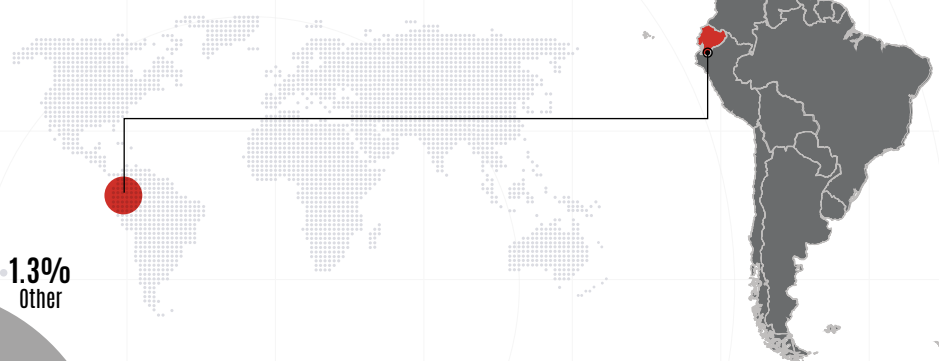
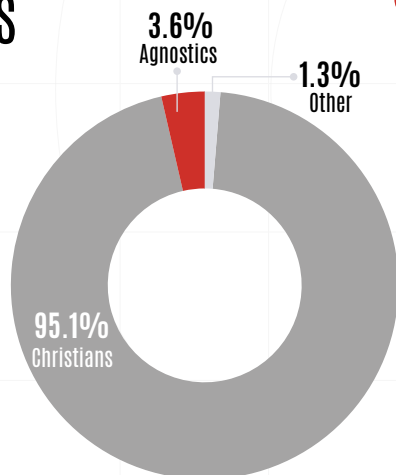


# ECUADOR

## RELIGIONS



## LEGAL FRAMEWORK ON FREEDOM OF RELIGION AND ACTUAL APPLICATION

The Preamble to the Constitution<sup>1</sup> states that the people of Ecuador “recognis[e] our age-old roots [...], celebrat[e] the Pacha Mama (Mother Earth) [...] and invoke[e] the name of God, and recognis[e] our diverse forms of religion and spirituality.”

Article 1 describes the country as an “inter-cultural, multinational and secular state”.

The state, according to Article 3 (4), guarantees, “secular ethics as the basis for public service and the legal regulatory system”. Under Article 11 (2), “No one shall be discriminated against for reasons of cultural belonging, [...] religion, [or] ideology.”

With Article 66 (8), the state recognises and guarantees, “the rights of persons [...] to practise, keep, change, [or] profess in public or private one’s religion or beliefs and to disseminate them individually or collectively, with the constraints imposed by respect for the rights of others”. Under the same article, the state also protects “voluntary religious practice, as well [as] the expression of those who profess

no religion whatsoever”.

Under Article 19, “it is forbidden to broadcast advertisements that foment [...] religious or political intolerance.”

Article 57 (12) recognises the collective right of indigenous communities “to uphold, protect and develop collective knowledge, their science, technologies and ancestral wisdom” and “to restore, promote and protect ritual and holy places”. Article 57 (21) stipulates that “the dignity and diversity of their cultures, traditions [. . .] be reflected in public education and in the media”.

Article 66 (11) provides for “the right to confidentiality about one’s convictions”. This includes “one’s religious beliefs”. No one is obliged to “make statements about these convictions”. Article 66 (12) recognises the “right to conscientious objection”.

Under Article 28, “public education shall be universal and secular”. Article 29 states that parents or guardians are free to choose their children’s education in accordance with their beliefs.

Under Article 61 of the Children and Adolescents Code,<sup>2</sup> the state guarantees children and adoles-

cents the right to freedom of thought, conscience and religion.

Article 34 of the Code guarantees children and adolescents the right to preserve and develop their spiritual, cultural and religious identity and values. Article 52 (2) also prohibits the use of children and adolescents for the purposes of political or religious proselytising.

In 1937 the Ecuadorian government and the Holy See came to an agreement whereby the Catholic Church would be guaranteed the freedom to carry out her ministry and provide education. Catholic dioceses and other institutions were granted legal recognition.<sup>3</sup>

In order to be registered, non-Catholic religious organisations must have their religious character accredited. They cannot be for profit and are tax-exempt. Once the requirements are met, they will be legally recognised.<sup>4</sup>

## INCIDENTS AND DEVELOPMENTS

In August 2018, religious organisations within the National Council for Religious Freedom and Equality (Consejo Nacional de Libertad e Igualdad Religiosa, CONALIR) expressed concern over the abolition of the Ministry of Justice and Religion and how they will interact henceforth with the government.<sup>5</sup>

In January 2019, Catholic bishops and the Ecuadorian President met to enhance dialogue and collaboration. At the meeting it was announced that the Ministry of the Interior would again be responsible for freedom of religion and worship.<sup>6</sup>

In January 2019, the Catholic Bishops' Conference of Ecuador spoke out against a bill to decriminalise abortion.<sup>7</sup>

Isolated incidents of intolerance in 2019 included: in June a swastika was painted in a Jewish school parking lot in Quito and; in September, after the National Assembly voted against a law decriminalizing abortion in the case of rape, pro-abortion activists in Quito wrapped green scarves around a statue of the Virgin Mary, and posted the faces of the lawmakers opposing the proposed abortion law online.<sup>8</sup>

In December 2019, CONALIR, the Evangelical Con-

fraternity and the Jewish Community declared Quito an "Interreligious Coexistence Zone" aimed at promoting interfaith coexistence.<sup>9</sup>

In February 2020, the Islamic Centre of Guayaquil began to give free classes in Islamic theology and basic Arabic, opening its doors to the public on Fridays – the Muslim day of rest – in order to fight discrimination, xenophobia and the association of this community with terrorism.<sup>10</sup>

In March 2020, the Government decreed a health emergency due to the COVID-19 pandemic and the Churches took preventive measures, suspending religious meetings and activities. Services began to be broadcast online.<sup>11</sup>

In April 2020, a joint government-Catholic Church commission was created to develop protocols for the reopening of places of worship and pastoral activities. The bishops also pledged to collaborate in solidarity campaigns in order to help the most vulnerable.<sup>12</sup>

In May 2020, the bishops presented a protocol for the gradual opening of places of worship, which will be "linked to the government colour-coded restrictions."<sup>13</sup> Initially, the opening of each place of worship will require the prior authorisation of a "Diocesan Commission" and later, the approval of the Government Committee for National Emergency Operations in charge of the crisis.<sup>14</sup>

In August 2020, Ecuador's National Assembly approved the Organic Health Code (Código Orgánico de Salud, COS). The Catholic Bishops' Conference of Ecuador criticised it for, among other reasons, promoting abortion, violating doctors' right to conscientious objection, and approving the use of contraceptives for minors without parental consent. As a result, it called on the government to veto the Code,<sup>15</sup> which the president did in September 2020. It will be reviewed again in a year.<sup>16</sup>

## PROSPECTS FOR RELIGIOUS FREEDOM

Isolated episodes of religious intolerance were reported during the period under consideration. Some communities have undertaken actions in favour of religious coexistence. Religious groups are free to express their opinions. The situation has not changed

compared to the previous period and the outlook for the future is positive.

## SOURCES / ENDNOTES

- 1 Constitución de la República del Ecuador de 2008, Decreto Legislativo 0, Registro Oficial 449 de 20-oct.-2008 - Última modificación: 01-ago.-2018 <https://www.ambiente.gob.ec/wp-content/uploads/downloads/2018/09/Constitucion-de-la-Republica-del-Ecuador.pdf> (accessed 2nd October 2020); Ecuador 2008 (rev. 2015), Constitute Project, [https://www.constituteproject.org/constitution/Ecuador\\_2015?lang=en](https://www.constituteproject.org/constitution/Ecuador_2015?lang=en) (accessed 3rd November 2020).
- 2 “Ley N°2002-100,” Código de la Niñez y Adolescencia,” 3rd July 2003, Gobierno de Ecuador, <https://www.registrocivil.gob.ec/wp-content/uploads/downloads/2014/01/este-es-06-C%C3%93DIGO-DE-LA-NI%C3%91EZ-Y-ADOLESCENCIA-Leyes-conexas.pdf> (accessed 19th March 2020).
- 3 “Modus Vivendi que restablece relaciones entre Ecuador y la Santa Sede,” 14th September 1937, Ministerio de Relaciones Exteriores, <https://procuraduria.utpl.edu.ec/sitios/documentos/NormativasPublicas/GENERALES/01Modus%20Vivendi%20que%20Restablece%20Relaciones%20entre%20Ecuador%20y%20la%20Santa%20Sede.pdf> (accessed 19th March 2020).
- 4 “Reglamento de Cultos Religiosos. Decreto Ejecutivo 1682, Registro Oficial 365 de 20-ene.-2000,” [http://iglesiasecuador.com/Iglesias\\_Ecuador/Libertad\\_files/Reglamento%20Ley%20Cultos.pdf](http://iglesiasecuador.com/Iglesias_Ecuador/Libertad_files/Reglamento%20Ley%20Cultos.pdf) (accessed 19th March 2020).
- 5 “Preocupación en comunidades religiosas por eliminación de Ministerio de Justicia,” La Hora, 31th August 2018, <https://lahora.com.ec/loja/noticia/1102182551/preocupacion-en-comunidades-religiosas-por-eliminacion-de-ministerio-de-justicia> (accessed 2nd October 2020).
- 6 “La regulación de libertad religiosa y de cultos regresará al Ministerio de Gobierno,” Radio Huancavilca, 16th January 2019, <https://radiohuancavilca.com.ec/la-regulacion-de-libertad-religiosa-y-de-cultos-regresara-al-ministerio-de-gobierno/> (accessed 5th January 2020).
- 7 “¿Y los Derechos de los Niños por nacer?,” communiqué and letter, 3rd January 2019, Conferencia Episcopal Ecuatoriana, <http://conferenciaepiscopal.ec/comunicado-consejo-de-presidencia-y-los-derechos-de-los-ninos-por-nacer> and <http://conferenciaepiscopal.ec/y-los-derechos-de-los-ninos-por-nacer/> (accessed 3rd January 2020).
- 8 Office of International Religious Freedom, “Ecuador,” 2019 Report on International Religious Freedom, U.S. Department of State, <https://www.state.gov/reports/2019-report-on-international-religious-freedom/ecuador> (accessed 7th December, 2020).
- 9 “Quito será declarada Zona de Convivencia Interreligiosa,” Agencia EFE, 9th December 2019, <https://www.elcomercio.com/actualidad/quito-declaracion-zona-convivencia-religion.html> (accessed 6th April 2020).
- 10 “Musulmanes combaten la ‘islamofobia’,” El Comercio, 15th February 2020, <https://www.elcomercio.com/actualidad/islam-musulmanes-guayaquil-religion-cultura.html> (accessed 6th April 2020).
- 11 “Iglesias de Ecuador dictan medidas tras emergencia sanitaria por el coronavirus,” El Universo, 12th March 2020, <https://www.eluniverso.com/noticias/2020/03/12/nota/7778934/iglesias-ecuador-dictan-medidas-tras-emergencia-sanitaria> (accessed 30th June 2020).
- 12 Paola Calderón Gómez, “Ecuador: Iglesia y gobierno estudian reapertura de templos,” Prensa Celam, 24th April 2020, <https://prensacelam.org/2020/04/24/ecuador-iglesia-y-gobierno-estudian-reapertura-de-templos/> (accessed 30th June 2020).
- 13 Harumi Suzuki, “Ecuador: Obispos presentan protocolo para reapertura de iglesias cuando termine cuarentena,” Aci Prensa, 13th May 2020, <https://www.aciprensa.com/noticias/ecuador-obispos-presentan-protocolo-para-reapertura-de-iglesias-cuando-termine-cuarentena-14517> (accessed 30th June 2020).
- 14 “Ecuador: Actividades religiosas se reanudan de a poco pero misas públicas continúan prohibidas,” La Tercera, 25th May 2020, <https://www.latercera.com/mundo/noticia/ecuador-actividades-religiosas-se-reanudan-de-a-poco-pero-misas-publicas-continuan-prohibidas/AJO5JZR-W5RCSNPFWYK3BRHZPKQ/> (accessed 30th June 2020).
- 15 Valeria Heredia, “Conferencia Episcopal Ecuatoriana expresa su preocupación ante la aprobación del Código de Salud,” El Comercio, 26th August 2020, [https://www.elcomercio.com/actualidad/conferencia-episcopal-ecuatoriana-expresa-preocupacion.html?mkt\\_tok=eyJpIjoiT1RRNU5XRTFObUkyTXpndylsInQiOiJJOU9nQmV5U0xJeFVnYW5SdWFHc01UYWkybHJlVytWTlwwU0hldE9uV2tpYU1DS0tkZWFnRw-c2g0M1VBRWZ0UDJGbmFSM3FDeWRlZXZtR1JSN1pQY04xYW4zTnl6TGgrYit6djJJOHJMMVphc0RXeEtdllqRGYrNHM0aHhmU0wifwQ%3D%3D](https://www.elcomercio.com/actualidad/conferencia-episcopal-ecuatoriana-expresa-preocupacion.html?mkt_tok=eyJpIjoiT1RRNU5XRTFObUkyTXpndylsInQiOiJJOU9nQmV5U0xJeFVnYW5SdWFHc01UYWkybHJlVytWTlwwU0hldE9uV2tpYU1DS0tkZWFnRw-c2g0M1VBRWZ0UDJGbmFSM3FDeWRlZXZtR1JSN1pQY04xYW4zTnl6TGgrYit6djJJOHJMMVphc0RXeEtdllqRGYrNHM0aHhmU0wifwQ%3D%3D) (accessed 3rd October 2020).
- 16 Mariela Rosero, “Código de Salud va al congelador por un año; el Ejecutivo vetó los 405 artículos,” El Comercio, 26th September 2020, <https://www.elcomercio.com/actualidad/ecuador-codigo-salud-veto-ley.html> (accessed 3rd October 2020).