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# Ecuador

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### EXECUTIVE SUMMARY

The constitution grants individuals the right to choose, practice, and change religions; it prohibits discrimination based on religion. The constitution also states secular ethics are the basis for public service and the legal system. A concordat with the Holy See accords the Roman Catholic Church legal status. The law requires all other religious groups to register with the government; failure to do so can result in the group's dissolution and liquidation of its physical property.

According to an official at the Ministry of Government, the ministry developed several tools that sought to facilitate, and eliminate potential bias in, the registration process for religious groups. According to representatives of several religious groups, the National Assembly again made no progress on a proposal to reform the 1937 religion law that the interfaith National Council on Religious Freedom and Equality (CONALIR) put forward in 2018 to create greater equality among religious groups. Evangelical leaders continued to express concerns about the absence of a specific reference to religious volunteerism in the labor code that permits social organizations to employ unpaid labor. Jewish and Muslim leaders said customs regulations continued to hinder the ability to import kosher and halal foods. Roman Catholic and evangelical Christian leaders continued their opposition to the law permitting abortion in cases of rape.

Evangelical leaders reported that a dozen churches closed in Guayaquil during the year due to extortion from criminal gangs. Collection of tithes made religious leaders especially vulnerable to extortion. A pastor in Esmeraldas Province was kidnapped, and in a separate case, the kidnappers murdered the son of a pastor in Guayaquil when the church leader could not pay the ransom. Evangelical leaders said attendance in high-crime areas had decreased and some churches had canceled night services. Catholic and evangelical leaders reported gang members sometimes posed as pastors to gain access to prisons. Assaultants shot and killed a police officer and his wife in a Catholic church. Press reported other cases of gunmen opening fire during Catholic church services. Religious leaders from nearly all faiths reported being affected by increasing violence in the country.

U.S. embassy and consulate general Guayaquil officials met with officials in the Ministry of Government to discuss the registration process for religious groups and other government actions related to religious freedom. On October 12, embassy officials held a religious freedom roundtable with leaders of a diverse group of religions to discuss religious liberty, societal respect for religious diversity, and security.

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## Section I.

### Religious Demography.

The U.S. government estimates the total population at 18.1 million (mid-year 2023). According to Vanderbilt University's AmericasBarometer 2023 public opinion survey, 86 percent of Ecuadorians say religion is important in their lives. Approximately 68 percent of respondents self-identified as Catholic; 12 percent as evangelical or Protestant Christian; and 2 percent as Pentecostal Christian.

Approximately 18 percent of the population identify as members of other religious groups, including Jehovah's Witnesses, Seventh-day Adventists, The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), Judaism, or do not practice a religion. Other registered religious groups – making up less than 1 percent of the population – include Anglicans, Baha'is, Episcopalians, Orthodox Presbyterians, Hindus, Muslims, Gnostics, and practitioners of Santeria (primarily resident Cubans). The country has 14 Indigenous nationalities, many of which practice ancestral Andean Indigenous religious rituals celebrating the equinoxes and solstices.

Most of these groups, particularly those in the Amazon region and parts of the highlands, combine Indigenous beliefs with Catholicism or evangelical Christianity. Pentecostals draw much of their membership from Indigenous persons in the highland provinces. Jehovah's Witnesses are present throughout the country, with the highest concentrations in coastal areas. Buddhist, Church of Jesus Christ, Jewish, and Muslim populations are primarily concentrated in large urban areas, particularly Quito, Guayaquil, and Cuenca.

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## Section II.

# Status of Government Respect for Religious Freedom

## **LEGAL FRAMEWORK**

The constitution grants all individuals the right to practice and profess publicly and freely the religion of their choice and prohibits discrimination based on religion. It states the government has a responsibility "to protect voluntary religious practice, as well as the expression of those who do not profess any religion and will favor an atmosphere of plurality and tolerance." Individuals have the right to change their religion. The constitution also states secular ethics are the basis for public service and the country's legal system. The constitution grants the right of self-determination to Indigenous communities, including provisions granting freedom to "develop and strengthen their identity, feeling of belonging, ancestral traditions, and form of social organization."

A 1937 concordat with the Holy See accords legal status to the Catholic Church and grants it financial privileges and tax exemptions. Other religious groups must register as legal entities with the government under a separate religion law and a decree on religion. If a religious group wishes to provide social services, it must register under a 2017 executive decree regulating the legal status of civil society organizations (CSOs). A religious organization does not need to register as a CSO and may conduct the processes separately.

A November 2022 Executive Decree transferred authority for overseeing religious issues, including the registration process for religious groups and CSOs, from the Ministry of Women (formerly the Human Rights Secretariat) to the Ministry of Government. The Ministry of Government maintains national databases of legally recognized religious organizations and legally recognized CSOs, including religious groups registered as CSOs. An officially registered religious group, whether as a religious organization or as a CSO, is eligible to receive government funding and exemptions from certain taxes, per the tax code. All religious

organizations must be nonprofit and are not required to disclose their financial accounts to the government.

To register as a religious organization, a group must present a charter signed by its founding members to the Ministry of Government and provide information on its leadership and physical location. Registrants may deliver their documentation directly to the Ministry of Government in Quito, to one of the ministry's regional offices, or via email. There is no fee for registration. The Directorate of Registration of Organizations of Worship, Belief and Conscience, which is part of the Undersecretariat for Nationalities, Religious Movements, and Social Organizations and Participation within the Ministry of Government, is charged with reviewing and approving the submitted documentation.

To register as a CSO, religious groups submit the same documentation required to register as a religious organization, as well as approved statutes, a mission statement, and a description of the objectives of the organization. A religious group registers as a CSO under the government agency overseeing the issues on which the group wishes to work.

The Ministry of Government may dissolve a religious group if the group does not maintain legal status or does not adhere to the mission, goals, and objectives listed in its bylaws at the time of registration. Dissolution may include liquidation of physical property and be voluntary – in which case, the religious group could decide to whom to transfer its property – or forced, in which case the ministry would confiscate the group's property. By law, religious organizations are prohibited from participating in political parties or endorsing political candidates. The Office of the Human Rights Ombudsman, a separate entity from the Ministry of Government, protects and advocates human rights, including rights pertaining to religious groups; however, its role in this regard is not clearly defined in the constitution.

Labor law states that in general, all work must be paid; it does not distinguish religious workers from other types of workers. A citizen participation law recognizes volunteerism and states social organizations may establish agreements with government authorities to employ unpaid labor. The law, however, does not specifically reference religious volunteerism as a category to be utilized to establish such an agreement.

Foreign missionaries and religious volunteers must apply for a temporary residence visa and present a letter of invitation from the sponsoring organization, which may be foreign or domestic but must have legal status in the country, to the Ministry of Foreign Affairs. The letter must include a commitment to cover the applicant's living expenses and detail the

applicant's proposed activities. Applicants also must provide a certified copy of the bylaws of the sponsoring organization and the name of its legal representative as approved by the government.

The law prohibits public schools from providing religious instruction. Private schools may offer religious instruction but must comply with Ministry of Education standards. There are no legal restrictions specifying which religious groups may establish schools.

The country is a party to the International Covenant on Civil and Political Rights.

## **GOVERNMENT PRACTICES**

In June, a Ministry of Government official said the ministry continued to digitize religious organizations' documents to make the registration process more convenient for end-users.

Ministry of Government records showed 5,567 religious groups as registered during the year, compared with 5,433 groups in 2022. A ministry official reported registration processing times averaged 30 days, and said no religious organization was denied registration or suspended during the year. The official said the Ministry of Government, through its Directorate of Registration of Organizations of Worship, Belief and Conscience, developed several tools that facilitated the registration process and sought to eliminate potential bias when receiving and evaluating registration requests. These included a publicly available list of requirements for religious organizations seeking to obtain legal status, updated forms available on the ministry's website, and instruction manuals for accessing Directorate of Registration services.

The Ministry of Government said it held eight technical roundtables with religious groups to gather information for new policy proposals to improve freedom of worship, belief and conscience, legal stability for religious organizations, and non-discrimination. Some of the more than 200 participants included Christians (Catholic, evangelical, Anglican, Ecumenic Fraternity, Christian Orthodox), Muslims, Baha'is, and Brahma Kumaris. Following the roundtables, the Ministry of Government issued an October 31 pledge, reaffirming the government's commitment to promoting freedom of religion, condemning religious discrimination in all forms, and providing protections under the law so that religious organizations could carry out their missions. The Archbishop of the Christian Orthodox Church applauded the initiative for facilitating interfaith dialogue but expressed disappointment over the lack of progress on a reformed religious freedom law.

Religious leaders again shared concerns regarding what they considered societal discouragement of their participation in important legal and cultural discussions. Jewish, Muslim, and Orthodox leaders felt they should play a bigger role in government initiatives and councils. Catholic and evangelical leaders shared this sentiment, despite being named to then President Guillermo Lasso's Prison Reform Commission. Evangelical leaders continued to express concerns about the absence of a specific reference to religious volunteerism in the labor code, which they felt exposed religious organizations to potential negative legal consequences. They stated the government expected religious organizations to define specific working hours for staff and pay them according to those hours, which presented a problem, since many staff viewed their religious vocation as a way of life requiring them to be always available to meet the needs of their congregation.

According to Jewish and Muslim leaders, customs regulations, import tariffs, and onerous paperwork continued to hinder the ability to import kosher and halal foods, beverages, and plants. A Jewish leader said the law treated religious communities the same as companies because all imports, including those for religious purposes, were taxed and treated as commercial items.

Roman Catholic and evangelical Christian religious leaders used public statements and peaceful marches to continue their opposition to the law, in force since 2022, permitting abortion in the case of rape for all women and girls during the first 12 weeks of gestation. Between June 2022 and July 2023, the Constitutional Court suspended several articles of this law, eliminating requirements such as proof the pregnancy resulted from rape, authorization of legal representatives for minors seeking an abortion, a sworn statement, or a formal complaint to the Attorney General's Office to investigate the rape. Catholic and other Christian groups opposed to abortion stated that the Constitutional Court rulings would allow "the practice of abortions without further regulations or limits."

Despite periodic restricted access to prisons due to riots, hundreds of volunteers from Catholic and evangelical Christian churches regularly visited prisons to offer religious services, training, and inmate care.

According to press reports, in January, a spokesperson for the Commission for Prison Pacification and Dialogue appointed by then President Lasso complained about the lack of a government response to the commission's recommendations. In 2021, then President Lasso appointed two representatives, one Catholic and one evangelical Christian, to represent religious groups on the commission, whose mandate was to develop a strategy to prevent, control, and respond to prison violence. The commission issued its recommendations in 2022

but had not received information on which – if any – of the recommendations the government had implemented as of year's end.

The country made little legislative progress on religious freedom issues during the year, due in large part to presidential impeachment proceedings, the dissolution of the National Assembly, and elections in August and October that collectively impeded most policy making, according to a Ministry of Government official. A proposal to reform the 1937 religion law that CONALIR introduced to the National Assembly in 2018 remained stalled. CONALIR includes representatives from Anglican, Baha'i, Buddhist, Catholic, evangelical and nonevangelical Christian, Greek Orthodox, Jewish, Muslim, and Seventh-day Adventist religious groups. Although a legislator introduced CONALIR's Organic Law for Religious Freedom to the National Assembly for debate on May 3, then President Lasso's May 17 dissolution of the National Assembly meant the bill was not discussed on the floor of the chamber. The bill proposed reforms to create greater equality between the Catholic Church and other religious groups and recognizes the nonprofit status of all religious groups and the use of volunteers for certain activities.

The Constitutional Court ruled in favor of two Seventh-day Adventist students in December 2022 in cases filed against universities in Guayaquil and Cuenca. The students claimed the universities violated their constitutional rights by failing to accommodate their requests to reschedule classes held on the Sabbath. The students brought their case to the Constitutional Court after a provincial court ruled against them. The Constitutional Court ruled higher education institutions were obliged to guarantee the right to education, in compliance with four criteria: availability, accessibility, acceptability, and adaptability. It ruled that educational institutions must be flexible and adjust their programs to offer educational options for students who keep the Sabbath. It ordered the universities to publish the ruling on their websites and to apologize to the two Seventh-day Adventist students, which they did in February.

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### Section III.

## Status of Societal Respect for Religious Freedom

Evangelical leaders reported that a dozen churches closed in Guayaquil during the year due to extortion from criminal gangs. They said gangs demanded monthly or weekly payments from pastors in exchange for permitting them to hold religious services. They noted the collection of tithes made religious leaders especially vulnerable to extortion. The evangelical leaders reported two kidnappings for ransom in their communities. The first case involved the

kidnaping of a pastor in Esmeraldas Province, who was later freed. In a separate case, the kidnapers killed the 20-year-old son of a pastor in Guayaquil when the church leader was unable to pay the \$7,000 ransom. The evangelical leaders said church attendance in high-crime areas had decreased and some churches had introduced precautionary measures such as limiting or canceling services at night.

Religious leaders from across the spectrum also reported being impacted by rising crime. Both Catholic and evangelical leaders reported the existence of “narcotrafficking sects” – gang members posing as pastors to gain access to prisons. On April 10, assailants shot and killed a police officer and his wife in a Catholic church in Santa Elena Province during their children’s catechism. The same church later sheltered hundreds of people running from an attack with explosives. There were press reports of other cases of gunmen opening fire during Catholic services. The Seventh-day Adventist Church developed a protocol for pastors to follow in cases of extortion – the Church’s first such policy worldwide. The head of the Guayaquil Tibetan Buddhist Center said the center had closed its doors and switched to remote services because of insecurity and a series of assaults. The temple had gold decorations the center feared would be a target for thieves.

During the year, religious leaders and their communities spoke out against rising violence. The Catholic Church issued three statements expressing solidarity with victims of the “growing violence and social insecurity generated by the political and economic crisis” and demanded criminals stop killing and extorting citizens. In April, 36 Catholic archbishops and bishops signed a “Call for Peace and Reconciliation” advocating public policies favoring peace, dialogue, the rule of law, public security, and the inclusion of all to avoid “greater violence and disintegration.”

On September 16, the country’s Evangelical Pastors Federation held simultaneous marches in 20 cities to pray for peace and security. Several governors, prefects, and mayors joined the marches. Participants anointed the streets with oil and prayed for an end to violence and crime. Evangelical leaders said the government needed to increase measures to protect churchgoers so they could gather to practice religion in their places of worship without fear of being assaulted.

Heightened security at gated communities throughout the country continued to limit access for Jehovah’s Witnesses trying to proselytize because they were unable to provide the names of residents they were visiting – measures which also prevented soliciting by businesses and other groups.



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## Section IV.

# U.S. Government Policy and Engagement

U.S. embassy and consulate general Guayaquil officials regularly discussed religious freedom issues with the Ministry of Government and religious leaders throughout the year. Areas of engagement included the registration process, religious freedom legislation, and religious tolerance. The country's deteriorating security situation and its impact on religious communities emerged as a new challenge confronting religious organizations.

Embassy representatives held a religious freedom roundtable on October 12 with leaders of Buddhist, Catholic, evangelical, and other Christian, Jewish, and Muslim communities to discuss religious liberty, societal respect for religious diversity, and security. Throughout the year, embassy and consulate officials maintained contact with Jehovah's Witnesses, Seventh-day Adventists, and representatives of Orthodox churches to discuss challenges they faced.

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