

ECUADOR 2018 INTERNATIONAL RELIGIOUS FREEDOM REPORT

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. The law requires all religious groups to register with the government; failure to do so can result in the group's dissolution and liquidation of physical property. On November 14, President Lenin Moreno signed an executive decree that formally dissolved the Ministry of Justice, Human Rights, and Worship (MOJ), as part of the government's downsizing. He stated that the government would integrate responsibilities for issues related to religion and religious groups into the Secretariat of Policy Management (SPM) within 90 days. According to a MOJ official, by year's end, the government had not finalized the changeover but had begun transitioning functions to the SPM. The MOJ continued to manage the registration process during the transition, including the registration process for religious groups. According to the MOJ, approximately 3,638 religious groups were registered with the office and more than 1,000 additional groups were in the process of registration by the end of the year. Many religious groups stated that at times the registration process had been onerous and disruptive to their activities but said the difficulties were bureaucratic in nature. During the year, the interfaith National Council on Religious Freedom and Equality (CONALIR), which includes representatives of the Adventist, Anglican, Baha'i, Buddhist, Catholic, evangelical Christian, Jewish, Muslim, Orthodox, and Protestant faith communities, continued to promote a draft religious law to revise the 1937 religion law and foster greater religious freedom and equality. In August the group began conducting a series of human rights workshops on the importance of religious equality under the law. Evangelical Christian and Roman Catholic representatives expressed concern about a presidential decree issued in May requiring all schools to teach a definition of gender not in line with their religious beliefs. In response to religious groups' stated concerns, President Moreno revised the decree on July 19. Numerous religious leaders said the Moreno government exhibited greater support for the protection of religious freedom than the previous administration.

Many religious leaders said that societal knowledge of religious traditions and practices outside of Catholicism was generally lacking. A new interfaith working group, including representatives from the Baha'i, Catholic, evangelical Christian, Jewish, The Church of Jesus Christ of Latter-day Saints (Church of Jesus Christ), and Muslim communities, formed in October.

Embassy officials met with government officials in the Ministry of Interior and the Office of the Human Rights Ombudsman to discuss the registration process and government promotion and protection of religious freedom and other related human rights. The Ambassador hosted a roundtable with religious leaders on September 6 to discuss challenges facing their communities and changes taking place under the current administration. Leaders from the Baha'i, Catholic, evangelical Christian, Jewish, Church of Jesus Christ, and Muslim communities attended the event and met monthly on their own after the roundtable to discuss areas of common interest. On October 30, President Moreno and Foreign Minister Jose Valencia participated in a ceremony and reception commemorating the 80th anniversary of the Jewish community in the country, which the Ambassador also attended. The Consul General in Guayaquil hosted a roundtable on September 26 with Buddhist, Catholic, evangelical Christian, and Jewish leaders to discuss coastal communities' challenges and advances in freedom of religion. Embassy officials spoke with representatives from CONALIR to encourage the continuation of interfaith and ecumenical dialogue.

Section I. Religious Demography

The U.S. government estimates the total population at 16.5 million (July 2018 estimate). According to a 2012 survey by the National Institute of Statistics and Census, the most recent government survey available, approximately 92 percent of the population professes a religious affiliation or belief. Of those, 80.4 percent is Roman Catholic; 11.3 percent evangelical Christian, including Pentecostals; and 1.3 percent Jehovah's Witnesses. Seven percent belongs to other religious groups, including Muslims, Buddhists, Jews, Hindus, the Church of Jesus Christ, Anglicans, Episcopalians, Lutherans, the Greek Orthodox-affiliated Orthodox Church of Ecuador and Latin America, Presbyterians, the Family Federation for World Peace and Unification (Unification Church), Baha'is, spiritualists, followers of Inti (the traditional Inca sun god), and indigenous and African faiths. There are also practitioners of Santeria, primarily resident Cubans.

Some groups, particularly those in the Amazon jungle, combine indigenous beliefs with Catholicism. Pentecostals draw much of their membership from indigenous persons in the highland provinces. There are Jehovah's Witnesses throughout the country, with the highest concentrations in coastal areas. Muslim, Church of Jesus Christ, Jewish, and Buddhist populations are primarily concentrated in large urban areas, particularly Quito, Guayaquil, and Cuenca. Many evangelical Christian churches are not affiliated with a particular denomination.

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 agreement (concordat) with the Holy See accords juridical 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 1937 religious law and a 2000 decree on religion. If a religious group wishes to provide social services, it must also register under a 2017 executive decree regulating civil society. The 2017 decree dictates how civil society organizations must register to obtain and maintain legal status. Current regulations require individual religious congregations and organizations to conduct this registration process through the MOJ.

The National Secretary for Policy Management’s Office of Planning maintains a national database of legally recognized civil society organizations, including religious groups. Registration provides religious groups with legal and nonprofit status. An officially registered organization is eligible to receive government funding and exemptions from certain taxes.

To register as a religious group, the organization must present to the government a charter signed by all of its founding members and provide information on its leadership and physical location. Three experts in religious matters appointed by the MOJ evaluate the application, in consultation with religious organizations already legally established in the country. The 2017 decree does not specify the criteria for selection of religious experts. The registration process is free. Failure to obtain legal status through registration may result in the dissolution of the group and liquidation of its physical property by the government. To register as a social

or civil society organization, religious groups require the same documentation, as well as approved statutes and a description of the mission statement and objectives of the organization. According to the MOJ, registrants must deliver the paperwork to the MOJ's Quito office in person.

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

Foreign religious missionaries and volunteers must apply for a temporary residence visa to work in the country and present a letter of invitation from the sponsoring organization 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 country is a party to the International Covenant on Civil and Political Rights.

Government Practices

On November 14, President Moreno signed an executive decree that formally dissolved the MOJ. On August 21, he announced he would dissolve the MOJ as part of an ongoing government downsizing program, but he did not specify which government entity would assume the functions exercised by the MOJ. The decree states that the SPM would assume responsibilities for issues related to religion and religious groups within 90 days. According to an MOJ official, the government had begun transitioning functions to the SPM but had not finalized the changeover by year's end. The MOJ continued to manage the registration process during the transition, including the registration process for religious groups. MOJ representatives said there was a reduction in personnel in their office, from seven analysts in 2017 to four, who reviewed registration paperwork. They also confirmed the MOJ would continue to provide registration services to religious groups until the government formally reassigned such functions to another entity.

Many religious groups stated the registration process had been onerous and disruptive to their activities at times, but the difficulties were bureaucratic in nature. Numerous leaders noted long processing delays started under the previous administration; one evangelical Christian leader cited an example of registration

paperwork for legal representatives having taken two to three years to process. A Muslim leader attributed the delays to a reduction in MOJ staff members in the processing office. Many noted that the 2017 decree had not been in effect long enough to assess whether it had improved the registration process. Guayaquil-based leaders said the administrative costs and registration delays occurred because the Guayaquil satellite office sent the registration forms to Quito for final processing. Evangelical Christian, Muslim, and Buddhist leaders agreed the delays and onerous requirements led many groups, especially small groups, not to apply for registration. According to these leaders, unregistered groups often met in private homes. Without a legal representative, groups were unable to open bank accounts or engage in formal land transactions.

The MOJ said it assisted approximately 36 individuals per day with the registration process for both religious and civil society organizations. Training and in-person assistance were available only in Quito. MOJ representatives said it took approximately one to three months to register as a social organization if the group correctly completed all paperwork the first time. If paperwork contained errors and/or organizations did not respond to the MOJ with additional information in a timely manner, the registration process took approximately six months to one year. They stated that the revised registration process under the 2017 decree made it easier for foreigners to start social groups and participate as legal representatives. According to the MOJ, since 2010 the number of religious groups registered increased from approximately 2,000 to an estimated 3,560 religious groups. Officials stated that approximately 1,140 were in the process of registration as of September.

Evangelical Christian and Catholic representatives expressed concern about their ability to teach children in their community about gender and family in a manner consistent with their beliefs. They stated that a presidential decree, published on May 15, required private religious schools to teach a definition of gender not in line with their religious beliefs. The original text of the decree required schools to teach the “mainstreaming of gender identity, new masculinity, women in their diversity, the prevention and eradication of violence against women, and the elimination of gender stereotypes.” In response to religious groups’ stated concerns, President Moreno revised the decree on July 19. The new text states that curriculum must teach “the equality of men and women in all political, economic, and social spheres, the socio-cultural construction of roles and values associated with the behavior of men free from sexism [machismo] or supremacy over women, the prevention and eradication of violence against women, the development of nondiscriminatory conduct, and the elimination of all forms of stereotypes...”

According to media reports, religious groups held peaceful marches in Quito and Guayaquil at the end of July to express their continued concerns about possible reforms to educational texts.

Jewish and Muslim leaders said customs regulations interfered with their ability to import kosher and halal foods, beverages, and plants for use in religious festivals. A Jewish leader stated that problems arose from onerous paperwork, phytosanitary restrictions, and regulations limiting imports of certain plant and animal products.

At year's end, a case filed by the Jehovah's Witnesses and accepted for review in 2014 was still pending before the Constitutional Court. The case involved a conflict in the northern town of Iluman between Jehovah's Witnesses who wanted to build a new assembly hall and indigenous residents who opposed it. Two lower courts had previously ruled in favor of the residents, concluding that their right to self-determination was a valid rationale for preventing the practice of religion. Representatives of the Jehovah's Witnesses stated that in 2017, they had reached an agreement with the indigenous community to continue their activities while the legal case was pending.

Numerous religious leaders stated that the Moreno government, which took office in May 2017, verbally expressed greater support for freedom of religion than the previous administration. They said the Moreno government was more open to their opinions and did not restrict their ability to function in society, unlike the previous administration.

On October 30, President Moreno and Foreign Minister Jose Valencia joined the Jewish community in celebrating the 80th anniversary of its official founding in the country. President Moreno gave remarks highlighting the positive contributions of the Jewish community. On November 9, the Foreign Ministry hosted an event to honor and posthumously reinstate diplomat Manuel Antonio Munoz Borrero, whom the government dismissed from his position as consul in Stockholm in 1942 for providing passports to Jews escaping the Holocaust.

A new interfaith working group including representatives from the Baha'i, Catholic, evangelical Christian, Jewish, Church of Jesus Christ, and Muslim communities formed in October. On November 27, President Moreno met with the group. Members discussed their concerns about the National Assembly's new draft education law and their interest in working with the government to address social issues. They delivered a letter expressing their shared concerns about the education law. They also discussed ideas for collaboration to improve the well-

being of the nation through interfaith initiatives and faith-based outreach. On November 28, President Moreno released a social media video acknowledging the positive meeting. He stated, “It was heartwarming to note that for the first time in Ecuador, representatives from all of the churches and communities of faith met together to work on a project for his neighbor and to contribute to the education law reform. We are forging a community united by spirituality!”

Representatives from interfaith group CONALIR, which includes representatives from the Adventist, Anglican, Baha’i, Buddhist, Catholic, evangelical Christian, Jewish, Muslim, Orthodox, and Protestant faith communities, stated they met with members of the National Assembly to promote a draft religious law, developed by a group of interfaith leaders and pending since 2009, to foster greater religious freedom and equality. The draft law would revise the 1937 religion law and 2000 decree on religion. CONALIR said it would create greater equality between other religious groups and the Catholic Church, which benefitted from a separate 1937 agreement with the Holy See that accorded juridical and tax exempt status to the Catholic Church. CONALIR leadership stated that a new religious law should articulate the government’s commitment to equality for all religions, and reinforce the constitutional principle of freedom from discrimination based on religious beliefs. Additionally, the group proposed updating the registration process for religious groups, and reforming tax and labor laws specifically to recognize the nonprofit status of all religious groups and their need to rely on volunteer labor for certain activities groups. In August the group began conducting a series of human rights workshops on the importance of religious equality under the law.

Catholic and evangelical Christian leaders stated that the current administration had not forced any private religious schools to close during the year, unlike during the previous administration. Church of Jesus Christ leaders reported no issues with opening new religious schools. Catholic leaders noted that costs had kept them from re-opening previously closed schools in smaller and more rural communities.

All religious leaders said they were concerned about the elimination of the MOJ as the point of contact for religious groups and the uncertainty over which entity would regulate the registration process in the future. They underscored the need for a religious ministry or office focused on religious issues in the government. They also stated their opinion that religious issues were not a top priority among the many other pressing demands on the Moreno government. CONALIR leadership said it regretted that the new human rights ombudsman had not released by the end of the year a public awareness video produced in 2017 on religious freedom. The Ombudsman’s Office stated that the office was still reviewing an

official study on religious freedom in the country before deciding whether to release the video.

Section III. Status of Societal Respect for Religious Freedom

Many religious leaders said that society exhibited a general lack of knowledge about religious traditions and practices outside of Catholicism, such as traditional female head coverings in the Islamic and Greek Orthodox faiths. A Buddhist leader said that society frequently confused Hindu practices with Buddhist practices. Baha'i leaders stated that individuals, but not institutions, had prejudices against minority religious groups. Some religious leaders expressed concerns about what they considered an erosion of traditional religious values in issues such as gender identity and education.

Section IV. U.S. Government Policy and Engagement

Embassy officials discussed with the MOJ the new registration process and continued delays some groups reported in registering or updating their information.

The Ambassador hosted a roundtable with religious leaders on September 6 in Quito to discuss challenges facing their communities and changes taking place under the Moreno administration. Leaders from the Baha'i, Catholic, evangelical Christian, Jewish, Church of Jesus Christ, and Muslim communities attended the event. Following the roundtable, Baha'i, Catholic, evangelical Christian, Church of Jesus Christ, and Muslim leaders, as well as a representative from the U.S. embassy, met in October to develop concrete actions on interfaith issues and social projects. In November the group met with President Moreno. The group elected a steering committee to follow up on topics such as education, support to vulnerable populations, and CONALIR's proposed religious law. The embassy remained engaged with the group through the end of the year.

The Consul General in Guayaquil hosted a roundtable on September 26 to discuss coastal communities' challenges and advances in freedom of religion. Leaders from the Buddhist, Catholic, evangelical Christian, and Jewish communities attended the event. Embassy officials also spoke with representatives from CONALIR to encourage the continuation of interfaith and ecumenical dialogue.

On October 30, the Ambassador, along with others from the diplomatic community, attended a ceremony and reception commemorating the 80th anniversary of the Jewish community in the country at which President Moreno

spoke. In connection with the anniversary commemoration, the Ambassador hosted a visiting American Jewish Committee representative and leading members of the Jewish community for a discussion of continuing efforts to fight anti-Semitism in the region.

The embassy and consulate used social media platforms in Quito and Guayaquil to highlight the Ambassador and Consul General's religious roundtable discussions with representatives from different religious communities, International Religious Freedom Day, and other efforts to promote social inclusion and religious diversity. Separately, embassy and consulate officials met with leaders of the Buddhist, Catholic, Orthodox Church of Ecuador and Latin America, evangelical Christian, Jehovah's Witnesses, Jewish, and Muslim communities to discuss challenges associated with the government's registration process and societal respect for religious diversity.