



Visa imposed by Ecuador on Venezuelan migrants and refugees goes against international human rights obligations

Quito & Washington, D.C., August 26, 2019.- We, the undersigned organizations, members of the [Working Group on Venezuelan Human Mobility](#), would like to express our deep concern over the decision taken by the State of Ecuador requiring Venezuelans to present a “temporary emergency visa for humanitarian reasons” in order to enter the country. This measure, which came into force today, establishes a set of requirements that are difficult or impossible to comply with for most Venezuelan people.

As a result of the serious political, economic, social, institutional and human rights crisis in Venezuela, a large number of people have been forced to leave the country, moving mostly to other South American nations, including Ecuador. According to UNHCR figures, of the four million who have left Venezuela, Ecuador has received around [263,000 people](#).

Despite Ecuador’s leadership in proposing a forum for developing regional solutions to Venezuelan human mobility, the government has responded with restrictive policies against Venezuelan migrants and refugees. Ecuador’s entry restrictions arise, in part, out of the prevalent [social polarization and xenophobia](#) against Venezuelan migrants and refugees in Ecuador. Xenophobia in Ecuador has even manifested itself through discrimination and violent attacks, such as the ones that took place [in the city of Ibarra in January of this year](#) after the highest level of government made discriminatory statements.

It should also be noted that Ecuador has been attempting to restrict the entry of Venezuelan migrants and refugees since the end of last year through various “ministerial agreements” which established heightened requirements for entry. These same requirements are now required to obtain the visa.

The practical effect of this measure will be a reduction in the number of Venezuelans who can enter Ecuador or apply for asylum, despite their need for international protection. The visa requirement will also violate the principle of non-refoulement, which prohibits border rejection and non-admission, and will jeopardize other fundamental rights such as: the right to life, personal liberty, and humane treatment, in contravention of the international obligations of the Ecuadorian State regarding human rights.

It is of special concern that the requirements imposed by Ecuador do not take into consideration the challenges faced by Venezuelans in accessing official documents in

their country of origin, including passports and apostilles which certify a lack of criminal record. It is also concerning that the visa can only be processed at consular offices in Caracas, Bogotá and Lima. These impossible standards of compliance will force many migrants and refugees to use irregular channels to enter Ecuador. The use of irregular channels places them at risk of human trafficking and migrant smuggling networks, threatening their safety and lives.

Unfortunately, the type of visa that Ecuador imposes on Venezuelan people is not a new response in the region. It is part of a regional trend that contradicts the political commitments that the same States made during the [Quito Process](#) -a multilateral initiative which started under the leadership of Ecuador where different countries assumed, among others, the commitment to seek migratory pathways; combat human trafficking, discrimination and xenophobia; and develop access to procedures for the determination of refugees in favor of the Venezuelan people.

We urge Ecuador to take up the call made by the [Inter-American Commission](#) on Human Rights to “not criminalize Venezuelan migration” and avoid the adoption of measures such as: closed borders, penalties for irregular entry or presence, a passport requirement for international assistance and protection, immigration detention, and hate speech. We also urge Ecuador to abide to the [UNHCR’s request that States](#) “allow access to their territory” and recognize “the critical importance of ensuring access to asylum procedures” for Venezuelan people.

Finally, we ask Ecuador to cease the use of any action, of executive or legislative nature, that in practice prevents regular entry into the territory of people in need of international protection. We demand that Venezuelans be guaranteed the right to seek and be granted asylum or other forms of international protection, with the opportunity to request such at the border, without any discrimination.

Signing organizations:

Regional and International

Center for Justice and International Law (CEJIL)

Centro para la Observación Migratoria y el Desarrollo Social en el Caribe (OBMICA), Caribe

Red Jesuita con Migrantes LAC

Refugees International

Servicio Jesuita a Refugiados para Latinoamérica y el Caribe (JRS LAC)

Synergía - Iniciativas por los Derechos Humanos

Washington Office on Latin America (WOLA)

Argentina

Comisión Argentina para Refugiados y Migrantes (CAREF)

Brazil

Serviço Jesuíta a Migrantes e Refugiados (SJMR Brasil)

Chile

Clínica Jurídica de la Universidad Alberto Hurtado

Clínica Jurídica de Migrantes de la Universidad Alberto Hurtado, Chile

Colombia

Centro de Estudios en Migración (CEM) y Clínica Jurídica para Migrantes de la Facultad de Derecho de la Universidad de los Andes.

Consultoría para los Derechos Humanos y el Desplazamiento (CODHES)

Fundación Censurados, Cúcuta

Programa de Protección Internacional de la Universidad de Antioquia

Programa de Protección Internacional, Colombia

Ecuador

Misión Scalabriniana Ecuador

Mexico

Sin Fronteras IAP, México

Venezuela

Monitor Social A.C. (Estado Nueva Esparta)

100% Estrógeno

Acceso a la Justicia

Acción Solidaria

Asociación Civil Movimiento Vinotinto

Cátedra de Derechos Humanos de la Universidad Centroccidental Lisandro Alvarado.

Centro de Derechos Humanos de la Universidad Católica Andrés Bello

Centro de acción y Defensa por los Derechos Humanos (CADEF)

Civilis Derechos Humanos

Comisión para los Derechos Humanos del Estado Zulia (CODHEZ)

Comisión Nacional de DDHH de la Federación de colegios de abogados de Venezuela del Estado Táchira

Comisión Nacional de Derechos Humanos de la Federación del Colegio de Abogados de Venezuela del Estado Lara

Comité de Derechos Humanos de la Guajira, Municipio Guajira del Estado Zulia

Control Ciudadano para la Seguridad, la Defensa y la Fuerza Armada Nacional

Fundación Aguaclara

Labo Ciudadano, Venezuela

Organización StopVIH

Programa Venezolano de Educación Acción en Derechos Humanos (Provea). Venezuela

Promoción Educación y Defensa en DDHH (PROMEDEHUM)

Unión Afirmativa de Venezuela

Vicaría de DD.HH de Caracas