



## Elements to understand the challenges of migration

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# Migration and Migration Policy in Ecuador in 2000–2021<sup>1</sup>

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### Abstract

*This paper describes the migration dynamics observed in Ecuador over the last 20 years and the migration policy implemented in this period. It begins by describing the different forms of human mobility present in the country, with an emphasis on the last five years, which have seen a massive influx of Venezuelan migrants and growing outflows of Ecuadorians moving abroad. The paper goes on to describe the main features of the labour market inclusion of the migrant population in Ecuador. It also explores how migration policy has evolved in the country in response to the dynamics of emigration, immigration and asylum-seeking, points out pending challenges in terms of social protection and the inclusion of the migrant population, and discusses social inclusion policies that could potentially be implemented in the country.*

*The paper argues that while the migration situation in Ecuador is increasingly complex, the policies implemented by the State do not currently reflect this complexity. Ecuador's first migration policies were largely oriented towards the Ecuadorian emigrant population. The focus of migration policy design shifted in 2014 to the immigrant population, in line with a perspective based on border control. This has impacted the social inclusion of this population, while Ecuadorians continue to migrate abroad in increasingly dangerous conditions, often experiencing violations of their rights.*

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Migration and Migration Policy in Ecuador in 2000–2021

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## 1. Introduction

Until 2000, international migration was very much on the margins of Ecuadorian public policy. Indeed, there were no policies to create linkages with the Ecuadorian community living abroad, and issues relating to the foreign population residing in the country were handled on the basis of the 1971 Migration Act, which was grounded in a restrictive understanding of migration (Eguiguren Jiménez, 2011). Before 2000, Ecuador was primarily a source of emigration: Ecuadorians communities developed in the United States, Canada and the Bolivarian Republic of Venezuela. At that time, the main migration policy issues revolved around dual nationality and Ecuadorians being able to vote from abroad (Eguiguren Jiménez, 2011). In relation to immigration, the country sheltered exiles from the Southern Cone in the 1970s and 1980s and also received cross-border migrants from Colombia and Peru.

This situation changed drastically from 2000 onwards, when the economic crisis that Ecuador experienced between the end of the 20th Century and the beginning of the 21st Century triggered unprecedented levels of emigration. Another major change was the arrival of large numbers of Colombians seeking international protection. Against this backdrop, migration began to take centre stage in the public agenda. Both the State and organized civil society began to consider and debate the fact that Ecuador was now both a migrant-sending country and the recipient of people in need of international protection.

Migration was one of the issues that was debated in 2007, during the drafting of the new Constitution, which was passed in 2008. In it, Ecuador was recognized as a country of emigration, immigration, transit and refuge, and people in movement were granted significant rights. This aspect of the Constitution was only translated into new legislation in 2017, when the Organic Law on Human Mobility was passed. The Constitution and this law currently constitute the legal framework for Ecuador's migration policy.

This paper examines Ecuador's migration dynamics over the last 20 years and reviews how this has evolved. Following this introduction, section 2 of the paper describes the different forms of migration identified in Ecuador between 2000 and 2021. It begins by examining the evolution of Ecuadorian emigration from 2000 onwards. It stresses that although the bulk of this emigration took place between 2000 and 2007, the country is currently experiencing a new wave of emigration, consisting of a migrant population that is mainly bound for the United States in very vulnerable circumstances. The section also analyses how remittances have evolved and their share in the country's GDP, which is currently at record levels. It then examines the dynamics of immigration and refuge in Ecuador, with an emphasis on the Colombian and Venezuelan populations, which are currently the two largest communities residing in the country.

Section 3 contains a comparative analysis of the migrant population's inclusion in the Ecuadorian labour market, examines some of the occupations shared by the immigrant population shares and the native-born Ecuadorian population, and considers how far the foreign population's migrant status hinders their socio-economic inclusion.

Section 4 analyses the State's migration policy responses. It points out that between 2000 and 2021, this sought to promote several institutional strengthening initiatives that failed to take root. As a result, the provisions of the Constitution and the Migration Act regarding migrants' rights jarred with the actual circumstances in the country. To analyse how these policies have evolved, section 4 of the paper is subdivided into three subsections that reflect three different stages in the history of migration in Ecuador. The first covers 2000 to 2007 and examines the process through which international migration was acknowledged as a significant public policy issue, which led to the inclusion of an important article on the rights of migrant populations in the 2008 Constitution. The second subsection covers 2008 to 2013, when migration policy began to be institutionalized. The aim of this process was to i) establish ties with the Ecuadorian population living abroad; ii) implement the policy of free movement of

people recognized in the Constitution; and iii) develop a programme to recognize refugee status, which specifically targeted a large share of the Colombian population who needed international protection (known as the Expanded Registry, this programme was implemented in 2009 and 2010). The third subsection spans 2014 to 2021, when Ecuadorian migration policy shifted towards an emphasis on immigration control, while programmes aimed at the Ecuadorian diaspora became less significant. The analysis in this paper focuses on this last stage, in which growing numbers of immigrants have entered the country, especially from Venezuela. It seeks to examine the State's different responses to migrants' legal status.

Section 5 looks at the challenges faced by the immigrant and refugee population in relation to social inclusion. It focuses on two factors: first, it examines the growing xenophobia and resulting discrimination suffered by poor migrant populations. Second, it explores the scope and limits of social protection policies targeting the immigrant population.

Section 6 describes the State institutional framework for assisting migrant populations at the local level. It notes that although this decentralized approach is very recent and has not yet been fully implemented in many places, it should be considered when implementing inclusion policies. The final section of the document includes recommendations that derive from the diagnostic exercise described above.

The main argument of this paper is that while the migration situation in Ecuador has become increasingly complex over the last 20 years, the policies implemented by the State do not currently reflect this. Policies were initially formulated primarily to address the situation of the Ecuadorian emigrant population. However, since 2014, the migration policy agenda has targeted the immigrant population, taking an approach based on border control and selective migration. The increase in Venezuelan migration since 2017 has accentuated this trend, as did the Covid-19 pandemic. This shift has jeopardized the social inclusion of the immigrant population. It has also led to neglect of Ecuadorians who are migrating abroad in increasingly dangerous conditions, leading to violations of their rights.

With regard to the data sources presented in this study, the description of emigration, immigration, and the refugee situation in Ecuador is based on the Ministry of Government's records of migration movements, information on applications for refugee status and the granting of this from the Ministry of Foreign Affairs and Human Movement, and data from the National Survey of Employment, Unemployment and Underemployment (ENEMDU) for December 2018, 2019 and 2021.<sup>3</sup> Secondary literature was also consulted to provide profiles of the immigrant and refugee population. The section on migration policy is based on secondary data from academic studies and reports by multilateral organizations and international cooperation agencies, such as the studies published by the Inter-Agency Coordination Platform for Refugees and Migrants in Venezuela (R4V) and previous studies by the author (see the methodological annex for more information).

## 2. Ecuador: multiple forms of human mobility

Migration flows and the Ecuadorian State's responses to these over the last 20 years have evolved against a changing international backdrop. This context has entailed a progressive tightening of migration policies and successive global economic crises, such as the global financial crisis of 2008 and the COVID-19 pandemic in 2020.

<sup>3</sup> The Population and Housing Census that was originally planned for 2020 will now take place in November 2022. There were no official surveys that looked at the conditions of the immigrant population in Ecuador between 2010 and 2020. As a result, this study draws on the results of several studies that have used quantitative methodologies to profile the migrant population in various Ecuadorian cities.

The domestic economic context has also been unstable. Ecuador experienced two very acute periods of economic slowdown—between 1999 and 2002 and from 2015 onward. These have caused a marked deterioration in the labour market and tax revenues, especially in recent years. Adequate employment fell from 41 percent in March 2018 to 32.5 percent in March 2022, and unemployment ranged from 5.1 percent to 5.4 percent between 2015 and 2021 (INEC, 2021a). The fiscal deficit indicator stood at between 5 percent and 6 percent of GDP in 2015–2020 and recovered in 2021, when it represented 3.5 percent of GDP (Banco Central del Ecuador, 2020).

Ecuador's legislation currently defines it as a country of emigration, immigration, transit and refuge. Multiple forms of human mobility coexist in the country. On the one hand, there is the emigration of the Ecuadorian population, mainly to Spain, the United States and Italy. On the other, there is immigration, notably the arrival of cross-border populations from Colombia and, since 2010, Cuba and Haiti. Much of this immigration has remained in the country temporarily, constituting a sort of prolonged transit migration before migrating on to the United States or to the south of the continent (Álvarez Velasco, 2020). As of 2017, Ecuador became the country with the third-largest number of Venezuelan migrants in the world, behind Colombia and Peru. According to the R4V platform, in July 2022, Colombia was hosting 1,800,000 Venezuelans, Peru had received 1,290,000 and Ecuador 513,900 (Inter-Agency Coordination Platform for Venezuelan Refugees and Migrants, 2022).

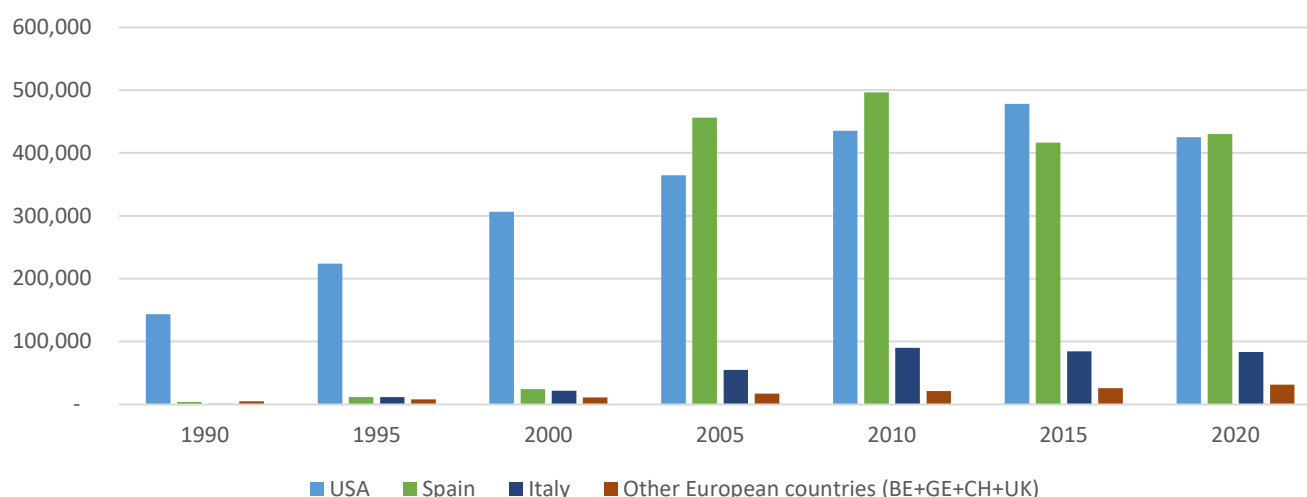
According to estimates by the National Institute of Statistics and Censuses (INEC), it is estimated that around 2 million people have emigrated from Ecuador in the last 20 years and that around 750,000 people have arrived in the country. Out of a total of approximately 17 million inhabitants, the Ecuadorian population abroad represents between 8 percent and 10 percent of the country's population, while the immigrant and refugee population constitutes between 3 percent and 5 percent (Álvarez and Pérez Martínez et al., 2020; Consejo Nacional para la Igualdad de Movilidad Humana, 2021).<sup>4</sup>

## 2.1. The Ecuadorian population abroad

Emigration from Ecuador began in the 1970s and has continued to the present day. The United States was the main destination for Ecuadorian emigrants between 1970 and 2000, and from 2000 onwards, their destinations diversified, with Spain and Italy becoming the top two receiving countries in Europe, in that order. Since the 2008 global financial crisis, there has been a slight growth in emigration to other European destinations, such as Germany, Belgium, the United Kingdom and Switzerland.

<sup>4</sup> These figures are estimates based primarily on projections and the balances of migration movements (i.e. the difference between entries and exits). As the most recent Population and Housing Census has been postponed, it was not possible to access more reliable figures.

**Figure 1.** Emigrant population stock from Ecuador by destination country, 1990–2020 (number of people)



Source: Author based on data from UNDESA.

There has been steady migration to the United States over the last 50 years, despite the tightening of migration policy there. Initially, more men emigrated, but over time, Ecuadorian emigration has become increasingly feminized. Many children have also migrated alone or as part of family reunification processes (Álvarez, 2020; Herrera Mosquera, 2019). The vast majority of the migrant population is undocumented, so statistics on volumes vary depending on the source used. For example, according to an article by Noe-Bustamante, Flores and Shah (2019) published by the Pew Research Center,<sup>5</sup> in 2017, there were 738,000 Ecuadorians in the United States.<sup>6</sup> Moreover, the growth of the Ecuadorian population in the United States has been particularly significant in the last 20 years: it increased from 270,000 in 2000 to 738,000 in 2017.<sup>7</sup>

There has been significant growth in migration to the United States since 2018, as noted in a recent report on high-risk migration by Ecuador's Ministry of Foreign Affairs and Human Mobility (Ministerio de Relaciones Exteriores y Movilidad Humana, 2021). The report also notes that between 2016 and the first half of 2021, 105,855 Ecuadorians travelled to Mexico and did not return. Of this total, 69,083 did not return to the country in 2021, and it is presumed that a large part of this population attempted to enter the United States. According to this report, the number of Ecuadorians apprehended by the US Border Patrol soared between 2018 and 2021, going from 1,988 in 2018 to 47,807 in the first six months of 2021. The number of reports of disappearances en route also increased substantially in the latter period (Ministerio de Relaciones Exteriores y Movilidad Humana, 2021). Deportations have also increased, especially during the pandemic. Between 2003 and 2018, the US Department of Homeland Security deported 25,177 Ecuadorians (Berg and Herrera Mosquera, 2022), while a total of 10,684 were deported in the much briefer period between 2019 and August 2021. In short, there has been a steady flow of Ecuadorians migrating to the United States over the last 50 years. Recent data on detentions, disappearances, deportations and irregular journeys to reach US territory show that these migrants make the journey north in very vulnerable conditions. Many require that the Ecuadorian State take urgent action at different stages in their migration process.

<sup>5</sup> This institution periodically builds profiles of Latino immigrant populations living in the United States, based on information from the US Census and the American Community Survey.

<sup>6</sup> This includes people born in Ecuador and those who state that they have a parent of Ecuadorian origin.

<sup>7</sup> The majority of the immigrant population is undocumented, especially those who arrived from the 1990s on. Consequently, there is presumed to be significant underreporting, even though the data is based on the US Census and the American Community Survey, which since 2006 has had a more comprehensive system for recording the undocumented population.

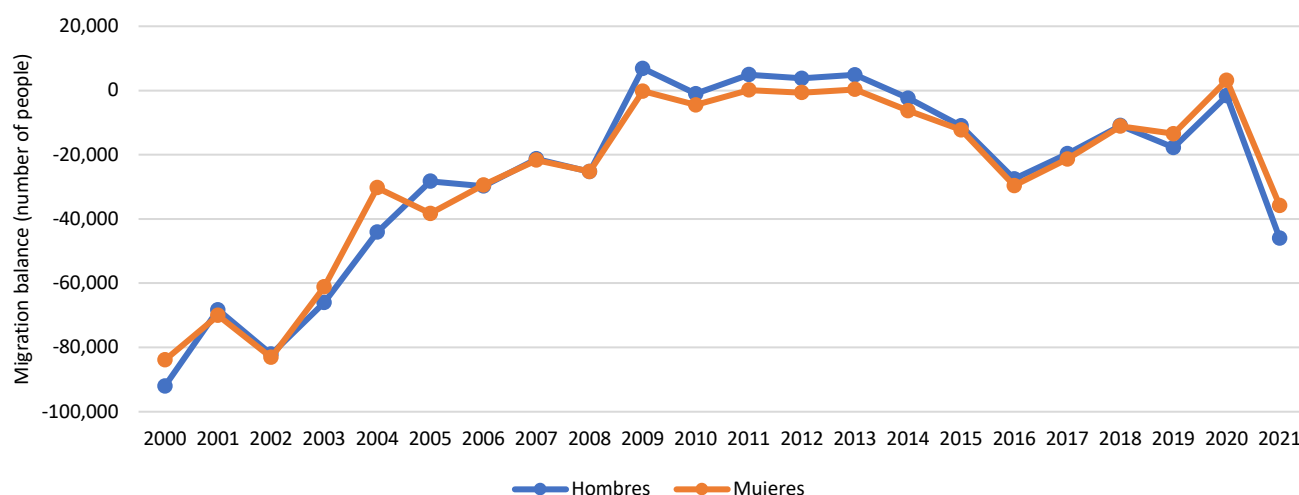
The second major destination for Ecuadorian emigrants is southern Europe, mainly Spain and Italy, but Germany, Belgium, and the United Kingdom are also significant destinations (Herrera Mosquera, Moncayo and Escobar García, 2012). This migration owes to the economic and political crisis that Ecuador experienced in the late 1990s, which was marked by the dollarization of the economy and high unemployment and poverty indicators (Herrera Mosquera, Carrillo and Torres, 2005; Ramírez Gallegos and Ramírez, 2005). The figures show that around one million people left the country between 1998 and 2003 (Fondo de Población de las Naciones Unidas, 2008). Initially, this exodus mainly involved women, but men soon followed, as did adult migrants' sons and daughters, leading to accelerated family reunification processes. The Ecuadorian population is currently the largest community of Latin American immigrants in Spain and the second-largest in Italy, after Peruvians. This emigration peaked sharply in 2000–2007, then slowed in response to the global financial crisis and economic crises in the destination countries.

Immigrants with European citizenship or residence permits have access to social protection systems. Moreover, European citizenship allows migrants to work in several countries in the European Union and constitutes a kind of capital for labour mobility. However, the relative legal stability of the Ecuadorian population in Spain and Italy has not necessarily translated into economic and social mobility, at least for this first generation of migrants. According to Iglesias Martínez et al. (2015), in 2015, only 3.5 percent of the economically active Ecuadorian population in Spain were engaged in medium- and high-skilled professional activities, while 63.8 percent held unskilled jobs. This divide is even greater among women: 73 percent perform unskilled work as compared to 53.6 percent of men (Iglesias Martínez et al., 2015). The situation in Italy is similar: 40 percent of the Ecuadorian migrant population works in unskilled sectors (Ministero del Lavoro e delle Politiche Sociali, 2020).

In short, the migration balances presented in figure 2 show that the outflow of Ecuadorian emigrants leaving the country to live abroad has not stopped in the last 20 years. In contrast, the data presented above shows that between 2018 and 2021, there was a considerable increase in emigration, especially to the United States. There are multiple causes for this increase: the deterioration of the Ecuadorian economy intersect with the existence of transnational kinship networks that make it easier for new migrants to travel and settle abroad. It is no coincidence that the places the emigrant population tends to be from rural areas (such as the central and southern Sierra) with a more than 20-year history of migration. On the other hand, the removal of the visa requirement for Ecuadorians to enter Mexico between 2018 and 2021 also favoured the departure of many people who sought to travel through the country to reach the United States.



**Figure 2.** Migration balance in Ecuador by sex, 2000–2021 (number of people)



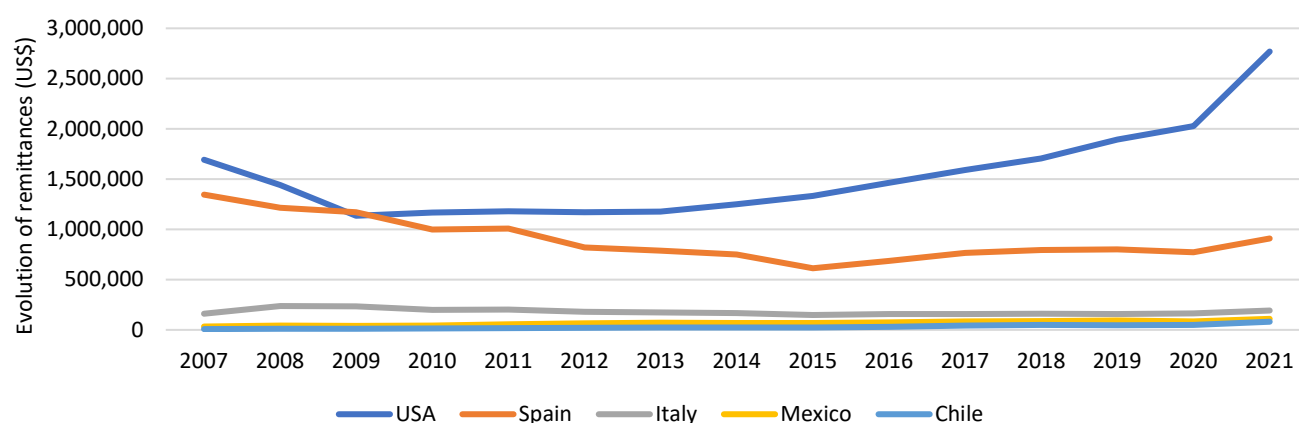
**Source:** Compiled by the author based on entry and exit data from the Ministry of Government.

**Note:** The migration balance is calculated based on the number of entries and exits of Ecuadorians and foreigners recorded by the Ministry of Government of Ecuador. In other words, the migration balance is the difference between population outflows and inflows.

## 2.2. Evolution of remittances

The steady outflow of the Ecuadorian population and the rise in emigration in recent years is also reflected in the behaviour of remittances. These increased between 2000 and 2007, when Ecuadorian emigration to Europe and the United States peaked. During this period, remittances increased from \$1.36 billion in 2000 to \$3.35 billion in 2007 (Banco Central del Ecuador, 2015). Figure 3 shows that remittance growth slowed from 2007 onwards, in parallel with the 2008 global financial crisis. They began to expand again in 2014 and have continued to do so. In 2021, remittances accounted for 4 percent of GDP, a value close to the share they represented in 2009. In absolute terms, however, they represented \$4.36 billion, the highest point in the last 20 years (see figure 3).

**Figure 3.** Evolution of remittances to Ecuador by country of origin, 2007–2021 (US\$)

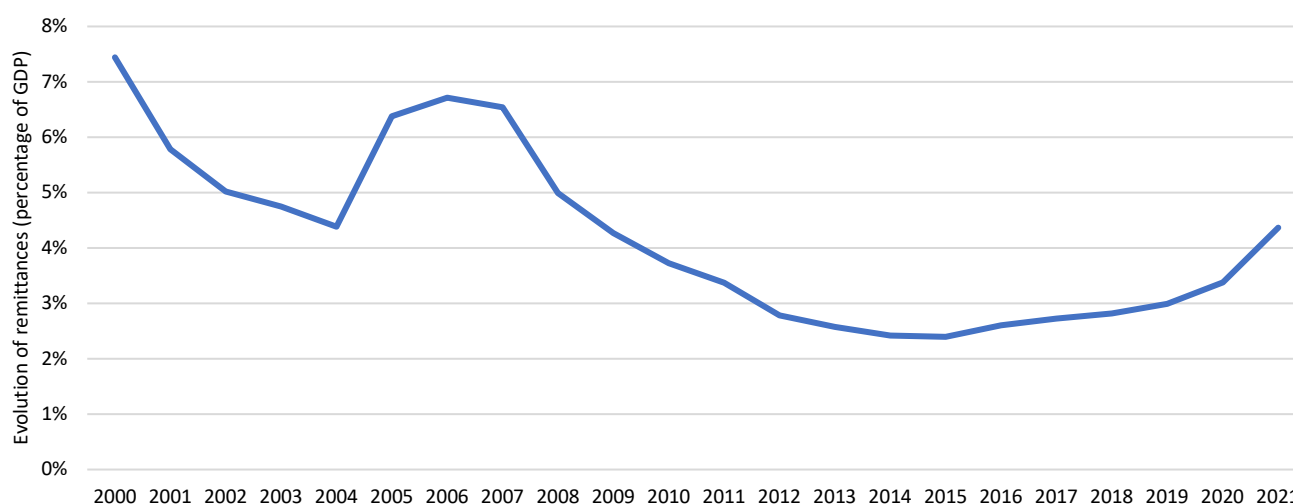


**Source:** Compiled by the author based on data from the Central Bank of Ecuador.



Money sent from the United States accounts for the largest share of Ecuadorian remittances, especially from 2014 onwards, followed by Spain and Italy. It is worth noting that even during the COVID-19 pandemic, remittances continued to arrive from these three countries and even increased. The significant rise in remittances in recent years reflects the growth in clandestine migration to the United States and, above all, the major contribution that emigrants make to the Ecuadorian economy at a time of economic slowdown like the present. In this context, remittances increased from 2.4 percent of GDP in 2015 to 4.1 percent of GDP in 2021, according to data from the Central Bank of Ecuador (see figure 4).

**Figure 4.** Evolution of remittances received in Ecuador, 2000–2021 (percentage of GDP)



Source: Compiled by the author based on data from the Central Bank of Ecuador.

## 2.3. Immigration to Ecuador

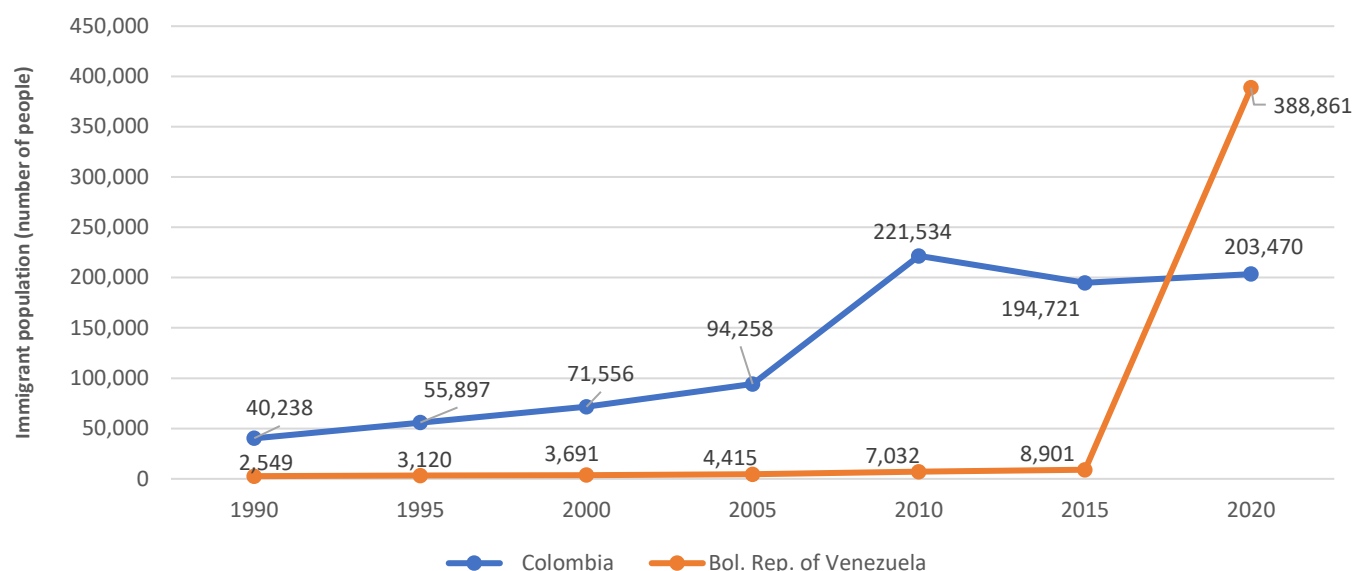
As mentioned above, in the period under review, in parallel with the movement of Ecuadorians abroad, the country also experienced a growing influx of immigrants and people in need of international protection.

According to census data, between 1990 and 2010, immigration—mainly of Colombian origin—went from representing 0.8 percent of the total population to 2.3 percent (Herrera Mosquera, Moncayo and Escobar García, 2012). In 2015, according to data provided in the Follow-Up Report on the National Human Mobility Plan 2017–2021 (Consejo Nacional para la Igualdad de Movilidad Humana, 2021), there were 500,981 foreigners in Ecuador, who represented 3.1 percent of the total population and included Colombian, Cuban, Haitian and Spanish nationals.<sup>8</sup>

Regarding the most recent flows, R4V indicates that in March 2022 there were 503,903 Venezuelans in Ecuador, meaning that the Venezuelan population currently represents around 3 percent of the total population. According to this source, the figure includes the total cumulative balance of the Venezuelan refugee and migrant population and estimates the number of people who may have entered through informal channels (R4V, 2022). It also projects that there will be some 252,000 Venezuelans in transit in December 2022 (R4V, 2022).

<sup>8</sup> This figure is calculated based on the inflows and outflows of foreigners recorded by the Ministry of Government and corresponds to migration balances.

**Figure 5.** Immigrant population stock in Ecuador by country of origin, 1990–2020 (number of people)



Source: Compiled by the author based on data from UNDESA.

The arrival of the immigrant population in Ecuador can be divided into three stages. The first stage spans 2000 to 2005, when around 150,000 people entered from neighbouring Colombia, fleeing the escalation of the armed conflict there (Herrera Mosquera, Moncayo and Escobar García, 2012).

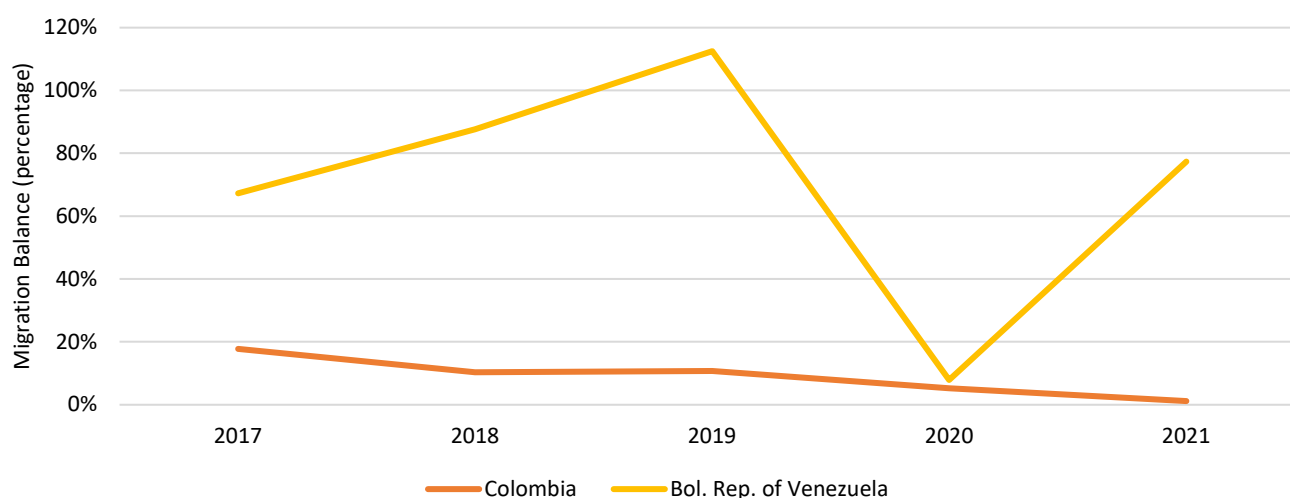
The years between 2008 and 2016 were marked by the arrival of Haitians, Cubans and people from other continents due to Ecuador's freedom of movement policy, which removed the visa requirement for all nationalities in 2008. Some of these populations settled permanently in the country, but most moved on after a few years to other destinations, including south to Chile and Brazil and north to the United States. Several studies have pointed out that difficulties in finding stable work and obtaining residence visas eventually prompted these populations to leave Ecuador. Onward migration was also influenced by the possibilities that opened up in other countries in the region due to opportunities for regularization and more favourable economic circumstances (Bernal Carrera, 2014; Correa Álvarez, 2014 Herrera Mosquera, 2019b).

However, the arrival of the Venezuelan population since 2017 is undoubtedly the most significant immigration process that Ecuador has experienced in the last 20 years. It stands apart from previous waves of immigration in terms of its volume and the speed with which the population arrived.

The numbers of Venezuelans arriving in Ecuador peaked in 2018 and then began to decrease due to the introduction of an entry visa for Venezuelan citizens in 2019 and COVID-related border closures in 2020 (Organización Internacional para las Migraciones, 2021). In 2021, following a stagnation in emigration and even a return flow of migrants to the Bolivarian Republic of Venezuela, arrivals from Venezuela began to increase again, triggered by the persistence of adverse living conditions in the country.

Furthermore, R4V confirms that informal crossings have multiplied as a result of border closures, meaning that people have continued to arrive from the Bolivarian Republic of Venezuela through clandestine channels of entry. Most of these arrivals enter Ecuador overland, which implies that they are more vulnerable, especially women and children, who may suffer violence in transit (Herrera Mosquera and Pérez Martínez, 2021). At present, the two largest migrant communities in Ecuador are Colombians and Venezuelans (see figure 6).

**Figure 6.** Migration balance of foreign population in Ecuador by nationality, 2017–2021 (percentages)



**Source:** Compiled by the author based on data from INEC.

**Note:** The migration balance of the foreign population is calculated based on the number of entries and exits of foreigners recorded by the Ministry of Government of Ecuador. In other words, the migration balance is the difference between outflows and inflows of the foreign population.

## 2.4. The refugee population in Ecuador

According to a report published by the Friedrich Ebert Foundation in Ecuador and the Critical Geography Collective of Ecuador, data from the International Protection Authority at the Ministry of Foreign Affairs and Human Mobility indicates that between 1 January 1989 and 31 July 2020, the countries whose nationals submitted the largest numbers of refugee applications in Ecuador were Colombia, Cuba, Haiti, the Bolivarian Republic of Venezuela and Peru. During that 31-year period, these five countries accounted for 238,627 applications or 97.8 percent of the total applications for asylum that were submitted. The remaining 2.2 percent (5,347 applications) were from people of 144 nationalities from every continent (Hurtado Caicedo et al., 2020, p. 27).

According to data from the Ministry of Foreign Affairs and Human Mobility, 72,229 people had been granted refugee status by March 2022. The data suggests that in the last 20 years, there were two periods when the process for recognizing refugee status in the country accelerated. Between 1989 and 2006, 18,277 applications for refugee status were accepted, followed by a further 30,310 applications between 2009 and 2010, when the Expanded Refugee Programme was implemented. More recently, between 2018 and 2021, as a result of the strengthening of the mechanisms for granting asylum, this process accelerated again, and 11,453 people were granted refugee status (Ministerio de Relaciones Exteriores y Movilidad Humana, 2022a; Consejo Nacional para la Igualdad de Movilidad Humana, 2021).

The proportions of Colombian and Venezuelan asylum seekers have changed considerably since 2018. Between 2018 and 2022, 70 percent of applications were from Venezuelan nationals (2,534 applications), 28 percent from Colombians (1,782 applications) and 2 percent from people of other nationalities (127 applications). However, despite the significant increase in asylum applications from Venezuelans, the Ecuadorian State had granted refugee status to just 456 applicants by 2021, most of whom were from Colombia. As will be explored in the section on migration policy below, the Ecuadorian State has not considered asylum as a way to regularize the Venezuelan population.

Ramírez et al. (2017) analyses data from a survey conducted by UNHCR, the UN Refugee Agency, in 2014 and shows that the refugee population faces more precarious working conditions than the population with a MERCOSUR residence visa. However, the study also finds that the refugee population's circumstances are better than those of the undocumented population.

The next subsection reviews the evolution of the two most significant migration flows into Ecuador: the Colombian and Venezuelan populations.

### 2.3.1. Colombian migration in Ecuador

A Colombian community has been present in Ecuador for many years, generally for economic reasons. However, there was significant growth in migration from Colombia between 2000 and 2005 due to the arrival of people fleeing social and political violence (Ortega and Ospina, 2013; Pugh, 2021). The migration balances and data on refugee applications submitted over the last 20 years show that the Colombian population has continued to arrive steadily in Ecuador, albeit at a slower pace than the Venezuelan population.

Colombian migrants initially settled in border cities and Quito and Santo Domingo (Ortega and Ospina, 2013). Arrivals of Colombian nationals peaked in 2003, and an average of 187,869 immigrants entered the country each year between 2000 and 2005 (Ramírez et al., 2017). The positive balance continued between 2006 and 2011, reaching an average of 46,111 immigrants per year before increasing again from 2014 to 65,005 (Ramírez et al., 2017). Pugh (2021) argues that the peace process in neighbouring Colombia did not prompt Colombians in Ecuador to return. He also notes that Colombians are continuing to migrate to Ecuador.

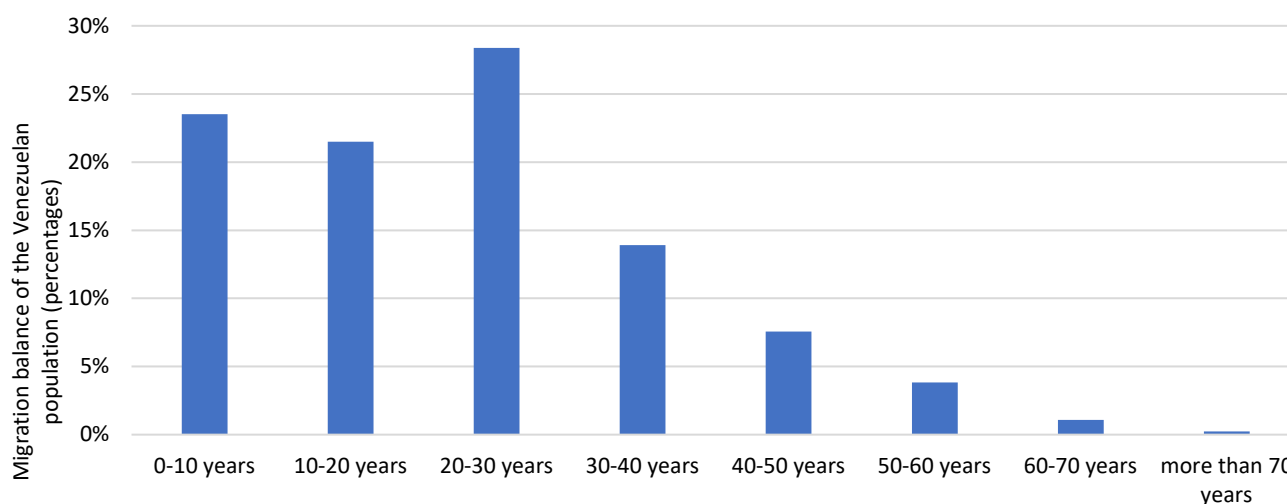
Several studies have shown that Colombian immigrants generally entered Ecuador in highly precarious circumstances. Likewise, most are looking for better economic opportunities as well as a safer place to live (Ramírez et al., 2017; Ortega and Ospina, 2013). With regard to their labour market inclusion, the Colombian population predominantly works in the agricultural sector, retail and services. The vast majority of these jobs are in the informal sector and earn less than the minimum wage. Ramírez et al. (2017) note that 83 percent of the Colombian population earn less than \$400 per month<sup>9</sup> and that 94 percent do not have access to any health insurance, be it public or private. Other studies have pointed out that the Colombian population have been victims of discrimination in the workplace and in relation to access to housing (Ortega and Ospina, 2013; Ramírez et al., 2017; Pugh, 2021).

<sup>9</sup> The study was based on a household survey of the migrant population conducted by UNHCR in 2014. Colombians account for 84 percent of the survey sample (Ramírez et al., 2017).

### 2.3.2. Venezuelan migration in Ecuador

The Venezuelan population settling in Ecuador is relatively young and is evenly distributed between men and women. As figure 7 shows, the majority of the Venezuelan immigrant population is between 20 and 45 years old. In 2019, 76 percent of the Venezuelans included in the migration balances were between 18 and 55 years old, about 21 percent were minors and almost 11 percent were under the age of 10, meaning that a significant share are school-age (Instituto Nacional de Estadística y Censos, n.d.). According to a World Bank study (Banco Mundial, 2020), the average age of the Venezuelan population is 26, while that of the Ecuadorian population is 29. In other words, the former is slightly younger than the latter.

**Figure 7.** Migration balance of the Venezuelan population in Ecuador by age group, 2019 (percentages)



Source: National Institute of Statistics and Censuses (n.d.).

It is important to underline the diverse socio-economic profile of Venezuelan migration, which is visible through both migrants' education levels and the jobs they performed in their country of origin. This variety is also the product of different stages in Ecuador's migration history. Between 2016 and 2018, those who arrived were part of an increasingly impoverished middle class: they had university educations and were employed in the public sector or held administrative jobs in the private sector in their country of origin (Banco Mundial, 2020). This flow gradually changed, and in 2019, poorer sectors began to arrive, making up the majority of the new arrivals. These include workers and families in more precarious circumstances, who experience difficulty finding employment (Bastidas, 2020).

One feature that distinguishes the Venezuelan community in Ecuador from that living in other countries, such as Peru, is that it is distributed practically throughout the territory, although with a particular focus on five cities: Quito, Guayaquil, Cuenca, Manta and Machala (Banco Mundial, 2020; Organización Internacional para las Migraciones, 2021). In Peru, in contrast, Venezuelan migrants are concentrated mainly in Lima.

In terms of their educational profiles, data from a countrywide survey conducted by the World Bank in July 2019 reveals that the majority of the Venezuelan population have a secondary education and that the share of those with a tertiary education is higher than among the native-born population, particularly among women. Indeed, 37 percent of the working-age Venezuelan population have a tertiary qualification, compared to 14 percent of the Ecuadorian population (Banco Mundial, 2020).

At the same time, data from a current survey shows that the educational level of newer arrivals has gone down. According to the International Organization for Migration (IOM) monitoring survey conducted in 12 Ecuadorian cities in June 2021, 18.7 percent of the Venezuelan population surveyed have a university or technical education, and 0.5 percent have a postgraduate degree. At the same time, 27.1 percent of those surveyed had not completed secondary school, and 0.3 percent had never gone to school at all (Organización Internacional para las Migraciones, 2021).

Given the numbers of Venezuelan migrants that are now in Ecuador, the following section takes a closer look at some features of this community's inclusion in the labour market in comparison with the native-born population and Colombian migrants.

### 3. Labour market inclusion of the Venezuelan and Colombian populations in Ecuador

The current wave of migration from Venezuela has reached Ecuador during an economic downturn and the transition to a policy of fiscal adjustment, which has impacted the socio-economic inclusion of migrants. Some studies on Venezuelan migration in South America have described it as form of survival migration, as migrants do not only move country in the hopes of earning a higher income but also because they are fleeing insecurity (Freier and Castillo Jara, 2020; Gandini, Lozano Ascencio and Prieto, 2019). However, the inclusion of the migrant population in the Ecuadorian labour market and society suggest that the precariousness and insecurity that migrants are fleeing tend to be reproduced in their destination countries due to the economic crisis and growing xenophobia, a situation that was heightened during the COVID-19 crisis, as will be seen below.

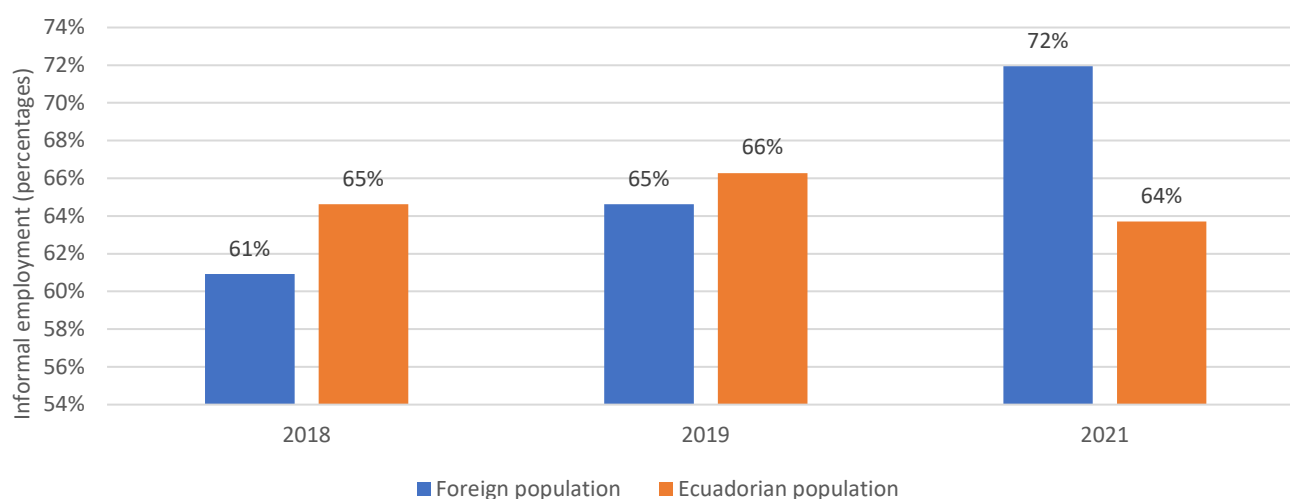
Venezuelan migrants participate in the Ecuadorian labour market in three ways. The first, which was more commonplace among the first wave of migrants, are those who were able to find formal employment in the professional sectors and have residence and work permits. For example, migrants arriving in Ecuador in 2015 and 2016 were able to find jobs that allowed them to apply for a work visa, which cost \$450 at the time, and were also able to bring their families. The Secretariat of Higher Education, Science, Technology and Innovation (SENESCYT) recognized a cumulative total of 25,708 professional qualifications held by Venezuelans between 2013 and 2018, some 55.13 percent of which were held by women. To obtain a professional visa and access a public sector job in Ecuador, applicants need to validate their university degrees, especially in the fields of medicine and nursing (Herrera Mosquera and Cabezas Gálvez, 2019; Bastidas, 2020).

According to a study by the International Labour Organization (ILO), of the total 2,943,670 people who were registered with the compulsory Ecuadorian Social Security Institute (IESS) insurance system in 2019, 70,203 were foreigners (Organización Internacional del Trabajo, 2022). In other words, 2.3 percent of those with social security coverage were foreigners. Of this total, 25,413 were Venezuelan (36 percent), 17,943 were Colombian (25.5 percent)

and 7,120 were Cuban (10 percent). This is a contribution-based social security system that is open to formal workers and guarantees them access to social benefits. In 2019, there were an estimated 400,000 Venezuelans in Ecuador, some 20 percent of whom were minors. If we limit our analysis to the working-age population (the remaining 80 percent), these results reveal that only about 8 percent of the Venezuelan population held formal jobs that year.

The second labour market inclusion profile is employment in informal sectors of the economy.<sup>10</sup> As figure 8 shows, informal employment levels are higher among foreigners than the native-born population. It has grown steadily from 61 percent in 2018 to 72 percent in 2021.

**Figure 8.** Evolution of the informal employment rate by population origin in Ecuador, 2018-2021



**Source:** National Institute of Statistics and Censuses, National Survey of Employment, Unemployment and Underemployment (ENEMDU), 2018, 2019 and 2021.

The results of various qualitative studies and two surveys, one conducted in Quito and one nationwide, show that the migrant population generally finds work in sectors for which they are overqualified (Céleri, 2019; Banco Mundial, 2020). For example, a World Bank report notes that “Venezuelan workers are more highly educated than Ecuadorians and a significantly higher share of them have a tertiary education. The largest difference in education levels are found among employers and domestic workers: 79 and 74 percent of the Venezuelans working in these areas have a tertiary education, respectively, while only 9 and 4 percent of Ecuadorians in these roles do. Assuming that Venezuelans and Ecuadorians perform the same kinds of jobs in each of the categories, these results suggest that Venezuelans are significantly overqualified for the jobs that they perform” (Banco Mundial, 2020, p. 83).<sup>11</sup> Broadly speaking, the different studies consulted suggest that the experience, talents and skills of the immigrant population are being wasted (Banco Mundial, 2020; Organización Internacional del Trabajo, 2022).

The results of the World Bank survey (Banco Mundial, 2020) corroborate this data with regard to Venezuelan migrants: in 2019, 60 percent were working in the informal sector. It also underlines the temporary, unstable nature of this population’s jobs: 71 percent held temporary positions at the time of the survey, and only 84 percent

<sup>10</sup> An employee is deemed informal if they do not have a contract, if they are not registered with the Ecuadorian Social Security Institute (IESS) or if the place where they work is not officially listed in the Single Taxpayers Registry (RUC) (Arias Marín, Carrillo Maldonado, and Torres Olmedo, 2020).

<sup>11</sup> The World Bank survey was conducted between June and July 2019 and covered more than 2,300 households. Of the total number of households selected, 1,871 provided information on 6,425 people. The Survey on People in Movement and Host Communities in Ecuador (EPEC) is nationally representative survey (excluding the Galapagos Islands) for the target populations in question, based on the population density of Venezuelans in Ecuador (Banco Mundial, 2020).



received the wages they had agreed on (Banco Mundial, 2020). The report also mentions that the Venezuelan migrant population work for five more hours per week than the Ecuadorian population but are paid between 41 percent and 42 percent less (Banco Mundial, 2020).<sup>12</sup>

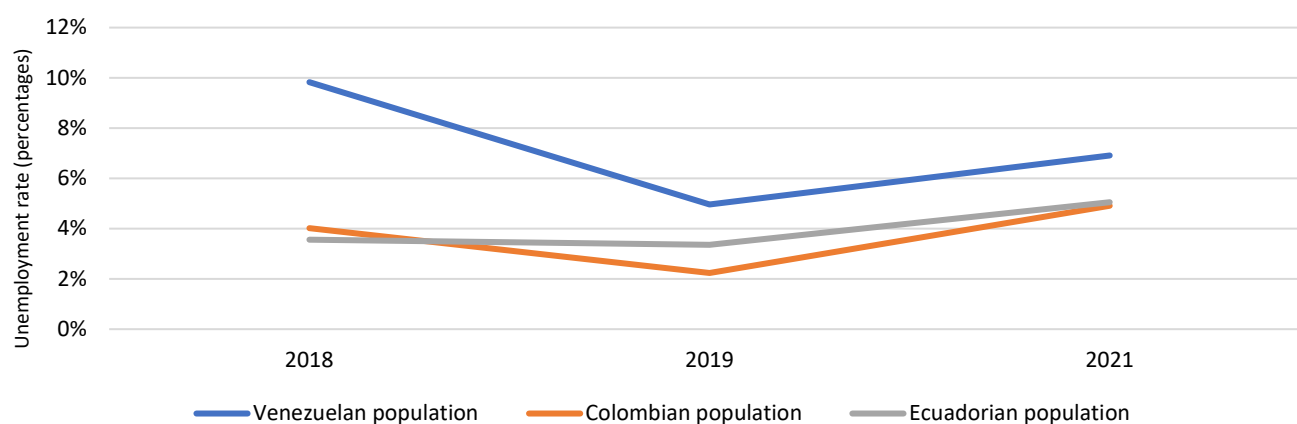
According to the ILO study mentioned above, atypical employment—temporary employment, part-time work and work via digital platforms, agencies and other such systems—is a significant source of work for the migrant and refugee population. However, it entails high risks of labour precariousness as no employment contracts are signed, no overtime is paid, and workers do not have access to social security benefits (Organización Internacional del Trabajo, 2022).

A qualitative study on the labour trajectories of the migrant population indicates that labour mobility is high. Migrants are only in each job for a short time and change jobs constantly, resulting in employment-related and economic instability, which seems to be more pronounced among women (Herrera Mosquera and Cabezas Gálvez, 2019).

The third form of labour market inclusion includes formal sectors of the economy, generally the service sector or domestic work, but based on informal agreements, without access to social security or other benefits established by law. In other words, it is a form of inclusion that should entail compliance with certain labour standards that are not actually met. Herrera Mosquera and Cabezas Gálvez (2019) point out that employers at bars, restaurants and small shops hire Venezuelans and pay them lower wages than is stipulated by law, without access to social benefits.

According to the results of the ENEMDU, between 2018 and 2021, unemployment rates were higher among the Venezuelan population than the Ecuadorian and Colombian populations, particularly among women, as is shown in figure 9. In 2021, 5 percent of the Ecuadorian population were unemployed, but 7 percent of the Venezuelan population were.

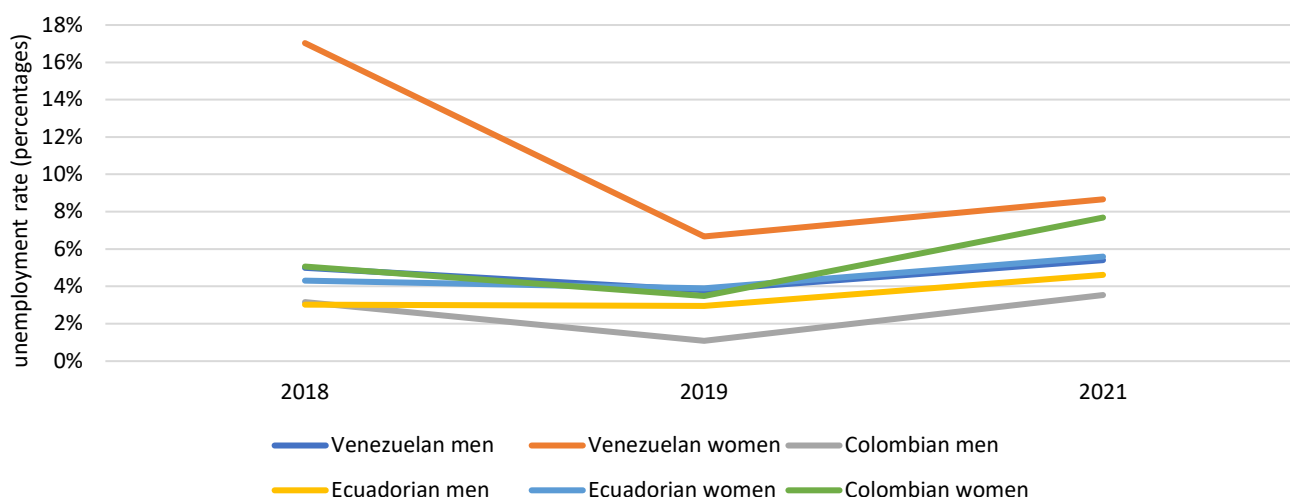
**Figure 9.** Evolution of the unemployment rate in Ecuador by nationality, 2018–2021 (percentages)



**Source:** National Institute of Statistics and Censuses, National Survey of Employment, Unemployment and Underemployment (ENEMDU), 2018, 2019 and 2021.

<sup>12</sup> These aspects of the Venezuelan population's working conditions were corroborated by the results of the IOM monitoring survey conducted in June 2021, which indicate that 93.8 percent of workers did not sign a labour contract and that only 5.4 percent earn monthly incomes above the minimum wage (\$400) (Organización Internacional para las Migraciones, 2021). The Displacement Tracking Matrix (DTM) is a monitoring tool used periodically by the IOM, according to its needs, and is not nationally representative. It was used in Ecuador in June 2021.

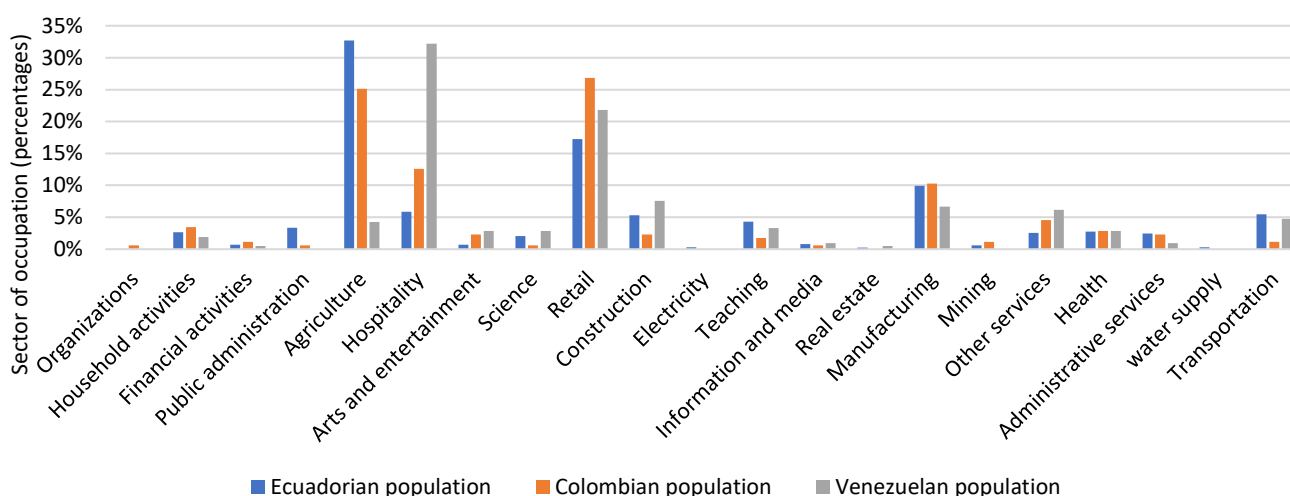
**Figure 10.** Evolution of the unemployment rate in Ecuador by sex and nationality, 2018–2021 (percentages)



Source: National Institute of Statistics and Censuses, National Survey of Employment, Unemployment and Underemployment (ENEMDU), 2018, 2019 and 2021.

With regard to occupations, the ENEMDU confirms the results of earlier surveys: the Colombian and Venezuelan populations are mainly employed in the retail sector, followed by manufacturing and hospitality, in the case of Colombian migrants. A significant number of Venezuelans—who are assumed to mostly be men—are employed in the construction sector. Finally, another major difference between the Colombian and Venezuelan migrant populations is the participation of the former in the agricultural sector, while for the latter, these rates are very low. Migrants are also more present than the Ecuadorian population in the hospitality and retail sectors. In any case, in contrast to the situation in the United States or Europe, where the immigrant population tends to hold jobs that are not performed by the native-born population (Eckstein and Peri, 2018), in Ecuador, the two groups are employed in similar occupations.

**Figure 11.** Sector of occupation by nationality in Ecuador, 2019 (percentages)



Source: National Institute of Statistics and Censuses, National Survey of Employment, Unemployment and Underemployment (ENEMDU), 2019.

In short, the Venezuelan population faces more precarious labour market conditions than the Ecuadorian and Colombian populations. Various studies analysing the labour market inclusion of the Venezuelan and Colombian populations in Ecuador have pointed to several factors that influence these conditions. On the one hand, precariousness is a structural characteristic of the Ecuadorian labour market that has deepened since 2015 due to the economic slowdown caused by the collapse of the country's oil revenues, its growing indebtedness and fiscal austerity measures (Organización Internacional del Trabajo, 2022). According to INEC data, adequate employment went from 41 percent in March 2018 to 32.5 percent in March 2022, and underemployment went from 18.3 percent to 22.1 percent in the same period. In other words, the Venezuelan population arrived in Ecuador at a time when its labour market was experiencing a gradual decline (Instituto Nacional de Estadística y Censos, 2021a).

On the other hand, there are specific factors relating to migration status that affect labour market inclusion. For example, the Venezuelan population are prevented from accessing formal sectors of the economy by their inability to regularize their migration status (Herrera Mosquera and Cabezas Gálvez, 2019; Banco Mundial, 2020). Studies prior to the arrival of the current wave of migration from Venezuela had already pointed out that a residency visa increases migrants' possibilities of accessing better working conditions, including the chance of finding a formal job. For example, Ramírez et al. (2017) compare the circumstances of the migrant population who were able to access MERCOSUR visas with that of the refugee and undocumented populations. The authors conclude that the visa increases migrants' opportunities for accessing better labour market conditions, as these are particularly disadvantageous for the undocumented. Furthermore, Malo (2020) argues that although documentation is a requirement for accessing formal employment, it does not influence access to informal jobs, as employers base their hiring decisions on preconceptions or the possibility of paying lower wages. According to the author, these two factors particularly affect women: although they have access to jobs, they often suffer harassment and abuse in the workplace due to gender bias and stereotypes (Malo, 2020).

Another extra-economic factor that influences the labour market inclusion of the immigrant population is the discrimination they experience due to xenophobia. The World Bank and ILO studies cited above confirm that the Venezuelan population has felt discriminated against and that this discrimination is heightened as a result of gender and sexual orientation. They also point out that the immigrant population does not generally demand that their rights be respected for fear of losing their jobs (Banco Mundial, 2020; Organización Internacional del Trabajo, 2022).

The precariousness of their employment conditions were drastically exacerbated by lockdowns. According to a study by Pérez Martínez et al. (2021), 36% of the surveyed population lost their sources of income during the pandemic, 12% saw their working hours cut, and 13% had their monthly income reduced.<sup>13</sup> In other words, with the exception of the more settled migrant population, who had formal jobs or better established businesses of their own, a large share of migrants were affected by the pandemic. On the other hand, they were also unable to access the few social protection programmes promoted by the government, as will be explained in detail below (Vera Espinoza et al., 2021).

<sup>13</sup> As part of the study in question, a survey was conducted between July and August 2020. The survey covered 729 foreign migrants over the age of 18, from four different countries, residing in 13 Ecuadorian provinces. Quito, in Pichincha province (32.4 percent), and Guayaquil, in Guayas province (29.3 percent), were the most representative, as 95 percent of those surveyed there were Venezuelan.

### 3.1. Impact of the Venezuelan immigrant population on the labour market

Regarding the impact of the immigrant population on the labour market, Olivieri et al. (2022) found that the presence of migrants does not have an adverse impact on the employment rate in places with large Venezuelan populations. However, this study does identify impacts on the quality of employment for a specific segment of the working population: young people with low education levels residing in places with large numbers of Venezuelan migrants. For this group, the presence of the Venezuelan population led to a 5 percent increase in the informality rate and a 13 percent loss in income compared to places without significant numbers of Venezuelans. The study did not identify differences in the quality of women's employment (Olivieri et al., 2022).

Furthermore, the authors find that Venezuelan workers are highly skilled but perform low-quality jobs, with low incomes and high rates of informal and temporary employment. According to the results of this study, the quality of employment (as measured by rates of informal and temporary employment) is similar between Ecuadorians and Venezuelan migrants with low levels of education, but there is a significant gap as education levels increase. Specifically, rates of informal and temporary work are four times higher for Venezuelans with higher education than for Ecuadorians with similar levels of education. Moreover, the gaps in weekly working hours between the Venezuelan and Ecuadorian populations grow as education levels increase: it stands at 9 percent among those with a primary education and rises to 15 percent for those with a higher education (Olivieri et al., 2021). According to the authors, this data suggests that Venezuelan migrants with high levels of education are not accessing jobs in more productive sectors. Rather, they are disproportionately employed in low-productivity sectors and compete with the Ecuadorian population with lower levels of education. Based on the results of a simulation exercise, the authors argue that if the Venezuelan population were to enter jobs commensurate with their qualifications, this would not only increase GDP by between 1.6 and 1.9 percent, it would also relieve the pressure on the less skilled native-born workers with whom the immigrant population currently compete.

Finally, it is worth mentioning a factor about which very little is known still, which is that a significant share of the immigrant population send remittances to their families, which makes their conditions of social reproduction even more precarious. Indeed, the IOM monitoring survey shows that 47 percent of the Venezuelan migrant population send remittances to their families living in the Bolivarian Republic of Venezuela, as well as medicine, clothing and even food (Organización Internacional para las Migraciones, 2021).

## 4. Evolution of migration policy in Ecuador

Having described the different types of migration in Ecuador and aspects of migrants' labour market inclusion, with a particular emphasis on the Venezuelan population, this section now turns to the main initiatives implemented by the Ecuadorian State in the last 20 years to respond to the realities of migration in the country.<sup>14</sup>

<sup>14</sup> This section is a revised and updated version of a paper by the author entitled "Del éxodo ecuatoriano a la migración venezolana: veinte años de política migratoria en Ecuador [From the Ecuadorian exodus to Venezuelan migration: 20 years of migration policy in Ecuador]", which is included in Herrera (2021).

## 4.1. Raising the profile of international migration as a public issue: 2000–2007

As was mentioned above, between 1999 and 2001, Ecuador experienced an unprecedented economic crisis that prompted the exodus of around 1 million people. During this period, migration began to become part of state discourse, mainly in relation to the situation of Ecuadorians living abroad.

During this phase, the State's response did not translate into a comprehensive migration policy. Instead, international migration began to be viewed as an issue that needed to be addressed through public policies—particularly by articulating migration and development—and migrants began to be seen as subjects of rights.

State action focused on taking the first steps towards building diaspora engagement policies, mainly as part of the National Foreign Policy Plan 2006–2020 (PLANEX 2020), a foreign policy agenda instrument that included a chapter on international migration—a first for such policy instruments.

At the same time, international organizations such as the World Bank and the Inter-American Development Bank (IDB) began to promote the idea of migration as an opportunity for development, particularly by promoting remittances (Herrera Mosquera and Eguiguren, 2014). These international organizations were influential at the local level, and several municipalities in the country launched co-development projects with funding from international cooperation (Cortés and Sanmartín, 2008). Furthermore, some destination countries such as Spain also promoted co-development projects as a way of linking countries of origin and destination through migrants (Cortés and Sanmartín, 2008).

The Government acted as a facilitator and mediator in these projects but did not intervene directly, with the exception of some bilateral agreements such as the Agreement between the Kingdom of Spain and the Republic of Ecuador on the Regulation and Organization of Migratory Flows (2001), which included a system of labour quotas through which the two States attempted to direct “the labour supply of potential Ecuadorian emigrants towards specific niches in the Spanish labour market” (Eguiguren Jiménez, 2011, p. 138).

Although this stage was also when large numbers of Colombians fleeing political conflict and violence arrived in Ecuador, the State did not implement relevant policies targeting the refugee population during this period. Instead, its actions focused on matters relating to migrant smuggling and human trafficking. In 2004, through Executive Decree No. 1181, the fight against human trafficking was declared a priority policy. A commission was established to draft the first national plan to combat trafficking and sexual and labour exploitation, which entered into force in 2006. In 2005, Congress reformed the Penal Code and criminalized trafficking for sexual and labour exploitation (Ministerio de Gobierno, 2019).

In 2007, the launch of the process for drafting a new constitution was a major turning point in the history of migration policy in Ecuador. That year, the Constituent Assembly made it possible for the migrant population living abroad to vote directly in elections, and also enabled various civil society organizations and migrant associations abroad to present their proposals. These groups worked on advocacy processes with several members of the Constituent Assembly, resulting in a draft for the Constitution that enshrines a broad set of rights for the Ecuadorian emigrant population and for immigrants residing in Ecuador (Góngora-Mera, Herrera Mosquera and Müller, 2014).

## 4.2. The 2008 Constitution and the building of migration-related institutions: 2008–2013

The 2008 Constitution acknowledges general principles such as universal citizenship, the free movement of all the planet's inhabitants and the progressive elimination of the status of "foreigners". Furthermore, article 40 recognizes people's right to migrate and establishes that no human being shall be identified as or considered illegal on the grounds of their migration status (Góngora-Mera, Herrera Mosquera and Müller, 2014).

On the matter of immigration, article 9 of the Constitution recognizes that the foreign population shall enjoy the same rights and obligations as the Ecuadorian population, and article 11 determines that all people are equal and shall enjoy the same rights, duties and opportunities, while sanctioning all forms of discrimination (Organización Internacional del Trabajo, 2022).

The State also grants major political rights to the Ecuadorian population living abroad, such as representation in the Legislative Assembly. It also grants the immigrant population the right to vote in presidential elections.

In other words, this body of law enshrines fundamental rights and guiding principles for the protection of the Ecuadorian population abroad and the migrant population and the refugee population in Ecuador. However, as was the case in 2000–2007, the policies implemented by the State still centred on the Ecuadorian population living abroad. Indeed, from 2008 onwards, a major process of institutionalization took place in terms of assistance to Ecuadorian populations abroad. First, the National Secretariat for Migrants (SENAMI) was created, a State institution with several offices in Ecuadorian emigrants' main destination cities and countries, the purpose of which was to guarantee direct assistance to the Ecuadorian population living abroad and also to their communities of origin. SENAMI's work focused primarily on the Ecuadorian diaspora, in order to provide social and legal services and social protection to migrants living abroad. The period under review also saw a significant increase in Ecuador's network of consulates, through the concept of citizen consulates, with a view to better serving the Ecuadorian population living abroad.

According to Herrera Ríos (2016), the creation of SENAMI was an attempt to implement several of the rights enshrined in the 2008 Constitution and to create more stable public policies. However, this initiative vanished when SENAMI was abolished in 2013, which weakened the institutional network that had been created and jeopardized the move towards the institutionalization of migration policy. Margueritis (2011) notes that between 2006 and 2010, the Government's diaspora-oriented migration policy had a major impact in the Andean region, in that it was seen as spearheading processes towards forging South American citizenship. However, institutional instability and fragility led to setbacks in implementing it.

The flagship programme of 2008–2013 was the Welcome Home Plan. Although this migrant return programme had quite limited coverage, it was important in symbolic and political terms as it introduced the idea of a state that was concerned about its citizens living abroad and interested in promoting their return (Herrera Ríos, 2016; Herrera Mosquera and Moncayo, 2019).

SENAMI and the Welcome Home Plan ceased in 2013, marking the end of a period of growth in migration institutions in the country. From then on, the task of attending to the needs of the Ecuadorian population abroad was taken on by the Deputy Ministry of Human Mobility.

The main policy targeting the immigrant population during this period was the Expanded Registration programme, which was aimed at the Colombian population requiring international protection. This programme was implemented in various parts of the country and led to around 30,000 people being granted refugee status. However, after this programme was implemented, Decree No. 1182 of 2012 was enacted, through which Ecuador restricted the definition of a refugee by eliminating the content of the Cartagena Declaration on Refugees (1984). This led to a considerable decrease in the granting of asylum for people from Colombia in need of international protection. These restrictions were further reflected in the 2017 Organic Law on Human Mobility (Pugh, 2021; Hurtado Caicedo et al., 2020).

The free movement of people recognized in the 2008 Constitution and the presidential decree of June 2008, which eliminated tourist visas citizens of every country in the world, did not prove easy to implement, as the government received pressure from within and outside Ecuador to limit its implementation. According to Góngora-Mera, Herrera Mosquera and Müller (2014), interdependent relations with the countries that make up the migration corridor to the United States played a decisive role in the modification of the State's freedom of movement policies. The pressure came mainly from sectors that feared that Ecuador would become a space for promoting human trafficking. Within the country, opinion polls were beginning to show a certain hostility towards the foreign population residing in the country, and the idea that the state should control its borders began to circulate (Carrión Mena and Cahueñas Muñoz, 2013). Ecuador began to adopt a selective entry policy vis-a-vis various nationalities, on the grounds that the country was becoming a transit destination for irregular migration and that this was fuelling human trafficking networks (Herrera Mosquera and Berg, 2019; Ruiz Muriel and Álvarez Velasco, 2019). Consequently, just six months after the eradication of the visa requirement, this was reinstated for Chinese nationals and then for nine Asian and African nationalities in November 2010.

In this second stage, which could be described as a period of emergence of significant migration institutions and the development of a vision oriented towards the protection of migrants' human rights, the main player in migration policy development was the Office of the President. However, one of the limitations for the consolidation of policies was the absence of a migration law in line with the new constitutional principles. As a result, the Ecuadorian State applied constitutional mandates only partially, and its reaction to the arrival of different migrant groups was selective and targeted (Herrera Mosquera, 2021).

Several authors argue that state initiatives at this stage were oriented towards the diaspora (Pugh, 2021), while those relating to the immigrant population focused on border control. According to Arcarazo and Feline Freier (2016), the contradictions and gaps between a discourse based on human rights and the progressive implementation of restrictive policies have produced a paradox. On the one hand, the public discourse of openness towards the immigrant population continues, while on the other hand, policies that hinder the integration of the immigrant population from poor countries are implemented de facto, which became very visible during the following period.

### 4.3. Immigration and restrictive policies: 2014–2020

Several authors have described this third period as one in which the Ecuadorian State applied what Domenech (2013) calls a "policy of control with a human face". The policies implemented at this time maintain a discourse based on human rights while at the same time reinforcing migration control (Herrera Mosquera and Berg, 2019; Ruiz Muriel and Álvarez Velasco, 2019).





Indeed, this period saw the enactment of the Organic Law on Human Mobility in 2017, which incorporates the principles of the 2008 Constitution, in parallel with the enactment of several executive decrees to respond promptly to situations that were viewed as emergencies, especially after the Venezuelan population began to arrive.

Indeed, since 2014, the Ecuadorian State has issued a series of decrees that aim to restrict the entry of nationals from specific countries, which runs counter to the principle of free movement guaranteed in the Constitution. Since December 2015, a visa has been required for the Cuban population, and the Haitian population is requested to register with the tourist registration system, which is a disguised way of requiring them to hold a visa (Herrera Mosquera, 2019b). Likewise, in 2016, 121 Cuban citizens who had requested a humanitarian transit permit that would allow them to reach the US–Mexico border were deported. The State argued that both these actions are measures aimed at preventing migrant smuggling and human trafficking (Ruiz Muriel and Álvarez Velasco, 2019).

Furthermore, in 2014 MERCOSUR visa also came into force. This enables all nationals of MERCOSUR Member States to reside in Ecuador for two years. Between April 2014 and March 2016, 33,846 MERCOSUR visas were issued, 80 percent of which to people of Colombian origin. Many Colombian citizens who arrived in Ecuador after 2010 and who could no longer access the Expanded Registration policy were able to regularize their status in this way (Ramírez et al., 2017).

This shift towards a more restrictive approach to immigration was confirmed by the policies implemented with regard to Venezuelan migrants. Indeed, until 2019, the Venezuelan population did not need a visa to enter Ecuadorian territory. Venezuelans who entered the country between 2010 and 2016 obtained temporary residency thanks to an agreement signed in 2010, the Ecuador–Venezuela Permanent Statute, through which Venezuelans could obtain a work visa (the 12 XII visa) after a three-month stay in Ecuador.<sup>15</sup> This visa targeted people who had entered the formal labour market and held relatively stable, permanent jobs. The first groups of migrants to arrive from Venezuela included people with higher education and financial means, who were able to access visas for professionals. A study conducted in 2017 found that these two forms of regularization (work visas and professional visas) were the most common among these early inflows from Venezuela (Herrera Mosquera, 2019b).

However, over the years, the high cost of the 12 XII visa has made it completely inaccessible, along with requirements that applicants have found increasingly hard to meet, such as having a work contract, having a certain amount of money in the bank or even holding a valid passport (Herrera Mosquera and Cabezas Gálvez, 2019).

Since January 2017, when the Organic Law on Human Mobility was enacted, the Venezuelan population could access the UNASUR visa, which is based on the recognition of the free movement of South American citizens.<sup>16</sup> According to data from the Foreign Ministry, 23,059 UNASUR visas were issued in 2017, and a further 24,616 were issued between January and July 2018.

However, through Ministerial Agreement No. 103 of 26 July 2019, the State established a new entry requirement for the Venezuelan population: the so-called exceptional humanitarian visa, which must be obtained from outside the country. This measure marked the end of the right to free movement for the South American population, despite this being enshrined in the Constitution and the Organic Law on Human Mobility.

At the same time, the State launched a migration regulation process that was affected by the outbreak of the

<sup>15</sup> According to information from MREMH, between March 2013 and March 2016, 8,000 12 XII visas were reportedly issued.

<sup>16</sup> Article 83, chapter IV of the Organic Law on Human Mobility states that “nationals of other South American countries belonging to UNASUR are understood as South American citizens in Ecuador”. Article 84 of the law mentions that these citizens may enter, travel within and leave Ecuador using their national identity cards. It also stipulates that they may not be deported and that they may also apply for a two-year temporary residency permit, which is renewable once.

COVID-19 pandemic in March 2020. Between September 2019 and August 2020, the Ministry of Foreign Affairs and Human Mobility regularized the status of a total of 87,932 Venezuelan nationals. In 62 percent of cases (54,930 visas), this regularization took the form of the exceptional humanitarian visa, while in the remaining 38 percent of cases, it was processed through other migration categories (Consejo Nacional para la Igualdad de Movilidad Humana, 2021).

This process was resumed on 1 June 2022, using a new scheme: the exceptional temporary residency visa. Through Executive Decree No. 436, the State granted a migration amnesty to all people whose migration status was irregular and launched an extraordinary regularization process aimed only at the Venezuelan population. This grants beneficiaries a two-year stay, which can be renewed once.

To access the fee-free exceptional temporary residency visa, applicants must have entered the country regularly and hold a passport. As a result, people who arrived during or before the pandemic through clandestine border crossings will not be able to regularize their status through this scheme. As mentioned above, there is no reliable data on the number of people who entered the country irregularly after 2019, when the visa requirement for entry was implemented, and who continued to enter during the COVID-related border closures. For now, this population is excluded from the regularization process.

According to UNHCR, around 300,000 people (62 percent of the Venezuelan migrant population) do not have papers proving that they are residing legally in the country (Agencia EFE, 3 June 2022). This large share of migrants whose status is irregular includes people who entered the country before 2019, when a visa to remain was not required. This group could not then regularize their status by obtaining an exceptional humanitarian visa. The irregular population also includes those who had a visa but were unable to renew.

To regularize their status, applicants must first register with the Ministry of Government's migration permanence registry, which will operate for 12 months, through May 2023. If this scheme is successful, it will be a significant first step towards the social inclusion of the Venezuelan population, since, as mentioned above, several studies argue that having a residence visa is an indispensable requirement for obtaining formal employment and accessing better income and working conditions (Banco Mundial, 2020; Organización Internacional del Trabajo, 2022). Ecuador's experience with regularization schemes like the one offered to Colombian migrants through the Expanded Registry and MERCOSUR visa also confirms that regularization is a vital first step towards inclusion (Ramírez et al., 2017).

On the other hand, at the international level, the Ecuadorian State sought acknowledgement from the international community of its co-responsibility for the arrival of the Venezuelan population. This idea of co-responsibility is embodied in the Quito Process, a meeting of 11 States held in September 2018, which aimed to find regional solutions to what was described as a Venezuelan migration "crisis". This process has continued, leading to seven declarations in which States have agreed on joint actions to be implemented in relation to the Venezuelan population. However, these declarations have not led to policies establishing the regularization or free movement of Venezuelans in the region.

As part of this process, the Ministry of Foreign Affairs and Human Mobility has concentrated on seeking international financial resources. In parallel, the Ministry of the Interior (now the Ministry of Government) is in charge of border security and registering permanent migration, while international agencies are responsible for providing emergency assistance to the immigrant population.

In short, the massive arrival of the Venezuelan population in a short period severely tested the regularization instruments available to the State. In the three years since 2019, the State has opted to develop a restrictive policy towards the Venezuelan population, mainly through so-called extraordinary, humanitarian, temporary or exceptional executive decrees that set aside the policy of free mobility enshrined in the 2008 Constitution and veer from the path towards South American citizenship, as contemplated in the 2017 Organic Law on Human Mobility.

The shift in migration policy has thus shifted towards control and regulation, while the social and economic inclusion of the immigrant population is the greatest challenge currently facing the country. This is clearly reflected in the way that the State dealt with the COVID-19 pandemic: borders were closed, as in the other countries of Latin America and the Caribbean, and international agencies and non-governmental organizations (NGOs) deployed measures to provide social assistance to the immigrant population, who were particularly hard hit by lockdowns and the loss of livelihoods (Pérez Martínez et al., 2021; Vera Espinoza et al., 2021).

Table 1, below, summarizes the policies applied to the immigrant population in 2008–2022.

**Table 1.** Summary of policies targeting the migrant population in Ecuador, 2008–2022

Ecuador	2008	
	<b>Constitution of Ecuador</b> Contains 58 articles in favour of people in movement.	
	2010	
	<b>Bilateral Agreement</b> Permanent Ecuador–Venezuela Statute (12-XI visa) and work visa.	
	2014	
	Implementation of MERCOSUR visa.	
	2015	
	Visa requirement established for the Cuban population.	
	2017	
	<b>Organic Law on Human Mobility and UNASUR visa.</b>	
	2018	
	<b>Ministerial Agreement No. 244</b> Requirements for validation of entry with Venezuelan identity cards instead of passports.	<b>Resolution 105-2018</b> of the Ministry of Foreign Affairs and Human Mobility. Declaration of a state of emergency in the provinces of Carchi, Pichincha and El Oro (still in force) and introduction of requirement that a passport be carried to enter the country (revoked on 24 August 2018 by a Quito court).
	2019	
	<b>Ministerial Agreement No. 103</b> Exceptional Temporary Residence Visa for Humanitarian Reasons (VERHU) and Regularization Process.	<b>Executive Decree No. 826</b> Amendment to the Organic Law on Human Mobility, adding three new categories: humanitarian visa, census and migration amnesty.
	2020	
	Border closures due to the COVID-19 pandemic (16 March 2020). Three-month extension of the regularization process (until 30 August 2020).	
	2021	
	2022	
	<b>Executive Decree No. 436</b> Extraordinary regularization for a period of 12 months. Extension of the new exceptional temporary residency visa (VERTE).	

Source: Compiled by the author.

## 5. The challenges of inclusion: xenophobia, discrimination and social protection

This section examines the challenges faced by the immigrant and refugee population in relation to social inclusion. It looks at two factors. The first is the growing xenophobia and discrimination suffered by poor migrant populations. The second is the scope and limits of social protection policies targeting the immigrant population.

### 5.1. Xenophobia and discrimination as the root of exclusion

As mentioned above, one of the most severe obstacles to the economic integration of the immigrant population is the discrimination they face. This is nothing new. On the one hand, the evidence from various opinion polls is sufficient to show that the Ecuadorian population is distrustful of foreigners, particularly people from other Latin American countries and neighbouring countries. For example, Pugh (2018) points out that, according to the 2007 Latinobarómetro survey, the Ecuadorian population expressed very low levels of trust towards foreigners, especially poor foreigners, who at that time were mainly of Colombian origin. A survey by the Latin American Faculty of Social Sciences (FLACSO) also identified selective perceptions of foreigners on the part of the Ecuadorian population: for example, their opinions of the Spanish and US populations were positive, with acceptance levels of 58 percent and 57 percent, respectively, while acceptance levels were lower for the Colombian and Haitian populations—38 percent and 31 percent, respectively (Zepeda and Carrión Mena, 2015). According to the results of the same survey, the group that was perceived in the most negative light were Colombians. Furthermore, the data shows that seven out of ten respondents associated migration with crime. Finally, a survey conducted as part of an OXFAM (2019) study in three countries, including Ecuador, describes the population's perception of Venezuelan migration as contradictory and ambivalent. That is, there is a sense of empathy for the difficult conditions that have forced Venezuelans to leave their country. However, at the same time, the host population expresses fear around employment, security and public services and calls for tighter border controls. Consequently, 80 percent of the population surveyed in Ecuador said they understood the causes of Venezuelan migration, but 70 percent said they hoped that stricter border policies would be implemented.

The feelings of distrust, fear and hostility towards the Venezuelan population residing in Ecuador may potentially be transformed into xenophobic acts and messages, as confirmed by the monitoring and analyses that several organizations have carried out regarding posts on social media platforms and messages in other media (Ripoll and Navas-Alemán, 2018; Barómetro de Xenofobia, 2022). This monitoring work shows the increase in xenophobic discourse that not only associates foreigners with crime, insecurity, lack of work and overburdened social services but also promotes violence against the immigrant population.

Indeed, from 2018 onwards, there have been anti-migrant protests in the country and outbreaks of xenophobia. Examples include those that occurred in Ambato in August 2018, in Ibarra in January 2019 and in Quito in 2020, when the Venezuelan population was threatened and attacked in public spaces.

The immigrant population also suffers discrimination in the workplace, around access to housing and, to a lesser extent, to education and health, which creates a hostile, threatening environment for the immigrant population.

The World Bank study mentioned above states that four out of ten Venezuelans feel they have been discriminated against in the last three months and that almost all Venezuelans have been discriminated against at some point because of their nationality. These shares are even higher in relation to discrimination based on gender and sexual



orientation (Banco Mundial, 2020). Other studies on the same topic also reach similar conclusions (Plan International Ecuador and Fundación Terranueva, 2021; OXFAM, 2019; Organización Internacional para las Migraciones, 2021). In particular, the IOM study mentioned above indicates that 58.7 percent of the Venezuelans resident in nine cities in Ecuador reported having suffered some discrimination, while 14 percent reported having been victims of violence (Organización Internacional para las Migraciones, 2021).

There is nothing new about xenophobic reactions of this sort: various qualitative studies on the Colombian, Haitian and Cuban populations in Ecuador note that being a foreigner intersects with other dimensions of inequality such as race, gender and poverty in the construction of an undesired “otherness” (Pugh, 2021; Correa Álvarez, 2014; Herrera Mosquera, 2019b). In other words, xenophobia should be understood as a factor that amplifies a set of complex dimensions of inequality. For example, the sexualization of Colombian and Venezuelan women has been a constant finding that is exacerbated when it intersects with poverty (Pugh, 2018; Santacruz and Vallejo, 2013; OXFAM, 2019).

Regarding the impact of xenophobia and discrimination on inclusion processes, Pugh (2021) indicates that the immigrant and refugee population in Ecuador have adopted three strategies to gain access to better living conditions. First, migrants attempt to make themselves invisible to the local population, which can take two forms: isolating themselves and minimizing the features that set them apart, such as how they speak. The second strategy is trying to establish close relations with the Ecuadorian population, and the third is to fight for their rights within the framework of coalitions they have created with other migrant groups and NGOs working to defend these. These strategies are referred to by the author as the “invisibility bargain”: migrants sacrifice direct participation in the social and political life of the country and engage with the host society primarily through their role in the labour force to gain acceptance and further inclusion (Pugh, 2018 and 2021). Although this study focused on analysing the experience of the Colombian population in Ecuador between 2010 and 2014, its findings allow us to reflect on the fragility and violation of the social, cultural and political rights that result from xenophobia and discrimination. In this sense, I believe that Ecuador needs to implement policies that promote the socio-economic inclusion of the migrant population, the defence of their rights and their empowerment, all of which should be rooted in the State’s responsibility to combat xenophobia in host societies.

Another recent study compares the Colombian and Venezuelan populations living in Quito and finds that two out of five Colombians and one out of five Venezuelans have been victims of crime, and that two out of three Colombians and Venezuelans distrust the institutions that should protect them (the police, the judicial system or the Ombud’s Office) (Pugh, Jiménez and Latuff, 2020). This distrust is especially pronounced among foreigners of African descent.

In other words, the host society is hostile towards the Colombian and Venezuelan populations, and the Colombian and Venezuelan immigrant population has confirmed that it suffers discrimination in the workplace and around access to housing, education and, to a lesser extent, health (Banco Mundial, 2020; Pugh, 2021; Ortega and Ospina, 2013). Furthermore, this population does not trust the Ecuadorian State to protect them from these violations or from the criminal acts that they are victims of. As a result, there is an enormous need for actions to combat and sanction xenophobia and discrimination while building spaces to foster social interaction and understanding between migrants and the Ecuadorian population. Such initiatives are fundamental if economic inclusion policies and social protection measures for the immigrant population are to be truly effective.

## 5.2. Social protection

This section examines the scaffolding of the Ecuadorian State's social protection policies and the place that the migrant and refugee population occupies in this. As in the case of migration policy, despite the fact that the 2008 Constitution and the Organic Law on Human Mobility recognize the social rights of the immigrant and refugee population—which should guide public policy for the inclusion and social protection of this population—the State has so far failed to maintain sustained policies for protection and inclusion.

On the matter of the social security system, as mentioned above, only a small number of immigrants (70,240) had access to this in 2019 because the large majority are employed in the informal economy.<sup>17</sup>

However, since 2019, the migrant and refugee population has been excluded from access to the non-contributory social protection programmes that the State has provided vulnerable and impoverished sectors of society. Indeed, Decree No. 804, which establishes how transfers from the social protection system shall be implemented, the Government made Ecuadorian nationality a requirement for accessing bonuses and pensions. This condition has excluded the most vulnerable sectors of the foreign population from the country's main anti-poverty cash transfer programme, the Bono de Desarrollo Humano [Human development bond]. This measure was taken in 2019, precisely when the largest influx of Venezuelans arrived in Ecuador.

The beneficiaries of the Bono de Desarrollo Humano are the same people who are included in the Social Registry, which allows access to other non-contributory programmes. As a result, the foreign population was also excluded from access to the emergency transfer programmes implemented during the pandemic (Vera Espinoza et al., 2021), credit access programmes and other programmes targeting the most vulnerable, such as the elderly or people with disabilities, all of which depend on the Social Registry, which in turn is linked to the Bono de Desarrollo Humano. According to the ILO, "this exclusion limits access to minimum income security for the most vulnerable non-Ecuadorian population and even affects the Ecuadorian children of foreign parents who, as minors, are not eligible because it is their parents who are entitled to receive cash transfers" (Organización Internacional del Trabajo, 2022, p. 40).

According to the aforementioned World Bank (Banco Mundial, 2020) study, in 2018, the Venezuelan population accounted for less than 1 percent of the population served by the programmes of the Ministry of Economic and Social Inclusion. The primary programme in which Venezuelan migrants participated was the Comprehensive Child Development programme, which seeks to guarantee care for children aged 3 to 5.

With regard to health, according to the ILO, there are no legal barriers to access for the migrant population. All the same, there are information and trust issues that mean that migrants do not have access to health services or do so only to a limited extent (Organización Internacional del Trabajo, 2022). This is true despite the fact that the Ministry of Public Health has a plan to meet the increased demand for services. This plan does not require individuals to present identity documents to receive medical care. It also explicitly prohibits the singling out of people whose migration status is not regular and obliges care to be provided without discrimination (Organización Internacional del Trabajo, 2022).

<sup>17</sup> In this regard, it is worth mentioning that Ecuador has agreements in force with both Colombia and the Bolivarian Republic of Venezuela, through which workers who have made social security contributions in either State can retain the social security rights that they acquired or are in the process of acquiring (Organización Internacional del Trabajo, 2022).



According to the World Bank study cited above, the number of Venezuelan migrant outpatient consultations increased from 8,076 in 2017 to 224,540 in 2019. In percentage terms, these consultations went from representing 0.05 percent of the estimated total to 1.3 percent. The World Bank estimated the fiscal cost of this medical attention in 2019 at \$39.1 million (Banco Mundial, 2020: 109).

Turning to education, in 2020, the Ministry of Education registered 82,938 students from other countries in the school system out of a total student body of 4.2 million, meaning that around 2 percent of the school population is foreign. Some 63.88 percent of these foreign students are Venezuelan, 14.36 percent are Colombian, 1.95 percent are Peruvian and 19.8 percent are nationals of other countries (Trujillo Mina, 2021).

According to the World Bank (Banco Mundial, 2020), there are significant differences between the school enrolment rates of the Ecuadorian population and those of the Venezuelan population, especially in the 15–17 age group. In 2019, while 98 percent of the Ecuadorian population between the ages of 5 and 14 were in school, only 64 percent of Venezuelan children were. This figure plummets to 15 percent among the Venezuelan adolescent population aged 15–17, as compared to 84 percent for the Ecuadorian population. The World Bank has estimated that the cost of schooling for Venezuelan children represents an additional \$21 million per year, based on 2019 data (Banco Mundial, 2020, p. 100).

It is worth mentioning that migrant children were particularly affected by the pandemic, as social barriers to education and lack of access to the internet and online media severely impacted immigrant and refugee children and adolescents during the pandemic (Colectivo de Geografía Crítica de Ecuador and Red Clamor, 2021).

There are no institutional or legal barriers to accessing the services provided by the Child Development Centres and the Creciendo con Nuestros Hijos [Growing alongside our children] programme, both of which target children under five. However, the coverage of these programmes is scant, so the proportion of the foreign population accessing them is similarly low (Consejo Nacional para la Igualdad de Movilidad Humana, 2021).

## 6. Local initiatives to assist the migrant population

When drafting this study, I was unable to find analyses of local policies implemented in Ecuador to assist the migrant population. However, the 2021 evaluation of the National Equality Agenda for Human Mobility states that the current regulations governing the actions of the Equality Councils<sup>18</sup> contemplate action on the part of local governments and cantonal councils to protect the rights of the migrant and refugee population.

So far, these cantonal rights councils and local governments have only undertaken limited actions. However, the Consortium of Autonomous Provincial Governments of Ecuador and the Association of Ecuadorian Municipalities are working to construct methodologies and concrete actions to strengthen the mainstreaming of local policies towards the migrant population, with support from the IOM.

Several of the experiences implemented at the local level are coordinated with activities carried out by the 53 organizations that form part of the Working Group for Refugees and Migrants led by UNHCR and the IOM. This group was created in April 2018 to support and strengthen the actions undertaken by the Ecuadorian State to respond to migrants' and refugees' needs for protection and assistance. It includes international agencies,

<sup>18</sup> The Equality Councils include the National Council for Equality in Human Mobility, a body that stems from the 2008 Constitution but was only established in 2017 and did not become operational until 2020.





national and international NGOs, Venezuelan migrant associations and civil society organizations. There are also focal points in 12 cities around Ecuador, both on the border and in the interior of the country, with Quito, Guayaquil, Cuenca and Manta and the border cities in the north and south of the country being the main focuses. The group's geographical distribution makes it possible to articulate the work it carries out with that of several local governments with which it has worked to create ordinances on the rights of populations in movement, to strengthen institutional capacities to respond to the demands of the migrant population and to develop initiatives to provide humanitarian assistance and address emergency situations, mainly through cash transfers. In 2022, cash transfers represented 24 percent of the total budget of the Working Group for Refugees and Migrants (\$70 million), an estimated \$288 million.

Formally, this group's activities comprise emergency actions, protection, economic and social inclusion and the strengthening of public institutions. In 2022, priority was given to humanitarian responses to promote access to food and housing, government entities were given support with the planning and implementation of the registration and regularization programme, work was carried out to combat xenophobia, and the generation of adequate employment was promoted.

Some agencies, such as the German Development Cooperation, are also working with local governments to design policies to be implemented in cities and regions on the border, such as Esmeraldas in the north of the country and Machala in the south.<sup>19</sup>

Finally, over the last three years, the National Council for Equality in Human Mobility has advised 42 decentralized autonomous governments on the creation of cantonal advisory councils for people in movement. The advisory councils provide guidance on, enforce and promote the rights of this group. They are designed as spaces in which their demands can be put forward and public policy proposals can be formulated to guarantee their human rights. However, only 10 cantonal Decentralized Autonomous Governments reported having created advisory councils during the study period, and no information is available on their functioning.

In short, there is an existing decentralized regulatory and institutional architecture that could be strengthened to better assist the migrant and refugee population. Broadly speaking, the report of the National Council for Equality in Human Mobility (2021) notes that the decentralized autonomous governments have responded somewhat to the situation of many families in extremely vulnerable predicaments but highlights the absence of economic, financial and labour inclusion policies as a major shortfall in both local and national policies.

Furthermore, the coordination between 53 organizations under the auspices of the Working Group for Refugees and Migrants is evidence of the significant work that has been undertaken to connect the emergency actions and humanitarian assistance provided by international cooperation and civil society organizations. It is also a sign of the strengthening of state institutions. Although the working group's objective is to support and complement the State's work, its role is currently central to the provision of emergency assistance and social protection through cash transfer programmes. Its other significant recent initiatives include promoting a culture of peace in response to rising xenophobia. It remains to be seen how far the actions of this working group and other organizations complement or fill in the gaps in state initiatives to promote the protection and social inclusion of the migrant population and how far it replaces state actions altogether.

<sup>19</sup> A programme run by the German Agency for International Cooperation, entitled "Support for host communities of migrant and refugee populations in the border areas of Colombia, Ecuador and Peru (SI FRONTERA)", operates in on the northern and southern borders of the country with the objectives of strengthening local human rights systems, promoting social harmony and strengthening the participation of civil society in local governance (Deutsche Gesellschaft für Internationale Zusammenarbeit, 2021).

## 7. Recommendations

Over the last 20 years, migration has become a matter of national interest in Ecuador and an issue of public concern. Although Ecuador has long been and still is a source of emigration, the growth in immigration in recent years has been decisive in the shift in the country's migration policies. A number of migration policy challenges remain today, especially in relation to the changes that have occurred since 2017, which are listed below.

i) Generally speaking, migration policy must remain comprehensive and lead to the implementation of programmes that address the needs of both the migrant population and immigrants and refugees in the country. Inter-agency work must address the needs of the emigrant population, the immigrant population in transit and refugees, particularly given the extreme vulnerability experienced by the immigrant population residing in Ecuador, people in transit through Ecuadorian territory and people who have recently emigrated to the United States through clandestine channels.

ii) Given the massive outflow of Ecuadorians from the country between 2018 and 2021, protection initiatives along the migration route need to be strengthened, as does the work of Ecuadorian consulates, especially those in the United States and Mexico, so that they can meet these populations' growing needs, such as by providing legal and information services to people in detention or in the process of being deported. These initiatives could build on some of the strategies implemented at SENAMI offices in 2008–2013.

iii) The State should also have a policy of social protection and economic inclusion for returning migrants who have been deported and their families. So far, none of the National Equality Agenda for Human Mobility's policy instruments contemplate actions targeting this population.

iv) With regard to migration policies for immigrant populations, in recent years, these have tended to focus exclusively on the Venezuelan population (examples of these are the regularization measures that the State described as being extraordinary of a limited two-year duration). There are currently no extraordinary regularization processes targeting the Colombian population that continues to arrive in the country. Furthermore, the limited duration of the exceptional visas for Venezuelan migrants means that bearers often return to irregular migration statuses, which hinders the inclusion of migrant populations in the long run and represents a greater institutional effort for the State. Evaluations also need to be conducted on access to such programmes by the Colombian population that have continued to arrive in the country, in order to facilitate the regularization of their migration status.

v) The regularization programme that was launched in June 2022 is a significant first step towards inclusion. The implementation of this process needs to be monitored to ensure that as many migrants and refugees as possible overcome the obstacles that prevent them from participating in the programme. It is essential to find ways to regularize the migration status of those who have entered the country through clandestine channels before and during the border closures caused by the COVID-19 pandemic.

vi) The economic and social inclusion of the refugee and migrant population has been found to be almost entirely absent from the actions reported on in the evaluation of the National Agenda for Equality for Human Mobility, despite the fact that such actions are urgent, due to the precarious circumstances in which large groups of migrant and refugee populations find themselves. These predicaments were aggravated by the COVID-19 pandemic. Furthermore, such policies should include combating xenophobia and sanctioning all forms of discrimination towards the migrant population, since various studies confirm that xenophobic acts and negative views of the immigrant population are on the rise.

vii) Although emergency responses have been implemented, mainly coordinated by international agencies and NGOs around the Working Group for Refugees and Migrants led by UNHCR and the IOM, the State needs to effectively mainstream social protection policies targeting the refugee and migrant population to reduce their dependence on international humanitarian assistance, as noted by the ILO (Organización Internacional del Trabajo, 2022). An analysis of States' COVID-response policies reveals that Ecuador has tended to delegate this work to international cooperation, in contrast to countries like Brazil and Uruguay, where social protection measures were offered to both the migrant and native-born populations (Vera Espinoza et al., 2021).

viii) Local governments have clear remits established by the Organic Law on Human Mobility. However, their management of these needs to be strengthened, as do the cantonal systems for the comprehensive protection of the rights of persons in movement. The work of local governments should continue to be coordinated with that of the organizations that make up the Working Group for Refugees and Migrants. It also needs to be expanded to build capacities and prevent the duplication of actions.

ix) It is important for information to be produced regarding ongoing programmes and for indicators to be designed to evaluate these. Knowledge also needs to be produced on the different processes that affect the inclusion of migrant and refugee populations nationally and locally, in order to understand and compare the progress made by different countries. Some aspects that have not been studied extensively but are important to understanding the immigrant population's circumstances and its impact on host societies include: the labour and social trajectories of immigrants five years after migrating; the situation of populations in transit; the relationship between xenophobia, poverty and other forms of inequality or gender-based violence. In-depth knowledge of the migrant population's predicament will enable stakeholders to formulate clear actions that will allow States to make their rights effective.

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## **Methodological annex Data and surveys**

### **1. Data and surveys**

#### **1.1 Ministry of the Interior records of entries and exits**

Ecuador's Ministry of the Interior records all entries into the country and exits from it. Using these records, the National Institute of Statistics and Censuses (INEC) has been collecting migration data since 1997. However, the INEC has not yet published data for 2021, so this paper used the raw data provided by the Ministry of the Interior.

#### **1.2 National Survey on Employment, Unemployment and Underemployment**

Every quarter, the INEC conducts the National Survey of Employment, Unemployment and Underemployment (ENEMDU), which is part of the Integrated System of Household Surveys (SIEH). This continuous survey analyses labour-related matters (economic activity, employment, underemployment and unemployment) over time. It is nationally representative for the population over the age of 15.

The survey respects the international statistical standards on employment set by the International Conference of Labour Statisticians (ICLS) and recommended by the ILO.

It is conducted quarterly, but only the data gathered in December is nationally representative. The data for March, June, and September is representative for five cities (Quito, Guayaquil, Cuenca, Machala and Ambato).

The ENEMDU has been conducted since 2003, but its methodology changed in 2007. The same survey form was used from 2007 through 2022. The survey is generally conducted in person, although in 2020 it was carried out by telephone due to Covid-related restrictions. This survey contains individual information on every interviewee, which enables data to be gathered on housing.

### **2. Sampling frame and representativeness**

#### **2.1 Ministry of the Interior's registry of entries and exits**

The Ministry of the Interior records all legal entries into the country and exits from it. The statistics from this registry are thus population-based rather than sample-based. However, this data does not contemplate migration through informal channels, which is the only factor that could generate a sample bias.

## 2.2 ENEMDU

The data from this survey can be subdivided at the national level into urban and rural geographic areas and cities (Quito, Guayaquil, Cuenca, Machala and Ambato). The survey can also be disaggregated by sex, ethnicity, nationality and other variables. However, the representativeness of these must always be verified. The ENEMDU only guarantees the representativeness of labour-related disaggregation (employment, unclassified employment, unemployment, among others). It is therefore important to verify the statistical validity of estimates made using other types of disaggregation.

To verify the representativeness of the sample, we checked the number of people interviewed, the number of people in our target group and the percentage that this group represented.

In 2018, 936 people were interviewed, representing 1.6% of the sample (59,350 people).

In 2019, 944 people were interviewed, representing 1.6% of the sample (59,208 people).

In 2020, 715 people were interviewed, representing 2.3% of the sample (30,646 people).

In 2021, 859 people were interviewed, representing 2.9% of the sample (30,026 people).

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