



The Country of Return Information Project functions as a network of NGOs for the collection and transfer of specific information on reintegration possibilities for potential returnees and their counsellor.

All questions you may have on reintegration possibilities and on which you don't find the answer in this country sheet can be directed to the helpdesk: "Country of Return Information and Vulnerable Groups".

E-mail: [helpdesk@cri-project.eu](mailto:helpdesk@cri-project.eu)

## COUNTRY SHEET

### ECUADOR

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Country Sheet Ecuador is a product of the CRI project.

CRI-country sheets are prepared mainly on the basis of publicly available information, completed with data gathered by local partners in the specific countries, and will be updated periodically.

Our local partners in Ecuador are:

- « El Centro de Documentación en Derechos Humanos “Segundo Montes Mozo S.J.” (CSMM)”, organisation specialized in human rights and good governance
- Hebrew Immigrant Aid Society” (HIAS) specialized in humanitarian, social and legal assistance to Refugees

## ABBREVIATIONS

ACNUR - UNHCR	Alto Comisionado de las Naciones Unidas para los Refugiados United Nations High Commissioner for Refugees
BID - IADB	Banco Interamericano de Desarrollo Inter-American Bank of Development
CEDATOS	Centro de Estudios y Datos - Centre of Studies and Data Centro Latinoamericano y Caribeño de Demografía
CELADE	Latin-American and Caribbean Centre of Demography Comisión Económica Para América Latina y el Caribe
CEPAL	Economic Commission for Latin-American and the Caribbean
CIF	valor CIF - value CIF Centro de Información y Orientación para la Población Refugiada e Inmigrante Centre of Information and Orientation for the Refugee and immigrant Population
CINOR	
CONADIS	Consejo Nacional de Discapacidades - National Council of Disabilities
CONELEC	Consejo Nacional de Electricidad - National Council of Electricity Consejo Nacional de Educación Superior
CONESUP	National Council of Superior Education
CONQUITO	Corporación de Promoción Económica (del Municipio de Quito) Corporation of Economic Promotion (of Quito Municipality) Corporación de Vivienda Provincial
COVIPROV	Corporation for Provincial Housing Programa Crédito Productivo Solidario
CPS	Supportive Productive Credit Program
CRS	Catholic Relief Services
DAP	Declaración Aduanera de Pasajero Customs Declaration of the Traveler
DAS	Declaración Aduanera Simplificada Simplified Customs Declaration
ENEMEDU	Encuesta Nacional de Empleo, Desempleo y Subempleo Urbano National Survey of Employment, Unemployment and Urban Sub Employment
ESCI	Delitos de la trata y la explotación sexual comercial infantil Trafficking crimes and commercial sexual exploitation of children
FEDAEPS	Fundación Ecuatoriana de Acción y Educación para la Promoción de la Salud Ecuadorian Foundation of Action and Education for the promotion of Health
FLACSO	Facultad Latinoamericana de Ciencia Social Sede Ecuador Latin American Institute for Social Sciences
FODI	Fondo de Desarrollo Infantil Childhood Development Found
HIAS	Hebrew Immigrant Aid Society
IESS	Instituto Ecuatoriano de Seguridad Social Ecuadorian Institute of Social Security
ILDIS	Instituto Latinoamericano de Investigaciones Sociales Latin American Institute of Social Investigations
IMF	Instituciones Microfinancieras Micro financial Institutions
INEC	Instituto nacional de Estadísticas y Censos de Ecuador National Institute for Statistics and Census of Ecuador

INHMT	Instituto Nacional de Higiene y Medicina Tropical Leopoldo Izquieta Pérez National Institute of Hygienic and Tropical Medicine Leopoldo Izquieta Pérez
ISSFA	Instituto de Seguridad Social de las Fuerzas Armadas Institute of Social Security of the Armed Forces
ISSPOL	Instituto de Seguridad Social de la Policía Institute of Social Security of Police
IVA - TAV	Impuesto al Valor Agregado Tax on the Aggregated Value
MBS	Ministerio de Bienestar Social Ministry of Social Welfare
MCCH	Maquita Cusunchic Comercializando Como Hermanos Maquita Cusunchic Marketing as Brothers
MDMQ	Municipio del Distrito Metropolitana de Quito Municipality of the Metropolitan District of Quito
MIDUVI	Ministerio de Desarrollo Urbano y Vivienda Ministry of Urban Development and Housing
MSP	Ministerio de Salud Pública Ministry of Public Health
OIM - IOM	Organización Internacional de las Migraciones International Organization for Migration
OIT - LIO	Oficina Internacional del Trabajo International Labour Organization
ONG - NGO	Organización Non Gubernamental - Non Governmental Organization
OPS	Organización Panamericana de la Salud - Panamerican Organization of Health
PIB	Producto Interno Bruto - Gross Internal Product
PREVIE	Programa de Retorno Voluntario de Inmigrantes desde España Program of Voluntary Return of Migrants from Spain
REAB	Return and Emigration of Asylum Seekers ex Belgium
SECAP	Servicio Ecuatoriano de Capacitación Profesional Ecuadorian Professional Training Centre
SELBEN	Sistema de Identificación y Selección de los Beneficiarios de los Programas Sociales System of Identification and Selection of Beneficiaries of the Social Programs
SIV	Sistema de Incentivos para la Vivienda Incentive System for Housing
TVPA	Ley de Protección de las Víctimas de la Trata de Personas y la Violencia Trafficking Victims Protection Act
UE - EU	Unión Europea - European Union
USD	US dolares (\$) - US dollar
VARRP	Assisted Voluntary Return and Reintegration Program

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# 1 Access to territory (from country of migration to region of return)

## 1.1. Documentation

### 1.1.1 Travel documents required for returnees<sup>1</sup> and documents required in country of return<sup>2</sup>

A person desiring to return to Ecuador should voluntarily produce the same documents as any Ecuadorian citizen abroad. Current legislation considers as travelling documents: a passport, a safe-conduct, a special travel document known as the “blue passport” for refugees and stateless persons (those who have lost or relinquished their nationality/citizenship); as for national ID, it has also been accepted as a valid travel document following international conventions.<sup>3</sup>

**Passport.**- This is a document issued by competent authorities which enables Ecuadorians to travel abroad.<sup>4</sup>

**National ID.**- In case of loss of the main travel document (the passport), an Ecuadorian citizen residing abroad should contact his local Consulate, where upon verification of the citizen’s identity and nationality, a new passport shall be issued.

**Certificate of nationality.**- A copy of this document is used only in the exceptional case of a citizen losing both his passport and his national ID. An Ecuadorian citizen residing abroad shall apply via a family member or a friend for this document at the General Registry Office of his place of birth. Once his nationality confirmed by this document, his passport will be extended to allow him to travel.

**Safe-conduct.**- This is a document issued by diplomatic missions and consular offices abroad, free of charge, to Ecuadorian citizens who are destitute or confronted with an exceptional situation, in the sole purpose of returning to Ecuador.<sup>5</sup>

Ecuadorian citizens staying abroad may thus use whichever of the above mentioned documents if they only desire to return to Ecuador. For travelling to other countries, only a passport will be accepted and, in some cases, due to regional agreements of bilateral type, the identity card might be sufficient.

### 1.1.2. How to obtain necessary documents

The only condition for obtaining a travel document is to prove one’s Ecuadorian nationality. It is sufficient to produce either a national ID or a certificate of nationality.

**Passport.**- Valid for 6 years following its issue.

**National ID.**- Valid for 12 years following its issue.

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1 Interview with Ms Consuelo González, technical secretary of Ambassador Fernando Cháves Dávila, director general de Documentos de Documentos de Viaje, Ministerio de Relaciones Exteriores (Quito, enero 25 del 2007).

2 Interview with Javier Galarza, law assessor at the Dirección Nacional de Migración (Quito, January 23, 2007).

3 Codification of the Law on travel documents, Article 1 (Codificación 2005-005, Registro Oficial N° 562, abril 11 del 2005).

4 Reglement of the law on travel documents, Article 4 (Registro Oficial N° 537, septiembre 29 de 1994).

5 Codification of the Law on travel documents, Article 14 (Codificación 2005-005, Registro Oficial N° 562, abril 11 del 2005).

**Certificate of nationality.**- Temporal duration, valid until a new passport is issued.

### 1.1.3. Price of necessary documents<sup>6</sup>

**Passport.**- Passports are issued by the General Directorate of Travel Documents of the Ministry of Foreign Affairs in Quito (situated at the corner of Calle Roca and Calle Reina Victoria), for a fee of USD 70. The Regional Sub-secretariat in Guayaquil and the Regional Office in Cuenca charge USD 80. The fee is USD 100 in consulates abroad and the application may take two weeks to be processed.

**Certificate of Nationality.**- It costs US\$1 and is issued by the General Register Office (Dirección General de Registro Civil).

**Identity Card.** - It costs USD 6 and it is issued only and exclusively in the presence of the incumbent in the Civil Registry offices located in the district offices of each Province.

## 1.2. Travel to country of origin (means, approximate prices, duration, luggage limits, contacts, etc.)

It is important to note that there are many voluntary programmes.

The current Government with the National Secretary of the Migrant (SENAMI) tries to provide a specialized attention focused on the Ecuadorians residing abroad. With this aim, the resolutions taken are the following:

### **VOLUNTARY RETURN PLAN 'BIENVENIDO A CASA' - 'WELCOME HOME'<sup>7</sup>**

The voluntary return plan is composed by 2 phases:

#### **PHASE 1. - TO CONSOLIDATE THE RETURN**

##### 1. - Enquiry previous to the return

An enquiry form to identify wills and potentialities of return, with priority given to the initiatives of the migrants and their families must be filled in. The identification of regions, actors and working areas for the return must also be considered. This form can be found in:

- SENAMI virtual platform: [www.migranteecuadoriano.gov.ec](http://www.migranteecuadoriano.gov.ec)
- Web page of the institution: [www.senami.gov.ec](http://www.senami.gov.ec)
- Ecuadorian consulates abroad
- Connections with other State institutions
- SENAMI offices in the country

##### 2.- Inter institutional Policies

Since this is a National Policy, the Plan for the Return tries to create human development processes for the migrants and their families in order to convert it in a generator of the change. For this reason, appropriate actions which require a coordinate work with different national organs will be taken.

<sup>6</sup> Executive Decree N° 777, of September 13 2000: Fees for services offered by the General Register Office (Dirección General de Registro Civil) (Registro Oficial N° 170, de septiembre 25 del 2000), Article 1.

<sup>7</sup> Interview with Lorena Altamirano. Director of the Attention to Migrant People and their Families, SENAMI, Monday, June 9th, 2008.

### **The Ecuadorian Customs Corporation (Corporación Aduanera Ecuatoriana CAE):**

- House furniture and work equipment can be brought with zero taxes. The regulations on have been changed to include a family car; and “new or used professional equipments” related to the activities of the migrant that returns. (See CAE Agreement)
- Joint work with the SENAMI in order to modify the current regulations in order to give benefits for the migrants who return in our country for good.
- Special attention in the customs procedure to the migrants who return.
- Training for the airline personnel in charge in order to answer any doubts the migrants might have regarding the Return Plan.

### **Internal Revenue Service (Servicio de Rentas Internas SRI)**

- Tax incentives for migrants’ investments 2008/2010. (SRI Plan of Incentives for Investment).

### **Civil Registry:**

- Mobile teams to issue the identification card: Campaign for ID obtention and for other services such as the issuing of birth and marriage certificates in the destination countries to facilitate the return (starting on February, 2008).

### **Ministry of Foreign Relations :**

- Support for the dissemination and implementation of the enquiry previous to the return and the necessary consulate procedures to favour it.
- Permanent support of the SENAMI.

### **Ministry of Education :**

- Teachers abroad can participate through internet in the knowledge and merits test for entering the public teaching sector. If they succeed the respective appointment will be issued immediately.
- Ecuadorian abroad who wish to return and continue their studies will have their grades, courses and titles recognized.
- School registration made easier to facilitate the acceptance for returning migrants’ children.

### **Ministry of Public Health :**

There is an option for Ecuadorian professionals in the health sector, especially doctors and nurses, who are abroad and wish to participate by internet in the knowledge and merits tests for the entrance in the health system.

- Free medical attention, either physical or mental, through the Aid Fund for catastrophic illnesses and for migrants who return in vulnerable situation.
- Mutual sharing of health knowledge with professional migrants who live in different destination countries.

### **Ministry of Urban Development and Housing :**

Housing bond: it offers to the migrants and their families the possibility of acquiring a house in Ecuador with an important incentive. This will be achieved through a strategic alliance with private companies. In this way, for a minimum loan of 30.000 dollars, the bond will be of 7.000 dollars. And the requirements are:

- That the migrant does not have a house.
- That the families are qualified as migrants by the SENAMI
- That the migrant or his family resides in the house once it is given.

#### **Ministry of Social Inclusion:**

- Human Development Bond for given cases.
- Support with economic initiatives in territories with high migratory incidence.
- Inclusion of the migratory topic in the Childhood Agenda, as a deliberate and explicit policy for the protection of migrants' children and teenagers.
- Programs for special attention and social reinsertion for migrants' children and teenagers by the protection systems and by the National Institute of Children and the Family (INNFA).

#### **Ministry of Tourism:**

- Technical services for touristic projects
- Technical assistance for the implementation of tourism projects.
- Support development of products in the tourism sector in coordination with other governmental institutions.
- Channeling of the money sent by the migrants to invest in tourism projects by taking advantage of the landscape, cultural and ecological diversity in Ecuador.
- Information through the Ministry of Tourism web page and the SENAMI virtual platform about sites to invest, the most attractive touristic roads in different regions, access to touristic sites, prices of land to develop tourism activities, and advice on the elaboration of touristic project.

#### **Ministry of Culture :**

Cultural campaigns designed jointly with SENAMI to dignify the migratory process, to strengthen the national identity, the intercultural dialogue and to promote return.

#### **Ministry of Sports:**

- To strengthen the identity of Ecuadorians abroad and to establish links with the country by practicing sport activities, to value new talents by giving them chances to enter national sport organizations.
- To back and promote the Ecuavoley as an activity which can integrate migrants in the destination countries and strengthen the links with Ecuador.

#### **Secretary of People:**

To support the building of social networks based on the identity strength.

Devising and spreading of popular media materials to propitiate the return.

### **Development Bank (Banco de Fomento):**

Preferential access to productive credits 555 for Ecuadorians returning to the country.

### **State Bank:**

- Investment programs for the construction of infrastructure and endowment of basic services focused on places with the most migratory incidence, with the help of provincial and local governments. (3 x 1 Programs).

### **National Financial Corporation:**

- Preferential credit opportunities for productive projects for all the Ecuadorians including those coming back from abroad.

### **Post Office in Ecuador:**

- Lower prices for sending packages for migrants' relatives and the spreading of the requirements and procedures for the return.

### **Ecuadorian Institute of Educational Credit (IECE):**

Scholarship Fund for students of migrants returning families .

## **PHASE 2.- SUPPORT TO THOSE WHO WISH TO RETURN**

In the second phase; the execution of pilot schemes are foreseen to coordinate the potentialities of return (in destination) with development requirements in the country (origin) according to the priorities established for the National Development Plan.

Specific projects will be executed aiming at encouraging productive and social activities for the returning Ecuadorians. Moreover, the following priority projects will be performed:

### **Bank of the Migrant.**

Specialized services for the migrants:

- Credit policies and incentives in favour of investments for the migrants' return
- Low prices for sending remittances.
- Health insurance for migrants and their families.

### **Employment Office.**

Through the virtual Platform, an information system for the migrant will be set up. It will present job demands according to areas and type of work as well as the already existing offers provided by companies in various economic branches across the country.

### **Productive Investments.**

Channel investments in strategic sectors of the secure profitability economy such as electricity, roads, energy, oil, etc.)

### **Specific programs by countries.**

For countries in accordance with the characteristics and specific needs of the migrant groups in the destination countries.

## **Interinstitutional agreements.**

In addition to the government bodies which are part of phase 1 as well as this second phase, they control directly the following institutions:

### **Ministry Coordinator for Production**

To advise and prepare the competitiveness systems of the companies to develop new actions.

### **Ministry Coordinator of Economic Policy**

- It will be in charge of the coordination of the implementation of bank services within the new national financial structure.
- Technical support for finding local and international markets.

### **Ministry Coordinator of Strategic Sectors**

Long term investments plans for migrants in strategic sectors with guarantee national profitability.

The results and impacts of the Voluntary Return Program<sup>8</sup>, obtained until August show the following numbers:

- 3.011 advised people (in office, in SENAMI cell phone and local numbers)
- 1.681 advised people in different countries via the virtual platform.
- 1.168 registered from April 5th in the Welcome Home Plan
- 387 returned families with furniture and work equipment (from February 28th until July 31st)
- 54 returned people assisted due to vulnerability
- 1.060 returned people assisted by deportation

In this way, until August, the partial total is of:

7.361 people accepted in the Physical Program of Return (in process and returned).

The International Organization for Migration (IOM) is currently developing various programmes abroad to help Ecuadorians wanting to do so to return to their country<sup>9</sup>. Generally speaking, the assistance offered to persons participating in these programmes consists of:

- Information/guidance for the return,
- Help with necessary paperwork,
- Issuing tickets,
- A small travel allowance (50 euros),
- In certain countries of departure, it is possible to obtain financial support for re-integration and/or continuing life in Ecuador.

For more information, please contact local offices of the IOM (“IOM Worldwide”):

<http://www.iom.int/jahia/Jahia/lang/en/pid/1>

8 See: <http://www.sigob.gov.ec/metas/main/consulta/default.asp>. Consulate, on August 22th, 2008.

9 See: <http://www.inmigraex.org/documentos/doc31.pdf> - (accessed 9 February 2007).

## SPECIFIC PROGRAMMES

Currently, 3 specific programmes to assist returning Ecuadorians exist in Europe. Their methods vary depending on the country.

### **Belgium**

The REAB (Return and Emigration of Asylum Seekers ex Belgium) programme of the IOM helps organize the return trip by plane and process the paperwork. It may also assist the passenger at the airport if requested. The returnee receives an allowance of 250 € in cash upon arrival.

How to apply:

•Contact a social service or the CIRE (Coordination and Initiatives for Refugees and Foreigners: 02/629 71 80) where you can obtain information about IOM services and the REAB programme.

The person applying for him/herself or for his/her family may have indifferently the status of refugee, or a denied status of refugee, or the status of illegal alien.

Please note that the definition of “voluntary return” according to the IOM includes people living in closed centres.

Access to IOM’s REAB programme is limited to once every 5 years. If you re-apply earlier, you will have to refund the cost of the last trip organized by the REAB.

### ADDITIONAL HELP TO THE REAB PROGRAMME:

Caritas International Belgium and IOM propose a re-insertion aid for individuals and families who circulate freely in Belgium and who wish to return to their country of origin. Via their “Programme of re-insertion in the Country of Origin” and the Re-Insertion Fund, Caritas International Belgium and IOM may finance a project of individual or family re-insertion. It has socio-professional orientation service which helps to determine what kind of re-insertion to choose.

Caritas International Belgium and IOM cooperate with organizations based in Quito that are specialized in socio-economic insertion and which upon request and if necessary help create a business plan, follow the business’s development, organize training, job research and a personalized following of the individual or family.

The re-insertion aid is €700 per person and a maximum of €1750 per family; all this in material help only.

There is also a €700 subsidy specifically designed to help vulnerable people in the field they are most vulnerable in.

For more information, contact:

- OIM : 02/282 45 64
- Caritas: 02/229 36 11

### **England:**

IOM London is developing the Voluntary Assisted Return and Reintegration Programme (VARRP) in cooperation with the Home Office. Its aim is to assure sustainable returns on investment help people find income-generating jobs.

It is important to plan the activity chosen by the returnee and IOM Quito well before implementing it as its costs, aims, location, expectations and other factors need to be analyzed carefully.

IOM Ecuador has assisted approximately 88 persons from 2003 to May 2006 in various activities, micro-productive as well as educational. The Programme works under a budget reserved for its annual activities.

Telephone (toll free): 0800 783 2332

<http://www.iomlondon.org/varrrp.php><sup>10</sup>

### **Spain:**

The aim of the Programa de Retorno Voluntario de Inmigrantes desde España (PREVIE) is to assist returning emigrants in finding a means of subsistence upon arrival and during the period of adaptation.

The first contact with beneficiaries is established at the IOM offices in Madrid so that the IOM in Quito be able later to forward the migrant's requests to the reintegration assistance service.

The exact amount of aid for each approved applicant is determined individually according to the number of persons in the family. The money is invested in different businesses via direct purchases to make sure the funds are allocated properly.

Furthermore, in order to guarantee the effectiveness of reintegration activity, beneficiaries are assisted during a period of three to sixth months.

This programme operates by receiving a service fee for every returnee. Between 2003 and 2006, 173 individuals have been assisted via an assistance fund upon returning. Between 2005 and 2006, twenty cases were treated within the initial phase of reintegration.

Contact: [iommadrid@iom.int](mailto:iommadrid@iom.int)

Tel: +34 91 594 3670

<http://www.inmigraex.org/documentos/doc31.pdf><http://www.inmigraex.org/documentos/doc31.pdf>

#### **2.2.1. By air**

Prices vary according to season and demand. The basic prices \* (round trip, much cheaper) for flights departing from Europe to Ecuador (Quito/Guayaquil) vary between 750 € and 1350€ according to the airline companies (Iberia, KLM, American Airlines<sup>11</sup>).

\* These prices include airport departure tax in Belgium.

For more up-to-date information, visit the airlines' websites:

Iberia: [www.iberia.com](http://www.iberia.com)

Air Europa : [www.aireuropa.com](http://www.aireuropa.com)

Continental Airlines: [www.continental.com](http://www.continental.com)

Avianca: [www.avianca.com](http://www.avianca.com)

American Airlines: [www.aa.com](http://www.aa.com)

Delta: [www.delta.com](http://www.delta.com)

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<sup>10</sup> IOM United Kingdom, Voluntary Assisted Return and Reintegration Programme- (accessed 1 March 2007).

<sup>11</sup> Only if the passenger has a European passport.

### 1.3. Entry procedure (proceeding authority, interrogation, control, detention, bribes, etc.)<sup>12</sup>

#### 1.3.1 By air

When an Ecuadorian citizen returns to Ecuador without having broken any migratory law and if there is no suspicion of fraud, the Migration Service authorities do not conduct the usual border control. If fraud is suspected, the traveller is interrogated and taken into custody. He/she may be arrested only with a warrant issued by a competent judge if there is reasonable suspicion of responsibility<sup>13</sup>.

However, if a returning Ecuadorian has had his travel documents' validity extended in his country of residence, he/she will be briefly interrogated upon re-entry in order to find out the reasons for having those documents extended abroad. This is standard procedure and it permits to discard any possibility of fraud, as it is not unusual to have one's documents stolen or lost.

If an Ecuadorian citizen has a warrant issued against him or her upon re-entry for any act committed before leaving the country or for a migratory offence - like counterfeiting documents, or as the Ecuadorian Penal Code states, "whoever has modified or counterfeited a passport or any other public travel document, national or foreign, or has used any of those document fraudulently, shall be punished by three to six years of imprisonment", he or she will be arrested.

### 1.4. Impacts of former acts and statuses upon entry

#### 1.4.1 Impacts of former refugee or subsidiary protection status

NA

#### 1.4.2. Impacts of former unsuccessful asylum claim

NA

#### 1.4.3. Impacts of former illegal exit from country of origin<sup>14</sup>.

If an Ecuadorian has left Ecuador illegally and wishes to come back, he or she must be interrogated upon arrival to determine among other questions the circumstances of his or her departure, how it was achieved and who other was involved. The citizen in question shall not be arrested if he or she is in possession of a valid travel document delivered by a consulate.

This means that the sole purpose of the interrogation is to learn more details about the persons who organized the transportation, the itinerary followed, the money involved in the process, etc.

#### 1.4.4. Impacts of crime committed outside the country of origin (risk of double jeopardy)

When an Ecuadorian re-enters Ecuador, any criminal offence he may have committed abroad will not be prosecuted, except in the case in which he has committed a crime in Ecuador and has lived in a country that has signed a bilateral extradition agreement which allows for him to be judged in

<sup>12</sup> Interview with Katerine Renjifo, International Organization for Migration, IOM (Quito, January 25, 2007).

<sup>13</sup> Penal Code, Article 164 (Official Register Supplement N° 360, January 13, 2000).

<sup>14</sup> Interview with Javier Galarza, law assessor at the Dirección Nacional de Migración (Quito, January 23, 2007).

Ecuador. The current Constitution of Ecuador states that “in no case shall an Ecuadorian citizen be extradited. He will be judged according to the laws of Ecuador”<sup>15</sup>.

Otherwise, if an Ecuadorian commits a criminal offence in his country of residence and is sentenced according to the laws of that country, he may be transferred to Ecuador to serve his sentence if the country in question has signed the aforementioned extradition agreement.

## 1.5. Customs regulations (how to obtain current regulations)

### PROCEDURES FOR TRAVELLERS<sup>16</sup>

In regards of furniture, the returnee has to follow the steps mentioned below in order to benefit from customs exoneration, according to the agreement between the National Secretary of the Migrant (SENAMI) and the Customs Ecuadorian Corporation (CAE):

Before returning to the country:

1. - Make a detailed list of the merchandise.

- Specify the status of the objects.

- Provide referential values for the merchandise

- Contact the Consulate to verify if the merchandise to be imported is not prohibited. In order to facilitate the procedures, make sure the lists are short and that the packages are duly separated, packed and labelled by bundles.

2. - Hire the transportation mean (aerial, ground or maritime) of your trust.

The hired company has to give the Transportation or Packing List which will be necessary for the goods recovery.

3. - Request the Migration certificate (migratory movement) which credits one year abroad, without any interruptions than those allowed by the Law.

- If you do not have the register proving your departure from the country, request it to the Consulate with a certificate proving your stay abroad for more than a year.

When you are in Ecuador:

4. - Visit a notary and make a sworn statement containing:

- The commitment that the furniture will be brought only once per familiar unit.

- The detailed list of the goods and the work equipment, including the estimated dates of arrival and total value.

5. - Hire a customs agent (of your trust) to handle customs and tax remission. The person hired, to perform the procedure, must have the passport of the owner, the list from the notary, the p list of goods and the request for the corresponding taxes deregulation to present to the Ecuadorian Customs Corporation.

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<sup>15</sup> Article 25 (Registro Oficial Nº 1, 11 August 1998).

<sup>16</sup> Customs of Ecuador - “Procedure”: <http://www.aduana.gov.ec/contenido/procViajeros.html> - (accessed 24 January 2007).

On the other side, in Ecuador, goods imported for the personal use of a passenger are exempt from all exterior commerce taxes except a Customs handling fee.

Custom regulations specifically detail procedures applicable to persons entering the country. Thus, if a Customs official deems necessary to subject certain pieces of luggage to a more thorough search, he is working according to these rules and is performing his duties.

More generally speaking, all persons entering Ecuador must fill out a form called “Formulario de Declaración Aduanera para Pasajeros” in with a list of the contents of one’s luggage. Merchandise (items to be sold or commercialized) shall be declared separately.

If a Customs official finds undeclared goods during a more thorough search, the goods will be secured until the traveller justifies their origin and pays the applicable taxes.<sup>17</sup>.

**What is considered as “personal belongings”.**- These are articles transported by passenger travelling alone or with his or her family whose use can reasonably be deemed necessary during the journey; they shall be listed in the Declaración Aduanera de Pasajero (DAP). Any merchandise of commercial value or character is excluded from this list.

**What items can be included in personal luggage.**- The following items, whether brand new or used, will be considered as part of personal luggage as long as their personal use is evident and as long as their amount and value exclude them from commercial use:

- Clothes
- Cutlery.
- Jewellery and personal adornments.
- Books, magazines, photographic material and printed or written documents.
- Food and child care products.
- Tools and equipment for professional use.
- Wardrobes of artists, theatre companies, circuses, etc.
- Medicine and psychotropic substances, with their appropriate medical prescription.
- Wheelchairs, crutches, orthopaedic devices etc. used by disabled persons and whose necessity is proven.
- Camping equipment.
- Suitcases, bags, etc. needed to transport the traveller’s luggage.
- Vinyl recordings, audio tapes, compact discs, audio and video cassettes, DVDs and video CDs; the total amount of these articles cannot exceed 30.
- One live pet, if conform to relevant sanitary regulations.
- A maximum of two musical instruments which can normally be carried by one person.
- A maximum of two sports articles which can normally be carried by one person.
- A maximum of five toys, video games or their accessories which can normally be carried by one person.
- A maximum of 205 grams of tobacco, 20 packs of cigarettes or 50 cigars and 2 litres of liquor for travellers aged 18 or more. If the traveller produces a customs declaration as head of family, the allowance shall be doubled.
- A maximum of 10 rolls of photographic film or 10 camcorder cassettes.

The passenger must fill out the “Formulario de Declaración Aduanera para Pasajero” in which he or she must list in detail all personal belongings, or, if applicable, goods which are subject to tax.

<sup>17</sup> Interview with Raul Arteaga, federal Customs Agent (Quito, February 2 2007).

If the passenger possess any goods not considered as personal belongings, they will have to be described in the aforementioned formulaire and shall be weighed and counted in order to determine the applicable taxes for each via the Simplified Customs Declaration - Declaración Aduanera Simplificada (DAS).

**Which additional portable items may be included in the passenger's personal belongings?** Any adult or head of family who presents a Customs declaration will be allowed to take one piece each of the following items, whether brand new or used:

- Camera
- Camcorder
- Mobile (cell) telephone
- Electronic agenda
- Audio or video playback device
- Portable TV (up to 14")
- Laptop computer with accessories
- Binoculars
- Projector
- Electronic calculator
- Tent.

**Important notice.-** If undeclared goods that have been declared are found, they will be confiscated in accordance with Customs Organic Law.

The passenger will not be allowed under any circumstances to modify his/her declaration once it has been submitted to Customs.

Travellers cannot declare any third-party luggage as their own and cannot accept to transport goods not belonging to them.

Personal belongings of a passenger that have been declared as merchandise by Customs and with a value exceeding US\$ 4000 according to official rates will have to comply with all formalities established by the Customs Organic Law and its General Regulations. Failing this, sanctions will be applied as stated in the Customs Organic Law<sup>18</sup>.

## 1.6 Access to return area

### 1.6.1. Limitations on internal travel

There are no restrictions on domestic travel.

#### 1.6.1.2. Administrative restrictions

NA

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<sup>18</sup> Rules of the Organic Law of Customs, Article 80 to 95: of custom breaches - <http://www.dlh.lahora.com.ec/paginas/judicial/PAGINAS/Ley.Org.Aduanas.CC.htm> - (accessed 22 February 2007).

### 1.6.1.3. Practical obstacles

The only existing administrative restrictions on settling in Ecuador are those imposed on persons desiring to live in the Galápagos province or in the Insular Region, as specified by the Special Regime Law for the Conservation and Sustainable Development of the Province of Galápagos<sup>19</sup>, reformed on September 5th, 2007<sup>20</sup>..

### 1.6.2. Territories impossible or dangerous to approach (land mines, natural degradation, etc.)

[As described in 1.3.3. and 3.1]

### 1.6.3. Means of internal travel (contact and practical information, price list, etc.)<sup>21</sup>

Domestic transportation mostly relies on buses due to their low cost. Approximate prices of transport between provinces are as follows<sup>22</sup>:

DEPARTURE	DESTINATION	PRICE (IN US\$)
QUITO	IBARRA	2.50
QUITO	TULCAN	4.95
QUITO	LATACUNGA	1.80
QUITO	AMBATO	2.75
QUITO	GUARANDA	4.65
QUITO	PUYO	5.70
QUITO	RIOBAMBA	3.75
QUITO	CUENCA	8.65
QUITO	LOJA	12.65
QUITO	ESMERALDAS	6.25
QUITO	BABAHOYO	6.00
QUITO	GUAYAQUIL	8.25
QUITO	MACHALA	10.15

19 Ingala, Presidence of the Republic National Galapagos Institute - "Credential Exchange of Residence"- <http://www.ingala.gov.ec>. (accessed 24 January 2007).

20 Verified on January 3rd, 2008.

21 Verified on January 3<sup>rd</sup>, 2008.

22 Consejo Nacional de Transporte y Tránsito- Tarifas transportes Interprovincial, January 2003, <http://www.cnttt.gov.ec/paginas/tarifas.html#> - (accessed 25 January 2007).

QUITO	PORTOVIEJO	7.00
QUITO	TENA	6.50
QUITO	LAGO AGRIO	13.30
QUITO	MACAS	11.25

DEPARTURE	DESTINATION	PRICE
GUAYAQUIL	BABAHOYO	1.50
GUAYAQUIL	GUARANDA	4.10
GUAYAQUIL	RIOBAMBA	4.60
GUAYAQUIL	AMBATO	7.80
GUAYAQUIL	LATACUNGA	7.00
GUAYAQUIL	QUITO	8.25
GUAYAQUIL	IBARRA	10.65
GUAYAQUIL	TULCAN	12.90
GUAYAQUIL	ESMERALDAS	9.20
GUAYAQUIL	PORTOVIEJO	4.25
GUAYAQUIL	AZOGUES	4.20
GUAYAQUIL	CUENCA	4.80
GUAYAQUIL	MACHALA	4.15
GUAYAQUIL	LOJA	8.90

There are, however, domestic air links, whose approximate prices are listed below:

**AIRLINE CARO<sup>23</sup>:**

DEPARTURE	DESTINATION	PRICE ( IN US\$)
QUITO	GUAYAQUIL	- 87.50 USD adults - 50% off for infants - 10% off for children
QUITO	CUENCA	- 85.26 USD adults - 50% off for infants

<sup>23</sup> Air Company Icaro, <http://www.icaro.com.ec> - (accessed 26 January 2007).

		- 10% off for children
QUITO	LOJA	- 89.74 USD adults - 50% off for infants - 10% off for children
QUITO	ESMERALDAS	- 59.50 USD adults - 50% off for infants - 10% off for children
GUAYAQUIL	QUITO	- 83.94 USD adults - 50% off for infants - 10% off for children

**AIRLINE TAME<sup>24</sup>:**

DEPARTURE	DESTINATION	PRICE (IN US\$)
QUITO	GUAYAQUIL	1. Approximately 77 USD (adults) 2. 50% off for infants 3. 10% off for children
QUITO	CUENCA	4. Approximately 95 USD (Adults) 5. 50% off for infants 6. 10% off for children
QUITO	ESMERALDAS	7. Approximately 79 USD (adults) 8. 50% off for infants 9. 10% off for children
QUITO	LOJA	10. Approximately 49 USD (adults) 11. 50% off for infants 12. 10% off for children
GUAYAQUIL	QUITO	13. Approximately 73 USD (adults) 14. 50% off for infants 15. 10% off for children
GUAYAQUIL	CUENCA	16. 66.85 (adults) 17. 50% off for infants 18. 10% off for children

All prices include airport taxes and 12% VAT.

<sup>24</sup> Air Company Tame, <http://www.tame.com.ec/tame/tarifas/default.asp> - (accessed 26 January 2007).

## 2 Physical security (in return area)

### 2.1. On-going armed conflicts

Ecuador does not expect any armed conflict that might trigger a civil war or armed conflict.

### 2.2. Regions with high security risk (political, inter-ethnic or inter-religious tension, etc.)

It should be pointed out that in the northern border zone, due to the Colombian armed and political conflict; Ecuadorian government has deployed a greater military presence to ensure the safety of its inhabitants<sup>25</sup>. The provinces of the northern border (Esmeraldas, Carchi and Sucumbis, as well as Imbabura, Orellana and Napo), because of their location, are the provinces with the greatest vulnerability in terms of the intensity of the Colombian conflict in the border areas of Ecuador.

Finally, the bilateral relations with Colombia have gotten worse due to what happened on March 1st, 2008. The Colombian Army penetrated into Ecuadorian territory, in the Angostura zone, and attacked a FARC camp where “Raúl Reyes”, the number two in the organization died. Since then, Ecuador has decided to protect its territorial sovereignty and not to get involve in a foreign conflict. However the government does bare in mind those living near the borders and has reinforced the military presence in the area.<sup>26</sup>

Even though the area of special focus in terms of security is the northern strip of the country, given not only the proximity of the social, political and armed Colombian conflict but also the wide socio-economic gaps, the presence of violence and the lack of security, factors that affect the quality of life for the people<sup>27</sup>, it is not possible to accept that the existing violence on the northern border is simply a result of the Colombian conflict.

The homicide and crime rates as well as the occurrences of violated rights in the provinces of the northern border serve to support this hypothesis.

#### Comparative homicide rates on the northern border<sup>28</sup>

(x/100,000 inhabitants)

Provinces / Years	1990	1995	1999	2004	2005	2006*
Carchi	9.6	12.8	18.8	4.5	7.53	9.47
Sucumbios	23.3	17.9	33	57.9	48.82	38
Esmeraldas	23.8	30.4	33.6	52.3	42.2	28.5
Ecuador	10.3	13.4	14.8	12.5	11.03	15.94

\* Only homicides up until September 2006 are recorded.

25 Moreano Urigüen, Hernán, Colombia y sus vecinos frente al conflicto armado, Quito, FLACSO / Abya Yala, 2005, page 147.

26 See: <http://www.mmrree.gov.ec/mre/documentos/novedades/extractos/ano2008/marzo/ext204.htm> - Consulted on September 7th, 2008

27 Ciudad Segura- Program of studies of the city of the Latin American Institute for Social Sciences (FLACSO Ecuador) - [http://www.flacso.org.ec/docs/ciudad\\_segura10.pdf](http://www.flacso.org.ec/docs/ciudad_segura10.pdf) - (accessed 26 February 2007).

28 The data for 1990, 1995 and 1999 are from the Report on Violence and Citizen Safety (2003) from FLACSO Ecuador branch. The data for 2004, 2005 and 2006 are from the ARMOR Group (2006).

The country has thus lived with this reality which was exacerbated following the set up of the anti-narcotics and counter-insurgency strategy called the “Colombia Plan” in 1990, which has been primarily based on military support and fumigation programmes using aerial sprays and backed by the neighbouring United States government. Since then, thousands of dollars have been invested to support these activities.

Another factor that allows us to continue with this analysis is the increase in the number of people leaving the Colombian territory, crossing the international border and seeking protection in Ecuador.

The country now has the highest rate of refugees in Latin America, with a majority coming from Colombia. Until now, Ecuador is the only country in Latin America to get involved in this process, and on a world scale, it is one of the first eight countries implementing the pilot program called “National Enquiry”. This program was organized by the Ministry of External Relations, Commerce and Integration of Ecuador and the United Nations High Commissioner for Refugees (UNHCR) in July of the current year. Such an event is step forward in the initiative known as “Project for the Strength of the Protection Capacity”, a project which develops tools to strengthen the capacities of the countries in order to receive and protect refugees<sup>29</sup>

According to the United Nations High Commissioner for Refugees (UNHCR), in June 2005, the people viewed as being of “interest” to this international organisation was in the region of 219 thousand, of whom 184 thousand were “invisible”<sup>30</sup>.

DISTRIBUTION BY STATUS		
STATUS	POPULATION	%
Recognised Refugees	11,492	5.2%
Other Registrations	25,173	11.5%
Resettled and Repatriated	1,248	0.6%
Others of Interest (invisible)	184,327	83.9%
<b>TOTAL JUNE/05</b>	<b>219,744</b>	

Source: UNHCR Ecuador

This situation is a result of the serious humanitarian crisis experienced by Colombia but has not been recognised by the Colombian government due to political implications.

However, during the recent visit to Ecuador by António Guterres (United Nations High Commissioner for Refugees), there was a recognition of the complex situation of the thousands of people seeking refugee status in Ecuador, possibly up to 250 thousand people, and the political desire of the State and the Ecuadorian people to take them in and offer them protection<sup>31</sup>.

29 See: [http://www.acnur.org/index.php?id\\_pag=7787](http://www.acnur.org/index.php?id_pag=7787). Consulted on September 7<sup>th</sup>, 2008.

30 De la Vega M., Pablo A., Migración irregular, políticas públicas y derechos de los niños, niñas y adolescentes (Paper in the International Seminar-Workshop “Family, Childhood and Migration), Quito, mimeo, March 2005, page 4.

31 United Nations High Commissioner for Refugees ends his visit to Ecuador - [http://www.acnur.org/index.php?id\\_pag=6159](http://www.acnur.org/index.php?id_pag=6159) - (accessed 29 March 2007).

## 2.3. Crime

### 2.3.1. Regions with an extremely high level of crime (threatening physical security)<sup>32</sup>

According to the National Judicial Police Office, the provinces with higher levels of crime are: Pichincha and Guayas, whose capitals are the two largest cities in the country, Quito and Guayaquil respectively. To a lesser extent, according to the same source, the following provinces also feature: Manabí, El Oro, Los Ríos, Esmeraldas, Azuay, Imbabura and Chimborazo.

Crime reported to this body relates mainly to Pichincha and Guayas, respectively accounting for 31.8% and 29.9% of the total crime reported nationally in 2006.

The province of Pichincha accounts for 18.79% of the arrests made by the National Judicial Police in 2006, while Guayas accounts for 33.9%. These figures clearly show that these two provinces have the highest national levels of both reported crime and arrests. Of these arrests, 95.46% are Ecuadorians, 2.20% Colombians and 1.67% Peruvians<sup>33</sup>.

To return to the northern border analysis, between 2000 and 2004, the province of Sucumbios accounted for the highest rates of sex crimes.

#### Comparative rates of sex crimes

Provinces / Years	2000	2002	2003	2004
Esmeraldas	19.3	20.7	32.4	36.3
Carchi	13.8	8.4	6.4	10.9
Sucumbíos	47.1	57.7	64.2	49.1
Ecuador	15.7	23.4	24.8	22.2

Source: National Judicial Police Office, Statistics Department<sup>34</sup>.

### 2.3.2. Risk of being a victim of human trafficking<sup>35</sup> and Risk of being a victim of forced prostitution<sup>36</sup>

Ecuador has no precise studies on this problem; however, the International Labour Organisation (ILO) estimates that there are about 5000 children and adolescents being used for sexual exploitation purposes. There is also a high percentage of labour exploitation, begging and organ trafficking<sup>37</sup>.

The majority of victims are people from low and medium-low economic backgrounds, who come from small towns and who are transported to the larger cities.

32 Interview with Colonel Oscar Acosta Muñoz, Head of National Police (Quito, 31 January 2007).

33 National Police Office, Statistics Department.

34 Verified on September 8th, 2008.

35 Interview with Oscar Acosta Muñoz, Head of National Police. (Quito, 31 January 2007).

36 Follow-up meeting of the "2nd World Congress against Commercial Sexual Exploitation of Children". UNICEF

37 Regional Office for Latin America and the Caribbean of the International Labour Organisation - International Programme for the Eradication of Child Labour - Draft of "Línea de Base: Dimensión, naturaleza y entorno de la explotación sexual comercial" [http://www.oit.org.pe/ipecc/documentos/lb\\_final\\_esci\\_ecuador.pdf](http://www.oit.org.pe/ipecc/documentos/lb_final_esci_ecuador.pdf) - (accessed 26 February 2007).

Citizens are also taken out of Ecuador and sent mainly to Colombia, Peru, Venezuela and Europe<sup>38</sup>.

In December 2006, the country joined the “Llama y Vive” Campaign, promoted by the Inter-American Development Bank (IADB), the International Organization for Migration (IOM) and the Ricky Martin Foundation, together with regional and local organisations, with the aim of preventing and raising awareness among people about human trafficking crimes.

The 101 telephone number was set up for people to call anonymously and report cases of human trafficking.

The Ecuadorian government has taken significant steps towards combating trafficking crimes<sup>39</sup>. On 31 August 2004, Executive Decree No. 1981 was published and created the Commission for developing a National Plan to combat kidnapping, illegal immigrant trafficking and sexual and labour exploitation; as well as other forms of exploitation and prostitution of women, children and adolescents, child pornography and corruption of minors<sup>40</sup>.

On 23 June 2005, the Penal Code was reformed and classified trafficking crimes and commercial sexual exploitation of children (ESCI) through the “Amendment Act of the Penal Code which classifies crimes of sexual exploitation of minors”<sup>41</sup>. Perpetrators of these crimes get ordinary imprisonment of six to nine years, where there is no sexual exploitation. If the victim is a person less than eighteen years of age, the punishment is extraordinary imprisonment of nine to twelve years<sup>42</sup>.

Mention should also be made of the US State Department Report on Human Trafficking (6 June 2006), which is based on the Trafficking Victims Protection Act (TVPA)<sup>43</sup>, in order to show its assessments on this matter. This takes an approach centred on the victims in order to deal with human trafficking, combining the objectives of the fight against crime and the respect for human rights.

In this context, The US Department of State in its last report 2007<sup>44</sup> underlines the acceptance and application of the National Plan against Human Trafficking, established with public organizations and civil societies, and establishes the wish to fight against this crime. The report also describes the efforts made by the government of Ecuador to identify and help the victims through a protection and witness programme helping 27 victims during the period covered by the report, providing them shelter, medical care, psychological support and educational care for the children. The report also treats the pursuit of the National Education Campaign of the INNFA

that started in 2006 to raise public awareness through radio, television, information centres, during concerts or publicity campaigns. Moreover, it underlines the Tourism Ministry National Campaign against sexual tourism to raise public awareness including 11 public organizations. It

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38 Regional Campaign against Human Trafficking “Llama y Vive” - [www.llamayvive.org](http://www.llamayvive.org) - (accessed 1 February 2007).

39 Interview with lawyer Roberto Mancino, Social Communication Adviser at the National Institute for Childhood and Family (INNFA).

40 Official Register of Ecuador - Tuesday, 31 August 2004 - R. O. No. 410-  
<http://www.dlh.lahora.com.ec/paginas/judicial/PAGINAS/R.O.Agosto.31.2004.htm#anchor178646> - (accessed 1 February 2007).

41 Ministry of Foreign Affairs Ecuador -  
[http://www.mmrree.gov.ec/mre/documentos/ministerio/academia/documentos/trata\\_usaid.pdf](http://www.mmrree.gov.ec/mre/documentos/ministerio/academia/documentos/trata_usaid.pdf) - (accessed 1 February 2007).

42 Penal Code. Chapter III.1. on crime relating to human trafficking (Amendment Act of the Penal Code which classifies crimes of sexual exploitation of minors, Law 2005-2, Official Register N° 45, 23 June 2005).

43 United Nations High Commissioner for Refugees (UNHCR) - “US State Department Report on Human Trafficking” - 6 June 2006- <http://www.acnur.org/biblioteca/pdf/4233.pdf> - (accessed 1 February 2007).

44 U.S. Department of State - Trafficking in Persons Interim Assessment -  
<http://www.state.gov/g/tip/rls/tippt/2007/> - (consulted on January 7<sup>th</sup>, 2008).

also recognizes the efforts of the Ecuador Government in establishing a political body to protect victims and witnesses of human trafficking. The efforts of the Police and the tax office in investigating more than a hundred cases of human trafficking is also underlined.

Finally, in the provisional evaluation of the Department of State of 2007 regarding the traffic of persons, it is mentioned that Ecuador has kept its policy against the traffic of persons, and that it continues offering help to the victims. The report focused on the judgment, as well as on the rescue, rehabilitation and reinsertion of the victims in the society<sup>45</sup>.

### 2.3.3. Effectiveness of protection (capacities, proficiency, corruption, etc.)

#### 2.3.3.1. Police Forces<sup>46</sup>

The Public Ministry, through the Authority responsible for Victim and Witness Protection, is responsible for proposing and executing policies for the efficient operations of the “Protection and Assistance Programme for Victims, Witnesses and others involved in the Penal Process”<sup>47</sup>.

The legal basis of this Programme is its Regulation<sup>48</sup> which was published in Official Register No. 671 dated 26 September 2002.

It is designed for all people who through cooperating with the Penal System have been subject to threats and aggression: victims, witnesses, families with blood relations up to the fourth degree and others involved in the legal process such as: public prosecutors, experts, judicial workers, police officers and their families.

The Programme offers the following services:

- Immediate shelter;
- Police protection;
- Medical help;
- Psychological help;
- Financial assistance if people have changed residence;
- Assistance in finding work; and
- Support so that children and young people can continue studying.

Nevertheless, Public Ministry workers have said through the media that the witness protection is not a complete plan, as there are insufficient resources and inadequate infrastructures for protecting not only the victims or the witnesses, but also the families who are often left defenceless<sup>49</sup>.

The model for verbal charges required a reformulation of the functions for each of the Penal System Institutions. Within the new system, the Judicial Police is an ancillary body of the Public

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45 See: [http://spanish.ecuador.usembassy.gov/latest\\_embassy\\_news/press-release/pr\\_012207.html](http://spanish.ecuador.usembassy.gov/latest_embassy_news/press-release/pr_012207.html) - Consulted on September 19th, 2008.

46 Interview with Colonel Oscar Acosta Muñoz. Head of National Police (Quito, 31 January 2007)

47 Public Ministry - “Penal Policy - Programme for the Protection of Victims and Witnesses - [http://www.fiscalia.gov.ec/pol\\_penal/prog\\_prot\\_vict\\_test.html](http://www.fiscalia.gov.ec/pol_penal/prog_prot_vict_test.html) - (accessed 1 February 2007).

48 Official Register of Ecuador No. 671 - Thursday 26 September 2002 - <http://www.dlh.lahora.com.ec/paginas/judicial/PAGINAS/R.O.Septiembre.26.2002.htm#anchor360068> - (accessed 1 February 2007).

49 El Universo newspaper - Protección a testigos - Plan a medias - 27 February 2007- <http://www.eluniverso.com/2007/02/27/0001/10/55152C1018434430AFFBF726BE828166.aspx> - (accessed 27 February 2007).

Ministry, acting under the direction of the Public Prosecutors who are responsible for the technical and scientific investigation of the crime, all the while respecting the person's rights.

In order to efficiently coordinate this role, the Public Ministry created the Coordination Authority with the Judicial Police, where the main aims are to:

- Coordinate the joint work between the Public Prosecutors and the staff of the Public Ministry and the Judicial Police;
- Provide specialist training for the Judicial Police staff;
- Receive complaints that Penal System users make in this area;
- Evaluate the role of members of the Judicial Police<sup>50</sup>.

However, the current President of the Republic, economist Rafael Correa Delgado, has decided to set up a "Support Committee for Modernisation of the Police Force", where the aim is to prepare initiatives and develop proposals for organising the planning, supervision, monitoring and evaluation of the institution. This Committee is made up of various general officials, not in active service, and includes an academic and a human rights activist, among other members<sup>51</sup>.

It is hoped that this Committee will put forward practical proposals resulting in the implementation of recommendations such as those presented by Amnesty International in its follow-up report on police justice<sup>52</sup> and especially promote the adoption of a law for constitutional development of Article 183, section four, which states that the National Police shall be under the supervision, evaluation and control of the National Police Council.

### 2.3.3.2. Judiciary

One of the most serious structural problems in the country is the state of the judicial administration.

With the exception of naming the two latest high-ranking state officials, enacted by the current National Congress during the government of President Rafael Correa, the other recommendations have still not been implemented.

The latest report on the justice administration system in Ecuador is not encouraging. The Second Evaluation of the Legal Process System covering the period 2003-2005 and carried out by the Esquel Foundation<sup>53</sup>, concludes that the Judicial Function has not made any change in its management methods and work systems. However, the Public Prosecutor's Office has increased the number of prosecutors, made improvements in the infrastructure, furniture and technology tools, and developed a programme to reduce reporting.

While the Judicial Police is still depending on the National Police and on its relationship with the Public Prosecutor's Office, red tape predominates.

The Public Defence body is not currently expecting the "Organic Law" necessary for providing an institutional aspect to this sector of justice.

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50 Public Ministry - Penal Policy - Accreditation with the Police Force -

[http://www.fiscalia.gov.ec/pol\\_penal/coord\\_pol\\_jud.html](http://www.fiscalia.gov.ec/pol_penal/coord_pol_jud.html) - (accessed 1 February 2007).

51 Presidency of the Republic - President calls on the Police to be closer to the citizens - <http://www.presidencia.gov.ec/noticias.asp?noid=8648&hl=true> - (accessed 29 March 2007).

52 See: Ecuador: Promesas Incumplidas - Continúa la Impunidad en el Fuero Policial, Índice de AI: AMR 28/018/2004, November 2004, pages 19-23.

53 Esquel Foundation - Justice and Society Fund - [http://www.esquel.org.ec/?til=d\\_proyecto&id\\_pro=40](http://www.esquel.org.ec/?til=d_proyecto&id_pro=40) - (accessed 8 March 2007).

All these factors and the continued corruption<sup>54</sup> in the Judicial Service unfortunately do not offer an encouraging picture for the full enforcement of human rights, notably of the citizens and politicians in the country.

Between November and December 2004, Ecuador experienced a serious institutional crisis through the non-constitutional dismissal of the members of the Constitutional Court, the Electoral Supreme Court and the Justice Supreme Court, a situation that received the attention of the international community and that led to intervention at the highest level, through the good offices of the Special Rapporteur in relation to the independence of magistrates and lawyers. Its different reports and recommendations were presented to the Human Rights Commission of the United Nations and to the highest authorities in Ecuador, as well as the international organisations that intervened to help ensure that the country return to a State of Law<sup>55</sup>.

During two visits<sup>56</sup> to Ecuador, the Special Rapporteur Leandro Despouy recommended he need to urgently undertake reforms across the entire judicial system, notably:

- A new Organic Law for the Judicial Function;
- A law that standardises and guarantees the judicial process;
- The true realisation of the principle of jurisdictional unity;
- The set-up of an efficient public defence body; and
- The immediate appointment of a General Regulator and Minister responsible for Public Prosecution”

Nevertheless, in spite of what is pointed out in this item, the current panorama seems to be encouraging since the current government, specifically at the end of 2007, created the Ministry of Justice and Human Rights<sup>57</sup>, and the coordination of the public defense service<sup>58</sup> will be among its main functions.. Moreover, the Sub secretary of Public Defense has been created to improve the function previously mentioned. Furthermore, “it is up to the Ministry of Justice and Human Rights to perform projects of Law and Reforms to the current laws, tending to improve the Justice System and the Social Rehabilitation”<sup>59</sup>

An appropriate evaluation of the new way to handle justice adopted in Ecuador will at least have to wait until the first Anniversary of this Ministry.

### 3 Social security and reintegration<sup>60</sup>

#### 3.1. Regions with no reintegration and return opportunities (e.g. natural disasters, famine, etc.)

During the last seven years, volcanic activity, strong winters and the worsening of internal violence in Columbia have redrawn the map of risks in Ecuador.

##### Volcanic activity

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54 Civil Control Commission for Corruption: Evidence of bribery in the Justice Administration - <http://www.comisionanticorrupcion.com/detallenoticias.htm> - (accessed 5 March 2007).

55 Office of the United Nations High Commissioner for Refugees (UNHCR)- <http://daccessdds.un.org/doc/UNDOC/GEN/G06/105/09/PDF/G0610509.pdf?OpenElement> - (accessed 5 March 2007).

56The first from 13-18 March 2005 and the second from 11-15 July 2005.

57 Executive decree 748 in November 14th, 2007. Consulted on September 19th, 2008.

58 Executive decree 748, Article 3, numeral 5. Consulted don September 10th, 2008.

59 Executive decree 748, Article 3, numeral 8. Consulted don September 10th, 2008.

60 Compiled by the Hebrew Immigrant Aid Society - Ecuador (HIAS), e-mail: [hias@hias.org.ec](mailto:hias@hias.org.ec)

Volcanic activity has affected the lives of thousands of Ecuadorian citizens in varying degrees, and has also had a negative impact on the economy of the region.

Among the currently dangerous volcanoes, especially in areas of returning emigrant population, Tungurahua and Cotopaxi are particularly threatening

The Tungurahua volcano has had periodic steam and ash eruptions since 1999. It is still having a negative effect on the economy of a large portion of the provinces of Tungurahua and Chimborazo. Seven cantons (Cusúa, Bilbao, Palitahua, Cotaló, Yuibug Chico, Yuibug Grande) are in a state of emergency. Moreover, the possibility of this volcano wreaking even more havoc cannot be ruled out. The map of danger zones around Tungurahua provides a detailed picture of areas threatened by pyroclastic flows, lava flows and lahars which require permanent surveillance in order to limit the loss of life in case of an eruption, especially in the town of Baños and around the western slopes of the mountain.

“As far as the Cotopaxi volcano is concerned, although it has not erupted yet, abnormal activity has been observed and preparatory measures should be taken for the eventuality of an eruption.”<sup>61</sup>

### Internal warfare in Columbia

As for the deteriorating conflict in neighbouring Columbia, as mentioned in point 3.2, provinces adjacent to the Colombian border - Carchi, Sucumbíos, Imbabura and Esmeraldas - have been particularly affected. They have become a destination for Colombians seeking refuge from upheavals in their country.

According to the UNHCR, “Ecuador has the highest population of refugees in Latin America, most of them coming from Colombia. It is assumed that between 130.000 and 140.000 of Colombians live in similar situations to the refugees in need of more international protection. Around 29.000 of them have been recognized as refugees. The rest are waiting for their asylum request to be processed. Nevertheless, in most of the cases, the persons have not subscribed, and it becomes difficult to provide them with necessary help”<sup>62</sup>.

In Ecuador, “the refugees live next to the Ecuadorian communities. Half of the refugees live in the biggest towns and cities and surroundings. The other half lives in rural zones, some of them in very remote developing areas such as the Amazon area”<sup>63</sup>.

The UNHCR mentions that the security in the Ecuador border areas is weak due to the insecurity existing in Colombia, where the high levels of violence make the return of refugees to their origin country more difficult. In this reality, the local integration has been the more realistic solution. The National Ecuadorian legislation “makes sure the persons with refugee status get access to citizenship and permanent residence. The refugees are also included in the development programs of the government, which aim at improving the communitarian support and the subsistence of the refugees”<sup>64</sup>.

### Floods near the Coast

In 2008, floods in the low basins and in the delta rivers in the province of the Ecuadorian Coast took place due to strong rains during the winter season in the Ecuadorian Coast, considered as the major rainfall in the last seven years, and as one of the strongest after the El Niño in 1998. The affected areas are not only the Ecuadorian Coast, but also the sub urban and rural areas of

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61 Aníbal Salazar Albán, Proyecto del Sistema de Alerta Temprana y apoyo a la gestión del riesgo natural, Revista No. 2, Defensa Civil,, pg. 10, 2006,  
<http://www.defensacivil.gov.ec/docs/boletines/articulosrevista.pdf>, accessed June 4, 2007

62 ACNUR, Evaluation of the Global Needs, Reality of the Refugees. Pilot Report, October 2008.

63 Idem

64 ACNUR, Evaluation of the Global Needs, Reality of the Refugees. Pilot Report, October 2008.

provinces in the Andes such as Bolivar, Chimborazo, Cotopaxi and Loja. 23 deaths were reported from the first days of February, 13,289 persons have been moved, 89,000 families have had moderate-severe impacts on their productivity and 75,000 hectares of cultivation were flooded.<sup>65</sup>

According to the Evaluation of the Emergency Food Security -ESAE\_ performed by PMA during March 2008; prices of the basic food such as rice, corn, noodles, potatoes, cassava and oil suffered important increase sometimes reaching 100% for some products. The production and offer decrease due to access difficulties is the main causes for this rise, as well as the soaring of the prices in the international perspective.

Before the flood, approximately 62% of the most vulnerable homes (Severe Alimentary Insecurity and Moderate Alimentary Insecurity) had the daily work or other eventual activity (68% of homes with sever insecurity and 70% of homes with moderate security) as their main source of income. Most of the families depend on the service assistance to large and medium banana companies and the floods has been followed by an important reduction of the daily work demand.

It is assumed that the population affected by the lack of work during the flood in the agricultural sector reaches approximately 30.000 people. This results in their incapacity of buying food.<sup>66</sup>

## 3.2. Housing and accommodation

According to the Constitution of Ecuador “the persons have the right to secure, healthy, appropriate and decent housing, regardless of their social and economic situation”<sup>67</sup>. “The Government will execute the rectory for the planning, regulation, control, financing and elaboration of policies of habitat and housing”<sup>68</sup>

### 3.2.1. Property restitution and/or compensation (in former zones of conflict or disaster)

#### Protection of private property

The Ecuadorian State “recognizes and guarantees the right of the property under its public, private, communitarian, state, associative, cooperative and mixed forms, and that it has to comply with the social and environmental function”<sup>69</sup>

One of the conditions needed to assure keeping private is to be in ownership of the property, which simply means possession of a particular object with the intention of being owner or steward, either by possessing the object him or herself, or on behalf of another person. A person is considered the owner until someone else can prove to the contrary.<sup>70</sup>

Whenever a person has bought, exchanged or acquired a good via donation, and has abandoned said good or entrusted it to a relative, the person deemed the possessor has the right to claim his or her rights as lawful possessor as long as he or she has the deed and has not transferred the property.

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65 Ecuadorian Red Cross, Project Enclosure Epidemiologic, Floods Ecuador 2008, May 2008.

66 United Nations System, EVALUATION OF THE IMPACT OF THE ALIMENTARY CRISIS UN ECUADOR. 16/05/08. Consulted on April 18<sup>th</sup>, 2009.

67 Political Constitution of Ecuador 2008. Sixth section, Habitat and Housing, Article 30. Consulted on April 21<sup>st</sup>, 2009.

68 Political Constitution of Ecuador 2008. Sixth section, Habitat and Housing, Article 375. Consulted on April 21<sup>st</sup>, 2009.

69 Political Constitution of Ecuador 2008. Second section, Property types, Article 321. Consulted on April 21<sup>st</sup>, 2009.

70 Civil Code, Article 734

However, if someone lays a claim to premises which he or she has occupied for fifteen years, the person may initiate a judicial procedure called “prescripción extraordinaria de dominio”, or “exceptional property transfer”, as long as several conditions of occupation have been respected, namely that the occupation has been a) peaceful, b) openly treated as the claimant’s property, and c) uninterrupted for at least 15 years.

If that person is the owner but is not in possession of the building, he or she can make a “revindicación o acción de dominio” (property claim), asserting that he or she is owner of a single property which is not in his or her possession and thus compelling the person in current possession of the property to return it to the owner.”<sup>71</sup> Re-possession may be carried out for these purposes.

A person continues to be the owner of a property even if it has been rented, loaned gratuitously, provided for usufruct or used as a lien.

#### Protection of private property in cases of natural disasters

If a property has been flooded or otherwise affected by a natural disaster, its ownership remains intact until the effects of the disaster have subsided.<sup>72</sup>

As far as the constant eruptions of Tungurahua are concerned, in order to compensate for damage occurring in areas exposed to the danger, the Ministry of Urban development (Ministerio de Desarrollo Urbano y Vivienda) has developed housing and roof replacement schemes for the affected families, especially in the provinces of Chimborazo and Tungurahua.<sup>73</sup>

#### Useful addresses for legal help and consultancy

For more information and for assistance with legal matters, you may turn to one of various free or inexpensive services provided by:

In Quito:

- Pontificia Universidad Católica del Ecuador (Free legal advice service). Address: Ladrón de Guevara 1200 y Av. 12 de Octubre, 2do. piso. Tel.: (02) 2565627 ext 1323.  
E-mail: [conjur@puceuiio.puce.edu.ec](mailto:conjur@puceuiio.puce.edu.ec).  
Website: [www.puce.edu.ec/index.php?pagina=juridicos](http://www.puce.edu.ec/index.php?pagina=juridicos)
- Universidad Central del Ecuador (Free legal advice service). Address: Guayaquil 1740 y Caldas, San Blas, Edif. Comercial Quito, 3er. piso. Tel.: (02) 2282376
- Universidad Internacional SEK (Free legal advice service). Address: Convento de Guápulo, Av. De los Conquistadores. Tel.: (02) 2225972 / 2227777
- Fundación Tierra Nueva (Popular legal advice service). Address: Cardenal de la Torre s/n y Ajaví (Vicaria del Sur). Tel.: (02) 2960355. E-mail: [marqueinz@yahoo.com](mailto:marqueinz@yahoo.com) / [jlcabezas@hotmail.com](mailto:jlcabezas@hotmail.com)
- Fundación Voluntariado Carcelario (popular legal consultancy and assistance service for inmates of centros de rehabilitación (halfway houses)). Address: Av. 10 de Agosto 587 y Checa, Edif. F-L, Oficina 101. Telf.: (02) 2226456. E-mail: [joohnmunevar@yupimail.com](mailto:joohnmunevar@yupimail.com)
- Fundación Regional de Asesoría en Derechos Humanos (INREDH), (Legal assistance and human rights. Address: Tamayo 957 y Lizardo García. Tel.: (02) 2525108. E-mail: [inredh@ecuanex.net.ec](mailto:inredh@ecuanex.net.ec)

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71 Civil Code, Article 953

72 Civil Code, Article 688.

73 Presidencia de la República, MIDUVI: construirá casas y entregará techos, 16 de marzo de 2007, [http://www.presidencia.gov.ec/imprimir\\_noticia.asp?noid=8803](http://www.presidencia.gov.ec/imprimir_noticia.asp?noid=8803), retrieved on June 20<sup>th</sup>, 2007.

- Fundación Reencuentro (Legal consultancy service specialized in assisting legal guardians of runaway or otherwise absent children and teenagers). Address: Av. Colón E12 y 10 de Agosto. Tel.: (02) 2238627 or 2238238. E-mail: reencuentro@uio.satnet.net.
- Centro Tres Manueles - servicio legal (Assistance for women and families victims of domestic violence). Address: Loja 641 y Guayaquil. Tel.: (02) 2284012 / 2284041 / 2284021. E-mail: tresmanueles@andinanet.net

In Ambato:

- Universidad Autónoma Regional de los Andes “UNIANDES” (Free legal advice service) Address: Montalvo y Sucre. Tel.: (03) 2748202 or 2748098
- Universidad Técnica de Ambato (Free legal advice). Address: Mera entre Cevallos y Juan B. Vela
- Foro Nacional de la Mujer Ecuatoriana - Capítulo del Tungurahua (Consultorio jurídico, apoyo a la comisaría de la mujer). Dirección: Bolívar y Castillo. Telf.: (03) 2824709
- Fundación para el Desarrollo Económico Social Andino (FUNDESA), Consultorio jurídico social “María Alejandra” (Asesoramiento y patrocinio a menores infractores y personas víctimas de violencia). Dirección Sucre 09-52 y Pasaje Rodo, Edif. Sucre, Of. 2B. Telf.: (03) 2821761

### 3.2.2. Housing programmes by return areas

According to the Central Bank, in 2006 the building of housing units in Ecuador cost 441 million euros. This year, 25,000 houses have been built, 8,000 of them were acquired by emigrants for a total sum of 200 million euros. Mario Burbano, manager of Mutualista Pichincha, said that around 16 per cent of his sales, or approximately 15 million euros, are made to emigrants.”<sup>74</sup>

“60 per cent of building projects are located in the province of Pichincha; the remaining 40 per cent are scattered throughout the region, mostly in the provinces of Loja, Azuay and Cañar.”<sup>75</sup>

#### Housing market

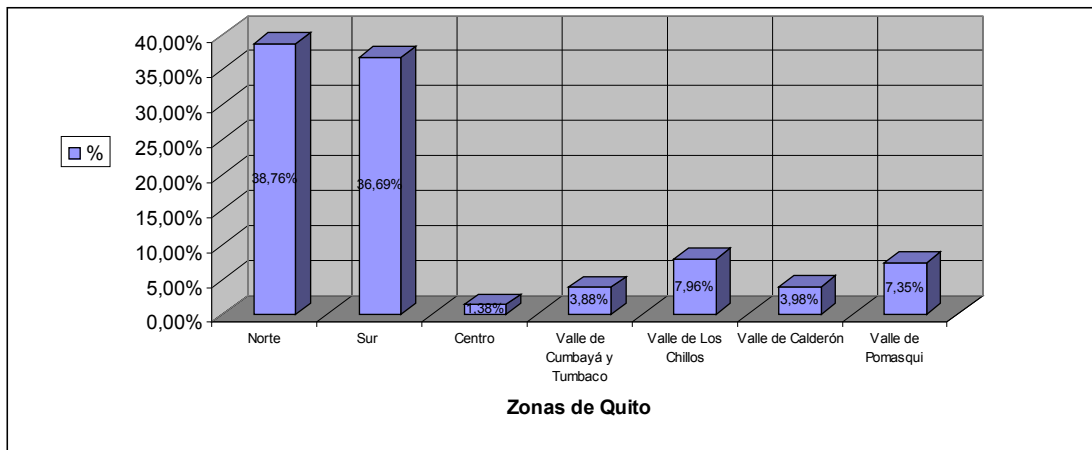
A study of the housing market in Quito by Gridcon Consultores revealed that the demand for housing has been on the rise in recent years, dropping only once (in 2006). The market has shown a “distinct” preference for flats in the USD 17,000 to 35,000 price range.<sup>76</sup> Such apartments usually have a floor area between 40 and 80 sq meters (430-860 sq feet) with one or two bedrooms depending on the property’s location. Housing units with two or more bedrooms can be found starting at approximately \$30.000.

602 housing units are bought each month in Quito, mostly in the northern and southern districts of the city as shown in the following chart:

74 s/a, Los inmigrantes invierten más en el sector inmobiliario, El Comercio, s/pg., s/f., [http://elcomercio.com/noticiaEC.asp?id\\_noticia=111160&id\\_seccion=21](http://elcomercio.com/noticiaEC.asp?id_noticia=111160&id_seccion=21) ,consultado el 3 Junio 2007.

75 Patricia Villarroel, Inmigrantes más interesados en comprar casas en Ecuador, El Universo, 5 de Abril 2007, <http://www.eluniverso.com/2007/04/05/0001/626/23E8C634DA884B248687444B22CD0E43.aspx>, retrieved on June 20,2007.

76 Fabián Cuesta, Actualización de la oferta inmobiliaria, El portal Inmobiliario - Ecuador No. 22, pg., 46 y 47, Diciembre 2006 / Marzo 2007.



Source: Survey by Gridcon Consultores

As you can see above, most available housing is in the northern and southern parts of the city.

Studies have shown that buyers are more interested in acquiring houses (56.64% of sales) than apartments (47.36%).

The average price per square meter has risen considerably (about 8%) in 2006 compared to 2005, especially in the southern districts of Quito. The increase was less dramatic in areas like Calderón and Valle de los Chillos. The cost of a square meter depends on the property's location and the building materials and finishing used. The cheapest square meter (in a concrete building) costs around \$230.

One of the contributing factors to this housing market expansion is the growing public awareness due to better access to information. TV programs and real estate magazines are among the media which have helped boost the offer in the housing market.

The Provincial Council of Pichincha also offers housing projects in Quito, Santo Domingo de los Colorados and Cayambe via the Corporación de Vivienda Provincial (COVIPROV)

'Portal Inmobiliario', a quarterly real estate magazine, carries ads for various housing projects in the entire country, with an emphasis on Quito. The magazine is distributed for free in shops like FYBECA, SUPERMAXI, MARTINIZING in Quito, Guayaquil and Cuenca. Its contents are also available on line at [www.elportalecuador.com](http://www.elportalecuador.com).

For more information on housing developments of the major real estate agencies, please consult the following websites<sup>77</sup>:

COVIPROV (CONSEJO PROVINCIAL DE PICHINCHA): [www.coviprov.com.ec](http://www.coviprov.com.ec)

PROINMOBILIARIA: [www.proinmobiliaria.com](http://www.proinmobiliaria.com)

NARANJO ORDOÑEZ CONSTRUCTORA INMOBILIARIA: [www.naranjoordonez.com.ec](http://www.naranjoordonez.com.ec)

INMOCASALES: [www.inmocasales.com](http://www.inmocasales.com)

URIBE & SCHWARZKOPF PLANIFICACION Y CONSTRUCCION: [www.viviendaexpress.com](http://www.viviendaexpress.com)

ECUADOR INMOBILIARIA: [www.ecuador.inmobiliaria.com](http://www.ecuador.inmobiliaria.com)

GUÍA INMOBILIARIA: [www.guiainmobiliariadelecuador.com](http://www.guiainmobiliariadelecuador.com)

<sup>77</sup> Updated on April 21st, 2009

### 3.2.3. Opportunities of building a house

The construction sector was one of the most affected by the financial crisis of 1999. However, it has also been one of the fastest-recovering sectors as well. This was due to, among other factors, a very strong and pent-up demand for real estate, the people's lack of confidence in the banking system which caused a preference for investing one's savings in real estate, and the increase of remittances from emigrants aimed at acquiring houses.<sup>78</sup>

According to Gioconda Herrera, an academic at the Latin American Institute for Social Sciences (Facultad Latinoamericana de Ciencias Sociales), "the housing market in Ecuador is conditioned by the access to credit. For the sake of comparison, interest rates for mortgages in Spain are between 4 and 8 per cent; in Ecuador, they reach 12 per cent."<sup>79</sup>

#### 3.2.3.1. Conditions of obtaining land property

Before buying a plot of land, it is essential conduct a detailed survey of the land in question, especially if you are planning to build a house on it. Aspects such as access to roads and municipal services (electricity, water, telephone, sewers, public transport, greenery, hospitals, schools, etc.) are of utmost importance when selecting a plot of land.

As in the housing market, the acquisition of land largely depends on the buyer's purchasing power.

Legal requirements and procedures for buying land are broadly similar to those for buying a house. [See point 4.2.4.2.]

#### Problems related to land acquisition

Caution must be exercised in order not to become a victim of a phony real estate agent scam. Only in Quito in 2005, 21 illegal sales have been noted. "Pablo Salme, technical advisor at the city hall Housing and Land department, says that in the Capital District, at least 116 illegal settlements lie outside the official city limits as determined by the Plan de Gestión y Desarrollo Territorial (Territorial Development and Management Plan). [...] 'Those neighbourhoods will never be connected to the water or sewage system or other municipal services (...). In most cases, phony real estate agents offer many incentives to buy land there, such as \$5 registry and \$10 monthly instalments. He thus recommends never to pay for a sales contract commitment letter. In court, only a certificate of ownership is considered valid. A notarized contract only shows that a deal has been made.'" To meet legal requirements, a neighbourhood must have "a municipal ordinance, approved blueprints, all buildings within city limits, Deed held by the Comité Promejoras or the housing and basic services cooperative."<sup>80</sup>

Another common problem with buying land, especially via the aforementioned 'lotizadores' is that very often a parcel may be owned by two, three or more persons.

#### Government plan for regularizing property ownership

The Government housing program also includes land ownership vouchers, which allow landowners to legalize their deeds so as to obtain housing construction vouchers. This voucher is not for land acquisition but rather to legalize those lands possessed by way of inheritance or other means. It's estimated that the government will issue around 55 thousand land ownership vouchers.<sup>81</sup>

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78 Xavier Calderón, Análisis del sector de la construcción, Pichincha Casa de Valores PICAVAL, June 2006, <http://www.picaval.com.ec/picavalG/xmlpicaval/CONSTRUCCION%20JUN06.pdf> visited on June 20, 2007

79 s/a, Los inmigrantes invierten más en el sector inmobiliario, El Comercio, s/f, s/pg., [http://elcomercio.com/noticiaEC.asp?id\\_noticia=111160&id\\_seccion=21](http://elcomercio.com/noticiaEC.asp?id_noticia=111160&id_seccion=21), visited on June 3, 2007.

80 s/a, Proliferan lotizaciones ilegales, El Hoy, s/pg., 11 de julio 2006, [http://www.hoy.com.ec/NoticiaNue.asp?row\\_id=239536](http://www.hoy.com.ec/NoticiaNue.asp?row_id=239536), visited on June 20, 2007.

### Bond of entitlement

This is a subsidy or a unique and direct complement granted by the State of Ecuador on a national level by means of the MIDUVI (Ministry of Urban Development and Housing), to persons with low economic resources. 200,00 USD are provided to settle the formalizing and improving cost previous obtaining of the official documents, such as the payment of tax, administrative taxes generated by the property transfer, notary rights; and, the inscription of the documents in the corresponding Property Register of the Canton corresponding ONLY ONE TIME<sup>82</sup>

Further information on the Ministry of Urban Development and Housing (MIDUVI) [www.miduvi.gov.ec](http://www.miduvi.gov.ec)

### 3.2.3.2. Relevant approximate prices (land, building material, etc.)

For more information regarding the lots and land for sale in Ecuador, you can visit the following web pages<sup>83</sup>:

PLUSVALIA: [www.plusvalia.com.ec](http://www.plusvalia.com.ec)

ECUAVIVIENDA: [www.ecuavivienda.com](http://www.ecuavivienda.com)

ADOOS: [www.adoos.ec](http://www.adoos.ec)

INMOECUADOR: [www.inmoecuador.com](http://www.inmoecuador.com)

BIENES RAICES: [www.bienesraices.ec](http://www.bienesraices.ec)

### Property tax:

All immovable property owners have the obligation to pay the property tax . This can be done in every municipality of Ecuador.

The payment in Quito can be done in one of the eight zonal administrations of the Metropolitan District or in banks authorized by the council: Pichincha, Produbanco, International Bolivariano, Banco de Guayaquil, Banco del Pacífico and Servipagos<sup>84</sup>.

### Construction materials

The prices on the Ecuadorian market of the main construction materials are:

Construction Material	USD \$.	Construction Material	USD \$.
Cement Chimborazo (50kg)	6,48	Grey ball stone (m2)	4,20
White ball stone (m3)	9,01	Light Block of 15x20x40 (u)	0,32
Light Block of 10x20x40 (u)	0,27	Heavy Block of 15x20x40 (u)	0,35
Heavy Block of 10x20x40 (u)	0,27	Wood edging or polyurethane (m)	3,81
Half stave 5 cm (u)	1,06	Brushed copal plank 0,30 (u)	3,64
Rustic wood beam 5x5 (u)	1,25	Rustic Wood beam 4x5 (u)	1,01
Brushed Wood beam 4x2 (u)	0,63	Chanul beam of 1 a 6 m (m)	6,72

81 s/a, Bono para legalizar terrenos, Dinero, diario de negocios, s/pg., 17 de mayo del 2007, [http://www.hoy.com.ec/NotiDinero.asp?row\\_id=267164](http://www.hoy.com.ec/NotiDinero.asp?row_id=267164), visite don June 20, 2007.

82 <http://www.miduvi.gov.ec/Default.aspx?tabid=314>, consulted on April 18<sup>th</sup>, 2009.

83 Consulted on April 27<sup>th</sup>, 2009

84 <http://www.multimedios106.com/home/contenidos.php?id=18&identificaArticulo=18183>, consulted on April 27<sup>th</sup>, 2009.

Chanul beam 7m	6,72	Copal plank (m)	7,28
Colorado plank (m)	10,08	Lattice mat (kg)	3,36
Teflon (10m)	0,55	Cold coil (kg)	1,16
Cold rolled band (kg)	1,20	Cement grey colonial tile (u)	0,54
Facade 7x25 cm (m2)	6,89	Source: Build, EL COMERCIO 25/04/09	

### Costs of electricity and drinking water

The State of Ecuador issued the Decree 015 approved by the National Constituent Assembly on July 23rd, 2008, with the aim of reducing the the electricity prices in general and unifying the values as several provinces had higher prices. This reduction will also benefit the industrial, commercial and handicraft sector which will reduce their payments of about 25%.

“...Nowadays, the payment of energy use varies according to the location of the user as every power utility company has its own price management. For example, in Quito an average of 7,8 cents (USD) per kilowatt/hour (kWh) is applied and in Bolivar the price reaches 12 cents of dollar. At present, if a user of the Eléctrica Sur (Loja) consumes 350 kWh, his bill will rise up to 4,73 dollars, with the unified price he will only pay 35,05 dollars. A big industrial or commercial consumer who had an account of 101,455 dollars in the Eléctrica de Bolivar will after applying with the Decree, only pay 68.661,41 dollars(almost 40 dollars of reduction). The fee schedule will be in force immediately and its benefits will be seen from September and October.

With this energy reform, the total cost per kilowatt/hour which was of 10,410 cents(USD) will cost 8,68 USD/kWh, according to calculations of the fee technicians from CONELEC...

In Quito and Guayaquil: The fees for the residential consumers of Quito (Eléctrica Quito) and Guayaquil (CATEG), according the Decree, will remain the same, i.e. 7,43 cents (USD) per kWh in Guayaquil and 7,95 per kWh in Quito. Nevertheless, for the industrial and commercial category, a reduction of 10 per cent has been implemented due to the elimination of the contribution they made to the Fond of Rural and Marginal Urban Electrification. This generates a national average of approximately 8,31 cents per kWh, including Quito and Guayaquil”.<sup>85</sup>

### Costs of Electric Energy Consumption<sup>86</sup>

Categories	US\$ by KWh
Residential Service:	
Consumption Blocks (9 scales)	0.068 a 0.089
Commercials:	
0-300 Kwh	0.061
Superior	0.084
Industrial handicraft:	

85 The new businessman, the Electric Decree will reduce the tariffs on a national average of 10 per cent, [http://www.elnuevoempresario.com/noticia\\_1661\\_el-mandato-electrico-rebajara-las-tarifas-en-un-promedio-nacional-de-un-10-por-ciento-.php](http://www.elnuevoempresario.com/noticia_1661_el-mandato-electrico-rebajara-las-tarifas-en-un-promedio-nacional-de-un-10-por-ciento-.php), August 13th, 2008.

86 [http://www.quito.gov.ec/invierta\\_quito/5costoseapc%20.htm](http://www.quito.gov.ec/invierta_quito/5costoseapc%20.htm), consulted on April 21st, 2009

0-300 Kwh	0.052
Superior	0.084
High tension: (voltage 40 KV)	
de 07h00-22h00	0.051
de 22h00-07h00	0.045

\* In each bill it is added the charge of 1,414 by commercializing.

Source: Empresa Eléctrica Quito

Taxes and other charges included in electricity bills vary from one city to another. Every municipality can decide by ordinance which costs it will include in its bills. According to the National Electricity Council (Consejo Nacional de Electricidad, CONELEC) regulation No 001/04<sup>87</sup>, electricity bills may only contain items related to power and energy, its distribution, and other items such as:

- A public lighting tax determined by an ordinance or collective agreement,
- A fire fighting tax compliant with the Law on Protection against Fires,
- Fire insurance,
- A Rural and Suburban Electrification fund contribution,
- Other taxes determined by laws and ordinances which expressly establish funding via electricity bills,
- Outstanding electric bills

#### Additional costs

For more information on additional costs such as public lighting, waste collect, fire insurance, fire fighter tax, the rural electrification fund, solidarity subvention, contact the Return Helpdesk.<sup>88</sup>

#### Connection to drinking water<sup>89</sup>

Diameter	US\$
1/2 inches	76.60
3/4 inches	90.80
1 inch	123.00
1 1/2 inch	249.20
2 inches	2,004.00
3 inches	2,722.80

87 Consejo Nacional de Electricidad (CONELEC), Regulación No. CONELEC 001/04, pg. 2, 14 julio 2004, <http://www.conelec.gov.ec/downloads/normativas/REGULACION%20CONELEC%20-%20001-04%20MODELO%20PLANILLA%20PARA%20SERVICIO%20ELECT.doc>, retrieved on August 20, 2007

88 The office for Information on Voluntary Return respond to specific questions on the possibilities of return and reintegration/ Helpdesk Return: [helpdesk@cri-project.eu](mailto:helpdesk@cri-project.eu)

89 [http://www.quito.gov.ec/invierta\\_quito/5costoseapc%20.htm](http://www.quito.gov.ec/invierta_quito/5costoseapc%20.htm), consulted on April 21st, 2009

4 inches	3,815.60
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### Costs of consumption of drinking water

	Range	US\$ by m3	Administration US\$ by month
Domestic	1 a 19 m3	0.279	2.07
	20 a 29 m3	0.392	2.07
	High to 30 m3	0.652	2.07
Commercial or industrial		0.652	2.07

\* Additionally, it has to be summed 38, 6% of the consumption for the sewer system.

Source: EMAAP-QUITO

### 3.2.3.3. Available credits, subsidies and other forms of help

The subject of credits in Ecuador has been a bone of contention between the Government and the banking sector in recent months after the publication of the actual banking fees and interest rates imposed on customers by financial institutions. By contrast to countries such as Spain, where mortgages have interest rates in the 4%-8% range, in Ecuador the norm is around 12% depending on the bank. Controversy has arisen when it was found that some banks demand an undeclared interest rate of as much as 80%.

“Currently, private funding for house acquisition, construction or expansion has two major sources: a) financial institutions, especially private and community development banks, and b) real estate agents and property developers who grant their customers credit directly. It is estimated that no more than 60% of houses are bought on credit (among those, 50% are funded by banks and the other 50% by real estate developers) and the remaining 40% of houses are paid for in cash.”

As for credits aimed at funding the building and/or acquisition of homes, a study by Mutualista Pichincha (a community development bank) in cooperation with Market Watch, has shown that Pichincha, Pacífico, Mutualista Pichincha, Rumiñahui and Internacional are the five first institutions in a ranking of financial institutions offering this type of credit. For the last five years, these banks have been fiercely competing with each other for market share.

### Cartera originaria de vivienda

-de enero a marzo, en dólares-

Entidad	2003	2004	2005	2006	2007
Pichincha	3 305 103	38 062 253	17 811 656	31 284 226	39 188 077
Mut. Pichincha	7 108 468	10 714 374	19 817 561	21 438 844	22 613 925
Internacional	3 131 607	5 527 835	5 263 017	7 159 192	15 563 178
Pacífico	2 310 001	2 131 677	8 893 478	9 221 229	11 455 766
Rumiñahui	1 612 635	1 281 759	4 054 193	6 493 916	10 995 467
Guayaquil	1 167 601	2 786 771	2 165 753	3 472 508	9 079 975
Produbanco	3 594 847	2 084 628	4 200 821	6 574 907	7 283 701
Bolivariano	2 310 939	1 016 414	2 519 229	4 281 616	6 989 604
MM J. Arteaga	1 538 470	1 883 344	2 665 041	6 293 008	6 087 916
Austro	1 731 370	4 420 030	3 871 625	2 384 106	5 283 925
Machala	551 100	267 113	200 361	523 223	3 481 526

Fuente: Mutualista Pichincha - Diseño editorial DINERO

According to this study, the growth of this sector can be explained by low inflation, the dollarization of the economy, low risk and remittances from abroad.

Both housing supply and housing credits “are concentrated in Quito (50%), followed by Guayaquil, Cuenca, Ambato, Riobamba, Loja e Imbabura. Out of these cities, Guayaquil has the highest rate of delinquency at 4%, followed by Ambato with 2.7%, Quito at 2.36%, and Cuenca at 2.7%. In Cuenca, the market has grown from 18 million USD to 81 million USD, from 2003, and in Ambato the market has expanded from 12 million USD to 50 million USD.”<sup>90</sup>

#### Housing loans in the private sector.

Habitar, for example, one of the biggest private housing funding projects which works with these kind of banks and the same mortgage lending system, shows how it works

**Housing (Habitar) Credits: Grants long term credit for the purchase of a new or used house, as well as for its enlargement, remodelling, finishing and construction.**

#### **Characteristics:**

##### *Acquisition of a new or used house*

- Funding of up to 70% of the property’s market value for new houses
- Funding of up to 70% of the property’s market value for used houses
- The minimum loan is USD 5,000, the maximum: USD 150,000.
- Terms between 3 to 20 years

##### *Acquisition of a holiday home*

- Funding of up to 70% of the property's construction costs
- The minimum loan is USD 3,000, the maximum: USD 120,000.
- Terms between 3 to 10 years

##### *Expansion, rebuilding and finishing of house*

- Full financing of the construction budget.
- minimum 5000 USD and maximum 150.000 USD
- Terms between 3 to 5 years

##### *House acquisition from abroad*

- The minimum loan is USD 3,000, the maximum: USD 60,000.
- The interest rate is readjustable.
- For immigrants, the terms are between 3 and 12 years.

#### *Guarantee:*

- For the first mortgage taken out.

#### *Advantages:*

- Easy access to credit.
- The longer the term, the lower the interest rate.
- The total value of the requested credit is received
- More commodity for the requesting person since the bank performs the legal procedure
- Security of investment: insurance for fires and earthquakes
- Security for the family.: debtor’s life insurance
- Convenience for insurance payments.
- 3 months of remission.

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90 s/a, Bono para legalizar terrenos, Dinero, diario de negocios, s/pg., 17 may 2007  
[http://www.hoy.com.ec/NotiDinero.asp?row\\_id=267164](http://www.hoy.com.ec/NotiDinero.asp?row_id=267164),. Visited on July 20, 2007.

## Requirements:

Dependant people:

- Loan pre-assessment.
- Print-out of having taken out the credit signed by the client.
- Loan application submitted by the applicant(s) and his or her guarantors(s).
- Copies of Ids of all involved parties.

For employees in the private sector:

- Up-to-date certificate or payrolls.

For employees in the public sector:

- Up-to-date income certificate or payrolls.

For retirees:

- Retirement payment slips.

If inheritance is being claimed, proof of such will be required. Retirees must always secure their loan with existing wealth. For these purposes, they must attach a document justifying wealth, as well as a copy of a vehicle registration or the copy of documents proving payment on land.

Independent natural persons:

- Credit Pre-evaluation.
- Print-out of having taken out the credit signed by the client.
- Credit application of the applicant(s) and the guarantor(s)
- Copies of national IDs of all involved parties.
- A photocopy of the applicant's entry in the Tax-Payer Registry (RUC), Photocopy of the RUC, working permit, municipal patent, craftsman registration document, or municipal occupation registration that justifies the existence of the business for 2 years..

For transporters, a certificate from the corresponding Transportation Cooperative (Cooperativa de Transporte)

For further information over credits and other, please call to the Pichincha Services:

Andes: (02)2999999

Coast: 1700 800800

Amazonia: (07)2848888

## **House of social interest - Public Housing**

The Ministry of Urban Development and Housing (MIDUVI - Ministerio de Desarrollo Urbano y Vivienda) is the organization in charge of housing and urban policy. The approach of MIDUVI is to facilitate the conditions which allow private agents to meet the housing need, as well as providing preferential subsidies for the lowest-income sectors.<sup>91</sup>.

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91 s/a, Mortgage Credit for housing in Ecuador: the need of a Financing in a long term, Agenda of the new financial architecture, Central Bank of Ecuador, s/pg. 2003, <http://www.bce.fin.ec/documentos/PublicacionesNotas/Catalogo/Apuntos/ae37.pdf>, consulted on June 20<sup>th</sup>, 2007.

The services and products offered by MIDUVI in the head office but also in the Provincial Directions are around the Housing areas: Potable Water, Environmental restructuring and Solid Wastes; Territorial ordering, appraisals and Catastrophes.<sup>92</sup>

### **Government Housing Voucher<sup>93</sup>**

Voucher for Rural/Marginal Urban housing: new or improved

The incentive for the housing (Voucher) is a unique and direct not refundable subsidiary, which allows the Government of Ecuador through the Ministry of Urban Development and Housing (MIDUVI), only for ones, to finance: the acquisition, the construction or the renovation of houses.

The MIDUVI offers this for families with low economic resources in order for them to get a house or renovate the existing one. The financing components of the house or the renovation are: Savings, Voucher and Credit (A+V+C= house).

### **Bond for a house acquisition for the migrant and/or his family**

The housing voucher for is an economic help that the national Government grants to the migrant and/or his family as a reward for his efforts for saving money to buy a house, aiming for the migrants to go along with the Return Plan “Bienvenido a casa - Welcome home”.

The steps for getting a house in Ecuador are: SAVINGS+ VOUCHER+CREDIT

The requirements to access this bond are the following:

- To qualify as a migrant or family of the migrant by the SENAMI
- To choose a house from the housing programs with this aim. (More information: <http://www.miduvi.gov.ec/default.aspx?tabid=649>)
- To open a savings account for housing at any participating financial institution .
- To complete the minimal saving amount which is the 10% of the value of the new house.
- To get the credit to complete the value of the house in a National or International Institution.
- That the house to be bought is inside the Ecuadorian territory in the urban area of urban and rural parishes.
- To present the postulation in the MIDUVI offices- The document has to be supported by the house offeror, with the postulation form and the requested documentation.

To find out the requirements, forms and which financial institutions offer property credits within this program, look at the web page of the Ministry of Urban Development and Housing MIDUVI: [www.miduvi.gov.ec](http://www.miduvi.gov.ec)

The Ecuadorian Institute of Social Security (IESS)<sup>94</sup>: With the aim of reducing the housing deficit among the Ecuadorian population and especially in the affiliated class to the General Obligatory Insurance, the IESS has developed the project of Mortgage Loan to buy, renovate or build a house.

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92 Ministry of Urban Development and Housing (MIDUVI) [www.miduvi.gov.ec](http://www.miduvi.gov.ec), consulted on April 21st, 2009.

93 Ministry of Urban Development and Housing (MIDUVI), PROGRAM OF INCENTIVES FOR HOUSING FOR THE MIGRANT PERSON, <http://www.miduvi.gov.ec/Default.aspx?tabid=310>, consulted on April 17<sup>th</sup>, 2009

94 Ecuadorian Institute of Social Security (IESS) : [://www.iesse.gov.ec/site.php?content=92-prestamos-hipotecarios](http://www.iesse.gov.ec/site.php?content=92-prestamos-hipotecarios), consulted on April 18<sup>th</sup>, 2009.

The affiliates and pensioners who own a house without taxation for third parties or who have their own land can have access to the loan. The amount they might have access to depends on the borrowing limits of the affiliated or pensioners, on the value of the building or the land.

For further information, visit: [www.iess.gov.ec](http://www.iess.gov.ec)

### 3.2.4. Opportunities of buying real estate

“Ecuador is facing a housing shortage estimated at 1.2 million units: 500,000 additional houses are needed in the cities and 700,000 in the countryside. This situation was caused by an accelerated growth of urban population which in its turn has led to a disbalance between offer and demand in the housing sector, and the deterioration of basic services.”<sup>95</sup>

As mentioned previously, the housing market relies on the buyers’ access to credit and their own financial resources.

In cities such as Quito, where building space is scarce, the tendency is to build high-density apartment buildings, in contrast smaller towns, where housing developments consisting of small houses or apartments are favored.

#### 3.2.4.1. Legal conditions<sup>96</sup>

The acquiring of a real estate property, be it a house, office, farm or plot of land, is one of the most important personal and family decisions. It is thus necessary to avoid unnecessary risks, and that requires an in-depth knowledge of rights and obligations included in a house’s contract of sale.

Before concluding the acquisition, it is important to ask the seller for detailed blueprints of the property and have them assessed by an architect or engineer. It is necessary to verify that the property’s area is the same one stated in the plans and that it has been built according to them. One should also compare the plans with data in the encumbrance certificate of the property (it can be obtained at the Property Registry) and with its title deeds.

It is essential that the seller confirm the construction date of the property in writing, given that the builder is responsible for hidden defects and any security-threatening weaknesses during the 15 years following its construction. A copy of the building permit must be asked for when buying a new house, as well as an ownership certificated issued at the seller’s name which should indicate whether the property is mortgaged or with unpaid taxes.

If the property being bought is a condominium (propiedad horizontal), it is useful to carefully read the co-property regulations.

The buyer may ask the seller for a written preliminary contract

The buyer may ask the seller to issue in writing everything he has promised in sales, advertisement, payment plans, funding ,materials, utilities (water, electricity, telephone),

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95 s/a, Crédito hipotecario para vivienda en el Ecuador: la necesidad de un financiamiento a largo plazo, Agenda de la Nueva Arquitectura Financiera, Banco Central del Ecuador, s/pg, 2003, <http://www.bce.fin.ec/documentos/PublicacionesNotas/Catalogo/Apuntes/ae37.pdf>, <http://www.bce.fin.ec/documentos/PublicacionesNotas/Catalogo/Apuntes/ae37.pdf>, <http://www.bce.fin.ec/documentos/PublicacionesNotas/Catalogo/Apuntes/ae37.pdf>, retrieved on June 20,2007.

96 Magdalena Vélez, Manual práctico para comprar bienes raíces, Revista judicial, s/pg., s/f, <http://www.dlh.lahora.com.ec/paginas/judicial/PAGINAS/Manual.1.htm>, retrieved on June 20,2007.

turnover time, roads, sidewalks, etc., obligatory information and annexes for sale/purchase deeds, as well as the sanitation requirement.

If the seller is a business or a legal person, in addition to the previously mentioned requirements, the buyer can request the following to verify the information:

- Designation of the CEO or legal representative;
- Authorization from the Board of Directors to sell the building or special power of attorney, given that many business apply limitations to their legal representatives in their by-laws, and thus there must be a verification of even the amounts the CEO is authorized to negotiate, if he sells without authorization the sale could be problematic with regards to consent and would be invalid.

For further certainty, the buyer can verify the property ownership by the business name (in the deed) and find out if it is legal constituted and for how long it has been legal constituted. He or she can also request financial statements from the business for at least three years. Furthermore, the buyer has the right to demand a compliance with the contract policy.

Additionally, the buyer should also request the original or the notarized copy of the updated factory line (which can be verified in the Municipality).

Furthermore, the buyer can request copies of the ID and voting cards of the seller and of his or her spouse; as well as the last municipal tax receipt, property taxes; income tax, etc.;

All of this must be put in writing and documents must carry the buyer's signature, whether it is a natural or a legal person. If not, the papers will not be legally valid and will not constitute evidence should any problem arise.

Generally in a business purchase/sale, the sellers require a promissory note to be signed, which is not necessarily a property deed, unless it is registered in the Property Registry.

The property would be formalized with a sale/purchase promissory note to be signed before a public notary; who usually requests that both spouses be present if the seller is married, or any document guaranteeing he or she is authorized to sign alone, either because there is legal authorization or power of attorney permitting, as with couples who have separation of marital property;

All documents submitted by the seller must be part of the official documents, including advertisement; furthermore, any payment or previous payment must also be in the sale/purchase contract.

Finally, the sale/purchase deed must be registered in the Property Register in order for the sale to be finalized. If not the sale is not formalized.

#### 3.2.4.2. Eventual obstacles for certain groups (e.g. single women, minorities, etc.)

In Ecuador, difficulties in acquiring a house have more to do with financial resources of a person than his or her membership if any specific group.

The Constitution of the Republic of Ecuador considers all Ecuadorians as equal before the law: "All people shall be considered equal and shall have the same rights, freedoms and opportunities. No discrimination shall be allowed on grounds of birth, age, gender, ethnicity, race, social background, language, religion, political affiliation, economic status, sexual orientation, health, disability, or of any other nature."<sup>97</sup>

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97 Political Constitution of Ecuador, Civil Rights, Art. 23 numeral 3

### 3.2.4.3. Relevant approximate prices

The housing market offers options between \$12,000 USD and those of highest demand between \$17000 USD and \$35000 USD. Price varies with location, meters of construction, cost of materials, etc.

According to a Gridcon survey, the price per square meter of construction in Quito rose from USD 508 in 2005 to USD 549 in 2006.<sup>98</sup>

### 3.2.4.4. Available credits and subsidies

[See point 4.2.3.3.]

### 3.2.5. Opportunities of renting a house or apartment

As in the housing market, obtaining a house or an apartment depends largely on ones' financial resources. Beyond that there are no significant obstacles to renting housing.

Landlords usually ask for a refundable deposit equal to one, two and sometimes three months of rent. Although there is no such legal requirement, the practice is very widespread.

To insure the rent agreement, a lease is signed between the Lessor and the Lessee whose basic features must include:

- Both parties (information)
- Background Information (location of the building)
- Subject of the Contract (description of the building or housing which is to be rent)
- Term of the contract
- Housing royalty
- Purpose of the property (housing)
- Lessor obligations
- Lessee obligations
- Prohibitions/Limitations
- Deposit
- Sanctions for breach of contract
- Jurisdiction and competence (legal provisions contract is subject to)
- Place and date
- Names, ID numbers, and signatures of the Lessor and Lessee

For any possible problem arising it is a good idea to register the lease in landlord/tenant court.

#### 3.2.5.1. Eventual obstacles for certain groups (e.g. single women, minorities, etc.)

[See point 4.2.4.2.]

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<sup>98</sup> Fabián Cuesta, Actualización de la oferta inmobiliaria, El portal Inmobiliario - Ecuador No. 22, pg. 46 - 47, Dicember 2006 / March 2007.

### 3.2.5.2. Relevant approximate prices

Rent rates for apartments<sup>99</sup>

	Average USD/sq meter Quito
Apartments:	
Sector A (luxury/exclusive)	4,00
Sector B (medium category)	2,50
Houses - outlying district	3,00
Furnished Suites	7,00

Housing type	US\$/month	
	Luxury sector	Medium sector
One Room	500-700	350-500
Two Rooms	700-1.200	450-700
Three Rooms	1.200-1.800	600-1.000
Four Rooms	2.000-3.000	1.000-1.700
Five Rooms	2.500-3.500	1.200-1.800

### 3.2.5.3. Available subsidies

Does not apply

### 3.2.6. Other middle-term accommodation possibilities (shelters, NGOs, church, etc.)

There are several shelters in Quito for; children, orphans, molested or homeless children, women victims of domestic violence, single mothers, elderly men, drug addicts.

Most of the shelters are located inside the city, some in small suburban parishes have a heterogeneous distribution. The neighbourhood and communal houses, some country states and some schools are among the major shelters.<sup>100</sup>

The main shelters in the capital are<sup>101</sup>:

<sup>99</sup> Municipality of the Metropolitan District of Quito (MDMQ), Invest in Quito, [http://www.quito.gov.ec/invierta\\_quito/1contsuelos.htm](http://www.quito.gov.ec/invierta_quito/1contsuelos.htm), accessed on April 11, 2007.

<sup>100</sup> [http://www4.quito.gov.ec/spirales/9\\_mapas\\_tematicos/9\\_11\\_elementos\\_utiles/9\\_11\\_5\\_1.html](http://www4.quito.gov.ec/spirales/9_mapas_tematicos/9_11_elementos_utiles/9_11_5_1.html), consulted on April 27<sup>th</sup>, 2009.

<sup>101</sup> Consulted on April 27<sup>th</sup>, 2009

- Shelter San Juan de Dios: Bahía de Caraquez Street and Tumbéz (Center of Quito). Telephone: (02) 228 7156
- Hogar Eugenio Espejo: Numa Pompilio Street and Yaguachi, venid the Eugenio Espejo hospital. Telephone: (02) 255 8568
- Foundation Shelter La Dolorosa: America Av and Mariana de Jesús, corner. La Dolorosa School Parish. Telephone: (02) 255 62 23.
- Foundation House Refugio de Matilde: Chillogallo, Matilde Hidalgo S31-02 and Matilde Alvarez Av. Telephones: (02)262-5316 /099-722674/255-500 Receptor 35100
- “Hogar” (institutional fostering for mothers and adolescents): Ninth transverse and Mercedes de Jesús Molina s/n San Carlos de Alangasí Sector Valle de los Chillos. Telephones: (02) 286 1090 / 095870041

In Ambato, there is one shelter for homeless adults and elderly (food and shelter): Foundation Reinas de Ambato, Picahu. Centre of Assistance and Control of mendicity (CAM): 03 2867329

### 3.2.7. Temporary shelters available until being able to ensure long-term accommodation

Does not apply

## 3.3. Livelihood – basic “survival”

In Ecuador, “work is a right, a social duty and an economic right, source of personal fulfilment and base of economy. The State guarantees the workers with full respect to their dignity, a decent life, remunerations, fair retributions and a work freely chosen or accepted in a healthy environment”<sup>102</sup>.

“The State will guarantee the right to work. Every type of work is recognized, dependant or autonomous, including jobs of self-support and human care; of productive social actors to all the workers, male or female”<sup>103</sup>.

### 3.3.1. Employment

According to the INEC<sup>104</sup>, in December 2008 the national urban occupation increased and reached 43,6%. Most of the working persons are from the trade and manufacturing sector, which together represents 46% of the working persons<sup>105</sup>.

In Ecuador, the labour relations are becoming increasingly informal. “In other words, there are more people working, but increasingly in short days, less time and less permanent jobs and in unregulated labour relations without full benefits of the law.”

“trade liberalization has led to the growth in a fundamentally informal work sector, which has lead to increases in salary inequity between formal and informal sector workers.”<sup>106</sup>

<sup>102</sup> Political Constitution of Ecuador 2008, Eight Section, Work and social security, Article 33. Consulted on April 21<sup>st</sup>, 2009.

<sup>103</sup> Political Constitution of Ecuador 2008, Third Section, Labour Forms and its retribution, Article 325. Consulted on April 21<sup>st</sup>, 2009.

<sup>104</sup> Evolution of the labour work in Ecuador, Three month summary, [www.inec.gov.ec](http://www.inec.gov.ec), consulted don April 2009.

<sup>105</sup> Central Bank of Ecuador <http://www.bce.fin.ec/frame.php?CNT=ARB0000006> consulted in April 2009.

### 3.3.1.1. Unemployment (formal and informal, in specific sectors and social groups)

The urban unemployment rate in Ecuador has gone from 6.1% in 2007 to 6,3% in 2008, while the gross underemployment reached 48.8% in the last year. Moreover, the informal sector registered a higher level in 2008 in comparison to 2007 (45.13% to 38.87%, justified according to the Central Bank of Ecuador, by the rise in the informal underemployment, especially in the city of Guayaquil. In the last year, the formal sector reached 40.92%.<sup>107</sup>

Rates of underemployment, employment and full occupation, by main cities and national level

	National Urban	Quito	Guayaquil	Cuenca	Machala	Ambato
<b>Unemployment</b>						
2007	6,1%	6,1%	7,0%	5,0%	3,5%	6,6%
2008	7,3%	5,8%	9,5%	4,4%	8,7%	3,8%
<b>Gross underemployment</b>						
2007	50,2%	35,8%	48,8%	40,2%	57,7%	50,0%
2008	48,8%	41,6%	45,8%	34,9%	47,4%	49,3%
<b>Full occupation</b>						
2007	42,6%	56,3%	43,0%	53,3%	37,7%	42,0%
2008	43,6%	51,7%	44,6%	60,5%	43,7%	46,6%

Source: INEC, Evaluation of the Labour Market in Ecuador, Three months summary

Note: the values correspond to the months of December 2007 and 2008

The labour market in Ecuador has three outstanding characteristics: “a) decreasing contribution to social security, which along with its institutional crisis, has implications on the labor market; b) third-party contract that operates with specific conditions in place (such as avoidance of stable contracts and flexibility with facts), and within a very wide margin of abuse of workers and avoided responsibility from the businesses; and c) the absence of state programs to respond to emergency employment situations, [...]”<sup>108</sup>

Unemployment rate by gender and self-proclaimed ethnicity: urban sector, 2005<sup>109</sup>

Self-proclaimed ethnicity	Gender		Total
	Male	Female	
Indigenous	6.9%	4.7%	6.0%
White	5.2%	13.6%	8.6%
Of mixed race	5.8%	10.5%	7.7%
African	6.7%	17.6%	11.0%
Total	5.8%	10.8%	7.9%

Source: INEC-ENEMDU, Urban Employment, Underemployment and Unemployment Survey, 2005

Monthly current income of urban households in quintiles (2003-2004)<sup>110</sup>

Quintiles*	Current income	Income	Average income	Per capita	Income per
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106ILDIS (Instituto Latinoamericano de Investigaciones Sociales), Análisis de coyuntura económica 2006, pg. 27, 2006, <http://www.ildis.org.ec/public/titleView.do?code=2>, visited on May 21, 2007.

107 Central Bank of Ecuador <http://www.bce.fin.ec/frame.php?CNT=ARB0000006>. the unemployment is measured according to the Population Economically Active (PEA), consulted on April 18<sup>th</sup>, 2009.

108Luis Verdesoto, Quién hace qué en el territorio? Los gobiernos intermedios y los Objetivos de Desarrollo del Milenio. Quito, PRO-ODM AECI/CONCOPE, pg. 31 y 32, 2006.

109 Organización Panamericana de Salud. Situación de Salud, Ecuador 2006, pg. 188, november 2006, [http://www.opsecu.org/asis/situacion\\_salud.pdf](http://www.opsecu.org/asis/situacion_salud.pdf), accessed on July 1st, 2007.

		distribution (%)	per household	income	recipient
Total	1,241,944,270	100.0	663.4	160,0	337.9
1st quintile	104,306,453	8.4	278.8	49.0	133.1
2nd quintile	152,568,504	12.3	407.2	86.7	195.8
3rd quintile	191,911,357	15.5	512.9	129.1	261.2
4th quintile	261,313,517	21.0	697.0	201.6	376.9
5th quintile	531,844,438	42.8	1421.9	475,7	777.0

\* The quintiles were calculated on a per household capita basis.

The 40% highest-ranking (quintiles 4 and 5) of the surveyed households generate 63.8% of the total current income in the urban area. The highest average belongs to the 5th quintil, which is about 5 times greater than quintil 1, whose average household income is 278.80 USD per month.

In quintil 1, the earnings per earner is 133.10 USD per month which is 3 times less than the national average and 6 times lesser than quintil 5. The proportion between quintiles with average earnings per capita and per earner is direct; The quintil goes up as earnings go up.

Source: ENGHU, 2003-2004

### 3.3.1.2. Labour market programmes (and access to them)

There are practically no employment programs specifically directed to returning people, and the few projects that have been created have not been sustainable enough or had the required impact.<sup>111</sup> However, those projects related to the voluntary return of migrants who live in Europe, has an employment and economic reinsertion component.

#### **Migrant Return and Reintegration Programs**

[See point 2.2. (Specific schemes)]

### 3.3.1.3 Labour conditions (minimum/average salary, working hours, security, etc.)

According to the Labour Code, work contracts can be classified as indefinite-term contracts, long-term contracts (one year) and "short and occasional" work contracts.

During 2008, the National Constituent Assembly approved the issuing of the Decree 008 (May 1st, 2008), by which outsourcing, intermediated labour and hourly contracts are abolished. With the elimination of the hourly contracts, many employees were hired again for half day contracts, which guarantees all the benefits of law (vacation, social insurance, settlement and indemnity for illegal lay-off) they did not have before.

### 3.3.1.4. Accessibility of short-term / occasional jobs

At the beginning of the 90s, in the framework of domestic employment policy institutionalization, various initiatives were taken including labour flexibilization, which allowed for short-term and occasional contracts.

110 Organización Panamericana de Salud. Situación de Salud, Ecuador 2006, pg. 186, november 2006, [http://www.opsecu.org/asis/situacion\\_salud.pdf](http://www.opsecu.org/asis/situacion_salud.pdf), accessed on July 1st, 2007.

111 Interview with María Caridad Peña, consultant in migration from the Esquel del Ecuador Foundation, Quito, accessed on June 5, 2007.

Many low-skilled workers had no other option than to turn to the informal sector of the economy, a sector with the lowest salaries and the least amount of jobs requiring education.<sup>112</sup>

### 3.3.1.5. Lack (high demand) in specific professions

“Data from the National Association of Service Professionals Businesspeople say that the most-demanded profiles from women are in sales (30%), 25% in business offices, whereas for men, accounting accounts for 40% and 30% for the construction sector.

The remaining percentages correspond to executives or commercial sales consultants; bank and business executives; mid-level executives, followed by department store employees from different categories and levels.<sup>113</sup>

### 3.3.1.6. Practical and contact information (employment agencies, newspapers, etc.)

Once a person’s résumé is ready, the most effective method for finding a job is via personal and professional contacts; however, other options exist.

#### Looking for a job in classified ads

The fastest way to find a job is to scan the classified ads in a newspaper - this method costs only as much as the newspaper and there is a large variety of jobs on offer. The best day for looking for a job is Sunday, although classified ads appear every day. The most popular newspapers are: “EL COMERCIO” (nationwide), “LA HORA” (local), “EL HERALDO” in Tungurahua, etc. The average cost of a newspaper in Ecuador is less than one dollar.

#### Looking for a job on the internet<sup>114</sup>

The government, the private sector and universities are creating more and more offices and websites for job seekers.

One of the biggest is [www.porfinempleo.com](http://www.porfinempleo.com) which includes around 2000 businesses (mostly outsourcers); and 35,000 applicants.

Crea, Publicidad y Marketing created [www.miagencia.net](http://www.miagencia.net) two years ago from the CVs of publicists and other creative professionals. It receives around 30 offers per month and is visited by 10 businesses per month looking for a candidate.

There are also other websites with this service.

1. [www.acciontrabajo.com](http://www.acciontrabajo.com)
2. [www.computrabajo.com.ec](http://www.computrabajo.com.ec)
3. [www.profesionales.ec](http://www.profesionales.ec)
4. [www.opcionempleo.ec](http://www.opcionempleo.ec)

For Ambato and other cities, there is Portal Ambato [www.elportal.net.ec](http://www.elportal.net.ec).

#### Job-Hunting with Consulting Firms

112 ILDIS (Instituto Latinoamericano de Investigaciones Sociales), Análisis de coyuntura económica, Ecuador 2006, pg. 27, 2006, <http://www.ildis.org.ec/public/titleView.do?code=2>, visited on May 21, 2007.

113 s/a, Empresas ahora ven ‘destrezas’ para la selección de su personal, El Universo, s/pg., 21 de marzo del 2007, <http://www.eluniverso.com/2007/03/21/0001/9/F26328E7776348A79C78C491292A1780.aspx>, accessed on April 11, 2007.

114 s/a, Una opción más para buscar empleo, El Universo, s/pg., 6 August 2006, <http://www.eluniverso.com/2006/08/06/0001/9/894699D8A8854FC7A93B2B6C5D747193.aspx>, accessed on July 31, 2007.

With the lack of vacancies, job firms try to facilitate the search of both businesses and applicants. Job-seekers save the trouble of applying to each ad in the newspapers, and businesses do not have to interview hundreds of people to fill a post.

There is now a tendency in local businesses to use headhunter firms for highly-sought-after professionals. The basic criteria for the choice are primarily: “a profile that fits the activities and needs of the business.”

Once a company has determined the required profile, requests the headhunter firm to proceed to the personnel selection, which uses psychological tests and interviews, as well as general data analysis, socio-economic level, education, additional knowledge, experience and professional achievements, executive personality and potential results based on the hierarchical level, position and skills requested, and professional and personal references of the applicant. Finally, the consulting business gives the company a list of candidates short-listed for the position.

“Headhunting businesses detected that businesses valued experience, dedication and work achievements over academic education...many people who studied abroad find that their efforts are not compensated economically because the average business does not pay high salaries. High salaries are concentrated in administrative and management positions and require advanced academic degrees.”<sup>115</sup>

These firms charge their users an amount whose price is limited to operating costs incurred while performing services.

Options available in Quito include:

- Manpower [www.manpower.ec](http://www.manpower.ec)
- Redatos Av. República del Salvador N34-211 y Moscú, Quito (593 2 299-5600)
- Personal Temps (593 2 243-1311).

#### Job Banks

Organizations and institutions such as local governments, NGOs, non-for-profits, universities, chambers of commerce offer job bank services. They function by collecting academic information on the applicants, through their applications in order to facilitate the task for applicants and the businesses looking for employees.

Among the main job banks in Quito, we have:

- CONQUITO: [www.conquito.org.ec](http://www.conquito.org.ec)
- Government of the Province of Pichincha: [www.pichinchacompite.gov.ec](http://www.pichinchacompite.gov.ec)
- Centro de Información y Orientación para la Población Refugiada e Inmigrante (CINOR) [un programa de HIAS]: [www.hias.org.ec](http://www.hias.org.ec)
- Ministry of Labour: [www.mintrabajo.gov.ec](http://www.mintrabajo.gov.ec)
- Colegio de Economistas de Pichincha: [www.colegiodeeconomistas.org.ec](http://www.colegiodeeconomistas.org.ec).

For university students:

- Universidad de las Américas: <http://serviciosweb.uamericas.edu.ec/BolsadeEmpleo/>
- Pontificia Universidad Católica del Ecuador: [www.puce.edu.ec](http://www.puce.edu.ec)

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115 s/a, Empresas ahora ven ‘destrezas’ para la selección de su personal, El Universo, s/pg., 21 March 2007, <http://www.eluniverso.com/2007/03/21/0001/9/F26328E7776348A79C78C491292A1780.aspx>, accessed on April 11, 2007.

Practical information. Labour costs.<sup>116</sup>

For additional information regarding the national minimum wage per month, additional payments, IESS contribution you can visit the web page:

[www.iess.gov.ec](http://www.iess.gov.ec)

Minimum Unified basic wages

Minimum wages per month (US\$)	
Occupation groups	US\$
Worker in general*	200.00
House service	170.00
Contributor of small companies (not handicraft)	170.00
Handicraft operator	170.00

- Inclusive for small industry, agriculture and maquila.

Labour regime per hour	US\$
Minimal value in partial contracts or per hours (maximum 160 hours per month)	1.70 c/hour

Source: Ministry of Labour and Employment

Additional remunerations

Remunerations and other additional benefits in the year (USD)	
Thirteenth remuneration*	200.00
Fourteenth remuneration**	200.00
Paid Vacations***	100.00
Reserve found****	200.00

\*Minimal value. It is paid in December and it is equivalent to the 12th part of the perceived remunerations in the year.

\*\*Unique value in each occupational group; it is also called Scholar bond; it is paid in September for the Andes.

\*\*\*Minimum Value which has to be paid for 15 days of mandatory vacation in the year.

\*\*\*\*Minimum value which is paid annually to the IESS under the affiliated name.

<sup>116</sup> Municipality of the Metropolitan District of Quito (MDMQ), Invest in Quito, [http://www.quito.gov.ec/invierta\\_quito/3costoslabor.htm](http://www.quito.gov.ec/invierta_quito/3costoslabor.htm), consulte don April, 2009.

Mandatory vacations: Mandatory rest: 15 years per year plus an additional per each year starting from the fifth year.

Utilities distribution: The Company gives its workers 15% of the liquid utilities. Distribution is performed in proportion to the social charges of the worker. It includes outsourced workers .

Source: Ministry of Labour and Employment

#### Contribution to the Social Security

Monthly contribution	%
Personal contribution to the IESS	9.35
Employer contribution to the IESS	11.15
SECAP	0.50
IECE	0.50

There are other per cents of contribution for specific labour groups where the range of employer contribution varies from 9.35% to 20.50% and the personal contribution from 9.15% to 20.50%.

In case of affiliation in part-time, the employer grants the total contribution fixed at 20.50% for the remuneration for the time worked.

#### Basic salaries of contribution

Labour regime	Minimal income of contribution
Workers protected by the Labour Code (it includes workers of maquila regime)	200.00
Public servants	200.00
Voluntary affiliated	200.00
Affiliated persons protected with Professional insurance	200.00
Housing service	170.00
Contributor of small companies and handicraft	170.00
Affiliated to the Secular clergy	100.00

Source: Ecuadorian Institute of Social Security (IESS)

#### Regulations on working time

Labour Journeys	
Daytime and working hours per week	
Normal daytime work	8 hours
Work week	40 hours
Extra Hours and additional Costs	

Night work*	Salary + 25%
Additional hour**	Salary + 50%
Extraordinary hour***	Salary + 100%

\* Between 19H00 and 6H00 of the following day

\*\* It exceeds the normal schedule, during the day or until 24H00

\*\*\* Additional hours between 24H00 and 6H00 of the following day.

Source: Labour Code

Labour market: occupational categories

Total gross income	USD per month		
	Post	Low	Average
General Manager	7,044.00	14,320.00	32,647.00
Production director	5.732.00	10.755.00	19.088.00
Commercializing manager	3.545.00	6.964.00	11.274.00
Financial Administrative manager	2.456.00	5.297.00	9.279.00
General auditor	3.131.00	6.124.00	11.590.00
Human resources manager	2.850.00	4.612.00	9.080.00
Quality control manager	2.337.00	4.189.00	6.912.00
General accountant	1.077.00	2.063.00	3.798.00
Engineering chief	1.196.00	2.162.00	3.642.00
Sales supervisor	950.00	1,662.00	3,080.00
Promotions and publicity chief	1.414.00	2.107.00	2.991.00
Systems analyst	833.00	1,324.00	2,209.00
Division Secretary	443.00	780.00	1,517.00
Production supervisor	616.00	980.00	1,521.00
Programmer	577.00	980.00	1,747.00
Messenger	236.00	497.00	967.00
Warehouseman	294.00	636.00	1,256.00
Receptionist	310.00	521.00	1,007.00
Qualified worker	323.00	551.00	984.00
Guardian	217.00	431.00	743.00

Note: There are monetary and non monetary incomes and Law benefits.

Source: Deloitte & Touche - Andean Management Solution (II semester 2007)

### 3.3.2. Contact information relevant to the issue of recognition of degrees obtained elsewhere

#### **Tertiary education**

The process for the recognition and equivalence of a foreign diploma is generally the following:

- Go to a university with an equivalent degree.
- Request the Dean to recognize and validate a degree, by attaching among others the following documents:
  - For graduates from countries that have signed the Hague Convention on apostilles, original diploma with the apostille and photocopy.
  - For graduates from countries that have not signed the Hague Convention on apostilles, original diploma with consular legalization and photocopy.
  - Original grade certificates and transcripts. If the certificate doesn't list the program duration, the number of credits completed must also be attached with the academic curriculum.
  - Photocopy of the ID card or passport
  - Copy of the research project

Validation and recognition of foreign degree costs vary between universities, there is no maximum or minimum. It depends entirely on each particular university policy.

If the degrees were obtained in countries Ecuador has signed conventions and international agreements with like Cuba, Chile and Peru, the validation and recognition procedure is different:

➤ Address the CONESUP (Technical Administrative Secretary)

➤ Take the following documents

- Original degree
- Transcript
- ID
- 2 notarized copies of the degree
- 2 notarized copies of the transcript

➤ Foreign citizens must also show their visas along with one notarized copy with the stamp from when they entered the country.

➤ The diploma or degree must have the respective stamps from the Consulate of Ecuador in Chile, Cuba, or Peru, Ministry of Foreign Relations, Chancellery, Ministry of Higher Education of Chile, Cuba, or Peru.

➤ Fill out the CONESUP form for registering a foreign degree.

➤ This process is personal and not transferable.

## Secondary education<sup>117</sup>

In accordance with the General Regulations in the Law of Education, Ministerial Agreement 4528 and the Andrés Bello Convention, the Ecuadorian government recognizes secondary education from abroad. The following documents must be brought to the National Division of School Regulation and Degree Validation (Régimen Escolar y Refrendación de Títulos Nacional):

- ID: Original birth certificate or ID and copy (Ecuadorians); Valid Passport and Visa (foreign citizens).
- Student Documents: Grades starting at the seventh year of basic education (sixth grade) in the Consulate of Ecuador in the country of origin.
- Certificate of tuition payment or class attendance for the group the student is registering in.
- Paid and filled-out form.

For the recognition and validation of foreign secondary studies, the same documents are required, except for those listed in no. 2. In this case, the following must be submitted: Transcripts of the last three years of high school and the diploma or certificate showing completion of secondary studies certified in the Consulate of Ecuador in the country of origin.

## Contacts<sup>118</sup>

- División Nacional de Régimen Escolar: (Secondary education)  
Address: San Gregorio y Juan Murillo Ed. DINAMEP mezanine, (593) 2 2521473, [regimen.escolar@andinanet.net](mailto:regimen.escolar@andinanet.net) o [regimenescolar@mec.gov.ec](mailto:regimenescolar@mec.gov.ec)  
(Lcda. Bolivia Velazco o Ma. Fernanda Tapia)
- Departamento Provincial de Régimen Escolar: Reconocimiento y legalización de estudios en el exterior (Educación Secundaria) (Primary education)  
Address: Mejía No. 322 y Guayaquil, (593) 2 2953004  
(Anita Fraga)

### 3.3.3. Education and retraining programmes (access to them, costs)

In Ecuador "education is a right to people throughout their lives and an unavoidable and inexcusable duty of the State. It constitutes a priority area of public policy and of the state investment, it guarantees equality and social inclusion and an essential condition for the leading a good life. Individuals, families and the society have the right and responsibility to participate in the process of education"<sup>119</sup>.

#### 3.3.3.1. By government

In the program, the SECAP (Servicio Ecuatoriano de Capacitación Profesional/Ecuadorian Service of Professional Training) is the institution in charge of training, giving diplomas and professionally certifying in these economic structures: First (Agriculture, Forestry, and Mining), Second (Industrial and Manufacturing) and Third (Trade and Services).

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117 Ministry of Education, Studies Validation,

<http://www.educacion.gov.ec/servicios/validacionestudios.php?sec=5&subCat=1&subSec=2>, accessed on June 20, 2007

118 Interview with Mónica Herrera, Casa Metropolitana del Migrante, Inventario de instituciones que trabajan en el tema de emigración e inmigración, Quito, 5 de junio del 2007.

119 Political constitution of Ecuador 2008. Fifth Section, Education, Article 26. Consulted on April 21<sup>st</sup>, 2009.

Among the training modules, SECAP develops courses for the following economic sectors:

Agriculture:	Agriculture and Fishery.
Industry:	Metal Mechanics, Auto Mechanics, Electricity and Electronics, Industrial Tailoring, Leather and Shoemaking, Leather and Shoemaking, Agroindustry, Textiles and Handicraft.
Trades and Services:	Administration, Marketing, Finance, Services (Hotel, Health and Nutrition, Beauty and Cosmetology, Tourism and others), Information Technology and Languages.

It also offers programs like “Business Development” and “Small Business” in Business Consultancy, Technical Assistance, and Systematic Training.

For more information, visit the following website: [www.secap.gov.ec](http://www.secap.gov.ec)

On the other hand the Provincial Council of Pichincha through the Provincial Board of Pichincha Short (two months) and Regular (five months), in the areas of:

- Decoration and housing
- Culinary Arts
- Style and Dressmaking
- Health and Beauty

For more information, visit the following website: [www.pichincha.gov.ec](http://www.pichincha.gov.ec)

Also the Municipality of the Metropolitan District of Quito (DMQ) through the Economic Promotion Corporation (CONQUITO), offers training and professional development services that would allow the inhabitants of the district to acquire knowledge and skills to obtain a suitable job.

For information on training, please go to this website: [www.conquito.org.ec](http://www.conquito.org.ec)

### 3.3.3.2. By private firms

In the page of the Consejo Nacional de Capacitación y Formación Profesional (National Council of Professional Training and Education) there is an important data base on organizations that provide courses of capacity, given to this institution. More information is available by province or activity on the website:

[www.cncf.gov.ec](http://www.cncf.gov.ec)

### 3.3.3.3. By international organisations or NGOs

[See point 4.3.3.2.]

### 3.3.4 Starting a new business

In Ecuador, in the January-November 2005 period, the investment for creating new businesses rose to 914.7 million dollars, with 34.1 million for the creation of 6,033 new companies and 880.6 million dollars to capital increases requested by 1.408 companies.

According to the Company Superintendency, the importance of the business sector is that the companies contribute 61% of all income tax, 77.5% of the total exportations of the country in the

period analyzed and almost 30,000 national businesses give sustenance to more than 1.5 million people.<sup>120</sup>

In Ecuador, there are two types of business limited-liability sole proprietorships and companies. The difference is the number of partners.

Limited-liability sole proprietorships can be created by "Any natural persons legally able to carry out business activities can carry out, through a limited-liability sole proprietorship, any business activity not prohibited by law, and limiting his or her liability for any actions to the capital invested in it."<sup>121</sup> They are characterized by belonging to only one person, are market activities, and cannot carry out activities related to banking, insurance, capitalization and saving, mutualism, currency exchange, financial intermediation and management; issue of consumer credit cards, travel checks, portfolio funding or purchase, business leasing, business trusts, third-party obligation guarantees, third-party money collection; and, none of the activities mentioned in the laws on The Bond Market; General on Financial System Institutions; And Insurance. There is a limited period of time which can be extended. The minimum capital is the basic income multiplied by ten.

According to the Law on Companies, a company, on the other hand, is a contract in which "two or more people unite their capital or industries to carry out business operations and participate in its functions."<sup>122</sup>

Under the law, there are five types of companies:

- Limited-liability company
- Corporation
- Mixed-economy company
- Limited partnership divided by stocks
- Trading partnership

Any person wishing to form a business is advised to seek a professional opinion depending on the proposed business activity, so as to choose the most appropriate option.

The Provincial Council of Pichincha, through Centers of Business Consultancy (Centros de Gestión Empresarial) has a business consultancy program and trains entrepreneurs in technical assistance in business definition and creation, financial assistance and marketing consultancy. For more information, visit the following website:

[www.pichincha.gov.ec](http://www.pichincha.gov.ec)

Furthermore, the Provincial Council of Pichincha, Servipagos, the Company Superintendecy, the Ecuadorian Institute of Social Security (IESS), the Chambers of Commerce formed the Center of Business Services which works out of the lower level of the Las Camaras Building that with a one-window system take care of all of the complications that come up when setting up a business. For further information, visit the web page of the Quito Chamber of Commerce:

[www.ccq.org.ec](http://www.ccq.org.ec)

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120 s/a, Inversión para crear nuevas empresas, El Mercurio, s/pg., 26 de marzo del 2006

[http://www.elmercurio.com.ec/web/titulares.php?seccion=fzuyEtT&codigo=hMyQ7y1r2t&nuevo\\_mes=03&nuevo\\_ano=2006&dias=26&noticias=2006-03-26](http://www.elmercurio.com.ec/web/titulares.php?seccion=fzuyEtT&codigo=hMyQ7y1r2t&nuevo_mes=03&nuevo_ano=2006&dias=26&noticias=2006-03-26), accessed on May 11, 2007.

121 Law of unipersobnal companies with Limited responsibility Art.1

122 Companies Law, article 1 .

### 3.3.4.1. Legal conditions (registration, corporate forms, minimum capital, etc.)

#### Data on creation of businesses

Type of company	Number of Partners	Minimum capital
Limited-liability company	At least 2 At most 15	USD 400
Corporation	At least 2	USD 800
Mixed-economy company	Made up of entities subject to public or semipublic law with entities subject to private law	USD 800
Limited partnership divided by stocks	At least 2	USD 800

#### Constitution of companies: processing time and costs of constitution

Processing	Processing time	Costs in USD
Constitution approval	1 labour week	500.00*
Extract publication (minimal value)	2 days	75.60
Municipal certification	One day	
Association or union inscription	One day	50.00
Mercantile Register	4 hours	61.82**
Notary: note in the margin	One day	11.20
Internal Revenue Service, obtaining the Contribution Identification Number	One hour	
Approximated total	10- 11 labour days	684.02

\* Notarial and honoraries costs of attorney

\*\* Calculation for a capital of 50.000 USD

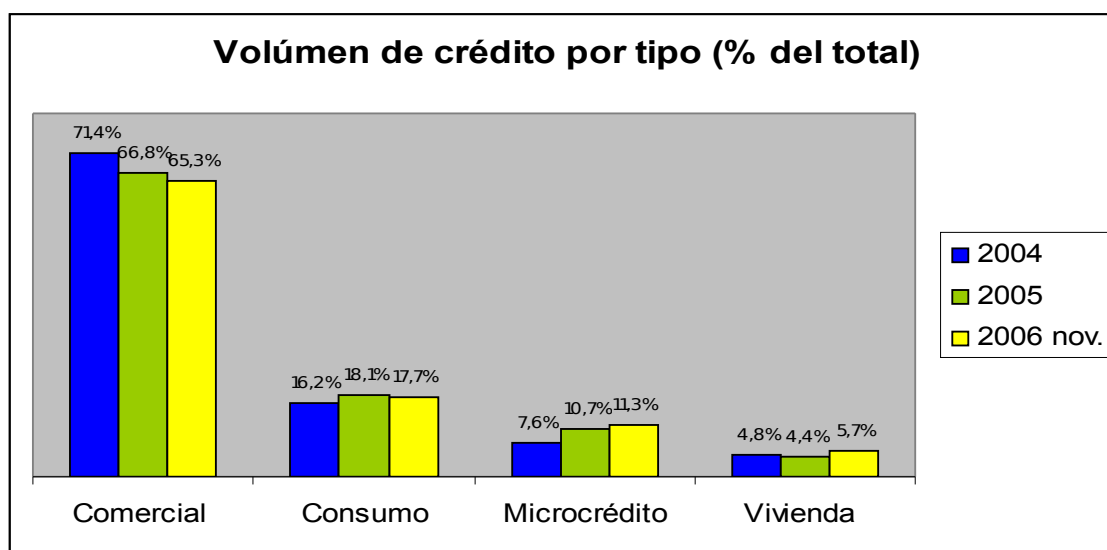
General Note: The processing time corresponding to the Unique Business Window (VUE) is in the C.C.Q. Besides the CIN obtaining in the Internal Revenue Service Office, the indicated procedures will be performed in the VUE.

Source: Companies superintendent's office and competent institutions in each case.

For more information on municipal and environmental patents, rates for registration and other Trademark and Patent processing services, Dues for Chambers of Commerce, Income Tax, Value-Added Tax, Municipal Taxes, Import duties, Double-Taxation and Foreign Trade Agreements, please contact HelpDesk Return.

### 3.3.4.2. Credits and subsidies and access to them (interest rates, creditors, etc.)

In the financial system of Ecuador, most of the credit is for business activities, followed by consumer credit, micro-credit and housing. However, this a clear downward trend in business credit. There is a certain stability in consumption and housing credit, a slight upward trend in micro-credit, according to "Analysis of the economic situation, Ecuador 2006".



Source: Superintendencia de Bancos

The economic activity that most requires credit is the commercial sector, which is twice as much as the second sector, manufacturing. Among these two activities there is almost 57% of the credit total. The service sector with financial, agricultural and construction services account for 38%.

In 2006 only trade and construction have had a bigger portion of the total credit in the past two years, unlike the rest of the activities.

The active rate increased in 2006 and thus investment activities were not encouraged, which has led economic agents generally to opt for short-term credit for work capital. The continuing high interest rates make investment expensive and also deplete national savings (less investment, less earnings means less to save).<sup>123</sup>

For 2007, during the month of April there was a slight increase in the Reference Interest Rate (84-91 day terms) which rose from 9.72% to 9.86%, to the extent that the Reference Interest Rate was 5.25%.<sup>124</sup>

However, Alfredo Vergara, the bank superintendent, showed the total costs of credit, or interest plus financial costs charged (credit received + prices paid for by the clients) in the country, in a report on the policy on transparency of financial services prices. "From the information the banking authority has submitted, there was seen to be some cases where the total financing cost is up to seven times the nominal interest rate (maximum conventional rate published by the Ecuadorian Central Bank). For example, in a micro-credit of 300 dollars with a 90-day term, Unibanco offers a nominal interest rate of 10.04%, but according to Superintendencia's calculations, the total financing cost rises to 72.05%. In other words, the final value multiplied by

<sup>123</sup> ILDIS (Instituto Latinoamericano de Investigaciones Sociales), Análisis de coyuntura económica, Ecuador 2006, pg. 36, 2006, <http://www.ildis.org.ec/public/titleView.do?code=2>, accessed on May 21, 2007.

<sup>124</sup> Central Bank of Ecuador, evolución del crédito y las tasas de interés-Abril 2007, s/pg., Abril 2007, <http://www.bce.fin.ec/documentos/Estadisticas/SectorMonFin/BoletinTasasInteres/ect200704.pdf>, visited on July 1, 2007

seven. There are more examples of how the total financing costs rise. The Bank of Loja for a (vehicle) consumer credit of \$10,000 dollars with a 36-month term, Unibanco offers a nominal interest rate of 13%, but the total financing cost can be as much as 26.26%; the double. The Bank Superintendence also revealed that it will periodically analyze comparative cost information from all of the financial institutions and will publish it in print and on the Internet."<sup>125</sup>

According to the "Analysis of Economic Juncture, Ecuador 2007", "Respect to the credit type that grants the financial agents, ... until November 2007, the credits with commercial aims absorbed 46.5% of the total credits, and confirms the descendent tendency of the last years, although with a reduction with respect to 2006 of almost 20 percentage points. The second credits go for home consumption with 31.3%, in clear ascent with respect to 2006 (17.7%). Also, the Mortgage credit for house acquisition dropped between 2006 and 2007 from 5.7% of the total granted credits to 12.6%. The credit to the micro-enterprise (9.6%) comes last with a decrease of almost two percentage points in 2006, which supposes a change of tendency with respect to the previous years.

The economic activity that requested more credit in 2007 was the wholesale and retail commerce , restaurants and hotels with 37.7% of the granted total, which supposed a slight diminution with respect to 2006. They are followed by manufacturing industry with 18%, very similar to the previous year; the communal, social and personal services with 12.3%, in clear reduction from 2005; agriculture with 9.3% in constant increase from 2005; the financial, safe services and served services to companies with 8.6% in slow diminution from 2005; the construction with almost 8% in clear increase from 2004 which demonstrates the importance of this sector. The rest of services under the inscription "others" formed by transport, storage and communications (4.2%), electricity, gas and water (0.2), natural people (0.8%), operation of mines and quarries (0,6) received under aggregated form 5.8% of credits"<sup>126</sup>.

#### Financial Costs.<sup>127</sup>

##### Interests Rates

Referential Active Rate for the segment:	Reference rate. % annual	Maximal rates % annual
Corporative Commercial	10.14	10.00
Commercial PYMES	12.76	13.50
Consumption	17.68	18.50
Retail Consumption	20.43	24.00
Housing	12.24	12.00
Wide Accumulation Microcredit	21.89	25.50
Simple Accumulation microcredit	30.42	36.50
Subsistence Microcredit	35.23	37.50

Calculated rates and published periodically by the BCE

Source: Central Bank of Ecuador

<sup>125</sup> s/a, El costo de los préstamos en la banca llega hasta el 70%, El Comercio, s/pg., s/f,

[http://www.elcomercio.com/noticiaEC.asp?id\\_noticia=107855&id\\_seccion=6](http://www.elcomercio.com/noticiaEC.asp?id_noticia=107855&id_seccion=6), visited on July 5, 2007

<sup>126</sup> ILDIS, Analysis of Economic Conjuncture, Ecuador 2007, Quito 2007, pages 47-49.

<sup>127</sup> Municipality of the Metropolitan District of Quito (MDMQ), Invest in Quito,

[http://www.quito.gov.ec/invierta\\_quito/8costosfinan.htm](http://www.quito.gov.ec/invierta_quito/8costosfinan.htm), consulted on April 2009.

## Credit Programs of the Government

The National Government develops different lines of Credit through the different organism of the public sector.

### **Credit from the Banco Nacional de Fomento (BNF)<sup>128</sup>**

**Credit for Human Development:** Intended to all the individuals in the Bond Program of Human Development data base and who have production units, commerce, services in operation of at least 6 months. The financing reaches 100% of the investment, with an annual interest rate of 5%, an amount of until \$360 USD and a term of up to 1 year.

**Microcredit:** Intended to all individuals or legal persons, working in production, commerce, or services. The financing reaches 100% of the investment project to be performed. The annual interest rate is of 11% for the production sector and of 15% for the sector of commerce and service annually. The amount can reach U.S. \$ 7,000, with a 5 year term. The aim of the credit is of labour capital and fixed assets and the guarantee is general (personal).

**Credit 5-5-5:** Intended to all the individuals or legal persons legally constituted, involved in the production, commerce or services. The financing reaches 100% of the investment project to be performed, the amount goes from USD \$100 to USD \$ 5000, with a 5 year term and an annual interest rate of 5%. The aim of the credit is a labour capital and fixed assets and the guarantee is general (personal).

In the 5-5-5 Plan, the Ministry of Social Welfare (MBS) and the National Bank of Public Works (BNF) signed agreements with the CONQUITO (Corporación de Promoción Económica - Economic Promotion Corporation) which allow citizens to access credit. The purpose of this agreement is to generate empresarial opportunities for women receiving the Human Development Subsidy in the Metropolitan District of Quito. The credits are directed to female heads of household who participate in participative urban agricultural projects so as to support them in building collective businesses to generate products and services. This mechanism also allows credit access to small businesspeople trained under the CONQUITO program in production, services or business, after meeting all of the BNF requirements.<sup>129</sup>

[www.conquito.org.ec](http://www.conquito.org.ec)

For more information regarding requirements and categories of the Banco Nacional de Fomento credits, log on to the Web site:

[www.bnf.fin.ec](http://www.bnf.fin.ec)

### **Program from the government: Supportive Productive Credit**

The Supportive Productive Credit Program<sup>130</sup> (CPS - Programa Crédito Productivo Solidario) is a program meant to strengthen the economy of the vulnerable groups in the country, by incorporating the extremely poor in small business productive processes, generating self-employment and allowing for the gradual increase in family income offering two lines of micro credit: the Credit of Human Development and the Supportive Productive Credit.

The Supportive Productive Credit (CPS) grants credits reaching up to USD 600 (six hundred dollars) to a maximum term of up a year, the interest rate is agreed to be under the conditions of the market and the guarantees are determined on the basis of the requirements of each operator. The

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<sup>128</sup> Banco Nacional de Fomento, <http://www.bnf.fin.ec/?s=3&a=162>, consulted on April 18th, 2009.

<sup>129</sup> CONQUITO, CONQUITO suscribirá importantes convenios, <http://www.conquito.org.ec/inter.asp?s=28&n=10>, visited July 1, 2007.

<sup>130</sup> Ministry of Social Welfare, Social Protection Program, [http://www.pps.gov.ec/credito\\_productivo/credito\\_productivo\\_sol.aspx](http://www.pps.gov.ec/credito_productivo/credito_productivo_sol.aspx), visited on July 1, 2007.

beneficiaries are people described by the Bond of Human Development as well as for all the population living under the line of poverty.

In 2008, according to the statistics of the CPS, 1,812 microcredits were given at national level with a total amount of USD \$936.607. Since 2001, 55,478 people benefited from this programme. The economic activities these credits aimed were commerce with 77.87%, the farming sector with 14.5%, the small industry with 4.04% and 3.59% of other activities.

The submission of requirements, oversight of the realization of credit lending, training, and general assistance can be done in the Programme for Social Protection, located on the Ministry of Economic and Social Inclusion in Quito (Rumipamba E2-128 and Republic Av.); telephones: (593) 2977477, 1-800272727 or visit the Web page:

[www.pps.gov.ec](http://www.pps.gov.ec)

#### National System of Micro finances Program

The National Government through the National System of Microfinances Program seeks to conduct enterprising activities and capacities of the population, by supporting technically and financially the micro financial institutions, and fomenting cooperation and development of new and better financial services.

Microcredits can be granted to the final beneficiaries in sustainable conditions, through regulated or not regulated microfinancial institutions and previously described by the Program through the mechanism in second floor. For further information, visit the page of the Ministry of Social Development Coordination

[www.mcads.gov.ec](http://www.mcads.gov.ec)

#### Micro-credit in the private sector.

Among the 80 biggest Microfinancial Institutions (IMF) of Latin America which give up to an average of \$1000.00 (thousand dollars) directed to micro, small, and medium businesses, there are eight Ecuadorian businesses that manage a credit portfolio of \$318 million USD<sup>131</sup>.

- Banco Solidario: [www.bancosolidario.com.ec](http://www.bancosolidario.com.ec)
- Finca Ecuador
- Credi Fe
- Banco ProCredit-Ecuador
- Cooperativa de Ahorro y Crédito Jardín Azuay: [www.jardinazuayo.fi.ec](http://www.jardinazuayo.fi.ec)
- Fundación Espoir
- De Miro
- Cooperativa de Ahorro y Crédito San José

Furthermore in the center of the country, even though it might generate instability in the cooperatives, 30 new financial entities administered by indigenous groups are created annually. There are 12 just in Ambato (Tungurahua), the main ones being<sup>132</sup>:

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131 s/a, Unas ocho instituciones dominan el microcrédito, Dinero, Diario de negocios, s/pg., 22 de noviembre del 2005, [http://www.hoy.com.ec/NotiDinero.asp?row\\_id=219200](http://www.hoy.com.ec/NotiDinero.asp?row_id=219200), visited July 1, 2007

132 s/a, La banca indígena se consolida, El Hoy, s/pg., August 8, 2006.

[http://www.hoy.com.ec/NoticiaNue.asp?row\\_id=242020](http://www.hoy.com.ec/NoticiaNue.asp?row_id=242020), visited on July 1, 2007.

- Cooperativa Mushuc Runa (New men), attends in Tungurahua, Chimborazo, Cotopaxi and Bolívar 71.450 partners in Quichua and Spanish.
- Cooperativa Unión Popular, with 5200 members and an agency in the wholesale market of Ambato, has been in business for 25 years and gives loans with a maximum total of \$4000.00 and also offers commission services, tax deduction insurance, storage, dental care and death insurance.

#### Non-governmental Credit Organizations

- Maquita Cusunchic Comercializando Como Hermanos (MCCH): Credit management and micro-entrepreneurial training. [www.fundmcch.com.ec](http://www.fundmcch.com.ec)
- Fundación Alternativa, through the “Emprendedores Solidarios” Credit Program, which Works specifically in marginal urban sectors of the Pinchincha North-West (San Miguel de los Bancos, Pedro Vicente Maldonado, Puerto Quito), also trains in microfinance: [www.fundacionalternativa.org.ec](http://www.fundacionalternativa.org.ec).
- Catholic Relief Services (CRS), is a program from the Catholic Church which carries out projects to stimulate agriculture, micro-financing and civil society activities responding to productive and economic needs of the local population. The Micro-financing Program, under the Communal Bank methodology, Has implemented projects in the provinces of Sucumbíos, Cotopaxi, Tungurahua, Pichincha, Chimborazo, Bolívar, Azuay, Cañar, and Loja. Address: Quito, Av. América 1805 y La Gasca. [www.iglesiaecuador.org.ec](http://www.iglesiaecuador.org.ec)
- Address: Quito, Asunción OE-3252 y Venezuela. Telephone: (593) 2 2238145. E-mail: [casa\\_migrante@andinanet.net](mailto:casa_migrante@andinanet.net)
- Address: Quito, Veintimilla 325 y Av. 12 de Octubre, edificio El Girón ‘E’, penthouse. Telephone (593) 2 2226819 or 2559692. [www.cepesiu.org](http://www.cepesiu.org)

#### 3.3.5. Social security

In Ecuador “the right to social security is an inalienable right of every person, and is a fundamental right and responsibility of the State. The social security is ruled by the principles of solidarity, obligation, universality, equity, efficiency, subsidiarity, sufficiency, transparency and participation, for the attention of the individual and collective needs”<sup>133</sup>.

The social security system of Ecuador is public and universal. The Ecuadorian Institute of Social Security (IESS) is the independent entity regulated by Law; it has the responsibility to provide to its affiliates the services included in the universal insurance<sup>134</sup> and is in charge of the social security on a national level.

IESS functions under a personal affiliation scheme; it only protects and benefits the subscriber. For mothers, maternity insurance includes pediatric medical care for the children for their first year of life.

It is designed to protect dependant workers, both in the public sector and private business, in a social security scheme that includes economic and health care benefits and covers approximately 10% of the country's population, basically workers in the formal urban sector.

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<sup>133</sup> Political Constitution of Ecuador 2008, Eight Section, Labour and social security, Article 34. Consulted on April 21<sup>st</sup>, 2009.

<sup>134</sup> Political Constitution of Ecuador 2008, Third Section, Social security, Articles 376 and 370. Consulted on April 21<sup>st</sup>, 2009.

The affiliation of rural area workers is handled by the Rural Social Security Administration, whose family coverage includes social benefits (death, handicap, old age) and primary medical attention and attends a fourth of the rural population of the country.

General Social Security is funded with employer contributions that by Law correspond to 3.41% of the payroll. Furthermore, Seguro Social Campesino is funded with 1% of payroll split three ways: 0.35% of the value of the payroll of urban insured, 0.35% of the employer contributions and 0.30% of the State contribution, in addition to a symbolic monthly contribution of household heads which is 1% of minimum wage.

There are also social security models for members of the Armed Forces (ISSFA) and the Police and their relatives (ISSPOL), which are funded by contributions from the general budget of the State, the sale of services to members not related to the Armed Forces or the Police as well as contributions from the insurance scheme.<sup>135</sup>

In a diagnosis of the Social Security System, many of the problems in the IESS; differences in the way the current Social Security system Works have come to the point of being unsustainable, partially because of the deterioration in what IESS receives which is also due to the stagnation of the minimum wage; for the past few years the State has not paid 40% of its pensions; which eventually led to new generations to resist contributing to IESS.<sup>136</sup>

If the person was absent from the country for a period, funds contributed (that were not taken out as unemployment and provisions assistance) and the time they were contributed are recorded and considered in establishing retirement pensions.

Contributions are closely related to whether the worker stays in his or her job, and if he or she is a voluntary contributor, his or her willingness to keep up to date with the contributions. In other words, a returning migrant who has stopped de facto from making contributions receives all the rights he or she possessed while enrolled, even though their right to certain services such as access to loans is restored gradually.

This is why information campaigns have been published for people who after immigrating to other countries continue voluntary contributions, in order to increase their reserve funds and contributions, which will prevent them from losing their right to retirement pensions in old age. A person can retire at any age after making 480 or more monthly contributions. A 60-year old with more than 360 monthly contributions or more can opt for retirement. The number of contributions goes down with age. At 65, a worker can retire with 180 or more contributions, or at 70 with 120 or more.

#### 3.3.5.1. Unemployment benefit and access to it

IESS protects with economic benefits for the people it covers against eventualities which effect their ability to work or obtain an income due to age, death, or handicap including disability; and lay-off.

To receive redundancy benefits a worker must show having paid 60 non-simultaneous contributions, and prove to the IESS that he or she will be laid off more than 90 days.

*The following people can receive this benefit:*

- Any person covered who is 50 years or older as of November 30, 2001.

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135 Organización Panamericana de la Salud, Situación de Salud, Ecuador 2006, pg. 102, noviembre 2006, [http://www.opsecu.org/asis/situacion\\_salud.pdf](http://www.opsecu.org/asis/situacion_salud.pdf), visited July 1, 2007.

136 s/a, IESS: sus cifras justifican una reforma, El Hoy, s/pg., 29 de junio del 1999, <http://www.hoy.com.ec/especial/iess/iess21.htm>, visited July 1, 2007.

- Any person between 40 and 50 years as of November 30, 2001.
- Any person who, when the entire redundancy payment is taken out, exercises his or her right to retirement because of disability or age.

If a contributor dies at 40 years or older as of November 30, 2001, the capital accumulated will be distributed to the following beneficiaries in diminishing order:

- Minor children younger than 18 or disabled children of any age who were dependants of the deceased, his or her spouse or partner
- The parents of the contributor as long as they were dependants of the deceased if no children or spouses claim this right.
- Any person covered who is not yet 40 years or older as of November 30, 2001.
- In the case of total and permanent, any person covered who is not yet 40 years or older as of November 30, 2001.

Information on requirements and processing can be found on the IESS website:

[www.iess.gov.ec](http://www.iess.gov.ec)

### 3.3.5.2. Sickness benefits and access to them

IESS protects the people it covers with economic benefits for against eventualities which effect their ability to work or receive income due to sickness, maternity, or work risks, age, death or disability which includes handicaps.

The Labour Code classifies work risks as work-related illnesses and work-place accidents, the first are sharp or chronic afflictions caused by carrying out a profession or job which cause disability, as far as accidents are defined by an unexpected and sudden event which causes bodily damage and functional disturbance to the worker. For effects of benefits and compensation, common illnesses also covered are "changes in the workers' health caused by non-work related circumstances. (Articles 353, 355 Labour Code.)

#### Temporary Disability

Temporary disability is considered when the contributing worker is unable to come to his or her job, because of an accident or work-related illness, while he or she is under medical, surgical, or hospital care or rehabilitation as well as for work-related illness observation periods, a prescription for interruption of work. (Art. 181, Estatuto IESS)

Any injury that can be cured within one year of occurrence and which allows the worker to recover the ability to do his or her usual job. (Art. 386, Labour Code).

#### Right to Insurance for Common Sickness

Common sickness coverage is one of the benefits IESS provides to its contributors. This insurance covers:

- a) Medical, dental, and pharmaceutical assistance; and,
- b) Money benefit when the sickness causes inability to work. (Art. 85, IESS Statute)

This is a right that all covered parties with at least six months of contributions have. To this effect, the worker suffering from a non-work related illness must represent this, in writing to the employer and the relevant Work Inspector within the first days of the sickness. If this condition is

not met, it will be assumed that there is no sickness. (Art. 177, Labour Code). Furthermore, the worker will have to show with a medical certificate preferably from a doctor from the IESS National Social Medical Direction, that he or she suffers from a non-professional illness.

The employer cannot fire the worker while he or she is suffering from a debilitating non-professional illness, as long as this is not longer than a year. (Art. 174, Labour Code).

If the employer refuses to re-admit the employee under the conditions from before his or her illness, he will have to compensate the employer with the equivalent of six months of wages, not including other compensation he or she might be entitled to, as well as any legal fees incurred in the related trial. (Art. 179, Labour Code).

In the case of a common sickness, the employer is required to pay:

a) Salary or Wages - 50% of the salary or wages in the first few days of incapacity.

b) Social Benefits

- Complementary Discount;
- Compensation for High Cost of Living; and,
- The sixteenth payment (since it is paid monthly).

No transportation costs will be paid for days the worker does not come to work, and the corresponding value will be paid proportionally.

c) Additional Compensation - The thirteenth, fourth and fifth additional compensations, must be paid as if the worker had worked normally without any interruption.

#### IESS Benefit

a) Money benefit - Starting from the fourth day and up to 26 weeks (six months), the worker will receive the following benefits from IESS:

- The first 70 days of their disability, the IESS must pay 75% of the average wages of the last 90 days of the month of disability and,
- For the rest of the time, 66% of this average. (Art. 85 of the Codified Statute and Articles 16 and 18, IESS Benefit Regulation)

b) Social Benefits and Additional Compensation - IESS does not cover these benefits and as a result it is the employer's obligation to pay them.<sup>137</sup>

#### Maternity<sup>138</sup>

Women covered by the General Obligatory Insurance are entitled to specialized medical attention during pregnancy (prenatal, delivery and post-delivery); complete pediatric care for one year for the child of the woman covered under IESS, including medicine and hospitalization; maternity benefit in money; compensation for expenses and through agreements signed with private clinics.

To access this right, the woman covered must show 360 days of continuous contributions, whether voluntary or obligatory, within the 12 months directly before the delivery: or, in its default, 378 days of contributions within the last 16 months before the delivery.

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<sup>137</sup> s/a, La enfermedad común de un trabajador, Diario La Hora, s/pg, s/f,

<http://www.dlh.lahora.com.ec/paginas/judicial/PAGINAS/D.Trabajo.3.htm>, accessed on April 13, 2007.

<sup>138</sup> s/a, La enfermedad común de un trabajador, Diario La Hora, s/pg, s/f,

<http://www.dlh.lahora.com.ec/paginas/judicial/PAGINAS/D.Trabajo.3.htm>, visited on April 13, 2007.

When the woman covered has been unemployed and the delivery is calculated as 11 months after the firing, IESS will give the maternity benefit in the prenatal, delivery and post-delivery phases. There will be no right to any other benefits.

11 months are considered the protection period, with 2 months before the pregnancy and a 9-month gestation. Nevertheless, those who have only paid 6 monthly contributions, IESS will only give them prenatal assistance.

#### Maternity benefit in money;

During 12 weeks, 2 weeks before and 10 weeks after delivery. An aborted or stillborn baby will be considered as a common illness case.

This benefit is equivalent to 75% of the last paycheck of the contributor. The employer is required to pay 25% of the salary or wages. Furthermore, in the time the benefit is being paid on 100% of the wages to pay off the benefit (Second indent of Art. 97 of the Statutes and Art. 27 of the General Benefits Rule)

Women covered under the Labour Code, Domestic Insurance and Agricultural Insurance have a right to the benefit. The following women are excluded: voluntary contributors, special schemes regardless of their dependency (professionals with polytechnic degrees, professional artists, self-employed and freelance workers), those who contribute to the Rural Social Security, part-time workers, maquila workers, public employees, and unemployed contributors.

Contributors, who are disabled to carry out their work, have a right to a money subsidy for a common illness for up to six months.

For money benefits purposes, miscarriage or stillborns will be considered cases of common illness.

#### 3.3.5.3. Family allowances and access to them

Family benefits in Ecuador consist in payment made by the employer to workers based on their dependants (children younger than 18, disabled children of any age, spouse or live-in partner whether working or not).

In private businesses that generate utilities, work law establishes that 5% of the total liquid utilities produced annually should be submitted to employees based on their dependants.<sup>139</sup> As a result, businesses should liquidate up to March 31st of each year, and from then on, within 15 days the businesses must pay utilities to each worker.

To access this benefit, each of the dependants must be justified with marriage licenses or affidavits accrediting a de facto union, birth certificate, certified from the National Council of Disabilities, according to the case.

#### 3.3.5.4. Other benefits in the social welfare system

Within the social programs implemented by the State of Ecuador we can find<sup>140</sup>:

##### **Human Development Bond**

The Human Development Bond is a monthly monetary allowance (USD. \$30, 00) based on the requirements established by the Program of Social Protection, in the case of mothers, and without any kind of condition for adults majors and people with incapacity, located in the first and second quintile the most poor one, according to the index of well-being SELBEN.

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<sup>139</sup> Labour Code, Article 97.

<sup>140</sup> Updated on April 21st, 2009

[www.pps.gov.ec](http://www.pps.gov.ec)

### **Emergency Bond**

The emergency Bond is a money transfer to settle expenses of a family suffered from a natural disaster or a social shock, in other words something sporadic and has been activated only when the area has been declared in state of emergency

[www.pps.gov.ec](http://www.pps.gov.ec)

### **Alimentate Ecuador Program**

Alimentate Ecuador distributes food of first necessity for people of the third age (more than 65 years) and with incapacity of quintiles 1 and 2. The program also distributes a nourishing complement with vitamins and minerals for boys and girls among 3 and 5 months old 11 months of quintiles 1 and 2.

[www.alimentateecuador.gov.ec](http://www.alimentateecuador.gov.ec)

### **Programs of Nutrition**

The National Direction of Nutrition, of the Ministry of Public Health (MSP), with the purpose of promoting the nutritional well-being of the Ecuadorian population, has developed the following programs:

- Program of Nutritional Education (PEAN)
- Program System of Nutritional Vigilance (SISVAN).
- Program of Feeding and Nutrition PANN2000.
- Integrated program of Micronutrients (PIM)

[www.msp.gov.ec](http://www.msp.gov.ec)

### **Program of Scholar Alimentation (PAE)**

It is a program handled by the Ministry of Education which looks to contribute with the quality improvement of the basic education of boys and girls of the poor social sectors, by means of the convenient and permanent delivery of highly nutritious foods, to execute their rights to education and food.

[www.pae.gov.ec](http://www.pae.gov.ec)

### **Nuestros Niños - Our Children (FODI)**

(Nationwide)

The goal is to improve the quality of child care systems by extending child care coverage and strengthening institutional capacity through projects such as: Growing with Our Children, Play Circles and Learning, Integrated Centers with Childhood Development, etc.

[www.mies.gov.ec](http://www.mies.gov.ec)

### **Operation Rescate Infantil (FODI)**

(Nationwide)

Their main goal is to give well-rounded care to at-risk children younger than 6 in marginal urban and rural areas of the country, by implementing child care centers (recreation, feeding, care) under the care of community mothers.

[www.mies.gov.ec](http://www.mies.gov.ec)

## **Socio País Program<sup>141</sup>:**

It includes several programs conceived with innovating criteria in the public management that promote social and economic inclusion. They technically articulate different actors of civil society and government, and take care of vulnerable sectors subjects of rights like mechanisms that allow developing capacities in citizens to surpass poverty conditions.

### **A. Programs of Economic Inclusion**

#### **1. Stringing Development - Hilando el Desarrollo**

This program allows the beginning of the Policy of Economic Inclusion, and it was created with the aim to strengthen the national economy, including micro and small producers throughout the country, such as suppliers in the confection of scholastic uniforms the Government delivers to children of schools located in the most poor rural areas of the country; in this way, they want to reactivate local economies, since the craftsmen of each region are the suppliers of the scholastic article equipment for the children of their territories.

#### **2. Nourishing Development - Nutriendo el Desarrollo**

The program looks at improving and promoting milk production of small producers. In this way they are the ones who supply the demands of feeding programs the National Government maintains like for example: Program of Scholastic Feeding, BREAD 2000, Program Aliméntate Ecuador. The aim of this program is to promote the association, training, technical attendance and access to credits of this population group.

#### **3. Inclusive Social Business - Negocios Sociales Inclusivos**

The objective of this program is to include micro and small producers in productive chains. It also wants for microindustrialists and rural organizations in associative way, to export to international markets.

The strategy of the program is to focus on activities like markets access, training, technical assistance to improve productivity, quality, commercialization and access to microcredit.

#### **4. Foninclusión**

It is a program aiming at generating opportunities of economic inclusion to microindustrialists and microproducers networks in different collective modalities, (through government support programs or other local actors), for them to access the co-financing of technical attendance activities and to be inserted in local export or productive chains.

The objectives of the program are:

- To support local development technical and finance projects that encourages productivity of organized or to be organized networks and that need support for commercialization plans, trade, businesses.
- To promote the development of micro productive and/or workable capacities of small production units, microindustrialists and small individual companies.
- To finance productive and technological assets of micro producers and microindustrialists.

#### **5. Bread Partner - Socio Pan**

It implements qualification processes and access to credit intended at small artisan bakers, for improving commercial establishment, techniques on bread elaboration and for better customer

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<sup>141</sup> Ministry of Development Coordination, (MCDS) <http://www.mcds.gov.ec> consulted on April 18, 2009

service. This allows increases of his economic incomes and improves his quality of life.

#### **6. Grocer's Partner - Socio Tienda**

This program seeks the improvement of the operational capacity and the grocery's, the pantries and small businesses income by granting training and microcredit. The beneficiaries of the program are natural persons who own a grocery with at least 6 months of operation. The program offers free training in microenterprise subjects such as administration, accounting, trade, prices to the registered groceries. Also, it offers options of microcredit through the National Bank of Promotion and through cooperatives and institutions that are part of the National System of Microfinance.

#### **7. Inclusive trade fairs - Ferias Inclusivas**

The Inclusive trade fair is an event where local State institutions or local governments present their demands for goods, products and services in a same enclosure, receiving the offers of young enterprising people, craftsmen, micro and small industrialists. The contracts are awarded in a frame of transparency and evaluation of the best offers after several days of technical attendance, training and support. The beneficiaries are craftsmen, micro and small producers of all branches or areas that wish to participate in this process of public purchases.

#### **8. Young partners - Socio Jóvenes**

The objective of the program is to generate opportunities of worthy work for young people through:

- Design of new schemes of financing to initiate new productive projects or to strengthen the existing activities
- Constant development of knowledge and competence in young people on the basis of training and technical assistance, offered by linked organisms like: local governments, Agencies of Enterprise Development, universities and NGOs
- The permanent search for tools that encourage young people to create their own business initiatives which will become source of income and work places.

#### **9. Employment partner - Socio Empleo**

The Employment Partner programme is in a starting phase and has as objective the improvement employment of high-priority groups through training, certification and promotion of employment, in the branches of construction, tourism, trade and others.

### **B. Socio país: Welfare for every one**

#### **1. Saving partner - Socio Ahorro**

The program, with the efforts of the National Government aims at maintaining stable prices and improving the purchasing capacity of the poorest population through a discount of 8%, until a quota of \$60, in food purchases or other products, with the exception of alcohol, tobacco and dangerous products in AKÍ, TIA and MI COMISARIATO.

The beneficiaries of the program are those which receive the Bond of Human Development; the program works at national level.

#### **2. Solidarity partner - Socio Solidario**

The program wants to contribute to the efforts of the National Government and maintain prices

stable and improve the purchase capacity of the poorest population. It is based on public-private cooperation, in which the private companies deliver to certain distribution channels (supermarkets and stores in neighbourhoods) less expensive quality products due to the saving in packing design, size, without harming the partners of the alliance.

### 3. Sowing partner - Socio Siembra

This programmes aims at boosting agricultural production and productivity of the country in small and medium agricultures, through support for the agro-chemical goods acquisition and other incentives for all those products that guarantee the nourishing security of the country.

Information about programs handled by Partner Country can be found on the Web site of the Ministry of Social Development Coordination:

[www.mcads.gov.ec](http://www.mcads.gov.ec)

#### 3.3.5.5. Special benefits for returnees

N/A (does not apply)

#### 3.3.6. Charity organisations with a general scope (services, contact information)

##### Health<sup>142</sup>

Organization	Service provided	Contact
Quito		
FEDAEPS	HIV/AIDS help, education and prevention	2556964
Centro de Orientación Familiar	HIV/AIDS	2526766
Acción Integral Comunitaria	HIV/AIDS, sex education	2550312
Fundación Cáncer		250 9891
Fundación Epilepsia		2245691
SOLCA Sociedad de Lucha contra el Cáncer	Prevention, diagnosis, treatment and palliative care for cancer patients	www.solca.med.ec

##### Food

Organization	Service provided	Contact
Quito		
Ejército de Salvación (Salvation Army)	Canteen for 40 under aged refugees	Mayor Alex Nesterenko
Centro Educativo Huntsville	Food assistance and education for displaced children	

<sup>142</sup> Data Base HIAS

**Emigration**

Name	Address	Telephone, fax and e-mail	Contact person	Field of activity
CAAS	General Aguirre No. 135 y 10 de Agosto. Ed. CRISCOLFA Of. 303	2505616 lcahuasquí@afsc.org	Lina Cahuasquí	Coordinates the “Mis Redes” network
Centro Segundo Montes Mozo		2543845-098220906- Fax:2543845 montesdh@andinanet.net	Pablo De La Vega	Documentation on human rights
Servicio Jesuita de Migrantes	Eustorgio Salgado No. 19-83 y Av. Universitaria	2247982, ext. 119 sjm@jesuitasecuador.org.ec	Pablo Araujo Landeta	Training, Case Management. Legal Assistance. Lobbying.
Defensoría del Pueblo. Dirección Nacional de Migraciones	Av. De La Prensa No. 54-97 y Jorge Piedra	3301439-3301839 Ext. 212	Lcdo. Camilo Restrepo	Legal Assessment and Assistance for Migrants.
ALER	Valladolid No.511 y Madrid	2524358 Fax:2503996 lucho@aler.org	Luis Dávila	Facilitates communication between migrants and their relatives
FEPP: Fondo Ecuatoriano Populorum Progressio.	Mallorca N24-275 y Coruña	2520408-2554741-2554744- 2529372 Fax.2504978 FEPP@fepp.org.ec	Mario Cadena Lorena Altamirano	Productive Projects.
Asociación de Familiares de Migrantes Rumiñahui	Jorge Washington E4-54 y Av. Amazonas	2520994 Fax: 2555671 asorumiñahui_ec2000@yahoo.com	Gloria Jiménez	Defends and promotes human rights of migrants and their families. Assistance.
Asociación de Migrantes Ecuador-Llactacarú	Alonso de Bastidas S 18-147 y Antonio de Carranza.	2841284-2626619 Llactacarú@yahoo.es	Patricio Carrillo	Acompañamiento. Defends human rights of migrants and their families.
Caritas Española	Ulloa 709 y Colón Edificio Caritas del Ecuador	3215931	Vicente Martínez Mónica Eguiguren	Representation and project coordination.
Casa Metropolitana del Migrante	Jorge Washington E4-54 y Av. Amazonas	2238145 Casa_migrante@andinanet.net	Hermel Mendoza.	Legal assistance to migrants and their families. Psychological support. Workshops.

143Interview with Mónica Herrera, Casa Metropolitana del Migrante, Inventario de instituciones que trabajan en el tema de emigración e inmigración, Quito, June 5, 2007.

	1er piso			
CAPLAES- Centro de Planificación y estudios sociales	Sarmiento N 39-198 entre Hogo Moncayo y Gaspar de Villarroel	2250659-2259498 Fax.2459417 ceplaes@andinanet.net	Gloria Camacho	Investigation on women and migration (rural and urban)
CORAPE- Coordinadora de Radios Populares	2901355-2523006 Fax:2523007	2901355-2523006 Fax: 2523007 Coraje@aler.org	Gissela Dávila	Communication. Programa “Callos y Guatitas”
FLACSO- Latin American Institute for Social Sciences	La Pradera E7-174 y Av. Diego de Almagro	2556855-2232029 Fax:2566139 gherrera@flacso.org.ec	Gioconda Herrera	Migration research (women and young people).
Parroquia Cristo Resucitado-Quito Sur	Cardenal De La Torre y Ajaví	2628455-2620445. Fax:2638244	Hna. Rosa Siguenza	Assistance for Migrant Families. Reflection.

### 3.3.7. Useful data to calculate the cost of living (price of petrol, basic food, etc.)

According to the Ecuadorian Institute of Statistics and Census (INEC)<sup>144</sup> the basic basket and vital family shopping basket, in the dollar economy, for a home of 4 members, with 1.60 receivers who gain exclusively the minimum wage, are constituted by around 75 goods of 299 that conform the article Basket (Goods and services), of the Prices Index for Consumers (IPC).

The goods in these analytical baskets are considered as essential to satisfy basic needs in: foods and drinks; household; clothing and miscellaneous

For March 2009, the basic food basket defined in November 1982, reached 519.90 USD, whereas the Vital food basket defined in January of the 2007, reached a 367,07 USD. These costs, against the Familiar Entrance per month 406,93 USD obtained with 1.60 minimum wage receivers, raise a restriction in consumption of 112,97 USD, this means 21,73% of the current cost of basic food basket; and, a recovery in the consumption of 39,86 USD, i.e 10,86% of the current cost of the Vital food basket.

Consequently, with their Familiar Budget, Urban Homes of Low Income could not acquire the basic food basket since the spending power of the family income was insufficient with 21.73%; but enough to get a recovery of 10.86% in the basic food basket .

The Consumer Price Index (CPI)<sup>145</sup> for March 2009 was 122.41. If compared with the Index of the previous month (121,09) the monthly inflation is 1.09%, in front of the index of March 2008 (113,93), the annual inflation ascends to 7.44%; and, the inflation<sup>146</sup> for the ongoing year is 2,28.

#### Additional information

For more information on living costs such as fuel, telecommunications (time needed for installation, basic rates, calling costs per minute), mobile phone services, monthly subscription rates, the Oficina de Información sobre el Retorno Voluntario<sup>147</sup> can provide answers to these specific questions.

144 INEC, Executive Report, March 2009.

145 The IPC is a cyclical economic indicator which measures the temporal evolution of the corresponding prices from goods and services consumed by all homes residing in the urban area of the country

146 Inflation, economic phenomenon which is evident in an incessant increase in the general level of prices.

147 Helpdesk Return: helpdesk@cri-project.eu

## 3.4. Health

### 3.4.1. General health situation by regions (epidemics, etc.)

There are no major health problems in the country.

Additional Information on this subject can be found in point [3.4.3.1. Health care infrastructure by regions (hospitals, equipment, etc.)].

According to the United Nations, Según las Naciones Unidas, the Total Fertility Rate maintained its downward trend between 2001 and 2005. It was 2.7 children per woman in 2005.

According to the INEC-CEPAL/CELADE, in 2005, the aging rate was 25% for (60+ adults/0-14 years) The life expectancy for the periods 1995-2000 and 2000-2005 rose for both sexes; from 72.3 to 74.2 years; 69.6 to 71.3 years for men and 75.1 to 77.2 for women.

#### Leading causes of death

In 2007, a total of 58,016 deaths were registered in the country, 6.1% were aged under one, and 51.9% were over 65 years old.

The five main causes of General Mortality of Ecuadorians are Mellitus Diabetes, cerebrovascular diseases, Hypertensive Diseases, Influenza and Pneumonia, and Ischemic Heart diseases. The first cause of masculine mortality is terrestrial transport accidents. The feminine mortality is primly due to Mellitus Diabetes. The main cause of registered infantile mortality in 2007, is the upheavals related to short duration of the gestation and low weight when being born, i.e. 14.0% of the total of infantile deaths.

Maternal mortality must be given special attention. It corresponds to deaths related with the reproductive behavior of women; in this sense, for 2007, 176 deaths were registered and caused in the periods of pregnancy, childbirth and postnatal, which sets the rate of maternal mortality at 90.2 deaths by 100,000 born alive children. In 2007, the main causes of maternal death were Eclampsia, the Postpartum Haemorrhage and the Gestational Hypertension (induced by pregnancy) with significantive proteinuria.

Deaths by regions with habitual residence reaches 48.0% in people residing in the Andes and 48.7%, in the Coast Region 2.9% in Amazonian, Insular Region 0.1%, Abroad 0.1% and 0,3% in the non limited Zones.

### 3.4.2. Drinking water and sanitation by regions; heating systems

In Ecuador, 55% of homes in the urban area and 17.5% in the rural area have public network water and permanent service.<sup>148</sup>

Although there is no data available on the quality of drinking water, according to the 2000 report by the Servicios de Agua Potable y Alcantarillado (Drinking Water and Sewer System Services), only 60% of water treatment systems in urban zones used disinfection; as for rural zones, chances were high that the overwhelming majority of the population received water that had not been disinfected.

Large inequalities exist when it comes to access to drinking water and sanitation - families with scarce resources are more likely not to have access to those services. Coverage by these services is also unequal - the country's coastal and eastern regions have worse infrastructure than the central mountain range, the Sierra.

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148 INEC, Survey about life conditions (ECV) 2005-2006, consulted on April 21<sup>st</sup>, 2009

In cities, the production of solid waste is 0,686 kg per day per inhabitant, or about 5,098 tons daily countrywide. Municipalities are responsible for hygiene services; they currently have a coverage rate of 83% in waste collection.<sup>149</sup>

### 3.4.3. Health care system (including psychological care)

In Ecuador, health is a right guaranteed by the State. The National Health System is composed by institutions, programs, policies, resources, action and actors in health; and its purpose is the development, the protection and the recovery of the capacities and potentialities for a healthful and integral life<sup>150</sup>.

The Free Maternity and Child Care Law strengthens the health care systems action for women, mothers, and children younger than five in order to reduce mother and infant death.

#### 3.4.3.1. Health care infrastructure by regions (hospitals, equipment, etc.)

##### Coverage for health care institutions or service providers

The estimated health care services coverage in Ecuador is, according to the Living Conditions Surveys (INEC-BM, 1995 and 1998), the Ministry of Public Health (MSP) on average 30% of inhabitants, the Social Security Institute (IESS) through General Coverage and Rural Social Security covers around 18% of the Armed Forces and around 2% of the Police, the Welfare Council of Guayaquil, the Sociedad de Lucha Contra el Cáncer (SOLCA) and NGOs estimate that they together cover 5% and that private services cover 20%, where as 25% of the population has no formal coverage and are basically poor, rural, spread-out populations in indigenous communities of central provinces, in the Amazon areas and in marginal urban slums.

##### Human Health Resources

During 2006, the total personnel who worked in health establishments reached 79.765. There are 19.299 Doctors according to its specialty; 13.923 Aids of Infirmary; 10.451 in Service Personnel and 7.499 Nurses, between the most important.

In 2006, the availability of Doctors working in Establishments of Private and Public Health in the Country is 14.4 doctors for 10,000 inhabitants. The provinces that show the highest rates, surpassing even the national rate, are as follows: Azuay 24.2; Pichincha 23.1; Loja 16.2 and Tungurahua 16.1. Whereas Galápagos with 4.5 and Orellana with 4.1 reach the lowest rates in the Country<sup>151</sup>.

The urban - rural distribution of health professionals presents a very unequal situation, between 85% and 92% of the human resources in health are located in the urban zone of the country<sup>152</sup>.

##### Rural-urban distribution of health professionals, Ecuador 2002

Professionals	Urban Zone	Rural Zone
Doctors	92%	8%
Dental Surgeons	95%	5%

149 Organización Panamericana de Salud. Situación de Salud, Ecuador 2006, pg. 146, November 2006, [http://www.opsecu.org/asis/situacion\\_salud.pdf](http://www.opsecu.org/asis/situacion_salud.pdf), visited on July 1, 2007.

150 Political Constitution of Ecuador 2008, Article 32, 358 and 359. Consulted on April 19<sup>th</sup>, 2009.

151 INEC, Social and Health statistics, Analytic report 2006, [http://www.inec.gov.ec/web/guest/ecu\\_est/reg\\_adm/est\\_sal/rec\\_act\\_sal](http://www.inec.gov.ec/web/guest/ecu_est/reg_adm/est_sal/rec_act_sal), consulted on April 2009.

152 Panamerican Organization of Health (OPS), Analysis of the situation and Health tendencies summary, [http://www.paho.org/Spanish/DD/AIS/cp\\_218.htm](http://www.paho.org/Spanish/DD/AIS/cp_218.htm), consulte don July 31st, 2007.

Nurses	93%	7%
Obstetrician	85%	15%
Administrative Personnel Statistics	98%	2%

Source: Sacoto, F., Stability and Remunerations, 2004

In 2006, according to the INEC, the rates of health professionals for 10,000 inhabitants are: Doctors: 14.4, Dental surgeons: 2.0, Psychologists: 0.3, Nurses: 5.6, Obstetricians: 1.1 and Aids of Infirmary: 10.4<sup>153</sup>

#### Infrastructure and composition of health establishments<sup>154</sup>

For 2006, in accordance with the distribution of the Health Establishments and according to the organization to which they belong, the Ministry of Health gathers the greater percentage of establishments With Internment and Without Hospitable Internment reaching 47.2% ; they are followed in importance by the Urban Social Security with 15.7% and the Private Sector with Profit aims with 13.1%.

In relation to the total of Establishments with Hospitable Internment, the Private Sector With profit aims represents the higher per cent participation with 68.8%, followed by the Ministry of Health with 19.2%. For the establishments Without Hospitable Internment, 53.6% belong to the Ministry of Health, followed by the Urban Social Security with 19.2%.

Out of all the establishments of health With Hospitable Internment registered in the Country, 26.6% correspond to the Public sector and 73.4% to the Private Sector. According to the Establishment Class, most of them are Private Clinics without Specialty, (454 correspond to this class).

In the Public Sector, there are mainly basic hospitals (45.1%) and General Hospitals (39.0%); the Specialized Hospitals correspond to 14.8% and those of Specialties to 1.1%. In the Private Sector, 90.6% are Private Clinics without Specialty and 9.4% are Specialized Clinics<sup>155</sup>.

#### Complementary Technical Services

The Instituto Nacional de Higiene y Medicina Tropical Leopoldo Izquieta Pérez (INHMT) in Ecuador is headquartered in the city of Guayaquil and has 33 laboratories nationwide and oversees 250 local laboratorios (in the 22 provinces of the country). Its fields of action are definitive diagnosis and epidemiological vigilance.

The National Blood Bank Network (Red Nacional de Bancos de Sangre) is made up of institutions in charge of processing and managing blood collected in the country.

Public and private radiology centers are subject to the regulations of the National Commission of Atomic Energy and the majority meet the protection and dissymmetry radiation security measures. Nevertheless, there are serious shortcomings in quality and rate controls.

#### 3.4.3.2. Eligibility criteria and access to health care services

The National Health Care System does not require residence time. Even though the National Health System is pointing towards eliminating exclusions and reducing inequalities in coverage and

153 INEC, [http://www.inec.gov.ec/web/guest/ecu\\_est/reg\\_adm/est\\_sal/not\\_sal4](http://www.inec.gov.ec/web/guest/ecu_est/reg_adm/est_sal/not_sal4), consulte don April 2009.

154 INEC, social and health statistics, Analytic Report 2006, [http://www.inec.gov.ec/web/guest/ecu\\_est/reg\\_adm/est\\_sal/rec\\_act\\_sal](http://www.inec.gov.ec/web/guest/ecu_est/reg_adm/est_sal/rec_act_sal), consulted on April 2009

155 INEC, Social and health statistics, Analytic Report 2006, [http://www.inec.gov.ec/web/guest/ecu\\_est/reg\\_adm/est\\_sal/rec\\_act\\_sal](http://www.inec.gov.ec/web/guest/ecu_est/reg_adm/est_sal/rec_act_sal), consulted on April 2009

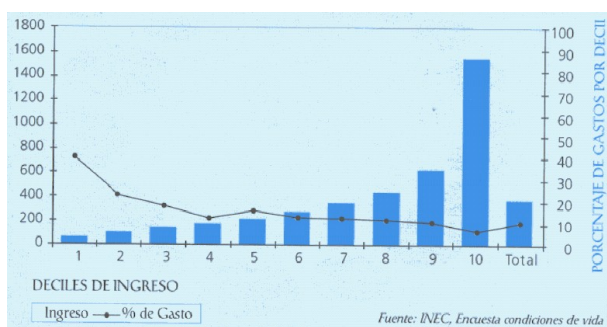
access to health services, the population with regular access to private and public health care is only 52%, whereas the population with some private or public health care insurance is barely 23% of the total population.<sup>156</sup>

### 3.4.3.3. Costs of healthcare (costs of treatment, medicaments, bribes for doctors)

According to the 1998 Living Conditions Survey, carried out by the INEC, the health care expenditure percentage is inversely proportional to income, meaning that the lower a family's income, the more they spend in health care services. This can be explained by families with less resources do not have access to services such as water and sewers and thus are more likely to be effected by diseases.

Out-of-pocket expenditure for health services as income percentage, according to Deciles.

Ecuador, 1998<sup>157</sup>



### 3.4.3.4. Discrimination in health care system (ethnic, religious, social, etc.)

[See point 4.4.3.2.]

### 3.4.3.5. Services of non-state agents in health care (international, NGO, church)

[See point 4.4.3.1]

### 3.4.3.6. Diseases which cannot be effectively treated in the country

There is no information available on this topic.

### 3.4.3.7. Supply with standard medicines

As far as medicines and supplies, the National Health Care System aims to guarantee a sufficient, timely availability of medicines, biomaterials, blood, components and blood products and medical products, with a certification of its quality, safety and effectiveness; as well as also to apply the relevant legal provisions to develop a national market of generic medications, promote national production and their obligatory use by public-sector institutions in accordance with the National Catalog of Basic Medicines and the Law on Production, Importation, Marketing and Issuing of Generic Medications for human use.

<sup>156</sup> Panamerican Organization of Health (Organización Panamericana de la Salud (OPS)), Resumen del Análisis de situación y tendencias de salud, [http://www.paho.org/Spanish/DD/AIS/cp\\_218.htm](http://www.paho.org/Spanish/DD/AIS/cp_218.htm), visited July 31, 2007.

<sup>157</sup> Panamerican Organization of Health (Organización Panamericana de la Salud (OPS)), Marco General de Reforma de la Salud en el Ecuador, pg. 15, octubre 2002, <http://www.opsecu.org/publicaciones/marco%20general.pdf>, accessed on July 31, 2007

Nevertheless, there are various problems related to availability, rational use, quality control and prices of medicines, with access being one of the most important and price one of the decisive variables.

In 2008, according to the Ministry of Public Health of Ecuador (MSP) the budget for health was duplicated compared to 2007, reaching an amount of 1,003 million dollars. The main investments were for infrastructure and equipment, medicines and input products, the incorporation of 4,563 new parties and the stabilization of 2,200 employees and workers. The investments were done in 35 projects of public health<sup>158</sup>.

9,386 products are listed in the Ecuadorian Public Health Authority register. Only 6,439 registered products, or 68.6% of the total number, are actually sold. Among those, 1,539, or 25.29%, are generic drugs.

The Ecuadorian pharmaceutical sector market maintains a constant growth; the sector invoiced USD 720 million in 2008. From 2000 to 2008 the growth was of 11% in average annually. Ecuador represents 2% of the Latin American pharmaceutical market.<sup>159</sup>

A policy of price control exists on pharmaceutical products of national production as well as on the price increases. These are reviewed and determined by the Ministry of Health in Ecuador<sup>160</sup>, "the average price for a medicine is USD 4.57".<sup>161</sup>

As for access to health, approximately 23% of the population has public or private health insurance benefits which guarantee medical cost coverage, but this does not include the majority of public health care users. It must be noted that 30 per cent of Ecuadorians do not have access to health services at all, and this situation is getting worse as prices keep rising.

A survey of the pharmaceutical industry by the daily El Comercio<sup>162</sup> showed that three types of drugs are sold in the country: imported drugs, locally produced drugs, and natural/traditional drugs. The price difference between generic and brand-name drugs is 3 to 1. Products which do not have any competitors on the market have an average price of USD 46, while the average price of all other products is USD 3.85. Although locally produced drugs are cheaper due to lower manufacturing costs, the problem with drug prices in Ecuador is that the country only has distributors and retailers due to multinational pharmaceutical companies moving to Columbia after Ecuador adopted the US dollar as its currency. Moreover, no pharmaceutical research is done in Ecuador, so local production of generic drugs remains minimal.

The Ecuadorian medicine market includes innovative and non-innovative brand-name and generic medications. During the 1998-2003 period, the sale in brand-name unities (innovative), brand-name medications (non-innovative), generic medications increased by 0.5%; 34.6% and 217.0% respectively, whereas the recorded price increases were 20.4%; 63.0% and 153.9%.

This shows the growing importance of generic medications, in the last years in the Ecuadorian pharmaceutical market.

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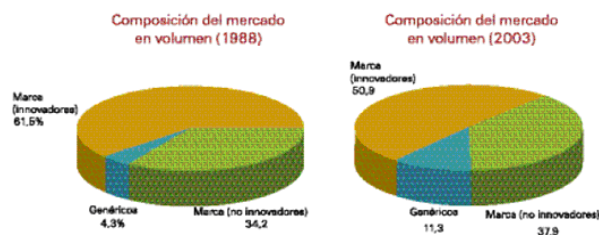
158 Ministry of Public Health, [http://www.msp.gov.ec/index.php?option=com\\_content&task=view&id=443](http://www.msp.gov.ec/index.php?option=com_content&task=view&id=443), consulted on April, 2009.

159 Líderes Magazine, <http://www.revistalideres.ec/2009-03-23/Mercados/Noticia-Principal/LD090323P18MERCADOS.aspx>, consulte don April 2009

160 Virtual Library in Vaccines, <http://www.bvv.sld.cu/mer/?pg=instinfo&id=79>, consulted oApril 19th, 2009

161 Líderes Magazine, <http://www.revistalideres.ec/2009-03-23/Mercados/Noticia-Principal/LD090323P18MERCADOS.aspx>, consulted on April 19<sup>th</sup>, 2009.

162 s/a, El fármaco nacional cubre el 15% del consumo interno, El Comercio, s/pg., s/f, [http://www.elcomercio.com/noticiaEC.asp?id\\_noticia=122929&id\\_seccion=8](http://www.elcomercio.com/noticiaEC.asp?id_noticia=122929&id_seccion=8), visited on July 12, 2007.



### Programs of health assistance from the Government<sup>163</sup>

Free maternity and Attention in Childhood: It is an instrument for the exercise of the sexual and reproductive rights of all the women, and of the health rights of children and children under the age of 5 in Ecuador, protected in the current Constitution.

The Free Maternity and Attention in Childhood Law is an attempt to overcome the economic barrier of access to health when financing medicines, micro nutrients (vitamins), medical goods and of laboratory, blood and its components, for benefits of sexual and reproductive health and infantile health without cost for users as in all the health units of the Ministry of Public Health of the country.

Program of integral Attention of the Adult and the Elder: The MSP is working on the proposal of care to the adult and the elder, under three pillars: participation, health and security. It is supported by the recommended political frame of PAHO/WHO.

Intercultural health: The aim of this program is to promote the recognition of knowledge and practice of traditional medicine in the political, cultural, academic and institutional fields. It has been considered to execute plans, projects and programs of recovery, development, diffusion, of the traditional medicine, knowledge of nationalities towns and communities, with direct participation of the beneficiaries.

[www.msp.gov.ec](http://www.msp.gov.ec)

## 4 Human Rights

The Article 35 of the new Constitution specifically mentions the rights of the people and groups of high-priority attention. “Adults, children, and adolescents, pregnant women, with incapacities, people deprived of freedom and those suffering from serious or complicated diseases, will receive priority and specialized attention in the public and private fields. The same priority will be given to people in risk situation, victims of domestic and sexual violence, victims of child abuse, natural or anthropogenic disasters. The State will provide special care to people in condition of double vulnerability.”

<sup>163</sup> Ministry of Public Health, [www.msp.gov.ec](http://www.msp.gov.ec), consulted on April 21<sup>st</sup>, 2009

## 4.1. Conceptualization of the concept “persons and groups of priority attention

### 4.1.1 Definition by the Documentation Center on Human Rights “Segundo Montes Mozo S.j.” (CSMM):

“We all are vulnerable. Vulnerability is an intrinsic part of human beings and, it demonstrate itself in different fields of life, or by different physical capacities or socio-economic condition, any of them, or even both, impose inequality in social interaction.

However, beyond that, another type of “artificial” vulnerability can be appreciated, in other words, “constructed” by the own human being. This is the vulnerability that comes from Law. It is known that the legal order of the State often generates imbalance or disadvantage positions, and therefore make determined groups more vulnerable by means of established rules and norms. Nevertheless, fundamental rights violation of human beings can be prevented or repaired through the legal part.

The right implied by the legal order of the State, must serve as the unique instrument to suitably channel demands of society and treat them correctly. Only the right of the State can be claimed by the inhabitants for attention to their demands; only the content of laws can be alleged to put an end to the population sufferings. The valid appeal to another type of arguments is impossible where law is treated tangentially.

For that reason the current work will focus on this to deal with the issues encountered by groups of women, man and elderly people in vulnerable situation.”

### 4.1.2. Definition by the Hebrew Immigrants Aid Society (HIAS)

“Any situation that makes life conditions difficult, not only for survival, of the population that we take care of.

We start by acknowledging that human condition is precarious, fragile and always depends on the others as well as the legal, economic, cultural, environmental, political and historical environment we live in. It is on this precarious ground that we provide humanitarian assistance in all the programs.

Then, indirectly, we the professional team, psychologists, social workers, warehousemen, guard, etc., participated in a vulnerable condition. And the direct victims of violence, applicants and refugees, went through a situation of aggravated vulnerability, sometimes victims of torture, much more extreme.

However the vulnerability situations have different degrees of seriousness and this implies, differentiated actions to guarantee the objectivity of the programs, implying the collaboration with the refugees so that they retake a worthy and independent life and can repair whenever possible, since there are irreparable damages, their suffering, its wounds and their deficiencies. In order to evaluate the different degrees of vulnerability, it is important to keep in mind three determinants:

- The objective situation, qualified according to three established categories that permanently will be reviewed or fit, and that have been stipulated on the base of the evident thing, or own of the common sense and the accumulated experience. On the basis of how we have defined the risk that determines the collaboration and participation degrees in the process of autonomy that our population fix.

- The observation of the inhibited potentialities, or repressed or destroyed but that is recoverable of people who we take care of and of the existence of other actors near them, familiar, friendly, companions, etc. This would determine our degree of intervention, as well as the way to harness and fit our attention in the decided process or agreement with the refugee or applicant.
- The renewed capacity to think, to study, to review the experience, of professionals who conform with HIAS, and the dynamics that each team can create on the base of the raised ethics.

From the encounter of these three variables the different stipulated categories arise finally and inevitably. Simultaneously they demarcate his necessity of redefinition after a time, always open, to redefine in each praxis that is, open to the singularity. And this encounter helps us define what is more or less serious”.

## 4.2. Women

### 4.2.1. Special forms of support available for women in a vulnerable situation

#### 4.2.1.1 Legal regulation concerning discrimination

In Ecuador, discrimination towards women is framed in the system of values established in our society. Religion mainly has formulated the content of this system, with a public position of “disadvantage” with respect to man. Historically the role taken by women was exclusively linked to private space (family) whereas the man’s role was linked with public life.

To take down all to this apparatus around roles and competences of each gender and to obtain fairness in all the processes of social, economic, cultural interaction and, especially legal has required both world-wide and national actions.

On the national scene, debates have been conducted and agreed upon for the approval of special laws taking into account the spirit of equality of rights anticipated in the Constitution that, to care for vulnerable groups, among them women, and protects them from possible risks to which they can be exposed, through “affirmative action”.

For that reason there are social economic and political laws:

In the group of Social Laws<sup>164</sup> one finds the following groups of rights:

- Right to a life free of violence
- Right to Peace
- Right to justice
- Sexual and reproductive Rights

On the matter we found:

- Law against violence to the woman and the family
- Statutory law of Health
- Law of rights and shelter to the patient

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<sup>164</sup> See: <http://www.conamu.gov.ec/CONAMU/portal/main.do?sectionCode=145>. Consulted on April 14th, 2008.

- Law of Gratuitous Maternity

In the group of Economic Laws<sup>165</sup> one finds the following groups of rights:

- Economic rights
- Environmental rights
- Labour rights
- Rights to the access of the financial resources and non finances

Against this background, the most excellent instrument is the Law of Labour Protection of the Woman<sup>166</sup>.

Finally in the group of Political Laws<sup>167</sup> one finds the following groups of rights:

- Social and Political Participation
- Exercise of the Citizenship
- Democratic governability

And laws that protect the performance of the referred right are:

- Law of Elections
- Law of Education for the Democracy

To put in a nutshell, “the process of reforms to the Political Constitution of Ecuador with fairness approach formally goes back to the Constituent National Assembly of 1998, that managed to introduce constitutional reforms in favour of women, as well as the recognition of their rights mainly in equality and soon in gratitude for norms to eliminate the different forms of discrimination from the legal ordering and the daily life”<sup>168</sup>.

Nevertheless, the new Constitution of the Republic of Ecuador, I force since its publication in the official register No 449, on October 22 2008 claims within its fundamental principles that “ the State will formulate and execute policies to achieve equality between women and men, through the specialised mechanism in accordance with the law, and will include the gender approach in plans and programmes, and will provide technical assistance for its mandatory application in the public sector.”<sup>169</sup>

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165 See: <http://www.conamu.gov.ec/CONAMU/portal/main.do?sectionCode=146>, consulted on April 14, 2008.

166 The Political Constitution of Ecuador, demands to guarantee woman rights equity with the mand at work, and pretends to eliminate the su employment and unemployment; and the educational degree obtained by the Ecuadorian woman qualifies her to participate under the same conditions of a man in all the productive activities and contributes more and more on the enlargementof the country.

167 See: <http://www.conamu.gov.ec/CONAMU/portal/main.do?sectionCode=147>, consulted on April 17th, 2008.

168 See: <http://www.conamu.gov.ec/CONAMU/portal/main.do?sectionCode=30>, consulted on April 4th, 2008.

169 Chapter VI. Rights to liberty, article 70. Consulted on dicember 10<sup>th</sup>, 2008.

#### 4.2.1.2. Socio-political-economic insertion, social protection and practice

The national fight for an effective insertion of women dates back to 30 years ago, in a process of interaction between the State, the civil society and the women organizations who have the problem on the national panorama have obtained important results in the matter of fairness and inclusion in spaces once limited and restricted.

By the establishment of women rights in the Constitution, legal instruments have been approved that they looked for its effective insertion in the public life, and “with Executive Decree N° 1207-A, of March 9th, 2006, published in the Official Registry N° 234, of March 22nd, 2006, is adopted to the Plan of Equality of Opportunity-PIO<sup>170</sup>, like Policy of State made by the National Council of Women (CONAMU), and contemplates the following attachment lines”<sup>171</sup>:

- Promotion and protection of the social and political participation, the exercise of the women citizenship and the democratic governability;
- Promotion and protection of the rights to a life free of violence, to peace, to health, sexual and reproductive rights and the access to justice;
- Promotion and protection of the cultural, intercultural rights, to the education, quality of life and autonomy; and,
- Promotion and protection of the economic, environmental rights, to the work and the access to financial resources and non finances.

These PIO actions are governed and derive from the group of rights and indicated laws previously mentioned.

However, women still have to face several issues: physical, sexual and psychological violence at ways to face it<sup>172</sup>

In Ecuador, 6 out of 10 women are victims of some kind of violence (CONAMU).

The police stations of women of the country welcome around 500 daily denunciations of physical, psychological or sexual violence, out of which 97% are young women and girls (CONAMU).

The intra-family violence (VIF) is another important manifestation of violence as much in itself as in the effects of generation of other types of violence (for example: youthful violence, homicides). According to a national survey performed in 1999, 12% of women between 15 and 49 years of age in a relationship had undergone physical aggression from their partner in the last 12 months. More than 53% of young men were victims of physical aggression from their parents as a kind of punishment, whereas 46,4% of young girls were victims of violence (CONAMU).

A sample of 59 cases analyzed within the Project Fortification of the rights to the women free from violence showed that in the period of August to December of 2004 the following types of crimes have been registered: represented violation 64% of cases, followed of the crime of attack against the modesty that represents 13.5% and of sexual harassment that represents 6,8%.

In order to denounce any type of aggression or violence, the people can approach the Police station of women and the family close to their residence<sup>173</sup>:

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170 The Plan of Equal Opportunities (PIO) is a techno-political instrument of planning for action in gender, that collect the women problems and performs public political proposals

171 <http://www.conamu.gov.ec/CONAMU/portal/main.do;jsessionid=73A43181E6CEF6CC0CB46462859EC479?sectionCode=19>. Consulted on April 11th, 2008.

172 See: <http://www.conamu.gov.ec>, How to denounce the intra familiar or sexual violences. Consulted on July 20th, 2008.

173 See: <http://www.mingobierno.gov.ec/dncmf1.html>, Consulted on July 20th, 2008.

PROVINCE	CANTON	ADRESS	TELEPHONE
AZUAY	CUENCA	Benigno Malo street, between Sangurima and Vega Muñoz, Edif. Police Intendence.	(07) 2 846 607
BOLÍVAR	GUARANDA	Sucre Street and García Moreno, building Gobernación	(03) 2 983 787
CA-AR	AZOGUES	Bolívar Street, between Solano and Serrano, Builging Gobernación	(07) 2 248 273
CARCHI	TULCÁN	Sucre Street and Ayacucho, Building Gobernación	(06) 2 980 773
CHIMBORAZO	RIOBAMBA	Primera Constituyente Street and 5 de Junio 2223, Building Gobernación	(03) 2 946 359
EL ORO	MACHALA	Rocafuerte between Guayas and Ayacucho, building Gobernación	(07) 2 936 323
ESMERALDAS	ESMERALDAS	Bolívar Street and Cañizares, Building Gobernación	(06) 2 721 451
		Bolívar Street and Cañizares, Building Gobernación	(06) 2 721 451
GUAYAS	GUAYAQUIL	Malecón between Aguirre and Pichincha Pascuales Buidling Gobernación of Guayas	(04) 2 322 629 (04) 2 322 686
	MILAGRO	Vargas Torres and García Moreno-Casa Comunal de Milagro (In front of thr cementry)	
IMBABURA	IBARRA	Flores street and Bolívar, Building El Torreón, 2nd. Floor	(06) 2 604000
	OTAVALO	García Moreno street 743 and Modesto Jaramillo	(06) 2 920 767
LOJA	LOJA	10 de Agosto street and Bolívar, Pentral Park, Building Gobernación	(07) 2 570 270
LOS RÍOS	BABAHOYO	General Barona betwee Sucre and Bolívar, building Gobernación	(05) 2 737 328
	QUEVEDO	7 de Octubre Av. and Primera, Building Saltos Ahón	(05) 2 750 026 Inspectoría de Trabajo
MANABÍ	PORTOVIEJO	Sucre betwee Olmedo and Ricaurte, Building Gobernación	(05) 2 636 788

	MANTA		
PASTAZA	PASTAZA	Atahualpa and 10 de Agosto 323	(03) 2 885 423
PICHINCHA	QUITO	Lorenzo Meza No Oe5A street, between Mariscal Sucre Av. and Francisco Atahualpa. (Centro de Equidad and Justicia- Quitumbe),	(02) 3 652 435 Ext.215,216,219,221
		Loja street y Guayaquil	(02) 2 284 016/ 021 Ext. 209 o 213
		Centro Metropolitano de Equidad y Justicia: Av. La Prensa y Luis Tufiño	(02) 2 291 855/ 430
	RUMI-AHUI		022336376
SANTO DOMINGO DE LOS TSÁCHILAS	SANTO DOMINGO	Patronato Municipal de Amparo Social Tsachila, Cooperativa Cadmo Zambrano, Tarqui street (diagonal to the Firemen Body)	(02) 2 742 859
TUNGURAHUA	AMBATO	Sucre y Castillo, Building of the Gobernación, 3rd. Floor	(03) 2 821 415
ZAMORA CHINCHIPE	YANTZAZA	Central Park of Yantzaza	(07) 2 300 169
ORELLANA	ORELLANA	Integral Center Jambi Huasi: Padre Camilo Torreano and Esmeraldas	((06) 2 882 313

The judgment of the violations established in the Law Against the Violence to the Woman and the Family corresponds to Commissioners of the Woman and the Family, and where this authority to Governors of Police, Assistant superintendents, Captains of Political Policy and Deputies does not exist, who exist at national level.

The competence will be determined by the place where the infraction was committed or the address of the victim.

These spaces of justice administration have the obligation:

- To welcome a denunciation or demands by intra-family violence
- To grant immediate protection measures that the case deserves and refers:
  1. To grant the aid tickets that will be necessary to the woman or other members of the familiar nucleus;
  2. To order the exit of the aggressor from the house, if the coexistence implies a risk for the physical security, psychic or the sexual freedom of the family;
  3. To impose the aggressor with prohibition to approach the attacked one in its place of work, or study;
  4. To prohibit or to restrict to the aggressor the access to the done violence to person;
  5. To prevent the aggressor, himself or through a third person, to perform actions of persecution or intimidation to the victim or some member of his family;

6. To reinstate the attacked person with the simultaneous exit of the aggressor, when living in a common house, preventing him from taking family equipment ;
7. To grant the custody of the minor or incapable victim to a suitable person being according to the article N° 107, rule 6<sup>a</sup> of the Civil Code and the dispositions of the Code of the Childhood and Adolescence; and,
8. To order the treatment to the minor parts and children must be put under, if it will be the case.

**Promotion and protection of the economic, environmental, labour rights and the access to financial and non-financial resources:**

We find that in the field of occupational category, the main activity of women is domestic work (95%); and in the one of the participation in the productive activity (Population Economically Active), in the men it is of 70%, whereas in the women 47%, this cause that in the complement of the PEA the women are in a high percentage in not remunerated domestic workings (47%) and that participation of the men in this activity is minimum (2%)<sup>174</sup>.

On this subject, the National Government is promoting the Program of Social Protection (Bond of Human Development) assigned to the Ministry of Economic Inclusion and Social (MIES). It accompanies and it attends all the human groups of Ecuador who are in a vulnerable situation or that “have been vulnerable”, by means of monthly money transfer.

**The programme aims at guaranteeing the rights of these social groups, among them mothers, female leaders of family with young children/and adolescent juniors (among 0 and 16 years), adults majors and people with incapacity<sup>175</sup>.**

Also, the Government counts on specific programmes for the micro enterprise area for example, with the Program of Protection in common Productive Credit<sup>176</sup>.

The potential beneficiaries of this Program must fulfil the following requirements:

- To be beneficiary of the Bond of Human Development (BDH), or to be located in quintiles 1, 2 and 3 of the data base of SELBEN (System of Identification and Selection of Beneficiaries of the Social Programs)<sup>177</sup>. Quintiles 1 and 2 correspond to mothers of family, disabled and adult majors. Quintile 3 includes elder<sup>178</sup>.
- Resident of parishes with incidence of poverty of greater than 80% according to the SIISE.
- To fulfil the other requirements, required by the Operator of Credit.

Note: The Operators of Credit differ following the location of the beneficiary.

CITY	OPERATOR ´S NAME	ADDRESS	TELEPHONE
QUITO	Mutualista Imbabura	Building Centro Comercial	022920253

174 SISE - INEC - Integrated system of Home surveys, Employment module. November 2003. Consulted on April 13th, 2008.

175 See: <http://www.pps.gov.ec/PPS/PPS/QuienesSomos.aspx>. Consulted on April 14th, 2008.

176 The Program Credit Supportive Productive’s aim is to dynamise the vulnerable groups economy in the country by the incorporation of the population of extreme poverty into sustainable productive processes of small business nature, which generates self-employment and makes possible the gradual increase of incomes in the family, by offering two lines of microcredit: the Human Development Credit and the Supportive Productive Credit. See: <http://www.pps.gov.ec/PPS/PPS/QuienesSomos.aspx> , Consulted on April 14<sup>th</sup>, 2008.

177 Information: Telephone: 1-800-276246

178 Information: [www.siise.gov.ec](http://www.siise.gov.ec). Telephones. 022-200109/ 022-200224.

		Naciones Unidas - CCNU, frist floor.	
	Commerce chamber of Quito	Pasaje Espejo 949 and Venezuela. Vaca Mall.	022284389
	Commerce chamber of Quito	La Prensa 41 - 157 Av. and Jorge Páez. Barrio La Concepción.	022267229
AMBATO	Cooperative CAPCET	Calle Castillo and Rocafuerte esquina.	032825611
	Ambato	Juan Benigno Vela 509 and Lalama	032420544
	1ero de Julio	Road to Guaranda, in front of the mMercado Central	032411961
	UNATEMAT	El Cóndor Av. and Paita, in front to PLUMOSA	No registrado
	Amazonas	Atahualpa Street and Jacinto Dávila corner.	032888826

Procedure for beneficiaries:

- To approach the operator and to ask for the credit, explaining the amount, the duration and the purpose.
- To provide the operator will all requested documents.
- If the operator decided to grant the credit to the beneficiary he receives it under the conditions that the operator determines (interest rate, term, mode of payment, guarantees).
- To pay the granted credit<sup>179</sup>.

In addition, the National Council of Women (CONAMU)<sup>180</sup>, governing organism of the public policies, has the Plan of Equality of Opportunities (PIO) on its political Agenda which also allows formulation, evaluation and monitoring of action and practices that the respective Ministries must execute. However, “the existence of political will and civil society is extremely important in order to have access and benefit from the fundamental rights”<sup>181</sup>, and it is therefore a bidirectional question between the State and the society.

In the country’s present context, through the intervention of the Constituent Assembly, there is a project involving a new Magna Charta, which will be an opportunity to make radical changes and treat subjects such as justice, diversity, equality and non discrimination between women and men, like principles and rights cross that ties with all the national subjects<sup>182</sup>. Therefore, the purpose is that demands rise to the rank of Public Policy, and the important advances up to here have occurred in subjects of economic rights. For example, with the recognition of the non remunerated jobs such as the domestic work, and the care of children and adults majors, that did

179 See: <http://www.pps.gov.ec/PPS/PPS/CPS/INF/RequisitosCreditoProductivo.aspx>. Consulted on July, 2008.

180 Information: Telephones: 022-556518 / 022-238830. Address: Pasaje Donoso N32-33 and Whympet. [www.conamu.gov.ec](http://www.conamu.gov.ec)

181 Interview with Atty. Priscilla Cabrera, Aid Worker of the Spanish Cooperation Agency (AECI) in the CONAMU, Specialist in gender, migrations and international cooperation (Quito, June 6th, 2008).

182 CONAMU. Agenda of the women for the new Ecuadorian constitution

not have recognized monetary value the State will guarantee them the security and social attendance.

#### - **Abortion**

A large controversy arose During the writing of the new political Constitution as well as its conclusion.<sup>183</sup>. Conservative groups, including the ecclesiastical hierarchy of the Catholic Church and other evangelical Christian groups rejected the proposals of the new constitutional text.

Finally, the new Constitution text mentioned the following:

Article 45: “Boys, Girls and adolescents will enjoy the common rights of the human being, besides the specific ones of their age. The State will recognize and guarantee the life, including the care and protection since birth”<sup>184</sup>.

The Article 66 recognizes and guarantees “ the right to take free, responsible and informed decisions regarding one’s health and reproductive life and decide when one wants children and how many. ”<sup>185</sup>

#### - **Sexual orientation (valid for women and men)**

The new Political Constitution mentions:

“All the people are equal and enjoy the same rights, duties and opportunities.

Nobody can be discriminated on the basis of ethnic group, birthplace, age, sex, identity of sort, cultural identity, civil state, language, religion, ideology, political connection, judicial past, socio-economic condition, migratory condition, sexual orientation, state of health, HIV, incapacity, physical difference; nor by any other distinction, collective personnel or, temporary or permanent, which intends to reduce or to annul the recognition, or the exercise of the rights. The law will sanction all forms of discrimination.

The State will adopt measures of affirmative action that promote real equality in favour of the holders of rights that are in an inequality situation”<sup>186</sup>.

The discrimination towards people of different sexual direction in the country continues being a common practice in the Ecuadorian society and the debate and homophobia is discussed in the project of new Political Constitution, and the recognition to “the diverse types of family”. Corroborating with the indicated thing, in agreement with a study of public opinion, carrying out for the newspaper El Telegrafo, in 820 homes of the Coast and Andes of the country, 67% of the population disagree with the union of homosexual couples and 77% are against their marriage<sup>187</sup>.

In the new Constitution ; « The family and its various types is recognized. The State will protect it as an important part of the society and will guarantee conditions in favour of fully achieving the goals. These will be applied by legal actions based on equality rights and opportunities”<sup>188</sup>.

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183 [http://www.tse.gov.ec/documentos/convocatoria\\_referendum\\_aprobatorio.pdf](http://www.tse.gov.ec/documentos/convocatoria_referendum_aprobatorio.pdf)[http://www.tse.gov.ec/documentos/convocatoria\\_referendum\\_aprobatorio.pdf](http://www.tse.gov.ec/documentos/convocatoria_referendum_aprobatorio.pdf)

184 Chapter III. Rights of the persons and groups of priority attention. Section children and adolescents, article 45, 5th section: children and adolescents, article 45. Consulted on 10th december 2008

185 Chapter VI. Rights to liberty, article 66, numeral 10. Consulted on 10th december 2008

186 Title II. Rights. Chapter First. Application principles of rights, article 11.

187 <http://www.telegrafo.com.ec/diversidad/noticia/archive/diversidad/2008/06/24/Intolerancia-a-gays-es-visible-en-Ecuador-.aspx>, consulted on July 18th, 2008

188 Chapter VI. Rights to liberty, article 67. Consulted on 10th december 2008

## 4.3 Men

### 4.3.1. Military service

The new Constitution establishes the military service as voluntary. It will be carried out with respect to the diversity and rights and will be accompanied with an alternative possibility in various fields helping the individual development and the well-being of the society. Those participating in this service will not face high military risks.

All forms of forced recruitment are prohibited. .<sup>189</sup>

## 4.4. Children

### 4.4.1. Girls, boys and adolescents

For the Ecuadorian State, “A Boy or a Girl is anyone who has not turned twelve years of age”, and “Adolescent is either a boy or a girl between twelve and eighteen years of age”<sup>190</sup>.

The girls, boys and adolescents are subject to rights and guarantees like all the other citizens in Ecuador; nevertheless, the Code of Childhood and Adolescence determines the specific rights according to their age, among them we have:

#### **The survival right**

1. Right to life from birth. The State, the society and the family must guarantee for survival and development.
2. Right to know the family and to maintain relations with them.
3. Right to have a family and to the familiar coexistence.
4. Right to the prenatal protection
5. Right to the maternal lactation. Right to the free attention in the pregnancy and the childbirth
6. Right to a worthy life, necessary socio-economic conditions for its integral development.
7. Right to health (physical, mental, psychological and sexual)<sup>191</sup>.

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189 Political Constitution of Ecuador 2008. Third section, Armed Forces and National Police. Art.161.  
Consulted on may 8th 2009

190 Code of Childhood and adolescence, article 4.

191 Health right involves:

- Free access to the programs and action of public health, to an appropriate feeding and a healthy environment;
- Permanent and uninterrupted access to services of public health, for prevention, treatment of diseases and health rehabilitation. The health public services are free for girls, boys and adolescents who need them;
- Access to free medicine for girls, boys and adolescents who need them;
- Immediate and efficient access to the medical emergency services, private or public;
- Information concerning health state, according to the evaluative level of the child or adolescent.
- Information and education about the basic principles of health prevention, environment cleaning-up, first auxiliaries;
- Attention with procedures and resources of alternative and traditional medicines.
- Living and developing in a stable and affective environment which allow them an appropriate emotional development.,

8. Right to social security
9. Right to a healthy environment

### **Rights related to Development**

1. Right to the identity (especially to a name, nationality and its relations of family).
2. Right to cultural identity
3. Right to identification
4. Right to education<sup>192</sup>
5. Right to cultural life
6. Right to information
7. Right to the reserve information on criminal records; the adolescents who have been put under a process of deprivation of their freedom, have right to keep their police and judicial antecedents private.
8. Rights of the children, special children and adolescents with incapacities or needs.
9. Rights of children of people deprived from their freedom to the protection and assistance of the State.
10. Right to special protection in case of armed disasters and conflicts.
11. Right of boys, girls and adolescents to receive a protection and humanitarian attendance.

### **Rights of Participation**

1. Right to freedom of expression.
2. Right to be consulted in all the subjects that affect them.
3. Right to freedom of thought, religion bringing back to consciousness
4. Right to the freedom of public meeting and pacifically for the promotion, defence and exercise of its rights and guarantees.

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- the access to services that strength the affective link between the child and their parents ; and
  - Te right of the mothers to receive appropriate prenatal and postnatal medical care.

192 The right to education involves the State through the educative system:

- Guarantees the access and permanence of every child to the basic education as well as of the adolescent until the high school diploma or its equivalent;
- Respects the cultures and specificities of each region and place;
- Considers flexible and alternative educational proposals to keep the necessities of children and adolescents, with priority to those with disabilities, who work or live in a situation requiring a major opportunity to learn.
- Guarantees that children and adolescents have teachers, didactic materials, laboratories, places, installations and appropriate resources and a goo environment for learning. This right includes the effective access to initial education form cero to five years; therefore, flexible and open programs will be developed, appropriate for the cultural need of the students.
- That respects the ethnic, moral and religious convictions of the parents and of the children and adolescents.

Public education is secular at all its levels, obligatory until the tenth basic education year and free until the high school degree or its equivalent.

## 5. Right of free association.

It is to observe then, that the Right of boys, girls and adolescents contemplates and includes the Universal Declaration of the Rights of Children and Adolescents approved in the Convention of the United Nations.

The new Constitution contemplates that “the State, the society and the family will promote in priority the entire development of boys, girls and adolescents, and will assure the total exercise of their rights.

The girls, boys and adolescents will have right to their entire development, understood like process of growth, maturation and unfold of their intellect and its capacities, potentialities and aspirations, in familiar, scholastic, social and communitarian surroundings of affectivity and security.

This will allow the satisfaction of its social, affective-emotional and cultural needs, with the support of national and local inter-sector policies”<sup>193</sup>.

Moreover, the new Constitution establishes that life, care and protection of boys, girls and adolescents is guaranteed from the conception.

Additionally, according to Article 46 of the Constitution “the State will adopt, among others, the following measures that guarantee boys, girls and adolescents with:

➤Care to minors aged under, which guarantees its nutrition, health, education, daily care in the frame of the protection of their rights.

➤Special protection against any type of labour or economic operation. The work of minors under the age of fifteen is prohibited, and progressive eradication of the infantile work will be implemented. The work of adolescents will be exceptional and will not violate their right to education nor be performed in dangerous situations for their health or personal development. Their work or any other activity not violating their training or personal development will be respected, and endorsed.

➤Special care for the social integration of those with incapacities. The State will guarantee their incorporation in the system of regular education and society.

➤Protection and care against all type of violence, mistreat, sexual operation or of any other nature, or against the negligence that brings about such situations.

➤Prevention against the use of narcotics or drugs and the consumption of spirits and other harmful substances for their health and development.

➤Priority care in case of disasters, armed conflicts and all type of emergencies.

➤Protection against the influence of programs or messages, spread through any means, that promote violence, or racial or gender discrimination. The public policies of communication will prioritize their education and the respect to their rights of image, integrity and the other specific ones regarding their age. Limitations and sanctions will be put in place to make effective these rights.

➤Special protection and assistance when either of the parent, or both, are deprived of their freedom.

➤Protection, care and special assistance when they suffer from chronic or degenerative diseases.

All this must implemented both in the normative and in the institutional.

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<sup>193</sup> Political Constitution of Ecuador 2008, Article 44.

#### 4.4.1.1. Special risks faced by children in general

In Ecuador the "Code of childhood and adolescence" established the obligation to define and to approve a Policy of Integral Protection and a new institutional legal frame, of decentralized and participating character National: the National Decentralized System for the Entire Protection to Childhood and Adolescence - SNDPINA; nevertheless, in a study performed by the National Council of Childhood and Adolescence<sup>194</sup> regarding violation of the rights of boys, girls and adolescents the following problems were observed :

In relation to the compliance of the Right of Survival:

- The cover of the prenatal control of the Ministry of Public Health (MSP) reaches 71,9%;
- The professional assistance during the childbirth reaches 85,6% from cases;
- The pregnancy of adolescents reaches 8.7%
- 6 children out of a thousand born alive die before turning 28 days;
- 18 boys and girls die every day in Ecuador.
- The Ecuadorian mothers give milk to their children for an average of 4,19 months;
- 8,6% of the childhood suffer of global undernourishment;
- 6,3% of the childhood have severe chronic undernourishment;
- 7.03% of boys and girls are born with low weight;
- Only 39.5% of women asking for nutritional complements receive them;
- Only 1 '507.969 of boys, girls and adolescents receive foods of nutritional programs.

In relation to the fulfilment of the Right to the Development:

- The coverage of the programs of Infantile Development (ORI, FODI, DAINA, INNFA) reaches 411,444 children and smaller children of five years in poverty situation;
- 8.87% of the children aged under 5 are in initial education.
- 45.5% of the boys and girls of 5 years are in the first year of basic education;
- The rate of matriculation in the basic education is of 90.88%;
- 48.34% of adolescents are in secondary education or baccalaureate;
- It is not counted on information of boys, girls or adolescents of quintiles 1 and 2 of poverty that have access to free scholastic and uniform texts;
- 7,5% of working adolescents do not study;
- There is no information regarding boys, girls and adolescents with incapacities who do not participate in the Regular Educative System.

In relation to the fulfilment of the Right to the Protection:

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<sup>194</sup> National Council of Childhood and Adolescence, Social Agenda of childhood and adolescent 2007 - 2010, Together for the Equity from the Life beginning, October 2007.

#### - Mistreat children, children and adolescents:

- 1% of the establishments of fiscal education count on Codes of Coexistence;
- 27.4% of boys, girls and adolescents declare being victims of aggressions from teachers in schools and colleges;
- Many children and adolescents are victims of violence;
- The information regarding tourist operator and enterprise engaged in the prevention of sexual operation in tourist activities is not available.
- 6 out of 10 children say they suffer mistreat in their home.

#### - Infantile Work:

- 12.20% of boys and girls, aged between 5 and 14 work; in 2004 approximately 560,000 boys and girls performed labour activities.
- 32.9% of boys, girls and adolescents, aged between 15 and 17 work in dangerous or harmful situations;
- No adolescent working independently is registered in municipalities.
- In 2004 out of all the boys and girls who work, 69% live in the countryside
- Cuenca and Machala have the greatest proportion of boys and girls working (9% and 7% respectively); in Quito and Guayaquil, the amount is smaller and reached 5% in 2004.
- In indigenous homes, the proportion of boys and girls working was higher: 32% of their members in school age was working.
- Chimborazo, the Bolívars and Cotopaxi are the provinces with greater percentage of working boys and girls. In these provinces with high indigenous population, one third of boys/girls and adolescents must work - i.e. more than the double of the national average.

#### 4.4.1.2. Kindergarten and schooling opportunities

As it is mentioned in the Social Agenda of Childhood and Adolescence 2007-2010, 8.87% of children aged under 5 are in initial education; whereas 45,5% of the boys and girls aged 5 are in the first year of basic education.

Life opportunities Ecuadorian children will have depend mainly on knowledge, skills and attitudes that they acquire during schooling. A survey conducted in homes in 2004<sup>195</sup> revealed the limited access to modern sources of information such as computers, Internet and libraries:

- 52% of the boys and girls aged between 5 and 17 attending educative establishments have access to a computer in schools and colleges.
- 18% of boys/girls have Internet services in their education establishments.
- Internet is four times greater in city-schools and colleges than in rural areas.
- The availability of Internet is eight times greater in the schools for richer layer than of the poorest. Schools with access to computers are Pichincha (81%), Pastaza (75%), Tungurahua (67%) and Carchi (66%). Those with the smaller access are Esmeraldas (29%) and Orellana (22%).

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195 National Council of Childhood and Adolescence, The Boys and Girls in Ecuador, June 2005.

- The provinces with a greater proportion of educative establishments with access to Internet are Pichincha (31%), Tungurahua (23%), Azuay (22%) and Guayas (20%); those with smaller access are in the Amazonia: Sucumbíos (5%), Morona Santiago (5%), Napo (4%) and Orellana (2%).
- Quito and Cuenca are the cities with greatest access to this technology. In Quito, 87% of children have computers and 37% with Internet in their schools and colleges. In Cuenca, 73% of the children have access to computers and 39% to Internet in their study centres.
- 46% of primary and secondary students of private and public establishments have access to a library in their schools.
- Children have more access to books for their formation in Pichincha (66%), Azuay (56%), Tungurahua (51%) and Napo, Loja and El Oro (50% each). The province with the smaller availability of libraries in its educative establishments is Orellana (21%). The availability of libraries is greater in the educative establishments of Quito and Cuenca.

With respect to the educative infrastructure, 9 out of 10 children aged between 5 and 17 that go to school have access to a sport field in their schools.

#### 4.4.2. Separated children (family tracing services, etc.)

According to the study of the National Council of Childhood and Adolescence, “Children in Ecuador”, the situation of boys and girls who do not live with their biological parents (young that have lost their parents, who are permanently or have been separated for a while or that have been abandoned) has not been analyzed sufficiently. Nevertheless with the 2004 survey conducted in the results showed:

- Eight out of 100 Ecuadorian children do not live with its biological parents.
- The majority of children (boys/girls) that do not live with their parents are cared by relatives. 87% of children that does not live with their biological parents have a family bond with the families caring for them; the remaining 13% are adopted, gathered, or given children and sometimes domestic employees children.
- Homes on the Coast and the Amazonia are those that host most non relatives children. These two regions have the greatest number of adopted, gathered or given children(1% and 1.4%, respectively).
- Emigration has many boys/girls to the care of relatives. The proportion of those that do not live with their parents is greater in the provinces with emigration and, in particular, in the provinces of the south of the country. In Cañar, 18% of the children of the province do not live with their own parents; in Azuay, Loja and Zamora Chinchipe, 1 out of 10.

#### 4.4.3. Orphans

##### 4.4.3.1. State responsibility in orphan care, legal regulation

According to the Code of Childhood and Adolescence, “adoption should guarantee a suitable, permanent and definitive family to the boy, girl or adolescent in social and legal aptitude to be adopted.” This legal instrument determines all adoption processes and how the State is responsible for them.

In 2004, in Ecuador, 82 children were adopted, 32 were adopted by a relative and 43 were adopted at international level.

## Process of adoption

People interested in adopting a boy, girl or adolescent must satisfy the following requirements:

- To be aged over 2.
- To be united through marriage or de facto for more than 3 years.
- To be resident of Ecuador or one of the States with which Ecuador has subscribed concluded an agreement<sup>196</sup>.
- To participate in the Preparation for the Adoption.
- To hand in the Technical Units of Adoptions<sup>197</sup> file with the following documents:
  1. Request of Adoption with up-to-date photos (card size)
  2. Copy of the identity card or citizenship
  3. Copy of the election card
  4. Copy of the passport if foreign nationality
  5. Birth Certificate
  6. Marriage certificate if one is spouses or an oath declaration de facto association.
  7. Death Certificate if one is a widower or a widow.
  8. Economic certificate of work and income.
  9. Updated photos of the home surrounding.
- 10. Two personal references by each, related to the adoption project.
- 11. A letter of commitment to collaborate with the subsequent system to the adoption sentence.
- 12. Certificate for attending the Course of Preparation for the Adoption.

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<sup>196</sup> By means of the Agreement of The Hague of the 29 of May of 1993, the adoption of children, children is possible and adolescents. They are member of the Agreement of The Hague: Germany, Andorra, Antigua and Barbuda, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahamas, Barbados, Belgium, Belize, Belarus, Bosnia Hercegovina, Bostwana, Brunei-Darussalan, Bulgaria, Colombia, the Croatia, Cyprus, Ecuador, El Salvador, Slovenia, Spain, the United States of America, Estonia, Federation of Russia, Fidji, Finland, France, Granada, Greece, Honduras, Hong Kong, Hungary, the Marshall Islands, Israel, Italy, Japan, Lesotho, Latvia, Liberia, Liechtenstein, Luxembourg, Old Yugoslav Republic of Macedonia, Malawi, Malta, Mauritius, Cook Islands, Mexico, Namibia, Norway, New Zealand, Niue Island, The Netherlands, Panama, Portugal, Puerto Rico, Czech Rep., Rumania, the United Kingdom of Great Britain and Northern Ireland, San Vicente and the Granadinas, Western Samoa, San Cristobal and Nieves, San Marino, Santa Lucia, Serbia and Montenegro, Seychelles, Switzerland, South Africa, Surinam, Swazilandia, Layer, Trinidad and Tobago, Turkey, the Ukraine and Venezuela. ” Extensions: The Netherlands (the Dutch Antilles); The United Kingdom (Jersey, Bailia de Guernesey, the Isle of Man, Bermuda, British Antarctic Territory, Virgin Islands Cayman, Falkland Islands, Gibraltar, Montserrat, Santa Elena, Islands Turks and Caicos, Islands)

<sup>197</sup> The Ministry of Social Inclusion has thre Technical Units of Adoption: en Quito, Cuenca and Guayaquil, corresponding to the following provinces:

1. Region Quito: Carchi, Imbabura, Pichincha, Cotopaxi, Tungurahua, Chimborazo, Bolívar, Santo Domingo de los Tsachilas. Esmeraldas, Sucumbíos, Orellana, Napo and Pastaza.
2. Region Coast: Guayas, Manabí, Los Ríos, El Oro, Santa Elena and Galápagos.
3. Region Austro: Azuay, Cañar, Loja, Morona Santiago and Zamora Chinchipe.

13. be qualified as suitable by the Technical Unit of Adoptions.

It is important to mention that heterosexual couples united for more than 3 years in marriage or de facto union can adopt a child; nevertheless, the Code of Childhood and Adolescence specifically does not prohibit the adoption on the part of single people (Men- women).

The procedures, from the beginning of the Preparation Course until the suitability is declared, last approximately 4 months. The wait until the arrival of the child, can last from 2 months to a year. The legal procedure, until the adoption sentence lasts approximately 3 months.

The adoption procedure, in its Administrative Phase, that is to say the one performed in the Technical Unit of Adoptions of the Ministry of Economic and Social Inclusion, is free of charge, unlike the judicial procedure that requires expenses in this sense.

The minimum age to adopt a child is 25. The Code of Childhood and Adolescence does not determine a maximum age; nevertheless, it sets that the age difference should not be less than 14 years or exceed 45 years with the adopted child.

Within the process of adoption, family members until the fourth degree of consanguinity will be preferred.

Foreigners can adopt a child after proving their residence in Ecuador of at least 3 years and will have to follow the respective procedure. Foreigners living outside Ecuador, must make it through an organization of International Adoption that has subscribed an agreement of intermediation of international adoption with the Ministry of Economic and Social Inclusion and also be put under the respective procedure.

#### **adoption Centres (orphanages)**

There are 39 centres associated to the Ministry of Economic and Social Inclusion, among them:

- San Vicente de Paul, Quito
- Mother Flora Pallota, Latacunga
- Home Santa Lucia, Quito
- Home San Carlos, Riobamba
- Foundation Marries Home “the Coffe”, Riobamba
- Home Santa Marianita, Ambato
- Carmelite mission, Lago Agrio
- Home Maria Pigrim's staff, Loja
- Social action Caritas, Santo Domingo
- Home of Protection Marries Home, Guayaquil
- Foundation for the Adoption of Our Children (Nuestros Niños), FANN, Guayaquil
- Tadeo home Towers, Cuenca
- Milagritos Precious home,

Further information can be found on the Ministry of Economic and Social Inclusion website [www.mies.gov.ec](http://www.mies.gov.ec) Francisco 850 Oaks and Páez, Quito.

#### 4.4.3.2. Actual access to orphan care and orphanages for returnee children

Not Applicable

### 4.5. Elderly people

In Ecuador, the population of 65 years or more is 987.279, i.e. 7.27% of the total population, with a high index of extreme poverty: 42.02%; the cover of the social security has been low mainly - because the access to this social benefit has been related to formal employment. The deficiencies of the Social Security system with respect to their low cover, the financial crisis of the Ecuadorian Institute of Social Security (IESS)<sup>198</sup> and the unsustainable scheme of pensions have been replaced by the population through several mechanisms. the majority of the occupations manual with some or no qualifications (82.9%). 58.6% of the elderly population is mainly urban and 41.4% is from the rural zone; in addition, they are high percentage of illiteracy and profits as far as the number of years of studies.

Regarding gender, one notices that the situation of men is more solid because they have easier access to the work market than women, they also receive more pensions and retirements. Here the socio-cultural context prevails again, since men were the ones entering the labour market in the past generations.

#### 4.5.1. Legal nom

Since 1983, the United Nations<sup>199</sup> have strived in designing standards, plans and strategies of protection of the elder that began with the First World-wide Summit on Aging performed in Vienna (1982), followed by the approval of the Principles of United Nations for the Elder approved in 1993, the Plan of Action for the Old age in 2001, in 1999 like the Year the World-wide Summit and the declaration International Old Second on Aging performed in Madrid in 2002. However, the standards and dispositions of the United Nations have been ignored in many occasions by the same international system, which has prevented to a large extent, the development of mechanisms of pursuit and control. For that reason the fulfilment of its obligations with respect to this matter has been in the hands of each State, according to the existing regulation.

This is why the Constitution of the Republic of Ecuador considers within the vulnerable groups the elder persons as: "elderly people receive priority and specialized care in the public and private sector of social and economic inclusion and protection against violence. Those to be considered as adults and elders are over 65 years old."<sup>200</sup>

In the same way, « the State zill guarantee the following rights to the adults and elders:

- Free health care and free access to medicine.
- Paid work, according to capacities, with acknowledgment of limitations
- Total retirement.
- Discount in public services qnd private services of transports and events.
- Tax exemptions.

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198 Address: Central Office Buidling, 10 de Agosto Av. and Bogotá, corner, Quito. Tels: 022-547400/022-230320/ 022-230320.

199 See: <http://www2.unog.ch/intinstr/uninstr.exe?language=en>. Consulte don May 26th, 2008.

200 Political Constitution of Ecuador 2008. Chapter III. Rights of the persons and groups of priority attention. First Section. Elderly People Art. 36. Consulted on December 10th, 2008.

- Exoneration of notary and registry fees in accordance with the law.
- Access to a decent life in consideration with opinion and consent.<sup>201</sup>.

Therefore, the main laws that canalize the compliance of the fundamental rights for the Elder, are:

- Law of the Elder
- Law of Social Security

The main target of the Law of Elder is “to guarantee the right to a standard of life that assures the corporal and psychological health, the feeding, the dress, the house, the medical aid, the medical attention and integral and necessary gerontologist, social services for a useful and decent existence”<sup>202</sup>.

Therefore, one of the Ministries in charge to foment actions that give compliance to the referred Law, is the Ministry of Economic and Social Inclusion (MIES) by means of its Integral Technical manual of People of Third Age, the same that in their Annual Operative Plan 2008, contemplate institutional strategic targets such as:

1. To extend the capacities of population by means of the generation or the guarantee of opportunities to accede to social services of education, formation, qualification, health, nutrition and other basic aspects of the quality of life that influence in the freedom fundamental of the individual to live better.
2. To promote the economic inclusion of the population by means of the generation or guarantee of the opportunities to own, to access and to use the economic resources of society to consume, to produce or to perform interchange, of such form that the opportunities of work access, entrance and assets are guaranteed.
3. To guarantee the right of the population to social and special protection , so that they do not undergo great deprivations as a result of material changes that affect their lives negatively, by means of the systematic regeneration of a minimum level of income and the protection and restitution of their economic and social rights, of such form that guarantee the opportunities to live surely and satisfactorily.
4. To encourage citizenship, organization and social cohesion through the promotion or the guarantee of participation of citizens as fundamental actors of their own development, the recognition of their transforming capacity to undertake actions that allow them to access or to recover the economic and social rights and the extension of opportunities of the population to interrelate.
5. To promote the role of public policies rectory<sup>203</sup>.

With respect to the Law of Social Security, all people who perceive income by the execution of a work or the benefit of a physical or intellectual service, with labour relation or without it; “are considered as subject ” forced to ask for protection” from the General Obligatory Insurance, as affiliates and in particular:

- The worker in dependency relation;
- The independent worker;

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201 Political Constitution of Ecuador 2008. First Section, Elderly People. Art. 37. Consulted on May, 8th, 2009

202 Law of the Elderman, Codification. Of the vulnerable groups, article 54. Consulted on May 19th, 2008.

203 Interview with Ney Carrillo. Integral Technical Direction of Elder persons - MIES. May 26th, 2008.

- The independent professional ;
- The administrator or employer of a business;
- The owner of a single owner company;
- The independent working minor ; and,
- The other insured forced to the regime of the General Obligatory Insurance by virtue of special laws and decrees<sup>204</sup>.

Reason why the benefits of the referred one surely, will be financed with resources of:

- The obligatory individual contribution of the affiliates, for each security;
- The mandatory employer's contribution, deprived and public, for each insurance, when the affiliates are workers subject to the Labour Code;
- The mandatory public employer's contribution, for each insurance, when the affiliates are subject servants to the Civil Law and Administrative Race;
- The mandatory financial contribution of the State, for each insurance, in the cases that this Law indicates.<sup>205</sup>

The Farming Social Insurance will offer health benefits, that include maternity, to its affiliates, and will protect to the family head against the contingencies of old age, death, and disability, that incapacity includes.

#### 4.5.2. Pension system in general

Ecuador counts approximately 780 thousand unprotected elder and around 450 thousand retired that are moderately protected by the social security systems in the country like the Ecuadorian Institute of Social Security (IESS); the Institute of Social Security of the Armed Forces (ISSFA); the Institute of Social Security of Police (ISSPOL); and, Social Security in the Urban Zone.

The pension received by an insured for old age or is financed and calculated on the basis of the accumulated balance in the account of individual saving of the affiliate<sup>206</sup>.

On the other hand, once the person has asked for retirement, the monthly pension to be received will be based on the total amount of contributions during the labour life.

##### 4.5.2.1. Eligibility for pension or other benefits

In accordance with the Law of Social Security, once the person has initiated his labour life, in the public or private sector, it is mandatory for his employer to affiliate him to the IESS, so that he gets access to the benefits of Social security. On the other hand, as soon as his labour stage is completed, he obtains benefits or economic yields such as periodic and continuous pensions to guarantee his integral well-being; hence the assistance also includes health topics.

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204 Law of Social Security, Title I .-OF THE GENERAL REGIME.- chapter 1, General Norms, article 2, Consulted on May 19th, 2008.

205 Law of Social Security, Title I .-OF THE GENERAL REGIME.-chapter 1, General Norms, article 2, Consulted on May 19th, 2008

206 <http://www.hoy.com.ec/especial/iess/iess21.htm>. Consulted on May 26th, 2008

#### 4.5.2.2. Contact information to pension authorities

For more the information regarding pensions and topics log on to the informative page of the IESS: [www.ies.gov.ec](http://www.ies.gov.ec)

#### 4.5.3. Availability of accommodation and care for elderly persons (state, NGOs)

There are “asylums“ for elders, both public and private, in the city of Quito, Guayaquil and Cuenca, for example:

CITY	NAME	INFORMATIVE DATE	APPROXIMATED COST
QUITO	Hogar de Ancianos “Santa Catalina”	022-237788	
	Centro Misioneras de la Caridad	022-370294	
	Hogar de Ancianos “San Vicente de Paúl”	022-395767	
	Hogar de Ancianos “Corazones de María”	022-531029	
	Mis mejores años	022-371843/022-545275	700 USD (monthly)
	Feliz Hogar Carapungo	022-425078/022-424935	600 - 650 USD
	Bello Amanecer	022-342828/098-589003 Puente N° 3, Avenida Rumiñahui	450 USD
	Mi Querido Viejo	022-344019/022-347380 Sra. Grace Boada. Conocoto	
	GUAYAQUIL	Hogar “San José”	042-391464
Asilo “Bien Público”		042-282247	
Auspicio “Corazón de Jesús”		042-294241	
Ancianato “Hermano Gregorio”		042-880177	
CUENCA	Asilo “Tadeo Torres”	072-831482	

Information about approximate costs is reserved, since the respective managers propose to know and treat both the patient and his relatives.

In general, the access to the services of social work has been more restricted, so the mercantile logic has made possible the appropriation deprived of the public thing, exempting the State of his obligatory nature on the subject of education, health, housing assurance to all his inhabitants equally the satisfaction of his needs related to topics of social security. Under the criteria of efficiency and competitiveness, the services of social work, of gradual form, is also entering the sphere of the private thing, stopping in the neglect especially to the poorest and needy sectors.

Hence the privatization politics fragments to the sectors in vulnerable situation and accentuates the breaches of inequality and exclusion. A recent survey realized in 17 nations of Latin America shows that 63 % of the consulted ones think that the privatization of state enterprises has not been charitable<sup>207</sup>.

207 See: <http://www.uasb.edu.ec/padh/centro/pdfs10/estela%20garzon.pdf>. Consulted on May 27th, 2008

## 4.6. Persons with physical and mental disabilities (including traumatised persons)

According to the National Council of Disabilities in Ecuador (CONADIS), 13,2 % suffer from some kind of disability (approximately 1`600.000 ), between which exist:

- 592.000 persons with physical deficiencies
- 432.000 persons with mental and psychological deficiencies
- 363.000 persons with vision deficiencies; and,
- 213.000 persons with auditive and language deficiencies.

Number of persons with disabilities by province<sup>208</sup>

Province	Additive	Physical	Intellectual	Language	Psychological	Visual	Total
AZUAY	505	2730	2159	64	91	506	6055
BOLIVAR	222	752	488	29	16	188	1695
CA-AR	192	802	509	29	62	152	1746
CARCHI	200	685	412	29	79	151	1556
CHIMBORAZO	489	1474	1288	11	37	333	3632
COTOPAXI	238	1184	839	61	30	280	2632
EL ORO	672	3597	2680	81	274	707	8011
ESMERALDAS	516	2500	1673	123	98	583	5493
GALAPAGOS	16	48	53	0	4	12	133
GUAYAS	3266	12825	8525	471	584	2451	28122
IMBABURA	691	1612	847	49	112	321	3632
LOJA	788	2403	2341	48	184	644	6408
LOS RIOS	468	2851	1380	57	79	375	5210
MANABI	1449	7363	2585	107	1744	1249	14497
MORONA SANTIAGO	124	895	420	34	62	250	1785
NAPO	112	571	354	36	14	175	1262
ORELLANA	115	383	246	22	33	78	877
PASTAZA	86	360	306	23	56	103	934
PICHINCHA	2933	10712	6125	140	549	2086	22545
SUCUMBIOS	141	730	377	17	63	159	1487
TUNGURAHUA	493	1415	915	63	57	304	3247
ZAMORA CHINCHIPE	150	443	375	18	42	115	1143
TOTAL	13866	56335	34897	1512	4270	11222	122102

<sup>208</sup> National Council of Disabilities, <http://www.conadis.gov.ec/provincias.php>, accessed on May 2008.

#### 4.6.1. Specialised institutions and state responsibility (legal regulation and practice)

According to the New Political Constitution of the Ecuador - The State will guarantee policies for disability prevention and will give equal opportunities and provide social integration to disabled persons, together with society and family.

The persons with disabilities have the rights to:

- The special attention in public and private entities providing health services for their specific needs, including free medicines, especially for those needing life-treatment.
- The entire rehabilitation and permanent assistance, which will include the corresponding technical assistance.
- Discounts in public and private transport services and shows.
- Exemptions in tax arrangements.
- Equal work conditions encouraging capacities and potentialities, through policies allowing the incorporation in public and private entities.
- Suitable housing, easy access and necessary conditions to attend deal with the disability and have a large autonomy level in everyday life. The disabled person without any relative to care for him or without residence will be cared for in shelters.
- An education that will develop his potentialities and skills for his integration and participation on equal terms. His education will be guaranteed inside the regular education. The regular cadres will incorporate differentiated dealing and those of special attention for specialized education. The educational establishments will respect accessibility norms for persons with disabilities and implement a system of scholarships that answers to the economic conditions of this group.
- Specialized education for persons with intellectual disabilities and the promotion of their capacities through the creation of educational centres and specific education programs.
- Free psychological care for the disabled and his family, in particular in case of intellectual disability.
- The access to all the goods and services. The architectural barriers will be eliminated.
- The access to mechanisms, media and alternative forms of communication, among them signs language for deaf persons, oralism and Braille system.

The State will adopt measures in favour of the persons with disabilities :

- The social inclusion, by means of public and private coordinated plans and programs, which encourage political, social, cultural, educational and economic participation.
- Credits and discounts or tax exoneration allowing them to start or pursue productive activities, and scholarships in all education levels.
- The development of programs and policies directed to encourage his recreation and rest.
- The political participation, which will assure his representation, in accordance with the law.

- The establishment of specialized programs for the entire care of the persons with severe and deep disabilities, in order to reach the maximum development of his personality, the promotion of his autonomy and the decrease of the dependency.
- The incentive and support for productive projects in favour of the relatives of the persons with severe disability.
- The guarantee of the full exercise of the rights of the persons with disabilities. The law will sanction the abandonment of these persons, and the acts that incur any form of abuse, inhuman or degrading dealing and discrimination because of the disability.

Persons and families taking care of persons with disabilities needing permanent attention will be covered by the Social security and will receive periodic training to improve the quality of the care”<sup>209</sup>

The rights acquired by the disabled with the Constitution of 2008 will have to be implemented by the creation or reform of the current legal system.

Additionally, with the New Constitution, the persons with disabilities will receive priority and specializing care in risk situations<sup>210</sup>.

In 1992, the ‘Law on disabilities’ is published which plans on equalizing the opportunities for the persons disabilities. The National Council of Disabilities (CONADIS) was also created with this law. It is an organism that creating policies, coordinating actions and executing investigations in the area of disabilities; it is democratic, because all the public and private organizations linked straight with disabilities take part.

One of the principal activities of the CONADIS is the qualification and delivery of a card to persons with disability at national level consisting of their registration in the National Record of Disabilities, in order to receive a card, which gives them access to the status of “disabled person”.

This card allows the persons with disability to have access to certain services, including health and discounts in transport, it also allows them to access special governmental programs for persons with disabilities (like professional training, generation of income, employment and programs of health attention).

#### 4.6.2. Actual access to specialised institutions and care for returnees

In Ecuador, a group of institutions from **the public sector** provides care and services to persons with disabilities, such as:

- The Provincial Commissions
- The provincial departments of the different Provinces of Ecuador, among them: Economic and Social Inclusion, Education, Health and Work.

In the field of the Education, there are several Schools.

In the field of Health, there are various hospitals that have established rehabilitation units for this population group.

Likewise, in the country there is a group of Private organizations, who provide service to the persons with disabilities, such as:

#### - **Nongovernmental organizations**

<sup>209</sup> Political Constitution of Ecuador 2008, Article 47, 48 and 49

<sup>210</sup> Political Constitution of Ecuador 2008, Article 35.

The National Institute of the Child and the Family - INNFA - with its centres of rehabilitation in Ibarra, Quito, Portoviejo and Guayaquil, and its Units of the Program of United Medical Attention (PAMS)

On the other hand, there are Private organizations created by persons with disabilities:

These are:

- The National Federation of the Deaf in Ecuador - FENASEC; On 10 de Agosto 5451 and Baron de Carondelet, Building CONADIS, Fax (593) 2246577, Quito.
- The National Federation of the Blind in Ecuador - FENCE; Permanent Office: Flores N534 and Espejo, Quito, Phones: (593-2) 2572547. Presidency: Rocafuerte 10-54 and 9 de October Av., Riobamba; phones (593-3) 2967890/2969040 fax: 2940567; e-mail: fence@andinanet.net
- The National Federation of Ecuadorians with Physical Disabilities - FENEDIF; Av. 10 de Agosto 5070 and Naciones Unidas, third floor, office. 32, Quito, Phones: (593-2) 2456088 - 2924442 Fax: (593-2) 2456088; e-mail: fenedif1@interactive.net.ec
- The Ecuadoran Federation Pro Attention to the Person with Mental deficiencies, Cerebral Palsy, Autism and Syndrome of Down - FEPAPDEM; Regional Guayas: Av. C. J. Arosemena km 4 1/2 high places of INNFA, Guayaquil, Phone: (593-4) 2206634 Fax: (593-4) 2207440; Regional Azuay: Miguel Cordero 6-50 and Solano, Cuenca, Phone: (593-7) 804369 Fax: (593-7) 816191; Region Pichincha: Av. 10 de Agosto 5451 and Carondelet, Quito, Phone: (593-2) 2259441

In an investigation performed by HIAS<sup>211</sup>, regarding refugees with incapacities, it is revealed that in Ecuador, surprisingly, none of the aid organisms has any programme for refugees with disabilities, although some refugees with incapacities are benefiting from the larger programmes of assistance for refugees.

#### Provincial Commissions<sup>212</sup>

PROVINCE	CITY	COORDINATOR	ADDRESS	TELEPHONE
CA-AR	AZOGUES	Dr. Paola Jimbo	Ayacucho Str. and Juan Bautista Cordero. In front of the Market.	(07) 2240840
AZUAY	CUENCA	Lcdo. Daniel Villavicencio	Calle Larga and Huayna Capac Ave., next to Banco Central	(07)2837200
BOLIVAR	GUARANDA	Dr. Adriana Torres	PROVINCIAL HOSPITAL ALFREDO NOBOA CALLE SELVA ALEGRE	(03) 2982840
CARCHI	TULCAN	Eng. Aída Tález	SUCRE STR. S/N AND AYACUCHO: CARCHI GOVERNMENT BUILDING	(06) 2983374

211 HIAS, Disability and Displacement, Ecuador, 2007

212 National Council of Disabilities, <http://www.conadis.gov.ec/comisiones.php>, accessed on May [http://www.opsecu.org/asis/situacion\\_salud.pdf](http://www.opsecu.org/asis/situacion_salud.pdf), consulte don July 1st, 2007.2008

CHIMBORAZO	RIOBAMBA	Lcdo. Rolando Gómez	Brasil 2003 and Luis Alberto Falconí INNFA	(03) 2951371
COTOPAXI	LATACUNGA	Lcdo. Flavio Gutiérrez	Marquéz de Belisario Quevedo Street and Guayaquil	(03) 2808299
EL ORO	MACHALA	Lcda. Betty Celi	Rocafuerte and Guayas corner Central Bank Building, 3do. piso	(07) 2936433
ESMERALDAS	ESMERALDAS	Atty. Nubia Galván	Bolívar, between Juan Montalvo and Rocafuerte (INNFA)	(06) 2715742
GALAPAGOS	PUERTO AYORA	Dr. Rigoberto Benavides Revelo	Special Education School- Puerto Ayora - Isla Santa Cruz	(05) 2526145
GUAYAS	GUAYAQUIL	Dr. Efrén Garaicoa	Alejo Lascano Street between Quito Ave. and Machala Ave.	(04) 2289880
IMBABURA	IBARRA	Miss Noemí Trejo	Flores y Bolívar, Del Torreón Building	(06) 2610690
LOJA	LOJA	Dr. Lorena Reinoso	Valviezo Street and Riofrio, Medical Dispensary and Social Promotion, Sto. Domingo de Guzman,	(07) 2575625
LOS RIOS	BABAHOYO	Dr. Celeste Solarte	General Barahona and Mejía, Children Center Rossana Vinuesa	(05) 2730715
MANABI	PORTOVIEJO	Lcda. Patricia Vintimilla	Manabí Ave., INNFA Rehabilitation Center	(05) 2634834
MORONA SANTIAGO	MACAS	Lic. Fanny Puma	Amazonas Street between Sucre and Bolívar. (one block from the airport)	(07) 2700939
PASTAZA	PUYO	Lcda. Alicia Lara	Eugenio Espejo and Cristóbal Colón, nearby the Puyo Hospital	(03) 2890090
SUCUMBIOS	LAGO AGRIO	Lcdo. Fernando Poma	Jorge Añasco N410 and Guayaquil	(06) 2833115
PICHINCHA	QUITO	Lcda. Gabriela	10 DE AGOSTO AVE. N37-	2459243 EXT. 24

		Barahona	193 and CARONDELET	
TUNGURAHUA	AMBATO	Dr. Diego Villacres	Francisco Flor 5-08 and Bolívar	(03) 2423468
ZAMORA CHINCHIPE	ZAMORA	Dr. Diana Armijos	Solca Building, Manuelita Cañizares Street and No Name Passage	(07) 2606475

#### 4.6.3. Charity and care organisations present in the country of return

##### Attention Network<sup>213</sup>

##### Province: Pichincha

Institution / Organization	Contact	Address	City	Telephone
FUNDACION HERMANO MIGUEL	MARIA EUGENIA PAREDES DE SUAREZ	COLIMES STREET N41- 182 AND AV.RIO COCA	QUITO	3341504
CENTRO NACIONAL DE EPILEPSIA	DR GALO PESANTEZ	JOSÉ BERRUTIETA STREET OE9-190 AND ACEVEDO PASSAGE (LA GASCA)	QUITO	2905405
FUNDACION DE DESARROLLO SOCIAL INTEGRAL	DR. AMPARO LEON	10 DE AGOSTO AVE. Nº 50-70 AND NACIONES UNIDAS 1ST. FLOOR OFFICE 14	QUITO	2248108
FUNDACION AMIGOS BENEFACTORES DE ENFERMOS INCURABLES	GLADYS ALMEIDA DE FRANCO	MONACO PASSAGE E6-65 AND JAPON	QUITO	2264645
FUNDACION MELVIN JONES	ELIZABETH GRANIZO	CUENCA N8-65 AND MANABI	QUITO	2573627
FEDERACION NACIONAL DE ECUATORIANOS CON DISCAPACIDAD FISICA	XAVIER TORRES CORREA	10 DE AGOSTO AVE. 5070 AND NACIONES UNIDAS ,10 DE AGOSTO BUILDING 3RD. FLOOR OFFICE 32	QUITO	2456088
FUNDACION ECUATORIANA DE ESCLEROSIS MULTIPLE	MARIA ISABEL MU-OZ DE MONCAYO	JORGE DROM N37-79 AND UNP, I-AQUITO	QUITO	2274973
ASOCIACION DE DISCAPACITADOS FE Y	MR. LUIS PE-AFIEL	CHILLOGALLO, CARLOS FREIRE S29-60 AND	QUITO	3036038

<sup>213</sup>National Council of Disabilities, <http://www.conadis.gov.ec/instituciones.htm#institucion>, accessed on May, 2008

ESPERANZA		MARCOS ESCORZA		
ASOCIACION DE DISCAPACITADOS DE LAS FUERZAS ARMADAS	SARGENTO GUIDO VICENTE ORDO-EZ	CALLE GENERAL PAZ Y MI-O AND GRAN COLOMBIA N°5 , BEHIND THE MILITARY HOSPITAL	QUITO	2506218
ASOCIACION DE PERSONAS SORDAS DE PICHINCHA	MR. GUSTAVO OROZCO	TOMBAMBA 430 AND LLANGANATES	QUITO	3132474
ASOCIACION DE PARAPLEJICA PICHINCHA	MR. MAURICIO SALGADO	LA ARMENIA, STREET 1-4,1-5 CONOCOTO	QUITO	097046474
CENTRO DE EDUCACION MOTRIZ SAN JUAN DE JERUSALEM	PATRICK GENTET	JER" NIMO CARRION PASSAGE N22 AND CALLE ENRIQUE RITHER (IN FRONT OF THE TENNIS COURTS OF THE UNIVERSIDAD CENTRAL)	QUITO	3202768
FUNDACION AMOR Y ENERGIA	GABRIELE HEIDI PALIZ	TUMBACO - LA VI-A	QUITO	2376153
FUNDACION CAMPAMENTO CRISTIANO ESPERANZA	LCDA. YAQUELINE ALDAZ	JUAN BARREZUETA AVE. N-77298 AND JUAN DE SELIS (CARCELEN)	QUITO	2472754
FUNDACION CON CRISTO	DR. JULIO RODRIGUEZ	ORELLANA AVE. 230 AND 10 DE AGOSTO AVE. FCO. DE ORELLANA BUILDING OFFICE 302	QUITO	2902648
FUNDACION CULTURAL EDGAR PALACIOS	ADA PALACIOS MENDIETA	DIEGO DE VASQUEZ DE CEPEDA AVE. N77-530 Y NU-EZ	QUITO	2476413
FUNDACION DE ENSE-ANZA INDIVIDUALIZADA PARA NI-OS Y ADOLESCENTES	LILIANA DE RUDICH	PANAMERICANA NORTE KM 9 1/2 URB. CAMINO DE LOS EUCALIPTOS ENTRANCE	QUITO	2472321
FUNDACION DIAGNOSTICO, REHABILITACION E INTEGRACION DEL NI-O ESPECIAL	SILVIA MALDONADO	ULLOA N34-570 E/PEDRO BEDON AND AV. REPUBLICA	QUITO	2245143
FUNDACION DOCTOR AUGUSTO CESAR SALTOS	DR. NICOLAS	CARAPUNGO, 3RD ETAPA, IN FRONT OF THE	QUITO	2425020

JARRIN	SALTOS PAREDES	SUPERMANZANA C7, LOT N° 3065		
FUNDACION ECUATORIANA OLIMPIADAS ESPECIALES	DE MR. HECTOR CUEVA	BERLIN N° 158 AND 9 DE OCTUBRE AVE. WINDSOR BUILDING, 1ST FLOOR	QUITO	2508327
FUNDACION FUDIS	AMPARO DE PAEZ	EDUARDO SALAZAR GOMEZ STREET N36-75 AND ELOY ALFARO AVE.	QUITO	2271042
FUNDACION GENERAL ECUATORIANA	DR. JORGE LUNA MALDONADO	SAN JAVIER N26-63 AND ORELLANA (MAIN OFFICE). JUAN MORALES AND ANTONIO CHECA N/N NEXT TO CLUB LOS CHILLOS (EDUCATION CENTER)	QUITO	2221929
FUNDACION TIERRA NUEVA	LCDA. MERCEDES SILVA	CDLA. QUITO SUR CARDENAL DE LA TORRE AVE. S15-111 AND AJAVI	QUITO	2636925
FUNDACION NACIONAL DE PARALISIS CEREBRAL	LCDA. ELENA BUITRON	MIDEROS AND ESPEJO N/N LA MOYA, CONOCOTO	QUITO	2342563
FUNDACION PARA EL DESARROLLO INFANTIL	LCDA. GRACIELA ORTEGA	SODIRO STREET E5-68 BETWEEN RIOS AND VALPARAISO	QUITO	2233739
FUNDACION PROINTEGRACION EDUCATIVA Y SOCIAL DEL ECUADOR	DR. PILAR MERIZALDE	RAMON DE LA BARRERA N80-306 CARCELEN -BEHIND COLEGIO AMERICANO, RAFEL CARVAJAL N80-387	QUITO	2803132
INSTITUTO ESPECIAL PARA NIÑOS CIEGOS Y SORDOS MARIANA DE JESUS	SILVIA CRESPO VEGA	ISLA SEYMOUR N° 4491 AND RIO COCA	QUITO	2440844
INSTITUTO FISCAL EXPERIMENTAL DE EDUCACION INTEGRADA JOSE MARTI	DR. NELLY MIÑO	MANUEL LOPERA N5-160 AND IQUIQUE	QUITO	2571345
INSTITUTO FISCAL DE EDUCACION ESPECIAL	DR. RAUL TORRES MONCAYO	ARCHER HARMAN N° 141 AND J. STEPHERSON	QUITO	2655064

INSTITUTO NACIONAL DE AUDICION Y LENGUAJE	DR. JOSE BENALCAZAR	MACHALA N-5115 AND FERNANDO DAVALOS	QUITO	2469067
FUNDACION GAMA GRUPO DE AYUDA MUTUA AVANZADA	DR. MARCELO ESCOBAR O-A	CONOCOTO, CIUDAD DEL NI-O AVE. N/N IN FRONT OF INNFA HOSPITAL	QUITO	2347025
FUNDACION VIRGEN DE LA MERCED	MRS. ESTRELLA DE VASCONEZ	GENERAL ENRIQUEZ GALLO AVE. AND BAHIA DE CARAQUEZ IN THE CORNER / DIAGONAL TO SANGOLQUI WAR ACADEMY	SANGOLQUI	2336638
CENTRO EDUCATIVO FAMILIA FELIZ	MARIELA ROMERO	SOSAYA 210 AND RUIZ DE CASTILLA	QUITO	2230629
FUNDACION REINA DE QUITO - CENTRO INFANTIL APRENDIENDO A VIVIR	SOFIA ARTETA DE CUEVA	I-AQUITO N37-236 AND VILLALENGUA	QUITO	2699939
ASOCIACION DE EX COMBATIENTES DISCAPACITADOS ALTO CENEPA	SGOS. CRISTOBAL MARTINEZ	PEDRO VICENTE MALDONADO AVE., LA RECOLETA	QUITO	2280750
ASOCIACION DE ATAXIAS ECUATORIANA	MR. FERNANDO XAVIER ESCUDERO	HERNANDO CHICA # 5973 AND LUIS TUFI-O	QUITO	2475134
ASOCIACION DE PERSONAS CON DISCAPACIDAD FISICA DE PICHINCHA	PATRICIO GUAMAN	CUENCA 681 AND CHILE (NEXT TO FORMER GRANADA THEATER)	QUITO	2581626
FUNDACION DE EDUCACION ESPECIAL PARA DEFICIENTES AUDITIVOS "LA VOZ DEL SILENCIO"	ELENA LANDETA PAZMI-O	De Los Tulipanes 338 and De Los Rosales A passage House No. 5	QUITO	2432436
CENTRO EDUCATIVO DESPERTAR	ITALA ZAVALA BARONA	GONZALO MENESES 406 AND LATACUNGA	QUITO	2373564
ASOCIACION DE INVIDENTES "MILTON BEDADO"	WILMER MIRANDA	VINTIMILLA AND JUAN LEON MERA E609	QUITO	2227478
CENTRO DE TERAPIA INTEGRAL Y ATENCION PSICOPEDAGOGICA PARA PERSONAS CON NECESIDADES	NANCY FLOR DE MADERA	DE LOS FRESNOS AVE. E13-54 AND GUAYACANES	QUITO	2412233

ESPECIALES				
FUNDACION HEMOFILICA ECUATORIANA	MARCO CACERES	TACO	ANTONIO ELIZALDE E4-31 AND GRAN COLOMBIA AVE. ECUADORIAN RED CROSS BUILDING 2ND FLOOR	QUITO 2582482
FEDERACION ECUATORIANA PRO ATENCION A LA PERSONA CON DISCAPACIDAD INTELLECTUAL REGIONAL PICHINCHA	DR. ROSILLO	WILSON	10 DE AGOSTO AVE. N37-193 AND BARON DE CARONDELET	QUITO 2259441
ESCUELA DE EDUCACION ESPECIAL Y REHABILITACION	FRANCO MAZA		ISLA SAN CRISTOBAL N44-144 AND YASUNI DIAGONAL TO SAVOY HOTEL	QUITO 2257072
FUNDACION DE EDUCACION Y PROTECCION PARA PERSONAS CON RETARDO MENTAL SEVERO "GORRITAS AZULES"	ANA PATRICIA FLOR DE COSTALES		MACHALA N67-152 E/CUICOCHA AND BELISARIO TORRES	QUITO 2295565
ASOCIACION DE DESARROLLO PARA LA EDUCACION ESPECIAL	MRS. GLADYS RUBIO DE MORENO		MARISCAL SUCRE D STREET S37 - 311, IBARRA SECTOR CHILLOGALLO	QUITO 2623044
FEDERACION NACIONAL DE ORGANISMOS NO GUBERNAMENTALES PARA LA DISCAPACIDAD	MRS. MARIA TERESA DONOSO		AMAZONAS AVE. 6401 AND EL INCA AVE.	QUITO 2436709
ASOCIACION DE PADRES DE PERSONAS CON DEFICIENCIA MENTAL	DR. RAUL PARRA		NO ADDRESS	QUITO 2611847
FUNDACION NUEVA VIDA	MRS. ANA CRISTINA TIPÁN		AMERICA AVENUE N37-125. AND BAR"Ñ DE CARONDELETH	QUITO 084955620
CENTRO INTEGRAL DE EDUCACION ESPECIAL Y ESTIMULACION	LCDA. MERIZALDE	OLGA	COCHAPATA E11-50 AND JOSE ABASCAL	QUITO 2240792
FUNDACION HUMANIDAD	RAFAEL CUSTODE	CARRERA	CARLOS ANDRADE MARIN N49-55 AND ABELARDO MONTALVO	QUITO 2403226

FUNDACION VISTA PARA TODOS	DR. DIEGO MAURICIO NIETO	10 DE AGOSTO AVE. 5972 AND JOSE ARÍZAGA	QUITO	2432520
FUNDACION ECUATORIANA DE OSTEOGENESIS IMPERFECTA	LUCIA TRAVEZ	DIEGO DE VASQUEZ AVE. N75-16 AND C STREET	QUITO	3500287
FUNDACION ACCION SOCIAL CARITAS	MONSE—OR WILSON MONCAYO	OBISPO SCHUMACHER N° 414 AND PADRE MAYA	SANTO DOMINGO	2751870
FUNDACION DE INTEGRACION PARA LAS PERSONAS AUTISTAS	PATRICIA ALVEAR VILLARROEL	JOSE MARIA BORRERO AND 10 DE AGOSTO DPT. 8A-BLOCK D	QUITO	2410215
ASOCIACI"UN UNÁMONOS	WILLIAM ANTONIO DIAZ	PATRIA AVE. AND 10 DE AGOSTO BANCO DE PRESTAMOS BUILDING OF. 1103	QUITO	2236999
FUNDACION EL TRIANGULO	NANCY VASCO DE MALDONADO	DIEGO DE VASQUEZ AVE. AND "C" PASSAGE LOT 21 PONCEANO	QUITO	2481073
ASOCIACION DE TELEFONISTAS "9 DE MARZO"	RAMON FLORES COLLAHUAZO	BOLIVAR STREET No. 266 AND VENEZUELA. BOLIVAR BUILDING, FIRST FLOOR, OF. 104	QUITO	2957785
FUNDACION AYUDAME CAMINEMOS PARA NI—OS ESPECIALES	DR. EDGAR TACO	LUIS VACCARI N/N HERMANO PARRA BLOCK(CARAPUNGO'S MAIN ENTRANCE)	QUITO	2423764
FUNDACION JUAN DIEGO, MAS ALLA DE LAS ESTRELLAS	FERNANDO VALENCIA ALBORNOZ	José María Ayora N39-151 AND VICENTA CARDENAS	QUITO	2920159
CENTRO DE PROTECCION PERSONAS DISCAPACIDAD PARA CON	SONIA NEACATO	BALTASAR DE OSORIO AND ANGAMARCA N/N CITADEL MENA DOS	QUITO	2633428
CORPORACION FEMENINA ECUATORIANA	MRS. HILDA EGUEZ DE JARAMILLO	RODRIGO MU—OZ OE3-310 AND HERNANDO PAREDES	QUITO	2471164
FUNDACION UNA LUZ EN EL CAMINO	MARIA LETICIA ALAJO CADENA	Ferroviaria Alta PAROCHIAL HOUSE	QUITO	
ESCUELA DE EDUCACI"UN	LCDO. GALO	ROCAFUERTE STREET VIA	CAYAMBE	2110018

ESPECIAL CALLE GEOVANNY	MALDONADO	JUAN MONTALVO LAS ORQUIDEAS NEIGHBOURHOOD		
ASOCIACION NUEVA VIDA DE CAYAMBE	MR. PATRICIO VILLOTA	ASCAZUBI STREET AND 10 DE AGOSTO S2-55, CORNER	CAYAMBE	2363968
INSTITUTO DE EDUCACION ESPECIAL FE Y ALEGRIA	MAGISTER DIEGO GARCIA	LA PAZ AVE. AND TIPUTINI	SANTO DOMINGO	3752377
ASOCIACION DE DISCAPACITADOS DE PUERTO QUITO CAMINEMOS JUNTOS	MRS. ROSA AYORA	MUNICIPAL MARKET - N/N PASSAGE AND MARISCAL SUCRE	PUERTO QUITO	092213553
CLUB DEPORTIVO DE DEPORTISTAS ESPECIALES "PRIMOS Y PRIMAS"	MR. JUAN CARLOS ARAUJO	PABLO SOSA 141 Y SUCRE (CONOCOTO)	QUITO	2341035
ASOCIACION DE CIEGOS DE PICHINCHA	MR. MARCELO CARRASCAL	VEINTIMILLA E615 BETWEEN R. VICTORIA AND J.L MERA	QUITO	2221772
COLEGIO LEONARDO PONCE POZO INTEGRADO PARA NO VIDENTES	LCDO. GERMAN CARDENAS	FLORIDA AVE. 1551 AND OCCIDENTAL AVE.	QUITO	2258452
CRUZ ROJA DEL CANTON MEJIA	DR. PATRICIO NORO—A	GONZALES SUAREZ AND BARRIGA	MACHACHI	2310554
FUNDACION MENSAJEROS DE LA PAZ FILIAL QUITO	EULALIA GUZMAN ESPINOSA	SAN IGNACIO E10-31 AND COLINA	QUITO	2508473
INSTITUTO DE EDUCACION ESPECIAL DEL NORTE	DR. CLIMACO VINUEZA	JOAQUIN SOTO STREET No. OE4-74 AND LA PRENSA AVE.	QUITO	2497029
INSTITUTO FISCAL DE DISCAPACIDAD MOTRIZ	DR. VICTOR GUERRERO	AUGUSTIN MIRANDA STREET OE4-119 AND APUELA	QUITO	2960000
INSTITUTO DE EDUCACION ESPECIAL DE SINDROME DE DOWN	LCDA. VIRGINIA YEROVI	MARISCAL SUCRE D STREET S37-311 CITADEL IBARRA, CHILLOGALLO	QUITO	2623044
CORPORACION	DR. NARCISA	SAN IGNACIO 134 AND 6	QUITO	2547240

PRENATAL	TORRES	DE DICIEMBRE		
FUNDACION INTEGRAR	IRMA MARTINEZ	URB. EL LABRADOR PASSAGE 2 HOUSE 7 AND ENESCO	QUITO	2812552
CENTRO PSICOPEDAGOGICO DE DESARROLLO INTEGRAL INDIVIDUALIZADO	DR. OLGA LEÓN DE ZÁRATE	PONTEVEDRA 223 BETWEEN VALLADOLID AND MADRID	QUITO	2237046
FUNDACION DE NIÑOS ESPECIALES DEL CANTON MEJIA	LCDO. GUIDO GOMEZ	PABLO GUARDERAS AVE.	MACHACHI	2315329
FUNDACION VALLE INTEROCEANICO	ODD HANSSEN	ALONSO JERVES 134 AND ORELLANA	QUITO	2557763
FUNDACION ECUATORIANA PARA CIEGOS VISTA	DR. GUSTAVO SUAREZ	ISABEL LA CATOLICA 2437 AND MADRID	QUITO	2235395
FUNDACION DE PSICOPEDAGOGIA ALFAGUARA	MRS. TANYA CARRASCO	ABASCAL AND G. DE VILLARROEL INMOVERA BUILDING	QUITO	2434117
FUNDACION SAN JUAN DE JERUSALEM PARA ADOLESCENTES Y JOVENES CON PARALISIS CEREBRAL	MRS. ANGELICA GUERRERO	OCCIDENTAL AVE. AND JORGE PIEDRA DPTO. 601 TOWER 2	QUITO	2295026
ESCUELA MIXTA INTEGRACION SIN FRONTERAS	DR. NELLY BERMEO	ANTONIO JARAMILLO OE 5-332 BETWEEN CAPT. RAFAEL GRAU AND MARISCAL SUCRE	QUITO	2657365
FUNDACION DE APOYO AL DESARROLLO SOCIAL	MARIANELA ALBAN	URB. 10 DE AGOSTO CORONEL OVIEDO STREET AND FIRST PASSAGE	SANTO DOMINGO DE LOS COLORADOS	2753497
FUNDACION DE REHABILITACION INTEGRAL Y EDUCACION ESPECIAL "ANTORCHA DE VIDA"	NANCY ROMERO	ABETOS 31 AND JUAN DE SALINAS AVE., EL CHOCLO	SANGOLQUI	2333571
SOCIEDAD DE CIEGOS DE PICHINCHA BRILLE LUIS	HERNAN BOADA	FLORES STREET N4-132 AND ESPEJO	QUITO	2284188

FUNDACION DE NI-OS ESPECIALES AYUDEMOS A VIVIR	ROSA ROMERO	OF. ASCAZUBI 232 AND 9 DE OCTUBRE - DEL NI-O STREET INNFA OFFICES CONOCOTO	QUITO	2504373
CENTRO AUDITIVO ORAL DEL INNFA	DR. TERESA VASQUEZ	CIUDAD DEL NI-O - CONOCOTO	QUITO	2341343
CENTRO DE FORMACION Y CAPACITACION LABORAL PARA CIEGOS DEL INNFA	DR. RAUL CASTILLO	TENIENTE HUGO ORTIZ AVE. 4480 AND ALONSO DE ANGULO	QUITO	2661367
CONSEJO METROPOLITANO DE DISCAPACIDADES	DR. LILIANA ZANAFRIA	VENEZUELA, BETWEEN ESPEJO AND SUCRE, MUNICIPAL "AVALUOS Y CATASTROS" BUILDING	QUITO	2283418
FUNDACION ECUATORIANA PARA AUTISTAS	LCDA. DOLORES ROMERO	DE LAS PALMERAS 395 AVE. Y TULIPANES	QUITO	2985670
FEDERACION NACIONAL DE CIEGOS DEL ECUADOR - PROYECTO AGORA	LCDO. LUIS NARVAEZ	10 DE AGOSTO AVE. N37-193 AND BARON DE CARONDELET	QUITO	3316301
FUNDACION DE ASISTENCIA SOCIAL Y AYUDA PARA PERSONAS SORDAS	XIMENA CARRERA SEGOVIA	VICENTE CARDENAS E5-75 AND JAPON	QUITO	22457883
FUNDACION CAMINO ESPECIAL	JONATHAN CAMINO	CRISTOBAL ACU-A OE3-271 AND AMERICA AVE.	QUITO	2237328
FUNDACION FUTURO	CESAR REMBERTO BUITRON FARINANGO	EXPOSICION 208, LA RECOLETA	QUITO	2280750
FUNDACION CALIDAD DE VIDA INDEPENDIENTE PARA PERSONAS CON DISCAPACIDAD	KLEBER DARIO ACURIO MIRANDA	URB. MASTODONTES CARCELEN BAJO 2B STREET LOT 371	QUITO	2030627
FUNDACION MIRANDO CON EL ALMA	LEIDY EDITH MACAS VELOZ	PICOAZÁ E6-174 AND CALCETA LA ARGELIA NEIGHBOURHOOD SAN ALFONSO	QUITO	022688719
INSTITUTO NACIONAL DEL NI-O Y LA FAMILIA	MANUEL MARTINEZ	VENEZUELA 131 OE4 AND SUCRE	QUITO	2572308

FUNDACION TERNURA Y AMOR	DR. ELENA ROSERO	STA. MARIA STREET AND ANILLO VIAL	SANTO DOMINGO DE LOS COLORADOS	2750340
INSTITUTO EDUCATIVO Y PSICOTERAPEUTICO DEL NI-O	CECILIA BARRIGA BAQUERO	COCHAPATA E11-116 ABASCAL	QUITO	2432959
FUNDACION SONREIR	ANGELITA GUARDERAS	CACHA STREET 2320 SAN JOSE DE MORAN/ CARAPUNGO	QUITO	2827382
RED IBEROAMERICANA DE ENTIDADES DE PERSONAS CON DISCAPACIDAD FISICA	XAVIER TORRES CORREA	10 DE AGOSTO AVE. No. 5070 AND NNUU 3RD FLOOR OFFICE 32	QUITO	2456088
INSTITUTO FISCAL DE AUDICION Y LENGUAJE "ENRIQUETA SANTILLAN"	DR. JORGE ROMAN	CITADEL MENA 2 BALTAZAR DE OSORIO STREET OE8 # 180 Y RIO CONURIS	QUITO	2629489
FEDERACION NACIONAL DE SORDOS DEL ECUADOR	TNLG. VINICIO VAQUERO	10 DE AGOSTO AVE. N37-193 AND CARONDELET	QUITO	2246577
FUNDACION PARA LA INTEGRACION DEL NI-O ESPECIAL	YOLANDA ORTIZ	CORDOVA GALARZA AVE. KM9 SAN JOSE DE POMASQUI NEIGHBOURHOOD LOT 9	QUITO	2354766

Province: Guayas

Institution / Organization	Contact	Address	City	Telephone
INSTITUTO MEDICO PEDAGOGICO DE AUDICION Y LENGUAJE	ELSA ZAVALA DE GALLARDO	DURAN - CITADEL ALBERT GILBERT POMTOM BOLIVAR AND TUNGURAHUA	DURAN	2801610
ASOCIACION DE HEMIPLEJICOS, PARAPLEJICOS, CUADRUPLEJICOS DEL GUAYAS	ALEXANDRA AVILES BAUTISTA	CITADEL HUANCABILCA CC.LOS JARDINES LOCALES 5-6	GUAYAQUIL	2490231
FUNDACION SIN BARRERAS	DR. LUIS A. MORTOLA	HUANCABILCA 2415 AND TUNGURAHUA	GUAYAQUIL	2363455

		HERRERA			
SOCIEDAD ECUATORIANA PRO REHABILITACION DE LOS LISIADOS		ENG. JOSÉ CENTENO ABAD	BOLIVIA AND ANTEPARA ESQUINA	GUAYAQUIL	2360986
CENTRO DE RECUPERACION PSICOPEDAGOGICA CEREPSI		PSIC. ARTURO MORA GARCIA	VACAS GALINDO 712 -714 AND NOGUCHI	GUAYAQUIL	2449963
ASOCIACION DE DISCAPACITADOS DEL GUAYAS "12 DE JUNIO"		ENG. GONZALO PAREDES FUENTES	VELEZ 1214 BETWEEN MACHALA AND ANTEPARA	GUAYAQUIL	2350128
ESCUELA FISCAL MATUTINA N° 3 "GLADYS PEET DE AROSEMENA"		PSIC. OLGA SORIA OLIVARES DE ALARCON	BARRIO 28 DE MAYO GUAYAS AVE. STREETS 12 AND 13	LA LIBERTAD	2786965
ASOCIACION DE CIEGOS DEL GUAYAS		MR. JOSE NICOLAS TUMBACOS	LIZARDO GARCIA 831 AND SALCEDO	GUAYAQUIL	2360336
CENTRO DE ATENCION ESPECIAL PARA NI-OS Y ADOLESCENTES		MRS. ALEXANDRA BARREZUETA	LOS ESTEROS BLOCK 3A VILLA 28	GUAYAQUIL	2436401
FUNDACION JACINTA Y FRANCISCO		ROSA MARIA DE MARCOS	ALBORADA 3RA ETAPA BLOCK SC7 NEXT TO SAN JUDAS TADEO HIGH SCHOOL	GUAYAQUIL	2427462
FUNDACION DE ASISTENCIA PSICOPEDAGOGICA A NI-OS, ADOLESCENTES Y ADULTOS CON RETARDO MENTAL		LCDA. ALEGRIA BARREZUETA DE VERA	KENEDDY NORTE BLOCK 17 LOT 3	GUAYAQUIL	2680620
FUNDACION REBECA		MERYS RODRIGUEZ ROMERO	31 DE OCTUBRE AND SANTIAGO PAVON	SAMBORONDON	2247716
ASOCIACION CANTONAL DE PERSONAS CON DISCAPACIDAD FISICA DE SAN FRANCISCO DE MILAGRO		HECTOR SOLORZANO PE-AFIEL	CITY OF SAN FRANCISCO DE MILAGRO	MILAGRO	094405138

FUNDACION MADRE TERESA	LCDA. TERESA ROBINSON SALCEDO	CITADEL. URDENOR 2 BLOCK. 201 S. 8	GUAYAQUIL	2389765
FUNDACION PORTAL PARA LA PROMOCI" N HUMANA Y EL DESARROLLO SOCIAL	JUANA ELENA INTERLLIGE	CIRCUNVALACI" N 904 E HIGUERAS - URDESA GUAYAQUIL	GUAYAQUIL	042889971
FUNDACI" N CORAZ" N HUMANITARIO CELSO ABAD RUGEL MORA	ATTY. GUIDO RUGEL ALCIDES ANCHUNDIA	NICOLÁS MARTINEZ N/N AND JUAN JOSÉ GUERRA	CANTON SANTA LUCÍA	042709222
ASOCIACION COORDINADORA DEL VOLUNTARIADO	MRS. SONIA DE ESCOBAR BAQUERIZO	ROBERTO GILBERT ELIZALDE AVE. AND DEMOCRACIA	GUAYAQUIL	2285398
FUNDACION AYUDA MULTIPLE PARA ADOLESCENTES Y ADULTOS CON RETARDO	TECNLGO. MEDICA MARTHA MORALES	CITADEL ATARAZANA AREA COMUNAL BLOCK 94	GUAYAQUIL	2285545
FUNDACION AMIGOS DEL MUNDO	ENG. ELADIO ALBERTO POTES	BIBLIOTECA MUNICIPAL	GUAYAQUIL	2361843
CENTRO DE EDUCACION INTEGRAL "MELVIN JONES"	ELIANA PALMA OSORIO	16 AVE. STREETS 13 Y 14	LA LIBERTAD	2783969
CENTRO DE DIAGNOSTICO Y ORIENTACION PSICOPEDAGOGICA DEL GUAYAS	PSIC. AURORA CASTRO MUJICA	KILOMETER 4 1/2 VIA A LA COSTA INNFA BUILDING 1ST FLOOR	GUAYAQUIL	2206599
ASOCIACION DE DISCAPACITADOS DEL CANTON MILAGRO	MR. ALEJANDRO ROMAN PEREZ	MILAGRO INTERSECCION DE LAS CHIRIJOS AVE. AND 17 DE SEPTIEMBRE	MILAGRO	2712756
CLUB DE LEONES DE GUAYAQUIL URDESA NORTE	DR. LUZ MARINA MARCOS SALTOS	CITADEL URDESA NORTE ALLEY OF 3RD AVE. SIXTH STREET	GUAYAQUIL	2887222
ASOCIACION CULTURA DE SORDOS DE GUAYAQUIL	MRS. ESTHER PEZO SEGOVIA	CARCHI AND CLEMENTE BALLEEN	GUAYAQUIL	2423489
ESCUELA MUNICIPAL DE AUDICION Y LENGUAJE	LCDA. JULIA MONTALVAN SANCHEZ	CALICUCHIMA 2120 AND TULCAN	GUAYAQUIL	2452231

MISION ALIANZA DE NORUEGA EN ECUADOR	EC. ANDREAS EIDSAA	FORTIN KM. 25 VIA PERIMETRAL	GUAYAQUIL	2100899
FUNDACION LUIS BRAILE COLEGIO SANTIAGO DE GUAYAQUIL	DR. GEOVANNA CARCHIPULLA	CITADEL QUISQUIS BLOCK M VILLA 12	GUAYAQUIL	2883597
CENTRO NUEVO CAMINOS	DR. CAMILO MARQUEZ CAMPOVERDE	URDESA 2 BLOCK 221 VILLA 15 -16	GUAYAQUIL	2885114
FUNDACION EL CIELO PARA LOS NI-OS DEL ECUADOR	DR. SORAIDA FIGUEROA	KM. 18 OF CARLOS JULIO AROSEMENA AVE.	GUAYAQUIL	2203762
CENTRO DE PROTECCION PARA PERSONAS DISCAPACIDAD DE GUAYAQUIL	DR. OSCAR MORA GALVEZ	25 DE JULIO AVE. AND PERIMETRAL	GUAYAQUIL	2490457
FUNDACION PARA EL DESARROLLO DEL NI-O CON AMOR Y FE	MR. CONDORI WILSON ALBERTO	ISLA TRINITARIA INDEP. 1	GUAYAQUIL	2600666
FUNDACION MARGARITA ENDERTON	ANAL. HUMBERTO NAVARRETE	FERROVIARIA 4TA AVE. 401 AND CALLE OCTAVA	GUAYAQUIL	2205317
CENTRO DE REHABILITACION ESPECIAL DE NUESTRA SE-ORA DE LAS MERCEDES	LCDO. YOUNG SOOK KIM	9 DE OCTUBRE AND ROCAFUERTE	GUAYAQUIL	2704342
ASOCIACION ECUATORIAN PARA NI-OS RETARDADOS	LCDA. MARIANA SERENI DE VALLERINO	KENEDY NORTE MIGUE- H. PONCE ALCIVAR STREET AND ALBERTO BORGES	GUAYAQUIL	2292931
FUNDACION MARIA OTILIA	LCDA. PATRICIA ENCALADA GRIJALVA	MAPASINGUE ESTE CITADEL EL PRADO BLOCK 5 S. 33	GUAYAQUIL	2398435
ROTARY CLUB LA PUNTILLA	ENG. HUGO GUERRERO VILLACIS	URB. ENTRE RIO BEHIND SANTA TERESITA CHURCH	GUAYAQUIL	2832343
FUNDACION DE ASISTENCIA SOCIAL Y ATENCION INTEGRAL A	JESSICA VERONICA COLORADO	25TH STREET AND LA K	GUAYAQUIL	2472236

DISCAPACIDADES CISNE II	SUAREZ			
FUNDACION ECUATORIANA DE SORDOCIEGO ECOS Y LUZ	JAIME GAVILANES BUENA-O	ENTRE 17 AND 18 AVA	GUAYAQUIL	2498386
FUNDACION NOS NECESITAN ECUADOR	MARIA BERNARDITA LIZARZABURU DE CAMPOLO	ALBORADO III CLOCK SC VILLA 7	GUAYAQUIL	2274621
FUNDACION COMUNICAR	MRS. HORTENCIA GARCIA DE ALVEAR	LOS ALAMOS 4TH ALLEY 11 A N-E AND 3RD PASSAGE 1 NE BEHIND BOLOCENTRO	GUAYAQUIL	2692420
FUNDACION DIVINO NI-O DE PRAGA	LCDA. MARIELA LITUMA	LUQUE 404 AND CHIMBORAZO	GUAYAQUIL	2321938
ESCUELA MUNICIPAL DE CIEGOS 4 DE ENERO	PROF. HILDA ALCIVAR BAQUERIZO	MACHALA AND BOLIVIA ESQUINA	GUAYAQUIL	2361279
FUNDACION HERTA SEEBAN	ENG. CLEMENS VAN CAMPE	GUILLERMO PAREJA AVE. ALBO CENTRO 5-B BLOCK D-2 OFICINA 104	GUAYAQUIL	2278229
CENTRO DE EDUCACION ESPECIAL NUEVOS HORIZONTES	TECNLGO. SOLEDAD ARMENDARIS	SAMANES 1 BLOCK 118 S. 5 - 6	GUAYAQUIL	2210016
FUNDACION DE DISCAPACITADO FISICO	JUAN MARCOS RIVERA	MARISCAL SUCRE NEIGHBOURHOOD, 4TH AVE. AND ROBLES BODERO	LA LIBERTAD	2786089
FUNDACION DE DESARROLLO SOCIAL MISIONERA	ELAINE GONZAGA GONZAGA	40 STREET AND J ALLEY	GUAYAQUIL	2843038
FUNDACION GABRIEL	LCDA. MARIA DEL PILAR ZAMBRANO	SALINAS CITADEL LA MILINA BLOCK P LOT 1	SALINAS	2777882
ARQUIDIOCESIS DE GUAYAQUIL	MONS. ANTONIO ARREGUI	CLEMENTE BALLEEN 501 AND CHIMBORAZO	GUAYAQUIL	2322778
FUNDACION UNIDOS POR LA VIDA	MARIA ISABEL DE SALAME	VICENTE MORENO DE LUCA N° 22 AND MIGUEL ANGEL BARRERA		

## Province: Azuay

Institution / Organization	Contact	Address	City	Telephone
SOCIEDAD DE NO VIDENTES DEL AZUAY	MR. CARLOS PI-A G.	DE LAS HERRERIAS STREET 2-12 AND LOS ARUPOS; EL VERGEL NEIGHBOURHOOD	CUENCA	2889291
FEDERACION NACIONAL DE CIEGOS DEL ECUADOR	LCDO. NARVAEZ LUIS	DE LAS HERRERIAS STREET 2-12 AND LOS ARUPOS;	CUENCA	2888227
ASOCIACION DE PERSONAS CON DISCAPACIDADES DEL AZUAY	LCDA. MARIA DEL CARMEN BRAVO	LEOPOLDO ABAD STREET AND TRECE DE ABRIL AVENUE	CUENCA	2807743
ESCUELA ESPECIAL SAN JOSÉ DE CALSANZ	TEC. TORRES EULALIA	PASEO DEL RIO YANUNCAY AND PASEO DEL RIO TARQUI	CUENCA	2817795
ASOCIACION PARA EL DESARROLLO INTEGRAL DEL NI-O EXCEPCIONAL DEL AZUAY	MRS. MERCEDES ESPINOSA DE CUEVA MARIA	CAMILO EGAS 3-50 AND PASEO DE LOS CA-ARIS	CUENCA	2801361
INSTITUTO PSICOPEDAGOGICO "AGUSTIN CUEVA TAMARIZ"	DR. EGMA SÁNCHEZ	MERCEDES POZO AND FRANCISCO ESTRELLA	CUENCA	2880609
INSTITUTO FISCAL ESPECIAL DE INVIDENTES Y SORDOS DEL AZUAY	LCDA. FALCONI H MIRIAM	EL PARAISO AVE. N/N	CUENCA	2452631
FUNDACI" N NUESTROS NI-O S CENTRO EL NIDO	MR. PE-AFIEL G MARCELO	VICENTE MIDEROS STREET N/N AND DOS DE AGOSTO	CUENCA	2893530
CENTRO DE ARTES ESPECIALES FUNDACI" N MUNDO NUEVO	LCDA. MONSERRATH MORALES	LONDRES AND BERLÍN CITADEL MUTUALISTA AZUAY MACHÁNGARA PANM NORTE KM. 51/2	CUENCA	2477501
INSTITUTO DE EDUCACI" N ESPECIAL "STEPHEN HAWKING"	LCDA. SÁNCHEZ CÁRDENAS VILMA	LUIS PASTEUR AND HUMBOLT BETWEEN ABELARDO J. ANDRADE AVE. AND DEL CHOFER AVE. ATENAS DE TELECUENCA	CUENCA	2826096

CENTRO DE EDUCACION ESPECIAL GUALACEO	LCDA. ENMA LUCILA BURI CUENCA	ATAHUALPA AND LOS INCAS (GUALACEO)	GUALACEO	2255706
INSTITUTO ESPECIAL "NICOLAS MU-OZ" VASQUEZ	MISS SARA JERVES PALACIOS	LUNTUR STREET 5-10 AND CINRCUNVALACION	PAUTE	2250400
ASOCIACION PROSUPERACION DE LA PERSONA CON PARALISIS CEREBRAL DEL AZUAY	PATRICIA JARAMILLO MERCHAN	GUATANA 114 AND DOLORES J. TORRES	CUENCA	072865214
ASOCIACION DE SORDOS DEL AZUAY	MR. FRANKLIN WAZHIMAZ	PASEO DE LOS CA-ARIS AVE., MARIA REINA DE LA PAZ CHURCH, AULA 14	CUENCA	072885328
CLUB SOCIAL CULTURAL Y DEPORTIVO: DISCAPACITADOS DEL AZUAY	ENG. ESTEBA ORTIZ A	SIMON BOLIVAR 5-69 AND HERMANO MIGUEL	CUENCA	2835526
SISTEMA RED DE DISCAPACIDADES DE LA PROVINCIA DEL AZUAY	DR. ENMA SANCHEZ	FRANCISCO ESTRELLA AND MERCEDES POZO N/N	CUENCA	2880609
ESCUELA CRISTIANA DE SORDOS BETHEL	MRS. LILIANA A BRITTO R	MIGUEL MORENO 6-72 AND 10 DE AGOSTO	CUENCA	2819270
CENTRO JERIEL "CENTRO DE CAPACITACION INTEGRAL ESPECIAL"	LCDA. CARMITA GUTIERREZ	MIGUEL DE CERVANTES AND DON BOSCO AVE.	CUENCA	2807181
CENTRO DE PROTECCION PARA DISCAPACITADOS	PSI. CLIN. RAUL CACERES ARIAS	PASEO DEL PARAISO AVE AND 12 DE ABRIL AVE.	CUENCA	2884734
CENTRO DE INTEGRACION EDUCATIVA LUIS ALBERTO LUNA TOBAR	TEC. MED. LUIS ALBA BARREIRO	FIDEL ROSALES STREET BETWEEN CESAR CASTILLO AND MANABI, EL PARAISO NEIGHBOURHOOD	SANTA ISABEL	2270408
CENTRO EDUCATIVO MANUEL GALARZA CORDOVA	DR. CARLOS EFRAIN CRESPO	BA-OS PAROCHIAL CENTER (LAS PE-AS)	CUENCA	2892475
ESCUELA TALLER CUENCA	ARCH. FERNANDO DELGADO	3 DE NOVIEMBRE AVE. 7-07 AND HERMANO MIGUEL	CUENCA	2844116

CENTRO DE ESTIMULACI" N INTEGRAL Y APOYO PSICOPEDAG" GICO DE LA UNIVERSIDAD DEL AZUAY	LIC. KARINA HUIRACOA	24 DE MAYO AVE. 7-77 AND HERNÁN MALO	CUENCA	2881333
INSTITUTO SAN JUAN DE JERUSALÉN	DR. FRANCISCO OCHOA	PAUCARBAMBA AND GIRASOL ESQUINA	CUENCA	2814001
INSTITUTO DE PARÁLISIS CEREBRAL DEL AZUAY	DR. HERNÁN TENORIO	GUATANA 1-14 AND DOLORES J TORRES (CITADEL RETAMAS BAJAS)	CUENCA	2862162
INSTITUTO PILOTO DE INTEGRACI" N DEL AZUAY	LCDA. GLORIA SÁNCHEZ	HUAYNA-CAPAC AVE. AND CALLE LARGA	CUENCA	2809419
LICEO INTERNACIONAL CUENCA-ECUADOR	MST. ELIANA BOJORQUE P.	VICENTE MIDEROS 87-32 AND DOS DE AGOSTO(VÍA A BA-OS)	CUENCA	2893493
CENTRO DE DIAGN" STICO Y ORIENTACI" N PSICOPEDAG" GICA	LCDA. MARIA DE LOURDES OCHOA	FRANCISCO ESTRELLA AND MERCEDES POZO (CORNER)	CUENCA	2884977
CENTRO DE REHABILITACI" N HIPOTERAPIA	MRS. YOLANDA DE G" NZALES	PANAMERICANA NORTE KIL" METRO 71/2 SIDCAY	CUENCA	875348
PLAZA MÉDICA CLÍNICA PAUCARBAMBA	DR. MARCELO INIGUEZ	PAUCARBAMBA AND MANUEL J CALLE	CUENCA	2881988
PROGRAMA DE PROTECCI" N Y TRATAMIENTO DE NEURODISCAPACIDADES	DR. JORGE ESPINOSA	BENIGNO MALO 15-67 AND MU-OZ VERNAZA	CUENCA	2845710
CRUZ ROJA ECUATORIANA, JUNTA PROVINCIAL DEL AZUAY	DR. CLAUDIO ARIAS A	PRESIDENTE BORRERO 6-56 AND PRESIDENTE C" RDOVA	CUENCA	2822520
COMITÉ DE OLIMPIADAS ESPECIALES DEL AZUAY	ECON. JORGE HARRIS	PADRE MATOVELLE 3-75	CUENCA	2817488
COORDINADORA REGIONAL DE VOLUNTARIADO	DR. HERNÁN TENORIO C	GENERAL TORRES 7-33 AND PRESIDENTE C" RDOVA (ARTESANAL CENTER "CASA DE LA MUJER")	CUENCA	2843164
FUNDACI" N DE AYUDA Y APOYO INTEGRAL AL CIEGO	ENG. ANDRÉS MALO	TARQUI13-45 AND PIO	CUENCA	2830444

ECUATORIANO	V	BRAVO		
FUNDACI" N MENSAJEROS DE LA PAZ	REVEREND JOSÉ LUIS SÁNCHEZ	JUAN MONTALVO 8-54 AND SUCRE	CUENCA	2850858
FUNDACI" N INTEGRACI" N	DR. ROMMEL AVENDA-O L	VEGA MU-OZ 15-100 AND MIGUEL VÉLEZ	CUENCA	2844012
PROAUTISM OF AZUAY FOUNDATION	MR. OSWALDO TAMAYO	CALLE VIEJA 13-80 AND TURUHUAYCO (IN FRONT OF UPS)	CUENCA	2809343
"SONRISAS" FOUNDATION	MRS. PAOLA VÉLEZ C	CALLE DEL RETORNO No 11 AND JUAN RAM" N JIMÉNEZ, DON BOSCO	CUENCA	2811100
QUEENS OF CUENCA FOUNDATION	MISS. VER" NICA OCHOA	SAN ROQUE AND DOCE DE ABRIL AVE. VILLA ELSITA (ACCI" N SOCIAL MUNICIPAL) NEXT TO MALL LOS NOGALES	CUENCA	2819763
ZAMBRANO CARPIO FOUNDATION	MRS. ALBA CARPIO Z	ELOY ALFARO 5-47 AND GIJ" N Y CAMA-O	CUENCA	2807660
FOUNDATION OF MOTOR DISABILITIES IN THE AUSTRO	LCDA. EMMA MONROY O.	HONORATO VAZQUEZ 1-139 AND MIGUEL ANGEL ESTRELLA	CUENCA	2848650
MUNICIPAL SOCIAL ACTION	MRS. MIREYA VELEZ DE C.	CALLE SAN ROQUE AND 12 DE ABRIL AVE. VILLA ELSITA JUNTO AL C.C. LOS NOGALES	CUENCA	2815420
DIRECTION OF EDUCATION IN AZUAY DIVISION OF CURRCULUM, DTO. OF SPECIAL EDUCATION	DR. LESLIE NICOLALDE	BOLIVAR 10-71	CUENCA	2835120
DEFENSORIA DEL PUEBLO IN AZUAY	DR. LUIS URGILES	MARIANO CUEVA8-47 ENTRE SUCRE AND BOLIVAR	CUENCA	2845126
MINISTRY OF LABOUR; REGIONAL DIRECTION OF LABOUR Y EMPLOYMENT IN THE AUSTRO	DR. LISANDRO MARTINEZ A.	BOLIVAR 14-36 AND ESTEVEZ DE TORAL, HERMA BUILDING THIRD FLOOR	CUENCA	2831939
PROVINCIAL COMMISSION	LCDO. DANIEL	CALLE LARGA AND	CUENCA	2837200

OF DISABILITIES IN AZUAY	VILLAVICENCIO	HUAYNA CAPAC AVE., TRAS DEL BANCO CENTRA DEL ECUADOR, PLANTA BAJA DE LA SUB SEC. REG. DE EDUCACION		
VICENTE CORRAL MOSCOSO, REGIONAL HOSPITAL, DPT, OF PHYSICAL MEDICINE AND REHABILITATION	DR. JOSE JOAQUIN MOSCOSO	DE LOS ARUPOS AVE. N/N AND 12 DE ABRIL AVE.	CUENCA	2882100
JOSE CARRASCO ARTEGA HOSPITAL	DR. FAUSTO LOPE M.	MONAY, VIA A RAYOLOMA, BETWEEN POPAYÁN AND PACTO ANDINO	CUENCA	2861500
NATIONAL INSTITUTE OF CHILDHOOD, ADOLESCENCE AND FAMILY	DR. BEATRIZ MEDINA	REMIGIO CRESPO AVE. AND LOS RIOS CORNER	CUENCA	2888419
MUNICIPALITY OF CUENCA SOCIAL DEVELOPMENT	ENG. MARCELO CABRERA P.	SUCRE BETWEEN BENIGNO MALO AND LUIS CORDERO	CUENCA	2845499
PROGRAM OF ATTENTION AND PREVENTION FOR JUST BORN CHILDREN WITH HIGH PSYCHO-NEURO-SENSORIAL	DR. EFRAIN PALACIOS	HEALTH CENTER No 1 ;HUAYNA CAPAC 12-70	CUENCA	2866397
REGIONAL SUBSECRETARY OF EDUCATION AND CULTURE IN THE AUSTRO DPT. REG. OF ESP. EDUC.	ATTY. ESPERANZA VEGA DE ARIAS	CALLE LARGA AND HUAYNA CAPAC BEHIND CENTRAL BANK	CUENCA	2866428
SUBSECRETARY OF SOCIAL WELFARE IN AZUAY	DR. FABIAN CARPIO	ANTONIO BORRERO 4- 24 AND CALLE LARGA	CUENCA	2842509
PROVINCIAL DIRECTION OF HEALTH IN AZUAY	DR. JOSÉ GERARDO C	12 DE ABRIL AVE. 5-9	CUENCA	2881339
ANDRES SALCEDO FOUNDATION	FRANKLIN ARTEAGA	JAIME ROLDOS 4-80	CUENCA	2863420
"ALADIS" FOUNDATION (LABOUR ALTERNATIVES FOR PEOPLE WITH DISABILITIES)	LCDA <sup>214</sup> . CATALINA DELGADO	PIO BRAVO 12-13 AND TARQUI	CUENCA	2885190

214 "Licenciado" and "Licenciada" don't have a translation, but it refers to a degree which can be an attorney or any other career. In the United States there are many terms according to the career.

## 4.7. Indigenous People

In the particular case of Ecuador, the nationalities and indigenous people have been, on their trajectory, the actors of social change through the demand of respect of their Collective and Individual Rights. Their involvement on important decisions in the country, have allowed them to have government institutions that guarantee their sustainable development, the preservation of their language and culture, their traditional health praxis and their justice administration.

When speaking about nationalities and indigenous people, we must understand as nationality "the people or set of past millennial constitutive people of Ecuadorian State, that are self-defined as such, that have a common historical identity, language and culture, that live on a territory determined by their institutions and traditional ways of social, economical, juridical and political organization and authority".

The concept of nationality is not a synonym of Nation, nor a contraposition of it. The nation is a category of the State that implies sense of belonging to a sovereign territory, while the nationality alludes to a historical union of language, culture and its own ways of social exercise, which implies that within a Nation there can be a diversity of nationalities, without affecting their sovereignty and their existence as a union.

The indigenous people, on the other hand, are defined as the "originative collectivities, formed by communities or centers with cultural identities that distinguish them from other sectors of the Ecuadorian society, governed by their own systems of social, economical, political and legal organization".

That means that within a nationality there can be several people that maintain the essential characteristics of it, for example. their language, but that have some elements that differentiate them from the others.

The objective the autonomy process, formulated by the nationalities and indigenous people is trying to reach, is framed by a philosophy of living, understood as the philosophy of "harmonic living" or "well living"<sup>215</sup>.

This philosophy has been captured by the Ecuadorian government in the new Constitution of the Republic of Ecuador, in force since October the 22nd, 2008, on the second Chapter about the Well living rights, and these are: water, food, healthy environment, communication and information, science and culture, education, habitat and housing, health and work, and social security<sup>216</sup>.

The demands of Peoples and Indigenous Nationalities, it took shape of a series of recognition in the new Constitution, it is as well as one dedicates the fourth chapter, to the Rights of communities, peoples and nationalities, which between others it mentions:

Art. 56. - The communities, peoples, and indigenous nationalities, the people afro Ecuadorian, the people "montubio"<sup>217</sup> and the communes are part of Ecuador, only and indivisible State.

Art. 57. - It is recognized and it will guarantee the communes, communities, peoples and indigenous nationalities, in accordance with the Constitution and with the agreements, declarations and other international instruments of human rights, the following collective rights:

1. To support, to develop and to freely strength their identity, sense of belonging, ancestral traditions and forms of social organization.

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215 See: <http://www.codenpe.gov.ec/conoznpe.htm>. Consulted on December 11th, 2008.

216 Constitution of the Republic of Ecuador. Second chapter. Right of the Good Living. From the first section to the eighth section. Consulted on December 10th, 2008

217 T.N.: For "Montubio" there is not an equivalent or exact translation. The term refers to country people residing on the rural zone of the internal coast of Ecuador.

2. Not to be an object of racism and of any form of discrimination founded on his origin, an ethnic or cultural identity
3. The recognition, repair and indemnity to the communities affected by racism, xenophobia and other connected forms of intolerance and discrimination.
4. To preserve the property of his community grounds, this will be inalienable, unattachable and indivisible. These grounds will be exempt from payment of valuations and taxes.
5. To support the possession of the grounds and ancestral territories and to obtain his free awarding.
6. To take part in the use, usufruct, administration and conservation of the renewable natural resources that are in his grounds.
7. The previous, free and informed consultation, in a reasonable term, on plans and programs of prospect, development and commercialization of nonrenewable resources that are in his grounds and that could affect them environmental or culturally; to take part in the benefits that these projects bring and to get indemnifications for the social, cultural and environmental damages that they cause them. The consultation that the competent authorities should realize will be obligatory and opportune. If there was not obtained the assent of the consulted community, one will proceed in accordance with the Constitution and the law.
8. To create, to develop, to apply and to practice his own or habitual right, which will not be able to damage constitutional rights, in particular of women, girls, children and adolescents.
9. Not to be displaced of his ancestral grounds.
10. To construct and to support organizations that represent them, in the frame of the respect to the pluralism and to the cultural, political and organizational diversity. The State will recognize and promote all his forms of expression and organization.
11. To take part by means of his representatives in the official organisms that it determines the law, in the definition of the public policies that concern them, as well as in the design and decision of his priorities in the plans and projects of the State.
12. To be consulted before the adoption of a legislative measurement that could affect any of his collective rights.
13. To support and to develop the contacts, the relations and the cooperation with other peoples, in particular those who are divided by international borders.
14. To impel the use of clothing, the symbols and the emblems which identify them.
15. The limitation of military activities in their territories, in accordance with the law.

Art. 58. - To strength their identity, culture, traditions and rights, there are recognized after afro Ecuadorians the collective rights established in the Constitution, the law and agreements, declarations and other international instruments of human rights.

Art. 59. - The collective rights of the "montubios" are recognized to guarantee their process of integral human development, sustainable, the policies and strategies for their progress and their forms of associative administration, from the knowledge of their reality and the respect to their culture, identity and proper vision, in accordance with the law