

# Ecuador

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
<b>82.5</b>	<b>63.3</b>	<b>66.3</b>

*Women, Business and the Law 2024* (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Ecuador, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Quito). The scores for Ecuador are shown in the table below.

## Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0 Legal frameworks score	75.0	100.0	100.0	100.0	100.0	50.0	50.0	50.0	100.0	100.0
WBL 2.0 Supportive frameworks score	75.0	66.7	100.0	50.0	100.0	66.7	25.0	66.7	33.3	50.0
WBL 2.0 Expert opinions score	25.0	100.0	25.0	25.0	100.0	100.0	25.0	62.5	100.0	100.0

In summary, the **WBL 2.0 legal frameworks score** for Ecuador (82.5 out of 100.0) is higher than the global average (64.2) and higher than the Latin America & Caribbean regional average (69.1). When it comes to constraints on freedom of movement, laws affecting women's decisions to work, laws affecting women's pay, constraints related to marriage, laws affecting women's property and inheritance and laws affecting the size of a woman's pension, Ecuador obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Ecuador is on the indicator measuring laws affecting women's work after having children. To improve on the Parenthood indicator, Ecuador may wish to consider providing paid leave of at least 14 weeks available to mothers and making the government administer 100% of maternity leave benefits.

The **WBL 2.0 supportive frameworks score** for Ecuador (63.3 out of 100.0) is higher than the global average (39.5) and higher than the Latin America & Caribbean regional average (38.6). When it comes to supportive frameworks affecting women's decisions to work and supportive frameworks related to marriage, Ecuador obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Ecuador is on the indicator measuring supportive frameworks affecting

childcare. To improve on the Childcare indicator, Ecuador may wish to consider establishing a clearly outlined application procedure to request financial support from the government for childcare services by parents, establishing a clearly outlined application procedure to request financial support from the government for childcare services by non-state childcare providers and publishing reports on quality of childcare services at least within every 3 years.

The **WBL 2.0 expert opinions score** for Ecuador (66.3 out of 100.0) is higher than the global average (65.7) and higher than the Latin America & Caribbean regional average (61.8). When it comes to expert opinions on freedom of movement, expert opinions on marriage, expert opinions on women's work after having children, expert opinions on women's property and inheritance and expert opinions on women's pensions, Ecuador obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Ecuador is on the indicator measuring expert opinions on women's safety.

## WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
<b>Safety</b>		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	Yes	Código Orgánico Integral Penal, Arts. 11(2), 77, 78 y 166; Ordenanza Municipal del Distrito Metropolitano de Quito No. 235, Arts. 4(2)(d) y 5; Ley Orgánica Integral para la Prevención y Erradicación de la Violencia de Género contra las Mujeres, Art. 10(b)
Does the law address domestic violence?	Yes	Ley Orgánica Integral para la Prevención y Erradicación de la Violencia de Género contra las Mujeres, Arts. 10(a)(b)(c)(d), 12(1), 45 y 51; Código Orgánico Integral Penal, Arts. 155-159 y Título V, Capítulo Tercero
Does the law address femicide?	Yes	Código Orgánico Integral Penal, Art. 141
<b>Mobility</b>		
Can a woman choose where to live in the same way as a man?	Yes	Código Civil, Arts. 57 y 137
Can a woman travel internationally in the same way as a man?	Yes	Ley orgánica de movilidad humana, Art. 151
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Constitución de la República del Ecuador, Art. 7 y 8; Ley Orgánica de Movilidad Humana, Arts. 73 y 75
<b>Workplace</b>		
Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Ley para Impulsar la Economía Violeta, Art. 5(10); Código del Trabajo, Art. 42.1
Does the law prohibit discrimination in employment based on gender?	Yes	Código del Trabajo, Art. 42.1 ; Ley para Impulsar la Economía Violeta, Art. 5(10)
Does the law allow employees to request flexible work?	Yes	Código del Trabajo, Art. 16
<b>Pay</b>		
Does the law mandate equal remuneration for work of equal value?	Yes	Código del Trabajo, Art. 79
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
<b>Marriage</b>		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Código Civil, Art. 136
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located



Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Código Civil, Arts. 110 y 113
Does a woman have the same rights to remarry as a man?	Yes	Código Civil, Art. 106
<b>Parenthood</b>		
Is paid leave of at least 14 weeks available to mothers?	No	Código del Trabajo, Art. 152(1)
Are leave benefits for mothers paid solely by the government?	No	Código de Trabajo, Art. 152; Estatuto Codificado del IESS, Art. 97
Is paid leave available to fathers?	Yes	Código de Trabajo, Art. 152
Is dismissal of pregnant workers prohibited?	Yes	Código de Trabajo, Art. 153
<b>Childcare</b>		
Does the law establish the provision of center-based childcare services?	Yes	Reglamento General a la Ley Orgánica de Educación Intercultural, Art. 27 y 39; Acuerdo Interministerial 0015-14 de 2014, Art. 4; Acuerdo Interministerial 01-16 de 2014, Art. 13.4; Código del Trabajo No. 17 of 2005, Art. 155; Ley Organica del Derecho al Cuidado Humano, Art. 27
Does the law establish any form of support for families for childcare services?	Yes	Reglamento de la Ley Organica de Educación Intercultural, Art. 134; Acuerdo Interministerial 0015-14 de 2014, Art. 7; Ley de Régimen Tributario Interno, Art. 16; Reglamento para Aplicación Ley de Régimen Tributario Interno, Art. 34
Does the law establish any form of support for nonstate childcare providers?	No	No applicable provisions could be located
Does the law establish quality standards for the provision of center-based childcare services?	No	No applicable provisions could be located
<b>Entrepreneurship</b>		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Código Civil, Arts. 1461 y 1462
Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
Does the law prescribe a gender quota for corporate boards?	Yes	Ley Orgánica para Impulsar la Economía Violeta, Art. 28
Does the law include gender-sensitive procurement provisions for public procurement processes?	No	No applicable provisions could be located
<b>Assets</b>		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Código Civil, Arts. 180 y 181
Do sons and daughters have equal rights to inherit assets?	Yes	Código Civil, Arts. 1023, 1028 y 1029
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Código Civil, Arts. 1023 y 1030
Does the law provide for the valuation of nonmonetary contributions?	Yes	Código Civil, Arts. 153, 157-159 y 191-198
<b>Pension</b>		
Are the ages at which a woman and a man can retire with full pension benefits the same?	Yes	Ley de Seguridad Social, Art. 185 y 201
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	Ley de Seguridad Social, Arts. 185 y 201
Is the mandatory retirement age for a woman and a man the same?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Ley de Seguridad Social, Arts. 187

## WBL 2.0 supportive frameworks data

### QUESTION

### ANSWER SOURCE

Safety

Has the government developed comprehensive mechanisms to address violence against women?	Yes	Plan Nacional para la Prevención y Erradicación de la Violencia contra las Mujeres; Protocolo de Prevención y Atención de casos de discriminación, acoso laboral y toda forma de violencia contra la mujer en los espacios de trabajo; Estrategia de la Ruta de Transporte Seguro 'Cero Acoso'; Casa de la Mujer; Salas de primera acogida
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	Ministerio de la Mujer y Derechos Humanos; Secretaría de Derechos Humanos; Consejo Nacional para la Igualdad de Género
Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	Yes	Budget allocated for the Consejo Nacional para la Igualdad de Género
<b>Mobility</b>		
Are passport application processes the same for a woman and a man?	Yes	Procedimiento de solicitud de pasaportes
Are the application processes for official identity documents the same for a woman and a man?	Yes	Procedimiento de solicitud de emisión de cédula de identidad para ecuatorianos
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	No	Insufficient evidence located
<b>Workplace</b>		
Does a specialized body receive complaints about gender discrimination in employment?	Yes	Acuerdo Ministerial No. MDT- 2020 – 244, Art.8
Has the government published guidelines on nondiscrimination based on gender in recruitment?	Yes	Acuerdo Ministerial No. MDT-2017-0082
Has the government published guidelines on flexible work arrangements?	Yes	Acuerdo Ministerial No. MDT-2022-237
<b>Pay</b>		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	No	Insufficient evidence located
Have sex-disaggregated data on employment in different industries or sectors been published?	Yes	Consejo Nacional para la Igualdad de Género: Mujeres y Hombres del Ecuador en Cifras IV. Serie información estratégica de género
<b>Marriage</b>		
Is there a fast-track process or procedure for family law disputes?	Yes	Ley Notarial, Art. 22; Código Orgánico General de Procesos, Arts. 332(3) y 332(4)
Are there specialized family courts?	Yes	Código Orgánico de la Función Judicial, Art. 189
Is legal aid available for family law disputes?	Yes	Consultorios Jurídicos Gratuitos de la Defensoría Pública
<b>Parenthood</b>		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Estatutos del IESS, Art, 97
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	No	Insufficient evidence located
Have sex-disaggregated data on unpaid care work been published?	Yes	Consejo Nacional para la Igualdad de Género: Mujeres y Hombres del Ecuador en Cifras IV. Serie información estratégica de género
<b>Childcare</b>		
Is there a publicly available registry or database of childcare providers?	Yes	Sitio Oficial del Gobierno del Ecuador
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	No	Insufficient evidence located
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	No	Insufficient evidence located
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
<b>Entrepreneurship</b>		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	No	Insufficient evidence located



Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	Yes	Programa Impulso Violeta Ec; BanEcuador, Credito 1x30
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Does a current national government plan or strategy focus on women's access to financial services?	Yes	Estrategia Nacional de Inclusión Financiera (2020–2024)
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### Assets

Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Código Civil, Arts. 180 y 181
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Are awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
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Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located
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### Pension

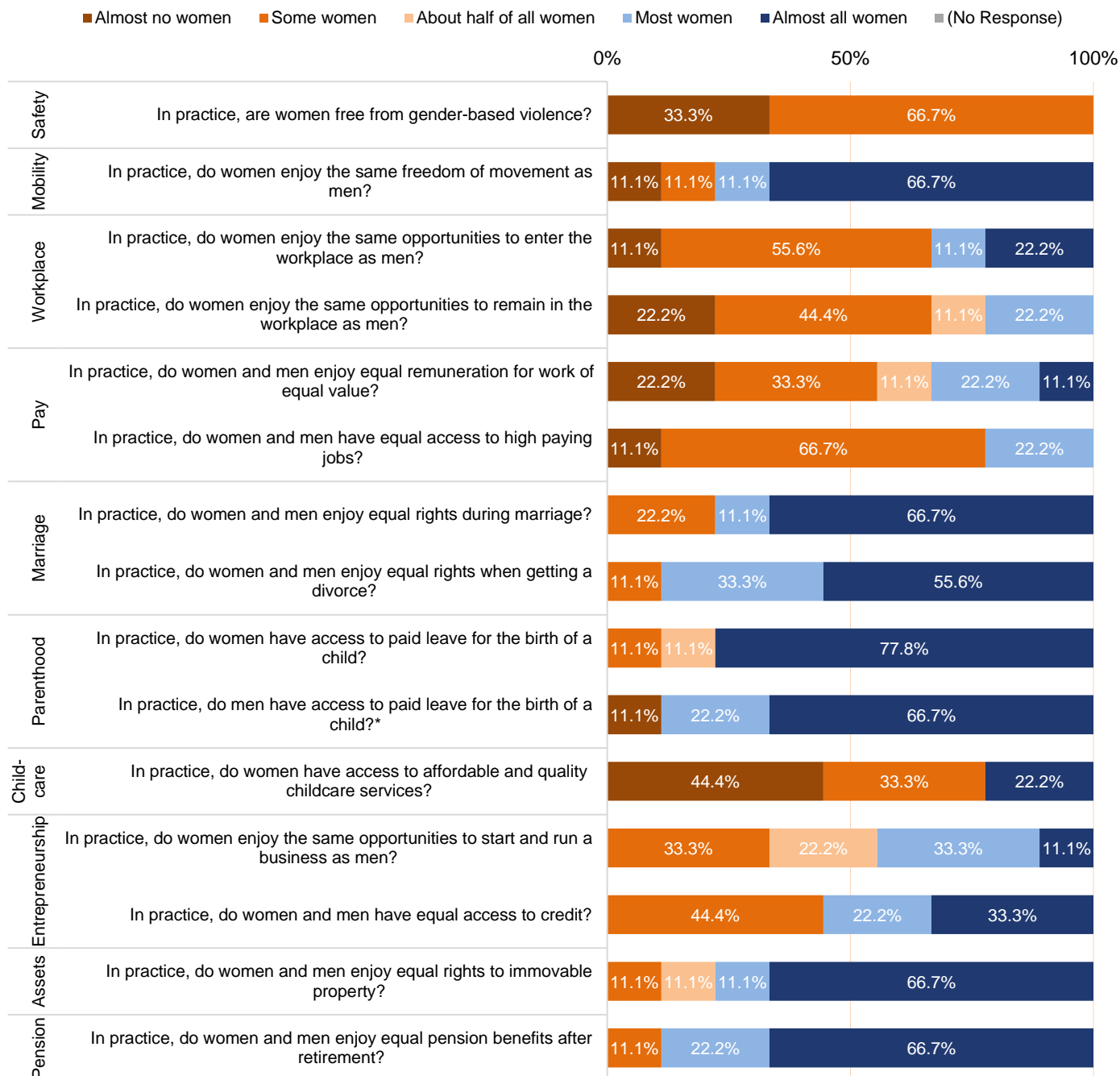
Are incentives in place to increase women's retirement benefits?	No	Insufficient evidence located
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Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Ley de Seguridad Social, Art. 22 (2)
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## WBL 2.0 distribution of expert opinion responses



\*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.