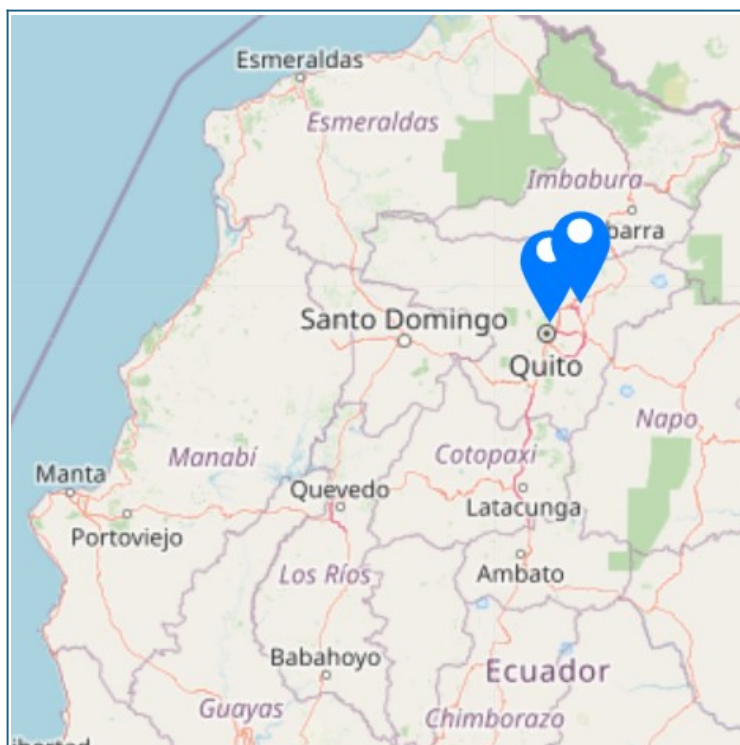


Ecuador Immigration Detention Data Profile



Quick Facts	
Immigration detainees (2010)	2,662
Detained minors (2017)	Not Available
Persons expelled (2011)	750
International migrants (2019)	381,507
New asylum applications (2019)	20,856

NOTES ON USING THIS PROFILE

- Sources for the data provided in this report are available online at: <https://www.globaldetentionproject.org/countries/americas/ecuador>
- "Observation Dates" indicate the timeframe statistical data correspond to or other data were last validated. More than one statistical entry for a year indicates contrasting reports.

STATISTICS

Detention, expulsion, and incarceration statistics

		Observation Date			Observation Date
Total number of immigration detainees by year	2,662	2010	Total number of detained minors	Not Available	2017
	2,851	2009			
	1,338	2008			
	6,688	2006			
	3,751	2005			
	4,564	2004			
	2,767	2003			
	640	2002			
	482	2001			
Immigration detainees as a percentage of total international migrant population	0.74	2010	Number of dedicated long-term immigration detention centres	1	2013
Estimated capacity of dedicated long-term immigration detention centres	52	2014	Number of transit facilities	1	2014
Number of persons removed/returned (voluntary returns and deportations)	750	2011	Criminal prison population	26,421	2016
	569	2010		24,722	2013
	1,026	2009		21,080	2012
	1,507	2008		11,800	2010
				18,218	2007
				11,358	2004
				7,859	2001
				9,439	1998
				9,646	1995
Percentage of foreign prisoners	8.1	2014	Prison population rate (per 100,000 of national population)	160	2016
	7.2	2008		173	2013
				149	2012
				86	2010
				136	2007
				88	2004
				63	2001
				79	1998
				85	1995
		74	1992		

Demographics and immigration-related statistics					
		Observation Date			Observation Date
Population	17,600,000	2020	International migrants	381,507	2019
	16,144,000	2015		387,500	2015
	14,900,000	2012		359,300	2013
International migrants as a percentage of the population	2.4	2015	Refugees	104,560	2019
	2.3	2013		101,564	2018
				92,416	2017
				102,848	2016
				121,535	2015
				123,133	2014
				123,824	2012
Ratio of refugees per 1000 inhabitants	6.28	2016	Total number of new asylum applications	20,856	2019
	7.28	2014		5,080	2016
	7.8	2013		12,090	2012
	8.25	2012		14,171	2011
	8.5	2011			

DOMESTIC LAW				
LEGAL TRADITION				
Legal tradition	Name		Observation Date	
	Civil law			
LAWS AND REGULATIONS				
Constitutional guarantees?	Yes/No	Constitution and Articles	Year Adopted	Last Year Amended
	Yes	CONSTITUTION OF THE REPUBLIC OF ECUADOR, articles 51 and 75-82	2008	2008
LAWS AND REGULATIONS				
Core pieces of national legislation	Name		Year Adopted	Last Year Amended
	Ley de Migracion		1971	2010
	Ley Orgánica de Movilidad Humana		2017	
	Reglamento a la Ley Orgánica de Movilidad Humana		2017	2018
Reglamento para aplicacion en Ecuador del derecho de refugio		2012		
LAWS AND REGULATIONS				
Additional legislation	Name		Year Adopted	Last Year Amended
	Código de Procedimiento Penal		2010	

LAWS AND REGULATIONS			
Regulations, standards, guidelines	Name		Year Published
		Reglamento a la Ley de Extranjeria	
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Immigration-status-related grounds	Name		Observation Date
	Detention to effect removal		2013
	Detention for unauthorised entry or stay		2013
	Detention for unauthorized stay resulting from criminal conviction		2013
	Detention during the asylum process		2013
GROUNDS FOR ADMINISTRATIVE IMMIGRATION-RELATED DETENTION			
Non-immigration-status-related grounds providing for administrative detention in immigration legislation.	Name		Observation Date
	Detention on health-related grounds		2013
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Does the country provide specific criminal penalties for immigration-related violations?	Fines	Incarceration	Observation Date
	Yes	Yes	2013
CRIMINALIZATION OF IMMIGRATION-RELATED OFFENCES			
Grounds for criminal immigration-related detention/incarceration and maximum duration of incarceration	Grounds for Incarceration	Maximum Number of Days of Incarceration	Observation Date
	Unauthorized re-entry	1095	2013
LENGTH OF DETENTION			
Maximum length for administrative immigration detention in law.	Number of Days		Observation Date
	1095		2013
LENGTH OF DETENTION			
Maximum length of time in custody prior to issuance of a detention order	Number of Days		Observation Date
	1		2013
LENGTH OF DETENTION			
Maximum length of detention for persons detained upon arrival at ports of entry	Number of Days		Observation Date
	No Limit		2013

PROCEDURAL STANDARDS

	Name	In Law	In Practice	Observation Date
Provision of basic procedural standards	Right to legal counsel	Yes	Yes	2013
	Access to asylum procedures		Yes	2013
	Information to detainees	Yes		2013
	Access to consular assistance	Yes		2013
	Access to free interpretation services	Yes	No	2013
	Right to appeal the lawfulness of detention	Yes		2013
	Independent review of detention	No	No	2013
	Compensation for unlawful detention	No		2012

NON-CUSTODIAL MEASURES (ALTERNATIVES TO DETENTION)

	Name	In Law	In Practice	Observation Date
Types of non-custodial measures	Home detention (curfew)	Yes	infrequently	2013
	Supervised release and/or reporting	Yes	infrequently	2013
	Designated regional residence	Yes	infrequently	2013

VULNERABLE PERSONS

	Name	In Law	In Practice	Observation Date
Is the detention of vulnerable persons provided in law? Are they detained in practice?	Refugees	Prohibited	No	2015
	Asylum seekers	Provided	Yes	2013
	Stateless persons	Provided	Yes	2013
	Elderly	Prohibited	Yes	2013
	Pregnant women	Prohibited	Yes	2013
	Victims of trafficking	Not mentioned	Yes	2013
	Accompanied minors	Not mentioned		2013
	Unaccompanied minors	Not mentioned	No	2013

COVID-19 UPDATES

	Update Status	Observation Date
<p>Latest Update</p>	<p>While the number of confirmed Covid-19 cases has exploded in Brazil, Ecuador has experienced the region's highest number of deaths per capita and the country has introduced strict containment measures - including curfews between 2pm and 5am, and heavy fines for quarantine violations. Having closed its land borders, the government launched a military operation in coordination with the Colombian military to monitor the border and to prevent irregular border crossings. Ecuador was hosting at least 330,000 Venezuelan migrants and asylum seekers by the end of 2016, although the real numbers are thought to be considerably higher. In the past year, reports of anti-Venezuelan hostility have grown following a January 2019 incident in which an Ecuadorian woman was killed by her Venezuelan boyfriend. In response, President Moreno announced that he would increase patrols in streets and work-places to control the Venezuelan population and increase restrictions on those coming into the country. (The new system requires Venezuelans to be in possession of a valid passport, undergo a consulate interview, and pay a \$45 fee.) Reports suggest that during the pandemic, anti-Venezuelan hostility has continued to grow which, coupled with many losing their previously meagre sources of income, has resulted in large numbers seeking to return to Venezuela. Despite the closed border, some migrants are leaving each day. According to the Ecuadorian Red Cross, up to 700 are departing every day, though sometimes much fewer. However, the situation at the border with Columbia has been reported to be critical, with one newspaper reporting that on 1 May, "the [Columbia] police intervened with tear gas to prevent a group of Venezuelan migrants from crossing the Rumichaca International Bridge en masse." Those who manage to return to Venezuela, meanwhile, face two weeks in government quarantine facilities. Information regarding the facilities is scarce, with NGOs denied access, but some migrant testimonies have painted a stark picture: schools and other similar facilities converted into quarantine centres holding hundreds of migrants at once, insufficient food and water provisions, and abuse from guards. According to the Ministry of Health, as of 20 April 22 Venezuelans in Ecuador had tested positive, but most believe this to be an under-estimate. Although those who remain in Ecuador can access health care without documentation, one researcher commented that doctors must choose who to prioritise and in the current climate, they may place Ecuadorian nationals first. The Ministry of Economic and Social Inclusion is providing a pandemic aid package to the most vulnerable, which includes food and some legal services as well as emergency grants of \$60 to families whose monthly income is less than \$400, and the government has opened shelters to house the country's homeless. But such assistance has not been aimed at the migrant community. Moreno also announced the creation of a fund, the National Humanitarian Emergency Fund (Cuenta Nacional de Emergencia Humanitaria), to which all companies that generate income of more than US\$1 million must contribute 5 percent of their profits in three monthly payments. However, the initiative was firmly rejected by both the industry and the country's union sector. In addition, the government announced that a series of legal provisions would be enacted that would prevent the eviction of families for non-payment of rent while the state of emergency lasts and for 60 days after it ends. The Ecuadorian Red Cross reports that it is providing support to migrants and refugees in the country, including distributing hygiene kits and food. On 18 April, a prisoner died from Covid-19 in the temporary detention centre of El Inca in Quito, which currently holds 1,400 prisoners. In addition, three staff members employed in the same prison were diagnosed with Covid-19 and subsequently placed in isolation.</p>	<p>2020</p>

INTERNATIONAL LAW

Relevant international treaties and date of ratification

	Name	Ratification Year
International treaties	OP CRC Communications Procedure	2018
	OP ICESCR, Optional Protocol to the International Covenant on Economic, Social and Cultural Rights	2010
	OPCAT, Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	2010
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance	2009
	OPCRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2008
	CRPD, Convention on the Rights of Persons with Disabilities	2008
	CTOCTP, Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children	2002
	CTOCSP, Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime	2002
	ICRMW, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families	1992
	CRC, Convention on the Rights of the Child	1990
	CAT, Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment	1988
	CEDAW, Convention on the Elimination of All Forms of Discrimination against Women	1981
	CRSSP, Convention Relating to the Status of Stateless Persons	1970
	ICCPR, International Covenant on Civil and Political Rights	1969
	ICESCR, International Covenant on Economic, Social and Cultural Rights	1969
	PCRSR, Protocol to the Geneva Convention Relating to the Status of Refugees	1969
	ICERD, International Convention on the Elimination of All Forms of Racial Discrimination	1966
	VCCR, Vienna Convention on Consular Relations	1965
	CRSR, Geneva Convention Relating to the Status of Refugees	1955
Ratio of relevant international treaties ratified	19/19	

Relevant international treaties and date of ratification

	Name	Acceptance Year
Individual complaints procedure	ICESCR, Optional Protocol to the International Covenant on Economic, Social and Cultural Rights, 2008	2010
	ICPED, International Convention for the Protection of All Persons from Enforced Disappearance, declaration under article 31	2009
	CRPD, Optional Protocol to the Convention on the Rights of Persons with Disabilities	2008
	CEDAW, Optional Protocol to the Convention on the Elimination of Discrimination against Women, 1999	2002
	CAT, declaration under article 22 of the Convention	1988
	ICERD, declaration under article 14 of the Convention	1977
	ICCPR, First Optional Protocol to the International Covenant on Civil and Political Rights, 1966	1969

Relevant international treaties and date of ratification				
Ratio of complaints procedures accepted	Number		Observation Date	
	7/7			
	7/7			
Relevant international treaties and date of ratification				
Relevant recommendations issued by treaty bodies	Name	Recommendation Excerpt	Recommendation Year	
	Committee on Migrant Workers	§ 32: The Committee recommends that the State party should adopt measures to improve conditions in temporary detention centres so that they are not the same as prisons, and that men and women should be duly separated. It also recommends that the State party should ensure the provision of basic social services, including food, health care and hygienic conditions, and encourages the State party to expedite exit procedures.	2010	
Regional treaties, regulations, and directives				
Regional legal instruments	Name		Year of Ratification (Treaty) / Transposed (Directive) / Adoption (Regulation)	
	ACHR, American Convention on Human Rights		1977	
	APACHR, Additional Protocol to the American Convention on Human Rights in the Area of Economic, Social and Cultural Rights		1993	
	CBDP, Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women (Convention of Belem do Para)		1995	
	IACPPT, Inter-American Convention to Prevent and Punish Torture		1999	
	IACFDP, Inter-American convention on Forced Disappearance of Persons		2006	
Non treaty-based international human rights mechanisms				
Visits by special procedures of the Human Rights Council	Name		Year of Visit	Observation Date
	Special Rapporteur on extrajudicial, summary or arbitrary executions		2010	
	Special Rapporteur on the right of everyone to the enjoyment of the highest attainable standard of physical and mental health		2007	
	Working Group on arbitrary detention		2006	
	Special Rapporteur on the human rights of migrants		2001	
Non treaty-based international human rights mechanisms				
Relevant recommendations of the UN Universal Periodic Review	Recomendation Issued	Year Issued	Observation Date	
	No	2008	2017	
	No	2017	2017	
	No	2012		

INSTITUTIONAL INDICATORS

Governing structures																
Federal or centralized governing system	Federal or centralized governing system										Observation Date					
	Centralized system										2013					
Governing structures																
Centralized or decentralized immigration authority	Centralized or decentralized immigration authority										Observation Date					
	Centralized immigration authority										2013					
Institutions responsible for immigration detention																
Custodial authority	Agency	Ministry				Ministry Typology				Observation Date						
		Ministry of the Interior				Interior or Home Affairs				2013						
Institutions responsible for immigration detention																
Apprehending authorities	Name			Agency				Ministry			Observation Date					
	Servicio de Migración de la Policía Nacional			Law enforcement, border control and national security				Ministry of Interior (Home Affairs)			2013					
Institutions responsible for immigration detention																
Detention Facility Management	Entity Name				Entity Type				Observation Date							
	Police				Governmental				2014							
	Police				Governmental				2013							
Institutions responsible for immigration detention																
Formally designated detention estate?	Formally designated immigration detention estate?						Types of officially designated detention centres						Observation Date			
	No												2013			
Institutions responsible for immigration detention																
Types of detention facilities used in practice	Immigration detention centre (Administrative)	Immigration field office (Administrative)	Transit centre (Administrative)	Reception centre (Administrative)	Offshore detention centre (Administrative)	Hospital (Administrative)	Border guard (Administrative)	Police station (Criminal)	National penitentiary (Criminal)	Local prison (Criminal)	Juvenile detention centre (Criminal)	Informal camp (Ad hoc)	Immigration detention centre (Ad hoc)	Surge facility (Ad hoc)	Observation Date	
	Yes		Yes					Yes							2015	
Detention monitoring institutions																
Authorized monitoring institutions	Institution		Institution Type										Observation Date			
	Ombudsman		National Human Rights Institution (or Ombudsperson) (NHRI)										2014			
	Ombudsman		OPCAT National Preventive Mechanism (NPM)										2014			
Detention monitoring institutions																
Does NHRI carry out visits?	Does NHRI carry out visits in practice?								Observation Date							
	Yes								2014							
Detention monitoring institutions																
Does NHRI publicly release reports on immigration detention?	Does NHRI publicly release reports on immigration detention?										Observation Date					
	Yes										2014					

Detention monitoring institutions

Does national preventive mechanism (NPM) carry out visits?	Does NPM carry out visits in practice?	Observation Date
	Yes	2014

Detention monitoring institutions

Does NPM publicly release reports on immigration detention?	Does NPM publicly release reports on immigration detention?	Observation Date
	Yes	2014

More information about immigration detention in Ecuador is available at the website of the Global Detention Project (www.globaldetentionproject.org)