



**TRANSITIONAL COUNCIL OF CITIZEN PARTICIPATION AND
SOCIAL CONTROL**

2018

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I. OVERVIEW

In 2008, the Constitution of the Republic of Ecuador created the Council of Citizen Participation and Social Control. This institution is part of the Transparency and Social Control Function, the fourth branch of the Ecuadorian government.

The Council of Citizen Participation promotes and encourages the exercise of rights related to citizen participation. It enhances and establishes mechanisms of social control over the manners of public interest. And appoints the corresponding authorities in accordance with the Constitution and the Law.

Furthermore, the Council guarantees a society free of corruption. This institution receives and investigates complaints of actions or omissions that may affect the citizen participation or engender corruption.

Vision

“Strengthen a transparent and participative Ecuador, with strong bridges between empowered citizens, communes, communities, peoples and nationalities and a State of ethic actions; enabling the consolidation of the citizens’ power and the fight against corruption”.

Mission

“The Council of Citizen Participation and Social Control will promote and incentivize the exercise of rights related to citizen participation, will enhance and establish mechanisms of social control over the manners of public interest; and, will appoint the corresponding authorities in accordance with the Constitution and the Law”.

II. TRANSITIONAL COUNCIL OF CITIZEN PARTICIPATION AND SOCIAL CONTROL

The Council of Citizen Participation and Social Control had been restricted itself simply to a formalistic role, which in several occasions were questioned by the citizens. In the practice the Council was unable to achieve its objectives and purposes. In virtue of the aforementioned crisis, a reform of the Council was necessary.



The 4th of February of 2018, the Ecuadorians approved, by a Popular Referendum, the establishment of a transitional Council that would have all the Constitutional and Legal competences and attributions of an ordinary Council of Citizen Participation and Social Control. Furthermore, the Transitional Council was given extraordinary attributions to strengthen the national public institutions and the fight against corruption.

The Transitional Council of Citizen Participation and Social Control has a fix period. The new members of a new ordinary Council will be elected by popular vote and appointed in May 2019.

III. STRUCTURE

The Transitional Council is integrated for seven councilors, whom were elected by the Legislative Power between a list of candidates proposed by the President. The councilors are citizens with history in social organizations, citizen participation, fight against corruption or renowned prestige for their civic commitment and defense of the general interest. The councilors cannot have been affiliated, adherents or leaders of political parties over the last five years.

IV. ATTRIBUTIONS AND COMPETENCES

The Transitional Council has two ordinary and two extraordinary attributions:

- **Ordinary**

- **Citizen participation and social control**

Promote the exercise of rights on participation, social control over public manners and accountability.

- **Transparency**

Establish mechanisms of encouragement of transparency and anticorruption policies. Receive and investigate the citizens' complaints over manners that



affect the participation and social control that haven't been addressed by other public or private institutions.

- **Extraordinary**

- **Evaluation and appointment of authorities**

Evaluate the performance of the authorities appointed by the previous Council of Citizen Participation and Social Control and, if necessary, declare the early termination of their periods.

If the early termination is declared, the Transitional Council will proceed with the corresponding process for the appointment of new authorities.

- **Fight against corruption**

Strengthen the mechanisms of transparency and control, prevention and fight against corruption through proposals of necessary reforms at the competent institutions.

V. AUTHORITIES

The authorities to be evaluated are the representatives of the following institutions:

1. Ombudsman's Office
2. Public Defender's Office
3. State Prosecutor's Office
4. General Controllershship of the State
5. National Electoral Council
6. Electoral Disputes Tribunal
7. State Attorney General's Office
8. Superintendence of Companies, Stocks and Insurances
9. Superintendence of Banks
10. Superintendence of Social Economy and Fair Trade
11. Superintendence of Market Power Control
12. Superintendence of information and Communications
13. Superintendence of Territorial Planning, Land Use and Land Management



14. Constitutional Court
15. Judiciary Council

Additionally, the Transitional Council of Citizen Participation and Social Control has the attribution to evaluate the representatives of different social organisms such as:

16. Representatives of active members and retirees to the Board of the Ecuadorian Social Security Institute's Bank.
17. Representatives of the National Conference on Food Sovereignty
18. Clients' defenders in each one of the institutions of the Financial System
19. Heroes and heroines
20. Defenders of Audiences and Readers of national media
21. Representatives of the National Equality Councils

VI. ACTIONS AGAINST CORRUPTION AND IMPUNITY

Through the resolution No PLE-CPCCS-T-O-015-04-04-2018, the Transitional Council encourages the establishment of mechanisms to follow the money trail, the destiny and the recovery of assets.

The Transitional Council ordered the paramount investigation of the following cases:

- Pacífico Refinery
- Hydroelectric project Toachi Pilaton
- Esmeraldas Refinery
- Pipeline Pascuales – Cuenca
- Manduriacu Hydroelectric Plant
- Reconstruction of Manabí
- Public debt management
- Construction of the Millennium Schools
- Construction of public hospitals

Since the appointment, the Transitional Council of Citizen Participation and Social Control has received 800 complaints of actions or omissions that may affect the citizen participation or engender corruption.



VII. INTERNATIONAL INVOLVEMENT IN THE FIGHT AGAINST CORRUPTION

The prevention and eradication of corruption is a responsibility of all countries. The international instruments have an important role in the promotion and enhancement of the necessary mechanisms for prevent, detect, sanction and eradicate corruption; as well as international cooperation and technical assistant. In consequence, Ecuador is State party in the following international instruments:

- Inter-American Convention Against Corruption
- United Nations Convention Against Corruption
- Andean Subregional Integration Agreement

These three instruments have their own structure and mechanism to examine the implementation of the conventions in each State party.

The Council of Citizen Participation and Social Control, is the central authority of Ecuador to coordinate the application of these international instruments by the public institutions related to the prevention and fight against corruption.