

Ecuador

Women, Business and the Law 2021 presents an index covering 190 economies and structured around the life cycle of a working woman. In total, 35 questions are scored across the eight indicators. Overall scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. Data refer to the laws and regulations that are applicable to the main business city (Quito). Different rules may apply in other jurisdictions so local legislation should be reviewed. Based on this approach, **Ecuador scores 89.4 out of 100**. The overall score for Ecuador is higher than the regional average observed across Latin America & Caribbean (80.1). Within the Latin America & Caribbean region, the maximum score observed is 95 (Peru).

Ecuador - Scores for Women, Business and the Law 2021



Relative Strengths

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, gender differences in property and inheritance, and laws affecting the size of a woman's pension, Ecuador gets a perfect score.

Areas for Improvement

However, when it comes to laws affecting women's work after having children, and constraints on women's starting and running a business, Ecuador could consider reforms to improve legal equality for women.

For example, one of the lowest scores for Ecuador is on the indicator related to laws affecting women's work after having children (the WBL2021 Parenthood Indicator). To improve on the Parenthood Indicator, Ecuador may wish to consider making paid leave of at least 14 weeks available to mothers, making the government administer 100% of maternity leave benefits, and making paid parental leave available.

Recent Reforms

No reforms were observed during the past year.



Further data details for Ecuador are available at:
<https://wbl.worldbank.org/en/data/exploreconomies/ecuador/2021>

	QUESTION	ANSWER	LEGAL BASIS
Mobility	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 outside her home in the same way as a man?	Yes	No restrictions could be located
	Can a woman apply for a passport in the same way as a man?	Yes	Ley Orgánica de Movilidad Humana, Art. 151; Passport application procedures
	Can a woman travel outside the country in the same way as a man?	Yes	No restrictions could be located
Workplace	Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
	Does the law prohibit discrimination in employment based on gender?	Yes	Acuerdo No. MDT-2017-0082 relativo a Normativa para la Erradicación de la Discriminación en el Ámbito Laboral; Constitución de la República del Ecuador, Art. 331
	Is there legislation on sexual harassment in employment?	Yes	Código Orgánico Integral Penal, Art. 166; Ley Orgánica Integral para la Prevención y Erradicación de la Violencia de Género contra las Mujeres, Art. 11(c)
Pay	Are there criminal penalties or civil remedies for sexual harassment in employment?	Yes	<i>Criminal:</i> Código Orgánico Integral Penal, Art. 166 <i>Civil:</i> Código Orgánico Integral Penal, Arts. 11(2), 77 y 78; Ley Orgánica Integral para la Prevención y Erradicación de la Violencia de Género contra las Mujeres, Arts. 11(c), 24 y 25
	Does the law mandate equal remuneration for work of equal value?	Yes	Constitución Política de la República de Ecuador, Art. 326(4)
	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
Marriage	Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
	Is there no legal provision that requires a married woman to obey her husband?	Yes	Código Civil, Art. 136
	Can a woman be head of household in the same way as a man?	Yes	No restrictions could be located
	Is there legislation specifically addressing domestic violence?	Yes	Ley Orgánica Integral para la Prevención y Erradicación de la Violencia de Género contra las Mujeres, Arts. 4, 6 (l), 20, 24, 25 y 28
	Can a woman obtain a judgment of divorce in the same way as a man?	Yes	No restrictions could be located
	Does a woman have the same rights to remarry as a man?	Yes	No restrictions could be located
Parenthood	Is paid leave of at least 14 weeks available to mothers?	No	Código del Trabajo, Art. 152(1)
	Does the government pay 100% of maternity leave benefits?	No	Código de Trabajo, Art. 152; Estatuto Codificado del IESS, Art. 97
	Is paid leave available to fathers?	Yes	Código del Trabajo, Art. 152(2)
	Is there paid parental leave?	No	No applicable provisions could be located
	Is dismissal of pregnant workers prohibited?	Yes	Código del Trabajo, Art. 153
Entrepreneur.	Does the law prohibit discrimination in access to credit based on gender?	No	No applicable provisions could be located
	Can a woman sign a contract in the same way as a man?	Yes	No restrictions could be located
	Can a woman register a business in the same way as a man?	Yes	No restrictions could be located
	Can a woman open a bank account in the same way as man?	Yes	No restrictions could be located
Assets	Do men and women have equal ownership rights to immovable property?	Yes	Código Civil, Arts. 180 y 181
	Do sons and daughters have equal rights to inherit assets from their parents?	Yes	Código Civil, Arts. 1023, 1028 y 1029
	Do female and male surviving spouses have equal rights to inherit assets?	Yes	Código Civil, Arts. 1023 y 1030
	Does the law grant spouses equal administrative authority over assets during marriage?	Yes	Código Civil, Arts. 180 y 181
	Does the law provide for the valuation of nonmonetary contributions?	Yes	Código Civil, Arts. 153, 157-159 y 191-198
Pension	Is the age at which men and women can retire with full pension benefits the same?	Yes	Women: Ley de Seguridad Social, Art. 185 Men: Ley de Seguridad Social, Art. 185
	Is the age at which men and women can retire with partial pension benefits the same?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Is the mandatory retirement age for men and women the same?	Yes	Women: No applicable provisions could be located Men: No applicable provisions could be located
	Are periods of absence due to child care accounted for in pension benefits?	Yes	Ley de Seguridad Social, Arts. 187 y 15