



## The rights of children and adolescents: a study from the regulations in the Ecuadorian context

Los derechos de niños, niñas y adolescentes: un estudio desde las normativas en el contexto ecuatoriano

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### ABSTRACT

The rights of children and adolescents in Ecuador are supported by various legal and regulatory sources, such as the Constitution, international treaties, the Code of Children and Adolescents, and the LOEI, among others. However, the effective application of these provisions is limited, which does not guarantee the well-being and comprehensive development of this population. This article is the result of the diagnosis of the research project “Quality of the educational process”, carried out by students and teachers of the Basic Education program at the Instituto Superior Espíritu Santos in Guayaquil. Its objective is to characterize the current state of the rights

of children and adolescents in Ecuador; revealing a series of challenges and problems that affect them. One of the most violated rights in the country is access to quality and warmth education, due to socioeconomic inequality, the precariousness of educational infrastructure, discrimination and social exclusion, which affects school dropouts and affects their integral development. Furthermore, child labor, violence and child abuse are major concerns that require urgent attention and preventive measures. This study follows a qualitative methodology, it is a descriptive research, based on a bibliographic review and the use of various scientific methods. Concluding that, despite the solid legal basis in Ecuador, full compliance with the rights of children and adolescents, and their comprehensive development are not achieved consistently and efficiently in practice.

### **RESUMEN**

Los derechos de los niños, niñas y adolescentes en Ecuador se respaldan en diversas fuentes legales y normativas, como la Constitución, tratados internacionales, el Código de la Niñez y Adolescencia, y la LOEI, entre otros. Sin embargo, la aplicación efectiva de estas disposiciones es limitada, lo que no garantiza el bienestar y desarrollo integral de esta población. Este artículo es resultado del diagnóstico del proyecto de investigación “Calidad del proceso educativo”, realizado por estudiantes y docentes de la carrera de Educación Básica del Instituto Superior Espíritu Santos en Guayaquil. Su objetivo es caracterizar el estado actual de los derechos de niños, niñas y adolescentes en Ecuador; revelando una serie de desafíos y problemáticas que los afectan. Uno de los derechos más vulnerados en el país es el acceso a una educación de calidad y calidez, debido a la desigualdad socioeconómica, la precariedad de la infraestructura educativa, la discriminación y la exclusión social, lo que incide en el abandono escolar y afecta su desarrollo integral. Además, el trabajo infantil, la violencia y el maltrato infantil son preocupaciones importantes que requieren atención urgente y medidas preventivas. Este estudio sigue una metodología cualitativa, es una investigación descriptiva, basada en revisión bibliográfica y en el uso de diversos métodos científicos. Concluyendo que, a pesar de la sólida base legal en Ecuador, el pleno cumplimiento de los derechos de los niños, niñas y adolescentes, y su desarrollo integral no se logran de manera consistente y eficiente en la práctica.

**Keywords / Palabras clave**

right, childhood, violation, integral development, right to education

derecho, niñez, vulneración, desarrollo integral, derecho a la educación

**Introduction**

Human rights are a set of fundamental principles that recognize the inherent dignity of all people, regardless of ethnicity, gender, religion, sexual orientation or any other status. These rights, enshrined in documents such as the Universal Declaration of Human Rights, guarantee every individual freedom, equality and justice. They protect essential aspects of human life, such as the right to life, freedom of expression, education, health and a fair trial. These rights are universal, inalienable and indispensable for peaceful coexistence and the full development of humanity. Therefore, defending and promoting human rights is a vital commitment to building a more just, inclusive and respectful society.

One of the inalienable and essential human rights is undoubtedly education. This right is enshrined in several international human rights instruments, including the 1948 Universal Declaration of Human Rights, which states in Article 26 that "everyone has the right to education" (UNESCO, 2011). This recognition underscores the intrinsic importance of education for the development and full realization of individuals.

The (United Nations, 1999) declared, education as an inalienable human right and a necessary means to realize other human rights. As a right in the realm of personal autonomy, education is the primary means by which socially and economically marginalized adults and adolescents lift themselves out of poverty and participate fully in their communities.

Education not only provides knowledge and practical skills, but also empowers people, promotes equal opportunities, and contributes to the development of more just and equitable societies. Through education, critical thinking, creativity, tolerance and respect for human rights and diversity are fostered.

Education plays a key role in protecting children from labor exploitation, violence, sexual exploitation, among many others. The

right to education is undoubtedly one of the most important rights of children and perhaps the most important social right. Although strictly speaking it cannot be said that there are valid rights and other secondary rights, the above statement is based on the fact that, to a large extent, through education in various forms and modes, such as that of man, biological or concrete, who becomes a social entity, male or female, and through whom acquires the conditions and capabilities necessary for life in social. In this sense, education in all its manifestations is above all the path to the socialization of man, that is, the path to transform man into a social entity (Turbay, 2000).

Education provides children with the necessary tools to develop their potential and participate fully in society. Through access to education, children acquire knowledge, skills and competencies that enable them to face life's challenges and contribute significantly to the development of their communities; it also plays a crucial role in the protection of other children's rights, because it can help prevent child labor, child abuse and other forms of exploitation by providing children with viable alternatives and opportunities for a better future.

Education promotes equal opportunities by providing all children, regardless of socioeconomic background, gender, ethnicity or disability, with access to quality learning. This contributes to reducing social disparities and building fairer and more inclusive societies.

However, the violation of the rights of children and adolescents is a latent reality that persists in various parts of the world, despite the efforts made to protect and promote these rights. This affirmation is supported by multiple evidence and situations that show how children and adolescents continue to be victims of abuse, discrimination, exploitation and other forms of violence.

Numerous reports and studies reveal the persistence of problems such as child labor, child abuse, human trafficking, the recruitment of children in armed conflicts and other forms of exploitation. These practices have a significant impact on the integral development of children's personalities and violate their right to a safe, healthy and educational childhood, leaving them exposed to risky conditions.

In Ecuador, the violation of the rights of children and adolescents is a serious problem that affects a significant proportion of the child population. This worrisome situation encompasses a wide range of violations, including child abuse, child labor, lack of access to quality education, and poor protection in cases of violence or exploitation. In

addition, many children in the country face additional obstacles due to the internal armed conflict decreed in January 2024, discrimination and stigmatization based on factors such as economic status or ethnicity.

Hence, the objective of this study is to characterize the current state of the rights of children and adolescents, from a theoretical and legal perspective, in the Ecuadorian context.

Human rights have undergone a significant evolution since their inception, marked by constant challenges, limitations and objections. Throughout history, these rights have been the result of struggles, social movements and legislative changes that have sought to guarantee the dignity, equality and freedom of all people.

However, despite the progress achieved, human rights continue to face significant challenges today. Discrimination, exclusion, violence and injustice persist in many parts of the world, preventing millions of people from fully enjoying their human rights.

For (González, 2018), human rights fulfill the purpose of sanctioning the arbitrariness of power against the governed, when the authority abuses its power to the detriment of the individual, that is where a clear violation of human rights occurs; likewise, it aims to protect the integrity of the human person and not allow it to be undermined. In other words, human rights will be respected in the country in which that person resides, because it is believed to represent the fact that human rights are not territorial but global and holistic.

This author's statement highlights the essential role of human rights in the area of protection against abuse of power by the authorities. When a government or any entity with authority exercises its power arbitrarily, violating the individual rights of citizens, there is a clear violation of human rights. These rights are designed to safeguard the integrity of the human person and prevent any form of impairment or injustice.

In the case of the rights of children and adolescents in Ecuador, they are guaranteed by various legal and regulatory sources that aim to protect their well-being and integral development. First, the Constitution of the Republic of Ecuador recognizes and protects the fundamental rights of all citizens, including children and adolescents. This document establishes basic principles such as the right to life, equality, non-discrimination and the best interests of the child, which

guide the formulation of public policies and laws related to children and adolescents.

In its Article 44, the Constitution of the Republic establishes: - The State, society and the family shall promote as a priority the comprehensive development of children and adolescents, and shall ensure the full exercise of their rights; the principle of their best interests shall be addressed and their rights shall prevail over those of other persons (Constitution of the Republic of Ecuador, 2008).

Children and adolescents shall have the right to their integral development, understood as a process of growth, maturation and deployment of their intellect and their capacities, potential and aspirations, in a family, school, social and community environment of affection and security. This environment will allow the satisfaction of their social, affective-emotional and cultural needs, with the support of national and local intersectoral policies (Constitution of the Republic of Ecuador, 2008).

Art. 45.- Children and adolescents shall enjoy the rights common to human beings, in addition to those specific to their age. The State shall recognize and guarantee life, including care and protection from conception (Constitution of the Republic of Ecuador, 2008).

In addition, Ecuador relies on international treaties that protect the rights of children and adolescents, such as the United Nations Convention on the Rights of the Child. These treaties establish international standards that the country is obliged to respect, guarantee and promote in its legislation and practice.

The Convention on the Rights of the Child is an international treaty that recognizes the human rights of children, defined as persons under 18 years of age (Torrescuadrada, 2016). The Convention establishes in the form of international law that States Parties must ensure that all children benefit from a range of special measures of protection and assistance; have access to services such as education and health care; are able to fully develop their personalities, skills and talents; are able to grow up in an environment of happiness, love and understanding; and receive information on how they can achieve their rights and participate in the process in an accessible and active way (Hernández, 2014; Lillo, 2014; Sánchez, 2015) cited by (Ochoa, Peñafiel, Vinueza, & Sánchez, 2021 ).

Ecuador's Childhood and Adolescence Code is another key piece in the protection of the rights of this population. This code establishes the rights and responsibilities of children and adolescents, as well as the obligations of the state and society in their protection and welfare. It contains specific provisions on issues such as education, health, protection against violence and exploitation, among other fundamental aspects for the development of children and adolescents.

The recognition of children and adolescents as subjects of rights, the guarantee and fulfillment of these rights are established in the Code of Childhood and Adolescence, which in its Art. 1.- Purpose, provides for the comprehensive protection that the State, society and the family must guarantee to all children and adolescents living in Ecuador, in order to achieve their comprehensive development and the full enjoyment of their rights, in a framework of freedom, dignity and equity; in its Art. Protected subjects, establishes that they are applicable to all human beings, from conception until they reach eighteen years of age; and Art. 4 defines a child as a person who has not reached twelve years of age. Adolescent is a person of either sex between twelve and eighteen years of age (Ecuador, National Assembly, 2022).

Chapter II establishes the Rights of survival, as indicated in Article: 20- Right to life; and Article 26. - Right to a dignified life, which establishes that children and adolescents have the right to a dignified life, which allows them to enjoy the socioeconomic conditions necessary for their integral development (Ecuador, Asamblea Nacional, 2022).

Among the rights related to development is the right to education, Art. 37, which states that children and adolescents have the right to quality education. This right demands an education system that:

1. Guarantees the access and permanence of every child to basic education, as well as of the adolescent up to high school or its equivalent;
2. Respects the cultures and specificities of each region and place;
3. Contemplates flexible and alternative educational proposals to meet the needs of all children and adolescents, with priority given to those who have disabilities, work or live in a situation that requires greater opportunities to learn;

Guarantees that children and adolescents have adequate teachers, teaching materials, laboratories, premises, facilities and resources, and enjoy a favorable learning environment. This right includes effective access to early education from zero to five years of age, and therefore flexible and open programs and projects, appropriate to the cultural needs of learners, shall be developed; and,

5. That it respects the ethical, moral and religious convictions of the parents and of the children and adolescents themselves. Public education is secular at all levels, compulsory up to the tenth year of basic education and free of charge up to high school or its equivalent. The State and relevant agencies shall ensure that educational institutions offer services with equity, quality and opportunity and that the right of parents to choose the education that best suits their sons and daughters is also guaranteed (Ecuador, National Assembly, 2022).

Art. 42.- Right to education of children and adolescents with disabilities, and Art. 48.- Right to recreation and rest. - Children and adolescents have the right to recreation, rest, play, sports and other activities appropriate to each stage of development. (Ecuador, National Assembly, 2022).

In Title V. on the Work of Children and Adolescents, Articles 81 establishes the right to protection against labor exploitation; Article 82 establishes fifteen years of age as the minimum age for work; Article 83 establishes the eradication of child labor; and Article 84 establishes that under no circumstances shall the working day be extended to children and adolescents. - establishes that under no circumstances may the working day of adolescents exceed six hours a day for a maximum period of five days a week; and it shall be organized in such a way that it does not limit the effective exercise of their right to education (Ecuador, National Assembly, 2022).

In addition to the Constitution, international treaties and the Childhood and Adolescence Code, there are other specific laws and regulations that complement and strengthen the legal framework for the protection of the rights of children and adolescents in Ecuador. These laws address various aspects related to childhood and adolescence, such as the protection of the rights of migrant children, the prevention of child labor, the promotion of children's participation in decision-making, among others.

## Materials and Methods

The research has a qualitative approach, follows a flexible methodology, which incorporates findings that were not initially foreseen, allowing a better understanding of the social phenomenon related to the rights of children and adolescents. The study is descriptive and a literature review, because its purpose is to characterize the current state of the rights of children and adolescents, from the theory and legal regulations in the Ecuadorian context.

Within the scientific methods, the analysis-synthesis and inductive-deductive methods are used, which allows the authors to collect and analyze information in relation to the rights of children and adolescents and the consequences of their violation.

The study consisted of a literature review in various scientific databases: Science Direct, Scielo, Redalyc, Dialnet and Google Scholar, using the keywords: children's rights, violation of children's rights, child development, right to education.

Articles published in scientific journals in the last five years (period 2018-2024) were considered; only studies on the rights of children and adolescents, and those referring to the violation of children's rights and child development were selected.

Twenty-two articles were selected, of which 16 correspond to systematic reviews and 6 reports of organizations for children and legal regulations (within the period 2018 to 2024); available on the Internet and in bibliographic databases. After organizing the previously selected studies, we proceeded to analyze the information to identify the contributions made in relation to the violation of children's rights and child development.

## Results

Although Ecuador has a solid legal basis that supports the rights of children and adolescents, the effective implementation of these legal provisions remains a significant challenge. Despite having the Constitution, international treaties, the Code for Children and Adolescents, and other specific laws, the reality in practice shows that full compliance with the rights of this population and the promotion of their comprehensive development are not consistently achieved.

One of the main obstacles is the lack of adequate resources and infrastructure to implement and enforce laws related to the rights of children and adolescents. Often, the institutions responsible for the welfare of this population, such as the health, education and social protection systems, face limitations in terms of personnel, funding and training, which affects their ability to provide quality services and comply with their legal obligations.

Another major challenge is the lack of coordination and cooperation among the different institutions and actors involved in the protection of the rights of children and adolescents. Fragmentation and duplication of efforts can lead to an ineffective and disjointed response, which compromises the effectiveness of policies and programs aimed at promoting the well-being of this population.

In addition, cultural, social and economic barriers persist that hinder the full exercise of the rights of children and adolescents in practice. Discrimination, gender inequality, poverty, violence and social exclusion are realities that negatively affect this population's access to education and other fundamental rights.

This reality is not exclusive to Ecuador, according to (Rodrigues dos Santos, 2018), Latin America has a high level of violations of the rights of children and young people, which in many cases end in suicide or murder, increasing mortality due to violence as the main situations. Violence as a structural factor in which childhood grows, a significant proportion of children and young people in the region grow up in a context deeply characterized by structural violence in the society in which they live.

Access to education is one of the most violated rights in Latin America due to various structural and socioeconomic factors that persist in the region. In the first place, socioeconomic inequality plays a crucial role, as many Latin American families face economic difficulties that prevent them from guaranteeing quality education. The lack of economic resources translates into an inability to pay for school fees, uniforms, books and other school materials, as well as to cover the costs associated with transportation and school meals.

In addition, the educational infrastructure in some areas is precarious, especially in rural and marginalized areas, making physical access to schools difficult. The poor condition of schools, the lack of basic services such as potable water and electricity, and the scarcity of

adequate educational equipment and resources are additional barriers that limit access to quality education.

Another relevant factor is discrimination and social exclusion, which disproportionately affect certain population groups, such as indigenous communities, Afro-descendants, people with disabilities and those living in poverty. These groups face additional barriers to accessing education due to social prejudice, linguistic and cultural discrimination, as well as the lack of specific policies and programs that address their particular needs and realities.

Furthermore, lack of access to quality education perpetuates the cycle of poverty and inequality in the region by limiting people's opportunities for personal, professional and social development. Without adequate education, it is difficult to break the vicious circle of poverty and achieve a decent and sustainable standard of living.

In short, the right to education is essential for the well-being and future of children, as well as for the development of societies as a whole. Therefore, ensuring access to quality education must be a priority at both the national and international levels.

The violation of the rights of children and adolescents generally results in school dropout, which represents a significant challenge that affects society as a whole. Dropping out of school is a problem that has serious repercussions at the individual and social level, since it limits the opportunities for growth and progress for both students and society as a whole; because it deprives subjects of the acquisition of knowledge, skills and values that are fundamental for their personal and professional development. Education provides the necessary foundations for access to job opportunities and for active participation in society, which is truncated when it is interrupted prematurely.

In addition, dropping out of school can lead to greater social vulnerability, perpetuating cycles of poverty and exclusion. Individuals who drop out of school often face greater difficulties in finding decent and well-paid employment, which can lead to prolonged economic and social dependency.

It is important to emphasize that school dropout is not a phenomenon caused by a single reason, but is influenced by a variety of interrelated factors. These factors include academic difficulties, family problems, lack of emotional support, unfavorable socioeconomic conditions, discrimination, school violence, among others.

Many children are forced to drop out of school to work, which limits their opportunities for personal and professional development and perpetuates the cycle of poverty. In the context of the violation of the rights of children and adolescents, child labor is a problem that must be addressed as a priority. This phenomenon represents a serious violation of the fundamental rights of children and has adverse repercussions at both the individual and social levels. Child labor deprives children and adolescents of their right to an education and to a safe and healthy childhood.

At the social level, child labor contributes to maintaining inequality and social exclusion; working children often belong to low-income families and marginalized communities, reflecting the relationship between child labor and poverty, perpetuating the intergenerational transmission of poverty by depriving children of the opportunity to access an education and break the cycle of poverty. It also exposes children to hazardous and abusive working conditions, which can have serious consequences for their physical and emotional health.

According to the First National Child Labor Survey conducted in November 2012 in Ecuador, the child labor rate (for boys, girls and adolescents aged 5 to 17) stands at 8.56%. This problem shows a higher prevalence among boys, with 62.8%. In terms of area of residence, 15.5% of children and adolescents in rural areas are engaged in child labor. Among the main reasons for working, 60.4% of those surveyed mentioned the need to help their households financially, while 16.5% expressed a lack of interest in education. According to data from the National Institute of Statistics and Census (INEC), the national average of monthly hours dedicated to work by children and adolescents surveyed is 40 hours, with an average monthly income of USD 100 (INEC, 2012).

According to a report by (PRIMICIAS, 2024), in 2019, 8.4% of children between five and 14 years of age were working; although this figure decreased to 7.4% in 2021 and 7.1% in 2022, these data show that child labor continues to be a persistent challenge in the country.

These statistics reflect that, despite efforts to reduce child labor, the problem is far from being completely eradicated. The persistence of these figures indicates that more effective and sustained measures are needed to address the underlying causes and protect children's rights.

It is essential to implement comprehensive public policies that promote universal access to quality education and provide support to

vulnerable families to prevent and eliminate child labor. In addition, it is essential to strengthen control and surveillance mechanisms to ensure compliance with labor legislation that protects children.

Another significant concern in the school environment and in a general social sense, is violence against children and adolescents; violence represents a serious threat to the integral development of the subject in multiple aspects. Physical, emotional or sexual violence can cause profound traumas that affect their long-term psychological and emotional well-being, undermining their self-esteem and their ability to relate to others in a healthy way. These traumatic experiences can generate cycles of violence that repeat themselves in future generations if not adequately addressed.

In addition, violence can significantly interfere with their access to education. Children who experience violence at home or at school may face difficulties concentrating on their studies, which can result in poor academic performance or even dropping out of school. This limits their opportunities for personal and professional development, perpetuating cycles of poverty and social exclusion.

According to the World Health Organization (WHO, 2022), child maltreatment is defined as any form of abuse or neglect affecting a child under 18 years of age, including any physical or emotional abuse, sexual abuse, neglect, negligence and commercial or other exploitation that is or may be detrimental to the child's health, development or dignity or endangers the child's survival in the context of a relationship of responsibility, trust or power. On the other hand, Acosta et al. (2017) cited by (Aura & Requejo, 2022), considers that child maltreatment is an issue that encompasses problems of different characteristics in biopsychosocial areas affecting the self-esteem of children, turning them into individuals with depression, anxiety, alcoholism, drug addiction, impulsivity, hostility and inadequate self-awareness, due to previous maltreatment experienced in their childhood.

Slep & Heyman (2006) cited by (Aura & Requejo, 2022), identify a series of common characteristics in children who have been victims of maltreatment, which represent a significant impact at the psychological level. These characteristics encompass a variety of emotional and behavioral problems, including verbalized fear, anxiety, major depressive disorder and acute disorder. In addition, maltreated children may experience somatic symptoms due to stress, as well as other psychiatric disorders. These problems can manifest themselves

in negative development both cognitively and socially, affecting the child's overall functioning in different aspects of his or her life. Importantly, these impacts can last over time if not adequately addressed, underscoring the urgency of intervening to protect the mental health and well-being of children who have suffered maltreatment.

Within the problem of child violence, family violence stands out and, although it is not limited exclusively to children, because it affects individuals of all ages, its impact is especially harmful to children. The latter are particularly vulnerable to the harmful effects of violence due to their dependence on adults to satisfy their basic needs and provide a safe and affectionate environment.

According to Londoño (1992) cited by (Quirós, 2019), intrafamily violence is directed against the body of people in the family group perceived as weaker and more dependent, but that body is not only physical, it is a psychic and social body, which becomes the being of people, an identity that is damaged in its integrity, its image, its value, heritage, aspirations, recognition, sexuality, interpersonal relationships and health.

When children are exposed to violence in the home, either as direct victims or witnesses, they can experience a series of negative consequences in their physical, emotional and cognitive development. Exposure to family violence can cause profound psychological trauma in children, which can manifest as anxiety, depression, post-traumatic stress disorder, and other mental health problems. These effects can persist into adulthood if not adequately addressed, affecting their ability to establish healthy relationships, manage stress and reach their full potential in life.

In addition, family violence can have lasting consequences on children's emotional development, undermining their self-esteem and self-confidence. Children who grow up in a violent environment may learn dysfunctional patterns of behavior that perpetuate violence in future generations, thus contributing to the intergenerational transmission of violence.

Importantly, family violence can also have direct impacts on children's academic performance, as it can interfere with their ability to concentrate on studies and actively engage in learning. This can result in poor school performance, absenteeism and, in extreme cases,

dropping out of school, which limits future opportunities for these children.

Violence hinders the subject's ability to reach his or her full potential in other aspects of life, such as health and socioemotional development. Exposure to violence can increase the risk of mental health problems, such as depression, anxiety and post-traumatic stress disorder. In addition, it can negatively affect their ability to establish healthy relationships and build social and emotional skills important to their future well-being.

The United Nations Children's Fund (UNICEF) noted in 2018 that extreme violence against children and adolescents is a constant in armed conflict. The use of infants and adolescents as human shields and their forced recruitment are current tactics, to which are added other forms of violence such as kidnapping, abuse and sexual exploitation, with serious repercussions for the health of the victims (Piñeros, et al., 2021).

Ecuador is currently immersed in an internal armed conflict, which poses a serious problem that deeply affects the entire population, and especially children and adolescents, because it brings with it a significant increase in violence and insecurity, which exposes children and adolescents to a considerable risk of suffering physical, emotional and psychological harm. Additionally, children and adolescents become involuntary victims of recruitment by narco-criminal groups, being used as soldiers or subjected to exploitation and abuse, these forced recruitments rob them of their childhood and expose them to extreme danger, leaving deep scars on their mental and emotional health.

Armed conflicts have devastating consequences on the mental health of children and adolescents that go far beyond the immediate physical effects. Children and adolescents witness and are direct victims of extreme violence, which can cause profound psychological trauma. Witnessing violence, losing loved ones, suffering physical injuries or being displaced from their homes can lead to post-traumatic stress disorder, depression, anxiety and other mental disorders.

In addition, armed conflict disrupts the daily life and family structure of children and adolescents, which can negatively affect their emotional and social development. Ongoing insecurity, lack of access to basic services such as health care and education, and loss of support

networks can leave these young people emotionally vulnerable and isolated.

Haroz et al. (2013) cited by (Jonathan, Meza, & Navarro, 2023), refer that the population of children and adolescents exposed to traumatic events linked to war can suffer the emergence of mental health disorders that can last throughout their lives. Above all, because they are in developmental stages where their personality configuration and life perspective is still under construction and with very weak bases to face the harshness of war.

Although Ecuador has a solid legal framework to protect the rights of children and adolescents, the effective application of these legal provisions remains a challenge. Greater efforts are required to overcome existing barriers and challenges, and to ensure that all children and adolescents can fully enjoy their rights and reach their full potential. This implies not only political will and government commitment, but also the active participation of civil society and collaboration among all relevant actors.

## Conclusions

The review of literature and regulations related to the rights of children and adolescents has made it possible to identify the most violated rights in the Ecuadorian context, as well as their causes and consequences.

Access to quality and warm education emerges as one of the most violated rights in Latin American countries, particularly in Ecuador. This vulnerability is attributed to a number of factors, including socioeconomic inequality, precarious educational infrastructure, discrimination and social exclusion. Ensuring equitable access to quality education for all children and adolescents in the region is fundamental to promoting human development, reducing inequality and building more just and prosperous societies.

Although there are few studies that address the underlying causes of the violation of the rights of children and adolescents, such as poverty, lack of access to basic services, discrimination and school dropout, these factors are determining factors in the problem. Dropping out of school, in particular, has a significant impact on the comprehensive development of the subjects, which is why comprehensive policies and programs are required to address its multiple causes.

Although the Ecuadorian Code for Children and Adolescents clearly establishes that the minimum working age is 15 years, in practice this is not enforced and child labor continues to be a reality that affects society as a whole. Therefore, it is imperative to promote compliance with labor laws prohibiting child labor and ensure that children and adolescents have access to quality education and opportunities for safe and healthy development.

Although progress has been made in reducing child labor in Ecuador in recent years, this problem remains latent and requires a multifaceted and coordinated approach to effectively address it and ensure a dignified and safe future for all children and adolescents in the country.

Violence and child abuse also affect the integral development of children and adolescents, so it is necessary to address these problems in all their forms and environments. The protection of the rights of children and adolescents must be guaranteed and the necessary support must be provided for their recovery and healthy development.

In conclusion, the violation of the rights of children and adolescents requires urgent attention and concerted action by governments, international organizations, civil society and the community in general. Adopting effective measures to prevent and address all forms of violence, exploitation and discrimination is essential to ensure the protection and comprehensive well-being of children and adolescents.

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