



Open doors (for almost all): visa policies and ethnic selectivity in Ecuador

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Abstract

There is broad consensus that immigration policies moved from prevalent negative ethnic selectivity towards widespread ethnic neutrality after World War II. This assessment is biased because it neglects visa policy-making. Travel visas are important immigration management tools, and overt selection by national origin persists in this policy field. The paper analyses the extreme case of recent Ecuadorian visa policy-making, from the annulment of all visa requirements in 2008 to the partial reintroduction of visas for ten African and Asian countries in 2010. The Ecuadorian government justifies the restrictive response to the increase in south-south flows as security policy. Qualitative research reveals that alleged security concerns are closely intertwined with ethnic prejudice of both domestic and international political actors.

Introduction

“We are in the middle of a campaign to dismantle this invention of the 20th century of passports and visas.”¹ With this, historically disputable, statement President Rafael Correa publically introduced his decision of unilaterally lifting all visa requirements to enter Ecuador for a 90-day tourist stay. The verbal decree came into effect on 20 June 2008. Only six months later, visas² were reintroduced for Chinese citizens. Two years after their initial annulment, visa requirements were reinstated for citizens of Afghanistan, Bangladesh, Eritrea, Ethiopia, Kenya, Nepal, Nigeria, Pakistan and Somalia. In how far does the reintroduction of visa requirements for a selected group of African and Asian nationals qualify as negative ethnic immigration policy?

Considering both the domestic and international political sphere, the paper shows that despite the populist political discourse of immigration policy liberalization, ethnic selectivity persists in Ecuador’s visa policy-making. With the selective reintroduction of visas, Ecuadorian policy was responsive to its own *unintended* impact, namely the increase of irregular immigration from Africa, Asia and the Caribbean, officially termed “new extra-continental immigration”. The initial implementation of travel freedom had served Correa’s personal populist strategy but did not intend any increase in immigration to Ecuador. The racist stigmatization of new south-south flows as made up by illegal aliens, delinquents and terrorists led to domestic and international pressure on Correa’s government to impede them.

Domestically, Correa found himself caught in the dilemma of wanting to uphold the populist image of being a promoter and defender of human and migrants’ rights and at

¹ hoy.com.ec: Correa elimina el visado a los extranjeros, 12/06/2008 <http://www.hoy.com.ec/noticias-ecuador/correa-elimina-el-visado-a-los-extranjeros-297707-297707.html> [Last retrieved 01-02-2012]

² A visa is an official endorsement usually made in a passport indicating that the holder is allowed to enter, leave, or stay for a specified period of time in the country issuing the visa.

the same time having to respond to racialized security concerns about new south-south immigration voiced primarily by political opponents and the media, but also from within his administration. Internationally, countries within and beyond the region exerted diplomatic pressure on Correa to reinstate visas based on fears of increasing southern extra-continental migration through, or to their territory. Although similar concerns surround Caribbean immigrants of color, reintroducing visas for African and Asian citizens implied a significantly lower political cost in the context of regional integration.

The paper proceeds as follows. After a brief discussion of the methodology, the first section discusses the relevant literatures on ethnic immigration policies, the securitization of migration and visa policies. The second section presents the case study. The third and main section provides the empirical analysis of ethnic selectivity in Ecuador's recent visa policies. The fifth section concludes. The main contributions of the paper are threefold: first, in contrast to the dominant strand of the literature on immigration policies and race, overt negative ethnic selectivity persists in the field of visa policies, although often under the cover of liberal political discourses of non-discrimination. Second, international cooperation in the Americas strengthens rather than weakens the securitization of migration and ethnic selectivity in immigration policy-making, and third, immigration policy-making should be analyzed at the level of the agency of political actors at the intersection between domestic and international policies.

Methodology

The paper applies a mixed methodological approach drawing on the existing literature on Ecuadorian policy-making, descriptive immigration statistics and 93 in-depth interviews with government officials, politicians, NGO and IO representatives, and African, Asian and Caribbean immigrants. The interviews were conducted in Quito, Ecuador, in July and August 2011. Interviews lasted between 15 min. and 2 hours and were conducted with 21 politicians and officials, 14 representatives of international organizations and NGOs, and 58 migrants from Cameroon, Ghana, Ivory Coast, Nigeria, Senegal, Bangladesh, India, Pakistan, Cuba and Haiti. The empirical research process further included the revision of relevant media coverage. All interviews with government officials, politicians, NGO and IO representatives were conducted in Spanish. The author translated the quotes used in this paper.

Elite interviews with officials and politicians were especially important to detect covert ethnic motivations in Ecuador's visa policy-making as "norms and cognitive schemas in policy-making that are not often formally articulated" (Cook-Martín & FitzGerald 2010). Officials were chosen across the different ministries and government departments involved in immigration policy-making and management. Interviews and surveys with extra-regional and Caribbean migrants were conducted at various sites to ensure a more representative sample of the different migratory situations and legal statuses. Research sites included the detention center of the Ministry of the Interior, waiting rooms of the provincial headquarters of the Immigration Police in Pichincha (Province of Quito), the Directorate of Refugees, the Nigerian congregation of *La Iglesia Remedia Cristiana de Dios* in Quito, and the neighborhoods of *La Florida*, *Santa Clara* and *La Mariscal*.

I. Literature

A dominant strand of the literature on immigration policies and race describes a general development of ethnically selective,³ towards universal, non-ethnic immigration policies in the second half of the 20th century (Brubaker 1994; Freeman 1995; Hansen 2001, Joppke 2005, Cook-Martín & FitzGerald 2010; FitzGerald 2012). According to this view, the ethnic blocking of immigrants that was explicit in emerging immigration law at the beginning of the 19th century, became illegitimate after the Holocaust, and with the anticolonial movement and the 1960s civil-rights movement. When ethnic selectivity in migration policies persists today, it is seen as confined to positive discrimination, or the formally non-ethnic filtering of immigrants based on skills or family ties (even if these are correlated to ethnicity).

Other scholars have questioned this linear development to colorblind immigration policies. Gilbert (2007) and Johnson (2000, 2009) argue that race, alongside class, continues to define US-American and European immigration policies to this day. Johnson finds that in “operation, and to a certain extent in design, the U.S. immigration laws aim to keep poor and working people of color out of the United States” (Johnson 2009: 34). It is important to point out that negative ethnic selectivity has been seldom explicitly linked to immigrants’ ethnic background. Historically, migration policies have used nationality or country of birth as proxies for ethnicity and race (Perea 1994; Schoenwaelder 2004; Cook-Martín & FitzGerald 2010).

Without any doubt political correctness regarding ethnic immigration policies has changed. To overtly discriminate in their immigration policies is no longer acceptable for most countries. In recent decades, governments in Europe and North America thus commonly use security concerns to justify ethnically restrictive immigration policies (Huysmans 2000; Ibrahim 2005; Neumayer 2010). Although the objectivity of such security concerns has been widely contested, and is seen as a means of identity construction based on fears of the foreign other (Melis 2001; Bigo & Guild 2004; Givens 2010), it is well documented that the securitized migration discourse has led to tangible restrictive policy shifts in North America and Europe (Huysman 2000; Ibrahim 2005). Ibrahim (2005) calls the securitization of migration “racism’s most modern form” because it specifically targets culturally distinct immigrants and asylum seekers.

The academic disregard for visa policies in the discussion about ethnic immigration policy-making and the securitizing of migration is striking.⁴ Visa policies can be considered one of the simplest, most straightforward ethnically selective immigration policy tools. Based on national origin, they determine access rights – that is the initial entry of potential immigrants into a country.⁵ Instead of openly admitting concerns that the nationals of certain countries might be especially prone to overstaying their temporary

³ Following FitzGerald (2012), this paper treats ‘ethnic selectivity’ as the umbrella term for policies and laws that address potential immigrants according to categories of race, ethnicity and nationality or country of birth.

⁴ The theoretical disregard for visa policies persists across migration studies and is not least founded in the lack of easily accessible data (O’Byrne 2001; Salter 2003; Neumayer 2006).

⁵ It is well known that a large percentage of irregular immigrants enter countries in Europe and North America with a visa and overstay their permitted sojourn (Fix and Passel 1994; Bigo 1998; Passel 2005; Collyer & de Haas 2010; FLACSO 2011).

visas to seek asylum or irregular employment, politicians justify restrictive visa policies by claiming that visa freedom accelerates criminal activities such as drug and people trafficking, or even terrorism (Neumayer 2010).⁶

Visa policies are especially prone to ethnic selectivity because the lists of countries requiring specific visa requirements are not usually inscribed into immigration law, but handled by special committees, often within foreign ministries. Policy makers can change visa requirements without public legal processes. Furthermore, visas are issued at the discretion of consular and immigration control officers, and foreigners usually have no legal recourse if they are unfairly denied a visa.

There is academic consensus that the two groups especially affected by ethnic immigration policies in the Americas and Europe, whether overtly or through administrative practices, have historically been African (or black) and Asian immigrants (Geddes 1995; Schoenwaelder 2004; Gilbert 2007; Johnson 2009; Cook- Martín & FitzGerald 2010). Reservations against immigrants of color from Africa and Asia are still reflected in the visa policies of European Union members and countries across the Americas today.

All African, Central and South Asian and Middle Eastern, and about half of the countries of East and Southeast Asia, Australia and Oceania, Central America and South America are listed on the European Union's black list of countries with tourist visa requirements (Hobolth 2010). Australia, Brunei, Japan, New Zealand, Singapore and the Republic of Korea are the only non-European countries whose citizens may travel under the US Visa Waiver Program.⁷ With very few exceptions, Latin American countries mirror European and US-American visa policies, and have visa requirements in place for the vast majority of African, Asian and Middle Eastern countries.

Whereas the securitization of migration policies in Western immigrant receiving countries is well documented, immigration policy-making in Latin America remains surprisingly understudied. When interested in the persistence of ethnic selection criteria in immigration policies, Latin America is a region especially worth studying. On the one hand, Cook-Martín & FitzGerald (2010) ascribe Latin America a pioneering role in liberalization of immigration policies before United States. FitzGerald (2012) goes as far as to largely exclude any future resurgence of ethnic immigration policies in the region:

“Even if demand for overseas immigration were resurgent, a return to formal ethnic discrimination is unlikely given the high diplomatic costs of discriminating against ethnics from formerly colonized countries that are now internationally ascendant, an institutionalized anti-racist movement, and the political, economic, and cultural influence of formerly excluded ethnics” (FitzGerald 2012).

In fact, Latin American immigration policy-making has seen a remarkable liberalization⁸

⁶ The fact that five of the 19 men involved in September 11 hijackings were visa overstayers has repeatedly been used by anti-immigrant organizations in their call for increased immigration policy restrictiveness (see e.g. Camarota 2002 / <http://www.cis.org/node/2784>).

⁷ http://travel.state.gov/visa/temp/without/without_1990.html#countries

⁸ The author understands 'liberal' immigration policy as favourable to individual rights and freedoms, i.e. as advancing migrants'

shift in recent years. While most immigrant receiving countries in Europe and North America moved towards more restrictive policies in the light of national security (Jordan & Düvell 2002; Rudolph 2003), the “war on terrorism” and the global economic crisis (Miller 2003; Papademetriou & Terrazas 2009; Tedesco 2010), a substantial number of Latin American countries reformed their immigration policies in ways that emphasize the protection of migrants’ universal rights in unprecedented ways (Ceriani 2011; Margheritis 2012; Acosta & Freier 2013). At the same time, it is well known that racial and ethnic discrimination continue to be contentious issues across Latin America (Wade 1997; Beck et al. 2011).

Understanding whether and how ethnically selective visa policy-making persists in Ecuador despite official policy liberalization, allows for broader conclusions on the on-going compatibility of formally liberal but *de facto* ethnically discriminating policies.⁹ The most prominent approaches to explaining the development of ethnic selectivity in immigration policies are economic interest group models, theories surrounding national identity and political ideology and international relations approaches. The economic interest group argument describes the antagonism between employers who welcome ethnic immigrants as cheap workers and organized labor who reject them based on fears of decreasing wages (Tichenor 2002; Calavita 2005).

The national identity approach sees ethnic discrimination in immigration policies as based on institutional ideological struggles about immigration and the nation (Brubaker 1994, Smith 1997). From this point of view, immigration laws and policies are nothing less than a “magic mirror’ into the nation’s collective consciousness about its perceived national identity” (Johnson 2009: 2). Whereas the national identity approach is more prone to explain persistent ethnic selective immigration policies, the dominant international line of argumentation, suggests that ethnic discrimination declined after World War II through international policy diffusion (Brubaker 1994; Freeman 1995; Hansen 2001, Joppke 2005, Cook Martín & FitzGerald 2010; FitzGerald 2012).

All these approaches tend to focus either on the domestic or the international level. Immigration is an inherently “intermestic” phenomenon (Cornelius & Rosenblum 2005), and the separate consideration of domestic and international factors is little helpful when explaining immigration policy-making. This study follows Cook-Martín & FitzGerald in placing domestic factors “in the context of broader global ideological currents and of any particular country’s embeddedness in a system of bilateral and multilateral relationships” (2010:11).

rights and travel freedom.

⁹ Cook-Martin & FitzGerald (2010) argue that putatively liberal countries like the United States historically played an important role in the diffusion of racist laws directed against particular national-origin groups.

II. Case study

Within the context of recent Latin American immigration policy-making, Ecuador presents an extreme case. As in other countries in the region, Ecuadorian intellectuals in past decades have claimed that society had rid itself of former ethnic discrimination. Scholarly evidence, however, rather suggests that racial and ethnic discrimination against indigenous and Afro-Ecuadorians that has been an essential characteristic of Ecuadorian society since early colonial times, still is ubiquitous in public life and the media, and enshrined in Ecuadorian social psychology today (de la Torre 1996; Cervone 1999; Rahier 1999; Beck et al. 2011). A recent study published by the World Economic Forum, indeed finds very high levels of xenophobia in Ecuadorian society (WEF 2011).¹⁰

Despite the prevalent ethnic prejudice and xenophobia, President Rafael Correa subjected the country's migration policy to a 'liberal shock treatment' by implementing universal visa freedom in June 2008, which was partially reversed for a selected group of African and Asian nationals in December 2008 and September 2010. Certainly, the shift of Ecuadorian democracy towards what Levitsky (2013) calls "competitive authoritarianism" increased Correa's discretion in the area of immigration and visa policy-making.

The official reasons for the implementation of travel freedom to Ecuador spanned from economic to the ideological sphere. According to the press release of the Ecuadorian Foreign Ministry, travel freedom was implemented to promote tourism to Ecuador and to apply the new constitutional principle of free human mobility.¹¹ Both of these motives are questionable. Regarding the attraction of potential tourists, Ecuador already had visa waivers in place for all OECD countries except Mexico, most European countries, and all South American countries. The regions that were affected by the policy were Africa, Asia, the Caribbean, the Middle East and Oceania. It is unlikely that the government expected tourism from these areas to grow. With a view to increasing free human mobility to Ecuador, it needs to be pointed out that the two main migrant and refugee sending countries, neighboring Colombia and Peru, had long enjoyed visa free access to Ecuador.

Indeed, the implementation of universal travel freedom to Ecuador was detached from economic considerations linked to tourism and only indirectly connected to the ideal of universal travel freedom. The policy was a single-handed, spontaneous decision by Correa in the context of the populist utilization of the topic of international migration in his presidential campaign. The Ecuadorian mass emigration after the economic crisis of 1999 made migration and migrants' rights a topic of economic and electoral importance.¹² After the European Union included Ecuador on its black list of countries with tourist visa requirements in 2003, US-American and European closure towards

¹⁰ According to the World Economic Forum, Ecuador ranked 118 out of 140 countries regarding its friendliness towards foreigners in 2011 (WEF 2012).

¹¹ http://www.mmrree.gob.ec/mre/documentos/novedades/pol_exterior/junio/bol398.htm
[Last accessed 08-02-2012]

¹² In the so-called 'emigration stampede' (*estampida migratoria*) that followed the economic crisis of 1999, close to 140,000 Ecuadorians had emigrated to the United States and some 320,000 to Spain by 2005. By 2002, remittances to Ecuador equaled 112 per cent of the country's foreign direct investment (Congressional Budget Office 2005).

Ecuadorians became an effective election topic when Correa stood in the 2006 presidential elections.

It is important to point out that Correa's migration rhetoric and policies have been primarily directed towards Ecuadorian emigrants abroad (Margheritis 2011). Nevertheless, Correa implemented universal travel freedom to Ecuador in June 2008 for the sake of political coherence in the context of his outspoken criticism of European and US-American restrictive immigration and visa policies. In this context, there seems to be continuity with FitzGerald's finding (2012) that historically, it wasn't primarily the diffusion of, but rather the opposition to US immigration policy that shaped Latin American immigration policies.

In September 2008, Ecuador passed a new constitution, which includes various articles that formally go beyond targeting Ecuadorian emigrants abroad and stipulates the state's commitment to defining and implementing migration policies that will support migrant's universal rights, fight discrimination against migrants, and proclaim the ideal of universal citizenship. However, these constitutional ideals have not been translated into corresponding legislation (Acosta and Freier 2013). The restrictive Immigration Law of 1971 that was passed under José María Velasco Ibarra and discriminates against migrants in an irregular situation in various ways (Arcentales and Garbay 2012) is still in force today. A representative of an Ecuadorean NGO described the gap between Correa's migration rhetoric and the country's immigration policy-making as follows:

I think that at the moment, we are going through schizophrenia in the area of migration [policy], schizophrenia in the sense that we have a constitution that recognizes rights that are much more progressive than international conventions. Things like the right to migrate, human mobility, the protection of Ecuadorians abroad, universal citizenship... We have these very elevated constitutional parameters but they were never processed at the government level.

Although Ecuador had not reformed its legislative framework, the partial reinstatement of visas for ten African and Asian nationalities in September 2010 stands in sharp contrast to the principle of non-discrimination enshrined in the constitution. In the research process, interviewed government officials were clearly aware of this contradiction. The special advisor on human trafficking in the Department of Justice tried to justify the need for the partial reintroduction of visas as follows:

So the whole world could come without a visa. Now, lately, some [nationalities] got restricted. It's not that they are restricted. It's that the necessity became apparent to re-impose some kind of document, or in this case, visas, for some nationalities. Nevertheless, the free mobility that the Constitution talks about is still implied.

What explains this contradiction, or policy gap between Correa's migration discourse and the Constitution, on the one hand, and the government's visa policy-making on the other? In how far was the selected reintroduction of visas for African and Asian nationals driven by ethnic considerations? And what are the strategies employed by Correa's administration to manage this policy gap?

III. Empirical analysis

In his first public statement on 7 September 2010, State Secretary for Migration, Leonardo Carrión, linked the decision of selectively reintroducing of visas¹³ to emerging “unusual immigration flows”, the increase of inflows from nationals of Afghanistan, Bangladesh, Eritrea, Ethiopia, Kenya, Nepal, Nigeria, Pakistan and Somalia, up to 70% of which, he claimed, overstayed the permitted tourist stay of 90 days.¹⁴ The government had not anticipated any increase in new south-south flows and visas were reintroduced as an immigration control policy. The special advisor on human trafficking in the Department of Justice explained: “The official argument was that visas were reintroduced because these are *new* nationalities, nationalities that have never come to these latitudes.”

Such official reasoning could be seen as supporting for the national identity approach, i.e. that ethnic immigration from Africa and Asia was not only unexpected, but as incompatible with Ecuador’s national self-conception. An in interview with the author, the State Secretary for Migration Leonardo Carrión argued similarly:

We haven’t had – we are not a natural recipient of migration and suddenly we turn into a transit country ... Sadly, one has to see that Ecuador has been, and is one of the countries that has received the least immigration historically, and in comparison with the rest of South America the laws have always been very strict when it came to receiving foreigners.

It needs to be pointed out that although the net immigration¹⁵ of the above-mentioned nationalities increased after the introduction of visa freedom, it did so on a very small scale. With the noteworthy exception of the net immigration of Chinese, the yearly net immigration rates for other African and Asian countries for which visas were introduced averaged 328 per year and country from 2008-2010. The aggregated number of African and Asian immigrants, excluding China, in this period was 2,609. This number further dwindles when compared to the net immigration of Colombians and Peruvians in the same period: 45,934 in case of the former and 33,851 in the case of the latter.

¹³ Based on the significant increase of Chinese nationals, visas had already been reinstated in December 2008.

¹⁴ http://www.bbc.co.uk/mundo/america_latina/2010/09/100907_ecuador_inmigrantes_africa_asia_visa_rg.shtml

¹⁵ Ecuador does not gather official data on immigration and emigration flows (IOM 2011). This paper uses net migration rates, the difference between monthly entries and exits of foreigners, as an estimate for immigration. The downside of this immigration proxy is that it includes short-term visits, its distinct advantage is that it captures irregular immigration by visa overstayers.

Net immigration to Ecuador per year and country

Region	Country	2002	2003	2004	2005	2006	2007	2008	2009	2010	2008-2010
Africa	Eritrea	-	-	-	-	-	-2	0	236	398	634
Africa	Ethiopia	2	8	0	0	0	2	21	132	144	297
Africa	Kenya	-6	-18	-5	2	8	1	5	198	82	285
Africa	Nigeria	2	1	5	4	3	3	34	247	133	414
Africa	Somalia	0	-	0	2	0	0	0	16	54	70
Asia	Afghanistan	-2	-175	-38	-22	-4	3	4	44	4	52
Asia	Bangladesh	-2	4	5	-8	6	1	54	214	276	544
Asia	China	-36	184	379	16	353	359	7,240	723	551	8514
Asia	Nepal	4	20	40	-24	-5	-8	41	158	114	313
Caribbean	Cuba	-360	670	669	225	295	-33	1,013	3967	2030	7010
Caribbean	Haiti	-11	31	-8	-2	1	-7	83	696	511	1290

Source: Own elaboration based on data of the Dirección Nacional de Migración de Ecuador

Such small numbers of extra-continental southern immigrants could have hardly threatened the make-up of the Ecuadorian nation or national identity and thereby put in question the validity of the national identity approach to explaining the case. Furthermore such small numbers discredit the economic interest group model. Chinese immigrants were the only significant immigrant group for which visa requirements were reintroduced. The research process revealed that Chinese immigrants in Ecuador are either self-employed or operate within ethnic business and industries. The above immigration statistics do raise the question why no visas were introduced for Cubans and Haitians, which the paper will address in section III.

Internal political pressure

Correa faced opposition against his immigration policy both from the political opposition and from within his own ranks. All actors justified their reservations against new extra-continental immigration with security concerns linked to the perceived increase in both domestic and international crime. The following section will show that such security concerns were closely intertwined with ethnic considerations.

It should be pointed out that crime in Ecuador, which is often connected to international criminal networks, has been on the rise since the 1990s (Carrión 2003, 2008; Ojeda 2010). Since then Ecuador has moved from being a self-perceived “isle of peace” (between its violent neighbors Peru and Ecuador) to a new “international crime platform” (Carrión 2011). However, the media, or what Carrión (2008) calls “media populism”, has played a crucial role in exaggerated and distorted reporting, thereby placing violence and crime in the center of everyday life. According to the Public Protector, the notion that immigrants cause crime is nothing more than political propaganda. In an internal study the Public Protector conducted in 2009, they found that only 3 percent of all inmates in Ecuador are foreigners?

In fact almost all interviewees, with the noteworthy exception of the intelligence agencies, mentioned xenophobia and discrimination – especially against black Cubans, Haitians and Africans, either specifically as a reason for the criminalization of new extra-continental immigration and the reintroduction of visas, or at least in the general context of reception of especially Africans in Ecuador (difficulties to rent an apartment, to enroll

a child at school etc.) As a Nigerian immigrants shared with the author: “Being from another race, another color – that tells a lot about who you are... It doesn’t matter whether you are Ecuadorian or not, it matters that you are *black*.”

The administration

There exists competition and in some cases outright animosity between the main ministries involved in Ecuadorian immigration policy-making: the Ministries of the Exterior, Interior, and Justice, the National Police and the newly formed *Secretaría Nacional del Migrante* (SENAMI). In the interviewing process, officials of the Foreign Ministry, the Ministries of the Interior and Justice and SENAMI were supportive or at least sympathetic to Correa’s human rights based approach to migration policy-making, although some did criticize universal visa freedom to varying degrees. Members of the different intelligence agencies, on the other hand, clearly rejected Correa’s approach to migration management altogether.

Racist concerns about the impact of visa freedom on increasing extra-continental south-south immigration were evident in all government departments. However, depending on political association to Correa, these sentiments translated into different security concerns and different strategies for reconciling such concerns with the liberal ideals of Correa’s migration discourse and the Constitution. Officials critical of the President tended to exaggerate the impact of visa freedom on new south-south flows and directly criminalized African and Asian immigrants. Interviewees that were politically aligned with Correa more often stigmatized extra-continental immigrants as helpless victims of international human smuggling rings.

Intelligence Agencies

In an interview with the author, a major and legal advisor of the National Migration Directorate (*Dirección Nacional de Migración*, DNM) linked what they identified as the current “migration problem” directly to the “weak immigration policy” of the executive. The legal advisor further questioned the legality of Correa’s visa freedom, because it was based on a presidential decree, rather than written law. Members of DNM tended to inflate new extra-continental inflows in a pejorative way. For example, the major of the DNM spoke of “massive inflows” of Africans. After Chinese and Cubans, Africans were the third group that entered Ecuador in “exaggerated ways”. The major voiced concerns that “the decision of the President of opening Ecuador’s doors” had led to the “loss of control” over immigration, which bore unforeseeable security risks.

It’s as if I let everyone enter my house, and let them do what they want. I’ll lose my house. But if I put controls, I automatically know what they are doing and they will behave in a normal way – but well, basically, that is state policy.

Interviews with members of the different intelligence agencies revealed a heightened awareness for political correctness and at the same time clear ethnic prejudice against certain nationalities. The legal advisor of the DNM declared that he couldn’t voice security concerns about certain nationalities because he would thereby discriminate against the one or the other nationality. The major explained the dilemma he found himself in as follows:

We believe that the world is so globalized that universal citizenship, or free human mobility is desirable. But all mobility needs to be controlled. And although it is true that Ecuador has a constitution that guarantees many rights, we always have to see the security angle as well – even if that means that one is acting based on xenophobia and discrimination against the one or other nationality.

Despite their denial, in the same interview the DNM representatives linked the increase in south-south migration to growing crime rates in Ecuador:

We're not saying that the immigrants [from Africa, Asia and the Caribbean] are the criminals. It's just that crime increased [since extra-continental immigration increased].

The National Intelligence Secretary (*Secretaría Nacional de Inteligencia, Senaín*) took the criminalization of new southern immigrants to the next level. In an interview with a first lieutenant and a captain of the Senaín it was explained to the author that visas had to be reintroduced because of the security threat posed by the 'high risk profiles' of these immigrants.

When we say high risk profile, we are obviously talking about a person who has problems with the judiciary in very sensitive areas for the Ecuadorian state or on a global level.

With 'high risk profiles' they referred to certain nationalities being directly associated to people smuggling and Islamist terrorism. It is difficult to ascertain in how far such concerns are justified. In any case, field observations with members of the Senaín revealed clear racial profiling. Even middle-ranking officials did not distinguish between Haitian and African immigrants, claiming that both groups were involved in drug trafficking and child pornography. Apart from the problematic generalization of this accusation, it became apparent that officials struggled to conceptually distinguish between the two groups, who to them were first and foremost black.

This is not to say that no recent extra-continental immigrants are involved in illicit activities in Ecuador. At the of the detention center of the Ministry of the Interior, the author interviewed five African nationals that had been detained for drug trafficking. According to an interview with an Indian immigrant who has spent over a decade in Ecuador, some African and Asian immigrants are involved in the production of counterfeit money. However, international crime was present in Ecuador before the introduction of travel freedom, and is on the rise well beyond the reinstatement of partial visas.^{16/17}

The important point is that the security concerns of the Ecuadorian intelligence regarding new south-south immigrants were based on ethnic and racial profiling. It is important to emphasize that depreciate representations of Afro-Ecuadorians as "dangerous criminals" date back to the 1950s (Rahier 1999; Beck et al. 2011) and have been accompanied by the criminalization of the indigenous population as well. As an official of the Public

¹⁶ <http://articles.latimes.com/2011/jun/26/world/la-fg-ecuador-drugs-20110626>

¹⁷ The case of 40kg of cocaine that was discovered in a diplomatic pouch from Ecuador by Italian police in February 2012 underlines that the problem of narcotics goes well beyond arrival of a few hundred African and Asian migrants from 2008 to 2010.

Protector put it:

In the 60s and 70s everything bad that happened in the country was blamed on the indigenous people. After that [the guilt] was passed on to the afro-descendants, which had to stop because of the vindication of ethnic rights. So now, after the nationals, the foreigners became the protagonists. This topic is managed politically by the State and it is managed very inadequately by the media.

The Ecuadorian case thus shows that “institutionalized anti-racist movement[s], and the political, economic, and cultural influence of formerly excluded ethnics” (FitzGerald 2012) do not necessarily imply non-discrimination against foreigners, or in a country’s immigration policy.

Racial profiling was also evident in migration control management by the police. Interviewed officials spoke of discretion they enjoyed in confirming “tourist profile” of foreigners and, since the partial reintroduction of visas for airport police pays special attention to the visas of Africans. A police officer working in immigration at the airport Mariscal Sucre in Quito expressed her resentment against African immigrants as follows:

From Africa, they come with a somewhat worrying profile for us. And then they come with this attitude of “Why are you controlling me, why, because I am black? Discrimination! Discrimination!”

Juan Villalobos, Officer for Political Affairs of the Jesuit Refugee Service explained:

It really depends of the nationality ... If you’re Colombian, Cuban, or even from the Middle East it’s more likely that they will deport you because there is a stigma surrounding these populations. They [the migration police] go out to search for nationalities like Colombians, or they search for Cubans, or populations of the Middle East. You ask a European or US-American in an irregular situation, who probably exist, I mean, maybe they don’t come constantly because there is no vulnerable situation, but there should be cases. They are not asked for their papers because it is assumed that they are tourists, that they have money.

On the level of national intelligence, interviewed Senaín representatives explained:

It’s not that we make any difference by continent ... We treat every case totally independently and we never compare one case to the next because we know that the motivations to travel are different and that the smugglers act differently, that we are dealing with countries with totally different customs. If we have a Moslem country, we won’t compare it with a Christian country ... we try to treat each case according to its importance.

An especially impressive example of racial profiling in Ecuador’s immigration policy is the *de facto* rounding up of the Moslem immigrant population in Quito. According to various interviews and an official report of the Public Protector, on 9 March 2011, the Ecuadorian police arrested 67 Asian and Arab immigrants at gunpoint in the operation “twilight” (*crepúsculo*), supposedly based on allegations of people smuggling and terrorism made by the US government. Eleven buildings were stormed at daybreak and the migrants were brought to a special prison in a private house in Quito. Transgression judges (*jueces de contravenciones*) ordered the *de facto* mass deportation of the entire group. The group was illegally detained for three months and many of their rights were

violated. Six men were extradited to the United States, 17 deported. The Public Protector and four of the Pakistani detainees the author interviewed agreed that the detentions had been made on ethnic grounds, rounding up the Moslem immigrant population in Quito.

Interestingly, within the intelligence agencies, security concerns about new extra-continental south-south immigrants seemed to take precedence over more ‘traditional’ concerns about Columbians importing narcotrafficking and crime to Ecuador:

We don’t pay a lot of attention to the numbers and we obviously know that they enter in their thousands across the northern border, Colombian citizens who come to seek refugee status, hundreds of Colombians enter, who see Ecuador as miniature United States, yes, but it’s more about the sensitive type of person that enters.

Political allies

But even officials close to Correa criticized his immigration policy. The Director of Human Rights of the Ministry of the Interior praised Ecuador as a pioneer in progressive immigration policies towards the implementation of universal citizenship. At the same time, she explained that as every new policy, the implementation of visa freedom had its errors – precisely universal visa freedom for all countries – and that these were being “corrected along the way”, i.e. through the selective reimplementation of visas for African and Asian nationals. A high-ranking politician on ministerial level went even further:

The policy is a kind of interesting, but failed, absolutely failed experiment. It was utopian. We are talking about how beautiful it would be – about the way the world should be, a world in which people move where they want and not where they are forced to go ... [T]here will always be a nomadic sector of humanity. “I was born here and I want to leave, why? Because my spirit moves me.” That always existed. Perfect. That man can go where he wishes. But right now he is here because of what is happening in Africa and in Asia – because he is dying of hunger there.

Reconciling the selective reintroduction of visas with the ideals of Correa’s immigration rhetoric through the victimization of recent south-south migrants instead of their direct criminalization was a recurrent strategy for officials close to Correa. Images of poor, desperate immigrants, fleeing warfare and hunger in Africa and Asia were also mirrored in the discourses of some NGO representatives. However, this image is not consistent with the results of qualitative interviews the author conducted with recent African and Asian immigrants.¹⁸

A second dominant strategy in official explanations of the partial re-introduction of visas was to ambiguously link African and Asian immigration to both human trafficking and people smuggling. In his first statement, Minister of the Interior Gustavo Jalkh described the policy as a preventive measure to avoid the abuse of Ecuador as a bridge for committing the crime of human trafficking (*trata de personas*).¹⁹ Three days later Deputy Foreign Minister, Kintto Lucas explained: “Somehow it was detected that people from

¹⁸ For example, twelve of the eighteen Nigerian immigrants the author interviewed had a university degree and another five had finished high school. Nigerian immigrants shared that they had given up ‘respectable’ jobs as accountants or bankers back home. Many of them had been able to make their way to Ecuador and sustain themselves because they had the financial support of family members and friends in Nigeria, Europe and the United States.

¹⁹ <http://www.eluniverso.com/2010/09/07/1/1355/ecuador-pedira-visado-9-paises-africa-asia.html>

those countries were being smuggled through Ecuador. People smuggling (*trafico de personas*) is one of the things that we are not going to allow, beyond the fact that we allow human mobility”.²⁰

The distinction between the two concepts is crucial regarding the government’s motivation to impede new south-south immigration, and its adherence to the constitutional ideal of free human mobility. Human trafficking is the illegal trade of human beings for the purpose of commercial sexual exploitation or forced labor, whereas people smuggling is the procurement of the irregular entry of a person into a state, generally to obtain a financial or other material benefit. Smuggled migrants voluntarily pay people smugglers to reach a preferred country of destination, whereas victims of trafficking are forced into exploitation by traffickers’ use of coercion and/or deception. Human smuggling is an administrative offence against a country’s borders, whereas human trafficking is a crime against a person, involving severe human rights violations (but not necessarily any international border crossing).

Although it is possible that Jalkh simply misspoke, blurring the conceptual difference between people smuggling and human trafficking enabled the government to criminalize irregular migrants’ means of transportation, while portraying them as victims in need of state protection at the same time. Building on both sides of the dichotomy that Srikantiah (2007) calls “iconic trafficking victim versus illegal alien”, the Ecuadorian government simultaneously framed the ethnically selective reintroduction of visas as driven by security concerns and human rights considerations.²¹ Indeed, in his first statement, State Secretary for Migration Carrión described the reintroduction of visa requirements as a “humanitarian act to impede that Ecuador would be used as a bridge (to third countries) by the gangs of human smuggling.”²²

In some instances the divide between the victimization and criminalization of immigrants became blurred. Some officials close to Correa even engaged in direct criminalization of immigrants themselves. Others did so indirectly, by criminalizing their alleged means of entry – often in an emotional, resentful tone. Leonardo Carrión explained that Ecuador would not permit that the opening of its doors, which the government had granted the world “with great generosity”, would be misused for “delinquent activities”. The fact that new extra-continental immigrants had entered Ecuador for “illicit reasons”, he explained, gave the government the right to take adequate measures. Similarly, the Foreign Minister, Eduardo Barrera, lamented that the “revolutionary principle” of opening its doors to the world had been exploited by the *coyote* networks.²³

Research revealed low levels of people smuggling among interviewees (seven out of 58). The most notorious cases of deception in people smuggling were those of Haitians, and no visas were reintroduced for Haitian citizens. It is further questionable whether

²⁰ <http://www.eluniverso.com/2010/09/10/1/1355/vicecanciller-ecuador-utilizado-trafico-personas.html>

²¹ In the U.S. context, the undocumented migrant is seen as a “dangerous, manipulative criminal who drains social services”, whereas “the iconic victim is innocent, helpless, and complies with law enforcement”. Srikantiah points out the difficulty of making a clear distinction between migrant smuggling and trafficking, because both operate “in an ambiguous area that is neither purely voluntary nor involuntary from the perspective of the migrant” (2007: 193).

²² http://www.bbc.co.uk/mundo/americas_latinas/2010/09/100907_ecuador_inmigrantes_africa_asia_visas_01.shtml

²³ http://www.bbc.co.uk/mundo/americas_latinas/2010/09/100907_ecuador_inmigrantes_africa_asia_visas_01.shtml

Correa's government really sees the protection of victims of people smuggling and human trafficking as a priority. Despite the victimizing discourse, no assistance is offered. Furthermore, government officials echoed the view of NGO representatives and the UNHCR that restrictions, including the reintroduction of visa requirements, only increased the costs and risks of people smuggling even more. The advisor for human trafficking at the Ministry of Justice explained:

Well, sure, I definitely think that migration in the world is unstoppable. The only thing restrictions do is that they help those committing these crimes. Because [then] entering a country requires false documentation ... Then the type of people that come is different and that increases the profit of the people committing these crimes. One doesn't stop migration by being more restrictive. So, we can't get to letting no one enter either.

Political opposition and the media

The political opposition severely criticized Correa's policy of open doors, directly blaming increasing crime rates on immigration. In the aftermath of the partial reintroduction of visas, the oppositional mayor of Guayaquil of the center-right Social Christian Party (*Partido Social Cristiano, PSC*) Jaime Nebot demanded the reintroduction of visas for "the countries which we know import crime to Ecuador: Colombia, Peru, some countries in Central America, Europe and Asia"²⁴. However, the opposition doesn't seem to agree on the origins of foreign villains. For former Foreign Minister Antonio Parra Gil, who believes the government should stop all "illegal immigration", the "real delinquents don't come from Asia, China and Pakistan:" but from Colombia and Cuba.²⁵

The relationship between Correa, who controls a large part of the Ecuadorian media, including television and radio stations and newspapers, and the oppositional media has been uneasy from the beginning and escalated in the polemic law suit in 2011, in which Correa successfully sued *El Universo*, the country's leading opposition newspaper for calling him a "dictator", calling them in a turn part of "a media dictatorship". In various interviews with NGO representatives, the head of the UNHCR office in Quito, Josep Herreros, and the Consul of Cuba in Ecuador, Erik Cubiles, the media was brought up as unjustly over-representing the criminal activities of foreign nationals in Ecuador. The media severely criticized Correa's visa policy as jeopardizing Ecuadorian public security. Josep Herreros, Head of the UNHCR Ecuador:

What happened is that the opposition and the media created a connection between migration and an increase in crime that doesn't exist to weaken the government ... [T]here has not been a significant increase in crime and there is no reason to blame crime on immigrants, but the media have done so to weaken the government. I think it has been unethical of the media and the opposition to use immigrants to weaken the government.

In her media analysis of *El Universo*, Wagner (2010) finds that in the years following the implementation of visa freedom, the newspaper frequently reported on irregular migrants detected along the way from Ecuador to the United States (i.e. in Colombia, Costa Rica and Mexico), generally framing these in the context of the "transnational crimes" of

²⁴ <http://www.elespectador.com/noticias/politica/articulo-237316-guayaquil-quieren-exigirle-visa-colombianos-y-peruanos>

²⁵ <http://www.eluniverso.com/2010/09/06/1/1355/regimen-quiere-pedir-visa-paises-africa-asia.html>

people smuggling, drug trafficking, or even terrorism. A noteworthy example of the sensationalist media coverage were reports about the detention of the Eritrean people smuggler Dawit Tadese, alias Jack Flora, who was described as a cousin of Osama bin Laden.²⁶ Perhaps little surprisingly, Wagner (2010) finds that *El Universo* criminalizes two particular groups of migrants in Ecuador: Chinese and Africans.

From the above we can conclude that Correa faced internal political pressure from within his administration, from the political opposition and the media to revoke universal visa freedom. It is very likely that the widespread racist sentiment within the broader society – 73,1% believe that immigrants in Ecuador generate insecurity and crime (Zepeda & Verdesoto 2010: 95) – further pressured the government into taking steps against the perceived security threat emanating from recent African and Asian immigration. As Juan Villalobos, Officer for Political Affairs of the Jesuit Refugee Service puts it:

In all countries these people [politicians] have to manage their vote. It's easier to say that it's the fault of the outsider than me who wasn't able to solve structural problems. What's more is that it brings you very good political return rates. And that happens in all countries. You'll remember that in Spain, every other year it's a certain nationality that is responsible for crime. Depending on the migratory flows it could be Moroccans, it could be Peruvians, it could be Ecuadorians, Colombians. But there is always someone responsible for crime.

The criminalization of irregular migration stands in contrast to their previous decriminalization by Correa's political discourse and the principle of non-discrimination of the Constitution. Officials in intelligence agencies that can be described as critical of Correa, engaged in direct criminalization of immigrants. Officials closer to Correa rather depicted new south-south immigrants as victims of the circumstances in their home countries and international smuggling.

External political pressure

The Correa administration also faced international pressure to reverse universal travel freedom. Due to its porous borders and geographical proximity to Central America, Ecuador has long been a transit country for Latin American migrants who, just as many Ecuadorians, emigrate to the United States and Europe with the help of *coyotes* (people smugglers) (Kyle & Ling 2001; Zepeda 2010). Recent south-south migration, or “new extra-continental immigration”, is a phenomenon discussed in migration management circles all over the Americas, and in past years governments and regional organizations such as the Organization of American States (OAS) have shown increasing concern regarding these flows. As State Secretary Carrión explained:

There was regional preoccupation. It was complicated. They [African, Asian and Caribbean immigrants] came to Ecuador and from Ecuador they moved on to other countries with the help of the mafia. They didn't come to stay in Ecuador ... Everyone started to complain because they started to arrive irregularly in Chile, Argentina, Peru, Bolivia, and obviously they started arriving in the United States, in Canada ...

Interviews with immigrants confirmed that most wanted to use Ecuador as a gateway to

²⁶ <http://www.eluniverso.com/2011/05/04/1/1361/policia-desconoce-detencion-supuesto-primo-bin-laden.html>

onward migration to other countries in the region, and predominantly to the United States. A look at the data on abandoned asylum application also suggests that a large proportion of the migrants who officially entered Ecuador without officially leaving, most probably did not remain in the country.

Abandoned asylum application as of 21 July 2011:

Country	Asylum applications	Abandoned applications	Abandoned in per cent
Eritrea	97	82	85%
China	94	59	63%
Bangladesh	187	93	50%
Somalia	23	10	44%
Ethiopia	48	20	42%
Nepal	52	21	40%
Pakistan	344	99	29%
Nigeria	311	88	28%

Source: Own elaboration based on data of the Dirección de Refugio de Ecuador, 2011

It is unlikely that 85% of Eritrean asylum seekers would have abandoned their application process, if they had indeed remained in the country. In fact, in the research process West African immigrants from Eritrea, Ethiopia, Somalia and Kenya seemed untraceable. According to the interviews with NGO workers, West Africans who had entered Ecuador swiftly moved on to other destinations, mainly the United States and Canada, with the help of people smugglers.

It was due to Chinese diplomatic pressure that the Correa administration reinstated visas for Chinese nationals in December 2008. State Secretary Carrión recalled:

They sent a high-ranking Chinese official to ask Correa to reinstate visas. They explained that Ecuador doesn't know, has no idea, how the Chinese mafias work ... that China, as Ecuador's friend wanted to prevent the country from becoming a platform of the Chinese mafia, which would have been a risk for the entire region.

When speaking about domestic concerns in regard to Russian mafias in the same interview, however, Carrión argued that visa policies had no impact on international mafias because they had the means to fulfill visa requirements.

Diplomatic cables published by Wikileaks reveal U.S.-American and Central American concerns with Ecuador's policy of open doors. According to the Costa Rican Director for Migration Mario Zamora, Ecuador was "causing instability for all America". Immediately after the introduction of visa freedom, in July 2008, U.S. ambassador to Ecuador, Lind Jewell, expressed concerns that Ecuador would be used as a "trampoline for those intending to immigrate to the United States".²⁷ Concerns persisted after the selective reintroduction of visas. In November 2010, Zamora told U.S. Ambassador Peter M. Brennan that flights from Ecuador via Costa Rica to Guatemala or Belize had become "very cosmopolitan," and that he feared an influx of irregular migration of Eastern Europeans, Arabs, South Americans and Africans. Zamora was especially concerned

²⁷ <http://files.vpro.nl/wikileaks/cable/2008/07/08QUITO672.html>

about Chinese immigrants (as victims of trafficking and smuggling), Iraqis, Afghans and Iranians (as potential terrorists), and the African immigrant influx (no reasons given).²⁸

In the United States, the conflation of the immigration policy discourse with discussions on combating drug-trafficking and terrorism has led to racial profiling of non-citizens and immigrants (Miller 2003; Johnson 2010). It is also known that the US interests strongly influenced the development of Central American immigration policies since 9/11, which since have shifted from a focus on the protection of migrants' human rights, and the relationship between migration and development, towards illegal migration, the war against terrorism, organized crime, and human trafficking and people smuggling (Alba & Castillo 2012).

The interviewed Pakistani immigrants detained in the operation "twilight" reported that FBI officials had interviewed them. Among the men were a few individuals whose names figured on certain red lists of the United States. While interviewed intelligence officials suggested links to international Islamist terrorist networks, the interviewed migrants insisted that accusations were based on people smuggling. According to Public Protector, six were extradited to the United States without any due legal process.

The political pressure of the United States on Ecuador has highest leverage because it is linked to financial aid. For example, in 2003, Ecuador received US\$15,752,000 to combat drug trafficking and people smuggling. In the following year tensions arose because Ecuador did not fulfill its obligations and the United States threatened to withdraw USAID (Wagner 2010). Although Correa openly criticizes the immigration policy of the US, Ecuador receives considerable financial support by the United States for their immigration control. Recent Ecuadorian immigration policy-making thus not only developed in opposition to, but was also coerced by US policy.

The externalization of US immigration policies to Ecuador mirrors the domestic "hijacking" of the immigration policy discourse by racialized discussions on combating drug-trafficking and terrorism (Johnson 2010). In an interview, a high-ranking official of ministerial status linked regional security concerns regarding the transmigration of south-south migrants directly to the racism of politicians of other countries as well:

Why is the topic of Haitians so important in Brazil? Because of the Governor of Acre, which is the Amazonia region of Brazil, where they enter ... The Haitians that come to Ecuador and Peru are black, and the Governor of Acre doesn't want blacks in his region. And because the Governor of Acre has a high-ranking position in the Worker's Party and is close friends with the President, he asked his friend to prohibit the entry of blacks to his territory.

Carrión further made fun of Brazil's racially motivated "security concerns" and their preoccupation about Haitian immigrants:

The numbers are not very large. When a Brazilian mission came to discuss the issue here in Ecuador, 480 Haitians had entered Brazil... "Oh my god, we have to do something, 480 entered, that's an unsustainable risk for Brazilian security. And one of them had AIDS, oh my god!"

²⁸ <http://wikileaks.org/cable/2008/11/08SANJOSE882.html>

When asked about similarly small numbers in case of African and Asian immigrants to Ecuador for whom visas were reinstated, Carrión clearly felt uncomfortable and swiftly changed the topic.

In sum, faced with international and domestic pressure, Correa's administration had to do something to show that his administration addressed the alleged security threats emanating from recent southern immigrants of color. The selected reintroduction of visas had to be balanced with IR concerns regarding the affected countries of origin and Correa publically stressed, that the reintroduction of visa requirements did not affect the bilateral relations with any of the sending states²⁹. Little surprisingly, the president severely rejected the demand by some opposition members for the reintroduction of visas for Peruvians and Colombians as completely absurd in the context of regional integration. It is for similar reasons, that no visas were reintroduced for Cubans and Haitians, despite much higher numbers of net immigration, similar stark prejudice and rejection especially against Cubans and Haitians of color, and well documented exploiting of Haitians through people smugglers.

The Constitution emphasizes Latin American integration process and the implementation of compensation policies for equal regional development (Art. 243, 1). In the case of Haiti, State Secretary of Migration Carrión advocates for the assumption of responsibility by the region and issuance of humanitarian and student visas on a large scale. In the case of Haiti, Carrión stressed that "there was nothing they could do". Cuba and Ecuador are partners in the Bolivarian Alliance for the Peoples of Our America (ALBA) and their bilateral relations are characterized by official reciprocal solidarity. Although Ecuador has not reintroduced visas for Cubans, an interview with the immigration police of the Quito International Airport revealed that immigration officials now verify the 'tourist aspirations' of Cubans with much more scrutiny and excluded many Cubans from entering the country.³⁰

Apart from the selective reintroduction of visas, Ecuadorian immigration policy-making furthermore experienced a general shift towards more restrictive policy measures, including a revised asylum granting process and elevated financial requirements for the issuance of business visas. The interviewed official of the Public Protector found:

So we begin to see a pretty clear government position on the topic of migration, to close the doors little by little, to close the doors or to get rid of those [immigrants] that could generate some kind of political inconvenience.

Conclusion

With the selective reintroduction of visa requirements for ten African and Asian nationals, Ecuadorian visa policy-making was responsive to the unintended impact travel freedom had on the increase of extra-continental south-south immigration. The new immigrants of color faced ethnic prejudice by domestic and international political actors

²⁹ http://www.bbc.co.uk/mundo/america_latina/2010/09/100907_ecuador_inmigrantes_africa_asia_visas_rg.shtml

³⁰ In fact, the exclusion of Cubans sharply raised from 0 in the years 2008-2010 to 53 until 21 July 2011.

and in Ecuadorian society at large, which was closely linked to security concerns and amounted to political pressure on Correa to retract his policy.

The partial reintroduction of visa requirements contradicts Correa's liberal immigration discourse and the ideals of non-discrimination and universal citizenship as stipulated in the 2008 Constitution. This evident policy gap was officially rationalized as driven by security concerns regarding the alleged link between new south-south immigrants and international criminal and terrorist networks, as well as the rise of domestic crime in Ecuador. Political actors applied different strategies of reconciling the policy gap depending on their political alignment to Correa: the criminalization or victimization of new extra-continental immigrants from Africa, Asia and the Caribbean.

Against the trend in the literature that describes international immigration policies as converging towards ethnically neutrality and universality, this paper suggests that negative ethnically selective immigration policy-making continues to dominate the field of visa policy-making, and can do so despite formal policy liberalization. Scholars interested in race and immigration policy should pay more explicit attention to visas as important immigration policy tools.

The securitization of immigration, which is closely intertwined with ethnic prejudice, seems to be on the rise in Latin America. International collaboration in immigration management in the Americas, as far as it is dominated by the United States, strengthens rather than weakens ethnically selective tendencies.

To understand the mechanisms that lead to ethnic policies, scholars need to go beyond theories that treat entire countries as the units of analysis, and to analyze ethnically selective immigration policy-making at the level of the individual agency of political actors in both domestic and international politics.

References

- Acosta, Diego and Luisa Freier. 2013. "Turning the migration paradox up-side down: The discursive gap in Latin American immigration policy-making." Paper presented at the International Conference "A Liberal Tide: Towards a paradigm shift in Latin American migration and asylum policy-making?" School of Advance Study, University of London, March 18, 2013.
- Arcentales Illescas, Javier and Susy Garbay Mancheno. 2012. "Informe Sobre Movilidad Humana, Ecuador 2011". Coalición por las Migraciones y el Refugio.
- Alba, Francisco and Manuel Ángel Castillo. 2012. "New Approaches to Migration Management in Mexico and Central America", *Migration Policy Institute*.
- Beck, Scott et al. 2011. "¿QUÉ ES RACISMO? Awareness of Racism and Discrimination in Ecuador", *Latin American Research Review*, Vol. 46, No. 1.
- Brubaker, Rogers. 1994. "Rethinking Nationhood: nation as an institutionalized form, practical category, contingent event", *Contention*, vol. 4, Nr. 1, 1994. 3–14.
- Calavita, Kitty. 2005. *Immigrants at the Margins: Law, Race, and Exclusion in Southern Europe*, New York.
- Camarota, Steven. 2002. "The Open Door: How Militant Islamic Terrorists Entered and Remained in the United States, 1993-2001", *CIS*.
- Carrión Mena, Fernando. 2003. "Seguridad Ciudadana y Violencia", Quito: FLACSO Ecuador, available at: http://works.bepress.com/fernando_carrion/107
- Carrión Mena, Fernando. 2008. "Violencia y medios de comunicación: populismo mediático" *Revista URVIO 5. Medios* (2008): 7-12, available at: http://works.bepress.com/fernando_carrion/278.
- Carrión Mena, Fernando. 2011. "Ecuador: de isla de paz a plataforma internacional del delito", *Reunión Mensual de Quantum*, Quito. Jul. 2011, available at: http://works.bepress.com/fernando_carrion/484.
- Ceriani, P. 2011. "Luces y sombras en la legislación migratoria latinoamericana", *Nueva Sociedad*, 233.
- Cervone, Emma. 1999. "Racismo y vida cotidiana: Las tácticas de la defensa étnica", in *Ecuador racista: Imágenes e identidades*, Emma Cervone and Fredy Rivera (eds.), 137–156. Quito: Facultad Latinoamericana de Ciencias Sociales.
- Congress of the United States. 2005. Congressional Budget Office, Remittances: International Payments by Migrants May 2005 <http://www.cbo.gov/ftpdocs/63xx/doc6366/05-19-Remittances.pdf>
- Collyer, Michael and Hein de Haas. 2010. "Developing Dynamic Categorisations of Transit Migration", *Population, Space and Place*, Published online in Wiley Online Library.
- Cook-Martín, David, and David FitzGerald. 2010. "Liberalism and the Limits of Inclusion: Racialized Preferences in Immigration Laws of the Americas, 1850-2000." *Journal of Interdisciplinary History* 41:7-25.
- Cornelius, W.A. & M.R. Rosenblum. 2005. "Immigration and Politics", *Annual Review of Political Science*, 8.
- De la Torre, Carlos. 1996. *El racismo en Ecuador: Experiencias de los indios de clase media*. Quito: Centro Andino de Acción Popular.
- The ANNALS of the American Academy of Political and Social Science*, 630: 6.

- FitzGerald, David. 2012. "Ethnic Selection in Immigration to Latin America", in Immanuel Ness (ed.): *The Encyclopedia of Global Human Migration*.
- Fix, Michael and Jeffrey S. Passel (1994), "Immigration and Immigrants: Setting the Record Straight", *The Urban Institute*.
- Freeman, Gary. 1995. "Modes of Immigration Politics in Liberal Democratic States", *International Migration Review*, Vol. 29, No. 4, pp. 881-902.
- Geddes, Andrew. 1995. *The Politics of Immigration and Race*, Manchester: Baseline Books, 1995.
- Gilbert, Lauren. 2007. "National Identity and Immigration Policy in the U.S. and the European Union", 14 COLUM. J. EUR. L. 99, 123–30.
- Hobolth, Mogens. 2010. "Wanted and unwanted travellers: explaining similarities and differences in European visa practices", Paper presented at the inaugural conference "Insiders and outsiders: Globalisation, citizenship and the future of the EU", Jean Monnet Centre of Excellence, King's College London, 14 June 2010.
- Huysmans, Jef. 2000. "The European Union and the Securitization of Migration", *Journal of Common Market Studies*, 38 (5).
- Ibrahim, Maggie, "The Securitization of Migration: A Racial Discourse", *International Migration*, 43 (5), 2005.
- IOM (2011), Perfil Migratorio del Ecuador 2011, *International Organization for Migration*.
- Johnson, Kevin R. 2000. "Race Matters: Immigration Law and Policy Scholarship, Law in the Ivory Tower, and the Legal Indifference of the Race Critique", *University of Illinois Law Review* 525 (symposium)
- Johnson, Kevin R. 2009. "The Intersection of Race and Class in U.S. Immigration Law and Enforcement", *Law & Contemporary Problems* 72, 1 (as adapted at the Legal Services of Northern California Race Equity Project website, available at <http://www.equity.lsnr.net/the-intersection-of-race-and-class-in-u-s-immigration-law-and-enforcement/> (excerpted in *The Latino/a Condition* 96-100 (Richard Delgado & Jean Stefancic eds., 2d ed. 2011))
- Johnson, Kevin R. 2010. "It's the Economy, Stupid: The Hijacking of the Debate Over Immigration Reform By Monsters, Ghosts, and Goblins (or the War on Drugs, War on Terror, Narcoterrorists, Etc.)", *Chapman Law Review* 13, 583. (
- Joppke, Christian. 2005. *Selecting by Origin: Ethnic Migration in the Liberal State*.
- Jordan and Düvell. 2002. Jordan, B. and F. Düvell (2002), "Irregular Migration: Dilemmas of Transnational Mobility", Edward Elgar, Aldershot.
- Kyle, D. and Z. Ling. 2001. "Migration merchants: Human smuggling from Ecuador and China to the United States", in: Guiraudon, v. & Joppke, c. (eds.) *Controlling a new migration world*.
- Levitsky, S, *Way LA. In Press. Competitive Authoritarianism: International Linkage, Organizational Power, and the Fate of Hybrid Regimes*, New York: Cambridge University Press.
- Margheritis, Ana. 2011. "Todos somos Migrantes" (We are all migrants): The Paradoxes of the Innovative State-led Transnationalism in Ecuador", *International Political Sociology* 5, 198–217.
- Margheritis, Ana. 2012. "Piecemeal regional integration in the post-neoliberal era: Negotiating migration policies within Mercosur", *Review of International Political*

- Economy* iFirst, 1–35.
- Miller, Teresa A. 2003. “Citizenship & Severity: Recent Immigration Reforms and the New Penology”, 17 *GEO. IMMIGR. L.J.* 611, 639-42 (2003).
- Neumayer, E. 2006. Unequal access to foreign spaces: how states use visa restrictions to regulate mobility in a globalized world [online]. London: LSE Research Online.
- O’Byrne D J (2001) On passports and border controls *Annals of Tourism Research* 28.
- Neumayer, E. 2010. “Visa restrictions and bilateral travel”, *The Professional Geographer*, 62 (2), pp. 1-11.
- O’Byrne DJ. 2001. “On passports and border controls”, *Annals of Tourism Research* 28.
- Ojeda Segovia, Lautaro. 2010. *Violencia, delincuencia e inseguridad en el Ecuador*, Universidad Alfredo Pérez Guerrerim Instituto de Investigaciones.
- Papademetriou & Terrazas. 2009. “Immigrants and the Current Economic Crisis: Research Evidence, Policy Challenges, and Implications”, Migration Policy Institute.
- Rahier, Jean Muteba. 1999. “Mami, ¿qué será lo que quiere el negro? Representaciones racistas en la revista *Vistazo*, 1957–1991.” in *Ecuador racista: Imágenes e identidades*, Emma Cervone and Freddy Rivera (eds.), 73–111. Quito: FLACSO.
- Rudolph, Christopher. 2006. “National Security and Immigration: The United States and Western Europe Since 1945”, Stanford University Press.
- Salter, M.B. 2003. *Rights of passage – the passport in international relations* Lynne Rienner, Boulder and London.
- Schoenwaelder, Karen. 2004. “Why Germany’s Guestworkers Were Largely Europeans”, *Ethnic and Racial Studies* 27(2): 248–65.
- Srikantiah, Jayashri. 2007. “Perfect Victims and Real Survivors: The Iconic Victim in Domestic Human Trafficking Law”, 87 *Boston University Law Review* 157.
- Tedesco, Laura. 2010. “Immigration and Foreign Policy: The Economic Crisis and its Challenges”, *FRIDE* 25.
- Tichenor, Daniel J. 2002. “Dividing Lines: The Politics of Immigration Control in America”, Princeton.
- Wade, Peter. 1997. *Race and Ethnicity in Latin America*. London: Pluto Press.
- Wagner, Ursula B. 2010. “*The American Dream’s Sojourn in Latin America: The Dynamics of Irregular Migration Flows Through Colombia and Ecuador*”, Paper submitted in partial fulfillment of the requirements for the Degree of Master of Science by Coursework in Refugee and Forced Migration Studies at the University of Oxford.
- WEF. 2011. Travel & Tourism Competitiveness Report 2011, *World Economic Forum*.
- Zepeda, Beatriz. 2010. “Construyendo la nación en el siglo XXI: la “Patria” en el discurso del presidente Correa”. En *Transiciones y rupturas. El Ecuador en la segunda mitad del siglo XX*, Burbano de Lara, Felipe (coord.): 159-193. Quito: FLACSO Ecuador, Ministerio de Cultura.
- Zepeda, Beatriz and Luis Verdesoto. 2010. “*Ecuador, las Américas y el mundo 2010, Opinión pública y política exterior*”, FLACSO Ecuador.