES).
3. Regarding to the *Consejos Nacionales de la Igualdad Organic Law* and the creation of National Councils of Equality of People and Nationalities (CNIPN) there are the following concerns: in order to write the its regulations "*Reglamento para la Designación de Consejeros*" for the CNIPN, the Council for Citizen Participation and Social Control (CPCCS) convened social organizations, including the *Grupo de Pensamiento Afrodescendiente* (GPA) in Montecristi city on January the 26th. However, all the work done that day was not presented in the plenary session as foreseen in the agenda proposed by the CPCCS.
4. In the same vein, the Ecuadorian State have not explained the reasons fo the delayed, from 2014 to 2016, on the establishments of the National Councils of Equality (CNI). In 2016, the government began with the designation of counselors, however, nowadays, we still do not know who the directors of the CNIPN are.
5. With regard to the *Agenda for Public Policies for Equality in Diversity* (ANINP) 2013-2017, is now know, thanks to the state's report, that writing of this agenda was supported by pro-indigenous in the German Technical Cooperation. The ANINP has to manage the implementation of public policies to promote equality

and non-discrimination and the inclusion of indigenous nationalities, Afro-Ecuadorian people and Montubio people, within the framework of their civil, political, territorial, cultural, individual and collective rights. Therefore, how can we evidence wellbeing in the Afro-Ecuadorian population if the State does not work in justice, recognition and development, specifically, for Afro-Ecuadorian population?

6. Regarding to the Decree 060, the state has not presented statistics that shows the percentage of Afro-Ecuadorian citizens that are working on the public field and what position they are playing at work. Many organization have denounced the breach of this decree, such as *Asociación Mayoritaria de Afrodescendientes del Ecuador (AMAE)*.
7. If we look at the statistics, the unemployment rate falls on the Afro-Ecuadorian people, even above the national average, which directly affects the total income of economic resources per household. Therefore, the Decree 060 is not working as an inclusive public policy.
8. Also, when talking about the Decree 060 and education there are two concerns: scholarships for bachelor and masters have been given away to relatives and close friends of the main representatives of the CODAE by issuing “*certificates of negritude*”, which were signed by José Chalá, ex-Executive Director of CODAE (currently congressman of Alianza PAIS-ruling party), prior to an interview to decide who was and who was not Afro-Ecuadorian.
9. With regard to the Economic, Social, and Cultural Rights of Indigenous, Afro-Ecuadorian and Montubios people, the Public Health-Care Ministry in their will of include the ancient medicine in modern medicine has implemented rooms of humanized. However, this is a practice that has welcome the ancient knowledge of the indigenous people, not the Afro-Ecuadorian people.
10. With regard to “*Fighting Discrimination in the Media*”, the Council for Regulation and Development of Information and Communication (CORDICOM) has only published an Information Guide against discrimination and towards the

representation of the Afro-Ecuadorian people. Instead of report sanctions on TV presenters who committed acts of racism and remain in the media, such as Geovanny Duplein.

11. Regarding to the “Lack of Judicial Processes for Racial Discrimination”, it is necessary that justice in Ecuador stop to be so selective. It has been 5 years since the case of Michael Arce was lodged and at the moment it is not known about the redress and the public apologies to the victim.
12. Regarding the “Access to Intercultural Education that responds to the ethnic reality”, it is worth mentioning that even after 20 years of struggle by a group of Afro-Ecuadorian experts, the Ministry of Education have not included in the national curriculum of school and high school the Modules of Afro-Ecuadorian Ethnoeducation.
13. With regard to the “Follow up to the Durban Declaration and Program of Action”, in 2011 the International Year of Afro-Descent People was declared, but unnoticed by the State. Furthermore, the International Decade for People of African Descent was signed with two years of delayed in 2016; and also, the Decree 915 was rejected.
14. It is clear that for the Ecuadorian State, the International Decade for People of African Descent and other issues related to the Afro-Ecuadorian people are not accomplish as they should, and after three years of the International Decade for People of African Descent no real action has been taken so far.

Questions for the State of Ecuador:

15. Regarding to the “*Plurinational Plan on the Elimination of Racial Discrimination and Ethnic Exclusion*” 2009-2013, which were the mechanisms to socialize/disseminate the results of the plan mentioned above and which actions are going to be taken to reverse the negative results? And what are the initiatives such as investigations and reports, of the citizen watchdogs, where has been

socialized/disseminated and how it contributed to improving the living conditions of historically discriminated ethnic groups, especially Afro-Ecuadorians?

16. Regarding the Decree 060 (work field): what is the Executive's follow up to the application of the Decree 060 within public institutions? In which periods the positions that Afro-Ecuadorians, Indigenous and Montubios held in public entities are published? And why are not they in public domain?
17. Regarding the Decree 060 (educational field): How is that the issuing of ethnic self-definition reduces discriminatory actions in Ecuador's education system? Does SENESCYT is still requesting it for scholarship access?
18. Which actions are being implemented from the government to train administrators of justice in the management of ethnic character, in cases where are involve indigenous, montubio and Afro-Ecuadorian people, in order to guarantee access to an effective justice without discrimination?
19. Why has it not been considered the implementation in the national educational curriculum, at all levels of education in Ecuador, focusing on: The untold story of the independence of America and Ecuador: Afro-Ecuadorian heroes and ancient knowledge of the Afro-Ecuadorian nationality?

We call for:

20. It is recommended to the Executive function that, instead of requesting a certificate that discriminates and judge the ethnic self-definition (article 11 numeral 2 of the Constitution of Ecuador), request for the issuance of the form that the Civil Registry has when a citizen gets his or her ID for the very first time and it can be change when they get a new one. If necessary, propose a regulation for this subject.
21. The State of Ecuador should implement a statistical database, in which information is handled in a disaggregated, easily processed and variable manner that responds to the reality and living conditions of the Afro-Ecuadorian population.

22. The Ecuadorian State is requested to retake the actions made by CODAE, regarding to the FLACSO-CODAE agreement that allow access to post-graduate education for Afro-Ecuadorian people. Furthermore, create more and better scholarship and financing programs so the Afro-descent population can have a better and higher level of education.
23. It is recommended that the State of Ecuador includes ancient practices and knowledge of the historically excluded ethnic groups, especially the Afro-Ecuadorian people, in the modern and western medicine. Also, the training of those organizations and members that are in charge of these practices is required.
24. The state should implement intercultural audiences to regulate the issuance of communicational products that are detrimental to the identity of ethnic groups.
25. The Ecuadorian State is required to train administrators of justice on issues human rights of ethnic groups (especially Afro-descendants) to avoid the spread of cases where the ethnic status is considered as an act of “suspicious attitude).
26. It is recommended to the Executive function and to all the government institutions (SENPLADES, SNGP, CNIPN, CPCCS, Ministry of Justice, Ministry of Culture, Ministry of Education and Ministry of Health-Care) that worked within the framework of the International Decade for People of African Descent, to present on the media all the information prepared on the labor tables, forums and other spaces in which citizen participation was included, to create the roadmap for the International Decade for People of African Descent Chapter Ecuador; because this is handled as information reserved and with no access to all the public.