

## Migration Policies in Ecuador 2017-2019

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Veröffentlichungsversion / Published Version

Forschungsbericht / research report

**Zur Verfügung gestellt in Kooperation mit / provided in cooperation with:**

GIGA German Institute of Global and Area Studies

### Empfohlene Zitierung / Suggested Citation:

Pedroza, L., Palop-García, P., & Chang, S. Y. (2022). *Migration Policies in Ecuador 2017-2019*. (IMISEM Case Report). Hamburg: German Institute for Global and Area Studies (GIGA) - Leibniz-Institut für Globale und Regionale Studien.  
<https://doi.org/10.57671/imisem-22011>

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# IMISEM

EVERY IMMIGRANT IS AN EMIGRANT  
How Migration Policies Shape  
the Paths to Integration

IMISEM CASE REPORT  
Migration Policies in

## Ecuador

2017-2019

Coordinated by:


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Pau Palop-García  
So Young Chang

January 2022

# G I G A

German  Institute for Global and Area Studies  
Leibniz-Institut für Globale und Regionale Studien

## Imprint

The IMISEM CASE REPORTS are Open Access publications licensed under the CC BY 4.0  available for download free of charge at our Project Website: [www.imisem.info](http://www.imisem.info) as well as in the Social Science Open Access Repository, which will also host the IMISEM Dataset.

“Every Immigrant is an Emigrant” (IMISEM) is a 4-year project that was funded by the Leibniz-Gemeinschaft and developed at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. The IMISEM project was led by Dr. Luicy Pedroza.

The case reports were authored by a multinational team of researchers coordinated by Luicy Pedroza, Pau Palop-García and So Young Chang. The team of authors (i.e., data collectors) comprised 18 persons (3 core researchers plus 15 student assistants and interns), in alphabetical order: Daniel Braga Nascimento, So Young Chang, Natalia Chudoba, Jenny García Ruales, Belén Goyeneche, Paula Koller, Elena Korshenko, Zihao Lin, Charlotte Metzger, Eduardo Pagés, Pau Palop-García, Luicy Pedroza, Barbara Pilz, Neslihan Önder, Mayya Solonina, Béla Soltész, Arnaz Tejakusuma, and Girindra Wiratni Puspa. For their commitment in the final editing phase, we acknowledge the valuable contributions of Great Uchechukwu Udochi and Micaela Lincango. We are also grateful for the institutional support of the GIGA, especially Peter Peetz, Petra Brandt, Sabine Barth, Jan Lüth, Bert Hoffmann and Verena Schweiger. We also thank Sonia Octavio and Bertram Richter for their support in the cover design and Andrew Crawford for his work in programming the website for the publication of these reports in addition to all the visualizations linked to the IMISEM dataset. Authors alone are responsible for the content of the reports. GIGA and the editors cannot be held liable for any errors and omissions, or for any consequences arising from the use of the information provided.

The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. For maximal transparency, this report follows the structure of the original questionnaire which the team used to collect the information. That tool -an empty questionnaire- is also available in our Project Website for anyone who would like to work further, either to update the cases in the IMISEM sample, or to collect information for cases which were not included in the IMISEM sample. The IMISEM Team encourages both kinds of extensions, which would be very valuable contributions to the scholarly community working on comparative migration policies.

This report you are about to open has been automatically created based on the information contained in the IMISEM dataset, with an R script (version 2.0) coded by Pau Palop-García. Editors of the IMISEM Case Reports: Dr. Luicy Pedroza & Dr. Pau Palop-García.

### How to cite this report:

Pedroza, Luicy; Pau Palop-García, and So Young Chang (2022), *Migration Policies in Ecuador 2017-2019*, IMISEM Case Report, German Institute for Global and Area Studies (GIGA), January, <https://doi.org/10.57671/imisem-22011>, (access date).

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## About IMISEM

“Every Immigrant is an Emigrant (IMISEM)” is a 4-year project that was funded by the Leibniz-Gemeinschaft and hosted at the German Institute for Global and Area Studies (GIGA) from April 2017 until August 2021. Its main distinctive feature is that it adopts a comprehensive view of migration policy. This includes not only the policies that regulate the stages of entry, immigrant residence and integration to citizenship access, but also encompasses the stages of emigration, emigrant rights abroad, and retention of citizenship. Thus, this project bridges for the first time the two sides of migration policy which both the policy and research communities have assumed to exist, but which so far have not been systematically analyzed in their connections. By collecting information on a vast array of information for policies across these six areas (three “stages” \* two “sides”) for 32 cases from three world regions, we hope to offer the scholarly and policy communities the resources to discover connections between the different areas of migration policy within and across cases as well as noteworthy migration policy innovations in so far little-known cases in the world. The IMISEM project was led by Dr. Luicy Pedroza. The data collection for IMISEM took place in Berlin (Germany) from 2017 to 2019 and reflects the state of migration policy at the time of data collection. This report has been created based on the information contained in the IMISEM dataset.

## The IMISEM case sample

The sample of 32 cases across Asia, Europe, and Latin America were selected based on heterogeneity in the level of economic development, levels of both flows and stocks of emigrants as well as immigrants, and then finally chosen upon taking into consideration the linguistic abilities and other pragmatic concerns that were decisive for the research team’s ability to explore and understand legal sources and policy regulations of the polities. The cases included in the sample are Argentina, Austria, Bolivia, Brazil, Chile, People’s Republic of China, Colombia, Costa Rica, Dominican Republic, East Timor, Ecuador, El Salvador, France, Germany, Guatemala, Hong Kong, Hungary, Indonesia, Ireland, Japan, Macau, Malaysia, Mexico, Peru, Philippines, Portugal, Singapore, South Korea, Spain, Taiwan, Trinidad and Tobago, and Uruguay.

We use the terms “country” and “state” in all the reports for purposes of consistency, but we are aware that some of the *polities* that we have included in the sample would require a different treatment because of situations of subordination to a higher-level political community (as in the cases of Hong Kong and Macau as Special Administrative Regions) or contested sovereignty issues (as in the case of Taiwan). We kindly ask our readers to bear in mind these important characteristics for any interpretation of the data presented.

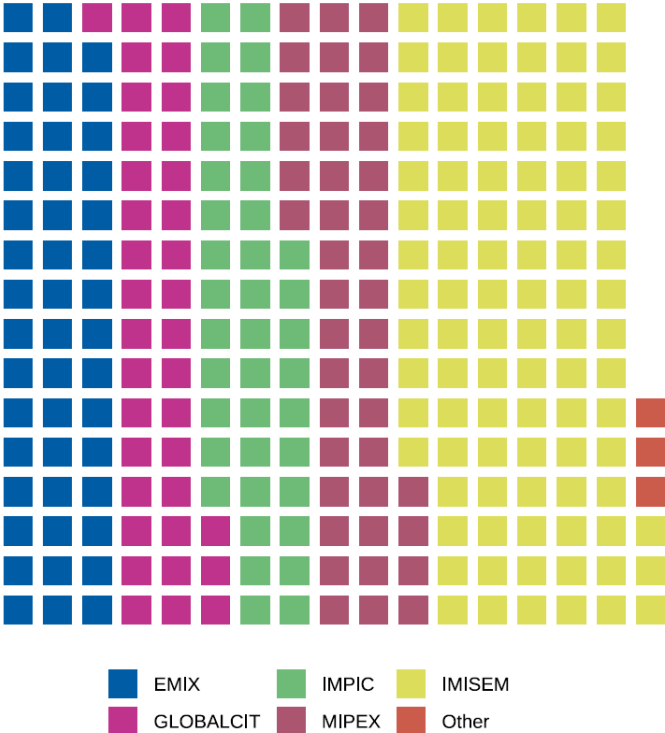
## About the IMISEM Questionnaire

For maximal transparency, this report follows the same structure of the IMISEM Data Collection Tool (a questionnaire) which the team used to gather the information. This questionnaire was not distributed to experts to be filled in, but rather served as a systematic tool with which the data collectors/authors were able to collect information in an orderly, systematic, and comparable manner across cases. A template of the IMISEM Data Collection Tool is available for download on our website. It is important for us, the IMISEM Team, to acknowledge how the IMISEM Data Collection Tool builds on previous efforts in

data collection on migration policies. The strategy behind the selection of questions was the following: first, based on a wide survey of the literature, we decided which dimensions and sub-dimensions of policies were relevant for our research goals and noted down the questions that we deemed necessary to gather the information for each of the IMISEM dimensions. Second, we did a thorough review of all the questionnaires produced by previous projects and selected from them those that covered the policy dimensions identified in our initial literature review. As a final step, we came up with new questions that covered those areas that had not been addressed by previous projects and yet seemed crucial to understand migration policies comprehensively and across the three regions that we cover.

The final version includes 288 main questions (and over 800 sub-questions), 90 of which (31.3 %) are original formulations of the IMISEM project and 198 are based on questions developed previously by projects such as [IMPIC](#), [EMIX](#), [GLOBALCIT](#) and [MIPEX](#). The first draft of our Data Collection Tool was piloted on a case from each region and thereafter went through several revisions to refine and modify the wording of questions. As none of the existing tools we drew on had included Asian cases in their original sample, it was important that our tool itself reflected policies that we might encounter in the broader sample pool with their apparent priorities and specificities. An example of this is the addition of questions on broker agencies that assist potential migrants with emigration and immigration, which are highly visible actors in several Asian cases. Adapting questions coming from projects that had originally focused on European cases only also meant discarding items that captured regulations applicable only for European migrants/citizens (i. e. for the European cases in our sample we collect information that applies to “third-country nationals”). The iterative process of piloting and refining questions led to the final version of the IMISEM Data Collection Tool. Figure 1 shows the origin of the questions that are included in our questionnaire.

Figure 1: Origin of the questions included in the IMISEM Data Collection Tool



Each square represents a main question of the IMISEM Questionnaire/Data Collection Tool.

Source: Own elaboration.



## Format of the answers contained in this report

The format of the answers that we present in this report follows the needs of the team to have comparable answers, so that we could more easily assign a numerical code later and therefore produce a dataset which lends itself to different analyses. Yet, we also wanted to include an explanation of the answer in some detail so that our readers can understand how we interpreted the sources and why we assigned a certain code. The importance of including an explanation for each answer cannot be understated. The explanations allow us to add nuance to the instances where there is room for debate and contestation over the interpretation of regulations. By explaining our answers, we hope to increase the transparency of the steps between data collection and data coding, and to invite other researchers to draw their own interpretations and conclusions, which may differ from our own.

Each of the answers in this report is composed of four fields:

**Answer:** this field contains the qualitative answer to the given question (for instance, “yes” or “no”).

**Code:** this field contains the quantitative answer to the given question. This reflects how we translated the qualitative answer into a number or code (for instance, “yes” can be coded as 0, and “no” as 1). The codes allow us to create composite indicators and compare across cases. The transformation of the qualitative answers into codes have been carried out following the IMISEM Codebook, the free access to which is also available on our website.

**Explanation:** this field contains the interpretation for the answer. It is meant to help the reader understand the logic behind the qualitative answer given by the coder. It often refers to the regulations -or lack thereof- and explains how we understood it.

**Sources:** this field contains a description of the sources consulted by the collector/author to come up with the answer and the explanation. Usually, primary sources (such as laws, all kinds of regulations and official government websites) are provided first, followed by consultations with official authorities (if the team considered necessary to corroborate information or decide for an interpretation), and secondary sources.

## Format of the sources

We used a shortened version of the Chicago style for the citation of the different sources to reduce the length of the reports. The sources include the name of the web page, publication, report or legal document in the original language, followed by the translation in English within “[ ]”. Given the complexity of the questions, answering many of them required using more than one source. Therefore, in a single question, several references appear in the same paragraph. They are separated by the following sign: “/”.

For example, the following format was used for legal documents, the most used type of source:

Name of regulation in original language [Name of regulation in English]. Year of enactment (Year of the version). Art. X.

Example: Constitución Española [Spanish Constitution]. 1978 (1992). Art. 78.

## **Varieties of Standard English**

In accordance with the diversity of nationalities and backgrounds in our team, we decided against homogenizing the use of English, which means that readers will find different spelling norms being applied across reports. We followed the use that is customary in the case we collected information for or that which our collectors felt at ease with. The same principle applies to other languages, such as Spanish or German.

## **Contact**

We sincerely hope that our dataset proves useful for your purposes. Please let us know if you have any feedback at: [lpedroza@colmex.mx](mailto:lpedroza@colmex.mx) or find us through our ORCID numbers:

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# 1. Emigration policies

---

## 1.1. General

**EMIGRATION\_1: The attempt to leave the country is punishable by law.**

Answer: No

Code: 1

Explanation: Based on the Organic Law of Human Mobility, Ecuadorians have the right to free movement which implies the recognition of the universal citizenship and the recognition of the freedom to move across borders (Art. 2 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2.

**EMIGRATION\_2: Exit fees.**

**Prospective emigrants need to pay a fee before emigrating.**

Answer: No

Code: 1

Explanation: Neither fees nor deposit.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Amount of the fee in country of origin currency:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Amount of the fee in US Dollars:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Prospective emigrants need to make a deposit before emigrating:**

Answer: No

Code: 1

Explanation: Neither fees nor deposit.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Amount of the deposit in the currency of the country of origin:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Amount of the deposit in US Dollars:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_3: Citizens can only stay abroad for a given maximum of days.**

**Citizens can only stay abroad for a given maximum of days**

Answer: No

Code: 1

Explanation: No limit for staying abroad.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Maximum number of days that citizens can stay abroad:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 1.2. Documentation

### 1.2.1. Passport

#### EMIGRATION\_4: Cost of ordinary passport.

**Cost of ordinary passport in country currency (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):**

Answer: 70

Code: 70

Explanation: 70 USD. There is a 50% discount for the elderly and it is free for persons with disabilities.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Pasaportes [Passports]". Access date not available. <https://www.cancilleria.gob.ec/pasaportes/>.

**Cost of ordinary passport in US Dollars (if there are different costs for passports with different validity, register the cost of the cheapest ordinary passport):**

Answer: 70

Code: 70

Explanation: 70 USD. There is a 50% discount for the elderly and it is free for persons with disabilities.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Pasaportes [Passports]". Access date not available. <https://www.cancilleria.gob.ec/pasaportes/>.

#### EMIGRATION\_5: Maximum length of procedure to process passport.

**Maximum length of procedure to process passport is specified in the regulations or information on the average length is provided by official sources (if there are different lengths, use the minimum):**

Answer: No

Code: 0

Explanation: No provision.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Pasaportes [Passports]". Access date not available. <https://www.cancilleria.gob.ec/pasaportes/>.

**Maximum length of procedure to process passport (in days):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of procedure to process passport (by categories):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_6. Renewal of passport from abroad is possible:**

Answer: Yes

Code: 1

Explanation: Yes, renewal from abroad is possible. Renewal is possible in diplomatic missions and consular offices (Art. 16 and 151 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Mobility/ Ministerio de Relaciones Exteriores y Movilidad Humana. "Pasaportes [Passports]". Access date not available. <https://www.cancilleria.gob.ec/pasaportes/>.

### 1.2.2. Other requirements

**EMIGRATION\_7. Local police certificate is necessary to emigrate:**

Answer: No

Code: 1

Explanation: Local police certificate is not necessary to emigrate.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**EMIGRATION\_8. Superior/employer's permission is necessary to emigrate:**

Answer: No

Code: 1



Explanation: Superior/employer's permission is not necessary to emigrate.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**EMIGRATION\_9. Proof of income is necessary to emigrate:**

Answer: No

Code: 1

Explanation: Poof of income is not necessary to emigrate.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**EMIGRATION\_10. Registration abroad is mandatory.**

Answer: No

Code: 1

Explanation: No, registration is voluntary. However, Art. 22 of the Organic Law of Human Mobility establishes that Ecuadorian emigrants must register their exit in the migration control points.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 22.

### **1.3. Quotas and restrictions**

**EMIGRATION\_11. Quotas to emigrate based on ethnicity.**

**Quotas to emigrate based on ethnicity exist in the country:**

Answer: No

Code: 1

Explanation: No such provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Quota to emigrate for 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_12: Quotas to emigrate based on income.**

**Quotas to emigrate based on income exist in the country:**

Answer: No

Code: 1

Explanation: No such provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Quota to emigrate for 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_13. Those who are liable for military conscription are allowed to emigrate:**

Answer: Not applicable (no military conscription in country of study)

Code: Not applicable

Explanation: No military conscription in Ecuador. Thus, question does not apply.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**EMIGRATION\_14: Banned countries for emigration.**

**There are countries that are banned as destination for emigrants:**

Answer: No

Code: 1

Explanation: No list of banned destinations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**List of countries banned for citizens in 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of countries banned for citizens in 2017:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_15. Higher education graduates must pay an education “tax” (or compensation) to be able to emigrate:**

Answer: No

Code: 1

Explanation: No education tax on emigration.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**EMIGRATION\_16. Recipients of state scholarship are banned from emigrating:**

Answer: Yes

Code: 0

Explanation: Ecuadorians that have enjoyed an international scholarship awarded by the SENESCYT must comply with a “compensation period” (“periodo de compensación”) which shall last for at least the double of the time of the studies funded by the Ecuadorian State. During this period, Ecuadorians that received a scholarship must reside in Ecuador and work for a public and private institution so they can transfer their knowledge to the Ecuadorian society (Art. N.7 Convocatoria Programa de Becas 2017).

Sources: Convocatoria Programa de Becas 2017 [Call for Scholarship Program 2017]. 2017. Art. 7.

**EMIGRATION\_17: Ban for specific civil professional groups.**

**There is an emigration ban for specific professional group(s):**

Answer: No

Code: 1

Explanation: No ban for a distinct civil professional group.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**There is a ban for medical doctors:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**There is a ban for other professions:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_18. The ban can be overcome by a letter signed by a supervisor:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_19. The ban can be overcome by a letter signed by an official authority.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **1.4. Policy incentives**

**EMIGRATION\_20. Existence during 2017 of campaigns to encourage emigration:**

Answer: No

Code: 0

Explanation: No campaigns to encourage emigration found.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Main Ministries websites.

**EMIGRATION\_21. Existence during 2017 of campaigns to discourage emigration:**

Answer: Yes

Code: 1

Explanation: There is a permanent campaign organized by the Ministry of Interior, the Ombudsman and the IOM to explain the risks of migration (mostly related to trafficking). The campaign consists on a website and sporadic meetings with potential migrants.

Sources: IOM Ecuador. "Tráfico de migrantes [Migrant Smuggling]". Access date not available. <http://oim.org.ec/Trafico/>.

**EMIGRATION\_22. Existence of license system to recognize and authorize emigration brokers (i.e. persons or companies dedicated to facilitating the immigration process to emigrants):**

Answer: No

Code: 0

Explanation: No provision for license system to authorize emigration brokers in main emigration regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**EMIGRATION\_23: Emigration lump sum.**

**State of origin pays a lump sum incentive to citizens willing to emigrate:**

Answer: No

Code: 0

Explanation: No provision of a lump sum incentive in main migration regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Register the amount of the sum in country currency:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Register the amount of the sum in US Dollars:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_24. State of origin allows citizens willing to emigrate the withdrawal of accumulated social benefits (e.g. unemployment benefits) in a single transfer.**

Answer: Yes

Code: 1

Explanation: Ecuadorians that live in Ecuador and can receive unemployment benefits (seguro de cesantía) can choose to receive the benefit in a single transfer.

Sources: IESS. "Seguro de cesantía [Unemployment Benefit]". Access date not available. <https://app.iess.gob.ec/iess-gestion-cesantia-afiliado-web/publico/calculadoraSD.jsf>.

## 1.5. Penalties

**EMIGRATION\_25: Loss of private property.**

**Risk of losing real state in case of emigration:**

Answer: No

Code: 1

Explanation: No loss of private property in case of emigration.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Risk of losing bank accounts in case of emigration:**

Answer: No

Code: 1

Explanation: No loss of private property in case of emigration.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

#### **EMIGRATION\_26: Re-entry ban.**

##### **Existence of a re-entry ban after residence abroad for nationals by naturalization:**

Answer: No

Code: 1

Explanation: No such provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

##### **Re-entry ban applies after how many months of residence abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Existence of a re-entry ban after residence abroad for nationals by birth:**

Answer: No

Code: 1

Explanation: No such provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

##### **Re-entry ban after residence abroad for nationals by birth after how many months of residence abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Existence of a re-entry ban after residence abroad for nationals with dual or multiple nationality:**

Answer: No



Code: 1

Explanation: No such provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Re-entry ban after residence abroad for nationals with dual or multiple nationality after how many months of residence abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRATION\_27. Existence of sanctions (other than a re-entry ban) for overstaying abroad:**

Answer: No

Code: 1

Explanation: No such provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## **1.6. Administration**

**EMIGRATION\_28. Existence of institution/agency with competencies for exit and/or emigration:**

**Existence of institution/agency with competencies for exit and/or emigration:**

Answer: Yes

Code: 1

Explanation: The Viceministry of Human Mobility, dependent of the Ministry of Foreign Affairs and Human Mobility has the competences for controlling the exit of Ecuadorian citizens form Ecuador.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "El Ministerio. [The Ministry]". Access date not available. <https://www.cancilleria.gob.ec/el-ministerio/>.

**Name of the institution with competencies for exit and/or emigration in original language:**

Answer: Viceministerio de Movilidad Humana

**Name of the institution with competencies for exit and/or emigration in English:**

Answer: Viceministry of Human Mobility

**Place in the administrative hierarchy:**

Answer: 2nd Rank in the public administration

Code: 0.75

Explanation: The Viceministry of Human Mobility, dependent of the Ministry of Foreign Affairs and Human Mobility has the competences for controlling the exit of Ecuadorian citizens form Ecuador.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "El Ministerio. [The Ministry]". Access date not available. <https://www.cancilleria.gob.ec/el-ministerio/>.

## 2. Emigrant policies

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### 2.1. Policies of representation

#### 2.1.1. Electoral rights

##### **EMIGRANT\_1. Voting is mandatory for citizens residing abroad:**

Answer: No

Code: 0

Explanation: No, voting is non-compulsory for non-residents and compulsory for residents (Art. 63 Constitution 2008 and Art. 11.2 Electoral Law 2009).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 63. / Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009. Art. 11.2.

##### **Does the country have presidential elections?**

Answer: Yes

Code: 1

##### **Does the country have a bicameral system (e.g. composed of a lower house and an upper house, or an originating chamber and a reviewer chamber)?**

Answer: No, the country only has a Lower House

Code: 2

### *Presidential elections*

##### **EMIGRANT\_2. Can non-resident citizens vote in national presidential elections from abroad?**

Answer: Generally enfranchised

Code: 1

Explanation: Yes, all non-resident citizens can vote from abroad to elect the President/Vicepresident, national representatives and representatives of the external district in the National Assembly (Art. 63 Constitution).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 63.

**EMIGRANT\_3. Can non-resident citizens stand as candidates in national presidential elections from abroad?**

Answer: Generally enfranchise

Code: 1

Explanation: Yes, all non-resident citizens can stand as candidates in Presidential and Legislative elections (Art. 63 Constitution).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 63.

*Legislative elections*

*Lower house (National Elections)*

**EMIGRANT\_4. Can non-resident citizens vote in national legislative elections (lower house) from abroad?**

Answer: Generally enfranchise

Code: 1

Explanation: Yes, all non-resident citizens can vote from abroad to elect the President/Vicepresident, national representatives and representatives of the external district in the National Assembly (Art. 63 Constitution).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 63.

**EMIGRANT\_5. Can non-resident citizens stand as candidates in national legislative elections (lower house) from abroad?**

Answer: Generally enfranchise

Code: 1

Explanation: Yes, all non-resident citizens can stand as candidates in Presidential and Legislative elections (Art. 63 Constitution).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 63.

*Upper house (National Elections)*

**EMIGRANT\_6. Can non-resident citizens vote in national legislative elections (upper house) from abroad?**

Answer: Non applicable (no Upper House elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_7. Can non-resident citizens stand as candidates in national legislative elections (upper house) from abroad?**

Answer: Non applicable (no Upper House elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

*Registration*

**EMIGRANT\_8. Registration in the electoral roll for non-resident citizens:**

Answer: Active registration, once-off

Code: 0.67

Explanation: One-off active registration. External citizens must register in the embassies/consulates as non-resident citizens. Once this registry is conducted, they are automatically included in the registry of external voters and, if no change of residence is carried out, they are permanently registered (Art. 78 Electoral Law).

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009. Art. 78.

*Remote voting*

**EMIGRANT\_9. Voting methods from abroad:**

**Voting methods available to cast votes from abroad - Electronic voting:**

Answer: No

Code: 0

Explanation: Embassies and consulates and special polling stations. Personal vote in the embassy/consulate constituencies where voter is registered.

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009.

**Voting methods available to cast votes from abroad - Proxy voting:**

Answer: No

Code: 0

Explanation: Embassies and consulates and special polling stations. Personal vote in the embassy/consulate constituencies where voter is registered.

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009.

**Voting methods available to cast votes from abroad - Postal voting:**

Answer: No

Code: 0

Explanation: Embassies and consulates and special polling stations. Personal vote in the embassy/consulate constituencies where voter is registered.

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009.

**Voting methods available to cast votes from abroad - Personal voting in consulates or embassies:**

Answer: Yes

Code: 1

Explanation: Embassies and consulates and special polling stations. Personal vote in the embassy/consulate constituencies where voter is registered.

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009.

**Voting methods available to cast votes from abroad - Ad hoc polling stations:**

Answer: Yes

Code: 1

Explanation: Embassies and consulates and special polling stations. Personal vote in the embassy/consulate constituencies where voter is registered.

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009.

## *Special representation*

### **EMIGRANT\_10: Emigrant special representation.**

**Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's lower house?**

Answer: Yes

Code: 1

Explanation: There are three external districts in which emigrants can elect two representatives for the National Assembly: Europe, Asia and Oceania; Latin America, Africa and the Caribbean; and United States and Canada.

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009. Art. 150.

**Number of special seats reserved for non-resident candidates in the lower house:**

Answer: 6

Code: 6

Explanation: There are three external districts in which emigrants can elect two representatives for the National Assembly: Europe, Asia and Oceania; Latin America, Africa and the Caribbean; and United States and Canada.

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009. Art. 150.

**Number of special emigrant districts in the lower house:**

Answer: 3

Code: 3

Explanation: There are three external districts, each district in which emigrants can elect two representatives for the National Assembly: Europe, Asia and Oceania; Latin America, Africa and the Caribbean; and United States and Canada.

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009. Art. 150.

**Is there a special extraterritorial constituency (i.e. reserved seats) for non-resident voters in the country's upper house?**

Answer: Not applicable

Code: Not applicable



Explanation: Not applicable

Sources: Not applicable

**Number of special seats reserved for non-resident candidates in the upper house:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of special emigrant districts in the upper house:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

*Remote voting implementation*

**EMIGRANT\_11. External voting has been implemented (non-resident citizens have been able to vote from abroad in the past elections):**

Answer: yes

Code: 1

Explanation: External voting has been implemented

Sources: Not applicable

**EMIGRANT\_12. In case external voting has not been implemented after its adoption, what are the main reasons?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 2.1.2. Regulation of political competition abroad

### *Party offices in the state of reception*

#### **EMIGRANT\_13. Offices of political parties are legally allowed abroad:**

Answer: No specific regulation of offices abroad

Code: 0.5

Explanation: Main electoral and party regulations do not contain specific provisions regarding party offices abroad. This lack of specific provisions is interpreted in a positive manner, meaning that external party offices are legally allowed.

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009. / Consultation with electoral authority, Consejo Nacional Electoral.

#### **EMIGRANT\_14. Actual existence of permanent offices of home country parties abroad which target emigrants in order to capture funding for campaigns or political support:**

Answer: No

Code: 0

Explanation: Not applicable

Sources: Based on original research.

#### **EMIGRANT\_15. Register the list of countries (in English) in which the three biggest political parties of the state of origin have offices abroad (consider parties or political movements with the highest number of votes in the last national legislative election).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **EMIGRANT\_16. Could external party offices receive public funding from state of origin?**

Answer: No specific regulation

Code: 0.5

Explanation: National organizations receive public funding and they can distribute it across all their chapters (including external party offices if they deem it necessary).

Sources: Consultation with electoral authority, Consejo Nacional Electoral.

### *Political campaigns*

#### **EMIGRANT\_17. Electoral campaigns abroad for home elections are legally regulated:**

Answer: Yes, explicitly regulated in electoral regulations and no specific restrictions as compared with campaigns in national territory

Code: 1

Explanation: Allowed with specific restrictions (as compared with campaigns in national territory). The Electoral Law does contain specific provisions for campaigning abroad, mainly about funding (Electoral Law Art. 209, 225, 310, Art. 22, 40, 42, 43 and 48 Resolution PLE-CNE-10-26-7-2016). For instance, although campaigns abroad can hire ads abroad, these contracts have to be done by the Electoral Authority (Consejo Nacional Electoral) and cannot be done directly by campaigns abroad (PLE-CNE-1-13-8-2012).

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009. Art. 209, 225 and 310. / Resolución PLE-CNE-1-13-8-2012 [Resolution PLE-CNE-1-13-8-2012]. 2012. Art. 22, 40, 42, 43 and 48. / Resolución PLE-CNE-10-26-7-2016 [Resolution PLE-CNE-10-26-7-2016]. 2016.

#### **EMIGRANT\_18. Actual existence of campaigns abroad for home elections:**

Answer: Yes

Code: 1

Explanation: In 2017 Ecuador held Presidential and Legislative elections. All main parties (e.g. Alianza País, CREO) organized campaigns abroad, especially in Spain (Madrid, Barcelona) and United States, where the main share of external voters reside.

Sources: Entorno Inteligente. "ECUADOR: Alianza PAIS inició su campaña electoral en Madrid [ECUADOR: Alianza PAIS Launched its Electoral Campaign in Madrid]". Access not available. [http://archivo.entornointeligente.com/articulo/9478422/ECUADOR-Alianza-PAIS-inicio-su-campana-electoral-en-Madrid/?fbclid=IwAR2o40bgG-ecH03cyyEOUbl2RGDaEJq-PYc\\_ytQvTcO5ei\\_rOein2WDWs7A](http://archivo.entornointeligente.com/articulo/9478422/ECUADOR-Alianza-PAIS-inicio-su-campana-electoral-en-Madrid/?fbclid=IwAR2o40bgG-ecH03cyyEOUbl2RGDaEJq-PYc_ytQvTcO5ei_rOein2WDWs7A).

#### **EMIGRANT\_19. Existence of public funding for electoral campaigns in state of residence:**

Answer: Yes, same regulation as in-country campaigns applies

Code: 1

Explanation: Public funding for campaigns abroad exist. Political parties can distribute the funding across their chapters as they decide.

Sources: Consultation with electoral authority, Consejo Nacional Electoral.

## *Membership in political parties*

### **EMIGRANT\_20. Emigrant membership to home country political parties:**

Answer: Legally allowed AND same status for emigrants as for residents

Code: 1

Explanation: Emigrants can be members of political parties. The Electoral Law/Democratic Code establishes that all persons with right to vote can be members of a political party (Art. 334 Electoral Law).

Sources: Ley orgánica electoral y de organizaciones políticas de la República del Ecuador [Organic Law of Electoral and Political Organizations of the Republic of Ecuador]. 2009. Art. 334.

### **2.1.3. Consultative bodies**

### **2.1.4. Consultative bodies at the national level**

### **EMIGRANT\_21. Existence of a consultative body on emigrant issues:**

Answer: Yes

Code: 1

Explanation: There is an Equality Council of Human Mobility (Consejo de Igualdad de Movilidad Humana), which is devoted “to ensure the full validity and rights of people in a situation of mobility, in observance of the Constitution and international instruments” (Art. 1.5 Executive Decree 686). The Council was created in 2014 by the Organic Law of the National Councils for Equality. This law has been implemented and the Council of Human Mobility is fully functioning. The Councils have three main functions: (1) to ensure the implementation of the rights granted by the Constitution, (2) to promote the right for equality and no discrimination and (3) to participate in the formulation, implementation and assessment of the policies that touch upon its competences (Art. 3 Organic Law of the National Councils for Equality).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 3. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015. Art. 1.5. / Consejo Nacional para la Igualdad de Movilidad Humana. “Consejo Nacional para la Igualdad de Movilidad Humana [ National Council for Equality in Human Mobility]”. Access date not available. [http://www.derechosmovilidadhumana.gob.ec/?fbclid=IwAR0Oe\\_HmBnbBGS6IXAqVOe7bly4LD9onUjeklgNQkDfaLORKijjDVYAPkhs](http://www.derechosmovilidadhumana.gob.ec/?fbclid=IwAR0Oe_HmBnbBGS6IXAqVOe7bly4LD9onUjeklgNQkDfaLORKijjDVYAPkhs).

### **EMIGRANT\_22. The consultation is structural or ad hoc:**

Answer: Ad Hoc

Code: 0

Explanation: No provision to regulate meetings in main regulations.

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015.

**EMIGRANT\_23. Composition of the consultative body:**

Answer: 0.75

Code: 0.75

Explanation: Members selected and appointed only by the state. The council is composed by 10 representatives (Art 7. Organic Law of the National Councils for Equality). Some representatives of the different functions of the State (Executive, Legislative, Judicial, Transparency and Electoral) and representatives of the civil society which are and affected by the policy of human mobility, which includes emigrants from the three external districts, immigrants and returnees (Art. 3 Executive Decree 686). The representatives of the civil society are elected in with a public call (“concurso público”), can receive the support of civil society and are elected based on their merits (Art 8. Organic Law of the National Councils for Equality).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 7 and 8. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015. Art. 3.

**EMIGRANT\_24. Who chairs the consultative body?**

Answer: Member of the government

Code: 0.25

Explanation: Chaired by national authority. Councils are chaired (“presididos”) by the representative that the President of the Republic appoints to that effect merits (Art 7. Organic Law of the National Councils for Equality).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 7.

**EMIGRANT\_25. The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: Yes

Code: 1

Explanation: This right is included in both statutes and law (Art. 9 Organic Law of the National Councils for Equality and Art. 7 of Executive Decree 686).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 9. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015. Art. 7.

**EMIGRANT\_26. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:**

Answer: No

Code: 0

Explanation: No right to get a response (no provision in main regulations).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015.

#### **EMIGRANT\_27. Selection criteria to ensure representativeness**

##### **Existence of selection criteria to ensure a gender-balanced consultative body:**

Answer: Yes

Code: 1

Explanation: Council must be composed equally by men and women (Art. 7 Organic Law of the National Councils for Equality).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 7.

##### **Existence of selection criteria to ensure a geographically-balanced consultative body:**

Answer: 0

Code: 0

Explanation: No such provision.

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014.

#### *Consultative bodies at the consular level*

#### **EMIGRANT\_28. Existence of a consultative body of emigrants at the consular level.**

Answer: No

Code: 0

Explanation: No consultative bodies at the consular level.

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014.

#### **EMIGRANT\_29. The consultation is structural or ad hoc:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_30. Composition of the consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_31. Who chairs the consultative body?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_32. The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_33. Beyond consultation on policies affecting emigrants the body has the right to get a response from national authorities to its advice/recommendations:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**EMIGRANT\_34. Selection criteria to ensure representativeness**

**Existence of selection criteria to ensure a gender-balanced consultative body:**



Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Existence of selection criteria to ensure a geographically-balanced consultative body:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## **2.1.5. Funding of emigrant associations**

**EMIGRANT\_35. Existence of consular support (in kind or financial) to independent emigrant associations**

Answer: No

Code: 0

Explanation: There is no consular support for emigrant associations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## **2.2. Economic Policies**

### **2.2.1. Remittances**

**EMIGRANT\_36. Government program/strategy to attract remittances from emigrants.**

**Existence of a government program to attract remittances from emigrants:**

Answer: No

Code: 0

Explanation: There are no concrete government program/strategies to foster remittances. However, art. 6 of the Organic Law of Human Mobility establishes that "Ecuadorian people abroad and their families have the right to transfer their income and savings from legal origin to the Ecuadorian territory

for sustenance, entrepreneurship, family development or other activities. The State will create the necessary mechanisms to facilitate the sending and receiving remittances, as well as the incentives to the development of productive projects.”

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 6.

**Measures to improve banking channels for remittances:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Existence of fee controls for remittances:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Remittances used for a co-development scheme (if remittances are used by the state of origin to fund development policies):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 2.2.2. Investment

**EMIGRANT\_37. Existence of a government program to attract investments from emigrants (i.e. investment in housing, local enterprises, etc.):**

Answer: No

Code: 0

Explanation: No programs or strategies for attracting investments found.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Ministerio de Relaciones Exteriores y Movilidad Humana. 2019a. "El Ministerio [The Ministry]." 2019. <https://www.cancilleria.gob.ec/el-ministerio/>.

### 2.2.3. Brain circulation networks

**EMIGRANT\_38. Are there formally constituted networks aiming to build connections between emigrants and the state of origin to share knowledge?**

Answer: Yes

Code: 1

Explanation: The Prometeo Project is a scholarship program awarded by the Ecuadorian government to researchers and high-level foreign or Ecuadorian teachers (residents outside of Ecuador). As a scholarship, it is not an impediment for experts from all over the world to work together for periods of two to twelve months without leaving their chairs in their countries of origin (description extracted from the Project website). The program covers travel, accommodation and other expenses. Stays can last from 2 to 12 months. It is administered by the Secretary of High Education, Sciences, Technology and Innovation (Secretaría de Educación Superior, Ciencia, Tecnología e Innovación).

Sources: Ley Orgánica de Educación Superior [Organic Law of Higher Education]. 2010. / Secretaría de Educación Superior, Ciencia, Tecnología e Innovación. 2019. "Prometeo." Prometeo. 2019. <http://prometeo.educacionsuperior.gob.ec/programas-y-servicios/>.

### 2.2.4. Return policies

**EMIGRANT\_39. Recognition of academic and professional qualifications acquired in the state of residence:**

**Recognition in state of origin of academic and professional qualifications emigrants acquired in the state of residence:**

Answer: Yes

Code: 1

Explanation: Degrees obtained abroad must be recognized by the Secretary of High Education, Sciences, Technology and Innovation (SENESCYT). The process has to be started in Ecuador and can last up to 30 days (45 for PhDs and degrees related with Health Sciences). General requirements are (1) passport/ID card, (2) Original degree certificate, (3) Syllabus, (4) Area of Knowledge (there are extra documents for degrees related with Health Sciences). Recognition of academic and professional qualifications is regulated by the Organic law of High Education (Ley Orgánica de Educación Superior) and the Regulations on Academic Degrees Obtain in Foreign Institutions.

Sources: Reglamento sobre títulos y grados académicos obtenidos en instituciones extranjeras [Regulations on Academic Degrees Obtain in Foreign Institutions]. 2017.

**Timeframe for the recognition of academic/professional qualifications obtained abroad. If there are several processes (i.e. automatic, for higher education, for primary education.), register the one with the lengthier timeframe:**

Answer: 6 months or less

Code: 1

Explanation: Process has to be started in Ecuador and can last up to 30 days (45 for PhDs and degrees related with Health Sciences).

Sources: Reglamento sobre títulos y grados académicos obtenidos en instituciones extranjeras [Regulations on Academic Degrees Obtain in Foreign Institutions]. 2017.

**EMIGRANT\_40. Communication campaigns aiming to convince emigrants to return to home country:**

Answer: No

Code: 0

Explanation: No campaigns found for 2017.

Sources: Viceministerio de Movilidad Humana. "Viceministerio de Movilidad Humana – Ministerio de Relaciones Exteriores y Movilidad Humana [Viceministry of Human Mobility –Ministry of Foreign Affairs and Human Mobility]". Accessed July 2, 2019. <https://www.cancilleria.gob.ec/viceministerio-de-movilidad-humana>.

**EMIGRANT\_41. Existence of brain gain programs developed by the government targeting highly qualified emigrants:**

Answer: No

Code: 0

Explanation: No provision found.

Sources: Viceministerio de Movilidad Humana. "Viceministerio de Movilidad Humana – Ministerio de Relaciones Exteriores y Movilidad Humana [Viceministry of Human Mobility –Ministry of Foreign Affairs and Human Mobility]". Accessed July 2, 2019. <https://www.cancilleria.gob.ec/viceministerio-de-movilidad-humana>.

**EMIGRANT\_42. Existence of welfare provisions or benefits that aim at facilitating the reintegration of emigrants in the home society:**

Answer: Yes

Code: 1

Explanation: 1) The Viceministry of Human Mobility of the Ministry of Foreign Affairs has created a "Guide for Returnees", which summarizes all services to which Ecuadorian returnees can apply for. The guide includes services that target the general population, and some services that target specifically returnees (i.e. being a returnee is mandatory). For instance, the "Crédito Banco del

Pueblo” (Credit Banco del Pueblo) grant returnees credits for starting a business or the programs that help children to integration in the Ecuadorian educational system. 2) Moreover, the Art. 36 of the Organic Law of Human Mobility establishes that Ecuadorian returnees do not have to pay the import taxes of domestic items, work items and vehicles. 3) The Organic Law of the Internal Tax Regime also establishes a tax reduction for companies that higher returnees that have reached the age of 40 (Art. 10.9 Organic Law of the Internal Tax Regime).

Sources: Gobierno de la República del Ecuador. “Catálogo de servicios para migrantes retornados [Catalogue of Services for Returned Migrants]”. Access date not available. [https://www.cancilleria.gob.ec/wp-content/uploads/2018/05/catalogo\\_servicios\\_migrantes.pdf](https://www.cancilleria.gob.ec/wp-content/uploads/2018/05/catalogo_servicios_migrantes.pdf). / BanEcuador. “Banco del Pueblo [People's Bank]”. Access date not available. <https://www.banecuador.fin.ec/a-quien-financiara/banco-del-pueblo/>. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Ley Orgánica de Régimen Tributario Interno [Organic Law of the Internal Tax Regime]. 2014.

## 2.3. Social Policies

### 2.3.1. Retirement benefits

#### EMIGRANT\_43. Retirement benefits after emigration (i.e. pensions):

Answer: Yes

Code: 1

Explanation: Ecuadorians abroad can contribute voluntarily to the Instituto Ecuatoriano de Seguridad Social (IESS, Ecuadorian Institute of Social Security). The contributions grant access to retirement. There is no mention to the number of years of residence abroad, nor a need of prove of life abroad (Art. 35 Organic Law of Human Mobility). Furthermore, article 20 of the Organic Law of Human Mobility establishes that Ecuadorians abroad have the right to access the Social Security System and to cash their benefits regardless their place of residence.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 20. / IESS. Prestaciones y Beneficios [Services and Benefits]”. Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

### 2.3.2. Health care benefits

#### EMIGRANT\_44. Health care benefits.

**Health coverage can be extended abroad (access to health services covered by the healthcare system in country of origin):**

Answer: No

Code: 0

Explanation: Art. 11 of the Organic Law of Human Mobility establishes that the Ecuadorian state will take actions to promote health among Ecuadorians abroad. However, this article of the Law has not

been yet fully developed. Ecuadorians abroad can contribute voluntarily to the Social Security system. Regarding health care, this implies that some consulates (such as the NYC Consulate) offer basic health care services. However, this practice depends highly on the consulate and the context and it is not fully extended.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 11. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios/> Consulado del Ecuador en New York. "Cursos para la comunidad [Courses for the community]". Access date not available. <http://newyork.consulado.gob.ec/cursos-para-la-comunidad/>.

### **Emigrants can keep their health insurance in the state of origin and access health care services when they visit the state of origin:**

Answer: Yes

Code: 1

Explanation: Art. 11 of the Organic Law of Human Mobility establishes that the Ecuadorian state will take actions to promote health among Ecuadorians abroad. However, this article of the Law has not been yet fully developed. Ecuadorians keep health coverage in Ecuador and can access health care services if they visit the state of origin.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 11. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios/> Consulado del Ecuador en New York | Casa Ecuatoriana New York. "Cursos para la comunidad [Courses for the community]". Access date not available. <http://newyork.consulado.gob.ec/cursos-para-la-comunidad/>.

### **Emigrants can pay for their families' contributions to the public health care scheme of the state of origin:**

Answer: Yes

Code: 1

Explanation: Art. 11 of the Organic Law of Human Mobility establishes that the Ecuadorian state will take actions to promote health among Ecuadorians abroad. However, this article of the Law has not been yet fully developed. Ecuadorians abroad can contribute voluntarily to the Social Security system. Regarding health care, this implies that some consulates (such as the NYC Consulate) offer basic health care services. However, this practice depends highly on the consulate and the context and it is not fully extended. Emigrants can pay for their families the contributions to health care scheme of the state of origin. This apply without extra cost for children under 18 and with an extra cost for spouses.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 11. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios/> Consulado del Ecuador en New York | Casa Ecuatoriana New York. "Cursos para la comunidad [Courses for the community]". Access date not available. <http://newyork.consulado.gob.ec/cursos-para-la-comunidad/>.

## **2.3.3. Education**

## **EMIGRANT\_45. Education programs for emigrants.**

**Emigrants can access scholarships awarded by the state of origin in the same conditions as resident citizens:**

Answer: Yes

Code: 1

Explanation: Emigrants can access to the scholarships awarded by the SENESCYT (Secretary of High Education, Science, Technology and Innovation). However, if they receive a scholarship they must return to Ecuador after their studies for a period of compensation (Art. 7 Convocatoria de Becas 2017).

Sources: Convocatoria Programa de Becas 2017 [Call for Scholarship Program 2017]. 2017. Art. 7.

**State of origin has created schools abroad where emigrants can access education provided by the state of origin (i.e. follow the same curricula as schools in country of origin):**

Answer: No

Code: 0

Explanation: While there are no physical schools established abroad, there is an online program called Bachillerato virtual that provides to secondary school instruction to Ecuadorian children abroad.

Sources: Consulado General del Ecuador en New York. "Bachillerato virtual [Virtual High School]". Access date not available. <https://www.ecuadorny.com/bachillerato-virtual/>.

**State of origin offers language courses to emigrants to learn the language of the state of reception:**

Answer: Yes

Code: 1

Explanation: For instance, the program "Aprendiendo de mi Ecuador" (Learning from my Ecuador) teaches children living in NCY from 6 to 11 years the Spanish language and Ecuadorian culture and traditions.

Sources: Consulado del Ecuador en New York. "Aprendiendo de mi Ecuador". Access date not available. <http://newyork.consulado.gob.ec/aprendiendo-de-mi-ecuador/>.

## **2.4. Cultural policies**

### **2.4.1. Visits to country of origin**

**EMIGRANT\_46. State of origin organizes visits to the origin country for emigrants on a regular basis:**

Answer: No

Code: 0

Explanation: No visits to country of origin.

Sources: Information searched in main regulations and the website of the Vice-ministry of Human Mobility.

## 2.4.2. Language courses for emigrants

**EMIGRANT\_47. State of origin finances cultural courses for learning the culture and traditions of the country of origin (this could include language courses to learn the language of origin):**

Answer: No

Code: 0

Explanation: No language courses beyond the “Aprendiendo de mi Ecuador” (see Emigrant\_44) found.

Sources: Consulado del Ecuador en New York. “Aprendiendo de mi Ecuador [Learning about Ecuador]”. Access date not available. <http://newyork.consulado.gob.ec/aprendiendo-de-mi-ecuador/>.

## 2.5. Obligations

### 2.5.1. Military service

**EMIGRANT\_48. Emigrants have the obligation to comply with military service:**

Answer: Military service voluntary for residents and nonresidents

Code: 0.5

Explanation: Military service is voluntary in Ecuador (Art. 161 Constitution 2008).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 161.

### 2.5.2. Social service

**EMIGRANT\_49. Emigrants have the obligation to comply with social service:**

Answer: Social service voluntary for residents and nonresidents



Code: 0.5

Explanation: Social service is voluntary in Ecuador (Art. 161 Constitution 2008).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 161.

### **2.5.3. Taxes**

#### **EMIGRANT\_50. Obligation to pay taxes in state of origin**

**Emigrant must pay income taxes in state of origin:**

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Régimen Tributario Interno [Organic Law of the Internal Tax Regime]. 2014.

**There are special taxes for emigrants:**

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Régimen Tributario Interno [Organic Law of the Internal Tax Regime]. 2014.

## **2.6. Administration**

### **2.6.1. Home country administration**

**EMIGRANT\_51. Existence of a home country administration agency/body for emigrants in state of origin.**

**Existence of institution/agency with competencies for emigrant policies:**

Answer: Yes

Code: 1

Explanation: Yes, the Viceministry of Human Mobility (Viceministerio de Movilidad Humana) which is part of the Ministry of Foreign Affairs and Human Mobility. Within the Viceministry, there is one

Subsecretary that is involved in emigrant policies: the Subsecretaría de la Comunidad Ecuatoriana Migrante.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "El Ministerio. [The Ministry]". Access date not available. <https://www.cancilleria.gob.ec/el-ministerio/>.

**Name of the institution with competencies for emigrant policies in original language:**

Answer: Subsecretaría de la Comunidad Ecuatoriana Migrante

**Name of the institution with competencies for emigrant policies in English:**

Answer: Subsecretary of the Migrant Ecuadorian Community

**EMIGRANT\_52. Place in the administrative hierarchy:**

Answer: 3rd Rank in the public administration

Code: 0.5

Explanation: The Subsecretaría de la Comunidad Ecuatoriana Migrante depends from the Vice-Ministry of Human Mobility of the Ministry of Foreign Affairs and Human Mobility.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Organigrama. [Organigram]". Access date not available. [https://www.cancilleria.gob.ec/wp-content/uploads/2018/03/estructura\\_organica\\_mremh\\_2017\\_1.pdf](https://www.cancilleria.gob.ec/wp-content/uploads/2018/03/estructura_organica_mremh_2017_1.pdf).

## 2.6.2. Consular network

**EMIGRANT\_53: Number of consulates.**

**Number of consular missions deployed by the state of origin (including consular sections in embassies but excluding honorary consulates):**

Answer: 69

Code: 69

Explanation: Number of general consulates: 69 Number of honorary consulates: 53.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Representaciones del Ecuador en el exterior [Representations of Ecuador abroad]". Accessed July 2, 2019. <https://www.cancilleria.gob.ec/representaciones-en-el-exterior/>.

**Number of countries in which the state of origin has a consular mission (including consular sections in embassies but excluding honorary consulates):**

Answer: 57

Code: 57

Explanation: Number of countries with consular representation (general consulates, not counting honorary): 57 Number of countries with consular representation (general consulates and honorary): 70.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Representaciones del Ecuador en el exterior [Representations of Ecuador abroad]". Accessed July 2, 2019. <https://www.cancilleria.gob.ec/representaciones-en-el-exterior/>.

### 2.6.3. New consular functions

**EMIGRANT\_54: Extensions to the consular network services.**

**Existence of mobile consulates:**

Answer: Yes

Code: 1

Explanation: Yes, in some consular demarcations, for instance Mexico and Spain.

Sources: Consulado General del Ecuador en Madrid. "Consulados móviles [Mobile Consulates]". Accessed June 16, 2015. <http://madrid.consulado.gob.ec/consulados-moviles/>. / Embajada del Ecuador en México. "Consulados móviles [Mobile Consulates]". Access date not available. <https://mexico.embajada.gob.ec/consulados-moviles/>.

**Consulates open on weekends on a regular basis (e.g. once monthly):**

Answer: Yes

Code: 1

Explanation: Yes, but only in some consulates such as the ones in NY.

Sources: Consulado General del Ecuador en New York. "Nuevos horarios de atención [New Service Hours]". Access date not available. <https://www.ecuadorny.com/nuevos-horarios-de-atencion-2/>.

**Consulates offer some services online:**

Answer: Yes

Code: 1

Explanation: Yes, the Consulado Virtual [Virtual Consulate].

Sources: Consulado Virtual Ecuador. "Consulado Virtual Ecuador (CVE) [Virtual Consulate Ecuador (CVE)]". Access date not available. <https://www.consuladovirtual.gob.ec/web/guest/inicio>.

#### **EMIGRANT\_55: Adoption of new consular functions.**

##### **Consulates offer financial consultancy:**

Answer: No

Code: 0

Explanation: No provision found.

Sources: Consulado del Ecuador en New York. "Cursos para la comunidad [Courses for the Community]". Access date not available. <http://newyork.consulado.gob.ec/cursos-para-la-comunidad/>.

##### **Consulates offer psychological consultancy:**

Answer: No

Code: 0

Explanation: No provision found.

Sources: Consulado del Ecuador en New York. "Cursos para la comunidad [Courses for the Community]". Access date not available. <http://newyork.consulado.gob.ec/cursos-para-la-comunidad/>.

##### **Consulates offer health services:**

Answer: Yes

Code: 1

Explanation: Yes, some consulates provide health services such as health consultation or the "health week".

Sources: Consulado del Ecuador en New York. "Cursos para la comunidad [Courses for the Community]". Access date not available. <http://newyork.consulado.gob.ec/cursos-para-la-comunidad/>.

### **2.6.4. Special offices**

#### **EMIGRANT\_56. Existence of special migrant offices in state of reception created by state of origin (e.g. offices for migrant workers):**

Answer: No

Code: 0

Explanation: No existence of such offices.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Organigrama. [Organigram]". Access date not available. [https://www.cancilleria.gob.ec/wp-content/uploads/2018/03/estructura\\_organica\\_mremh\\_2017\\_1.pdf](https://www.cancilleria.gob.ec/wp-content/uploads/2018/03/estructura_organica_mremh_2017_1.pdf).

### 3. Emigrant citizenship and nationality policies

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**CITNAT: Does the country make a distinction between citizenship and nationality?**

Answer: No, it uses the terms 'nationality' and 'citizenship' indistinctly

Code: 0

Explanation: No distinction between citizenship and nationality. The Arts. 7-10 of the 2008 Constitution regulate the Ecuadorian nationality. Art. 6 establishes that "all Ecuadorians are citizens and have the rights granted by the Constitution". Moreover, it defines Ecuadorian nationality as the "legal link between the people and the Estate" and establishes that the Ecuadorian nationality is "obtained by birth or naturalization".

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 6-10.

#### 3.1. Emigrant nationality

##### 3.1.1. Dual nationality for emigrants

**EMINAT\_1. Deprivation of nationality for having acquired a foreign nationality.**

**Loss of nationality for acquisition of foreign citizenship (nationals by birth):**

Answer: No provision

Code: 1

Explanation: Art. 6 of the 2008 constitution establishes that Ecuadorians by birth or naturalization cannot lose the Ecuadorian citizenship for having acquired a foreign nationality (Art. 6 Ecuadorian Constitution 2008).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 6.

**Nationality can be withdrawn only if person resides abroad:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Nationality can be withdrawn only if person was born abroad:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Nationality can be withdrawn only if person acquires citizenship of other country voluntarily:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Loss of nationality can be prevented:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **3.1.2. Dual nationality only for some countries of residence**

**EMINAT\_2. Dual nationality only tolerable if citizen by birth naturalizes in certain countries.**

**Dual nationality is only tolerable if citizen by birth naturalizes in certain countries with which state of origin has signed treaties:**

Answer: No

Code: 1

Explanation: No restrictions based on the country of naturalization.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

**Which countries:**

Answer: Not applicable

Code: Not applicable

Explanation: No restrictions based on the country of naturalization.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

### **3.1.3. Loss of nationality after residence abroad**

**EMINAT\_3: Loss of nationality after residence abroad.**

**Country of origin deprives their national citizens by birth who emigrated of that nationality because of residence abroad:**

Answer: No provision

Code: 1

Explanation: No provision for loss of nationality due to residence abroad.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

**Nationality can be withdrawn only if person resides abroad for 20 years or more:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Nationality can be withdrawn only if person has another citizenship:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Country of origin deprives their national citizens by naturalization who emigrated of that nationality because of residence abroad:**

Answer: No provision

Code: 1

Explanation: No provision for loss of nationality due to residence abroad.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.



### 3.1.4. Jus sanguinis for emigrants

**EMINAT\_4: Transfer of nationality to children born abroad.**

**Country of origin permit parents to confer their nationality on their children who are born abroad:**

Answer: Yes

Code: 1

Explanation: Ecuador considers citizens by birth those born abroad to a father or mother (that were born in Ecuador) up to the third degree of consanguinity (Art. 7.2 Constitution 2008). Moreover, the Constitution also establishes that minors born abroad to a father/mother that is Ecuadorian by naturalization will be considered Ecuadorian if they do not express the contrary (Art. 8.3 Constitution 2008).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 7.2. and 8.3.

**Transfer of nationality is applicable to:**

Answer: More than one generation

Code: 0.25

Explanation: Ecuador considers citizens by birth those born abroad to a father or mother (that were born in Ecuador) up to the third degree of consanguinity (Art. 7.2 Constitution 2008). Moreover, the Constitution also establishes that minors born abroad to a father/mother that is Ecuadorian by naturalization will be considered Ecuadorian if they do not express the contrary (Art. 8.3 Constitution 2008).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 7.2. and 8.3.

### 3.1.5. Jus sanguinis across generations

**EMINAT\_5: Transfer of nationality to children born abroad from former citizens.**

**Country of origin permits children who are born abroad to adopt the nationality of parents who are former citizens**

Answer: No

Code: 0

Explanation: No provision in Ecuadorian regulations.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

**Transfer of nationality is applicable to:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **3.1.6. Renunciation of nationality is possible**

**EMINAT\_6: Voluntary renunciation of nationality abroad is possible.**

**Country of origin provides for a national citizen that resides abroad to voluntarily renounce his/her nationality:**

Answer: Renunciation is possible

Code: 1

Explanation: Renunciation is only possible for citizens by naturalization (Art. 8 Constitution 2008 and Art. 80 Organic Law of Human Mobility).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 8. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 80.

**Renunciation abroad is only possible if person has another nationality:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Renunciation abroad is only possible if person was born outside of the country or acquired citizenship of the country by naturalization:**

Answer: Yes

Code: 1

Explanation: Renunciation is only possible for citizens by naturalization (Art. 8 Constitution 2008 and Art. 80 Organic Law of Human Mobility).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 8. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 80.

### 3.1.7. Reacquisition of nationality

**EMINAT\_7. Country of origin provides for reacquisition of nationality for former nationals:**

Answer: Yes

Code: 1

Explanation: Those that lost their Ecuadorian nationality due to naturalization in another country can recover the Ecuadorian nationality if they reside in Ecuador for two years and express their desire to renounce to the acquired nationality and to adopt the Ecuadorian (Art. 21 Naturalization Law).

Sources: Ley de Naturalización [Naturalization Law]. 1976. Art. 21.

## 3.2. Emigrant citizenship

### 3.2.1. Citizenship restrictions for dual nationals

**EMICIT\_1. Conditions or restrictions for the exercise of citizen rights if individual has dual or multiple nationalities (nationals by naturalization):**

Answer: No restrictions

Code: 1

Explanation: No specific conditions of restrictions.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

### 3.2.2. Different citizenship for emigrants

**EMICIT\_2. Is there a special status for nationals who are located temporarily or permanently outside the national territory such that they fall in an official category that is different to resident nationals/citizens and which carries legal consequences (e.g. Overseas Indians)?**

Answer: No

Code: 0

Explanation: No special status.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

### 3.2.3. Loss or suspension of citizen rights after residence abroad

**EMICIT\_3: Country deprives their national citizens by birth who emigrated of their citizen rights.**

**Does the country deprive their national citizens by birth who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?**

Answer: No

Code: 0

Explanation: No provision.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

**Conditions for the exercise of citizen rights if individual resides abroad (nationals by birth) \*If it is not specified in the regulation, it is coded as restrictions not conditional to return:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 4. Immigration policies

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### 4.1. General

#### 4.1.1. Number of entry tracks

##### **IMMIGRATION\_1. How many visa types does the country have?**

Answer: 22

Code: 22

Explanation: There are 22 types of visas (Art. 66 Organic Law of Human Mobility). Some of the visas apply to different migrant categories (Art. 19 Regulation of the Organic Law of Human Mobility). The visa types are: Visa for temporal residents, Working visa, Visa for temporal residents, Rentier, Visa for temporal residents, Retirement, Visa for temporal residents, Investors, Visa for temporal residents; Academic, scientists and researchers; Visa for temporal residents; Religious volunteer; Visa for temporal residents; Volunteer; Visa for temporal residents; Student; Visa for temporal residents; Professional, technician, artisan; Visa for temporal residents; Per agreement; Visa for temporal residents; Protection (Amparo); Visa for temporal residents; International protection; Visa for temporal residents; Mercosur; Visa for temporal residents; Unasur; Visa for temporal residents; Ecuador-Venezuelan Statute; Visa for temporal residents of exception; Visa for permanent residents; Diplomatic visa; Humanitarian visa; Tourist visa; Special tourist visa; Visa by agreement.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 19 and 66.

##### **IMMIGRATION\_2: Categorical organization of visas**

##### **Are the visas organized by overarching categories?**

Answer: Yes

Code: 1

Explanation: Yes: Visa for temporal residents; Visa for temporal residents of exception; Visa for permanent residents; Diplomatic visa; Humanitarian visa; Tourist visa; Special tourist visa; Visa by agreement.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

##### **How many categories?**

Answer: 8

Code: 8

Explanation: Visa for temporal residents; Visa for temporal residents of exception; Visa for permanent residents; Diplomatic visa; Humanitarian visa; Tourist visa; Special tourist visa; Visa by agreement.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

#### 4.1.2. Biometric information

**IMMIGRATION\_3: Collection of biometric information.**

**Does the state collect biometric information from all citizens for example for passports?**

Answer: Yes

Code: 1

Explanation: Fingerprint, photograph.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Documentos de viaje y pasaportes [Travel Documents and Passports]". Access date not available. <https://www.cancilleria.gob.ec/documentos-de-viaje-pasaportes/>.

**Does the state collect biometric information from immigrants for example for passports?**

Answer: Yes

Code: 1

Explanation: Photograph.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Requisitos básicos para todos los tipos de residencia temporal [Basic Requirements for all Types of Temporal Resident Visas]". Access date not available. <https://www.cancilleria.gob.ec/requisitos-basicos-para-todos-los-tipos-de-residencia-temporal/>.

#### 4.1.3. Visa waivers

**IMMIGRATION\_4. Is there in the immigration law a specific provision by which the state can determine that certain countries or individuals under specific circumstances can be exempted from the regular visa procedures that apply to residence and work visas (excluding tourists, and regional migrants) (e.g. entry of Spaetaussiedler or Jewish immigrants in Germany)?**

Answer: No

Code: 0

Explanation: No provision. The Organic Law of Human Mobility in its Chapter IV establishes the immigration regulations for members of the Comunidad Suramericana (UNASUR). The immigration rules applied to this group are simpler than for foreigners coming from other countries. Nevertheless, this would not qualify as a special provision because it is analogue to EU/Mercosur regulations. No provision in main regulations.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## 4.2. Documentation

**IMMIGRATION\_5: Issue of legal compulsory identification documents.**

**Are all immigrants issued legal compulsory identification documents (e.g. residence permit, IDs)?**

Answer: Yes

Code: 1

Explanation: Yes, a visa where it its migratory condition is registered. Art. 53 of the Organic Law of Human Mobility establishes that all foreigners must carry their identity or travel documents during their stay in Ecuador.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 53.

**Are they required to carry them at all times?**

Answer: Yes

Code: 1

Explanation: Yes, a visa where it is registered its migratory condition. Art. 53 of the Organic Law of Human Mobility establishes that all foreigners must carry their identity or travel documents during their stay in Ecuador.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 53.

## 4.3. Quotas and restrictions

### 4.3.1. General quota

**IMMIGRATION\_6: General quota for immigration.**

**Is there a general quota (numerical limit) for immigration?**

Answer: No

Code: 1

Explanation: No general quota. No provision for quotas in Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **4.3.2. Specific quotas**

**IMMIGRATION\_7: Quota for high-skilled migrants.**

**Is there a quota (numerical limit) on the number of high-skilled migrants that were allowed to enter the country?**

Answer: No

Code: 1

Explanation: No quota for high-skilled migrants. No provision for quotas in Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_8: Quota for low-skilled migrants.**

**Is there a quota (numerical limit) on the number of low-skilled migrants that are allowed to enter the country?**

Answer: No

Code: 1

Explanation: No quota for low-skilled migrants. No provision for quotas in Organic Law of Human Mobility.



Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_9: Quota for refugees.**

**Is there a quota (numerical limit) on the number of refugees?**

Answer: No

Code: 1

Explanation: No quota for recognized refugees. No provision for quotas in Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_10: Quota for co-ethnics.**

**Is there a quota (numerical limit) on the number of co-ethnics that are allowed to enter the country?**

Answer: Not applicable (no co-ethnic proxy)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of people that make up the quota:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **4.3.3. List of excluded persons**

**IMMIGRATION\_11: Categories of excluded persons.**

**Are there categories of excluded persons from immigration?**

Answer: No

Code: 1

Explanation: No list of excluded persons in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**List of categories of excluded persons:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **4.3.4. List of excluded countries**

**IMMIGRATION\_12: Countries excluded.**

**Is there a list of countries whose nationals are banned for immigration in this country?**

Answer: No

Code: 1

Explanation: No list of excluded countries in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**List of countries excluded:**

Answer: Not applicable

Code: Not applicable

Explanation: No list of excluded countries in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## **4.4. Policy incentives**

### **4.4.1. Recognized brokers**

**IMMIGRATION\_13. State has a license system to recognize and authorize immigration brokers (i.e. persons or companies dedicated to facilitate the immigration process for immigrants):**

Answer: No

Code: 0

Explanation: No license system (Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_14. State offers pecuniary incentives to citizens willing to immigrate:**

Answer: No

Code: 0

Explanation: No pecuniary incentives.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## **4.5. Immigration control and penalties**

### **4.5.1. Irregular residence**

**IMMIGRATION\_15: Illegal residence.**

**Is illegal residence in the country considered a criminal offense?**

Answer: No

Code: 1

Explanation: Art. 2 of the Organic Law of Human Mobility establishes the principle of non-criminalization: “No person will be subject to criminal sanctions for their condition of human mobility. Any migratory offense will have an administrative character”.

Sources: Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2.

#### **Is illegal residence considered an administrative offense?**

Answer: Yes

Code: 0

Explanation: It is an administrative offense that is punished with a fine. The amount of the fine depends on the situation of the irregular migrant and ranges from one minimum salary (salario mínimo unificado) to two (Art. 2 Ministerial Agreement 0907).

Sources: Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. Art. 2.

### **4.5.2. Forged documents**

#### **IMMIGRATION\_16: Penalties for immigrants with forged documents.**

##### **Are there penalties for immigrants for forged documents?**

Answer: Yes

Code: 0

Explanation: Expulsion. Art. 67 of the Organic Law of Human Mobility establishes that a migratory condition is extinct by termination, cancellation or revocation. Revocation is activated when the migratory condition has been obtained fraudulently. If there are indications of a visa obtained fraudulently, migratory authorities must initiate the process of revocation. After this process, if the migration authority proves that the initial migratory condition was obtained fraudulently, the process of deportation starts (Art. 14 Regulations of the Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 67. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 14.

##### **Penalty is expulsion:**

Answer: Yes

Code: 2

Explanation: Expulsion: Art. 67 of the Organic Law of Human Mobility establishes that a migratory condition is extinct by termination, cancellation or revocation. Revocation is activated when the migratory condition has been obtained fraudulently. If there are indications of a visa obtained fraudulently, migratory authorities must initiate the process of revocation. After this process, if the

migration authority proves that the initial migratory condition was obtained fraudulently, the process of deportation starts (Art. 14 Regulations of the Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 67. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 14.

**Penalty is a fine:**

Answer: No

Code: 1

Explanation: No fine stated in law.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Penalty is detention:**

Answer: No

Code: 1

Explanation: No detention stated in law.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: No imprisonment stated in law.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_17: Penalties for immigrants with expired documents.**

**Are there penalties for immigrants with expired documents?**

Answer: Yes

Code: 0

Explanation: Fine. Persons with an expired visa must pay a fine of two minimum salaries (Art. 2.2 Ministerial Agreement Num. 0907). When a visa expires (i.e. a tourist visa), the person has 30 days to regularize its situation by applying to another migrant category (Art. 15 Regulations of the Organic

Law of Human Mobility]. However, the fine must still be paid (Art. 2.2 Ministerial Agreement Num. 0907).

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 15. / Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. Art. 2.2.

**Penalty is expulsion:**

Answer: No

Code: 1

Explanation: No expulsion stated in law.

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. / Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018.

**Penalty is a fine:**

Answer: Yes

Code: 2

Explanation: Fine. Persons with an expired visa must pay a fine of two minimum salaries (Art. 2.2 Ministerial Agreement Num. 0907). When a visa expires (i.e. a tourist visa), the person has 30 days to regularize its situation by applying to another migrant category (Art. 15 Regulations of the Organic Law of Human Mobility]. However, the fine must still be paid (Art. 2.2 Ministerial Agreement Num. 0907).

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 15. / Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. Art. 2.2.

**Penalty is detention:**

Answer: No

Code: No

Explanation: No detention stated in law.

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. / Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018.

**Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: No imprisonment stated in law.

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. / Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018.

### 4.5.3. Aiding undocumented migrants

**IMMIGRATION\_18: Penalties for aiding undocumented migrants.**

**Are there penalties for aiding undocumented migrants?**

Answer: Yes

Code: 0

Explanation: Fine. Persons that facilitate the entry of undocumented migrants into the Ecuadorian territory must pay a fine up to five minimum salaries (Art. 5 Ministerial Agreement 0907).

Sources: Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. Art. 5.

**Penalty is a fine:**

Answer: Yes

Code: 2

Explanation: Fine. Persons that facilitate the entry of undocumented migrants into the Ecuadorian territory must pay a fine up to five minimum salaries (Art. 5 Ministerial Agreement 0907).

Sources: Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. Art. 5.

**Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: No imprisonment stated in law.

Sources: Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. Art. 5.

### 4.5.4. Employment obligations

**IMMIGRATION\_19: Penalties for employers who hire migrant workers without a legal work permit.**

**Are there sanctions for employers hiring migrant workers without a legal work permit?**

Answer: No

Code: 1

Explanation: There is a fine of up to 15 minimum salaries if employers do not register migrant workers, but not for hiring directly undocumented migrants (Art. 2 Ministerial Agreement 0907).

Sources: Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. Art. 2.

**Sanction is a fine:**

Answer: Yes

Code: 2

Explanation: Not applicable

Sources: Not applicable

**Penalty is imprisonment:**

Answer: No

Code: 1

Explanation: Not applicable

Sources: Not applicable

#### **4.5.5. Landlord obligations**

**IMMIGRATION\_20: Penalties for landlords who rent shelter to migrants without a regular migrant status.**

**Are there penalties for landlords who rent shelter to migrants without a regular migrant status?**

Answer: No

Code: 1

Explanation: No provision found in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. / Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018.

**Penalty is a fine:**

Answer: Not applicable



Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Penalty is imprisonment:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.5.6. Airline penalties**

**IMMIGRATION\_21: Penalties for airlines carrying immigrants without documentation.**

**Are airlines or other carriers subject to penalties (fines, imprisonment and/or other penalties) for letting travel passengers lacking relevant documentation (such as entry permits or passports)?**

Answer: Yes

Code: 0

Explanation: Fine. International transport companies that carry persons without valid documentation must pay up until 15 minimum salaries as a fine (Art. 2 Ministerial Agreement 0907).

Sources: Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. Art. 2.

**Sanction is a fine:**

Answer: Yes

Code: 2

Explanation: Fine. International transport companies that carry persons without valid documentation must pay up until 15 minimum salaries as a fine (Art. 2 Ministerial Agreement 0907).

Sources: Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018. Art. 2.

**Penalty is more than a fine:**

Answer: No

Code: 1

Explanation: No imprisonment stated in law.

Sources: Acuerdo Ministerial Número 0907 [Ministerial Agreement 0907]. 2018.

## 4.6. Amnesty programs

**IMMIGRATION\_22: Existence of amnesty program.**

**In the past decade, did any amnesty program for irregular immigrants or any permanent regularization mechanism exist?**

Answer: No

Code: 0

Explanation: No amnesty program existed in the preceding ten years.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**The amnesty program is/was:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Being employed is/was a condition to qualify for the amnesty program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**A given duration of stay is/was a condition to qualify for the amnesty program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Having a certain nationality is/was a condition to qualify for the amnesty program:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Does a case by case regularization for irregular immigrants existed?**

Answer: Yes

Code: 1

Explanation: Yes (Art. 69 Organic Law of Human Mobility). But only applies to persons that have lost their previous regular migratory condition (Art. 15 Regulations of Human Mobility Law).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 69. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 15.

**Being employed is a condition to qualify for the case by case regularization program:**

Answer: No

Code: 0

Explanation: Being employed was not a condition.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**A given duration of stay is a condition to qualify for the case by case regularization program:**

Answer: Yes

Code: 1

Explanation: Yes, regularization can only happen 30 days after irregular situation starts.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Having a certain nationality is a condition to qualify for the case by case regularization program:**

Answer: No

Code: 0

Explanation: Having a certain nationality was not a condition.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

#### **Is regularization through marriage possible:**

Answer: No

Code: 0

Explanation: No, general regularization mechanism applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

#### **IMMIGRATION\_23. The amnesty defines the types of irregular migrants as:**

Answer: Persons that have lost their previous regular migratory condition by termination or cancellation of their visa (Art. 15 Regulations of Human Mobility Law).

Code: Persons that have lost their previous regular migratory condition by termination or cancellation of their visa (Art. 15 Regulations of Human Mobility Law).

Explanation: Persons that have lost their previous regular migratory condition by termination or cancellation of their visa (Art. 15 Regulations of Human Mobility Law).

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 15.

## **4.7. Administration**

#### **IMMIGRATION\_24\_1: Administration in charge of immigration regulation.**

##### **Which institution is in charge of immigration regulation (in original language)?**

Answer: Asamblea Nacional, Ministerio del Interior, Ministerio de Relaciones Exteriores y Movilidad Humana

Code: Asamblea Nacional, Ministerio del Interior, Ministerio de Relaciones Exteriores y Movilidad Humana

Explanation: The National Assembly (Ecuadorian legislative chamber) has the competences to approve the migration framework. Secondary regulation is done via the executive (in general, the President, the Ministry of Interior and the Ministry of Foreign Affairs and Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Which institution is in charge of immigration regulation (in English language)?**

Answer: The National Assembly (Ecuadorian legislative chamber) The President, the Ministry of Interior and the Ministry of Foreign Affairs and Human Mobility

**IMMIGRATION\_24\_2: Administration in charge of implementing immigration policies.**

**Which institution is in charge of the implementation of immigration policies (in original language)?**

Answer: Asamblea Nacional, Ministerio del Interior, Ministerio de Relaciones Exteriores y Movilidad Humana

Code: Asamblea Nacional, Ministerio del Interior, Ministerio de Relaciones Exteriores y Movilidad Humana

Explanation: The National Assembly (Ecuadorian legislative chamber) has the competences to approve the migration framework. Secondary regulation is done via the executive (in general, the President, the Ministry of Interior and the Ministry of Foreign Affairs and Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Which institution is in charge of immigration regulation (in English language)?**

Answer: The National Assembly (Ecuadorian legislative chamber) The President, the Ministry of Interior and the Ministry of Foreign Affairs and Human Mobility

**IMMIGRATION\_24\_3: Administration in charge of border control.**

**Which institution is in charge of border control (in original language)?**

Answer: Ministerio del Interior, por medio de la Subsecretaría de Migración

Code: Ministerio del Interior, por medio de la Subsecretaría de Migración

Explanation: Not applicable

Sources: Ministerio del Interior. "Organigrama [Organization Chart]". Accessed June 19, 2014. [https://www.ministeriointerior.gob.ec/wp-content/uploads/2018/05/1.3-Redise%C3%B1o-Estructura-Institucional\\_MDI.pdf](https://www.ministeriointerior.gob.ec/wp-content/uploads/2018/05/1.3-Redise%C3%B1o-Estructura-Institucional_MDI.pdf).

**Which institution is in charge of border control (in English language)?**

Answer: Ministry of Interior through the Sub-secretary of Migration

**IMMIGRATION\_24\_4: Administration in charge of detentions.**

**Which institution is in charge of detentions (in original language)?**

Answer: Not applicable

Code: Not applicable

Explanation: No detentions in Ecuador.

Sources: Not applicable

**Which institution is in charge of detentions (in English language)?**

Answer: Not applicable

## **4.8. Proxy: Labor migration (high- and low-skilled)**

**IMMIGRATION\_25: Visas applied to labor migration.**

**Is there a labor migration scheme that allows immigrants to enter the country to work in any capacity?**

Answer: Yes

Code: 1

**Is the same visa applied to (1) domestic worker proxy, (2) agricultural worker proxy, and (3) medical doctor proxy?**

Answer: Yes

Code: 1

### **4.8.1. Domestic workers**

**Is there a visa scheme (entry track) for domestic workers?**

Answer: Yes

Code: 1

Explanation: Visa for temporary residents-workers (Art. 60 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.

**IMMIGRATION\_26. Do migrants trying to enter the country under this entry track, need to be sponsored by an individual or group?**

Answer: No

Code: 1

Explanation: Sponsorship is not required.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_27. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating?**

Answer: Yes, required

Code: 0.25

Explanation: Required (Art. 32 Regulations of the Organic Law of Human Mobility). Employer must show that there is a legal work contract.

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 32.

**IMMIGRATION\_28. Does the country use a national labor market test for covering posts under the domestic worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?**

Answer: No

Code: 1

Explanation: No provision for labor test in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_29. Is the domestic worker entry track restricted to certain nationalities? (specify the nationalities in explanation).**

Answer: No

Code: 1

Explanation: No restrictions based on nationality.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_30: Restrictions based on age.**

**Are there age limits for migrant domestic workers in order to be admitted to the country?**

Answer: No

Code: 1

Explanation: No age limits in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_31. Is having a certain gender a requirement to be admitted to the country under the do-mestic worker entry track?**

Answer: No

Code: 1

Explanation: No, gender is not a requirement to be admitted to the country.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_32. Is having a certain marital status a requirement to be admitted to the country under the domestic worker track entry track?**

Answer: No

Code: 1

Explanation: No, having a certain marital status was not a requirement.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_33. Do migrant domestic workers need to prove the ability to support themselves?**

Answer: Yes

Code: 0.5



Explanation: Yes, proof of income was needed to apply for the visa. Main regulations do not specify the amount (Art. 61.5 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 61.5.

**IMMIGRATION\_34. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a domestic worker?**

Answer: Neither beneficial, nor required

Code: 1

Explanation: No language knowledge considered.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_35. Does the application under the domestic worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.**

Answer: 450

Code: 450

Explanation: The application had a total cost of 450 USD (Art. 61.6 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 61.6.

**IMMIGRATION\_36. How long is the domestic work permit valid for? Indicate the period in months.**

Answer: 24

Code: 24

Explanation: 2 years (Art. 60 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.

**IMMIGRATION\_37. Is it possible to renew the work permit granted under the domestic worker entry track?**

Answer: Yes

Code: 1

Explanation: It was possible to renew permit (only one time) and exiting the country was not necessary (Art. 60 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.

**IMMIGRATION\_38: Possibility of changing jobs.**

**Is it possible for a migrant worker accepted under the domestic worker entry track to switch employers?**

Answer: Yes

Code: 1

Explanation: It is possible to switch employers as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Is it possible for a migrant domestic worker accepted under this entry track to switch professional sectors?**

Answer: Yes

Code: Yes

Explanation: Yes, it is possible to switch sectors as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Is it possible for a migrant worker accepted under the domestic worker entry track to switch locations?**

Answer: Yes

Code: 1

Explanation: Yes, it is possible to switch locations as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_39. Does loss of employment result in the withdrawal of a migrant domestic worker's resident permit under this track?**

Answer: Yes, right away

Code: 1

Explanation: As stated by Art. 68.1, when the facts that justify the visa permit cease to exist, the migratory condition is cancelled.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.1

**IMMIGRATION\_40. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant domestic workers were equal to those of native workers?**

Answer: Yes

Code: 1

Explanation: Yes, as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_41. Is a minimum level of education required to apply to the domestic entry track?**

Answer: No

Code: 1

Explanation: Level of education is not required.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_42. Is a test of good health required for migrant domestic worker?**

Answer: No

Code: 1

Explanation: No health test required.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

#### **4.8.2. Agricultural workers**

**Is there a visa scheme (entry track) for agricultural workers?**

Answer: Yes

Code: 1

Explanation: Visa for temporary residents-workers (Art. 60 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.

**IMMIGRATION\_43. Do migrants trying to enter the country under the agricultural worker entry track need to be sponsored by an individual or group?**

Answer: No

Code: 1

Explanation: Sponsorship is not required.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_44. Is a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as an agricultural worker?**

Answer: Yes, required

Code: 0.25

Explanation: Required (Art. 32 Regulations of the Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 32.

**IMMIGRATION\_45. Does the country use a national labor market test for covering posts under the agricultural worker proxy (i.e. employers seeking to hire an immigrant had to prove no native worker could do the job)?**

Answer: No

Code: 1

Explanation: No provision for labor test in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_46. Is the agricultural worker entry track restricted to certain nationalities? (specify nationalities in the explanation).**

Answer: No

Code: 1

Explanation: No restrictions based on nationality.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_47: Restrictions based on age.**

**Are age limits for migrant agricultural workers in order to be admitted to the country?**

Answer: No

Code: 1

Explanation: No age limits in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_48. Is having a certain gender a requirement to be admitted to the country under this entry track?**

Answer: No

Code: 1

Explanation: No, gender is not a requirement to be admitted to the country.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_49. Is having a certain marital status a requirement to be admitted to the country under the agricultural worker entry track?**

Answer: No

Code: 1

Explanation: No, having a certain marital status was not a requirement.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_50. Do migrant agricultural workers need to prove the ability to support themselves?**

Answer: Yes

Code: 0.5

Explanation: Yes, proof of income was needed to apply for the visa. Main regulations do not specify the amount. (Art. 61.5 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 61.5.

**IMMIGRATION\_51. Is knowledge of the host country's language considered beneficial or required for the decision on immigrating as an agricultural worker?**

Answer: Neither beneficial, nor required

Code: 1

Explanation: No language knowledge considered.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_52. Does the application under the agricultural worker entry track cost a fee? Register the fee in US Dollars. If application does not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.**

Answer: 450

Code: 450

Explanation: Yes. The application had a total cost of 450 USD (Art. 61.6 Organic Law of Human Mobility).

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Visas [Visas]". Accessed February 11, 2019. <https://www.consuladovirtual.gob.ec/en/visas>. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 61.6.

**IMMIGRATION\_53. How long is the work permit valid for? Indicate the period in months.**

Answer: 24

Code: 24

Explanation: 2 years (Art. 60 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.

**IMMIGRATION\_54. Is it possible to renew the work permit granted under the agricultural worker entry track?**

Answer: Yes

Code: 1

Explanation: It was possible to renew permit (only one time) and exiting the country was not necessary (Art. 60 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.

**IMMIGRATION\_55: Possibility of changing jobs.**

**Is it possible for a migrant agricultural worker accepted under this entry track to switch employers?**

Answer: Yes

Code: 1

Explanation: Yes, it is possible to switch employers as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Is it possible for a migrant agricultural worker accepted under this entry track to switch professional sectors?**

Answer: Yes

Code: 1

Explanation: Yes, it is possible to switch sectors as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Is it possible for a migrant agricultural worker accepted under this entry track to switch locations?**

Answer: Yes

Code: 1

Explanation: Yes, it is possible to switch locations as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_56. Does loss of employment result in the withdrawal of a migrant agricultural worker's resident permit under this track?**

Answer: Yes, right away

Code: 1

Explanation: As stated by Art. 68.1, when the facts that justify the visa permit cease to exist, the migratory condition is cancelled.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.1.

**IMMIGRATION\_57. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant agricultural workers were equal to those of native workers?**

Answer: Yes

Code: 1

Explanation: Yes, as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_58. Is a minimum level of education required to apply to the agricultural worker entry track?**

Answer: No

Code: 1

Explanation: Level of education is not required.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_59. Is a test of good health required for migrant agricultural workers?**

Answer: No

Code: 1

Explanation: No health test required.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### **4.8.3. Medical doctors**

**Is there a visa scheme (entry track) for medical doctors?**

Answer: Yes

Code: 1

Explanation: Visa for temporary residents-professionals (Art. 60 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.

**IMMIGRATION\_60. Do migrants trying to enter the country under the medical doctor entry track, needed to be sponsored by an individual or group?**

Answer: No

Code: 1

Explanation: Sponsorship is not required.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.



**IMMIGRATION\_61. Are a concrete job offer (e.g. acceptance letter, formal invitation) or a contract signed in advance required or beneficial for immigrating as a medical doctor?**

Answer: Yes, required

Code: 0.25

Explanation: Required (Art. 32 Regulations of the Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 32.

**IMMIGRATION\_62. Does the country use a national labor market test for covering posts under the medical doctor proxy (i.e. employers seeking to hire an immigrant had to prove that no native worker could do the job)?**

Answer: No

Code: 1

Explanation: No provision for labor test in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_63. Is the medical doctor entry track restricted to certain nationalities? (Specify nationalities in the explanation).**

Answer: No

Code: 1

Explanation: No restrictions based on nationality.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_64: Restrictions based on age.**

**Are there age limits for migrant medical doctors to be admitted to the country?**

Answer: No

Code: 1

Explanation: No age limits in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_65. Is having a certain gender a requirement to be admitted to the country under the medical doctor entry track?**

Answer: No

Code: 1

Explanation: No, gender is not a requirement to be admitted to the country.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_66. Is having a certain marital status a requirement to be admitted to the country under the medical doctor entry track?**

Answer: No

Code: 1

Explanation: No, having a certain marital status was not a requirement.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_67. Do migrant medical doctors need to prove the ability to support themselves?**

Answer: Yes

Code: 0.5

Explanation: Yes, proof of income was needed to apply for the visa. Main regulations do not specify the amount. (Art. 61.5 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 61.5.

**IMMIGRATION\_68. Is knowledge of the host country's language considered beneficial or required for the decision on whether someone could immigrate as a medical doctor?**

Answer: Neither beneficial, nor required

Code: 1

Explanation: No language knowledge considered.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_69. Does the application under the medical doctor entry track cost a fee? Register the fee in US Dollars. If application did not cost anything, specify 0. If there are several fees (for example, for initiating the process and for issuing the document), add up the amounts.**

Answer: 450

Code: 450

Explanation: The application had a total cost of 450 USD (Art. 61.6 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 61.6.

**IMMIGRATION\_70. How long is the medical doctor work permit valid for? Indicate the period in months.**

Answer: 24

Code: 24

Explanation: 2 years (Art. 60 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.

**IMMIGRATION\_71. Is it possible to renew the work permit granted under the medical doctor entry track?**

Answer: Yes

Code: 1

Explanation: Yes. It was possible to renew permit (only one time) and exiting the country was not necessary (Art. 60 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.

**IMMIGRATION\_72: Possibility of changing jobs.**

**Is it possible for a migrant medical doctor to switch employers?**

Answer: Yes

Code: 1

Explanation: It is possible to change employers as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Is it possible for a migrant medical doctor to switch professional sectors?**

Answer: Yes

Code: 1

Explanation: It is possible to change sectors as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Is it possible for a migrant medical doctor to switch locations?**

Answer: Yes

Code: 1

Explanation: It is possible to change locations as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_73. Does loss of employment result in the withdrawal of a migrant worker's resident permit under the medical doctor track?**

Answer: Yes, right away

Code: 1

Explanation: As stated by Art. 68.1, when the facts that justify the visa permit cease to exist, the migratory condition is cancelled.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.1.

**IMMIGRATION\_74. Is it required by law that the work conditions (e.g. minimum wage, working hours, and benefits) of the migrant medical doctors were equal to those of native workers?**

Answer: Yes

Code: 1

Explanation: Yes, as per Section Chapter III, Section I Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_75. Is a minimum level of education required to apply to the medical doctor entry track?**

Answer: No

Code: 1

Explanation: Not required for the visa, but yes for the job contract.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_76. Is a test of good health required for migrant medical doctors?**

Answer: No

Code: 0

Explanation: No health test required.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## **4.9. Proxy: Refugees**

### **4.9.1. Existence of track**

**IMMIGRATION\_77. Does the country grant refugee status?**

Answer: Yes

Code: 1

Explanation: Yes, as per Section III Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_78. Are certain countries deemed safe third countries (i.e. could persons arriving through these countries be precluded from claiming asylum)?**

Answer: No

Code: 1

Explanation: No provision for safe third countries in Organic Law of Human Mobility.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_79: Safe countries of origin.**

**Are certain countries deemed safe countries of origin (i.e. refugee claims arising out of persecution in those countries could be precluded)?**

Answer: No

Code: 1

Explanation: No provision for safe countries of origin.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

#### **How many countries?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **4.9.2. Restrictions**

**IMMIGRATION\_80: Refugee status restricted for certain nationalities.**

**Is refugee status restricted to certain nationalities?**

Answer: No

Code: 1

Explanation: Status not restricted to certain nationalities.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Which nationalities?**

Answer: Not applicable

Code: Not applicable

Explanation: N/A

Sources: Not applicable

**IMMIGRATION\_81: Restrictions based on age.**

**Are there age limits for potential refugees to be admitted to the country?**

Answer: No

Code: 1

Explanation: No restrictions based on age.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Which minimum age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is being below a certain age limit beneficial for the decision on whether someone gains access to refugee status?**

Answer: No

Code: 1

Explanation: No restrictions based on age.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Below which age?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_82. Is having a certain gender a requirement to be granted refugee status?**

Answer: No

Code: 0

Explanation: Gender is not a requirement.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_83. Is having a certain marital status a requirement to be granted refugee status?**

Answer: No

Code: 0

Explanation: Marital status is not a requirement.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### 4.9.3. Place of application

#### IMMIGRATION\_84: Place of application

**Can asylum seekers file an application for asylum from outside the destination country's territory?**

Answer: No

Code: 0

Explanation: Not possible.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Can asylum seekers file an application for asylum at the border/ports of entry of country's territory?**

Answer: No

Code: 0

Explanation: Not possible.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Can asylum seekers file an application for asylum on the destination country's territory?**

Answer: Yes

Code: 1

Explanation: Yes, application must be presented in the Ecuadorian territory after arrival (the deadline is 90 days after arrival) (Art. 100 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 100.

### 4.9.4. Permit validity

**IMMIGRATION\_85. How long is the initial residence permit for recognized refugees valid for?**

Answer: Temporary, between 12 and 24 months



Code: 5

Explanation: Temporary visa for 2 years. After 2 years: renewal for other 2 years or application for permanent visa (Art. 105 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 105.

#### **IMMIGRATION\_86: Permit renewal.**

**Is it possible to renew a temporary residence permit?**

Answer: Yes

Code: 1

Explanation: Renewal of a permit was possible.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Is it possible to apply for a permanent resident permit for recognized refugees?**

Answer: Yes, possible to apply for permanent permit after 2-4 years

Code: 2

Explanation: yes (Art. 63 and Art. 105 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63 and 105.

**IMMIGRATION\_87. Can a recognized refugee lose his or her status as a refugee when the threatening situation in his or her country of origin ceases?**

Answer: Yes

Code: 0

Explanation: After the threatening situation in country of origin ceases to exist, the refugee visa is cancelled. In this situation, the person can either return to his/her country of origin or apply for another migrant category (Art. 107.5 Organic Law of Human Migration).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 107.5.

### **4.9.5. Maximum timeframe for application resolution**

**IMMIGRATION\_88: Timeframe for resolution.**

**Is there a maximum of days to process the application of asylum seekers?**

Answer: Yes

Code: 1

Explanation: The application must be resolved by the migrant authority within 90 days. Exceptionally, the deadline could be extended 30 days (Art. 101 Organic Law of Human Migration).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 101.

#### **What is the maximum of days?**

Answer: 90

Code: 90

Explanation: Not applicable

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### **4.9.6. Possibility to change migratory status**

**IMMIGRATION\_89. If an application on refugee status is rejected, does the applicant have the right to appeal?**

Answer: Yes

Code: 1

Explanation: The person has the right to appeal and cannot be deported until the appeal has been resolved (Art. 99.5 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 99.5.

**IMMIGRATION\_90. Is it possible for recognized refugees to change their migratory status?**

Answer: Yes

Code: 1

Explanation: Change in the migratory status is possible (Art. 69 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 69.

### **4.9.7. Detention**

**IMMIGRATION\_91: Detention**

**Are asylum seekers detained while their claims are being processed?**

Answer: No

Code: 4

Explanation: No detention.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Are asylum seekers detained after their claims are processed?**

Answer: No

Code: 2

Explanation: No detention.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**4.9.8. Status after rejection**

**IMMIGRATION\_92. What is the status of asylum seekers whose applications are rejected?**

Answer: Issued a temporary certificate and then deportation

Code: 2

Explanation: Asylum seekers whose application has been rejected must leave the country in 15 days. If not, a process of deportation is initiated (Art. 103 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 103.

**IMMIGRATION\_93. Do asylum seekers have the possibility to work during the process of application?**

Answer: Yes

Code: 1

Explanation: All foreigners in Ecuador have the right to work (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

**4.9.9. Translation and interpretation**

**IMMIGRATION\_94. Does the state provide official translation or interpretation for the process of asylum seekers?**

Answer: Yes

Code: 1

Explanation: Translation is provided if necessary at any stage of the process (Art. 99.3 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 99.3.

## **4.10. Proxy: Co-ethnics**

### **4.10.1. General**

**IMMIGRATION\_95. Existence of co-ethnics in 2017 (i.e. group(s) of immigrants that were granted easier access).**

**Are there group(s) of immigrants that are granted easier access to immigration and citizenship due to colonial history, language, religion, ancestry, and/or ill-treatment in the past?**

Answer: No

Code: 0

Explanation: No co-ethnic category

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRATION\_96. Register the name of the group(s).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **4.10.2. Reasons for co-ethnicity**

**IMMIGRATION\_97. Reasons for co-ethnicity.**

**Shared language:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Shared religion:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Shared ancestry:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Citizen of former colony:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Ill treatment by country in the past:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Self-declaration: avowal to be of country's ethnicity:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Other:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_98. May converts apply?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_99. If ancestry is sufficient to claim entitlement to preferential immigration rights, what is the degree of ancestry required?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**4.10.3. Language test**

**IMMIGRATION\_100. What is the required level of language skills?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.4. Place of residence**

**IMMIGRATION\_101. Does the applicant have to reside in a specific country to be entitled to easier access and right to permanent settlement? (If yes, specify country in the explanation).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.5. Place of application**

**IMMIGRATION\_102. Place of application.**

**Can applicants file an application from outside the territory of the host country?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can applicants file an application on host country's territory?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.6. Date of birth**

**IMMIGRATION\_103. Do applicants need to be born before or after a certain date to be eligible?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **4.10.7. Permit validity**

**IMMIGRATION\_104. If citizenship is not granted right away/after a shorter period, how long is the resident permit valid for?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRATION\_105. Permit renewal.**

**Is it possible to renew a temporary residence permit for co-ethnics?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is it possible to apply for a permanent resident permit for co-ethnics?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



## 5. Immigrant policies

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### 5.1. Permanent residence

#### 5.1.1. Eligibility

##### **IMMIGRANT\_1: General existence of a permanent residence scheme.**

Answer: Yes

Code: 1

Explanation: yes, immigrants can access the status of permanent resident (Art. 63 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.

##### **IMMIGRANT\_2: Existence of a permanent residence scheme for different proxies.**

###### **Do asylum seekers have access to permanent residence?**

Answer: No

Code: 0

Explanation: no, they must have the refugee status first.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

###### **Do refugees have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: yes (Art. 63 and Art. 105 Organic Law of Human Mobility)

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63 and 105.

###### **Do co-ethnics have access to permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: yes (Art. 63 and Art. 105 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63 and 105.

**Do agricultural workers have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: yes (Art. 63 and Art. 105 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63 and 105.

**Do medical doctors have access to permanent residence?**

Answer: Yes

Code: 1

Explanation: yes (Art. 63 and Art. 105 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63 and 105.

**IMMIGRANT\_3: Required time of habitual residence.**

**How many months of habitual residence are required from asylum seekers for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**How many months of habitual residence are required from refugees for accessing permanent residence?**

Answer: 21

Code: 21

Explanation: less than 5 years. Art. 63 and art. 105 of the Organic Law of Human Mobility establish that temporal residents must be at least 21 months in Ecuador as temporal residents to be able to apply for permanent residence.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63 and 105.

**How many months of habitual residence are required from co-ethnics for accessing permanent residence?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**How many months of habitual residence are required from domestic workers for accessing permanent residence?**

Answer: 21

Code: 21

Explanation: less than 5 years. Art. 63 and art. 105 of the Organic Law of Human Mobility establish that temporal residents must be at least 21 months in Ecuador as temporal residents to be able to apply for permanent residence.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63 and 105.

**How many months of habitual residence are required from agricultural workers for accessing permanent residence?**

Answer: 21

Code: 21

Explanation: less than 5 years. Art. 63 and art. 105 of the Organic Law of Human Mobility establish that temporal residents must be at least 21 months in Ecuador as temporal residents to be able to apply for permanent residence.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63 and 105.

**How many months of habitual residence are required from medical doctors for accessing permanent residence?**

Answer: 21

Code: 21

Explanation: less than 5 years. Art. 63 and art. 105 of the Organic Law of Human Mobility establish that temporal residents must be at least 21 months in Ecuador as temporal residents to be able to apply for permanent residence.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63 and 105.

#### **IMMIGRANT\_4: Periods of absence allowed.**

**Are periods of absence allowed before granting of permanent status for asylum seekers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e.g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are periods of absence allowed before granting of permanent status for refugees? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: refugees must have an authorization from the migration authorities if they want to exit the country (Art. 109 Organic Law of Human Mobility). But the regulations does not specify the periods of absence allowed previous to granting the permanent status.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 109.

**Are periods of absence allowed before granting of permanent status for co-ethnics? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are periods of absence allowed before granting of permanent status for domestic workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: The law does not specify periods of absence allowed previous to granting status, only specifies that the person must hold a temporary visa for at least 21 months.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Are periods of absence allowed before granting of permanent status for agricultural workers? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: The law does not specify periods of absence allowed previous to granting status, only specifies that the person must hold a temporary visa for at least 21 months.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Are periods of absence allowed before granting of permanent status for medical doctors? If yes, register the number of non-consecutive months per year allowed. If no absence is allowed, type in 0 months. If the period of absence is discretionary, register as 0. In case that non-consecutive months are not established per year (e. g. ten months in a period of five years), calculate the average per year.**

Answer: Not applicable

Code: Not applicable

Explanation: The law does not specify periods of absence allowed previous to granting status, only specifies that the person must hold a temporary visa for at least 21 months.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

#### **IMMIGRANT\_5. Result of a regularization process.**

**The regularization process leads to:**

Answer: temporal residence permit

Code: 0.25

Explanation: Permanent residence can be accessed after 21 months of regular temporary status (Art. 63 Organic Law of Human Mobility). Thus, it is not accessible through a process of regularization, since this process departs from an irregular status. Thus, regularization leads to a temporary visa. However, regularization is only possible after 30 days of losing a recognized migratory condition (Art. 15 Regulations of the Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 15.

#### **IMMIGRANT\_6: Language test.**

##### **Is there a language requirement for asylum seekers to access permanent residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Is there a language requirement for refugees to access permanent residence?**

Answer: no requirement

Code: 1

Explanation: No language requirement (Art. 64 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 64.

##### **Is there a language requirement for co-ethnics to access permanent residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Is there a language requirement for domestic workers to access permanent residence?**

Answer: no requirement

Code: 1

Explanation: No language requirement (Art. 64 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 64.

**Is there a language requirement for co-ethnics to access permanent residence?**

Answer: no requirement

Code: 1

Explanation: No language requirement (Art. 64 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 64.

**Is there a language requirement for medical doctors to access permanent residence?**

Answer: no requirement

Code: 1

Explanation: No language requirement (Art. 64 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 64.

**IMMIGRANT\_7: Economic resources.**

**Is there an economic resources requirement for applying to permanent residence for asylum seekers?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there an economic resources requirement for applying to permanent residence for refugees?**

Answer: none or below level of social assistance and no income source is excluded

Code: 1

Explanation: None. Art. 64 of Human Mobility Law establishes that the general requirements to access permanent resident (beyond time of residence) do not apply to refugees.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 64.

**Is there an economic resources requirement for applying to permanent residence for co-ethnics?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Is there an economic resources requirement for applying to permanent residence for domestic workers?**

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: Income source linked to employment or no use of social assistance. Art. 64.5 of Human Mobility Law establishes that applicants of permanence residence must prove that they have the economic resources needed to sustain him/herself and his/her family.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 64.5.

**Is there an economic resources requirement for applying to permanent residence for agricultural workers?**

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: Income source linked to employment or no use of social assistance. Art. 64.5 of Human Mobility Law establishes that applicants of permanence residence must prove that they have the economic resources needed to sustain him/herself and his/her family.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 64.5.

**Is there an economic resources requirement for applying to permanent residence for medical doctors?**

Answer: income source linked to employment or no use of social assistance

Code: 0

Explanation: Income source linked to employment or no use of social assistance. Art. 64.5 of Human Mobility Law establishes that applicants of permanence residence must prove that they have the economic resources needed to sustain him/herself and his/her family.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 64.5.

**IMMIGRANT\_8: Cost of application.**

**What is the cost of the application of permanent residence in the original currency (include the cost of issuance if any)?**

Answer: 550



Code: 550

Explanation: The overall cost of the application is 550 USD (50 USD for the application form and 500 USD for issuing the visa).

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Visa Residente Permanente [Permanent Resident Visa]". Access date not available. <https://www.cancilleria.gob.ec/visa-residente-permanente-por-cumplimiento-de-veinte-y-un-meses-de-residencia-temporal/>.

**What is the cost of the application of permanent residence in the USD (include the cost of issuance if any)?**

Answer: 550

Code: 550

Explanation: The overall cost of the application is 550 USD (50 USD for the application form and 500 USD for issuing the visa).

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Visa Residente Permanente [Permanent Resident Visa]". Access date not available. <https://www.cancilleria.gob.ec/visa-residente-permanente-por-cumplimiento-de-veinte-y-un-meses-de-residencia-temporal/>.

**IMMIGRANT\_9: Employer sponsorship.**

**Do asylum seekers have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do refugees have to be sponsored by an employer?**

Answer: no, sponsorship is not required

Code: 1

Explanation: Sponsorship is not required (Art. 63 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.

**Do co-ethnics have to be sponsored by an employer?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Do domestic have to be sponsored by an employer?**

Answer: no, sponsorship is not required

Code: 1

Explanation: Sponsorship is not required (Art. 63 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.

#### **Do agricultural workers have to be sponsored by an employer?**

Answer: no, sponsorship is not required

Code: 1

Explanation: Sponsorship is not required (Art. 63 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.

#### **Do medical doctors have to be sponsored by an employer?**

Answer: no, sponsorship is not required

Code: 1

Explanation: Sponsorship is not required (Art. 63 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.

### **5.1.2. Security of status**

#### **IMMIGRANT\_10: Maximum length of application procedure.**

##### **Maximum length of application procedure for asylum seekers in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for asylum seekers:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for refugees in months:**

Answer: 997

Code: 997

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Maximum length of application procedure for refugees:**

Answer: no regulation on maximum length

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Maximum length of application procedure for co-ethnics in months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for co-ethnics:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Maximum length of application procedure for domestic workers in months:**

Answer: 997

Code: 997

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Maximum length of application procedure for domestic workers:**

Answer: no regulation on maximum length

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Maximum length of application procedure for agricultural workers in months:**

Answer: 997

Code: 997

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Maximum length of application procedure for agricultural workers:**

Answer: no regulation on maximum length

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Maximum length of application procedure for medical doctors in months:**

Answer: 997

Code: 997

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Maximum length of application procedure for medical doctors:**

Answer: no regulation on maximum length

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**IMMIGRANT\_11: Grounds for rejection.**

**Not fulfilling the original conditions that were required to access original permit is a ground for rejecting permanent residence application:**

Answer: yes

Code: 1

Explanation: yes, by cancellation (Art. 69 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 69.

**IMMIGRANT\_12: Legal guarantees.**

**Rejection of applications must be reasoned:**

Answer: yes

Code: 1

Explanation: yes, decisions must be reasoned (Art. 64 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 64. / Código Orgánico Administrativo [Organic Administrative Code]. 2017.

**Rejected applicants have the right to appeal:**

Answer: yes

Code: 1

Explanation: yes, the general administrative procedure applies (Art. 106 Organic Administrative Code).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Código Orgánico Administrativo [Organic Administrative Code]. 2017. Art. 106.

**IMMIGRANT\_13: Expulsion is precluded for victims of violence or crime.**

**Expulsion is precluded for immigrants of all categories who are victims of violence or crime:**

Answer: no

Code: 0

Explanation: No special provision in main regulations (Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## **5.2. Policies of representation**

**IMMIGRANT\_14: Regulation of electoral rights.**

**Subnational electoral rights can be regulated at the subnational level:**

Answer: no

Code: 0

Explanation: No. No regional level exists in Ecuador (it is sketched out in the current constitution, but has not been developed). Municipal electoral rights are regulated at the national level (Art. 61, 62, 63 Ecuadorian Constitution 2008 and Art. 10-16 Electoral Law).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 61-63. / Ley orgánica electoral y de organizaciones políticas de la república del Ecuador [Organic Law of Electoral Rights and Political Organizations]. 2009. Art. 10-16.

### **5.2.1. Electoral rights**

**IMMIGRANT\_15: Voting eligibility for non-citizens.**

**Does the country have presidential elections?**

Answer: yes

Code: 1

**Does the country have a bicameral system (composed of a lower house and an upper house)?**

Answer: no, the country only has a lower house

Code: 2

### **Can non-citizen residents vote in national presidential elections?**

Answer: generally enfranchised with duration-based restrictions

Code: 0.75

Explanation: All TCNs / non-citizen residents are enfranchised at all levels (national elections, referendums and mayoral elections) after 5 years of regular residence (Art. 63 Ecuadorian Constitution).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 63.

### **Can non-citizen residents vote in national legislative elections (lower house)?**

Answer: generally enfranchised with duration-based restrictions

Code: 0.75

Explanation: All TCNs / non-citizen residents are enfranchised at all levels (national elections, referendums and mayoral elections) after 5 years of regular residence (Art. 63 Ecuadorian Constitution).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 63.

### **Can non-citizen residents vote in national legislative elections (upper house)?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **IMMIGRANT\_16: Residence duration-based requirements for active electoral rights.**

#### **Previous residence required for being eligible to vote in presidential elections:**

Answer: between 4 and 6 years

Code: 0.6

Explanation: 4-5 years. Non-citizen residents can participate in elections after 5 years of regular residence.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

**Previous residence required for being eligible to vote in lower house elections:**

Answer: between 4 and 6 years

Code: 0.6

Explanation: 4-5 years. Non-citizen residents can participate in elections after 5 years of regular residence.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

**Previous residence required for being eligible to vote in upper house elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_17: Registration in the electoral roll for non-citizen residents.**

**Registration in the electoral roll for non-citizen residents:**

Answer: active registration, once-off

Code: 0.67

Explanation: Active, once-off. Non-citizen residents that want to participate in the elections must register voluntarily in the Electoral Registry once (Art. 11 Organic Law of Electoral Rights and Political Organizations).

Sources: Ley orgánica electoral y de organizaciones políticas de la república del Ecuador [Organic Law of Electoral Rights and Political Organizations]. 2009. Art. 11.

**IMMIGRANT\_18: Passive electoral rights for non-citizen residents.**

**Can non-citizen residents stand as candidates in national presidential elections?**

Answer: generally disenfranchised

Code: 0

Explanation: To be a representative in the Ecuadorian legislative assembly, Ecuadorian nationality is required (Art. 119 Ecuadorian Constitution of 2008). Thus, non-citizen residents cannot be candidates in legislative elections. Moreover, to run in presidential elections, Ecuadorian nationality is required (Art. 95.1 Organic Law of Electoral Rights and Political Organizations).



Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 119. / Ley orgánica electoral y de organizaciones políticas de la república del Ecuador [Organic Law of Electoral Rights and Political Organizations]. 2009. Art. 95.1.

**Can non-citizen residents stand as candidates in national legislative elections (lower house)?**

Answer: generally disenfranchised

Code: 0

Explanation: To be a representative in the Ecuadorian legislative assembly, Ecuadorian nationality is required (Art. 119 Ecuadorian Constitution of 2008). Thus, non-citizen residents cannot be candidates in legislative elections. Moreover, to run in presidential elections, Ecuadorian nationality is required (Art. 95.1 Organic Law of Electoral Rights and Political Organizations).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 119. / Ley orgánica electoral y de organizaciones políticas de la república del Ecuador [Organic Law of Electoral Rights and Political Organizations]. 2009. Art. 95.1.

**Can non-citizen residents stand as candidates in national legislative elections (upper house)?**

Answer not applicable (no presidential elections)

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMMIGRANT\_19: Residence duration-based restrictions for passive electoral rights.**

**Previous residence required for being eligible to stand as candidate in presidential elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Previous residence required for being eligible to stand as candidate in lower house elections:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

## 5.2.2. Regulation of participation in parties

**IMMIGRANT\_20: Emigrant membership to home country political parties.**

**Non-citizen resident membership to state or reception political parties:**

Answer: legally allowed and same status for citizens and non-citizen residents

Code: 1

Explanation: No restrictions on party membership based on nationality. The Electoral Law establishes that all persons with right to vote can be members of a political party (Art. 334 Electoral Law).

Sources: Ley orgánica electoral y de organizaciones políticas de la república del Ecuador [Organic Law of Electoral Rights and Political Organizations]. 2009. Art. 334.

## 5.2.3. Consultative bodies

**IMMIGRANT\_21: Existence of a consultative body of immigrants acting at the national level.**

**Existence of a consultative body on immigrant issues:**

Answer: yes

Code: 1

Explanation: Yes. There is an Equality Council of Human Mobility (Consejo de Igualdad de Movilidad Humana), which is devoted "to ensure the full validity and rights of people in a situation of mobility, in observance of the Constitution and international instruments" (Art. 1.5 Executive Decree 686). The Council was created in 2014 by the Organic Law of the National Councils for Equality. This law has been implemented and the Council of Human Mobility is fully functioning. The Councils have three main functions: (1) ensure the implementation of the rights granted by the Constitution, (2) promote the right for equality and no discrimination and (3) participate in the formulation, implementation and assessment of the policies that touch upon its competences (Art. 3 Organic Law of the National Councils for Equality).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 3. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015. Art. 15.

**IMMIGRANT\_22: Structural or ad hoc consultation.**

**The consultation is:**

Answer: ad hoc

Code: 0

Explanation: ad hoc. No provision to regulate meetings in main regulations.

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015.

### **IMMIGRANT\_23: Composition of the consultative body.**

#### **Composition of the consultative body:**

Answer: mixed (immigrants and representatives of the government and other institutions)

Code: 0.75

Explanation: Members selected and appointed only by the state. The council is composed by 10 representatives (Art 7. Organic Law of the National Councils for Equality). Some representatives of the different functions of the State (Executive, Legislative, Judicial, Transparency and Electoral) and representatives of the civil society which are and affected by the policy of human mobility, which includes emigrants from the three external districts, immigrants and returnees (Art. 3 Executive Decree 686). The representatives of the civil society are elected in with a public call (“concurso público”), can receive the support of civil society and are elected based on their merits (Art 8. Organic Law of the National Councils for Equality).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 7 and 8. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015. Art. 3.

### **IMMIGRANT\_24: Leadership of the consultative body.**

#### **Who chairs the consultative body?**

Answer: member of the government

Code: 0.25

Explanation: chaired by national authority. Councils are chaired (“presididos”) by the representative that the President of the Republic appoints to that effect merits (Art 7. Organic Law of the National Councils for Equality).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 7.

### **IMMIGRANT\_25: Right of initiative to make its own reports or recommendations.**

#### **The body has the right of initiative to make its own reports or recommendations, even when not consulted:**

Answer: yes

Code: 1

Explanation: This right is included in: Both statutes and law (Art. 9 Organic Law of the National Councils for Equality and Art. 7 of Executive Decree 686).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 9. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015. Art. 7.

**IMMIGRANT\_26: Right to get a response from the government to recommendation.**

**Beyond consultation on policies affecting immigrants the body has the right to get a response from national authorities to its advice/recommendations:**

Answer: no

Code: 0

Explanation: No right to get a response (no provision in main regulations).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015.

**IMMIGRANT\_27: Selection criteria to ensure representativeness.**

**Existence of selection criteria to ensure a gender-balanced consultative body:**

Answer: yes

Code: 1

Explanation: yes. Council must be composed equally by men and women (Art. 7 Organic Law of the National Councils for Equality).

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014. Art. 7.

**Existence of selection criteria to ensure a geographic-balanced consultative body:**

Answer: no

Code: 0

Explanation: No such provision found.

Sources: Ley Orgánica Consejos Nacionales para la Igualdad [Organic Law of the National Councils for Equality]. 2014.

## **5.3. Economic policies**

### **5.3.1. Access to labor market**

**IMMIGRANT\_28: Migrant access to labor market.**

**Can asylum seekers access the labor market?**

Answer: yes, equal access

Code: 1

Explanation: yes. Foreigners in Ecuador have a right to work. No distinctions are made with regard national citizens (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

### **Can refugees access the labor market?**

Answer: yes, equal access

Code: 1

Explanation: yes. Foreigners in Ecuador have a right to work. No distinctions are made with regard national citizens (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

### **Can co-ethnics access the labor market?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access the labor market?**

Answer: yes, equal access

Code: 1

Explanation: yes. Foreigners in Ecuador have a right to work. No distinctions are made with regard national citizens (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

### **Can agricultural workers access the labor market?**

Answer: yes, equal access

Code: 1

Explanation: yes. Foreigners in Ecuador have a right to work. No distinctions are made with regard national citizens (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

#### **Can medical doctors access the labor market?**

Answer: yes, equal access

Code: 1

Explanation: yes. Foreigners in Ecuador have a right to work. No distinctions are made with regard national citizens (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

#### **Can permanent residents access the labor market?**

Answer: yes, equal access

Code: 1

Explanation: yes. Foreigners in Ecuador have a right to work. No distinctions are made with regard national citizens (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

#### **IMMIGRANT\_29: Migrant access to self-employment.**

##### **Can asylum seekers access self-employment?**

Answer: yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

##### **Can refugees access self-employment?**

Answer: yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

##### **Can co-ethnics access self-employment?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can domestic workers access self-employment?**

Answer: yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

#### **Can agricultural workers access self-employment?**

Answer: yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

#### **Can medical doctors access self-employment?**

Answer: yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

#### **Can permanent residents access self-employment?**

Answer: yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

#### **IMMIGRANT\_30: Migrant access to civil service.**

#### **Can asylum seekers access employment in schools (primary and secondary)?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority. The Education Law establishes to teach in a public school it is a requirement to be Ecuadorian national or foreigner with a regular status (Art. 94a Organic Law of Intercultural Education).

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 94a. / Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can refugees access employment in schools (primary and secondary)?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority. The Education Law establishes to teach in a public school it is a requirement to be Ecuadorian national or foreigner with a regular status (Art. 94a Organic Law of Intercultural Education).

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 94a. / Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can co-ethnics access employment in schools (primary and secondary)?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access employment in schools (primary and secondary)?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority. The Education Law establishes to teach in a public school it is a requirement to be Ecuadorian national or foreigner with a regular status (Art. 94a Organic Law of Intercultural Education).

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 94a. / Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.



### **Can agricultural workers access employment in schools (primary and secondary)?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority. The Education Law establishes to teach in a public school it is a requirement to be Ecuadorian national or foreigner with a regular status (Art. 94a Organic Law of Intercultural Education).

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 94a. / Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can medical doctors access employment in schools (primary and secondary)?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority. The Education Law establishes to teach in a public school it is a requirement to be Ecuadorian national or foreigner with a regular status (Art. 94a Organic Law of Intercultural Education).

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 94a. / Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can permanent residents access employment in schools (primary and secondary)?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority. The Education Law establishes to teach in a public school it is a requirement to be Ecuadorian national or foreigner with a regular status (Art. 94a Organic Law of Intercultural Education).

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 94a. / Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can asylum seekers access employment in public administration?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority.

Sources: Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can refugees access employment in public administration?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority.

Sources: Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can co-ethnics access employment in public administration?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access employment in public administration?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority.

Sources: Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can agricultural workers access employment in public administration?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority.

Sources: Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can medical doctors access employment in public administration?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority.

Sources: Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can permanent residents access employment in public administration?**

Answer: yes, but under certain conditions

Code: 0.5

Explanation: Yes, but Art. 5 of Organic Law of Public Service establishes that foreigners can access public services after 5 years of regular residence. Moreover, Art. 5 also establishes that institutions that want to hire foreigners must have a previous authorization from the labor authority.

Sources: Ley Orgánica de Servicio Público [Organic Law of Public Service]. 2010. Art. 5.

### **Can asylum seekers access employment in the police?**

Answer: no

Code: 0

Explanation: no. Art. 2 of the Law 123 of the Personnel of the National Police establishes that only Ecuadorians by birth can be part of the police force.

Sources: Ley de Personal de la Policía Nacional [Law of the Personnel of the Police Forces]. 1998. Art. 2 and 123.

### **Can refugees access employment in the police?**

Answer: no

Code: 0

Explanation: no. Art. 2 of the Law 123 of the Personnel of the National Police establishes that only Ecuadorians by birth can be part of the police force.

Sources: Ley de Personal de la Policía Nacional [Law of the Personnel of the Police Forces]. 1998. Art. 2 and 123.

### **Can co-ethnics access employment in the police?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers access employment in the police?**

Answer: no

Code: 0

Explanation: no. Art. 2 of the Law 123 of the Personnel of the National Police establishes that only Ecuadorians by birth can be part of the police force.

Sources: Ley de Personal de la Policía Nacional [Law of the Personnel of the Police Forces]. 1998. Art. 2 and 123.

### **Can agricultural workers access employment in the police?**

Answer: no

Code: 0

Explanation: no. Art. 2 of the Law 123 of the Personnel of the National Police establishes that only Ecuadorians by birth can be part of the police force.

Sources: Ley de Personal de la Policía Nacional [Law of the Personnel of the Police Forces]. 1998. Art. 2 and 123.

### **Can medical doctors access employment in the police?**

Answer: no

Code: 0

Explanation: no. Art. 2 of the Law 123 of the Personnel of the National Police establishes that only Ecuadorians by birth can be part of the police force.

Sources: Ley de Personal de la Policía Nacional [Law of the Personnel of the Police Forces]. 1998. Art. 2 and 123.

### **Can permanent residents access employment in the police?**

Answer: no

Code: 0

Explanation: no. Art. 2 of the Law 123 of the Personnel of the National Police establishes that only Ecuadorians by birth can be part of the police force.

Sources: Ley de Personal de la Policía Nacional [Law of the Personnel of the Police Forces]. 1998. Art. 2 and 123.

**Quotas for preferential hiring of asylum seekers exist:**

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Not applicable

**Quotas for preferential hiring of refugees exist:**

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Not applicable

**Quotas for preferential hiring of co-ethnics exist:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Quotas for preferential hiring of domestic workers exist:**

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Not applicable

**Quotas for preferential hiring of agricultural workers exist:**

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Not applicable

**Quotas for preferential hiring of medical doctors:**

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Not applicable

**Quotas for preferential hiring of permanent residents:**

Answer: no

Code: 0

Explanation: No such quotas found.

Sources: Not applicable

**Can asylum seekers access employment in the armed forces?**

Answer: no

Code: 0

Explanation: no. Art. 3 of Law 118 (Law of Personnel of the Armed Forces) establishes that only Ecuadorian by birth can be members of the Armed Forces.

Sources: Ley 118 [Law 118]. 1991 (2015). Art. 3.

**Can refugees access employment in the armed forces?**

Answer: no

Code: 0

Explanation: no. Art. 3 of Law 118 (Law of Personnel of the Armed Forces) establishes that only Ecuadorian by birth can be members of the Armed Forces.

Sources: Ley 118 [Law 118]. 1991 (2015). Art. 3.

**Can co-ethnics access employment in the armed forces?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Can domestic workers access employment in the armed forces?**

Answer: no

Code: 0

Explanation: no. Art. 3 of Law 118 (Law of Personnel of the Armed Forces) establishes that only Ecuadorian by birth can be members of the Armed Forces.

Sources: Ley 118 [Law 118]. 1991 (2015). Art. 3.

#### **Can agricultural workers access employment in the armed forces?**

Answer: no

Code: 0

Explanation: no. Art. 3 of Law 118 (Law of Personnel of the Armed Forces) establishes that only Ecuadorian by birth can be members of the Armed Forces.

Sources: Ley 118 [Law 118]. 1991 (2015). Art. 3.

#### **Can medical doctors access employment in the armed forces?**

Answer: no

Code: 0

Explanation: no. Art. 3 of Law 118 (Law of Personnel of the Armed Forces) establishes that only Ecuadorian by birth can be members of the Armed Forces.

Sources: Ley 118 [Law 118]. 1991 (2015). Art. 3.

#### **Can permanent residents access employment in the armed forces?**

Answer: no

Code: 0

Explanation: no. Art. 3 of Law 118 (Law of Personnel of the Armed Forces) establishes that only Ecuadorian by birth can be members of the Armed Forces.

Sources: Ley 118 [Law 118]. 1991 (2015). Art. 3.

### 5.3.2. Access to support

#### **IMMIGRANT\_31: Public employment services.**

##### **Can asylum seekers access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

##### **Can refugees access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

##### **Can co-ethnics access public employment services?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Can domestic workers access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

##### **Can agricultural workers access public employment services?**



Answer: Yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

#### **Can medical doctors access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

#### **Can permanent residents access public employment services?**

Answer: Yes, equal access

Code: 1

Explanation: yes, equal access (Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51.

### **IMMIGRANT\_32: Recognition of qualifications.**

#### **Recognition of qualifications acquired abroad by asylum seekers:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: yes, same procedure and fees as for nationals. Degrees obtained abroad must be recognized by the Secretary of High Education, Sciences, Technology and Innovation (SENESCYT). Process has to be started in Ecuador and can last up to 30 days (45 for PhDs and degrees related with Health Sciences). General requirements are (1) passport/ID card, (2) Original degree certificate, (3) Syllabus, (4) Area of Knowledge (there are extra documents for degrees related with Health Sciences). Recognition of academic and professional qualifications is regulated by the Organic law of High Education (Ley Orgánica de Educación Superior) and the Regulations on Academic Degrees Obtain in Foreign Institutions. Additionally, Art. 50 of the Organic Law of Human Mobility establishes that foreigners living in Ecuador have the right to homologate their academic degrees.

Sources: Reglamento sobre títulos y grados académicos obtenidos en instituciones extranjeras [Regulations on Academic Degrees Obtain in Foreign Institutions]. 2017. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 50.

#### **Recognition of qualifications acquired abroad by refugees:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: yes, same procedure and fees as for nationals. Degrees obtained abroad must be recognized by the Secretary of High Education, Sciences, Technology and Innovation (SENESCYT). Process has to be started in Ecuador and can last up to 30 days (45 for PhDs and degrees related with Health Sciences). General requirements are (1) passport/ID card, (2) Original degree certificate, (3) Syllabus, (4) Area of Knowledge (there are extra documents for degrees related with Health Sciences). Recognition of academic and professional qualifications is regulated by the Organic law of High Education (Ley Orgánica de Educación Superior) and the Regulations on Academic Degrees Obtain in Foreign Institutions. Additionally, Art. 50 of the Organic Law of Human Mobility establishes that foreigners living in Ecuador have the right to homologate their academic degrees.

Sources: Reglamento sobre títulos y grados académicos obtenidos en instituciones extranjeras [Regulations on Academic Degrees Obtain in Foreign Institutions]. 2017. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 50.

#### **Recognition of qualifications acquired abroad by co-ethnics:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Recognition of qualifications acquired abroad by domestic workers:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: yes, same procedure and fees as for nationals. Degrees obtained abroad must be recognized by the Secretary of High Education, Sciences, Technology and Innovation (SENESCYT). Process has to be started in Ecuador and can last up to 30 days (45 for PhDs and degrees related with Health Sciences). General requirements are (1) passport/ID card, (2) Original degree certificate, (3) Syllabus, (4) Area of Knowledge (there are extra documents for degrees related with Health Sciences). Recognition of academic and professional qualifications is regulated by the Organic law of High Education (Ley Orgánica de Educación Superior) and the Regulations on Academic Degrees Obtain in Foreign Institutions. Additionally, Art. 50 of the Organic Law of Human Mobility establishes that foreigners living in Ecuador have the right to homologate their academic degrees.

Sources: Reglamento sobre títulos y grados académicos obtenidos en instituciones extranjeras [Regulations on Academic Degrees Obtain in Foreign Institutions]. 2017. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 50.

#### **Recognition of qualifications acquired abroad by agricultural workers:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: yes, same procedure and fees as for nationals. Degrees obtained abroad must be recognized by the Secretary of High Education, Sciences, Technology and Innovation (SENESCYT). Process has to be started in Ecuador and can last up to 30 days (45 for PhDs and degrees related with Health Sciences). General requirements are (1) passport/ID card, (2) Original degree certificate, (3) Syllabus, (4) Area of Knowledge (there are extra documents for degrees related with Health Sciences). Recognition of academic and professional qualifications is regulated by the Organic law of High Education (Ley Orgánica de Educación Superior) and the Regulations on Academic Degrees Obtain in Foreign Institutions. Additionally, Art. 50 of the Organic Law of Human Mobility establishes that foreigners living in Ecuador have the right to homologate their academic degrees.

Sources: Reglamento sobre títulos y grados académicos obtenidos en instituciones extranjeras [Regulations on Academic Degrees Obtain in Foreign Institutions]. 2017. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 50.

### **Recognition of qualifications acquired abroad by medical doctors:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: yes, same procedure and fees as for nationals. Degrees obtained abroad must be recognized by the Secretary of High Education, Sciences, Technology and Innovation (SENESCYT). Process has to be started in Ecuador and can last up to 30 days (45 for PhDs and degrees related with Health Sciences). General requirements are (1) passport/ID card, (2) Original degree certificate, (3) Syllabus, (4) Area of Knowledge (there are extra documents for degrees related with Health Sciences). Recognition of academic and professional qualifications is regulated by the Organic law of High Education (Ley Orgánica de Educación Superior) and the Regulations on Academic Degrees Obtain in Foreign Institutions. Additionally, Art. 50 of the Organic Law of Human Mobility establishes that foreigners living in Ecuador have the right to homologate their academic degrees.

Sources: Reglamento sobre títulos y grados académicos obtenidos en instituciones extranjeras [Regulations on Academic Degrees Obtain in Foreign Institutions]. 2017. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 50.

### **Recognition of qualifications acquired abroad by permanent residents:**

Answer: Yes, same procedure as for nationals

Code: 1

Explanation: yes, same procedure and fees as for nationals. Degrees obtained abroad must be recognized by the Secretary of High Education, Sciences, Technology and Innovation (SENESCYT). Process has to be started in Ecuador and can last up to 30 days (45 for PhDs and degrees related with Health Sciences). General requirements are (1) passport/ID card, (2) Original degree certificate, (3) Syllabus, (4) Area of Knowledge (there are extra documents for degrees related with Health Sciences). Recognition of academic and professional qualifications is regulated by the Organic law of High Education (Ley Orgánica de Educación Superior) and the Regulations on Academic Degrees Obtain in Foreign Institutions. Additionally, Art. 50 of the Organic Law of Human Mobility establishes that foreigners living in Ecuador have the right to homologate their academic degrees.

Sources: Reglamento sobre títulos y grados académicos obtenidos en instituciones extranjeras [Regulations on Academic Degrees Obtain in Foreign Institutions]. 2017. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 50.

### 5.3.3. Worker's rights

#### **IMMIGRANT\_33: Membership in trade unions.**

**Can asylum seekers be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The Work Code in Art. 440 establishes that all workers without distinction have the right to constitute and participate in professional associations and trade unions.

Sources: Código Del Trabajo [Labor Code]. 2005. Art. 440.

**Can refugees be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The Work Code in Art. 440 establishes that all workers without distinction have the right to constitute and participate in professional associations and trade unions.

Sources: Código Del Trabajo [Labor Code]. 2005. Art. 440.

**Can co-ethnic be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can domestic workers be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The Work Code in Art. 440 establishes that all workers without distinction have the right to constitute and participate in professional associations and trade unions.

Sources: Código Del Trabajo [Labor Code]. 2005. Art. 440.

**Can agricultural workers be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The Work Code in Art. 440 establishes that all workers without distinction have the right to constitute and participate in professional associations and trade unions.

Sources: Código Del Trabajo [Labor Code]. 2005. Art. 440.

**Can medical doctors be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The Work Code in Art. 440 establishes that all workers without distinction have the right to constitute and participate in professional associations and trade unions.

Sources: Código Del Trabajo [Labor Code]. 2005. Art. 440.

**Can permanent residents be members and participate in trade union associations and work-related negotiation bodies?**

Answer: Yes, equal access

Code: 1

Explanation: Equal access with nationals. The Work Code in Art. 440 establishes that all workers without distinction have the right to constitute and participate in professional associations and trade unions.

Sources: Código Del Trabajo [Labor Code]. 2005. Art. 440.

**IMMIGRANT\_34: Job transferability.**

**Can asylum seekers change their employer without risking their immigration status?**

Answer: Yes, without conditions

Code: 1

Explanation: yes, without conditions. Status does not depend on work contract (Arts. 90 to 98 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 90-98.

### **Can refugees change their employer without risking their immigration status?**

Answer: Yes, without conditions

Code: 1

Explanation: yes, without conditions. Status does not depend on work contract (Arts. 90 to 98 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 90-98.

### **Can co-ethnics change their employer without risking their immigration status?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Can domestic workers change their employer without risking their immigration status?**

Answer: No

Code: 0

Explanation: no, without conditions (Art. 68.1 and Art. 68.3 Organic Law of Human Mobility). The Human Mobility Law establishes as a ground for cancellation of the visa the disappearance of the facts that grounded the visa as well as the practice of acts (i.e. working in another profession) different from the ones that apply to the migrant category of the visa.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.1 and 68.3.

### **Can agricultural workers change their employer without risking their immigration status?**

Answer: No

Code: 0

Explanation: no, without conditions (Art. 68.1 and Art. 68.3 Organic Law of Human Mobility). The Human Mobility Law establishes as a ground for cancellation of the visa the disappearance of the facts that grounded the visa as well as the practice of acts (i.e. working in another profession) different from the ones that apply to the migrant category of the visa.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.1 and 68.3.

**Can medical doctors change their employer without risking their immigration status?**

Answer: No

Code: 0

Explanation: no, without conditions (Art. 68.1 and Art. 68.3 Organic Law of Human Mobility). The Human Mobility Law establishes as a ground for cancellation of the visa the disappearance of the facts that grounded the visa as well as the practice of acts (i.e. working in another profession) different from the ones that apply to the migrant category of the visa.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.1 and 68.3.

**Can permanent residents change their employer without risking their immigration status?**

Answer: Yes, without conditions

Code: 1

Explanation: yes, without conditions. (Art. 86.6 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 86.6.

**IMMIGRANT\_35: Right to redress.**

**Do asylum seekers have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes, equal access (Art. 2 and Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2 and 51.

**Do refugees have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes, equal access (Art. 2 and Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2 and 51.

**Do co-ethnics have the right to redress if the terms of their employment contracts have been violated?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes, equal access (Art. 2 and Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2 and 51.

**Do agricultural workers have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes, equal access (Art. 2 and Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2 and 51.

**Do medical doctors have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes, equal access (Art. 2 and Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2 and 51.

**Do permanent residents have the right to redress if the terms of their employment contracts have been violated?**

Answer: Yes, without restrictions



Code: 1

Explanation: yes, equal access (Art. 2 and Art. 51 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2 and 51.

### **5.3.4. Property rights**

#### **IMMIGRANT\_36: Property rights.**

##### **Can asylum seekers acquire property in the state of reception?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes. The Organic Law of Human Mobility establishes that foreigners should be treated equally and that unnecessary legal discriminations/distinctions must be eliminated (Art. 2 Organic Law of Human Mobility). Art. 15 Civil Code recognizes foreigners the right to acquire property in the country.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2. / Código Del Trabajo [Labor Code]. 2005. Art. 15.

##### **Can refugees acquire property in the state of reception?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes. The Organic Law of Human Mobility establishes that foreigners should be treated equally and that unnecessary legal discriminations/distinctions must be eliminated (Art. 2 Organic Law of Human Mobility). Art. 15 Civil Code recognizes foreigners the right to acquire property in the country.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2. / Código Del Trabajo [Labor Code]. 2005. Art. 15.

##### **Can co-ethnics acquire property in the state of reception?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

##### **Can domestic workers acquire property in the state of reception?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes. The Organic Law of Human Mobility establishes that foreigners should be treated equally and that unnecessary legal discriminations/distinctions must be eliminated (Art. 2 Organic Law of Human Mobility). Art. 15 Civil Code recognizes foreigners the right to acquire property in the country.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2. / Código Del Trabajo [Labor Code]. 2005. Art. 15.

### **Can agricultural workers acquire property in the state of reception?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes. The Organic Law of Human Mobility establishes that foreigners should be treated equally and that unnecessary legal discriminations/distinctions must be eliminated (Art. 2 Organic Law of Human Mobility). Art. 15 Civil Code recognizes foreigners the right to acquire property in the country.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2. / Código Del Trabajo [Labor Code]. 2005. Art. 15.

### **Can medical doctors acquire property in the state of reception?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes. The Organic Law of Human Mobility establishes that foreigners should be treated equally and that unnecessary legal discriminations/distinctions must be eliminated (Art. 2 Organic Law of Human Mobility). Art. 15 Civil Code recognizes foreigners the right to acquire property in the country.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2. / Código Del Trabajo [Labor Code]. 2005. Art. 15.

### **Can permanent residents acquire property in the state of reception?**

Answer: Yes, without restrictions

Code: 1

Explanation: yes. The Organic Law of Human Mobility establishes that foreigners should be treated equally and that unnecessary legal discriminations/distinctions must be eliminated (Art. 2 Organic Law of Human Mobility). Art. 15 Civil Code recognizes foreigners the right to acquire property in the country.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 2. / Código Del Trabajo [Labor Code]. 2005. Art. 15.

## **5.4. Social policies**

### **5.4.1. Family reunification**

**Can asylum seekers bring their families to their country of residence?**

Answer: no

Code: 0

Explanation: there is no provision for family reunification for asylum seekers. Family reunification is reserved to refugees

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Can refugees bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Art. 77 of the Regulations of the Organic Law of Human Mobility establishes that the refugee status is extended to the family that are present in the moment of application in Ecuadorian territory and to those that are abroad and which the main applicant applies for.

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 77.

**Can co-ethnics bring their families to their country of residence?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Can domestic workers bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

### **Can agricultural workers bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

### **Can medical doctors bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

### **Can permanent residents bring their families to their country of residence?**

Answer: yes

Code: 1

Explanation: Art. 63.4 of Organic Law of Human Mobility establishes that family of permanent residents up to the second degree of consanguinity can apply for permanent residence.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.4.

## *Eligibility*

### **IMMIGRANT\_37: Resident requirement for ordinary legal residents.**

#### **Residence requirement for ordinary legal residents (asylum seekers). In months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (refugees). In months:**

Answer: 0

Code: 0

Explanation: No residence requirement. Art. 77 of the Regulations of the Organic Law of Human Mobility establishes that the refugee status is extended to the family that are present in the moment of application in Ecuadorian territory and to those that are abroad and which the main applicant applies for.

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 77.

**Residence requirement for ordinary legal residents (refugees):**

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. Art. 77 of the Regulations of the Organic Law of Human Mobility establishes that the refugee status is extended to the family that are present in the moment of application in Ecuadorian territory and to those that are abroad and which the main applicant applies for.

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 77.

**Residence requirement for ordinary legal residents (co-ethnics). In months:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Residence requirement for ordinary legal residents (domestic workers). In months:**

Answer: 0

Code: 0

Explanation: No residence requirement. Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Residence requirement for ordinary legal residents (domestic workers):**

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Residence requirement for ordinary legal residents (agricultural workers). In months:**

Answer: 0

Code: 0

Explanation: No residence requirement. Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Residence requirement for ordinary legal residents (agricultural workers):**

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Residence requirement for ordinary legal residents (medical doctors). In months:**

Answer: 0

Code: 0

Explanation: No residence requirement. Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Residence requirement for ordinary legal residents (medical doctors):**

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Residence requirement for ordinary legal residents (permanent residents). In months:**

Answer: 0

Code: 0

Explanation: No residence requirement. Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Residence requirement for ordinary legal residents (permanent residents):**

Answer: no residence requirement

Code: 1

Explanation: No residence requirement. Art. 60.12 of Organic Law of Human Mobility establish that children and spouse of migrants with a temporary visa are covered by the visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**IMMIGRANT\_38: Family members considered for reunification.**

**Family member eligible for reunification (asylum seekers): Spouse.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (asylum seekers): Partner in a civil union or long-term relationship.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (asylum seekers): Children.**

Answer: not applicable

Code: Not applicable

Explanation:

Sources:

**Family member eligible for reunification (asylum seekers): Parents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (asylum seekers): Grandparents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



**Family member eligible for reunification (refugees): Spouse.**

Answer: yes

Code: 1

Explanation: Art. 3.5 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 3.5.

**Family member eligible for reunification (refugees): Partner in a civil union or long-term relationship.**

Answer: yes

Code: 1

Explanation: Art. 3.5 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 3.5.

**Family member eligible for reunification (refugees): Children.**

Answer: yes

Code: 1

Explanation: Art. 3.5 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 3.5.

**Family member eligible for reunification (refugees): Parents.**

Answer: yes

Code: 1

Explanation: Art. 3.5 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.:

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 3.5.

**Family member eligible for reunification (refugees): Grandparents.**

Answer: yes

Code: 1

Explanation: Art. 3.5 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 3.5.

**Family member eligible for reunification (co-ethnics): Spouse.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Partner in a civil union or long-term relationship.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Children.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Parents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (co-ethnics): Grandparents.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Family member eligible for reunification (domestic workers): Spouse.**

Answer: yes

Code: 1

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (domestic workers): Partner in a civil union or long-term relationship.**

Answer: yes

Code: 1

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (domestic workers): Children.**

Answer: yes

Code: 1

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (domestic workers): Parents.**

Answer: no

Code: 0

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (domestic workers): Grandparents.**

Answer: no

Code: 0

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (agricultural workers): Spouse.**

Answer: yes

Code: 1

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (agricultural workers): Partner in a civil union or long-term relationship.**

Answer: yes

Code: 1

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (agricultural workers): Children.**

Answer: yes

Code: 1

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (agricultural workers): Parents.**

Answer: no

Code: 0

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (agricultural workers): Grandparents.**

Answer: no

Code: 0

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (medical doctors): Spouse.**

Answer: yes

Code: 1

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (medical doctors): Partner in a civil union or long-term relationship.**

Answer: yes

Code: 1

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (medical doctors): Children.**

Answer: yes

Code: 1

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (medical doctors): Parents.**

Answer: no

Code: 0

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (medical doctors): Grandparents.**

Answer: no

Code: 0

Explanation: Art. 60.12 of the Organic Law of Human Mobility establishes that only the spouse (or civil partner) and children are covered by the temporary visa of the main applicant.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 60.12.

**Family member eligible for reunification (permanent residents): Spouse.**

Answer: yes

Code: 1

Explanation: Art. 63.4 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.4.

**Family member eligible for reunification (permanent residents): Partner in a civil union or long-term relationship.**

Answer: yes

Code: 1

Explanation: Art. 63.4 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.4.

**Family member eligible for reunification (permanent residents): Children.**

Answer: yes

Code: 1

Explanation: Art. 63.4 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.4.

**Family member eligible for reunification (permanent residents): Parents.**

Answer: yes

Code: 1

Explanation: Art. 63.4 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.4.

**Family member eligible for reunification (permanent residents): Grandparents.**

Answer: yes

Code: 1

Explanation: Art. 63.4 of the Organic Law of Human Mobility establishes that only family up to the second degree of consanguinity or affinity can access the family reunification scheme.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.4.

*Security of status*

**IMMIGRANT\_39: Length of application procedure.**

**Length of application procedure in months (asylum seekers).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure (asylum seekers).**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure in months (refugees).**

Answer: Not applicable

Code: Not applicable

Explanation: No regulation of maximum length.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Length of application procedure (refugees).**

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation of maximum length.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Length of application procedure in months (co-ethnics).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure (co-ethnics).**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Length of application procedure in months (domestic workers).**

Answer: Not applicable



Code: Not applicable

Explanation: No regulation of maximum length.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Length of application procedure (domestic workers).**

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation of maximum length.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Length of application procedure in months (agricultural workers).**

Answer: Not applicable

Code: Not applicable

Explanation: No regulation of maximum length.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Length of application procedure (agricultural workers).**

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation of maximum length.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Length of application procedure in months (medical doctors).**

Answer: Not applicable

Code: Not applicable

Explanation: No regulation of maximum length.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Length of application procedure (medical doctors).**

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation of maximum length.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Length of application procedure in months (permanent residents).**

Answer: Not applicable

Code: Not applicable

Explanation: No regulation of maximum length.

Sources: Not applicable

**Length of application procedure (permanent residents).**

Answer: no regulation of maximum length

Code: 0

Explanation: No regulation of maximum length.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRANT\_40: Duration of permit.**

**Duration of validity of permit (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Duration of validity of permit (refugees):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Equal to sponsor's residence permit and renewable (Art. 77 Regulations of Organic Law of Human Mobility).

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 77.

**Duration of validity of permit (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Duration of validity of permit (domestic workers):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Equal to sponsor's residence permit and renewable (Art. 60.12 Regulations of Organic Law of Human Mobility).

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 60.12.

**Duration of validity of permit (agricultural workers):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Equal to sponsor's residence permit and renewable (Art. 60.12 Regulations of Organic Law of Human Mobility).

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 60.12.

**Duration of validity of permit (medical doctors):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Equal to sponsor's residence permit and renewable (Art. 60.12 Regulations of Organic Law of Human Mobility).

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 60.12.

**Duration of validity of permit (permanent residents):**

Answer: equal to sponsor's residence permit

Code: 1

Explanation: Equal to sponsor's residence permit and renewable (Art. 63.4 Regulations of Organic Law of Human Mobility).

Sources: Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 63.4.

**IMMIGRANT\_41: Grounds for rejection, withdrawing or refusing to renew status.**

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Break-up of family relationship is a ground for rejecting family reunification application (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (refugees):**

Answer: yes

Code: 1

Explanation: yes (Art. 106 Organic Law of Human Mobility)

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 106. / Decreto Ejecutivo 686 [Executive Decree 686]. 2015.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (refugees):**

Answer: yes

Code: 1

Explanation: yes (Art 103 Organic Law of Human Mobility and Art. 85 Regulations of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 103. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 85.

**Break-up of family relationship is a ground for rejecting family reunification application (refugees):**

Answer: no

Code: 0

Explanation: no (Art. 77.2 Regulations of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 77.2. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Break-up of family relationship is a ground for rejecting family reunification application (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (domestic workers):**

Answer: yes

Code: 1

Explanation: yes (Art. 68.4 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.4.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (domestic workers):**

Answer: yes

Code: 1

Explanation: yes (Art. 68.2 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.2.

**Break-up of family relationship is a ground for rejecting family reunification application (domestic workers):**

Answer: no

Code: 0

Explanation: no provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (agricultural workers):**

Answer: yes

Code: 1

Explanation: yes (Art. 68.4 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.4.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (agricultural workers):**

Answer: yes

Code: 1

Explanation: yes (Art. 68.2 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.2.

**Break-up of family relationship is a ground for rejecting family reunification application (agricultural workers):**

Answer: no

Code: 0

Explanation: no provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (medical doctors):**

Answer: yes

Code: 1

Explanation: yes (Art. 68.4 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.4.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (medical doctors):**

Answer: yes

Code: 1

Explanation: yes (Art. 68.2 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.2.

**Break-up of family relationship is a ground for rejecting family reunification application (medical doctors):**

Answer: no

Code: 0

Explanation: no provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Being an actual and serious threat to national security is a ground for rejecting family reunification application (permanent residents):**

Answer: yes

Code: 1

Explanation: yes (Art. 68.4 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.4.

**Proven fraud in the acquisition of permit is a ground for rejecting family reunification application (permanent residents):**

Answer: yes

Code: 1

Explanation: yes (Art. 68.2 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 68.2.

**Break-up of family relationship is a ground for rejecting family reunification application (permanent residents):**

Answer: no

Code: 0

Explanation: no provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRANT\_42: Special circumstances.**

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (asylum seekers):**



Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of existing links with country of origin (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of physical or emotional violence (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (refugees):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (refugees):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (refugees):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (refugees):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of existing links with country of origin (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of physical or emotional violence (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (domestic workers):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (domestic workers):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (domestic workers):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (domestic workers):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (agricultural workers):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (agricultural workers):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (agricultural workers):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (agricultural workers):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (medical doctors):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (medical doctors):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (medical doctors):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (medical doctors):**

Answer: no

Code: 0

Explanation: Not applicable.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of solidity of sponsor's family relationship (permanent residents):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of duration of sponsor's residence in country (permanent residents):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of existing links with country of origin (permanent residents):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Before refusal or withdrawal, due account is taken of physical or emotional violence (permanent residents):**

Answer: no

Code: 0

Explanation: No provision.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**IMMIGRANT\_43: Legal guarantees and redress in case of refusal or withdrawal.**

**Legal guarantee in case of refusal or withdrawal: reasoned decision (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: right to appeal (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: reasoned decision (refugees):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: right to appeal (refugees):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (refugees):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: right to appeal (co-ethnic):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (co-ethnic):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable



**Legal guarantee in case of refusal or withdrawal: reasoned decision (domestic workers):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: right to appeal (domestic workers):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (domestic workers):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (agricultural workers):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: right to appeal (agricultural workers):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (agricultural workers):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (medical doctors):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: A Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Legal guarantee in case of refusal or withdrawal: right to appeal (medical doctors):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (medical doctors):**

Answer: no

Code: 0

Explanation: Not applicable

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Legal guarantee in case of refusal or withdrawal: reasoned decision (permanent residents):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: right to appeal (permanent residents):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**Legal guarantee in case of refusal or withdrawal: representation before an independent administrative authority (permanent residents):**

Answer: no

Code: 0

Explanation: No specific provisions. Only general principle of access to the justice system (Art. 47 Organic Law of Human Mobility) applies.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 47.

**IMMIGRANT\_44: Right to autonomous permit.**

**Right to autonomous residence permit for partners and children at age of majority (asylum seekers):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Right to autonomous residence permit for partners and children at age of majority (refugees):**

Answer: after less or equal 3 years

Code: 0.75

Explanation: yes, after 21 months of regular situation immigrants can apply for permanent residence (Art. 63.1 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.1.

**Right to autonomous residence permit for partners and children at age of majority (co-ethnics):**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Right to autonomous residence permit for partners and children at age of majority (domestic workers):**

Answer: after less or equal 3 years

Code: 0.75

Explanation: yes, after 21 months of regular situation immigrants can apply for permanent residence (Art. 63.1 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.1.

**Right to autonomous residence permit for partners and children at age of majority (agricultural workers):**

Answer: after less or equal 3 years

Code: 0.75

Explanation: yes, after 21 months of regular situation immigrants can apply for permanent residence (Art. 63.1 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.1.

**Right to autonomous residence permit for partners and children at age of majority (medical doctors):**

Answer: after less or equal 3 years

Code: 0.75

Explanation: yes, after 21 months of regular situation immigrants can apply for permanent residence (Art. 63.1 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.1.

**Right to autonomous residence permit for partners and children at age of majority (permanent residents):**

Answer: after less or equal 3 years

Code: 0.75

Explanation: yes, after 21 months of regular situation immigrants can apply for permanent residence (Art. 63.1 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 63.1.

## 5.4.2. Education

### IMMIGRANT\_45: Access to education.

#### Children of asylum seekers have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Yes, they have access. The Ecuadorian constitution of 2008 establishes that access to education is universal and compulsory for the primary and secondary levels (Art. 27 Ecuadorian Constitution). The Organic Law of Intercultural Education also includes the principle of universality in Art. 2a and explicitly recognizes the right to access to the education for any level to all persons without discrimination (Art. 2hh). Also, Art 4 of the Organic Law of Intercultural Education establishes that all residents ("habitants") have the right to education.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 27. / Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 2a and 2hh.

#### Children of refugees have access to compulsory education:

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: yes. Refugees can access all levels of the Ecuadorian education system to start or continue with previous studies (Art. 91 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 91.

#### Children of co-ethnics have access to compulsory education:

Answer: not applicable

Code: Not applicable

Explanation: not applicable

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. / Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011.

#### **Children of domestic workers have access to compulsory education:**

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Yes, they have access. The Ecuadorian constitution of 2008 establishes that access to education is universal and compulsory for the primary and secondary levels (Art. 27 Ecuadorian Constitution). The Organic Law of Intercultural Education also includes the principle of universality in Art. 2a and explicitly recognizes the right to access to the education for any level to all persons without discrimination (Art. 2hh). Also, Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to education.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. / Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011.

#### **Children of agricultural workers have access to compulsory education:**

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Yes, they have access. The Ecuadorian constitution of 2008 establishes that access to education is universal and compulsory for the primary and secondary levels (Art. 27 Ecuadorian Constitution). The Organic Law of Intercultural Education also includes the principle of universality in Art. 2a and explicitly recognizes the right to access to the education for any level to all persons without discrimination (Art. 2hh). Also, Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to education.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 27. / Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 2a and 2hh.

#### **Children of medical doctors have access to compulsory education:**

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Yes, they have access. The Ecuadorian constitution of 2008 establishes that access to education is universal and compulsory for the primary and secondary levels (Art. 27 Ecuadorian Constitution). The Organic Law of Intercultural Education also includes the principle of universality in Art. 2a and explicitly recognizes the right to access to the education for any level to all persons without discrimination (Art. 2hh). Also, Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to education.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 27. / Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 2a and 2hh.

**Children of permanent residents have access to compulsory education:**

Answer: yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Yes, they have access. The Ecuadorian constitution of 2008 establishes that access to education is universal and compulsory for the primary and secondary levels (Art. 27 Ecuadorian Constitution). The Organic Law of Intercultural Education also includes the principle of universality in Art. 2a and explicitly recognizes the right to access to the education for any level to all persons without discrimination (Art. 2hh). Also, Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to education.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 27. / Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 2a and 2hh.

**IMMIGRANT\_46: Access to higher education.**

**Asylum seekers and their children have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to primary, secondary education as well as education throughout all their life. Moreover, Art. 71 of the Organic Law of Superior Education establishes the principle of equal opportunities and mentions explicitly that this principle applies to migrant population.

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 4. / Ley Orgánica de Educación Superior [Organic Law of Superior Education]. 2010. Art. 71.

**Refugees have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to primary, secondary education as well as education throughout all their life. Moreover, Art. 71 of the Organic Law of Superior Education establishes the principle of equal opportunities and mentions explicitly that this principle applies to migrant population.

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 4. / Ley Orgánica de Educación Superior [Organic Law of Superior Education]. 2010. Art. 71.

**Co-ethnics have access to higher education:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Domestic workers have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to primary, secondary education as well as education throughout all their life. Moreover, Art. 71 of the Organic Law of Superior Education establishes the principle of equal opportunities and mentions explicitly that this principle applies to migrant population.

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 4. / Ley Orgánica de Educación Superior [Organic Law of Superior Education]. 2010. Art. 71.

**Agricultural workers have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to primary, secondary education as well as education throughout all their life. Moreover, Art. 71 of the Organic Law of Superior Education establishes the principle of equal opportunities and mentions explicitly that this principle applies to migrant population.

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 4. / Ley Orgánica de Educación Superior [Organic Law of Superior Education]. 2010. Art. 71.

**Medical doctors have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to primary, secondary education as well as education throughout all their life. Moreover, Art. 71 of the Organic Law of Superior Education establishes the principle of equal opportunities and mentions explicitly that this principle applies to migrant population.

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 4. / Ley Orgánica de Educación Superior [Organic Law of Superior Education]. 2010. Art. 71.



**Permanent residents have access to higher education:**

Answer: Yes, explicit obligation in law for migrants to have same access as nationals

Code: 1

Explanation: Art 4 of the Organic Law of Intercultural Education establishes that all residents (“inhabitants”) have the right to primary, secondary education as well as education throughout all their life. Moreover, Art. 71 of the Organic Law of Superior Education establishes the principle of equal opportunities and mentions explicitly that this principle applies to migrant population.

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 4. / Ley Orgánica de Educación Superior [Organic Law of Superior Education]. 2010. Art. 71.

**IMMIGRANT\_47: Support for language instruction.**

**Provision of education support in language(s) of instruction for migrant pupils:**

Answer: no

Code: 0

Explanation: No provision in main regulations for education (i.e. Organic Law of Intercultural Education).

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011.

**IMMIGRANT\_48: Intercultural education.**

**Intercultural education is included in pre-service training in order to qualify as a teacher:**

Answer: yes

Code: 1

Explanation: Yes. Art 2z of the Organic Law of Intercultural Education establishes “interculturality and plurinationality” as one of the principles of the Ecuadorian educational system. Art. 11l establishes that teachers must promote a culture of respect to diversity and Art. 11q that they must promote the “interculturality”.

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011. Art. 2z, 11l and 11q.

**IMMIGRANT\_49: Integration in teachers' syllabus.**

**Migration and integration are obligatory topics in professional development training:**

Answer: no

Code: 0

Explanation: No provision found in the Organic Law of Intercultural Education.

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011.

### 5.4.3. Health care

#### **IMMIGRANT\_50: Conditions for inclusion in the health care system**

##### **Conditions for inclusion of asylum seekers in the health care system:**

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 52 of the Organic Law of Human Mobility establishes that foreigner residents in Ecuador have the right to access the health system. Moreover, it establishes that public and private institutions cannot reject to attend foreigners in case of emergencies. Art. 53 of the same law establishes that migrants must have a public or private health insurance –with the exception of the persons with recognized international protection (e.g. asylum seekers and refugees). This obligation is also applied for temporal migrants, as it is established by Art. 61 of the Organic Law of Human Mobility and permanent residents (Art. 64). Temporal and permanent residents have 30 days after the visa is approved to show prove of health insurance (Art. 30 Regulations of the Organic Law of Human Mobility). The conditions to access the public insurance are the same for citizens and non-citizen residents.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 53, 61 and 64. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 30.

##### **Conditions for inclusion of refugees in the health care system:**

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 52 of the Organic Law of Human Mobility establishes that foreigner residents in Ecuador have the right to access the health system. Moreover, it establishes that public and private institutions cannot reject to attend foreigners in case of emergencies. Art. 53 of the same law establishes that migrants must have a public or private health insurance –with the exception of the persons with recognized international protection (e.g. asylum seekers and refugees). This obligation is also applied for temporal migrants, as it is established by Art. 61 of the Organic Law of Human Mobility and permanent residents (Art. 64). Temporal and permanent residents have 30 days after the visa is approved to show prove of health insurance (Art. 30 Regulations of the Organic Law of Human Mobility). The conditions to access the public insurance are the same for citizens and non-citizen residents.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 53, 61 and 64. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 30.

##### **Conditions for inclusion of co-ethnics in the health care system:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Conditions for inclusion of domestic workers in the health care system:**

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 52 of the Organic Law of Human Mobility establishes that foreigner residents in Ecuador have the right to access the health system. Moreover, it establishes that public and private institutions cannot reject to attend foreigners in case of emergencies. Art. 53 of the same law establishes that migrants must have a public or private health insurance –with the exception of the persons with recognized international protection (e.g. asylum seekers and refugees). This obligation is also applied for temporal migrants, as it is established by Art. 61 of the Organic Law of Human Mobility and permanent residents (Art. 64). Temporal and permanent residents have 30 days after the visa is approved to show prove of health insurance (Art. 30 Regulations of the Organic Law of Human Mobility). The conditions to access the public insurance are the same for citizens and non-citizen residents.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 53, 61 and 64. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 30.

**Conditions for inclusion of agricultural workers in the health care system:**

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 52 of the Organic Law of Human Mobility establishes that foreigner residents in Ecuador have the right to access the health system. Moreover, it establishes that public and private institutions cannot reject to attend foreigners in case of emergencies. Art. 53 of the same law establishes that migrants must have a public or private health insurance –with the exception of the persons with recognized international protection (e.g. asylum seekers and refugees). This obligation is also applied for temporal migrants, as it is established by Art. 61 of the Organic Law of Human Mobility and permanent residents (Art. 64). Temporal and permanent residents have 30 days after the visa is approved to show prove of health insurance (Art. 30 Regulations of the Organic Law of Human Mobility). The conditions to access the public insurance are the same for citizens and non-citizen residents.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 53, 61 and 64. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 30.

**Conditions for inclusion of medical doctors in the health care system:**

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 52 of the Organic Law of Human Mobility establishes that foreigner residents in Ecuador have the right to access the health system. Moreover, it establishes that public and private institutions cannot reject to attend foreigners in case of emergencies. Art. 53 of the same law establishes that migrants must have a public or private health insurance –with the exception of the persons with recognized international protection (e.g. asylum seekers and refugees). This obligation is also applied for temporal migrants, as it is established by Art. 61 of the Organic Law of Human Mobility and permanent residents (Art. 64). Temporal and permanent residents have 30 days after the visa is approved to show prove of health insurance (Art. 30 Regulations of the Organic Law of Human Mobility). The conditions to access the public insurance are the same for citizens and non-citizen residents.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 53, 61 and 64. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 30.

### **Conditions for inclusion of permanent residents in the health care system:**

Answer: inclusion is unconditional

Code: 1

Explanation: Art. 52 of the Organic Law of Human Mobility establishes that foreigner residents in Ecuador have the right to access the health system. Moreover, it establishes that public and private institutions cannot reject to attend foreigners in case of emergencies. Art. 53 of the same law establishes that migrants must have a public or private health insurance –with the exception of the persons with recognized international protection (e.g. asylum seekers and refugees). This obligation is also applied for temporal migrants, as it is established by Art. 61 of the Organic Law of Human Mobility and permanent residents (Art. 64). Temporal and permanent residents have 30 days after the visa is approved to show prove of health insurance (Art. 30 Regulations of the Organic Law of Human Mobility). The conditions to access the public insurance are the same for citizens and non-citizen residents.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 53, 61 and 64. / Reglamento Ley Orgánica de Movilidad Humana [Regulation of the Organic Law of Human Mobility]. 2017. Art. 30.

### **IMMIGRANT\_51: Coverage of health care services.**

#### **Health care coverage for asylum seekers.**

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Public and private health institutions are obliged to provide emergency care to migrants (Art. 52 of Organic Law of Human Mobility). Asylum seekers and refugees are not obliged to buy a health insurance (Art. 53 of Organic Law of Human Mobility), but if they do so the coverage and conditions are the same as the one that nationals have (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52 and 53. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

### **Health care coverage for refugees.**

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Public and private health institutions are obliged to provide emergency care to migrants (Art. 52 of Organic Law of Human Mobility). Asylum seekers and refugees are not obliged to buy a health insurance (Art. 53 of Organic Law of Human Mobility), but if they do so the coverage and conditions are the same as the one that nationals have (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52 and 53. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

### **Health care coverage for co-ethnics.**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **Health care coverage for domestic workers.**

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Public and private health institutions are obliged to provide emergency care to migrants (Art. 52 of Organic Law of Human Mobility). Temporal and permanent residents are required to contract a health insurance (Art. 61 and 64 of Organic Law of Human Mobility). The coverage and conditions are the same as the one that nationals have (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 61 and 64. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

### **Health care coverage for agricultural workers.**

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Public and private health institutions are obliged to provide emergency care to migrants (Art. 52 of Organic Law of Human Mobility). Temporal and permanent residents are required to contract a health insurance (Art. 61 and 64 of Organic Law of Human

Mobility). The coverage and conditions are the same as the one that nationals have (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 61 and 64. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Health care coverage for medical doctors.**

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Public and private health institutions are obliged to provide emergency care to migrants (Art. 52 of Organic Law of Human Mobility). Temporal and permanent residents are required to contract a health insurance (Art. 61 and 64 of Organic Law of Human Mobility). The coverage and conditions are the same as the one that nationals have (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 61 and 64. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Health care coverage for permanent residents.**

Answer: same coverage as nationals

Code: 1

Explanation: Same coverage as nationals. Public and private health institutions are obliged to provide emergency care to migrants (Art. 52 of Organic Law of Human Mobility). Temporal and permanent residents are required to contract a health insurance (Art. 61 and 64 of Organic Law of Human Mobility). The coverage and conditions are the same as the one that nationals have (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 52, 61 and 64. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

### **5.4.4. Unemployment benefits**

#### **IMMIGRANT\_52: Unemployment benefits.**

##### **Access of asylum seekers to unemployment benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits

and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of refugees to unemployment benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of co-ethnics to unemployment benefits as compared to citizen residents:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Access of domestic workers to unemployment benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of agricultural workers to unemployment benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of medical doctors to unemployment benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of permanent residents to unemployment benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

### **5.4.5. Retirement benefits**

#### **IMMIGRANT\_53: Retirement benefits.**

#### **Access of asylum seekers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1



Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of refugees to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of co-ethnics to retirement benefits as compared to citizen residents:**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **Access of domestic workers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available. <https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of agricultural workers to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available.  
<https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of medical doctors to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available.  
<https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

#### **Access of permanent residents to retirement benefits as compared to citizen residents:**

Answer: equal access

Code: 1

Explanation: Equal access. Art. 51 of Organic Law of Human Mobility establishes that non-citizen residents have the right to access the social security system (with includes unemployment benefits and retirement). The benefits of the Social Security System apply equally to national residents and non-citizen residents (Ecuadorian Institute of Social Security).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 51. / IESS. Prestaciones y Beneficios [Services and Benefits]". Access date not available.  
<https://www.iess.gob.ec/es/web/afiliacion-voluntaria/prestaciones-y-beneficios>.

## **5.5. Cultural policies**

### **IMMIGRANT\_54: Funding for bilingual education.**

**Is there public funding for bilingual education in the language of majoritarian migrant groups?**

Answer: no

Code: 0

Explanation: No provision found in main regulations (e.g. Constitution or Organic Law of Intercultural Education). The only mention to bilingual education in the Organic Law of Intercultural Education refers to indigenous languages.

Sources: Ley Orgánica de Educación Intercultural [Organic Law of Intercultural Education]. 2011.

#### **IMMIGRANT\_55: Funding for media on main migrant group's language.**

**Is there public funding for media in the language of the main migrant group?**

Answer: no

Code: 0

Explanation: No provisions found.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## **5.6. Mobility policies**

### **5.6.1. Identity documents**

**IMMIGRANT\_56: Confiscation of identification documents.**

**Do asylum seekers have the right not to have their identity document confiscated by any-one (excluding public authorities)?**

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Do refugees have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Do co-ethnics have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Do agricultural workers have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Do medical doctors have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**Do permanent residents have the right not to have their identity document confiscated by anyone (excluding public authorities)?**

Answer: no

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## 5.6.2. Freedom of movement

**IMMIGRANT\_57: Freedom of movement within country.**

**Do asylum seekers have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: Yes, there are no restrictions to internal mobility in the main regulations. Moreover, Art. 43 of the Organic Law of Human Mobility recognizes the right to the freedom of responsible movement (libre movilidad responsable) to all foreigners. This article is geared towards international mobility, but it could be applied internally.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 43.

**Do refugees have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: Yes, there are no restrictions to internal mobility in the main regulations. Moreover, Art. 43 of the Organic Law of Human Mobility recognizes the right to the freedom of responsible movement (libre movilidad responsable) to all foreigners. This article is geared towards international mobility, but it could be applied internally.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 43.

**Do co-ethnics have the right to move freely within the country?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: Yes, there are no restrictions to internal mobility in the main regulations. Moreover, Art. 43 of the Organic Law of Human Mobility recognizes the right to the freedom of responsible movement (libre movilidad responsable) to all foreigners. This article is geared towards international mobility, but it could be applied internally.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 43.

### **Do agricultural workers have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: Yes, there are no restrictions to internal mobility in the main regulations. Moreover, Art. 43 of the Organic Law of Human Mobility recognizes the right to the freedom of responsible movement (libre movilidad responsable) to all foreigners. This article is geared towards international mobility, but it could be applied internally.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 43.

### **Do medical doctors have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: Yes, there are no restrictions to internal mobility in the main regulations. Moreover, Art. 43 of the Organic Law of Human Mobility recognizes the right to the freedom of responsible movement (libre movilidad responsable) to all foreigners. This article is geared towards international mobility, but it could be applied internally.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 43.

### **Do permanent residents have the right to move freely within the country?**

Answer: yes

Code: 1

Explanation: Yes, there are no restrictions to internal mobility in the main regulations. Moreover, Art. 43 of the Organic Law of Human Mobility recognizes the right to the freedom of responsible movement (libre movilidad responsable) to all foreigners. This article is geared towards international mobility, but it could be applied internally.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 43.

### **IMMIGRANT\_58: Freedom to move outside the country.**

#### **Do asylum seekers have the right to leave the country?**

Answer: no

Code: 0

Explanation: no. asylum seekers must remain in Ecuador since the application requires to be present in Ecuador during the process (Art. 100 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 100.

**Number of months of absence allowed per year (asylum seekers):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do refugees have the right to leave the country?**

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: Art. 109 of the Organic Law of Human Mobility establishes that, in order to travel abroad, refugees need a previous authorization issued by the human mobility authority. This authorization will determine how long refugees can be abroad and would be only issued in special circumstances. If the refugee travels to his/her country of origin the absence can be only for a period of up to cumulated 90 days in two years. Not complying with these restrictions can derive in the loss of the refugee status.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 109.

**Number of months of absence allowed per year (refugees):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do co-ethnics have the right to leave the country?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Number of months of absence allowed per year (co-ethnics):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the right to leave the country?**

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: temporary residents incur in a migratory offense if they go abroad more than 90 days per year (Art. 65 and Art. 170.7 Organic Law of Human Mobility). Thus, they have the right to leave the country if they do not stay more than 90 days, but do not have the right to settle their residence abroad.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 65 and 170.7.

**Number of months of absence allowed per year (domestic workers):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do agricultural workers have the right to leave the country?**

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: temporary residents incur in a migratory offense if they go abroad more than 90 days per year (Art. 65 and Art. 170.7 Organic Law of Human Mobility). Thus, they have the right to leave the country if they do not stay more than 90 days, but do not have the right to settle their residence abroad.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 65 and 170.7.



**Number of months of absence allowed per year (agricultural workers):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do medical doctors have the right to leave the country?**

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: temporary residents incur in a migratory offense if they go abroad more than 90 days per year (Art. 65 and Art. 170.7 Organic Law of Human Mobility). Thus, they have the right to leave the country if they do not stay more than 90 days, but do not have the right to settle their residence abroad.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 65 and 170.7.

**Number of months of absence allowed per year (medical doctors):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do permanent residents have the right to leave the country?**

Answer: restrictions may apply for a specific time or for a specific region

Code: 0.5

Explanation: permanent residents incur a migratory offense if they go abroad more than 180 days per year during the first two years after obtaining the permanent status (Art. 65 and Art. 170.8 Organic Law of Human Mobility). After the first two years of obtaining the status, permanent residents can be absent for a maximum of 5 years. After 5 years abroad they would lose their residence status (Art. 65 and Art. 170.7 Organic Law of Human Mobility). Thus, they have the right to leave the country if they do not stay more than 180 days, but do not have the right to settle their residence abroad.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 65, 170.7 and 170.8.

**Number of months of absence allowed per year (permanent residents):**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **5.6.3. Obligations**

### **5.6.4. Military service**

**IMMIGRANT\_59: Military service.**

**Do asylum seekers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: No military service in Ecuador.

Sources: Not applicable

**Do refugees have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: No military service in Ecuador.

Sources: Not applicable

**Do co-ethnics have the obligation to comply with military service?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: No military service in Ecuador.

Sources: Not applicable

**Do agricultural workers have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: No military service in Ecuador.

Sources: Not applicable

**Do medical doctors have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: No military service in Ecuador.

Sources: Not applicable

**Do permanent residents have the obligation to comply with military service?**

Answer: no military service in state of reception

Code: 97

Explanation: No military service in Ecuador.

Sources: Not applicable

### **5.6.5. Social service**

**IMMIGRANT\_60: Social service.**

**Do asylum seekers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: No social service in Ecuador.

Sources: Not applicable

**Do refugees have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: No social service in Ecuador.

Sources: Not applicable

**Do co-ethnics have the obligation to comply with social service?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: No social service in Ecuador.

Sources: Not applicable

**Do agricultural workers have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: No social service in Ecuador.

Sources: Not applicable

**Do medical doctors have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: No social service in Ecuador.

Sources: Not applicable

**Do permanent residents have the obligation to comply with social service?**

Answer: no social service in state of reception

Code: 97

Explanation: No social service in Ecuador.

Sources: Not applicable

### **5.6.6. Taxes**

**IMMIGRANT\_61: Income taxes.**

**Do asylum seekers have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: yes, all persons that reside more than 183 days per year in Ecuador must pay their income taxes in Ecuador (Art. 4 Organic Law of the Tributary Regime).

Sources: Ley Orgánica de Régimen Tributario Interno [Organic Law of the Tributary Regime]. 2014. Art. 4.

**Do refugees have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: yes, all persons that reside more than 183 days per year in Ecuador must pay their income taxes in Ecuador (Art. 4 Organic Law of the Tributary Regime).

Sources: Ley Orgánica de Régimen Tributario Interno [Organic Law of the Tributary Regime]. 2014. Art. 4.

**Do co-ethnics have to pay income taxes in state of reception?**

Answer: not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do domestic workers have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: yes, all persons that reside more than 183 days per year in Ecuador must pay their income taxes in Ecuador (Art. 4 Organic Law of the Tributary Regime).

Sources: Ley Orgánica de Régimen Tributario Interno [Organic Law of the Tributary Regime]. 2014. Art. 4.

**Do agricultural workers have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: yes, all persons that reside more than 183 days per year in Ecuador must pay their income taxes in Ecuador (Art. 4 Organic Law of the Tributary Regime).

Sources: Ley Orgánica de Régimen Tributario Interno [Organic Law of the Tributary Regime]. 2014. Art. 4.

**Do medical doctors have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: yes, all persons that reside more than 183 days per year in Ecuador must pay their income taxes in Ecuador (Art. 4 Organic Law of the Tributary Regime).

Sources: Ley Orgánica de Régimen Tributario Interno [Organic Law of the Tributary Regime]. 2014. Art. 4.

**Do permanent residents have to pay income taxes in state of reception?**

Answer: yes

Code: 1

Explanation: yes, all persons that reside more than 183 days per year in Ecuador must pay their income taxes in Ecuador (Art. 4 Organic Law of the Tributary Regime).

Sources: Ley Orgánica de Régimen Tributario Interno [Organic Law of the Tributary Regime]. 2014. Art. 4.

## 5.7. Administration

**IMMIGRANT\_62: Existence of immigrant integration agency in state of reception.  
Existence of institution/agency with competencies for immigrant policies:**

Answer: yes

Code: 1

Explanation: The agency in charge of immigrant policies is the Sub-secretary of International Protection and Attention to Immigrants (Subsecretaría de Protección Internacional y Atención a Inmigrantes) which is part of the Viceministry of Human Mobility of the Ministry of Foreign Affairs and Human Mobility.

Sources: Ministerio de Relaciones Exteriores y Movilidad Humana. "Organigrama [Organization Chart]". Accessed June 19, 2014. [https://www.cancilleria.gob.ec/wp-content/uploads/2018/03/estructura\\_organica\\_mremh\\_2017\\_1.pdf](https://www.cancilleria.gob.ec/wp-content/uploads/2018/03/estructura_organica_mremh_2017_1.pdf).

**Name of the institution with competencies for immigrant policies in original language:**

Answer: Subsecretaría de Protección Internacional y Atención a Inmigrantes

**Name of the institution with competencies for immigrant policies in English:**

Answer: Sub-secretary of International Protection and Attention to Immigrants

**Access to antidiscrimination body.**

**Migrants can access antidiscrimination bodies and prerogatives (e.g. make official complaints to an Ombudsperson) regardless of migrant status (they might be explicitly mentioned as eligible, or not; what we care about is that they are not explicitly excluded, for instance, by statements that restrict access to nationals):**

Answer: Yes

Code: 1

Explanation: Art. 14 of the Organic Law of the Ombudsperson establishes that any person (without distinctions) can present a query to the Ombudsperson.

Sources: Ley Orgánica de la Defensoría del Pueblo [Organic Law of the Ombudsperson]. 1997. Art. 14.

## 6. Immigrant citizenship and nationality

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### 6.1. Immigrant nationality

#### 6.1.1. Immigrant dual nationality

**IMNAT\_1: Renunciation of previous nationality.**

**Does the country require applicants to naturalization by residence to renounce their previous nationality?**

Answer: No

Code: 1

Explanation: Based on the Constitution (Art. 8) and the Organic Law of Human Mobility (Arts. 70-82) applicants to naturalization by residence do not have to renounce their previous nationality.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 8. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 70-82.

**Citizenship can be withdrawn only if person resides outside the country:**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Are there exceptions?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**IMNAT\_1\_1: Sanctions.**

**Are there sanctions for naturalized persons who are later found to have the nationality of the country or origin despite there being a procedure and having pledged to renounce it?**

Answer: Not applicable



Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **6.1.2. Emigrant dual nationality for immigrants who naturalized**

**IMNAT\_2: Emigrant dual nationality for naturalized immigrants.**

**Does the country deprive their national citizens by naturalization of nationality (or provide for the involuntary loss of it) for having acquired a foreign one (i.e. of their place of residence) and, if so, under which conditions?**

Answer: No provision

Code: 1

Explanation: No provision in main regulations. Thus, it is interpreted as if Ecuador does not deprive their citizens by naturalization of nationality for having acquired a foreign one.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### **6.1.3. Loss of nationality after residence abroad for naturalized immigrants**

**IMNAT\_3: Loss after residence abroad for naturalized immigrants**

**For national citizens by naturalization who emigrated, does the country deprive them of their nationality (or provide for the involuntary loss of it) because of residence abroad**

Answer: No provision

Code: 1

Explanation: No provision in main regulations. Ecuador does not deprive their nationals by naturalization of the Ecuadorian nationality due to emigration.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

**After how many years abroad?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

#### **6.1.4. Unrestrictive jus soli**

**IMNAT\_4: Unrestrictive jus soli.**

**Does the country provide for a child to acquire nationality by birth in the territory irrespective of the birthplace of the parents?**

Answer: Yes

Code: 1

Explanation: Yes. Article 7.1 of the Ecuadorian Constitution establishes that are Ecuadorian by birth all persons born in Ecuador.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 7.1.

#### **6.1.5. Qualified jus soli**

**IMNAT\_5: Qualified jus soli.**

**Does the country provide for children to acquire nationality by birth in the territory only if their parents were also born there?**

Answer: No

Code: 0

Explanation: No. Ecuador has unrestrictive ius soli.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

#### **6.1.6. Standard naturalization procedure for immigrants due to residence**

**IMNAT\_6: Ordinary naturalization.**

**Does the country provide for standard naturalization procedure for immigrants due to residence in it?**

Answer: Yes, provision for standard naturalization based on residence

Code: 1

Explanation: The requirements to obtain the Ecuadorian nationality are (Art. 72 Organic Law of Human Mobility): At least 3 years of regular and continuous residency in Ecuador OR has been recognized as stateless and resided in Ecuador for 2 years, has reached the age of 18, has a birth certificate, has identification documents, knows the patriotic symbols (“símbolos patrios”), can explain in an interview the motivation to naturalize, has proof of sufficient economic resources.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 72.

**Number of years of residence required for naturalization:**

Answer: 3

Code: 3

Explanation: The requirements to obtain the Ecuadorian nationality are (Art. 72 Organic Law of Human Mobility): At least 3 years of regular and continuous residency in Ecuador or has been recognized as stateless and resided in Ecuador for 2 years, has reached the age of 18, has a birth certificate, has identification documents, knows the patriotic symbols (“símbolos patrios”), can explain in an interview the motivation to naturalize, has proof of sufficient economic resources.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 72.

**Number of continuous years of residence required for naturalization:**

Answer: 3

Code: 3

Explanation: The requirements to obtain the Ecuadorian nationality are (Art. 72 Organic Law of Human Mobility): At least 3 years of regular and continuous residency in Ecuador or has been recognized as stateless and resided in Ecuador for 2 years, has reached the age of 18, has a birth certificate, has identification documents, knows the patriotic symbols (“símbolos patrios”), can explain in an interview the motivation to naturalize, has proof of sufficient economic resources.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 72.

**Permanent residence status is required for naturalization:**

Answer: No

Code: 0

Explanation: The requirements to obtain the Ecuadorian nationality are (Art. 72 Organic Law of Human Mobility): At least 3 years of regular and continuous residency in Ecuador or has been recognized as stateless and resided in Ecuador for 2 years, has reached the age of 18, has a birth certificate, has identification documents, knows the patriotic symbols (“símbolos patrios”), can explain in an interview the motivation to naturalize, has proof of sufficient economic resources.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 72.

**Renunciation of previous nationality is required:**

Answer: No renunciation requirement

Code: 0

Explanation: Based on the Constitution (Art. 8) and the Organic Law of Human Mobility (Arts. 70-82) applicants to naturalization by residence do not have to renounce their previous nationality.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. Art. 8. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 70-82.

**Language condition for naturalization:**

Answer: Without tests or certification and discretionary assessment of level of competence or with certification and specified level of competence at A2

Code: 0.5

Explanation: The requirements to obtain the Ecuadorian nationality are (Art. 72 Organic Law of Human Mobility): At least 3 years of regular and continuous residency in Ecuador or has been recognized as stateless and resided in Ecuador for 2 years, has reached the age of 18, has a birth certificate, has identification documents, knows the patriotic symbols ("símbolos patrios"), can explain in an interview the motivation to naturalize, has proof of sufficient economic resources.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 72.

**Civil knowledge is a requirement for naturalization:**

Answer: Language general cultural integration/assimilation condition, also if assessed informally during an interview

Code: 0.25

Explanation: The requirements to obtain the Ecuadorian nationality are (Art. 72 Organic Law of Human Mobility): At least 3 years of regular and continuous residency in Ecuador or has been recognized as stateless and resided in Ecuador for 2 years, has reached the age of 18, has a birth certificate, has identification documents, knows the patriotic symbols ("símbolos patrios"), can explain in an interview the motivation to naturalize, has proof of sufficient economic resources.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 72.

**Clean criminal record is a requirement:**

Answer: No criminal record or good character condition

Code: 0

Explanation: The requirements to obtain the Ecuadorian nationality are (Art. 72 Organic Law of Human Mobility) At least 3 years of regular and continuous residency in Ecuador or has been recognized as stateless and resided in Ecuador for 2 years, has reached the age of 18, has a birth certificate, has identification documents, knows the patriotic symbols ("símbolos patrios"), can explain in an interview the motivation to naturalize, has proof of sufficient economic resources.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 72.

**Economic resources as requirement for naturalization:**

Answer: Includes employment condition or no welfare dependency ONLY at time of application

Code: 0.75

Explanation: The requirements to obtain the Ecuadorian nationality are (Art. 72 Organic Law of Human Mobility): At least 3 years of regular and continuous residency in Ecuador or has been recognized as stateless and resided in Ecuador for 2 years, has reached the age of 18, has a birth certificate, has identification documents, knows the patriotic symbols (“símbolos patrios”), can explain in an interview the motivation to naturalize, has proof of sufficient economic resources.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 72.

### **6.1.7. Socialization based acquisition of citizenship**

**IMNAT\_7: Naturalization by socialization.**

**Does the country provide for acquisition of nationality of minors who reside for a certain period or schooling in the country?**

Answer: Yes

Code: 1

Explanation: Minors can obtain the Ecuadorian nationality if they have resided 3 years in Ecuador and have the consent of their parents (Art. 72.3 Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 72.3.

### **6.1.8. Special procedure for immigrants with very long residence in country**

**IMNAT\_8: Long residence.**

**Does the country provide for acquisition of nationality by a person who has resided there for a very long time (e.g. more or equal of 12 years)?**

Answer: No

Code: 0

Explanation: No provision in main regulations

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### **6.1.9. Preferential naturalization for immigrants from specific countries**

**IMNAT\_9: Preferential naturalization by country.**

**Does the country provide for a special (e.g. quicker, easier) acquisition of nationality by a person who is a national of another specific country?**

Answer: No

Code: 0

Explanation: No preferential naturalization for persons who are nationals of specific countries

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### **6.1.10. Cultural affinity/Ethnic ties**

**IMNAT\_10: Preferential naturalization due to cultural or ethnic ties.**

**Does the country provide for acquisition of nationality by a person who has an affinity with its culture or is somehow defined as co-ethnic?**

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

### **6.1.11. Spousal transfer**

**IMNAT\_11: Spousal transfer.**

**Does the country provide for acquisition of nationality by the spouse or registered partner of a person who is already a national citizen?**

Answer: Yes

Code: 1

Explanation: RequirementAfter 2 years of marriage (Art. 73 Organic Law of Human Mobility).

Sources: Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008. / Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 73.

### **6.1.12. Filial transfer**

#### **IMNAT\_12: Filial transfer.**

**Does the country provide for acquisition of nationality by the child of a person who is already a national citizen?**

Answer: Yes

Code: 1

Explanation: Art. 75 of the Organic Law of Human Mobility establishes that children born abroad to naturalize parents can apply for the Ecuadorian citizenship.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 75.

### **6.1.13. Special naturalization for refugees**

#### **IMNAT\_13: Refugees.**

**Does the country facilitate the acquisition of nationality by a refugee in its territory?**

Answer: No

Code: 0

Explanation: General procedure applies (Art. 70-73 of Organic Law of Human Mobility).

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. Art. 70-73.

### **6.1.14. Naturalization for special achievements/talents**

#### **IMNAT\_14: Special talents.**

**Does the country provide for the acquisition of nationality by a person in account of special achievements/talents?**

Answer: Yes

Code: 1

Explanation: Applicant must have resided more than 1 year in Ecuador and address his/her application to the President of the Republic.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### **6.1.15. Naturalization due to investment/financial assets**

**IMNAT\_15: Special talents.**

**Does the country provide for the acquisition of nationality by a person with special financial assets (say which) or persons who invest money in the country?**

Answer: No

Code: 0

Explanation: No provision for the acquisition of nationality based on special financial assets.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### **6.1.16. Transfer to other relatives**

**IMNAT\_16: Transfer to other relatives.**

**Does the country provide for the acquisition of nationality by a relative other than the spouse or child of a person who is already a citizen?**

Answer: No

Code: 0

Explanation: No provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### **6.1.17. Nationality for the stateless**

**IMNAT\_17: Stateless.**

**Does the country facilitate the naturalization of a stateless person in its territory?**

Answer: Yes

Code: 1

Explanation: Naturalization of stateless persons is possible and the general 3 years of residence requirement is reduced to only 2.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.



### **6.1.18. Nationality for regularized immigrants**

**IMNAT\_18: Regularization.**

**Does the country make any differentiation in terms of naturalization procedures regarding persons that have benefited from regularization programs ((i.e. is there any special naturalization scheme for regularized immigrants)?**

Answer: No differentiation

Code: 0.5

Explanation: No differentiation in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

### **6.1.19. Naturalization possible even if applicant had irregular status before**

**IMNAT\_19: Irregular status.**

**Does the country provide for a person who has or has had irregular migrant status who can however prove having had resided long enough in the country to apply for naturalization (i. e. is ever having been an irregular migrant an impediment to regularize)?**

Answer: No

Code: 0

Explanation: No such provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017.

## **6.2. Immigrant citizenship**

### **6.2.1. Restrictions on citizenship for naturalized immigrants**

**IMCIT\_1: Restrictions for naturalized immigrants.**

**Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized (even if they only have that one nationality)?**

Answer: No

Code: 0

Explanation: No such provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

**For how long are the restrictions applied?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to electoral rights?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to public office posts?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Other type of restrictions**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**6.2.2. Loss or suspension of citizenship after residence abroad for immigrants who naturalized**

**IMCIT\_2. Loss or suspension of citizenship.**

**Does the country deprive their national citizens by naturalization who emigrated of their citizenship rights (i.e. political rights mostly) or suspend them because of residence abroad?**

Answer: No

Code: 0

Explanation: No such provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

**Are these rights recovered upon return?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

### **6.2.3. Restrictions on citizenship for naturalized immigrants who are dual nationals**

**IMCIT\_3: Restrictions for naturalized immigrants who are dual nationals.**

**Does the country restrict citizenship (i.e. mainly political-electoral rights, either passive or active) of those who have naturalized and have another/other nationality/ies?**

Answer: No

Code: 0

Explanation: No such provision in main regulations.

Sources: Ley Orgánica de Movilidad Humana [Organic Law of Human Mobility]. 2017. / Constitución de la Republica del Ecuador [Constitution of the Republic of Ecuador]. 2008.

**How long do the restrictions apply?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to electoral rights?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Do the restrictions apply to public office post?**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable

**Other type of restrictions (beyond electoral and public office posts).**

Answer: Not applicable

Code: Not applicable

Explanation: Not applicable

Sources: Not applicable