

Variations of nationalism in Ecuador: NGOs and the inclusion and exclusion of Colombian and Venezuelan exiles

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Ecuador has long presented itself as a host country that is particularly favourable to migrants. Over the past ten years or so, however, “inclusive nationalism” has been transformed into “exclusive nationalism”. NGOs helping forced migrants have mobilised on the legal front and have implemented economic programmes to promote the figure of the “good” refugee.

In June 2007, President Rafael Correa of Ecuador declared that “no human being is illegal”. A few months later, in 2008, the country’s new Constitution proclaimed that “foreign migrants have the same rights as Ecuadorians” (Art. 11). The Latin American country with the most refugees, Ecuador was pursuing a progressive and unprecedented policy at the time that seemed to be creating a particularly favourable framework for action in partnership with non-governmental organisations (NGOs) specialising in protection, thus creating a welcoming society. Since 2010, however, and particularly since the election of President Lenín Moreno in 2017, there has been a shift in security policy. In August 2018, a statement issued by the Minister of the Interior accused migrants of being a vector of disease and crime, “perverting” public order and “contaminating” Ecuadorian society. In January 2019, the murder of a pregnant Ecuadorian woman, Diana, by her Venezuelan partner on the streets of Ibarra prompted stone-wielding locals to chase Venezuelan people out of the city. The following day in Quito, a number of protestors demonstrated against such macho and xenophobic violence. To deal with the situation, the government stepped up its security measures claiming that the protection of nationals was a priority over the protection of foreigners, in particular the Venezuelan exiles whom it stigmatised¹. On 20 January, President Moreno, under the hashtag #WeAreAllDiana!, posted on Twitter:

“Ecuador is and will be a country of peace. I will not allow a single antisocial person to take that away from us. The integrity of our mothers, daughters and partners is my priority. I have ordered the immediate formation of units to monitor the legal status of Venezuelan immigrants on the streets, in the workplace and at the border. We are looking at the possibility of introducing a special permit for entry into the country. We have opened our doors to them, but we shall not sacrifice anyone’s security. It is the duty of the police to take tough action against crime and delinquency, and they have my backing. [...]”²

Given these contradictory approaches, what strategies have aid NGOs developed to deal with the influx into Ecuador of Colombian exiles and Venezuelan migrants, the country’s two main immigrant populations? Both types of rhetoric (progressive vs. security) are in fact a new take on the 1940-1971

¹ “Feminicidio en Ecuador: las polémicas medidas adoptadas por el gobierno ecuatoriano para los inmigrantes venezolanos tras el asesinato de una mujer embarazada a manos de su expareja”, *BBC News Mundo*, 22 de enero 2019, <https://www.bbc.com/mundo/noticias-america-latina-46967199>

² Translated by the author and the editor.

conflict between “desirable” and “undesirable” foreigners in Ecuador’s migration policy, which laid the foundations for the security and development approach known as “segmented opening”. More than just a conflict, this is a continuum between inclusive and exclusive nationalism, which neither political actors nor NGOs protecting refugees have managed to break. This article analyses the shift in rhetoric and practices in the treatment of Colombian and Venezuelan migrants and exiles by decoding the interplay between state institutions and other political actors, including aid NGOs, in the light of economic and political crises.

This analysis is based on ongoing doctoral research into the policies for managing Colombian exiles in Ecuador. It included, in particular, a field survey conducted over a period of twenty-two months between 2015 and 2017 which led to a hundred or so interviews with people working in the sector’s organisations and with refugees and involved observing the work of specialist NGOs³ at workshops implementing various social programmes for forced migrants (psychological counselling, legal aid, nutrition, vocational training, financial education, assistance with developing a professional project).

“Segmented opening” and the advent of a modern State guardian of its borders

In the 19th and 20th centuries, the Ecuadorian Nation-State built its identity by consolidating its territory with its neighbours (wars with Peru in 1855, 1941 and 1995) and exploiting that territory (agriculture and the conquest of the Amazon), which “modernised” the economy and “civilised” its indigenous peoples⁴. As there was very little migration, its management was aligned with the nationality and citizenship regimes based on the values of morality and civilisation. The “segmented openness” model reflected the dominant security and developmental policies and differentiated between “desirable” and “undesirable” foreigners in accordance with the vision of the Ministry of the Interior, which monopolised the issue⁵. “Desirable” foreigners were investors whose activities tamed the land and civilised the local populations, whilst generating national wealth and modernising the Nation-State. Likely to contaminate the morals and health of Ecuadorian society, other foreigners were classified as “undesirable” (the poor, criminals, traffickers, prostitutes, people with disabilities, etc.). Despite changes in legal standards, this security and developmental vision does not seem to have disappeared completely – on the contrary, it seems to be resurfacing in political rhetoric, legal standards and institutional practices.

The emergence of an inclusive nationalism: an update on the figure of the “desirable” foreigner

Migration management evolved against a backdrop of social and indigenous mobilisation against the neo-liberal policies of the late 1990s, which led to a major economic and political crisis, particularly in the face of the massive emigration of Ecuadorians following the *feriado bancario* of 1999⁶. At the same time, the conflict in Colombia was evolving with civilians becoming the target of territorial

³ The sector’s main NGOs in Ecuador were interviewed. All are national branches of the following international NGOs: Hebrew Immigrant Aid Society (HIAS), Jesuit Refugee Service, The Scalabrinians, Asylum Access and Refugee Education Trust (RET).

⁴ Emmanuelle Sinardet, « Nation, mémoire et équatorianité (1895-1915). La littérature d’histoire des frontières », *América. Cahiers du CRICCAL*, 2004, vol. 31, n° 1, 2004, p. 271-278.

⁵ Jacques Ramírez Gallegos, *La política migratoria en Ecuador*, IAEN, Quito, 2013.

⁶ In March 1999, in the face of a major economic, political and social crisis, President Jamil Mahuad ordered the closure of banks for 24 hours, making it impossible to conduct any banking transactions or withdraw money for accounts with balances over \$200. This national measure lasted five days. This episode, known as the “feriado bancario,” caused the closure of more than 70% of the country’s financial institutions and the emigration of more than 10% of Ecuadorians between 1998 and 2004, mainly to the United States, Spain and Italy.

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rivalry between the protagonists (army, guerrillas, paramilitaries). From 2000, thousands of Colombian exiles attempted to seek refuge in Ecuador and the country asked the United Nations High Commission for Refugees (UNHCR) for assistance. Faced with so many social challenges, civil society highlighted the migration issue in a series of proposals from a broad coalition: human rights defenders, Ecuadorian immigrant associations abroad and NGOs specialising in refugee assistance. This coalition supported Rafael Correa's campaign in 2006. At the time he was the only candidate to politicise the migration issue by mobilising universalist arguments. The "citizens' revolution" project built on the work of the coalition whereby migrants were presented as a vehicle for development that would characterise a post-modern cosmopolitan society. Migrants were associated with the transfer of money and technology to the countries of the Global South. With the participatory drafting of the new Constitution adopted in 2008, new principles were defined (multi-national State, universal citizenship, free movement of people, equal rights for nationals and foreign migrants). The Constitution recognised new rights for migrants, especially for emigrants⁷, but also for immigrants, with the aim of recommending better treatment for emigrants in host countries (generally in the Global North). The national identity seemed more open and the Nation-State model less rigid, laying the groundwork for inclusive nationalism. NGOs' advocacy work for migrants' rights is clear to see in these legal improvements of constitutional value.

Thanks to the increase in the price of crude oil, Correa-ism offered a strong state model combining social policies, anti-imperialism and sovereignty around an economic transition from a primary economy to a diversified economy stimulated by technology transfers. Between 2007 and 2013, the National Secretariat for Migrants (Senami) within the Ministry of Foreign Affairs (MRE) developed policies for emigrants⁸. State bodies issued visas to immigrants, granting them free access to the public health and education systems and recognising their right to work. This greater State involvement did not affect the division of labour: specialist NGOs, funded by international cooperation, continued to implement social programmes (legal and psychological support, training, microcredit, etc.). These organisations promoted inclusive nationalism by training the employees of partner State institutions in migrants' rights (the MRE, the Ministry of the Interior, regions, municipalities, public education and health institutions). The latter bodies then integrated these new users into a framework of cross-cutting public policies that favoured the inclusion of these people (particularly in education and health care).

Short-term effects, a shift in the balance of power and the politicisation of security

In March 2008, the Colombian State bombed a secret FARC (Revolutionary Armed Forces of Colombia – People's Army) camp on the border (Ecuadorian side), killing FARC's second-in-command. Several scandals caused Correa to backtrack on the migration issue: the accusation that FARC had funded his 2006 election campaign and that refugee visas had been issued to members of FARC (which tainted an NGO close to the Ministry of the Interior) under the so-called "extended registration" policy (2009-2010) that regularised tens of thousands of Colombians living in border areas. The right wing in Ecuador rose up and tried to destabilise Correa by putting the security issue in the public domain. It did this by equating rising crime levels with the permeation of the Colombian conflict as a vector of national insecurity. The weakened Correa government overstated and

⁷ The 2008 Constitution created a fifth electoral district, allowing Ecuadorian citizens living abroad to vote and be elected. See in particular: Amanda Bernal, « Le *retornado* dans le discours et les politiques des gouvernements de Rafael Correa (2007-2017). Retour sur un tournant dans le traitement institutionnel de la question migratoire », *L'Âge d'or*, n° 12, 2019, <https://journals.openedition.org/agedor/5373>

⁸ William Herrera Ríos, *S'emparer des « absents » : la construction du Secrétariat national du migrant de l'Équateur (2007-2013)*, thèse de Science politique, Paris 1 Panthéon-Sorbonne, 2016.

overplayed immigration by playing the security card. Refugee-recognition policies were limited and aimed at controlling the influx (reinstatement of the requirement to submit a copy of their criminal record in July 2011, Executive Decree No.1182 of 2012). The rate of acceptance of asylum applications fell from 62% in 2010 to 17% in 2014. Given the collapse of access to asylum, alternative visas were introduced in line with the regional policies for managing forced migration in Brazil's Action Plan (2014), the development of South American citizenship and the stimulation of the regional economy through the migration visas issued by the organisations of the Southern Common Market (Mercosur, visa introduced in 2014) and the Union of South American Nations (Unasur, residence visa introduced in 2017). These alternative visas allowed for a more flexible system of managing migration from Colombia (whose citizens held 80% of the Mercosur visas, a large majority of whom cited the conflict as the cause of migration) and limited the State's responsibilities in terms of international protection⁹. This undermining of international protection was one of the first signs of the relative and gradual exclusion of migrants. It marked the return of exclusive nationalism in the country, as it was done in the name of security and against asylum.

In this pressurised environment, NGOs adopted positions on several strategic fronts. Some engaged in human rights advocacy and went before the Constitutional Court to bring action against the 2012 decree, which was partly censured by that court in 2014. Under the influence of Brazil's 2014 Action Plan and the UNHCR's position of promoting the regularisation of forced migrants, NGOs offered (and sometimes paid for) the Mercosur visa to exiles in order to integrate them more quickly into society. In reference to the historical figure of the "desirable" migrant, the figure of the "good" refugee gradually developed as security became more prominent in public debate. Alongside the visa policies, these organisations promoted, in the media, the neo-liberal figure of the self-employed refugee and supported their development through financial education, vocational training, integration into the banking system and microcredits. However these programmes were not offered to everyone and excluded those who did not correspond to the image of the "good" refugee. In practice, the NGOs' capacity for implementation and individual monitoring was limited, resulting in a much more rigid selection of refugees that fitted this image of successful integration.

These NGOs therefore acted as guarantors of the "good" refugee, sidelining the "bad" refugee, a figure which can be assimilated with the historical figure of the "undesirable" migrant. The new face of exclusive nationalism thus revived the rift between "desirable" and "undesirable" migrants in which NGOs struggle to adopt an unequivocal stance. Indeed, they often adopt a legal strategy of the universalist defence of basic rights with economic policies which try to turn refugees into "good" migrants by promoting the figure of the self-employed refugee in an attempt to highlight economic-type criteria of "desirability" that should be irrelevant in light of the State's obligation to provide international protection for these forced migrants.

The return of exclusive nationalism: NGOs' difficult struggle for the rights of forced migrants

Against a backdrop of major economic and political crisis, 2017 was marked by two events: the adoption of the new migration law and the end of Correa's presidency. In a tense atmosphere, the ex-president ended his term with a controversial and mixed political record. His heir, Lenin Moreno, was elected, but he quickly distanced himself, offering to engage in dialogue with the right wing with a view to "national reconciliation". The new migration law was passed after ten years of erratic drafting. This text is the missing successor to 2008's progressive constitutional principles but is

⁹ Jacques Ramírez Gallegos, Iréri Ceja, Coloma Soledad *et al.*, *"Ah, usted viene por la visa Mercosur": Migración, integración y refugio en Ecuador*, Quito, CELAG, 2017.

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largely marked by a new expansion of the rhetoric on security and development, with no real changes from the old 1971 law that it replaced. Immigrants were required to provide guarantees that they are not involved in terrorism, crime or drug trafficking and would not be a burden on the State, *i.e.* they had to prove that they had sufficient economic resources to be independent – all of which reflected the entrenched stereotypes of Colombians. NGOs went before the Constitutional Court to denounce, in vain, the law's non-compliance with the 2008 Constitution. Once again, exclusive nationalism asserted itself with the complicity of the law, whilst NGOs – through their economic programmes – continued to nourish the “good” vs. “bad” refugee rhetoric in the distinction between “desirable” and “undesirable”.

In 2018, political crisis and economic inflation in Venezuela led to a deterioration in living conditions, resulting in a spectacular wave of emigration¹⁰. In Ecuador, this massive influx (641,353 Venezuelans, 18% of whom stayed in the country in 2018) forced the government to act. It drastically strengthened its stance on security, leading to a new reversal of migrants' rights (Resolution 152 from the MRE in August and discussions about a contingency plan). The MRE gradually aligned itself with the Ministry of the Interior's position on security. In an effort to promote national public order, which was being undermined from outside, Ecuadorian welfare was prioritised above the obligation to protect exiled persons. Various methods were employed to stem the influx of Venezuelans and to sideline and organise the rejection of “undesirable” people: firstly, more stringent entry requirements (passport, identity card with official certification of these documents, a copy of their criminal record); and then entry solely through the *ad hoc* introduction of a “special humanitarian visa”. This short-term policy created some irregularity and “de-protection” mechanisms for migrants, particularly those from Venezuela¹¹, complemented by the maintenance of detention centres and, above all, systematic deportation (parliamentary reform of the 2017 migration law in December 2020). These *ad hoc* measures implemented by the executive were often challenged by human rights organisations (rights defenders, NGOs, academic institutions), which again took action in the Constitutional Court for non-compliance with the law (infringements of constitutional principles and 2017's migration law) in August 2018 and March 2019, with no significant results in favour of the rights of migrants and exiles.

The case of Ecuador demonstrates the important role played by migrant aid organisations which were actively involved in the recognition of enhanced rights for migrants, asylum-seekers, refugees and people in irregular situations in 2008. They are still campaigning against violations of these rights, the instance of which has increased considerably since the onset of the Covid-19 pandemic and national lockdowns. The backdrop of economic and political crisis favours the establishment of a consensus where immigration is essentially presented in a negative light. The State presents itself as the guarantor of public order, national security and borders (closed since March 2020) to the detriment of respect for the rule of law. As a result, aid NGOs and the UNHCR, out on their own, are no longer able to assert their position of welcoming exiles based on open nationalism. The ambiguity resides in the fact that the social and economic programmes of these NGOs are not completely incompatible with exclusive nationalism, in that they promote the historical criteria of the “desirable” migrant, thus strengthening the rift between “good” and “bad” refugees. Furthermore, the global economic context is simply strengthening this vicious circle by generating an increase in discrimination and xenophobia against migrants who are increasingly impoverished, plunging them more easily into a survival situation.

Translated from the French by Derek Scoins

¹⁰ Fabrice Andréani, « Entre *crash* de l'État magique et *boom* de l'État bandit : le Venezuela dans le labyrinthe autoritaire », *Problèmes d'Amérique latine*, vol. 2, n° 109, 2018, p. 119-134.

¹¹ See the five reports from the *Viviendo al Límite* series published in 2020 and 2021 by IDLIS, the *Colectivo de Geografía crítica*, and *Red Clamor* at: <https://geografiacriticaecuador.org/justiciamigrante/cartillas>

Biography

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