

**The Colombian Peace Agreement with the FARC: Its Impact on the Lives of Colombian
Asylum Seekers in Ecuador**

Jessica Losier

Thesis submitted to the University of Ottawa in Partial Fulfillment of the Requirements for the
Degree of M.A. International Development and Globalization

School of International Development and Global Studies
Faculty of Social Sciences
University of Ottawa

© Jessica Losier, Ottawa, Canada, 2020

TABLE OF CONTENT

Table of Content	ii
List of Tables	iv
List of Acronyms	v
Definitions.....	vi
Abstract.....	ix
Acknowledgements.....	x
 Chapter 1 – Introduction	1
1.1 – Research Significance	2
1.2 – The Colombian Peace Process	3
1.3 – Urban Asylum Seekers in the Global South	6
1.4 – Thesis Structure.....	9
 Chapter 2 – Background to this study and Research Methodology.....	10
2.1 – Sample of Research and Key Objectives of Interviews	10
2.2 – Inclusion Criteria for Research Participants and Recruitment Process.....	11
2.3 – Ethical Considerations	13
2.3.1 – Asylum Seeker Participants.....	13
2.3.2 – Stakeholder Participants	14
2.4 – Transcription and Coding.....	15
2.5 – Profile and Background of Colombian Asylum Seeker Participants	16
2.6 – Profile of Stakeholder Participants.....	18
2.7 – Key Concepts Underlying this Research.....	22
2.7.1 – The Capabilities Approach.....	22
2.7.2 – Social Exclusion Approach	24
 Chapter 3 – The Refugee Determination Process: Law in Paper versus Law in Practice... 26	
3.1 – The RSD Administration: An Unethical and Saturated Process	26
3.1.1 – Scheduling an RSD Interview in Quito	28
3.1.2 – Issues when Attending the RSD Interview.....	30
3.1.3 – Long Delays in Decisions and Visa Renewal	34
3.1.4 – Facing Rejection in Quito: What Next?	36
3.2 – Issues Regarding Asylum Seekers’ Rights	42
3.2.1 – Unaware of their Rights as Asylum Seekers	43
3.2.2 – Difficult Access to Legal Representation and Psychological Assistance	43

3.2.3 – Child Protection, Not a Priority?	48
3.2.4 – Unrecognized Documentation Provided to Asylum Seekers	50
Chapter 4 – Everyday challenges in the City of Quito	55
4.1 – Quito: A Safe Place for Colombian Asylum Seekers?.....	56
4.1.1 – A Post Conflict Responsible Disengagement.....	56
4.1.2 – Feeling of Safety, Criminality and Forced Displacements in Ecuador	58
4.2 – Discrimination: The Biggest Barrier to Self-fulfillment.....	62
4.2.1 – The Security Discourse affecting Colombian asylum seekers	62
4.2.2 – Discrimination Against Colombians, and Colombian Asylum Seekers in Particular.....	66
4.2.3 – Racial Discrimination of Afro-descendants	70
4.2.4 – Discrimination Preventing Access to Employment and Most Services	72
Chapter 5 – Conclusion	82
5.1 – Contribution of This Project.....	83
5.2 – Recommendations and Future Directions	84
References	86
Appendix.....	106

LIST OF TABLES

Table 1: Colombian asylum seekers' background and profile.....	17
Table 2: Colombian asylum seekers' experiences of discrimination in Quito	73

LIST OF ACRONYMS

ACNUR	United Nations High Commissioner for Refugees UNCHR <i>Alto Comisionado de la Naciones Unidas para los Refugiados</i>
BACRIM	Emerging criminal gangs <i>Bandas criminales emergentes</i>
BIA	Best Interests Assessment
COI	Country of Origin Information
DDR	Disarmament, Demobilization and Reintegration
FARC	Revolutionary Armed Forces of Colombia <i>Fuerzas Armadas Revolucionarias de Colombia</i>
FLACSO	Latin American Social Sciences University <i>Facultad Latinoamericana de Ciencias Sociales</i>
HIAS	Hebrew Immigrant Aid Society
IDPs	Internally Displaced Persons
IPD	International Protection Directorate
MREHM	Ministry of Foreign Affairs and Human Mobility <i>Ministerio de Relaciones Exteriores y Movilidad Humana</i>
NGO	Non-Governmental Organization
NRC	Norwegian Refugee Council
OLHM	Organic Law on Human Mobility
RSD	Refugee Status Determination
RST	Resettlement
ZVTN	Temporary Hamlet Zones for Normalization <i>Zonas Veredales Transitorias de Normalización</i>

DEFINITIONS

Asylum Seeker: A person who seeks safety from persecution or serious harm in a country other than his or her own and awaits a decision on the application for refugee status under relevant international and national instruments. In case of a negative decision, the person must leave the country and may be expelled, as may any non-national in an irregular or unlawful situation, unless permission to stay is provided on humanitarian or other related grounds (IOM 2011).

Discrimination: A failure to treat all persons equally where no objective and reasonable distinction can be found between those favoured and those not favoured. Discrimination is prohibited in respect of “race, sex, language or religion” (Art. 1(3), UN Charter, 1945) or “of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status” (Art. 2, Universal Declaration of Human Rights, 1948) (IOM 2011).

Best Interests Assessment: Assessment made by staff acting with regard to individual children, except when a BID is required, designed to ensure that such action gives a primary consideration to the child’s best interests. The assessment can be done alone or in consultation with others by staff with the required expertise and requires the participation of the child (UNHCR 2018c).

Best Interests Determination: The formal process with strict procedural safeguards designed to determine the child’s best interests for particularly important decisions affecting the child. It should facilitate adequate child participation without discrimination, involve decision-makers with relevant areas of expertise, and balance all relevant factors in order to assess the best option (UNHCR 2018c).

FARC demobilized members: FARC members who have entered the peace process with the Colombian government and entered the demobilization process.

FARC dissidents: FARC members who have dishonored the peace deal with the Colombian government and who maintained their criminal activities.

Forced displacement: The involuntary movement, individually or collectively, of persons from their country or community, notably for reasons of armed conflict, civil unrest, or natural or man-made catastrophes (IOM 2011).

Guerrilla: Guerrilla warfare is a form of irregular warfare in which a small group of combatants, such as paramilitary personnel, armed civilians, or irregular fighters, use military tactics including ambushes, sabotage, raids, petty warfare, hit-and-run tactics, and mobility to fight a larger and less-mobile traditional military (i.e. FARC and ELN in Colombia).

Integration: The process by which migrants become accepted into society, both as individuals and as groups. It generally refers to a two-way process of adaptation by migrants and host

societies, while the particular requirements for acceptance by a host society vary from country to country. Integration does not necessarily imply permanent settlement. It does, however, imply consideration of the rights and obligations of migrants and host societies, of access to different kinds of services and the labour market, and of identification and respect for a core set of values that bind migrants and host communities in a common purpose (IOM 2011).

International protection: Protection given to a person or a group by an organization, in keeping with a mandate conferred either by international instruments, in application of customary international law, or by the activities of the organization. Such protection aims to ensure respect for rights identified in such instruments as the 1951 Refugee Convention, the 1949 Geneva Conventions and 1977 Protocols, the right of initiative of the International Committee of the Red Cross, de facto protection by the International Organization for Migration, International Labour Organization Conventions, and human rights instruments.

Mestizos: The original ethnic population that once inhabited Quito has blended into the larger society through intermarriage. The intermarriage between Indigenous, Spaniards and blacks in Quito has resulted in mestizos, who make up nearly 80 percent of the present population of Quito, and in a smaller percentage "mulattoes," "cholos" and blacks (New World Encyclopedia 2019).

Paramilitary: A semi-militarized force whose organizational structure, tactics, training, subculture, and (often) function are similar to those of a professional military, but which is not included as part of a state's formal armed forces.

Peace agreement: Peace agreements are documents produced after discussion with some or all of the conflict's protagonists which address militarily violent conflict with a view to ending it (UCDP 2018).

Persecution: In the refugee context, a threat to life or freedom on account of race, religion, nationality, political opinion or membership of a particular social group. Persecution comprises human rights abuses or other serious harm often, but not always, perpetrated in a systematic or repetitive way. Discrimination does not always amount to persecution, although it may if it affects a fundamental right of the person concerned, or if the effect of several discriminatory measures cumulatively causes serious harm (IOM 2011).

Refugee: A person who, "owing to a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinions, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country (*Art. 1(A)(2), Convention relating to the Status of Refugees, Art. 1A(2), 1951 as modified by the 1967 Protocol*). In addition to the refugee definition in the 1951 Refugee Convention, the 1984 Cartagena Declaration states that refugees also include persons who flee their country "because their lives, security or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violations of human rights or other circumstances which have seriously disturbed public order" (IOM 2011).

Refugee status determination: A process (conducted by States and/or UNHCR) to determine whether an individual should be recognized as a refugee in accordance with applicable national and international law.

Resettlement: involves the selection and transfer of refugees from a State in which they have sought protection to a third State which has agreed to admit them – as refugees – with permanent residence status (UNHCR 2018d).

Social exclusion: processes are played out through anti-migrant attitudes. These take the form of discrimination in the exclusion of jobs, services, and social spaces, as well as harassment, ranging from verbal and emotional abuse to physical harassment (Fiddian-Qasmiyeh et al. 2014)

Stigmatization: Attitudes and beliefs that lead people to reject, avoid, or fear those they perceive as being different (Fiddian-Qasmiyeh et al. 2014).

War tax: Guerilla and paramilitary groups collect taxes to the sectors of the Colombian economy. In fact, in areas controlled by armed groups there are scarcely any businesses that do not pay tribute to these armed groups. Refusal to pay these forced contributions can result in the kidnapping of business owners, family members or officials of an organization (Suárez 2000).

ABSTRACT

After more than 50 years of violent confrontations, the Government of Colombia signed a Peace Agreement with the FARC, Colombia's oldest guerilla armed group. However, the agreement was poorly implemented, and violence has only been escalating and spreading since. Rival armed non-state actors have taken over FARC illegal activities, controlling more isolated, but strategically located, resource-rich communities and territories, many of which are at the center of illegal economies. More victims are now being forcibly displaced from Colombia, with Ecuador being the main destination. Although Ecuador's legislations are widely recognized for exceeding, on paper, international refugee law standards, on the ground, Colombians in need of international protection continue to face serious challenges when trying to obtain refugee status. Ecuador as the main asylum country is currently facing decreasing resources and political will to ensure the respect of Colombian asylum seekers' rights and protection.

Using a qualitative methodology, this research employed semi-structured interviews with 10 Colombian asylum seekers and 5 stakeholders to examine how Colombian asylum seekers are facing increased challenges in their refugee determination process and in their access to basic services and employment in Quito since the Peace Agreement. Drawing on the capabilities approach and social exclusion approach as conceptual frameworks, the findings of this study demonstrate that Colombian asylum seekers in Ecuador are experiencing reduced refugee protection possibilities, a more limited access to employment and basic services, and are increasingly discriminated against.

ACKNOWLEDGEMENTS

Many were responsible for the successful completion of this thesis. It would have never been realized if not for the numerous people who gave their support, thoughts and encouragements along the way. I thank all the asylum-seeking participants who trusted me with their deeply personal stories and experiences. Their courage and perseverance inspired me every day to complete this thesis. I would like to acknowledge all stakeholders who gave their time and expertise. In particular, I would like to thank Guillermo Rovayo, the staff from UNCHR, Maria José Morales and Giovanna Tipán for patiently and earnestly recounting their daily realities working with this vulnerable population. I am indebted for their thoughtfulness, hospitality, open-mindedness and patience. I also wish to express my gratitude to Dr. Jeffrey Pugh and Dr. Cecily Mouly and their international course program held in Quito at FLACSO University, Conflict Transformation Across Borders, which spawned the whole inspiration for this research project.

I am also deeply grateful to my supervisor Dr. Delphine Nakache for her invaluable knowledge, extensive guidance, and dedication from the very beginning to the final version of this thesis. I cannot thank her enough for her thoughtful feedback and unwavering support in the most arduous phases of this project. I would also like to thank my thesis committee members, Dr. Jeffrey Pugh and Dr. Luisa Veronis, and former colleagues, Zachary Lefenfeld and Amala Kotiuga, for providing me with very constructive and insightful feedback based on their expertise and unique perspectives.

I also owe a great deal to my friends and family for their eternal optimism and for their encouragement to delve further in my academia. Finally, I wish to thank my loving mother who believed in me since the beginning of my studies and who taught me the value of education, dedication and hard work. You remain forever my greatest source of inspiration.

CHAPTER 1 – INTRODUCTION

After four years of intense negotiations between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC), a Peace Agreement was finally signed on November 24th, 2016 (UNHCR 2016). This Agreement was expected to put an end to a violent conflict that endured more than 50 years and generated more than 8.9 million victims (Unidad para las Víctimas 2020), with about 7.8 million internally displaced persons (IDPs), and 311,070 people in refugee-like situation (UNHCR 2019). Ecuador, as a neighbouring country, has been the main destination for Colombians for many years (UNHCR Ecuador 2020). It is also the Latin American country that hosts the largest number of refugees. According to the Ecuadorian government, in February 2020 there were 69,315 registered refugees in Ecuador (MREMH 2020), of which 97 percent are Colombian nationals (MREMH 2020). Despite the signature of the Peace Agreement, violence in Colombia has not stopped. In fact, the number of Colombians entering Ecuador has even increased since the Peace Agreement, including now dissident FARC members who are expanding their illegal activities in Ecuador (Pugh et al. 2020; Rosen et al. 2019; InSight Crime 2019; UNHCR 2017b; Alsema 2019; 2020). The Ecuadorian Government had not expected this outcome and reorganized its Ministry of Foreign Affairs and Human Mobility (MREMH), believing that it would be welcoming a smaller number of Colombians following the Agreement. Moreover, international organizations and the government significantly decreased assistance in anticipation of voluntary returns, redirecting their resources to other more urgent global emergencies (UNCHR 2020), and reducing funding for NGOs serving asylum seekers and refugees. The government also used the Peace discourse to deny asylum claims, asserting that Colombians should go back to their country of origin. This new development adds to the specific difficulties that Colombians living in Ecuador have experienced for many years (as will be illustrated below).

With this in mind, the main research question for this thesis is as follows: How does the Colombian Peace Agreement with the FARC impact the lives of Colombian asylum seekers in Ecuador, and more specifically their refugee determination experiences and their everyday lives in Ecuadorian society? The sub-questions include: 1) How has the Colombian Peace Agreement impacted the Ecuadorian asylum system? And in turn, how are these impacts affecting asylum

seekers' rights and protections? 2) How has the presence of FARC dissident members in Ecuadorian society impacted the perception of Colombians in Ecuador? And relatedly, how are these perceptions affecting Colombian asylum seekers' everyday lives in Ecuador? 3) How are Colombian asylum seekers overcoming these challenges?

This thesis demonstrates that since the implementation of the Colombian Peace Agreement, the lives of Colombian asylum seekers have worsened in Ecuador: not only do they face increased challenges in their refugee determination process, but it has also become more difficult for them to access basic services (such as employment, housing, education and health care) as asylum seekers. Moreover, Colombian asylum seekers face exploitation, discrimination, and stigmatization as a result of an increase in negative perceptions of Colombians in Ecuador.

1.1 – Research Significance

This research provides an understanding of the impacts of the Colombian Peace Agreement on Colombian asylum seekers, which have yet to be studied in depth. Although discrimination, racism, and stigmatization towards Colombian asylum seekers in Ecuador have already been examined (see Pugh 2018, for example), it contributes to the current discussion by showing how the situation degenerated since the demobilization of the FARC at the end of 2016. Based on interview data with Colombian asylum seekers, this research also provides first-hand information on the situation experienced by this population in Ecuador –including the challenges they face surrounding their legal documentation, their refugee determination process, among others. Furthermore, it contributes to a better understanding of the discrepancies between the rights afforded to migrants within the Ecuadorian legislation and their actual protections in practice, including their access to basic services and regularization of their immigration status. Moreover, data from interviews with stakeholders –who play a key role in the refugee determination system– shed light on the reasons behind the implementation of a number of policies and actions, such as the increase of refugee status denials and the lack of durable solutions for refugees.

1.2 – The Colombian Peace Process

In order to contextualize the impact of the Peace Agreement on the lives of Colombian asylum seekers living in Quito, it is necessary to outline a number of important details regarding the peace process in Colombia. Negotiations between the FARC guerrilla group and the Colombian government formally began in October 2012 with the aim of ending more than 50 years of internal armed conflicts. The parties signed the first version of the Peace Agreement on September 26, 2016, which was submitted to a referendum on October 2, 2016. The Agreement was rejected in the referendum, which casted doubts over the continuation of the peace talks and raised issues around how to balance the need to reach a peace agreement with Colombia's international obligations regarding justice and the rights of victims (Amnesty International 2017). A new version of the Peace Agreement was signed on November 24, 2016 and in a subsequent vote in Congress on December 1, 2016, it was approved by a majority vote (OHCP 2016). The final accord contains six key agenda items, which are (1) Comprehensive Rural Reform; (2) Political Participation; (3) Ending the Conflict; (4) Solution to Illicit Drugs; (5) Victims of the Conflict; and (6) Implementation, Verification, and Endorsement (Colombia High Commissioner for Peace 2016).

The peace process following the signed agreement with the FARC was supposed to bring 11,200 ex-combatants to civilian life (International Crisis Group 2017). However, this Agreement has still not been fully implemented and violence keeps growing and spreading. Since the FARC withdrew from their illegal activities, rival armed non-state actors have taken their place, controlling isolated, but strategically located, resource-rich communities and territories, many of which are at the center of illegal economies (Alsema 2020; Amnesty International 2017a; Gagne 2016; International Crisis Group 2017; Johnson 2018; Yagoub 2016). Neo-paramilitary, post-demobilization and guerrilla armed groups have established themselves in several regions: along the Pacific Coast, in contraband zones on the border with Venezuela and Ecuador, and in isolated communities of the Choco and Valle del Cauca departments, which were previously controlled by the FARC guerrilla (Amnesty International 2017a; Fundación Ideas para la Paz 2018; Ibanez and Klasen 2017; International Crisis Group 2017). These groups mainly operate by attacking state forces, intimidating communities, killing human rights defenders and community leaders, and competing amongst themselves for absolute control over certain territories, weighing on collective

forced displacements (Alsema 2020; Ditta 2016; Gómez Polo 2019; Humanosphere 2017; International Crisis Group 2017; OBS 2018; InSight Crime 2019; UNHCR 2018a; Yagoub 2016).

In addition to the emergence of these armed groups, around 1,200 FARC dissidents officially disowned the peace deal, generating a violent clash between FARC loyalists and dissidents (McDermott 2017; El Telegrafo 2018; 2018a). Most of the members who did not embrace peace are genuine rulers of disparate territories and several of them remain deeply dependent on the drug trade (International Crisis Group 2017; InSight Crime 2019). They continue to harass and attack security forces with explosives, engage in forced recruitment and extortion, and threaten the civilian population (Bargent 2017). In response, the Colombian State launched the nationwide *Victory Plan* on January 1, 2017, deploying 80,000 soldiers and police officers to occupy vacated FARC territory throughout the country, hence significantly contributing to increased levels of violence (Fuerzas Militares Colombia 2017; International Crisis Group 2017).

In spite of these efforts, and even if security forces could seize all disputed territory, coercion alone cannot establish bonds of trust between the state and local citizens in need of protection. Indeed, the failure of the implementation of the Peace Agreement reinforces the already significant mistrust of the Colombian population in the peace process and in its government (Nussio 2013; International Crisis Group 2017; Phelan 2018). Such mistrust is escalating, as displayed by local news reports claiming the failure of the Peace Agreement (see Alsema 2017b; Gómez Polo 2019; Johnson 2019; El Espectador 2019; Pax for Peace 2017; Panam Post 2017). The general dissatisfaction of the population is generated by the failure to implement key agenda points devoted to the victims of the conflict, while the FARC's demobilized members are receiving immunity for all of their heinous crimes (Alsema 2017; Casey 2019; Kincaid 2019; Rampietti 2019).

One of the final phases of the Peace Accord includes reintegration of ex-FARC fighters, justice for victims of the conflict, and a coca substitution program, but its implementation still faces multiple difficulties (Amnesty International 2017a; Gómez Polo 2019; International Crisis Group 2017; RWR 2018; Johnson 2019; Phelan 2018). In addition, corruption undermines the government's campaign against armed groups, and thus, must be countered by stronger and more independent agencies operating inside and outside the military and police forces (International

Crisis Group 2017). Considering the diversification of armed groups, the rise of violence and the lack of implementation of the Peace Agreement, all Colombians continue to be at serious risk in Colombia, which explains the persistence of Colombians fleeing to Ecuador.

Some demobilized FARC members have initiated reintegration into civilian life in Colombia (Cosoy 2018; El País 2017; Moseley-Williams 2017), but many have returned to criminal activities. Indeed, as former guerrilla members have been waiting in temporary demobilization camps, the reintegration process has been delayed much longer than expected (Alsema 2017; 2017b; Panam Post 2017). Journalists have visited the FARC temporary demobilization camps, where they found relative disorder and significant numbers of missing guerrillas (Alsama 2017b; Johnson 2018). “Some people are fed up with the slowness of the government and don’t believe they will keep their word, so they prefer to leave,” said one demobilized FARC guerrilla in a recent interview (Alsama 2017b). Several reports are now denouncing the growing numbers of demobilized members who are “disappearing” from the provisional camps, either returning to their families or joining other illegal armed-groups (Alsema 2017a; Ballesteros 2017; Johnson 2018). As these members’ whereabouts remain largely undocumented, anxieties are rising among the civilian population (International Crisis Group 2017; Johnson 2018). The current concerns of the Colombian population arise from the fact that thousands of unemployed, under-educated people with combat skills are being set loose in a country already convulsing under the effects of organized crime, drug trafficking, and vast ungoverned territories with no plan in place to occupy them or even to keep track of them (Amnesty International 2017a; Isacson 2017). It is known that the core element of any peace process is the careful reintegration of ex-combatants into society (OECD 2012), therefore the current situation in Colombia represents a failed peace process at the most elemental level.

There is growing scholarly interest in the study of peace agreements as frameworks for ending civil wars (Bell 2000; Spears 2008; Mutwol 2009; Mattes and Savun 2009; Kreutz 2015; International Peace Institute 2013; Nantulya 2018). The reason for this development is because, as Mattes and Savun (2009, p.737) observe, “civil wars are more frequent, deadlier, and longer in duration than interstate wars, and they prove to be more difficult to settle peacefully.” Functionally, peace agreements have impacted civil war, where they have succeeded in terminating civil wars (Stedman 2001; Mutwol 2009; Kieh 2011), but also in cases in which peace accords failed to end

violent conflicts (Stedman 2001; Murshed and Verwimp 2008), such as in Sudan (1972), Sri Lanka (1989–1990), Somalia (1990), Angola I and II (1991 and 1994) and Rwanda (1993) (Kieh 2011). However, by primarily focusing on “what went wrong” or “what works and what does not” with these agreements (Nantulya 2018; Kreutz 2015, International Peace Institute 2013), the literature has not paid adequate attention to the impacts of such agreements on the victims of the conflict. Kreutz (2015, p.1) briefly touches upon the connection between the duration of conflicts, peace agreements and the impacts on the victims, asserting that:

On average, the civil wars that ended with peace agreements lasted eight times longer than those that were terminated through a military victory [...]. Differences in conflict duration mean that the challenges for reconstruction are substantially greater after negotiated settlements than after military victories. International actors seeking to contribute to the rebuilding that follows peace agreements are faced with societies with more victims and divisions, and greater physical destruction. (Kreutz 2015, p.1)

Victims of prolonged armed conflict are not only the persons assassinated, kidnapped, sexually abused, tortured, assaulted, or robbed, among others (Alsema 2019; Amnesty International 2018, Kincaid 2019; Rampietti 2019; Justice for Colombia 2019). They also include those who have been forcibly displaced as a result of the conflict. Therefore, a key gap in the literature that this research addresses is the experiences of Colombians who have sought asylum in Ecuador in the aftermath of the signature of the Peace Agreement. It is important to understand how these victims of violent conflict cope with the numerous barriers to their rights and protection in the country of destination.

1.3 – Urban Asylum Seekers in the Global South

According to UNHCR (2020), more than 60 percent of global refugees and approximately 80 percent of the world’s Internally Displaced Persons (IDPs) reside in urban areas (UNCHR 2020). Unlike refugee camps, cities allow refugees and asylum seekers to live autonomously and hopefully establish more permanently (UNHCR 2020), but new arrivals lead to increased challenges for cities as they “frequently lack the necessary autonomy, discretion and capacity to deliver adequate services, particularly when confronted with upsurges in newcomers, which further exacerbates local grievances” (Muggah & Erthal Abdenur 2018, p.3). Moreover, all cities, from megacities to smaller towns, suffer from social and economic divides (Muggah & Erthal

Abdenur 2018). These divisions translate into great dangers for refugee populations, as they are vulnerable to exploitation, arrest or detention, and can be forced to compete with the poorest local workers for the worst jobs (UNCHR 2020).

The growing urbanization of refugee populations has led to increased interest from scholars and practitioners in this field (Beier & Fritzsche 2017; Culbertson et al. 2016; Donger et al. 2017; Landau 2015; Landau et al. 2016; Lyytinen & Kullenberg 2013; Koizumi & Hoffstaedter 2015; Muggah & Erthal Abdenur 2018; Zetter and Ruaudel 2016). Scholars emphasize that in urban areas of the Global South, most refugees and asylum seekers rely less on aid agencies like UNHCR and more on municipal authorities, such as the private sector and national civil society actors (Culbertson et al. 2016; Landau et al. 2016). This requires creative engagement with local authorities to prioritize non-citizens (Donger et al. 2017) —for example, by identifying the skills and contributions of refugees and asylum seekers. Research suggests that refugees in urban areas are not so different from disadvantaged host populations with regard to their assets, skill sets, and vulnerabilities (Landau and Duponchel 2011). Given that few states prioritize refugees and asylum seekers above their own citizens, refugee advocates must consider integrating policies that support these population groups into wider policy agendas in urban settings (Donger et al. 2017). Humanitarian organizations also need to recognize local authorities' interests and develop strategies that align protection concerns with local political economic factors. This could be achieved by promoting access to public services, protection and human security, not only for refugees, but also by integrating other marginalized groups into existing programs and policies. Through this bureaucratic incorporation, organizations may avoid public battles over refugee and asylum seeker rights, naturalizing their presence in their communities while building solidarity with local vulnerable populations (Landau et al. 2016).

Refugee receiving cities, especially those with emerging economies and with weak labour markets, are reluctant to open their labour markets to refugees (Zetter and Ruaudel 2016). This restriction is often based on “the fear that refugee participation will distort labour markets by reducing the number of jobs available to citizens and drive down wages and working conditions for all workers” (Zetter and Ruaudel 2016, p. 4). For this reason, refugees and asylum seekers face important hardships to find formal employment in urban centers. Widespread employment informality is a characteristic of developing economies, where a diverse range of people are

involved in informal economic activities in these countries (Perry and al. 2007; Vega Núñez 2017). The existing literature examines the importance of identity documents and legal status for urban refugees, which can undoubtedly reduce exploitation and harassment, especially in employment (Ospina and Santacruz 2011). Moreover, evidence shows that the type of documentation migrants hold has an effect on their ability to access education, housing, employment opportunities, and their social integration in the city (UNHCR and Instituto de la Ciudad 2014). However, some researchers suggest that refugees are often marginalized even if they have legal status (Landau 2014; Ortega & Ospina 2012). The 2012 Feinstein International Center (FIC) report demonstrates that protection gaps and marginalization result from a large backlog in the centralized asylum system, barriers to livelihood creation, and inattention to the risks refugees experience from armed actors operating in the country (Jacobsen 2012). This report also claims that asylum-seekers and refugees who face widespread xenophobia and discrimination may experience further barriers in access to employment, housing, education and healthcare, despite their legal right to these services. This makes them more susceptible to exploitation in the workplace (Jacobsen 2012).

Ecuador is no exception to the urbanization of refugee populations as approximately three-quarters of refugees live in urban areas, including the capital Quito, Guayaquil and Lago Agrio, the biggest city of proximity with the Colombian border (Donger et al. 2017). In Quito, a city of roughly 1.6 million inhabitants, it is estimated that roughly one third of the country's refugees and asylum seekers live dispersed in marginalized areas of the city (Donger et al. 2017). Surrounded by mountains, many are living in dwellings built on the slopes of the active Pichincha volcano, with restricted access to public transportation (Ortega & Ospina 2012). There is an important body of literature highlighting the widespread vulnerabilities of urban refugees and asylum seekers in Ecuador –mostly focused on Colombians– ranging from discrimination, racism, xenophobia, exclusion and marginalization (Donger et al. 2017; Jacobsen 2012; Karolina & Sandoval 2016; UNCHR 2012a; UNHCR and Instituto de la Ciudad 2014; Ramírez et al. 2017; Ortega & Ospina 2012; White 2011; Salinas Ivanenkon 2014; Moscoso & Burneo 2014; Rivera et al. 2007; Duoos 2015; Ramírez & Soledad 2017). However, the vast majority of the literature was published in the period between 2007 and 2017, so there are few studies which specifically analyze the relation between the recent 2016 Peace Agreement and the subsequent experience of Colombian refugees and asylum seekers. My research provides, through qualitative field work, a window into the

experiences of Colombian asylum seekers as well as the often-dysfunctional instructional arrangements that they confront in trying to access protections and dignified livelihoods.

More recently, Colombian refugees and asylum seekers are forced to share the limited resources with the substantial Venezuelan population establishing in Ecuador. Venezuela's political, economic and humanitarian crisis has led to one of the largest contemporary situations of displacement. 4.5 million people have left the country since 2015 (UNHCR 2020a). As of June 2020, Ecuador officially hosted close to 180,000 Venezuelans, and globally, just under 900,000 had applied for asylum (R4V 2020). As their mass displacement to Ecuador continues, Venezuelans are "following in the footsteps of an older, more complex, and now less visible Colombian exodus" (Pugh et al. 2020, p.1). As Colombians continue to do their best to integrate locally in Ecuador, so does the increasing Venezuelan population, who are all competing for employment in the informal economy as street sellers, domestic and construction workers, which represents the first step for the economic integration of these groups (Pugh et al. 2020).

1.4 – Thesis Structure

The first chapter outlines the background to this research and the research methodology. My main findings are presented and discussed considering the capability and social exclusion approaches. The second chapter compares the discrepancies between the rights and protections afforded to migrants on paper (i.e., within the Ecuadorian legislation) and what they actually experience. I also discuss the intensification of inadmissibility claims in Ecuador as the country is witnessing an important increase in asylum claims and is unable to corroborate country of origin information of asylum seekers from Colombia. The third chapter focuses on asylum seekers' everyday challenges in the city of Quito. These challenges include limited access to key services, rising levels of discrimination, and compromised safety in the city of Quito since the Colombian Peace Agreement. Finally, my overarching conclusions are discussed in the last chapter of this thesis.

CHAPTER 2 – BACKGROUND TO THIS STUDY AND RESEARCH METHODOLOGY

In this chapter, I present the methodology and the major concepts underlying this research. I start by outlining the number of research participants and key objectives of interviews. This is followed by a presentation of how research participants were recruited and selected. A number of ethical considerations linked to this research are then discussed. In the last two sections, I explain how data was analyzed and I make a brief presentation of the participants' profile and background. I then illustrate the two interrelated bodies of literature informing my conceptual framework: (1) the capabilities approach and its conceptualization of agency, and (2) the social exclusion approach.

2.1 – Sample of Research and Key Objectives of Interviews

For this research, I conducted 15 one-on-one interviews (in depth, semi-structured format) of about 60 minutes each in the city of Quito with two main target groups: (1) ten Colombian asylum seekers; and (2) five stakeholders, which include two practitioners who operate “on the ground” (i.e.: members of community organizations, academics, and members of NGOs), one civil servant from the provincial government of the province of Pichincha, one consultant for the government of Ecuador, and one member from the United Nations High Commissioner for Refugees. Interviews took place between November 2018 and February 2019.

Interviews with Colombian asylum seeker participants were primarily aimed at obtaining in-depth knowledge of their experiences of and interactions with the refugee determination process, but also of their everyday lives in Ecuador – more particularly their experiences accessing basic services in the city of Quito and, if they experienced challenges in existing these services, how they managed (or not) to overcome such challenges.

Interviews with the civil servant and the consultant for the Ecuadorian government provided background information on the changes brought to the RSD system in Ecuador since the Colombian Peace Agreement and on the reasons for these changes. Interviews with NGO workers (HIAS and Misión Scalabrini) provided complementary information on how such changes have impacted them and their clients (i.e., asylum seekers) overtime. Finally, my interview with the UNHCR assistant provided a broad overview of the dynamics of the different actors working with

Colombian asylum seekers in Quito. The UNHCR stands in the middle of governmental organizations and NGOs, where they often act as an intermediary for communication between the two levels and thus have a profound understanding of their respective challenges and input.

2.2 – Inclusion Criteria for Research Participants and Recruitment Process

Colombian asylum seekers were selected according to the following specific criteria: (a) be over the age of 18 at the time of the interview; (b) having arrived in Ecuador after the signature of the Colombian Peace Agreement (i.e., after November 24th 2016); (c) having stayed in Ecuador for at least six months; and (d) being registered in the RSD process with the Ecuadorian International Protection Directorate and not having received an answer yet. Stakeholders were selected based on their knowledge of the asylum system and on their experience (at least 5 years) working with Colombian asylum seekers and other stakeholders.

In July 2017, I took an intensive course at FLACSO University in Quito on the Colombian armed conflict and its impact across borders. During this course, we attended information sessions and workshops with local NGOs and international organizations, several of them working with asylum seekers. I contacted these organizations and I maintained the connection with them until I returned to Ecuador one year later, for a period of six months. While some members of these organizations agreed to participate later in interviews, they also became my gatekeepers for interviews with Colombian asylum seekers and other stakeholders. Thanks to the UNHCR and HIAS, I was able to recruit the first three Colombian asylum seeker participants. Following a snowball sampling method (Heckathorn 2011), I recruited the other Colombian asylum seeker participants. This method was particularly effective in this context since Colombians living in Quito often know other Colombian families from their local churches or neighbourhood who are similarly seeking asylum in Ecuador. My communication with Colombian asylum seekers occurred mostly with WhatsApp Messenger freeware, which is largely used by the majority of South Americans. Indeed, very few South Americans have an email account but almost everyone – including the businesses – use the WhatsApp freeware to send and receive text messages, leave vocal messages, and to make calls because most telephone service providers offer unlimited use of the application for free with most plans. Communication through this application was easy since

I could contact potential participants to send them documents, such as the research information sheet (Appendix C) and the consent form (Appendix E). We could also make telephone calls when needed or share our locations before a meeting, and everything was free for participants. During the whole recruitment process, no interpret was necessary since I am fluent in Spanish. Every recruitment document, including posting announcement, recruitment email, information sheet, and consent form were translated into Spanish for the understanding of all participants.

The number of asylum seeker participants interviewed in this research cannot be considered as a representative sample of the experience of all asylum seekers in Ecuador. However, as it has been shown, the point of saturation is highly dependent on the homogeneity of the participants (Guest et al. 2006). Indeed, because of the limited sample size due to restricted time and funding, the experience of each participant in Quito included in this sample could have differed significantly due to various factors including age, gender, area of origin, level of education achieved, race and ethnicity, size of family and neighbourhood of current residence (Ray and Heller 2009). Although the profile variation amongst participants was significant, most of them experienced the same obstacles in Quito, making the sample rather homogenous. Further, the variation in profiles made the data more inclusive and reflective of the multiple asylum seekers' challenges and realities in the city of Quito. Given the exploratory nature of my study, the asylum seekers I interviewed were a critical source of information, especially since their perspective in this area has been largely neglected in the academic and grey literature.

Regarding stakeholder participants, the size of the sample is also limited. However, the objective here was to gain a broad understanding of the evolution of the asylum seekers' situation since the Colombian Peace Agreement. Given the chaotic migration situation in Ecuador at the time of field research, several key organizations, partners and government agencies declined my invitation and indicated that they did not have the time or the resources to participate in the study. In one case, the stakeholder contacted indicated his unavailability and referred me to another member of the organization. However, the member did not qualify since she only had two years of experience working with Colombian asylum seekers. In another case, I had been able to secure an interview with a lawyer from Asylum Access Ecuador. However, the interview was cancelled because by the time I arrived in Ecuador, the NGO had unfortunately closed down due to a lack of funding (Interview with Guillermo Rovayo, Quito, November 2018).

2.3 – Ethical Considerations

Ethics Approval from the Research Ethics Board of the University of Ottawa was granted to undertake this research (File: S-09-18-112) (see Appendix I). In accordance with the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* (2014), and in order to minimize risks to asylum seeker participants, all asylum seeker participants are treated anonymously. Their names are pseudonyms. As for the stakeholder participants, none of them required anonymity, however the UNHCR worker and the UNHCR consultant for the International Protection Directorate asked to review the sections in which they would be publicly mentioned in articles or other publications.

2.3.1 – Asylum Seeker Participants

Any research relationship involving forced migrants has to be as equitable as possible, by being conscious of power dynamics and guarding against risk of abuse of power (Clark-Kazak 2017). During the research process, I was well aware of my own positionality, biases, and responsibility and I worked hard to develop mutual trust in relationships with my participants. Indeed, my position as a Canadian graduate student might have influenced my research process with Colombian asylum seekers; however, because I speak Spanish, lived in Ecuador for a total of eight months, and completed volunteer work with Colombian refugees in Canada, these factors favoured my position as a person of trust. Indeed, as a researcher and an interviewer, I was aware that every interaction before the interview and my comments and interaction during the interview could potentially condition responses (Holstein & Gubrum 2011). When the participants first entered in contact with me, apart from me introducing the study, I also introduced myself and revealed my intentions with this research project, making the participants feel comfortable sharing intimate details, which they may have perceived as socially undesirable (Holstein & Gubrum 2011).

Before starting the interview, each participant received the information sheet (Appendix C) through a WhatsApp message, outlining the purpose of the research project. This document also emphasized that participation was voluntary, that they maintained the right to withdraw at any time. They were also informed about confidentiality and anonymity. The participant information

sheets included the Research Ethics Board Contact that they could contact if they had any questions regarding their rights as a research participant. Before starting the interview, I went over the consent form (Appendix E) with each participant, who had to give an oral consent, officialising their agreement to participate. The consent form specified the risks and benefits of the project. It explained that the participant was guaranteed anonymity and that their answers would be kept confidential. It also listed several support service providers in the city of Quito for them to contact should they experience any trauma or emotional distress from the interview. It also explained that a digital recorder was used to record their answers.

The interviews were all conducted in a neutral location (i.e., a quiet room in a local public library, a coffee shop or public park), which allowed asylum seekers to speak freely without concerns of institutional entities (place of employment, service provider space, etc.) being present in the interview space. If, for some reason, the participant preferred to meet in another location than what I suggested, I accommodated their request.

When beginning the interview session, I emphasized to the participants that I was seeking any information or story that the participants felt was necessary for me to know in order to understand their experiences more in depth. I reminded them that my interview questions consisted of only some of the areas that I thought would be relevant to document but that if they had any experiences or information that were not covered in my interview guide (Appendix G), they were invited to share them. This strategy shifted the power to the participant as they were reminded that they were the experts of their experiences and they had the power to impact my understanding of their refugee experiences (Holstein & Gubrum 2011).

2.3.2 – Stakeholder Participants

The stakeholder participants were contacted by email or through WhatsApp. Before starting the interview, each participant received an information sheet (Appendix D), outlining the purpose of the research project. This document also emphasized that participation was voluntary and that they maintained the right to withdraw at any time. The participants were also informed that participation in this research project was not intended to be anonymous, but if they indicated they wish to remain anonymous, anything that they would say in the interview would remain

confidential. In that case, the stakeholder's name would not be linked to anything that was said, and every effort would be made to report the findings in ways that cannot be traced to any particular participant. The participant information sheets also included the Research Ethics Board Contact that they could contact if they had any questions regarding their rights as a research participant. Before starting the interview, I went over the consent form (Appendix F) with them and asked them to sign it, officialising their agreement to participate. The consent form specified the risks and benefits of the project. It also explained them that a digital recorder was used to record their answers.

2.4 – Transcription and Coding

All interviews were conducted in Spanish and they were transcribed and translated into English. Data was coded and organized by topic using NVivo. All participants were also registered in NVivo according to their profile and background, including their area of origin in Colombia, age, ethnicity, highest level of education, gender and the time they had been in Ecuador (see table 1). When the participants reported their life in Quito and related issues, the following information was captured: RSD status (which have been updated as of April 2019), their experiences with the refugee system determination, how well participants are informed of the RSD process, their level of trust in the authorities, their feeling of safety and perceived levels of discrimination in the city of Quito, and their future expectations especially considering their legal status and lives in Ecuador.

In order to analyse their experiences in the city of Quito, the following information was captured: existing services and employment in the city of Quito (education, housing, health, justice and financial services); challenges accessing these services and employment; strategies used by asylum seekers to overcome these challenges (see table 2). Finally, I explored the feeling of safety of the participants, the neighborhood where they were living in Quito and the levels of discrimination experienced when accessing most existing services (education, housing, health, justice and financial services) and employment. I generated these categories and themes in order to create models and illustration in order to address my research questions.

2.5 – Profile and Background of Colombian Asylum Seeker Participants

The age of the ten Colombian asylum seekers interviewed for this research ranged from 25 to 42. I purposely tried to include a broad range of participants in terms of their ages because I anticipated that older participants could have a different experience from younger ones, notably for what relates to socio-economic security. Participants' time in Ecuador (from the moment they arrived in Ecuador until the day of the interview with me) also varied from eight months to two years, and again, I anticipated that the time Colombian asylum seekers spent in Ecuador (and more precisely in Quito) could influence their level of adaptation, and their access to services (Pugh 2018). I also considered the highest level of education attained by each Colombian participant. The different profiles were divided in four different categories; (1) elementary school graduate (5th year), (2) secondary education graduate (11th year), (3) Professional Certificate (SENA), and (4) undergraduate degree (see table 1 below). The highest level of education attained by Colombian asylum seekers reveals the quantity and quality of employment possibilities, where one who attained a higher level of education will have a wider bracket of career opportunities (Musu-Gillette 2015), thus affecting their economic outcomes and chances of emancipation in Ecuador.

Eight of the ten participants identified themselves as being from African descent, whereas the two other participants identified themselves as mestizas, which are persons of a mixed ethnic background, especially one having Spanish and indigenous descent. As research on Ecuador has already shown, the ethnic background of participants reveals much on the level of discrimination they experience. Ecuador is the fourth South American country (after Brazil, Venezuela and Colombia) in number of population (i.e., citizens and non-citizens) of African descent (Freire et al. 2018). Of the 1.2 million afro-descendants living in Ecuador, 70.3 percent remain with unmet basic needs. Patterns of discrimination and ethnic prejudices are the causes of this scenario, in which this group has found limited space for its economic, social, cultural, and political development (UNCHR 2018).

Among the sample of asylum seeker participants, they were displaced from either the Pacific Coast, the Caribbean Coast, or the Andes Mountain region. Although, the armed conflict is present within the whole country, illicit businesses, armed groups dynamics, and types of persecution differ widely across regions. Indeed, Colombians fleeing the Pacific Coast most often

suffer more direct persecution or violence by armed groups controlling the region, as it presents the worst humanitarian situation in Colombia's internal armed conflict (FIP 2017; UNDP 2012; Human Rights Watch 2018; Silva Ávalos 2017). The different causes of displacement including direct death threats, fear of persecution, forced recruitment, physical assault, kidnapping, and extortion, among many others, all impact differently the lives of asylum seekers in Ecuador, as some might experience more anxiety and depression than others (HIAS 2019).

Participants were also asked about their family members in Ecuador, and were divided into four different categories (1) alone and whose family stayed in Colombia, (2) with partner, (3) with partner and children, and (4) with partner, children and extended relatives (see table 1). This information was collected to get a sense of participants' well-being as it is known that separation between family members may lead to poorer psychological and health outcomes and greater social isolation (Smith et al. 2004; Suárez-Orozco et al., 2011).

Table 1: Colombian Asylum Seekers' Background and Profile

	Area of provenance	Ethnicity	Education level	Gender	Age	Time in Ecuador	Family Situation
Camila	Pacific Coast	Afro-Colombian	Undergraduate degree	F	42	1 year, 4 months	(4)
Diego	Pacific Coast	Afro-Colombian	High School graduate	M	32	1 year, 8 months	(3)
Antonio	Pacific Coast	Afro-Colombian	Lower secondary graduate	M	33	2 years	(1)
Sofía	Caribbean Coast	Afro-Colombian	Professional certificate	F	25	8 months	(4)
Valeria	Andes Mountains	Mestiza	Undergraduate degree	F	26	1 year, 10 months	(4)
Hugo	Pacific Coast	Afro-Colombian	Undergraduate degree	M	41	1 year, 2 months	(3)
Ximena	Pacific Coast	Afro-Colombian	Undergraduate degree	F	38	1 year, 10 months	(3)
Jorge (Sara)	Pacific Coast	Afro-Colombian	Undergraduate degree	F	37	7 months	(3)
Isabella	Pacific Coast	Afro-Colombian	Professional certificate	M	42	1 year, 5 months	(3)
Mariana	Pacific Coast	Mestiza	Undergraduate degree	F	25	1 year, 2 months	(1)

2.6 – Profile of Stakeholder Participants

Interviews were conducted with five stakeholders from various organizations: one IGO (the United Nations High Commissioner for Refugees); two NGOs (HIAS and Misión Scalabriniana); and two governmental agencies.

(1) IGO: The United Nations High Commissioner for Refugees (UNHCR)

In Ecuador, the UNHCR operates in nine cities. The head office is located in the capital of Quito and is divided between the protection, livelihood, resettlement and national coordination units. Since the Ecuadorian government is fully independent in running their refugee status determination (RSD), the UNHCR holds a consultant role with the International Protection Directorate (IDP), favoring enhanced public policies and administrative practices. The UNHCR also provides interpretation services during RSD interviews at the International Protection Directorate. The UNHCR's protection unit is the largest in Ecuador. They provide protection services to asylum seekers and refugees who face local integration issues, discrimination or security issues. The UNHCR in Ecuador has 22 implementing partners, who work in collaboration with NGOs and governmental agencies on several training programs, research projects, workshops, working groups, events and referrals for more complex protection cases. The UNHCR does not give any allowance to the people in need, but instead sends all these cases to the Hebrew Immigrant Aid Society (HIAS), which is the UNHCR's most important partner. HIAS helps newcomers to find housing and might help them to pay for their rent and food for the first months in the country. HIAS is also the main source of referral for UNHCR's resettlement cases (UNHCR 2017).

The UNHCR participant (Anna Rivera) is a resettlement officer who has been working for the UNHCR for about twelve years. She leads the resettlement interviews and writes the reports for each case. At the time of the interview, in November 2018, she had an average of thirty resettlement cases open, waiting for the completion of the credibility investigation. The resettlement unit in Ecuador can only submit cases of Colombians, as this is the only population of concern recognized in Ecuador at the moment. According to the resettlement assistant, the unit submitted a total of 500 resettlement cases in 2018, of which 350 were accepted by the third

countries. Mrs. Rivera also claimed that Canada closed all of their quotas for 2019, and that both the United-States and New-Zealand reduced significantly their numbers for the upcoming year. Considering her substantial experience working with Colombian asylum seekers, this participant provided significant details on how the lives of Colombian asylum seekers have changed over the years in Ecuador, not only regarding the increased challenges in their RSD process, but also regarding their everyday life in Quito.

(2) The Hebrew Immigrant Aid Society (HIAS)

HIAS is a Jewish American non-profit organization that provides humanitarian aid and assistance to refugees in twelve countries worldwide. In Ecuador, HIAS operates in nine cities and has twelve different offices. Three are located in the capital of Quito, including two venues for emergency attendance and follow-up appointments, and one administrative office in charge of national coordination, accounting and finance (HIAS 2019). HIAS is mostly funded by the UNHCR and plays a major role in Ecuador as they are the UNHCR's key partner. HIAS in Ecuador also works in collaboration with the government, legal assistance providers and others to empower, educate and support refugees as they seek to access rights, secure protection and find durable solutions (HIAS 2019). HIAS' strategy in Ecuador focuses on an individual case management approach that provides personalized assistance in three types of services: psychosocial, legal and livelihood services. HIAS focuses on serving the most vulnerable population who receive specially tailored information and guidance, whether relating to RSD and local integration, or in connection with voluntary repatriation, resettlement or alternative durable solutions.

The stakeholder interviewed from HIAS is named María Jose Morales. She works in the three offices located in the city of Quito. María Jose has been working for HIAS for six years and started as a Labor Integrator worker, putting together workshops and information sessions to help migrants become economically independent. One year prior to the interview, she conducted field work investigating the existing protection gaps in the asylum system and examining how they could be filled and enforced. She worked with several Federal Ministries and other NGOs helping newcomers who face important protection gaps in Quito. A concrete example of her work is demonstrated through HIAS' cooperation with the Ministry of Education enrolling a total of fifty Colombian and Venezuelan children in elementary school, whose documentations were not

recognized by many Ecuadorian school boards. Given her prior position with HIAS, Mrs. Morales possessed substantial knowledge on the multifaceted challenges Colombian asylum seekers face to find employment and to access most social services in Quito.

(3) Misión Scalabriniana

Misión Scalabriniana is a non-profit organization founded in Italy, in 1895, “to welcome, promote, protect and integrate migrant and refugee populations” (Misión Scalabriniana 2019). The organization operates in 27 countries and has been present in Ecuador for 25 years. They run programs under three different units: livelihood, political advocacy, and protection with all foreign nationals (Misión Scalabriniana 2019). The Misión Scalabriniana in Ecuador works on several cases with six different directions: (1) access to asylum, (2) appeals to rejected refugee claims, (3) irregular procedures in the application of migratory visas (i.e. lack of adequate documentation), (4) gender based violence, (5) child protection including access to health, education and family unity, and (6) getting involved in criminal lawsuits against foreigners for aggressions linked to the armed conflict, or linked to situations of human mobility.

Guillermo Rovayo, who is the participant in this research, is also the director of the organization and the lawyer for the NGO. He has worked for the Misión Scalabriniana for three years and has been involved in the field of migration and asylum for 18 years in Quito, with the Jesuit Services and Asylum Access, among others. Guillermo Rovayo works on most of the cases received at the Misión Scalabriniana providing legal assistance to asylum seekers who are facing difficulties throughout the RSD process and who were not accepted as refugee claimants, seeking legal remedies. The Misión Scalabriniana advocates for migrants’ rights living in Ecuador through contentious administrative actions and constitutional protection actions. In 2018, the Misión Scalabriniana undertook approximately 700 cases of administrative and judicial personal litigation for asylum seekers, refugees and other migrants. The organization also reviews and appeals legal decisions of the Ecuadorian government. For example, through a claim of unconstitutionality against the Organic Law of Human Mobility in December 2018, Misión Scalabriniana sued the federal government for breaching 41 articles of the law, which violate the principle of equality and non-discrimination for migratory status, as well as legal security, the principle of legality and the rights of people in need of international protection.

(4) The International Protection Directorate (IPD)

The Ecuadorian Ministry of Foreign Affairs and Human Mobility (MREMH) is divided between two vice-ministries: (1) Foreign Affairs, Political Integration, and International Cooperation and (2) Human Mobility¹. Along with services to Ecuadorians who are abroad, the integration of returned migrants, the provision of visas and naturalizations and the inclusion of the foreign community, the vice-ministry of Human Mobility also manages the International Protection Directorate, which runs the entire RSD process and its appeals. The MREMH as a whole has a total staff of 1585 officials, of these, 12 work for the IPD including two secretaries, three analysts, three public officials doing interviews, three assistants drafting asylum claims and one director.

The stakeholder interviewed is Manuel García, who was hired by the UNHCR through a UNOPS contract as a consultant for the IPD. He works with the UNHCR and the IPD to improve the RSD in Ecuador in line with the UN Convention of 1951 and the Cartagena Declaration on Refugees of 1984. His main role at the IPD is to supervise and overview Ecuador's entire RSD process. He currently has a management role working alongside with the director of the IPD, Maria Fernanda Cevallos, where they review all asylum claims before final decisions. This position within the government was intentionally created for him, since he had ten years of work experience with the UNHCR's resettlement offices in Argentina and there was an urgent need in Ecuador for his expertise. Mr. García shared interesting information on the institutional culture at the IPD and its relationship with external organizations such as the UNHCR and HIAS.

(5) Human Mobility Unit of the Provincial Government of Pichincha

The Human Mobility Unit of the Government in the province of Pichincha is the agency in charge of the protection and promotion of human rights in situations of human mobility. They offer the following services: psychosocial support, legal advice, economic inclusion, technical assistance in the design and implementation of ventures, political incidence and social

¹ In Ecuador, it is common to hear the term “human mobility” or “movilidad humana” in Spanish to define the people living or travelling away from their place of origin, including foreign nationals and nationals who have been displaced from their place of origin.

participation, Spanish courses and adaptation to Ecuadorian culture (UNCHR Ecuador 2019; Tipán 2019). The Human Mobility Unit of this provincial government functions under a management model with four components. The first is care and reception, where they provide psychological care, legal advice and a variety of social services. The second component is economic inclusion, considering an approach based on self-employment, professional training provision and political incidence. Thirdly, they promote campaigns and advocate for national regulations for the protection of human rights. Finally, the last component is research. They conduct approximately three research projects per year with the aim to create new public policies. They work closely with universities across the country and with other governmental entities, including with the International Protection Directorate (IPD).

Giovanna Tipán is the participant in this research project. She is the director of the Human Mobility Unit of the Government in the province of Pichincha. She has held this position for about four years now and has been working for the same unit for more than 10 years, as a researcher first and then as a journalist. The Human Mobility Unit currently receives from 120 to 200 asylum seekers and refugees on a daily basis. The main population they currently receive are Venezuelan migrants, but also rising numbers of Colombians in need of international protection. They have a team of 12 workers – including lawyers, psychologists, and social workers. They also have an expert in public policy, administrative and economic issues. Moreover, they are responsible for a network of 11 health centers and clinics, where a total of 300 additional staff – including nurses, psychologists, dentists, and medical doctors – work throughout the province.

2.7 – Key Concepts Underlying this Research

Two interrelated bodies of literature inform my conceptual framework: (1) the capabilities approach and its conceptualization of agency, and (2) the social exclusion approach.

2.7.1 – *The Capabilities Approach*

The capabilities approach is a framework used to analyze people's well-being within different social, political, and economic structures (Frediani 2010; Nussbaum 2000; Sen 1999; Serker 2004). Well-being is achieved when people have the freedoms, opportunities and

capabilities to achieve a life they value (Sen 1999). Within the capabilities approach, people are viewed as active agents, capable of knowing and deciding how best to achieve their own well-being (Clarke 2014; Keleher 2014; Sen 1999).

Additionally, agency, understood as the freedom and capabilities of responsible persons to act in accordance with their own values and objectives, is a central component to the capabilities approach (Clarke 2014; Keleher 2014; Sen 1999). The respect for agency requires that “people control their own lives, choose their own goals, and contribute to those of the community and larger society through a process of public reasoning” (Ibrahim 2014, p. ix). The importance of asylum seekers and refugees’ agency, in the equation for their well-being, has been demonstrated by previous studies, although mainly conducted in Europe (see Gateley 2014; Ibrahim 2014; Korac 2009; Judge 2010; Clarke 2014). Gateley (2014), for instance, suggests that “for refugees to become actors of their lives, and thus achieve self-reliance, their preferences are crucial; they should be given the space to set their own goals as well as the chance to voice aspirations” (Gateley 2014, p. 130). Ibrahim (2014) similarly emphasises the importance of human agency in both developed and developing countries as a way “to focus on the most deprived and marginalised groups in a society in order to expand their choices and help them strive to achieve the lives they have reason to value” (Ibrahim 2014, p.5).

The capabilities approach recognizes that peoples’ agency can sometimes be constrained by the social, political and economic structures within which they operate (Ibrahim 2014; Sen 1999, Clarke 2014). Without a doubt, Colombian asylum seekers are precisely limited by these structures in Ecuador, a situation that has become worst since the signature of the Peace Agreement, with more people competing for less services. Thus, the capability approach is very relevant for studying the experiences of Colombian asylum seekers living in the city of Quito. It is useful to understand the extent to which the limitations Colombians face within the Ecuadorian system preventing them from emancipating themselves within society. As research as shown, such limitations impede their integration and realization of rights (Ortega & Ospina 2012), create barriers to livelihood creation, impact their feeling of safety (Jacobsen 2012), and affect their level of access to education, housing and employment, as well as social integration in the city (UNHCR and Instituto de la Ciudad 2014).

2.7.2 – Social Exclusion Approach

The social exclusion approach assumes that social values and relations play a significant role in a person's life, and thus can be a source of deprivation, vulnerability or poverty (Ibrahim 2014; Sen 1999; Volkert 2014). Social exclusion can be conceived as “a specific lack or social denial of instrumental freedoms to certain individuals or groups,” which is influenced by the way public policy is created and managed (Volkert 2014, 183). The social exclusion approach highlights how social and power relations influence people's access to resources and opportunities that impact their livelihoods and wellbeing. In the context of asylum, this often manifests in the social and economic exclusion of asylum seekers from access to critical resources, such as employment, healthcare, credit, and educational resources (Jacobsen 2014). This social exclusion is frequently observed in destination countries, as negative perceptions about asylum seekers lead to the constriction of space in which they are able to access resources, opportunities and livelihoods that would enable them to become self-reliant (Easton-Calabria 2015). The negative attitudes and perceptions towards asylum seekers are part of broader social exclusion processes, which result from a failure of effective sharing of resources (Easton-Calabria 2015).

In times of political crisis, such as the Arab Spring or national elections, negative attitudes toward refugees and asylum seekers increase, as it does when economic competition is high (Jacobsen and al. 2012). Jacobsen (2014) explains that “refugees and asylum seekers habitually choose to stay inside or keep their children out of school, and do not pursue self-employment initiatives where the risk of being jailed or extorted is higher than the amount earned” (Jacobsen 2014, p.12). Some refugee-hosting countries, such as South Africa and Israel, have active media and civil society organizations that publicize and criticize this phenomenon of anti-migrant violence. In other host countries, such as Bangladesh, Kenya, and Egypt, where xenophobia is equally widespread, there is much less civil society opposition (Jacobsen 2014). In addition, the experiences of violence, trauma, loss of family members, and community all take a toll on people's ability to restart their lives (Cernea 1997). These negative experiences place asylum seekers at an economic disadvantage upon arrival. Over time, unless they can recover their livelihoods, they are at risk of further impoverishment. However, recuperating asset losses after displacement can be extremely difficult because of the social exclusion at work in the host country context (Jacobsen 2014).

Henceforth, in this research, the social exclusion approach is used as a lens to understand and interpret the impact of Ecuadorian population's negative attitudes towards Colombian asylum seekers, and more specifically how such attitudes severely limit their ability to become self-sufficient, facing significant challenges in finding adequate housing, accessing healthcare and education, but most particularly in finding employment (Ramírez et al. 2017; Oetzel 2018; UNHCR and Instituto de la Ciudad 2014). These challenges, combined with the persistent weight of discrimination and the contextual circumstances that forced them to flee from their country of origin, have a significant effect on many aspects of their lives, including their physical and psychological well-being.

This chapter presented the background to this research and its methodology. The inclusion criteria and the recruitment process for research participants were established along with the ethical considerations. The profile and background of the ten asylum seekers and five stakeholder participants were described, introducing data analysis of the research. Finally, the conceptual framework underlying this research were presented, including the capability approach and the social exclusion approach, which will allow me to analyze Colombian asylum seekers' significant constraints in Ecuador, rooted in the challenges to access social services and employment, and the impact of the Ecuadorian population's negative attitudes towards these asylum seekers.

CHAPTER 3 – THE REFUGEE DETERMINATION PROCESS: LAW IN PAPER VERSUS LAW IN PRACTICE

On paper, Ecuador's legislation exceeds international refugee law standards; however, on the ground, Colombians in need of international protection face serious challenges when trying to secure their identification documents and to obtain refugee status (Asylum Access Ecuador 2019). Since the Colombian Peace Agreement, the International Protection Directory (IPD), which is the Ecuadoran Ministry of Human Mobility managing the refugee status determination (RSD) process and its appeals, has been strained under the current workload, its flawed management, and the increasing number of asylum seekers in Ecuador. As a consequence, the protections offered in principle to Colombian asylum seekers in Ecuador do not transfer well in practice.

This chapter presents key issues in Ecuador's refugee determination process. First, I discuss how asylum seekers face difficulties in scheduling and attending a fair RSD interview. Asylum seekers are trapped for long periods of time in the RSD backlog with a confounded status. Colombian asylum seekers are also more likely to be returned to Colombia since the peace process has been endorsed, even though it is clear that violence has been growing uncontrollably in Colombia. Second, legal representation during the RSD process is very rare and child protection is not made a priority, contrary to what is alleged in the Ecuadorian Organic Law on Human Mobility and its regulations. In addition, the humanitarian visa provided to Colombian asylum seekers in the course of the RSD is not recognized and thus not accepted by most Ecuadorian nationals, including employers, landlords, service providers and even public officers. The findings presented in this chapter are guided by the capability approach (Frediani 2010; Nussbaum 2000; Sen 1999), which is used to analyze how asylum seekers' protection needs are constantly limited by an unethical, unfair and saturated refugee determination system.

3.1 – The RSD Administration: An Unethical and Saturated Process

Ecuador ratified the 1951 *Convention Relating to the Status of Refugees* in 1958 and its 1967 Protocol in 1969. The country has also been strongly guided by the 1984 Cartagena

Declaration to formulate and implement its refugee legislation². These instruments are codified in national legislation, specifically, the *Ecuadorian Constitution* of 2008, the Presidential Decree 1182 (30 May 2012) and the *Organic Law on Human Mobility* (OLHM 2017) of 2017. Currently, the Ecuadorian legislation protects all non-citizens in Ecuador from discrimination on the basis of their migratory status, national origin, sex, gender, sexual orientation, or other social, economic, or cultural conditions (OLHM, article 2, 2017). The country was also acclaimed in 2017 by the UNHCR for its OLHM, which “confers refugees a migratory status as residents, favouring their full integration and thus allowing them to contribute to Ecuador’s development” (UNHCR 2017). The OLHM also stipulates the principles of free human mobility, prohibition of criminalization for an irregular immigration status, non-refoulement, and regional integration (OLHM, article 2, 2017).

However, in practice the Ecuadorian law is not truthful to many of these principles considering the significant lack of implementation. Despite Ecuador’s integration of the Cartagena Declaration into national law, officials conducting refugee status determination (RSD) still conduct refugee status determinations (RSD) based on the narrower 1951 UN Convention definition, dramatically reducing the number of refugees who might be eligible for this extended status (Miller and Panayotatos 2019). Since the Colombian Peace Agreement was implemented, the Ministry of Foreign Affairs and Human Mobility, and most specifically its International Protection Directorate (IPD) division, have been strained under the workload of an increasing number of asylum seekers in Ecuador. With the announcement of the Peace Agreement, the IPD reduced its staff by means of reducing important costs. The reduction of decision makers at the IPD (MREMH 2017; Ramírez et al. 2017) contributed to poor service provision and an increase in the significant backlog (Interview with Manuel Garcia, Quito, November 2018), which was already estimated at approximately 100,000 refugee claims by the end of 2012, according to the last RSD backlog publication (UN OIOS 2012). Officials at the MREMH are buried under work and do not have the tools and personnel to deal with the current asylum intake (Interview with

² UN General Assembly, Convention Relating to the Status of Refugees, 28 July 1951, United Nations, Treaty Series, vol. 189, p. 137, available at: <http://www.refworld.org/docid/3be01b964.html>; Regional Refugee Instruments & Related, *Cartagena Declaration on Refugees, Colloquium on the International Protection of Refugees in Central America*, Mexico and Panama, 22 November 1984, available at: <http://www.refworld.org/docid/3ae6b36ec.html>

Manuel Garcia, Quito, November 2018). Official staff working at the IPD are under pressure to minimize this RSD backlog. They have to meet strict quotas to process and submit numerous RSD cases. During the interview with the stakeholder consultant, the problematic work environment at the IPD was described as follows:

The atmosphere has been depressing and extremely competitive between official workers to submit RSD cases. The managing team called a meeting last month (October 2018) and pointed out specific officials for their low quotas of submissions [...]. Some workers left the meeting with tears in their eyes. [The UNHCR is] trying to work with [the IDP], but we cannot impose ourselves too much because they could cut us out, we need to work on their side, one step at a time. (Interview with Manuel Garcia, Quito, November 2018)

As it is now widely known (Alsema 2019; Amnesty International 2018; El Universo 2018; UNCHR 2017b; Kincaid 2019; Rampietti 2019; Yagoub 2014), Colombians are often displaced in large groups, as violence erupts in particular neighborhoods or regions, forcibly displacing many families at once. The UNHCR found that more than 30,000 people were forcibly displaced from their homes due to violence between January and November 2018. “One of the major factors behind the increase is the struggle between armed groups to occupy territories vacated by the FARC’s withdrawal following the 2016 peace agreement. New conflicts have emerged as competing groups seek to fill the resulting power vacuum, with the state failing to secure the regions” (UNCHR 2020; see Alsema 2019). Thus, Colombians, but also Venezuelans, arrive in huge numbers. However, as this same participant highlighted:

“It seems [that the IPD is] never ready for any of these waves. [...] They know now that the number of claimants might be more or less the same for a period of 3 to 4 days, but that on the following morning a group of 200 could be knocking on their door. Nonetheless they seem to never be prepared to this recurring reality” (Interview with Guillermo Rovayo, Quito, November 2018).

One of the many consequences of these changes is that asylum seekers face difficulties to schedule and attend a fair RSD interview, as is discussed below.

3.1.1 – Scheduling an RSD Interview in Quito

According to the law, the International Protection Directorate (IPD) must conduct a first brief interview to establish the profile of the claimant, followed by a longer in-depth interview, to

determine the details of what happened and if the claimant qualifies as a refugee. However, because the government is overwhelmed by the number of asylum seekers, these asylum seekers often struggle to schedule the first interview. The stakeholder from HIAS explains:

“Currently asylum seekers are given an appointment to make an appointment. People spend the night there, then the [IPD] tells them to come back to such date, on that day they would be generating their first interview. And a bunch are delayed. Before it was not like that because they were receiving a lot fewer claims at the same time. The waiting time went up a lot because of the demand right now and a few agents to receive them (two officials are present to do interviews). Like this week, we already heard three cases of inadmissibility, where they do a super brief evaluation and give asylum seekers inadmissions on the spot. They see them and within five minutes they say: “you do not qualify, totally inadmissible”, without even conducting an interview. Normally, they have a first evaluation and later attend the largest interview that lasts for about an hour. There are even times that they call them to an interview more when they see that there are things that do not match. It depends a lot on the case, but sometimes they do not examine it extensively and jump on the first occasion to deny the case. Of these, some are clearly economic migration, but there are others who definitely require international protection, but who do not even go through the first interview” (Interview with María-José Morales, Quito, November 2018).

Out of the ten asylum seekers I interviewed, eight waited over ten hours before obtaining an appointment. Furthermore, two participants (Sofía and Jorge) were told by the IPD in Quito, after waiting for countless hours, that they had to return the next day to try to obtain an appointment. The stakeholder from HIAS and from Misión Scalabriniana noted that the waiting periods had never been as intense as currently, with line ups even to enter the IPD building. This is because the IPD is the designated location where all asylum seekers must go – not only to obtain a date for their first interview but also to renew their documents every three months (see section 3.1.3 on visa renewals)–. However, the government refuses to improve the situation claiming that “everything is under control” (Quote from Alfonso Morales at Human Mobility Conference at FLACSO University in November 2018).

“There is an estimated time of 7 hours for South Americans to cross the border. Thousands of people are now staying and sleeping for many days on the Rumichaca International Bridge, waiting for the Ministry’s approval, do not tell me that “everything is under control”. Ecuador needs to declare a state of emergency, but they do not want this type of attention” (Interview with Guillermo Rovayo, Quito, November 2018).

3.1.2 – Issues when Attending the RSD Interview

Asylum seekers face numerous challenges when attending the RSD interview. First, the IPD officials conducting interviews are unprepared and are not knowledgeable on asylum seekers' region of origin during the interview. Second, IPD officials have been largely criticized for being rude and indifferent towards asylum seekers during the interview. Third, the outcome of RSD decisions is very inconsistent in Ecuador, with inaccurate transcriptions of asylum claims and with the prioritization of larger family groups by some IPD officials.

(1) Unprepared Interviewers:

Stakeholder and asylum seeker participants criticized the IPD officials for being unprepared at the moment of conducting the interview. For instance, they have no knowledge of the economic, political, and social situation in the country or region of origin of the claimant. And yet, as the UNHCR notes in its policy and guiding document, called "Interviewing Applicants for Refugee Status", "[p]roper preparation and information will allow an interviewer to ask the right questions, deal with any difficulties which may arise during the course of the interview, and ultimately make a fair assessment of the applicant's credibility" (UNHCR 1995, p. 2).

The UNHCR consultant working at the IPD, Manuel García, explained that RSD submission forms are prepared by two officers. First, there is the main officer who interviews the claimant, writes his/her claim and prepares the legal analysis. Second, the other staff member is the researcher. Interviewers rely on them to submit the country of origin information (COI) section, and to verify the facts alleged by the claimant during the interview. The IPD researcher is the one aware and knowledgeable of the situations in the country of origin. However, as addressed by Anna Rivera, the UNHCR's officer with over ten years of experience conducting RSD interviews, sources of information used to assemble cases at the IPD are often outdated with references and reports dating to the 1990s and early 2000s (Interview with Anna Rivera, Quito, November 2018). She also heard many stories from Colombian asylum seekers who had to fill in the interviewer at the IPD about the geographical location, the socio-political situation, or the armed conflict's history and dynamic in their region of origin:

“If the IPD officer is not familiar and up-to-date with the claimant’s country of origin, the interview will lack clarity and effectiveness [...]. The situation in Colombia is constantly transforming and spreading in new zones, armed groups and smaller criminal gangs are substituting the former guerrilla bands and adapting their criminal activities to the particular region. There is always something new to learn about the ongoing conflicts, especially Colombia (Interview with Anna Rivera, Quito, November 2018).

This issue was also raised by asylum seeker participants. During their RSD interview at the IPD in January 2017, Valeria and her mother indicated the region from where they were forcibly displaced, but the officer made Valeria repeat several times and then said, “never mind I will look it up”. Valeria further explains:

“I was preoccupied because if he does not know where I come from how will they know that we all had to leave after the massive massacre. I mean, they were going from house to house killing everyone, we had no choice but to run [...]. They told us that there was peace now in our country and we did not have to leave Colombia because it was “safe” now” (Interview with Valeria, Quito, November 2018).

IPD officials should be knowledgeable of asylum seekers’ country of origin; not only is it time efficient (to better understand asylum seekers’ full story), but it can also prevent any risk of transcribing erroneous information on the case and rendering an unfair decision. This is especially important considering that the violent conflict in Colombia has evolved considerably since the Colombian Peace Agreement, with new groups being formed to replace the former organization of the FARC guerrilla (Amnesty International 2017a; 2018; Gómez Polo 2019; International Crisis Group 2017; RWR 2018; Johnson 2019; Phelan 2018).

(2) Uncaring RSD Officials:

According to the UNHCR’s guide for Interviewing Applicants for Refugee Status (RLD 4), it is important that the interviewers “assume a caring attitude and provide a setting that encourages the applicant to communicate. [They should] try to provide a comfortable physical environment for the interview, and establish a good impression by greeting the applicant and addressing him or her throughout the interview in a respectful and attentive manner” (UNHCR 1995, p. 6). Unfortunately, most asylum seeker participants highlighted that the attitude of the interviewer was uncaring and disrespectful. Camila, a Colombian claimant fleeing from the Pacific Coast of Colombia with her four children and husband, explained: “[Their] attention is very

dispirited, they are very apathetic. [...] When you talk they cut you in the middle of what you are saying. They do not care much about how we feel. Very apathetic” (Interview with Camila, Quito, November 2018). Another claimant also commented that “[...] they do not have a humanitarian approach. They do not care much about what we do or who we are” (Interview with Antonio, Quito, November 2018). He also noted:

“There is a worker who does not like to attend men, he only attends women and that’s it. I was there all day waiting for the list of women to end. Like, he likes to make women fall in love with him. Because that’s how he likes it, to annoy men. I saw it myself, everyone knows that. For example, there are all the papers, and he takes in order all the women at first” (Interview with Antonio, Quito, November 2018).

Moreover, asylum seeker participants described the RSD interview room as noisy and crowded. Many interviews could take place at the same time; IPD staff would walk in and out of the room, and interviewers would move around during the interview. This is against UNHCR recommended procedures, where confidentiality is seen as an essential condition, since testimonies may cover information which applicants have not even revealed to their closest family members (UNHCR 1995). The UNHCR also highlights that any distraction should be avoided while the interview is taking place, including telephone calls or interruptions by other people. Yet, IPD officers have been criticized by most of the participants for being distracted – i.e. preparing tea or chatting with colleagues – while the claimant was talking to them. One refugee participant noted: “She had no idea what I was talking about because she was not listening” (Interview with Mariana, Quito, November 2018). The UNHCR has also been working on several cases where asylum seekers indicated that they were constantly cut off and told to stop lying by the IPD interviewer (Interview with Anna Riviera, Quito, November 2018).

On top of the noise and other interruptions during the RSD interview, IPD officials have been criticized for asking intrusive and irrelevant questions to asylum seekers. For example, the director of the Misión Scalabriniana mentioned that he was working on a case involving a woman who had been asked by the male RSD interviewer about her sexual life and preferences (Interview with Guillermo Rovayo, Quito, November 2018). The resettlement assistant from the UNHCR disclosed the exact same anecdote when she was asked about the quality of RSD operations at the IPD (Interview with Anna Rivera, Quito, November 2018).

(3) Inconsistent RSD Decisions:

RSD decisions are very inconsistent in Ecuador. This can be observed in the inaccurate transcription of asylum claims by some officials conducting interviews and the prioritization of larger family groups. Out of the ten asylum seeker participants, eight expressed concerns that their interviews with the RSD official had not been correctly transcribed. Hugo, a Colombian claimant whose claim was later denied by the IPD in Ecuador in April 2019, explained:

“Well, they did my interview, and my wife's interview [...] I wanted to read what he had written and [...] there was something that I had not said, he had stated that I was displaced from somewhere else, and did not write the details of what happened to me, he skipped a lot of important information. Four days later they called me in emergency, I went and again they did another interview, me and my wife. And he asked me about a man and he said, “you do not know this man?” I'm very sorry but I have never spoken to this man nor have I even heard his name. I think they were taking me for someone else. [...] about 8 days later they gave me the humanitarian visa. I felt like they wanted to screw me over or like they wanted to write things I had not said that they could send me back home” (Interview with Hugo, November 2018, Quito).

Diego, who was first interviewed in Esmeraldas, a city on the pacific coast of Ecuador, and who was appointed for another interview in Quito after he fled from Esmeraldas, was one of the few participants to have a positive experience at the RSD interview with the government. He explains:

“The one who did my interview, because we hear many stories of cases and we were told that there was an official who sometimes denied refugee cases and even in the course of the statement that one gives, that this official would write things that one did not say so that they could deny the case. Fortunately, as I said, I was lucky, thank God, I was served by a person who treated me very well, he never told me a bad sentence or he did not speak to me with a bad tone. Well, I speak on my part” (Interview with Diego, Quito, October 2018).

Most asylum seeker participants noted that IPD officials made an awful short summary of the interview in their transcription, overlooking key details of their case. Another problem, depicted by Manuel García (the UNOPS consultant working at the IPD), was that decision makers tend to favour cases of large family members since interviewers' submission quotas are based on the number of claims they submit. The work dedicated to the submission of the case of several family members is almost equal to the amount of work dedicated to the case of an individual

claimant. Losing the humanitarian approach, officials are thus feeling the pressure to satisfy their superior's demands and increase their submission quotas (Interview with Manuel García, Quito, November 2019). As a result, interviews tend to be a lot shorter and less detailed, and cases involving more asylum seekers can be prioritized over smaller family groups or individuals.

In sum, asylum seekers face numerous challenges when attending the RSD interview. First, IPD officials conducting interviews lack important knowledge of the situation of the claimant's region of origin at the moment of the interview. Therefore, Colombian asylum seekers have to educate the interviewer on the geographical localization, the socio-political situation, or the armed conflict's dynamic in their region of origin. This unawareness on the part of the IPD officials contributes to time inefficacy, mistaken transcriptions, and unfair decisions. Second, IPD officials have been criticized for being rude and inattentive during the RSD interview. Finally, RSD decisions are highly inconsistent as IPD officials' decisions are influenced by their indolent transcription of the RSD interview and given the precedent granted to larger family groups awarding IPD officials with superior submission quotas.

3.1.3 – Long Delays in Decisions and Visa Renewal

In Ecuador, once asylum seekers complete a refugee status application, they receive a humanitarian visa that accredits them as an asylum seeker, pending a decision on their refugee status determination. In law, “the humanitarian visa [has] a validity of ninety (90) days, extendable for a single time, for a maximum of thirty (30) additional days when the case requires greater elements of judgment for its decision, in which the case will be resolved” (OLHM, art. 101, February 2017). In other words, the government now has a maximum of one hundred and twenty (120) days to render RSD decisions.

However, this timeframe is not respected in Ecuador as the average waiting time for asylum seekers is “at least two years” (Interview with Guillermo Rovayo, Quito, November 2018). Eight of the ten asylum seekers interviewed for this research project arrived after the implementation of the OLHM and had been renewing their visas for an average period of one year and a half at the time of their interviews in November 2018. The lawyer, interviewed, commented on the estimated number of asylum seekers whose cases are pending:

“How many people remain as asylum seekers for more than 120 days, which is what the law supposedly allows. We are talking about 170,000 people, and that is the data that the Ecuadorian Government does not want to deliver to the public. We have that data confidentiality, it is a confidential source” (Interview with Guillermo Rovayo, Quito, November 2019).

There are two main problems related to the extended time frame of the RSD process. First, the unclear timelines for issuing RSD decisions undeniably contribute to asylum seekers’ insecurities, as they have no indication as to when they will receive an answer regarding their asylum claim. In a first instance, they are notified they will receive an answer in the following three months, and then they are seemingly forgotten in this administrative silence with very limited access to information. The lack of transparency of the Ecuadorian Government regarding the expected and actual timeframe of the RSD was considered as the most frustrating aspect of the RSD process according to asylum seeker participants.

“The ministry makes the refugee process much more complicated. [...] This is the most frustrating part of the refugee application process. They don’t give us information, make us wait forever, as we believe they forgot about us and we don’t know when we are going to have to leave” (Interview with Camila, Quito, November 2019).

A second issue is that asylum seekers in Ecuador have to renew their humanitarian visa every three months until they receive the refugee status decision. Instead of renewing their visa once, if the administrative process requires additional time to render a decision, asylum seekers must return to the Ministry four to eight times since they have arrived in Ecuador. Valeria who has been in Ecuador for close to two years explained:

“We have to go to the ministry every three months to renew it (humanitarian visa), but I do not know until when we have to present ourselves there. We have been here now for almost two years and nothing. They only change our card, take another picture and that's it” (Interview with Valeria, Quito, November 2019).

The process of asylum seekers having to renew their humanitarian visa every three months is very stressful and time consuming. First, asylum seekers must renew their visa at the single IPD office in Quito, which means that some of them must travel far from their homes to the center of Quito and must wait there all day long with their children. Second, if asylum seekers cannot renew their visa in time, they become out-of-status, making them vulnerable to deportation and to arrests

by the local police, who are often not aware of this lengthy administrative procedure. Camila explained the complications she faced when she tried to renew her visa:

“[...] On December 2nd, we have to renew the ID card (humanitarian visa) because every three months it expires and needs to be renewed. But when we had to renew it two months ago they told us that we had to return in 15 days because at the moment they were low staff, and no one could attend me. Then they gave us a document so that we could return in 15 days, we left and had to live with an expired visa during this whole time. When we came back 15 days later, they gave us the renewed visa” (Interview with Camila, Quito, November 2018).

Another asylum seeker explained:

“[...] They told me that with this card (humanitarian visa) I was in a refugee process and that every three months I had to return to renew my card. If it takes too much time to change the card, you can have problems or be deported because the document is not valid after three months. I think they do it to see if you are still in Ecuador [...] because there are people who sometimes return to Colombia because they cannot find work here. I do not know. But I've heard that sometimes people go to the Ministry to renew the card and they only have an appointment for one week later. I do not know why they do that. Maybe so that they have a reason to deny them refugee status if they do not present themselves to their appointment” (Interview with Diego, Quito, October 2018).

This claimant is not the only one believing that the Government of Ecuador is scheming against asylum seekers by making the RSD process longer with stricter requirements. Indeed, the three-month renewal requirement is often viewed by asylum seekers as a way to discourage them from continuing with their refugee claim application. The maximum delay permitted by law to render a RSD decision is not respected in Ecuador: this affects asylum seekers' levels of anxiety regarding the outcome of their refugee status determination process and amplifies their vulnerability as they can easily lose legal status. Combined, these factors incite great distrust of the asylum-seeking population towards the Ecuadorian Government.

3.1.4 – Facing Rejection in Quito: What Next?

In September 2019, the MREMH began sharing statistics on the number of refugee applicants since 1989 (MREMH 2020). This public data reveals that acceptance rates increased from less than 5 percent in 2014-2017 to 39 percent in 2018-2019 (MREMH 2020; Pugh et al.

2020). Another recently published report claimed that between January and February 2020, 19 percent of refugee claims were accepted in Ecuador (MREMH 2020).

However, according to non-governmental sources, acceptance rates are not that high in practice. A study conducted by the UNHCR and Harvard's Center for Health and Human Rights found that the large majority of asylum seekers in Ecuador are denied at the admissibility phase conducted by the IPD, who are clearly not included in the government's statistics (Donger et al. 2017). There is no clear data regarding the total number of asylum seekers denied protection by the Government, nor is the public informed about the reasons behind these negative decisions. There is also consistent disagreement on the number of asylum seekers on the Ecuadorian soil. Non-governmental sources estimate that in 2019 there were between 175,000 and 230,000 asylum seekers present in Ecuador (Asylum Access Ecuador 2019; HIAS 2019). Although the Ecuadorian government does not share official data on the number of claimants currently in its country, one governmental report suggests that during a 31-year period (from 1989 to 2020), only 242,102 individuals sought asylum in the country (MREMH 2020).

Obtaining reliable statistics on claims for refugee protection made in Ecuador has been extremely difficult. Although the Ministry of Foreign Affairs and Human Mobility (MREMH) has become more transparent regarding certain data since 2019, the available statistics on their website are not reliable and very confusing. In addition, there is very little trust regarding the accuracy of government statistics on the ground (Interview with Guillermo Rovayo, Quito, November 2018). For these reasons, I do not consider these statistics on the admissibility rate as presented by the government, which presents only a fraction on the real picture in Ecuador. The interview conducted with Guillermo Rovayo, who did not trust published statistics by the government, revealed to be pertinent on this matter. In his opinion, Ecuador could have the highest refusal rate in the world:

“[...] let's talk about the percentage of denials. In 2009, the [...] was 49 percent [...]. As of March 2018, despite the fact that they have not given us the official numbers, the percentage of denial is 87 percent. It doubled in less than six years. So, let's see if we have the largest number of refugees in the Latin American region, but we also have the highest denial rate in the world, not in Latin America, but the highest in the world (Interview with Guillermo Rovayo, Quito, November 2018).

Despite official figures, the International Protection Directorate (IPD) now uses the peace process to deny protection to an increasing number of Colombian asylum seekers. As violence grows in Colombia, confusion occurs and many Colombians strive for visa alternatives, such as through work visas, which are currently more accessible to them.

(1) Peace, a Reason to Refuse Asylum Claims?

Following the signature of the Colombian Peace Agreement, the Government of Ecuador has started to reject an increasing number of Colombian asylum claims on the basis that peace has been attained in Colombia. However, the Colombian conflict has become more violent since then (see the next section), and non-governmental actors are witnessing biased interpretation of the peace process by the IPD. This research participant explains:

“Now, the problem is that many of the Colombian appeals that we are attending during this time, are based on the idea that there is already peace in Colombia [...] and because peace programs have been implemented. [...] It does not mean that we disagree with the peace process [...] but we should continue the dialogue efforts, with the ELN and [...] other armed groups. [...] the lack of dialogue and implementation is the reading that has mostly affected us and why we say we have seen so many denials [...] of Colombians, where the justification is simply that: “No, there is an agreement and there is already peace. We are all good, and nothing is happening in Colombia.” (Interview with Guillermo Rovayo, Quito, November 2018)

The reasons for refusal provided to asylum seekers are poorly motivated and ambiguous, and this is particularly problematic in a context where the IPD’s database on country of origin information (COI) is known to be imprecise and not up-to-date (see above, section 3.1.2). The quality and accuracy of such database can play a determining role in achieving the aim of the refugee status determination that “similar cases should receive similar outcomes” (EASO 2019). On the field, stakeholders are aware of this problem. The UNCHR resettlement officer affirmed that the UNCHR in Quito had a team composed of two to three interns, constantly updating their database, but that at the IPD office they were poorly trained in this field, using outdated references (Interview with Anna Rivera, Quito, November 2018). The lawyer from Misión Scalabriniana criticized this situation:

“We have some cases [...] of Colombians appealing to their negative decisions in which the reasons for denial say: “the applicants keep a clear, linear and coherent story. There

are certain inconsistencies, however, it does not affect the background of the story. Therefore, the credibility analysis is positive. In the present case, it has not been possible to corroborate what was stated by the applicants of information from the country of origin” [...] but we do not have information about the region of origin, this city is currently under a certain peace mission program” [...] “therefore there is already peace in your region of origin and that is why you cannot get asylum in Ecuador”. This is what asylum seekers are told” (Interview with Guillermo Rovayo, Quito, November 2018).

Similarly, this is what Maria Jose from HIAS expressed with exasperation:

“I have seen that [...] denials are now super badly motivated. So, for example there is a case of people who have been victims of direct persecution by other armed groups in Colombia, but were denied [...] the IPD then claims, “we recognize that there is such a group that persecutes these people, but it cannot be the accepted case because the information cannot be corroborated in this region [...] so they are denied because they have not been able to find the new group that operates in Colombia. Then they are super badly articulated” (Interview with Maria Jose, Quito, November 2018).

(2) Work Visas: An Alternative for Colombians in Need of Protection

Given the increased refusal rates for Colombian asylum seekers, a higher number of Colombians are simultaneously applying for the MERCOSUR visa, a visa that provides them with a free work permit while in Ecuador.³ Key informants from the research project led by the UNHCR and Harvard’s Center for Health and Human Rights (2017) indicated that the visa is appealing to Colombians who would qualify for asylum as it has fast application times and carries less social stigma than the humanitarian visa. One of the main findings of this research affirmed that the MERCOSUR visas are considered an alternative for Colombians in Ecuador who may not gain or renew refugee status following the Peace Accord (Donger et al. 2017; Duoos 2015; Ramírez et al. 2017; MREMH 2018).

In addition, since the implementation of the OLHM in 2017, it became possible for asylum seekers to apply for the MERCOSUR visa while claiming asylum. They can now be part of both

³ The visa was made available in 2015. It carries minimal requirements and is available to nationals of the country members of the MERCOSUR Latin American regional bloc; the agreement covers citizens of Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, and Uruguay. The application fee of \$230 US dollars has been waived for Colombian citizens (Donger et al. 2017).

programs. Consequently, with increased denial rates of Colombian asylum seekers on the field, the worker from HIAS explained how asylum seekers are encouraged to apply for the MERCOSUR visa as they have more chances of obtaining the work permit in Ecuador (Interview with Maria Jose, Quito, November 2018). However, the economic solvency requirement for MERCOSUR renewal presents a significant barrier for long-term viability that may exclude many indigent refugees in renewing their expired visas, leaving them undocumented and vulnerable to deportation (Donger et al. 2017; Duoos 2015). Aware that this two-year work visa is not adequate protection for people in need and cannot be renewed, people have no choice but to find alternative options after two years have passed, anything to obtain a legal status.

Another problematic element from the OLHM, as the government of Ecuador was expecting fewer asylum claims, was underlined in article 90 that “international protection is a *subsidiary mechanism* aimed to assure egalitarian access and the exercise of the rights of people who enter Ecuadorian territory” (OLHM, art. 90, 2017). The word “subsidiary” in this article generated a lot of confusion. Especially in refugee claims where the government could justify the denial of the case on the fact that the international protection would only be an alternative to a work visa, such as the two-year MERCOSUR work visa and other dependent visas for those with family connections in Ecuador. Guillermo Rovayo defended that:

“Colombian appeals that we are attending during this time, are based on a supposed idea that there is already peace in Colombia [...] at the moment of saying, “and tell me legally for which reasons this decision is based on?” [...] they tell you, “Ah, peace is the main justification, and secondly, protection mechanism is now *subsidiary*”. [...] you end up generating all the chaos of entanglements that are currently existing. Because legally [...] the subsidiary means one thing in law; “the secondary,” “the accessory,” “what it is attached to something else that is primary.” So, if claiming refuge is considered normatively as subsidiary, what is the main purpose of asylum?” (Interview with Guillermo Rovayo, Quito, November 2018).

The Peace Agreement clearly pushed the Government of Ecuador to make important changes regarding claims for refugee protection from Colombian asylum seekers. However, substituting international protection by a temporary work visa was not the right solution to adopt as violence kept growing in Colombia.

(3) Safe Return to Colombia?

The situation in Colombia is still dangerous. FARC dissidents, and other armed groups, such as the National Liberation Army (Ejército de Liberación Nacional, ELN), paramilitaries, and organized criminal gangs, continue to operate in all regions (UNHCR 2017b; UNHCR 2018; UNCHR 2020; Alsema 2019; Alsema 2020; Johnson 2019; Human Rights Watch 2018; OBS 2018; Pugh et al. 2020). The Migration Policy Institute confirmed in a recent publication that: “[...] three years after the agreement, security has not improved enough for Colombians to contemplate returning” (Pugh et al. 2020). Yet, after the Colombian Peace Agreement, the IPD asserted its position that it is safe for Colombians to return to their home country and that they actually do:

“According to officials, Colombians always end up going back to Colombia, especially if they are alone [in Ecuador]. They do not see the motive of giving certain person protection when they know that these persons will probably go back to Colombia, especially if they are travelling alone and do not have family in Ecuador” (Interview with Manuel García, Quito, November 2018).

However, as research shows, despite the Colombian Peace Accord, 91 percent of Colombians in Quito do not plan to return to their country of origin (Donger et al. 2017). For most asylum seekers interviewed for this research project, the idea of returning to Colombia brought fear to their eyes. Sara, a mother of four, worried about being deported to Colombia:

“[...] They believe it is legit to deport us back to Colombia, because they say that there is peace [...]. The Peace agreement is a lie, that is only because the president won the Nobel prize but this is a war that is not ending. We cannot go back to Colombia because no one is in safety there. Worse for my children, because when they mess with your children, you have to leave. You do not leave because you want to, because you have to. [...] there is no peace in Colombia. My brother was cut in pieces there. I had to take my brother's body out of the house piece by piece. That's also when they raped me. That is a life that nobody deserves. [...] you cannot trust the police. They always threaten us, and we do not know if they are accomplices or if they are real policemen. (Interview with Jorge and Sara, Quito, November 2018)

Guillermo Rovayo from the Misión Scalabriniana also expressed concern over the rising levels of violence in Colombia:

“I do not know in which head, or which officials from UNHCR or the MREMH can believe that Nariño is pacified by a Peace Agreement. When in the first 4 months of the year 2018, 169 leaders, peasants, human rights defenders, were killed. [...] it means more than 40 per month, more than one per day. Show me a country in the world where the rule of law allows only one murder per year, not one per day but one per year! [...] Your example, Canada. What would happen if the Prime Minister endured the killing of a citizen within his territory in one year? [...] the neighbouring countries would claim that Canada is at Peace? [...] It's impossible. And we are supporting the killing of human rights defenders every single day. [...] Let's go to the other side, we go to Putumayo, “pacified zone.” Totally pacified, according to the Colombian Government. Where now you have, according to unofficial records, at least 16 armed groups, between dissidents and paramilitaries controlling the main roads of La Hormiga and La Dorada. A road as small as 30 kilometres [...] that was more pacified when there was no peace agreement. (Interview with Guillermo Rovayo, Quito, November 2018)

In sum, the International Protection Directorate (IPD) is using the peace process to deny protection to an increasing number of Colombian asylum seekers. As a consequence, Colombians strive for visa alternatives that are more accessible to them, such as the MERCOSUR visa. However, substituting international protection by a temporary work visa is not the right solution to adopt for Colombians who need international protection and clearly cannot be sent back now to their country of origin.

3.2 – Issues Regarding Asylum Seekers’ Rights

Ecuadorian legislation highlights a series of rights and protections for asylum seekers. They “shall receive the necessary orientation on the [RSD] procedure, including the appeal phases in a language and way they understand” (OLHM, article 99.3); and they have the right to be represented by a lawyer or to be assisted by a psychologist during the RSD interview (OLHM, article 102, p. 30). As for children and adolescents, they are also entitled to specific procedural guarantees to assure their best interests (OLHM, articles 99.7 and 99.8, p. 29). Finally, under the Ecuadorian law, the humanitarian visa that asylum seekers receive should allow them to access multiple services. However, none of this happens in practice; asylum seekers in Ecuador are misinformed on the RSD process; they are very rarely assisted by a psychologist or by a lawyer during the RSD interview (even children and people with significant traumas). As for best interest assessments (BIA) for children, they are often neglected by the IPD.

3.2.1 – Unaware of their Rights as Asylum Seekers

Contrary to what the law stipulates, most asylum seeker participants did not receive any information on the RSD process from the government. In fact, the few ones who received information concerning the RSD process received it from non-state organizations such as HIAS, Asylum Access Ecuador, or Misión Scalabriniana. There is no publicly accessible document that is promoted and enforced for asylum seekers to understand their rights. Also, asylum seeker participants noted that their rights were not explained to them during the interview. This one participant noted:

“Yes, since I was a leader there in Colombia, I was very well informed on how the system worked here because I helped people to come here (Ecuador) before. I know my rights and I know the options that are open to me, that is to say very few but I know them. The Ministry did not explain anything, nothing, nothing” (Interview with Jorge and Sara, Quito, November 2018).

Colombians fear being sent back to Colombia if they ask for this information to authorities. They distrust Ecuadorian authorities as much as Colombian authorities,⁴ and this results in a situation where asylum seekers prefer to obtain such information through other non-governmental organizations. Unfortunately, the Colombian Peace Agreement contributed to this overall lack of information of Colombian asylum seekers, since the Ecuadorian government decreased important funding for NGOs, making their access to legal services even scarcer.

3.2.2 – Difficult Access to Legal Representation and Psychological Assistance

Legal representation before and during the RSD interview is important to ensure fair and transparent RSD procedures, and to strengthen the quality of decision-making (UNHCR 2016a). It also assists in an enhanced identification of international protection needs of asylum seekers by helping them put forward all the information relevant to their refugee claims, as well as discourage

⁴ One of the open questions asked to asylum seekers for this research project addressed the level of trust the Colombians had in the Colombian and Ecuadorian authorities. They had to rate both authorities on a scale of 1 to 10, 10 being the best score. Unsurprisingly, Colombians would categorize the Ecuadorian authorities with the same distrust they have for the Colombian government (see Appendix G: Interview guide with asylum seekers).

the submission of false claims by dismissing misguided or manipulated information, and thus contributes to the efficiency and expediency of the RSD process (UNHCR 2016a). In Ecuador, although the law recognizes the right to be represented by a lawyer (Regulation of the OLHM, art. 82, p. 41), however, in practice asylum seekers are not permitted to be accompanied by a lawyer during the RSD interview. In specific cases involving minors or unaccompanied children, a psychologist or a social worker from the IPD is allowed to assist in the interview –as a support to asylum seekers– but only at the request of the asylum applicant (Interview with Guillermo Rovayo, Anna Rivera and María Jose, Quito, November 2019). The government also agreed to provide legal representation through the public defender’s office for asylum seekers requesting assistance in the status-determination process, a service previously available only through private attorneys and non-governmental organizations (NGOs) (Pugh et al. 2020). In practice, however, this is not happening.

Asylum seekers would highly benefit from the assistance of a legal representative before and during their RSD interview. Many asylum seeker participants noted that they felt overwhelmed by the legal terms used during the RSD interview. Because they were not aware of their rights as asylum seekers, they could not reach out to available resources. There is a specific case of a woman interviewed in this research project who was very well prepared by the non-governmental organization named Asylum Access in Ecuador (AAE). Considering the complexity of her family’s case, with severe assault and forced recruitment of minors, the social worker who attended the interviews insisted that they had the right and should require to be assisted by a psychologist during the RSD interview, especially for the two minor boys. This request resulted much more complicated:

“Asylum Access Ecuador (AAE) demanded that a psychologist attend our interview. They also told us that the Ministry would try take advantage of the fact that we are a big family and make us impatient to finish with the interviews [...] At first, the ministry did not accept that a psychologist assists our interview [...] but the AAE warned us that I had to insist on the fact that I would not start the interview until the psychologist would be present. Then they said that the psychologist was busy and then we stayed at the Ministry all day long because there were 7 of us, we are a big family. But better said, they made us go through a ton of inconveniences, of hindrances. They told us how we were many that we were going to take a long time in the Ministry and that the psychologist had not yet arrived, so that we could start without the psychologist or take us out of the process. The ministry makes the refugee process much more complicated. After a lot of argumentation,

they accepted for us to be accompanied by the psychologist” (Interview with Camila, Quito, October 2018).

The asylum seekers who are assisted before attending the RSD interview are more knowledgeable of their rights, mentally prepared, and know what to expect. According to Anna Rivera (UNHCR’s resettlement assistant), a psychologist or social worker present at the RSD interview enhances emotional support and lowers levels of anxiety when the applicant is recounting what happened in Colombia. In such interviews, the psychologists act as social workers; they support asylum seekers and tell them to take their time. The psychologist also has the right to stop the interview if the applicant is not in the state to answer the questions. The few families who received such support were relieved of the support they received. However, the number of families attended by a social worker or a psychologist remain completely unknown, even to the UNHCR (Interview with Anna Rivera, Quito, November 2019).

Other asylum seekers who did not receive this assistance prior to their RSD interview, may have highly benefitted from being more aware and informed of their rights as asylum seekers in Ecuador. This is demonstrated in the case of Jorge, his wife, Sara, and her children, who arrived in Ecuador in April 2018. The mother had already claimed asylum in Ecuador twelve years ago. She came in 2006 with her two older children and since she did not have permission from their biological father, the Ministry of Foreign Affairs and Human Mobility (MREMH) threatened to deport her children back to Colombia. She came back more recently, with Jorge and her children. They were forcibly displaced from Buenaventura in Colombia as they could not pay the war tax⁵ anymore leading to a violent assault in their home followed by several death threats (Suárez 2000).

The family required legal assistance prior and during their RSD interview, considering that three out of four of their children are either mentally or physically disabled and suffer from great trauma. The family would have benefitted from a lawyer who would have prepared them for the

⁵ Guerilla and paramilitary groups collect taxes to the sectors of the Colombian economy. In fact, in areas controlled by armed groups there are scarcely any businesses that do not pay tribute to these armed groups. Refusal to pay these forced contributions can result in the kidnapping of business owners, family members or officials of an organization (Suárez 2000).

interview and made them aware that they needed a letter from the biological father or that they could have asked for a best interest assessment (BIA) to determine the best interests of their children. The family would also have benefitted from the assistance of a psychologist or social worker during their interview, especially for Sara's children who did not understand the situation they were in. Jorge explained the problems faced by the children during the interview:

“She (Sara) appeared in the system, but the children and I were not registered. They told us that we had to ask the children's biological father's authorization for them to be in Ecuador, a paper that would give them a permanent permit to stay legally in the country, but that is impossible for us to get. They told us that the elder could not receive the status here, since he was a person major of age and has a psychiatric illness, schizophrenia, when they asked him why he was here in Ecuador he responded that he did not know why, he said because he had to come with his mother, but that he would rather stay in Colombia. We did not tell him exactly why we had to leave. We did not tell him that they were going to kill us, not to a person who is mentally ill. We cannot cause him so much damage. [...] Then they threatened that they would deport my children out of Ecuador, because they were without the fathers' permission” (Interview with Jorge, Quito, November 2018).

Although Jorge received his humanitarian visa, the IPD did not provide documentation for his stepchildren. The IPD requested letters of permission from the children's biological fathers and if these were not provided, they would be asked to leave Ecuador. This case is complex and sensitive because Sara had four children in Colombia with three different fathers, with whom she does not communicate, especially with one of the fathers whose daughter is the outcome of a rape. In such sensitives, asylum seekers must have legal resources they can use to be recognized as legal guardians of their children; however, as discussed in the next sections, the majority of asylum seekers in Ecuador do not have access to these resources because they present their claims autonomously.

While this family was preparing to leave Ecuador, another Colombian family informed them they could get free legal aid from the Norwegian Refugee Council (NRC), an NGO in Ecuador working with people affected by displacement to claim and exercise their rights. The NRC interviewed all the children to determine their best interests and wrote a letter of support identifying Sara, as their legal guardian. The family presented the documents to the MREMH, and three months later during my interview with Jorge, his family was still waiting for the children's humanitarian visas to start the school enrolment process.

As one participant noted, the profile of Colombians seeking asylum in Ecuador has changed in the last few years:

“In 2017, the profile of people who were arriving was changing a little. Many more survivors of torture are coming [...]. What we presume is because there is more direct violence. So, a lot of these people come [...] persecuted by other groups that we thought were disjointed [...]. So many more cases are coming in that way and you see much more violence. Before there were more people arriving by extortion, internal displacement [...] and who could not stay there. They are still arriving, but not as much as the torture survivors. And that is very dissimilar [...] because the majority, because of the peace agreement thinks that the violence is low. And if, for example, we take the cases of Guatemala and El Salvador, in the first years after the signing of the peace agreement, violence rises, direct violence. And that's because there are obviously dissidents, and then there is a conflict and then there is much more violence. Like right now it's a hot moment” (Interview with Maria Jose, Quito, November 2018).

It is clear that these persons need psychological and legal assistance to present their claims. However, despite UNHCR's recommendations in this area (2004), very few of these applicants are able to obtain such assistance. According to Guillermo Rovayo, officials at the IDP do not assist asylum seekers in finding recognized NGOs for legal assistance or other resources. In fact, information on assistance is often obtained at the bus station or heard through the grapevine by other asylum seekers. The lawyer also denounced how asylum seekers are sometimes dissuaded by officials from obtaining legal help:

“On Thursday, June 21, 2018, one of the people I attend as a lawyer for the Scalabriniana Mission, attended the appointment of the installations of the International Protection Unit of Quito, located at Vicente Ramón Roca and Reina Victoria Streets, to carry out the respective RSD process. She was attended in a very lackadaisical manner. [...] As she was on her way out, they gave her the notice of inadmissibility to the RSD process [...] on the same day she was supposedly interviewed. At that moment, two officials told her: “How much is that lawyer charging you for this process? You'd better not pay him because you are wasting your time and you should save your money for another visa. That must be a corrupt lawyer.” [...] In this regard, I would like to clarify that as a lawyer of the Misión Scalabriniana of Ecuador, all the processes I work on are absolutely free. None of my cases were charged with this accompaniment. Nor is any type of influence traffic used and all processes are carried out by administrative or judicial means established in Ecuadorian legislation” (Documents provided during the interview with Guillermo Rovayo, Quito, November 2018/ Letter to Alfonso Morales, the secretary of the International Protection Directorate).

Difficult access to legal representation and psychological assistance in the RSD process diminishes the fairness of the RSD procedures and the quality of decision-making. Minors and unaccompanied children are even more affected by the absence of legal representation and psychological assistance. Their cases require more attention to define their best outcomes considering their disabilities and reconstituted family in Ecuador. However, such assessments are often neglected by the IPD.

3.2.3 – Child Protection, Not a Priority?

In Ecuador, there are several circumstances under which a BIA (Best Interest Assessment) is carried out during a refugee claim, including for unaccompanied or separated children, young adults at risk and family reunification (UNHCR 2018c). The BIA procedure requires the participation of the child and family members, who are interviewed to determine what would be the best outcome for the child's future (UNHCR 2018c). Article 2 of the OLHM stipulates:

“In view of the best interests of children and adolescents, in all processes and procedures lined with human mobility, the rules contained herein shall be considered, such as the principle of children and adolescents' specialization, the right to have a family, family cohabitation, and to be consulted on matters that affect them” (OLHM, art. 2, p. 5).

Since armed group violence in Colombia has occurred for approximately 60 years, many families have been separated and reorganized in different family clusters (Center for Health and Human Rights 2018). It is known in Colombia that many children are displaced and live with one or none of their biological or legal parents or might have several stepbrothers and sisters. This trend is even more accurate in more deprived regions, where neighbourhoods depend on one another for survival (Center for Health and Human Rights 2018). In some areas, it is frequent to live with an extended relative or even with a neighbour, who will become the child's permanent guardian without going through any legal guardianship procedure (Center for Health and Human Rights 2018). In the context of Colombia, it is thus impossible to adopt a “classical” (i.e., biological) approach to draw a family tree as Anna explained:

“It is not surprising for UNHCR and for the MREMH to receive reconstituted families, with children who barely know their biological parents and have been living with a specific guardian all their life. However, the problem with this type of family arrangement appears when the IPD receives one of many reconstructed families and needs to conduct

a BIA or a BID, but do not have any clear evidence that the child is in good hands with their permanent guardian. [...] it is always better when we have a letter of authorization from the biological parents, but often the letter is very difficult to obtain. We have alternative ways of justifying the relation of extended family members, but we can never be 100 percent sure” (Interview with Anna Rivera, Quito, November 2018).

Because Colombian families are frequently recomposed, it is difficult to understand family relations within RSD processes in Ecuador. Additionally, IPD officers in Ecuador often do not have the resources and time to undertake a proper BIA. Guillermo Rovayo, the lawyer interviewed for this research project, stated that cases requiring a BIA were often neglected and denied by the IPD, engendering family separation or even inadmissibility in Ecuador. He also underlined the generalization made by the IPD, that Colombians often fabricate their family relations to include more dependants in the principal applicant’s case (Interview with Guillermo Rovayo, Quito, November 2020).

The following example is one of a family of six, mentioned earlier, with a single mother asking for asylum with her four children and her husband, of which three have important disabilities. Her oldest child of 19 years has schizophrenia, the 17-year-old girl is paralyzed on the right side (she is the product of a rape that happened in Colombia), and the 12-year-old girl has TDH. The mother explained:

“We went to the interview and they gave us a date to return to receive the card (humanitarian visa). When we returned the second time, I explained that I could not have permission (authorization form) from the father of my son because he did not want to collaborate with us. Well, that's when they told us they were going to have to deny us all if we did not get the document from the father but he does not understand that if we do not get the visa, we would have become illegal in the country. And we have no choice but to stay because we did not have any money and we could not get out of here” (Interview with Jorge and Sara, Quito, November 2018).

In this case, a BIA would be necessary to define the best outcomes for the children considering their disabilities and reconstituted family in Ecuador. However, the IPD refused to perform the assessment to investigate the best outcome for the children’s future; instead they gave two options to the asylum seekers: (1) either they provide an authorization from the biological father of the children to leave the country or (2) they must return to Colombia.

3.2.4 – Unrecognized Documentation Provided to Asylum Seekers

In Ecuador, the humanitarian visa is the asylum seeker's official identity document. However, this piece of ID is not recognized by many public institutions' computer systems (this visa is an 8-digit ID number and is incompatible with the 10-digit ID number of Ecuadorian national identity documents), which significantly complicates and hinders any access asylum seekers to key services for asylum seekers, such as social security for employment, bank accounts or credit, drivers' licences, civil registry, etc. (Donger et al. 2017; Ramírez et al. 2017; Lohmuller 2016; Pugh 2018; UNHCR 2010). All financial institutions in Quito, with the exception of one branch of the Pichincha Bank, refuse to open bank accounts to asylum seekers or to refugees; a well-known problem during the past 20 years (Interview with Guillermo Rovayo, Quito, November 2018). The only initiative in Quito to ease access to financial services was made by HIAS. The NGO arranged with a specific branch of the Pichincha Bank, whose staff have been trained and made aware of the documentation used by asylum seekers and refugees. María-José, who was interviewed for this research project on behalf of HIAS explained:

“Now we have an agreement with Pichincha with a program called “Expert account for refugees” and they allow applicants with the visa to open an account. Not everyone wants to open an account with them. There are asylum seekers who manage amounts much more than 3000 dollars, but that account has a cap of 3000. If you have more than 3000, the bank won't let you put all that money in. Then it would be like opening a current account with 500 dollars. The problem is that they ask for the Ecuadorian IDs and they (asylum seekers) are stuck there. Then they have to wait to be recognized, wait for the Ecuadorian ID and open an account there. There are people who have managed to open accounts in other banks but under letters of recommendation from serious or fixed and known employers. I have seen that for example, there are employers who ask them to open an account to deposit money and they send a letter saying they work here and they will deposit money in the account. If they don't have such a job, which is often the case, there is no way of opening an account. That's super bad because there are also important protection gaps there. For example, asylum seekers who want to study, I have the case of a boy who won a scholarship that they were going to deposit in the bank. And he was unable to open an account as a recognized refugee and he could not receive the scholarship. That can be super negative. There were times that we accompanied them to the bank with an expert and that may work, but we do not have anyone in this position anymore. We have tried but the answer is the same, that is, if we are wearing a HIAS vest and everything. But each time they turn you around for the document number, because they don't have [...] an Ecuadorian ID” (Interview with María-José, Quito, November 2019).

Additionally, the majority of Ecuadorian employers and landlords are unaware of the existence of this ID, since its format is an identification card and not a stamp in a passport like all other Ecuadorian visas, often resulting in the rejection of Colombian asylum seekers' applications for work or accommodation (Oetzel 2018; Ramírez et al. 2017). Employment and housing are areas where asylum seekers mostly struggle with the humanitarian visa. All asylum seeker participants explained that they were not able to get employment with this visa. "The worst is that even if I possess a visa with which I can work, employers still ask us; "Do you have the Ecuadorian ID card?" "No, I only have a refugee visa". And from there they say no" (Interview with Diego, Quito, November 2018). Another participant who has a degree in television and marketing noted:

"Here (Ecuador) nobody asks for the visa because nobody knows what it is. I was in about 50 interviews at the shopping centres here in Quito, I passed all the psychometric tests, I have a bachelor, and then in the end I had to show a proof that I was legal in this country and I always took the copy of the humanitarian visa, and they always asked me again about my visa or my passport. I told them that I am a refugee, and they always asked me if that was a legal status in Ecuador. They always saw me as someone not reliable and illegal" (Interview with Valeria, Quito, November 2018).

This participant recounted several job processes she went through and was denied employment because of her immigration status. Before being displaced, she was employed by a successful company in Colombia, which enabled her to quickly move up in the hiring process at an industrial company in the North of Quito. She explained that she passed three different tests to finally receive a job offer as a buyer. However, after presenting herself at their offices to sign the employment contract, she was turned around when the company realized she did not have a passport or an Ecuadorian ID. Valeria was told by the hiring team that they would talk to the manager and call her back; she never heard back from them. Later, when she ran into a lady from the hiring process on the streets of Quito, she was told that they could not hire her because of her asylum seeker's status (Interview with Valeria, Quito, November 2018). Valeria is not the only one to experience such hardship in finding decent employment even though she has the qualifications to be hired. Sofía, who has a degree in social work and relevant work experience referred to her similar situation:

"We have tried, we have searched for work, but since we did not have the humanitarian visa for our first 4 months here, we could not do much. Now that we have the visa they tell us that we have to be Ecuadorian and if we are foreigners that we need a passport or a

visa, or the Ecuadorian ID. It is impossible to work legally here. Well, we started selling perfumes and things like that on the streets and in the parks, but the metropolitan police always take our stuff and we have to buy everything again. After a few months, we got tired so we stopped selling and started to wash car windows on the street (Interview with Sofía, Quito, November 2018).

The humanitarian visa generates important protection gaps where asylum seekers are not able to use the document to encounter proper employment and end up working on the streets of Quito. According to research conducted by the University of FLACSO and the UNHCR in Ecuador in 2011, 90 percent of asylum seekers work informally in Quito (FLACSO and UNHCR 2011; Asylum Access Ecuador 2014). The situation has not improved because asylum seekers are still unable to find work in the formal sector and are obliged to resort to informal employment (Donger et al. 2017; Jacobsen 2012). A 2017 research that involved interviews and qualitative surveys with 299 Colombian teenager asylum seekers reveals that 95.8 percent of the youth working in Quito works in the informal market (Donger et al. 2017). Similarly, all asylum seekers interviewed for this research project were employed informally selling food, clothes, and other products on the streets, where they experienced exploitative working conditions with no financial or personal security. Unfortunately, employment is not the only area where asylum seekers are limited due to the humanitarian visa.

Access to housing is a significant challenge for Colombian asylum seekers because landlords rarely accept the humanitarian visa as a valid identification document for apartment rentals. The document is not known by many owners, while several others would rather rent to Ecuadorians to justify their discriminatory decision to not accept the humanitarian visa. As addressed in the following chapter, the greatest challenge to access housing and employment is discrimination because these services are often offered informally (see section 3.1). Sofía, like many other participants, explains her precarious situation to find housing:

“Very difficult to find a place to live. They close the door to your face and do not even ask us for our papers to see if we are legal. We finally got an apartment because we had to cry in front of the lady who also had children to convince her. We told her that we were desperate and that we did not know where to go, she accepted to rent the apartment to us. Before that we had to sleep on the floor of the church and that was very difficult because of the cold there is now in Quito. And yes, finally the lady agreed to rent us. But because we are Colombians and because we are a big family it is extremely difficult to rent an apartment” (Interview with Sofía, Quito, November 2018).

However, according to the interviews conducted for this research project, only one out of ten participants found housing through the humanitarian visa. The landlord who accepted renting to her and her family demanded to see their legal documentation, recognized the visa, and took photocopies of their documents. For the other participants, they were asked for a deposit before moving in, but the landlords did not ask to verify their legal documents to stay in Ecuador.

Similarly, school boards do not always require the humanitarian visa for school registration, although less frequently, some schools accept the undocumented children. Some schools do accept the humanitarian visa to register children in school, others ask for the Ecuadorian ID or for the passport. The elementary education system is extremely volatile from one school to another, even if they are located in the same neighborhood or under the same school board, making enrollment to elementary school rather long and confusing for foreigners. María-José, the worker from HIAS, has also been working closely with the Ministry of Education in Ecuador, and provided clarifications on the Ecuadorian school systems:

“The problem is that as all public officials are trained on the issue of human mobility, regarding the law. So, for education, we have had a good relationship with the authorities of the Ministry. But not with those who do the direct attention in the districts. Sometimes with the visa they reject them saying that “we need an Ecuadorian ID card” and what we have had to do is send out our own Ecuadorian ID so that they can enter the process and from there it starts. But in the educational system we have had significant problems that vary a lot from one school to another for the absence of coordination from the Ministry of Ecuador” (Interview with María-José, Quito, November 2018).

Asylum seekers on a humanitarian visa have also to be very persistent to access health care. Asylum seeker interviewees explained that they would better access health care by presenting themselves directly to the emergency rather than by making an appointment through the 171 line. In Ecuador, any person who resides in the Ecuadorian territory regardless of the type of insurance he or she possesses, can call the 171 line to schedule an appointment at health facilities for first-level care (Ministry of Public Health 2020). The website of the Ministry of Public Health mentions it is preferable that callers have a valid ID number, however, it also states that anyone on Ecuadorian territory is entitled to this service even without this documentation (Ministry of Public Health 2020). Yet Colombian asylum seekers are often not successful over the phone, as the person on the line refuses to give them an appointment by claiming they need an Ecuadorian ID.

Most service providers in Ecuador are confused by the humanitarian visa. Because of the lack of acquaintance with this document, most asylum seekers face significant protection gaps where they cannot access essential services in Ecuador.

The rights and protections offered in theory to Colombian asylum seekers in Ecuador do not transfer well in practice. With a lack of enforcement of Ecuador's Constitution and Organic Law on Human Mobility, Colombian asylum seekers face significant setbacks navigating the refugee determination process in Ecuador. The current administrative procedures reveal that asylum seekers struggle to schedule an RSD interview, they attend unethical and subjective interviews, and are trapped for lengthy time periods in the RSD backlog with a confusing status. Colombian asylum seekers are also more vulnerable to inadmissibility and of being deported back to Colombia since the peace process has been implemented and that violence is growing uncontrollably.

The second part of the chapter examined issues regarding asylum seekers' rights, where the findings revealed that most claimants are unaware of their rights. This section also demonstrated how Ecuador is problematically not truthful to its legislation as asylum seekers do not have access to legal representation during the RSD process and that child protection is not made a priority as alleged in the Ecuadorian Organic Law on Human Mobility and its regulation. Finally, this chapter criticized the protection gaps associated with the humanitarian visa provided to Colombian asylum seekers, which is overlooked by most Ecuadorian nationals, including employers, landlords, financial institutions, many social service providers, and public officers.

CHAPTER 4 – EVERYDAY CHALLENGES IN THE CITY OF QUITO

Colombian asylum seekers have always faced everyday challenges in Ecuador; however, these challenges have become more significant since the signature of the Peace Agreement in Colombia. In this chapter, the daily lives of Colombian asylum seekers in the capital city of Ecuador are critically analyzed, with a focus on two specific aspects. First, the international and Ecuadorian responses to the Colombian peace process, reducing protection and resources available for Colombian asylum seekers who face increasing fear of persecution as violence in Ecuador has intensified since the peace process. Moreover, Colombian asylum seekers live in very precarious zones of the city, which often fails to safeguard them, leading to cases of forced displacement in and around the city of Quito. The second aspect sheds light on discrimination towards foreigners, most specifically towards Colombians who are held accountable for the soaring violence in Ecuador. With rising levels of discrimination towards Colombian asylum seekers, their access to basic services in the city of Quito and to formal employment remains problematic and severely limited.

The social exclusion approach is used in this chapter to interpret empirical data (Ibrahim 2014; Sen 1999; Volkert 2014). Such approach is relevant in this specific context as it highlights how social and power relations influence asylum seekers' access to resources and opportunities that impact their livelihood and wellbeing (Jacobsen 2014). In this chapter, the social and economic exclusion of Colombian asylum seekers is illustrated by their lack of access to critical resources, such as employment, health care, credit, educational resources, but also to neighborhoods that are accessible to them in Quito (Jacobsen 2014). Colombians are seen as distinct from the host Ecuadorian population due to differences of accents, language, race, and cultural practices (Pugh 2018). These characteristics differing Colombians and Ecuadorians, play a significant role in Colombian asylum seekers' life, relations with Ecuadorians and is an obvious source of deprivation, vulnerability, and poverty (Volkert 2014). Negative perceptions of asylum seekers in Ecuador lead to this constriction of space in which they are able to access resources, opportunities and livelihood that would help them become self-reliant (Easton-Calabria 2015). These challenges combined with their past experiences of violence, trauma, loss of family

members and community play a significant role in their ability to cope and overcome the challenges impeding them to rebuild their lives in the city of Quito (Cernea 1997).

4.1 – Quito: A Safe Place for Colombian Asylum Seekers?

Colombian asylum seekers indicated that they fear more for themselves since the implementation of the Colombian peace process, as a new wave of violence hits Colombia (Alsema 2019; 2020; InSight Crime 2019; UNHCR 2018a; Campos García 2017; Rojas Andrade 2016; Dussán 2018; Pugh et al. 2020). And yet, the Ecuadorian government and international organizations are paying less attention to their situation: the Colombian conflict was removed from UNHCR’s official emergency list (UNCHR 2020) and from the “Global Conflict Tracker” (Council on Foreign Relations 2020), and as result, international organizations redirected their resources to other emergencies, such as the four million Venezuelans who fled their country in the last three years (UNCHR 2020). This is contributing to an important protection gap for Colombian asylum seekers. Given the proximity of the Colombian border with the city of Quito, Colombian asylum seekers also feel less safe than before (Alsema 2020; RWR 2019; Donger et al. 2017).

4.1.1 – A Post Conflict Responsible Disengagement

Since 2000, the UNHCR has been operating in Ecuador with an advisory role to the government, collaborating with different government agencies that protect and serve asylum seekers and refugees. For example, they provide technical support, advice, and assist with monitoring and evaluation (UNHCR and Harvard FBX 2017). They also conduct advocacy and promote awareness-raising activities. Following the Colombian Peace Agreement, the UNHCR representatives indicated that the organization would go through a process of “responsible disengagement,” whereby responsibilities of the agency would be progressively handed over to the government and to civil society (UNHCR and Harvard FBX 2017, p. 12). The UNHCR stated that this process of disengagement does not imply that Colombian refugees must immediately return home, and that Ecuador “most likely will continue receiving Colombians seeking asylum” (UNHCR 2017c; UNHCR and Harvard FBX 2017). Nevertheless, the International Protection

Directorate, with this new mandate and in the course of reorganizing its workforce, is facing many challenges considering the unexpected increase of refugee claims they are receiving in Ecuador.

Moreover, the peace discourse contributes to the reduction of resettlement quotas from the UNHCR resettlement office in Quito, considering also that they have been turning their attention to Venezuelan refugees (Pugh et al. 2020). It was estimated that 370,000 Venezuelans lived in Ecuador as of September 2019 (Pugh et al. 2020; UNHCR 2020a). The UNCHR associate working for the resettlement unit in Quito confirmed that after the signature of the Peace Agreement, New Zealand and the United States reduced considerably their resettlement quotas for Colombians in Ecuador and that Canada completely closed down its resettlement program for Colombians. The scarcity of third countries willing to accept refugees for resettlement after the signature of the Peace Agreement was deeply felt by Colombian asylum seekers in Ecuador (Pugh et al. 2020), who see resettlement as the only chance of future emancipation and chance at a decent life. This frustration caused dozens of Colombian protesters to set up camps in front of the UNHCR office in Quito in 2019, demanding attention to their cases or requesting resettlement to a third country. Unfortunately, “their success was limited, and the media coverage was mostly unfavourable” (Pugh et al. 2020).

Additionally, the Ecuadorian government turned its back to the victims of the Colombian conflict and as a result, local NGOs working with newcomers saw their funding decrease drastically. This is demonstrated through the non-governmental organization Asylum Access in Ecuador (AAE), which was the main organization in Quito providing individualized advice to asylum applicants, helping them navigate the refugee status determination and access rights protected by Ecuadorian laws. The AAE also helped asylum seekers and refugees resolve other human rights violations. In late 2012, the NGO established itself in seven additional locations, including three towns along the Ecuador-Colombia border, where most Colombian refugees enter the country. As of 2017, they slowly started to eliminate certain positions and they were hiring under short determinate contracts, to finally close down completely the Ecuadorian division of the organization (Interview with Guillermo Rovayo, Quito, November 2018). Unfortunately, they closed down in June 2018 due to a lack of funding. An interview for this research project had been planned with one of their lawyers, however, at the time of the interview, the organization was already out of service. The unfortunate part is that urban refugees in Quito are not supported by

the government, who do not accommodate them or have put together programs to support this vulnerable population. As Guillermo Rovayo shared during the interview, “without the contribution of non-governmental organizations working with asylum seekers in Quito, most of them would be homeless or in terrible conditions” (Interview with Guillermo Rovayo, Quito, November 2018). Asylum seekers have few support networks, and the assistance of non-profit NGOs is essential in Quito (Donger et al. 2017). Nevertheless, “Colombians retain a limbo status in Ecuador, with the attention of the world focused on Venezuelan newcomers even as the promised safe return to Colombia in the wake of the peace agreement remains out of reach” (Pugh et al. 2020).

It is also worth noting that the number of Ecuadorian soldiers posted at the Ecuador-Colombia border has been significantly reduced since the implementation of the peace agreement in Colombia. Unfortunately, given the new wave of violence in Colombia, the conflict has spread across the border of Ecuador (InSight Crime 2019; UNHCR 2018a; Campos García 2017; Rojas Andrade 2016; Pugh et al. 2020). As a result, Ecuador has never experienced violence of this scale before (Reuters 2018; Semana 2019; 2019a; Sharkey 2018; Donger et al. 2017), and Colombian asylum seekers are blamed for this situation.

4.1.2 – Feeling of Safety, Criminality and Forced Displacements in Ecuador

Since FARC withdrew from their illegal activities in Colombia, rival armed non-state actors have taken their place, controlling isolated but strategically located, resource-rich communities and territories, many of which are at the centre of illegal economies (Amnesty International 2017a; Gagne 2016; International Crisis Group 2017; Yagoub 2016), generating more forced displacements from Colombia to Ecuador. The Colombian Peace Agreement impacted armed groups’ dynamics not only in Colombia, but also in Ecuador (Fundación Ideas para la Paz 2018; International Crisis Group 2017; InSight Crime 2019). As the Peace Agreement with FARC was officially signed, reports claimed that residents in Eastern Ecuador had been “warning about the rise of new armed groups in that area” (LaSusa 2016) and that FARC dissidents had already “begun forming new criminal structures in Ecuador” (Bargent 2017). Since 2016, FARC dissident groups made their presence known in Ecuador near the Ecuadorian-Colombian border through a series of violent attacks, a worrisome situation for Ecuadorians who are

witnessing terrorist activity for the first time (Casey 2018; Dussán 2018; El Comercio 2016; El Comercio 2018; Pugh et al. 2020). The rising presence of FARC dissidents and other armed groups is generating a policy of distrust towards all Colombians living Ecuador.

(1) The feeling of Safety of Colombian Asylum Seekers in Ecuador

Many Latin American cities face a lingering public security crisis. In spite of more than a decade of economic growth, criminality is rising throughout Latin America (Muggah and Aguirre Tobón 2018). Although the city of Quito reports comparatively lower than average levels of criminal violence (Muggah and Aguirre Tobón 2018), Colombian asylum seekers do not feel protected in Ecuador, and danger is particularly tangible in Quito.

A research project led by the UNHCR and Harvard University administered between December 2016 and March 2017 consisted of 299 adolescent refugees between 15 and 19 years old (Donger et al. 2017). One of its main findings revealed that 66 percent of young urban refugees in Quito do not feel safe in public spaces. This result is “connected to physical and verbal abuse by other Ecuadorians, low trust in the local police and fear of Colombian actors that bring across the border the same violence that refugee youth originally fled” (Donger et al. 2017, p. 38). My research corroborates these findings. All participating asylum seekers expressed a fear of living in Quito. One of them even stated that if he did not have to work, he would stay locked up at home all day (Interview with Antonio, Quito, November 2018).

The fact that the Colombian border is extremely porous and only 250 kilometres away from the city of Quito, a six-hour bus ride, is one of the reasons for this fear:

“Well, also now that we know that the guerrilla is getting here in Ecuador, it’s very scary. And we think that Quito is very big, but not so much because many Colombians are here and it happened a few times that I have met people from Colombia that I knew. Even people who were threatening us back home. So, what do I do if I meet the people who are looking for me? That is worrying too” (Interview with Hugo, Quito, November 2018).

“Also, here it is dangerous because of the number of people that can easily cross to Quito. They do not check anyone at the border and do not check anyone in Tulcán. So that’s the insecurity here. They do not ask for any background checks. [...] Now just the ID card and nothing else. They do not even ask why they want to enter and how long they will stay. And if someone wants to enter Ecuador without going to the migration offices is very

easy to do, you just have to go straight without stopping at the migration office” (Interview with Jorge and Sara, Quito, November 2018).

In fact, six of the ten participants indicated that they had seen armed group members who had persecuted them in Colombia in public places in Quito. One participant explained what happened to him once his persecutors found him:

“[...] in the house where I live, these guys came looking for me, but since I was not there, they took everything and left me naked. [...] but what else do I do? I have to wait for them to kill me here to tell UNHCR to repatriate my body to Colombia. I went to the police, to UNHCR and HIAS but I'm wasting my time, they always say they cannot do anything for us. They cannot help get another apartment. [...]. I have no temperament to negotiate with them. The day I lose talking with them, is a day that I lose selling my merchandise” (Interview with Antonio, Quito, November 2018).

Another respondent explained that she moved from Ibarra to Quito for the same reasons:

“My sister who lived in Ibarra saw a man who was charging her with the war tax in Colombia. That is when we decided to come to Quito where it is bigger and there are more people. Well, we are afraid because in Colombia my brother was stabbed because of the extortion, they threatened him saying that they were going to kill him and all of his family if he did not leave, and we knew what those people are capable of and that's why we had to leave. That's why we're afraid to go out on the street, but we only do go out because we have to eat and pay rent (Interview with Sofía, Quito, November 2018).

Police protection for Colombians under these circumstances is near impossible. According to the lawyer interviewed for this research project, the Ombudsman Office in Ecuador receives a high number of complaints like these ones from asylum seekers and refugees, but they do nothing about it (Interview with Guillermo Rovayo, Quito, November 2018). This constant fear of encountering their persecutor has a profound impact on asylum seekers' ability to start a new life in the country of asylum (Naranjo Sandalio 2018). To avoid encountering their persecutors or other Colombians who might recognize and identify them to their persecutors, many respondents said they do not participate in refugee assistance programs if they are required to gather in large numbers. Thus, many asylum seekers remain isolated, unable to access information and social networks to obtain humanitarian, legal, or psychosocial assistance.

Another factor behind participants' feeling of insecurity is their precarious housing environment. All Colombian participants interviewed lived in a perimeter of 20 kilometres away

from the centre of the city of Quito (about one-hour bus ride), because they could not afford the expensive rent prices in the city centre. The participants lived in five different zones of Quito; Calderón (3), Písuli (1), La Mena (2), Chillogallo (3) and Carcelén (1). Because of the city's elongated structure, neighborhoods grew significantly towards the slopes of surrounding mountains that cradle them. This geographical location, especially in rainy weather, becomes a risk factor for landslides (Carvajal 2018), limiting mobility and social interactions of Colombian asylum seekers (Naranjo Sandalio 2018). There are severe issues in popular urban expansion neighborhoods where housing is not approved by a permit and does not meet the required space and lighting conditions (Hurtado 2019; Jácome 2019). Additionally, some zones are underdeveloped, lacking infrastructure such as city buses, sidewalks or roads, and they are overcrowded and more vulnerable to criminal activity (Jácome 2019).

(2) Criminality and Forced Displacement

Criminality is another reason for Colombian asylum seekers' constant feeling of insecurity. In the districts where participants live, Calderón and Chillogallo are considered to be the most dangerous of the city according to HIAS. HIAS recommends to asylum seekers searching for housing in Quito to avoid these districts. However, asylum seekers are attracted to these specific areas because of the cheap rent prices. One participant disclosed her experience of an attempted robbery and death threats in Calderón:

“I had a problem with a man from Guayaquil, I was leaving my house in the morning for an appointment with the Ministry. And someone approached me with a gun, he told me that I had to give him everything or he would kill me. I'm running away from my country because they were going to kill me there, and now this.” (Interview with Mariana, Quito, November 2018).

Criminality occurs more often in isolated places and undeniably when asylum seekers wander in the streets alone, they become an easy victim to rob or assault. According to a survey carried out by Professor Pugh and his colleagues in July 2019, within a sample of 120 Colombians, nearly two out of five were victims of a crime within the past year (Pugh et al. 2020). The authors also reported that Colombians have “little trust in Ecuadorian institutions, [...] and tried to keep a low profile to avoid being target of scorn” (Pugh et al. 2020, p.1).

The new wave of violence hitting Ecuador affects Colombians who are seeking asylum. Colombian asylum seekers indicated that they fear more for themselves since the implementation of the Colombian peace process. And yet, the Ecuadorian government and international organizations are paying less attention to their situation, reducing protection and resources available to them. The majority of participants in this research project do not feel safe while living in the capital city; some of them have seen armed group members they knew from Colombia and have been assaulted in public spaces of Quito. Moreover, Colombian asylum seekers live in precarious zones of the city, which often fails to safeguard them, leading to cases of forced displacement in and around the city of Quito. Another impact of the growing violence is analyzed below– the escalating levels of discrimination– which appears to be the most prominent setback for Colombians living in Quito.

4.2 – Discrimination: The Biggest Barrier to Self-fulfillment

In Ecuador, where asylum seekers and refugees do not live in camps but within the rest of the population and mainly in big cities social exclusion processes are played out through anti-migrant attitudes. These take the form of discrimination in the exclusion of jobs, services, and social spaces, as well as harassment, ranging from verbal and emotional abuse to physical harassment (Fiddian-Qasmiye et al. 2014; Jacobsen and Fusft 2011). The following section explores the government's changing discourse towards Colombians as a threat to security, who are held accountable for the soaring violence in Ecuador. As the peace process is ongoing, Colombians are increasingly discriminated against because of their nationality, race, and immigration status. The current situation limits their access to most basic services in the city of Quito, and most problematically, to formal employment.

4.2.1 – The Security Discourse affecting Colombian asylum seekers

Although Ecuador has welcoming constitutional provisions and laws on human mobility, the state has gradually reduced its protection towards refugees and treated immigration as a security concern (Pugh et al. 2020; Pugh & Moya 2020). Using the securitization theory (Buzan and al. 1998), Pugh & Moya (2020) analyzed 800 newspaper articles on migration written between

2011 and 2018 and published in three Ecuadorian newspapers: *El Comercio*, the most influential national newspaper based in the capital city of Quito; *El Universo*, the most influential national newspaper based in the largest city of Guayaquil; *Extra*, a tabloid and the best-selling newspaper in the country (Pugh & Moya 2020). The authors compared the co-occurrence of words coded under the category “Security” with a set of other words and categories. *Colombian* is the most common word that co-occurs with security; *Refugee* is in third place, just behind *Police*. This illustrates both the degree to which Colombians and refugees are talked about in security terms, and also the degree in which securitization is associated with the state (Pugh & Moya 2020).

The security discourse associated with Colombian refugees began under the former President Rafael Correa. Correa was the first President who promoted the concept of “universal citizenship”, with the intention to allow for better protection of Ecuadorian migrants abroad and to welcome foreigners in Ecuador (Pugh 2017). Once elected, “universal citizenship” became a major focus of his political agenda, as articulated below:

“We have always supported and protected our migrant brothers. We are believers in the free circulation of people and in universal citizenship. We reject the hateful and xenophobic migratory policies of those Northern countries who defend the free circulation of goods and capital but who construct walls between human beings” (Correa 2009 cited in English in Pugh 2017).

Correa’s specific mentions of universal citizenship and open borders declined drastically over time. Correa stopped promoting the concept of universal citizenship in his speeches, emphasizing instead on the security issues around the Colombian armed conflict and the associated refugee flow (Pugh 2017). This may have occurred in the face of the pushback from the Ecuadorian population against the Colombian exodus creating a perception of poor refugee reception and management (Pugh 2017). In 2009, the Ecuadorian government partnered with UNHCR to carry out an Enhanced Registration initiative, which reduced the time of refugee status determination (RSD) process and adopted a more inclusive standard for RSD, based on the Cartagena Declaration (McGrath 2011). This initiative more than doubled the number of registered refugees in the country and was widely applauded by the international community (ACNUR 2010). Despite receiving international appraisal, certain members of the Ecuadorian military and of the Ministries of Interior and Foreign Affairs were opposed as they viewed the initiative as a weak control on refugee acceptance. The media and public attention were directed to criminal cases involving arrests of

individuals with refugee cards. These actors put pressure on Correa, who finally ended the project in 2010, several months earlier than anticipated (Local Parish Official 2012; Pugh & Moya 2020). The former president defended that, “It is not true that the open borders policy is generating greater delinquency in the country,” and instead placed the blame for insecurity in the border region toward Colombia for failing to control the illegal armed groups in its own country (China International News 2011). In a speech to the National Assembly in 2010, Correa repeated his position, but also declared he would investigate the possible linkages between migration and violence. He said:

“In questions of security, we must not devolve into demagoguery or xenophobia. It is absurd to claim that because of our policy of free human mobility and planetary citizenship, insecurity has increased. However, we are doing a very careful study to see if there is any relationship between the entrance of citizens of certain countries and the increase in insecurity. If this hypothesis is verified, you can rest assured that we will make any changes and take any measures that are necessary. We have our priorities clearly in mind, and the primary one is the welfare and security of the Ecuadorian people. We cannot fall into romanticism. I repeat, if it is necessary to harden our immigration policy, that is what we will do. (Correa 2009 cited in English in Pugh 2017)

As Correa’s universal citizenship discourse became increasingly criticized by the Ecuadorian population, that critique became the reason for an increasingly regressive refugee policy (Pugh 2017). For example, Correa’s opponent, Lucio Gutierrez, in his second re-election campaign in 2012 criticized his border policies as contributing to delinquency and insecurity in Ecuador. Gutierrez argued, “Because of the open-door policies of Rafael Correa, which throw the borders wide open, criminals are entering to rob us, assassins are entering to kill us, and narcotraffickers are entering to take the lives of our children” (Oposición 2012 cited in English in Pugh & Moya 2020). While denying these arguments, Correa nonetheless confirmed the allegations by issuing Presidential Decree 1182 of 30 May 2012. It intensified the securitization of immigration through regressive policy changes. The Decree that ignored the Cartagena Declaration criteria for refugee status determination and established a 15-day eligibility period for requesting refugee status after entering the country. Sections of the Decree were declared unconstitutional by the Constitutional Court of Ecuador contending that it violated Ecuador’s international legal obligations to protect refugees and asylum-seekers (Asylum Access Ecuador 2015; Human Rights Watch 2015).

The security turn towards refugees escalated under the current President, Lenín Moreno (Pugh et al. 2020), who was elected in April 2017. To target the exclusion of forced migrants, Moreno proposed various restrictions involving passport, visa, and certified background checks for Venezuelans, who normally only require an identity card to legally enter the country (Pugh et al. 2020). Given the fact that it is nearly impossible for most Venezuelans to obtain these documents from a dysfunctional regime, these restrictions incited the exclusion of many Venezuelan forced migrants (Pugh et al. 2020).

The securitization discourse was also used strategically in the aftermath of the violent protests of October 2019. To remedy Ecuador's debt due to a decade of high spending by the former government, the President raised taxes, liberalized labour laws, and cut public spending in exchange for a large loan from the International Monetary Fund (Solano and Weissenstein 2019). Panic and speculation sent prices soaring, with costs of some products doubling or more. Protesters blocked roads, shuttered businesses from dairy to flower farms, and halved Ecuador's oil production, forcing a temporary pause to the country's most important export (Solano and Weissenstein 2019). In response to the violent protests, the Ecuadorian army killed seven people, injured 1,340 more, and arrested 1,152 others (Solano and Weissenstein 2019). As a consequence, the Inter-American Commission on Human Rights (IACHR) announced that it would conduct a working visit to Ecuador to observe the country's human rights situation on the ground (OAS 2019). To justify the government's violent response, the Minister of Defense, Oswaldo Jarrín, referred to the presence of insurgent groups within Ecuador and provided evidence that the "ELN and the FARC dissidents are linked in some of the most violent acts that happened in the midst of this crisis" (Puente 2019). Thus, the government claimed that its sole objective was to maintain "national security of the country" (Puente 2019). Many newspaper articles covered the Minister's speech accusing Colombian armed groups in the violent protests, switching the dialogue from a plea for civil rights of the population to a national lecture presenting Colombians as a security threat (see El Comercio 2019; Tipanluisa 2019; Semana 2019; Semana 2019a; Puente 2019).

Another breaking news story, involving a Venezuelan man who stabbed his pregnant Ecuadorian girlfriend to death in the northern town of Ibarra in January 2019, marked the securitization and xenophobic discourse of President Moreno (Brown 2019). The murder was significantly mentioned in the media where Ecuadorians were horrified by the murder, but also

extremely critical of the police's incompetence (Pugh & Moya 2020). President Lenin Moreno shared a post on Twitter on the following day:

“The integrity of our mothers, daughters, and female comrades is my priority. I have authorized the immediate formation of brigades to control the legal situation of Venezuelan immigrants in the streets, workplaces, and the border. We will analyze the possibility of creating a special permit to enter the country. We have opened our doors, but we will not sacrifice the security of anyone” (Lenin Moreno on Twitter cited in English in Pugh & Moya 2020).

This speech generated a strong anti-immigration reaction and debate in public forums, in neighbourhoods, social media, and even in news broadcasts. Within a day, angry mobs gathered in Ibarra to protest in front of the prosecutor's office against the poor performance of the police. Others even went to the hostels and residences where some Venezuelan migrants stayed to steal their clothing, mattresses, and other belongings and burned these items in the street while threatening the migrants with worse consequences if they did not leave town. Many did leave, fleeing and in some cases being chased by angry Ecuadorians (Pugh & Moya 2020).

The above-mentioned events provide the opportunity to examine the influence of key state actors as security agents and to trace how securitization discourse shapes current narratives that provide meaning to migration within collective understanding. The securitization discourse in Ecuador needed to be contextualized in this thesis to shed light on how powerful actors influence the acceptance and discrimination of migrants through the discourses they promote.

4.2.2 – Discrimination Against Colombians, and Colombian Asylum Seekers in Particular

Colombians began immigrating to Ecuador by the end of the 1950s, when Colombia's long-running internal conflict flared up, producing millions of internally displaced persons and refugees (Orcés 2009). In the 1960s, the number of immigrants doubled and continued to grow during the 1970s and 1980s (Rivera et al. 2017). With the large influx of Colombian immigrants and refugees in Ecuador, negative perceptions and stereotypes towards this group kept increasing among the Ecuadorian population (as will be demonstrated below).

Colombians face more discrimination than any other migrants in Ecuador. In a survey from July 2019, 62 percent of Colombians claimed to have experienced discrimination since arriving in

Ecuador (compared to 48 percent of Venezuelans, for example) (Pugh et al. 2020). Colombians are often associated with crime, violence, drug-trafficking and prostitution, due to Colombia's widely known criminality and long-time armed conflict (Carreño 2012; Breyers 2016; Bilsborrow et al. 2011; Forrester 2014; Salinas Ivanenko 2014; White 2011; Pugh 2018; Pugh et al. 2020). Media reports contribute to this negative perception, and generate anti-immigrant protests in Ecuador, generally accusing Colombians of being responsible for rising criminality in Ecuador (see El Comercio 2019; El Télegrafo 2018a; Lago 2019; Tipanluisa 2019; Semana 2019; Semana 2019a; Sharkey 2018; Parkinson 2012; Puente 2019). For example, they often emphasize the nationality of the offender either in the title or within the first lines of the reports (see El Comercio 2019; El Telégrafo 2018a; Lago 2019; Tipanluisa 2019; Semana 2019; Semana 2019a; Sharkey 2018; Puente 2019). When newspaper editors choose to print the nationality of a perpetrator in the headline, they are not merely reporting facts, but contributing to the association of that person's immigrant status with criminality in general, with undeservingness and threat (Pugh & Moya 2020). Such publications fuel the discriminatory discourse on Colombians, including those who are victims of the Colombian violence (Pugh 2018).

Negative attitudes towards humanitarian migrants, such as asylum seekers, are also reinforced by news reports in Ecuador. The Jesuit Refugee and Migration Service monitors media and found that the majority of news reports regarding refugees or asylum seekers are xenophobic and discriminatory, and are also linked to crime (Coalition for Migrations and Refuge 2013). Humanitarian migrants are often the focus of such negative representations, due to the perception that they are less likely to assimilate into civil society because they were forced to migrate and did not desire to be in the country of asylum, and also considering cultural distance in terms of values and practices in certain asylum countries (Colic-Peisker and Tilbury 2007). For example, a 2012 study by the Latin American Social Sciences Institute (FLASCO) found that racism, sexism, gender-based discrimination and public perceptions of refugees impede integration and realization of rights (Ortega & Ospina 2012). The director of the Human Mobility Unit of the Government in the province of Pichincha commented on the levels of discrimination in Ecuador:

“With all but perhaps it is a little worse with Colombians, because it has to do with their refugee status. Yes, there is much more discrimination, which worries us much, much more. If a person who has a UNASUR visa, MERCOSUR, or any type of visa, to one that comes with the asylum visa, with the humanitarian visa. Everyone will prefer any type of

visa, other than asylum. It generates more rejection and discrimination, and the Colombian population is the largest, in its large percentage, in need of international protection living in Ecuador. The population in general is scared of refugees [...]. The term refugee is often assimilated to poor migrants and criminals” (Interview with Giovanna Tipan, Quito, November 2018).

The difference between refugees, asylum seekers, and other types of migrants is not always understood by the Ecuadorian population. According to an NGO leader interviewed in a research project led by Professor Jeffrey Pugh, some Ecuadorians “refugees are just immigrants with sadder stories” (Pugh et al. 2020).

Discrimination of Colombians in Ecuador is deeply gendered (Ramírez et al. 2017; Pugh 2018; Romo Perez 2017). Indeed, prostitution is commonly projected onto Colombians women (Pugh 2018; Romo Perez 2017; Interview with María-José, Quito, November 2018). For example, a participant reported that when she went to donate blood, they refused her donation because she was Colombian. The nurse started asking questions in disgust about her sexual activity, if she was using condoms and how frequently she would have unprotected sexual relations:

“Once I went to give blood and they told me I could not because I'm Colombian, and that's why I never wanted to go back. In Colombia, I have always given blood but not here, it is impossible. The nurse told us that all Colombians were infected and that our blood was not clean. They were asking me stuff like the last time I had sex, if I knew what condoms were, and how many sexual partners I had in the past” (Interview with Valeria, Quito, November 2019).

Colombians are not always perceptibly identified by Ecuadorians. However, they are seen as distinct from the host Ecuadorian population due to differences of accents, language, race, and cultural practices (Pugh 2018). Unfortunately, Colombians try to avoid being recognized in public spaces. For example, they remain silent in public to hide their accents, especially in close proximity to police and other state agents, or they stay at home and communicate mostly with other Colombians (Korovkin 2008; in Pugh 2018). According to one female Colombian asylum seeker in a 2013 interview in Quito with Professor Pugh:

“I stopped selling empanadas in the streets because I am afraid. The migration police would often come by, and if they hear a Colombian accent, they would ask to see our documents. The photocopy of my asylum seeker document that I carry serves very little

use. They often claim that these documents are fake and detain Colombians anyway. When I go out, I try to keep my mouth shut” (Pugh 2018, p. 995).

Nevertheless, since the Colombian Peace Agreement was signed, Colombian asylum seekers and refugees, were confronted with a new wave of discrimination. The peace discourse encouraged the people of Ecuador to believe Colombians could and should go back to their home country (Interview with Guillermo Rovayo, Quito, November 2018). In fact, in times of political crisis, negative attitudes toward asylum seekers and refugees increase (Jacobsen et al. 2012). As Jacobson explains “refugees habitually choose to stay inside or keep their children out of school, and do not pursue self-employment initiatives where the risk of being jailed or extorted is higher than the amount earned” (Jacobsen 2014, p.12). Similarly, Hugo, who participated in an interview for this research project, explained how the latest violent attacks by Colombian armed groups in Ecuador affected his fear of discrimination:

“It also affects a lot because of what is happening now at the border, with the guerrillas that are in Ecuador and with the kidnappings, and when they murdered three Ecuadorian journalists. I was very scared with my family, we did not go out of the house for almost three complete days. Because you do not know how people can react out here. Because if one Colombian kills three innocent Ecuadorians, the people in Ecuador can be mad and can easily attack Colombians too. [...] if those cases continue to happen it will complicate our life here” (Interview with Hugo, Quito, November 2018).

Camila, who was also interviewed for this research project, explained: “The most that I can say is that I am Colombian, and they get scared thinking that I am going to steal from them” (Interview with Camila, Quito, November 2018). Similarly, Valeria who fled to Ecuador faces constant criticisms for being Colombian, as she constantly needs to justify her presence in Ecuador:

“They always discriminate us because we are Colombians, several times they shout at us, “ay Colombians why are you here, you only come to steal from us”. They shout at us, “why are there so many Colombians? What do they want from us?” And sometimes I try to explain that I did not come because I wanted to, that I came as an obligation” (Interview with Valeria, Quito, November 2018).

The fear of the Ecuadorian population toward Colombians, and more particularly Colombian asylum seekers, is often associated with criminality and poverty. As many of these Colombian asylum seekers are from the pacific coast of Colombia, thus from African descent, they

are easily identified in Quito, which generates another obstacle in their everyday life as is discussed below.

4.2.3 – Racial Discrimination of Afro-descendants

Colombians in Ecuador experience a greater deal of discrimination if they are Afro-descendants, which is a long-standing issue in the country, even for Afro-Ecuadorians (CRDIC 2016). Although Colombians in Ecuador are most likely to be identified by their accents or expressions, Colombians of African descent are visibly identified in Quito by their skin colour as 80 percent of the city's population are mestizos⁶ (Pugh 2018; New World Encyclopedia 2019; Coalition for Migration and Refugees 2013). Colombia is considered to have the fourth largest black African population in the Western hemisphere. There are about five times more African descendants living in Colombia than in Ecuador, with close to 5 million people (UNCHR 2016). They are predominantly from the Pacific Region of Colombia, which is the main zone of recent persecution and forced displacement in Colombia, explaining the significant presence of Afro-Colombians in Ecuador (UNHCR 2016; UNHCR 2019).

A survey in 2003 reviewed the degree of racial acceptance in Quito (Ministry of Social Development 2004), demonstrating how discrimination has been lasting for a long time. Indeed, whites, representing just 10.46 percent of all Ecuadorians according to the 2001 census, enjoy 93.3 percent of social acceptance⁷ and “are the minority that many would like to belong to”, while mestizos, who in the country corresponded to 77 percent of the population, compared to 1.67 percent of Afro-descendants and 1.25 percent of indigenous people. The survey also revealed that “whites in Ecuador are 85 percent more likely to get a job, above mestizos with 8.75, and Afro-descendants who reached 3.33 percent” (Ministry of Social Development 2004, p. 6; see also: Beck et al. 2011).

⁶ The intermarriage between Indians, Spaniards and blacks in Quito has resulted in mestizos, who make up nearly 80 percent of the present population of Quito, and in a smaller percentage "mulattoes," "cholos" and blacks (New World Encyclopedia 2019).

⁷ Social exclusion processes are played out through anti-migrant attitudes. These take the form of discrimination in the exclusion of jobs, services, and social spaces, as well as harassment, ranging from verbal and emotional abuse to physical harassment.

Since the signature of the Peace Agreement, hatred and violent actions against Afro-Colombians in Ecuador have increased. The leader of the largest Colombian FARC dissident group present in Ecuador named Walter Patricio Arizala, also known as “El Guacho,” is of African descent. He is responsible for the multiple attacks, kidnappings, and killings carried out in Ecuador by the FARC dissidents (Expreso 2018; Reuters 2018; Dussán 2018; El Télegrafo 2018; El Télegrafo 2018a; The Guardian 2018; Telesur 2018). The “Guacho” is well known in Ecuador and his name is used as a diminutive to identify racially Afro-Colombians in the country. Seven of the ten interviewed participants are from African descent and claim to have been called “Guacho” by locals in Ecuador, which negatively associates them with the violent armed group present in Ecuador and on the border of Colombia.

“Here, life is very difficult, and we do not want to stay. They discriminate us too much, if they do not discriminate for being Colombians, they discriminate us for being black. So, it is very difficult, we have had quite a lot of confrontations with people on the streets, and even the children. Because the children also have dark skin... Imagine you have children there and people just scream things at you “look at that drug dealer, the terrorist Guacho,” they say a lot “Guacho,” “Guacho, go back to your country.” Children are also very cruel, and our kids are very affected by it, they are going through a very strong intimidation at school and also on the soccer field. It is very difficult here because the people are very rude” (Interview with Sofía, Quito, November 2018).

Another Afro-Colombian asylum seeker participant shared his experience of racial discrimination in the aftermath of the terrorist attacks led by the “Guacho”.

“With the history of Guacho, they always call “Colombian Guacho.” Before it was not like that, I think that since the armed groups came here, people are more and more afraid of us. Many say that it is impossible to know if we are part of an armed group and that they cannot trust us for the safety of them and their children. I understand those people of being scared because I am scared of Colombians too, but I would never be mean like that” (Interview with Hugo, Quito, November 2018).

In sum, Colombian asylum seekers face constant discrimination simply because of their nationality. Colombians are regularly associated with criminality in Ecuador (Lago 2019; Tipanluisa 2019; Semana 2019; Puente 2019). However, as mentioned earlier, such discrimination is more problematic towards Colombian women and Afro-descendants (Ministry of Social Development 2004) and has worsened since the Colombian Peace Agreement (Donger et al. 2017; Meili 2017; Pugh 2018; Pugh et al. 2020). Not surprisingly, Colombian asylum seekers face

significant setbacks in their everyday lives in the city of Quito when trying to access most basic services and when striving in finding employment.

4.2.4 – Discrimination Preventing Access to Employment and Most Services

There is an important body of literature highlighting the widespread discrimination towards Colombian asylum seekers in Ecuador from local actors, including teachers, landlords, employers, police and public officers (White 2011; UNCHR 2012a; Pugh 2018; Pugh et al 2020; Ramírez et al. 2017; UNHCR and Instituto de la Ciudad 2014; Pugh et al. 2020). As mentioned in section 4.2.1, rising security discourse in Ecuador contributes to the stigmatization of foreigners such as Colombian asylum seekers as a threat to national security. It influences the perceived “moral undeservingness” of Colombian asylum seekers, which tends to shape and inform decisions made by service providers and employers, disregarding legal entitlements given to asylum seekers (Pocock and Chan 2018). This section depicts Colombian asylum seekers’ difficulty to access employment and basic services in Quito, including education, health care, financial services, and the justice system.

The following chart (table 2) illustrates Colombian asylum seekers’ experiences with discrimination while accessing different services and employment in Quito. The box filled with a check mark (✓) corresponds to a positive experience where participants were not victims of discrimination. The one marked with an “x” (✗) refers to a negative experience in which participants have been victims of discrimination by service providers or employers. Lastly, the boxes marked with the code N/A (not applicable), features services that have not been accessed by the participant. Not all elements demonstrated in the table will be mentioned in the following analysis, as some were less relevant and did not target specific issues faced only by Colombian asylum seekers, but by most foreigners in the city of Quito.

Table 2: Colombian Asylum Seekers' Experiences of Discrimination in Quito

	Employment	Education	Housing	Health Care	Justice	Financial
Camila	✗	✗	✗	✗	✗	✓
Diego	✗	✓	✗	✗	✗	✓
Antonio	✗	N/A	✗	✗	✗	N/A
Sofia	✗	✗	✗	✗	✗	N/A
Valeria	✗	N/A	✓	✗	✗	N/A
Hugo	✗	✗	✗	✗	✗	✓
Ximena	✗	✓	✗	✓	N/A	✓
Jorge (Sara)	✗	✗	✗	✓	✓	N/A
Isabella	✗	✓	✗	✗	N/A	N/A
Mariana	✗	N/A	✗	✗	N/A	N/A
✓ = No discrimination experienced				✗ = Experienced discrimination		

(1) Formal Employment: Not a Possibility in Quito

The capabilities approach recognizes that people's agency can be constrained by the economic structures in which they operate (Ibrahim 2014; Sen 1999). Many host countries for refugees and asylum seekers, especially emerging economies and those with weak labour markets, are reluctant to open their labour markets to refugees (Zetter and Ruaudel 2016). This restriction is often based on "the fear that refugee participation will distort labour markets by reducing the number of jobs available to citizens and drive down wages and working conditions for all workers" (Zetter and Ruaudel 2016, p. 4). For this reason, refugees and asylum seekers face important hardships to find formal employment. Widespread employment informality is a characteristic of developing economies, where a diverse range of people are involved in informal economic activities in these countries (Perry and al. 2007 cited in Vega Núñez 2017). In addition, negative stereotypes are generally intensified in recipient countries that are poorer and where there are fewer resources to share (Salinas Ivanenko 2014; UNHCR and Instituto de la Ciudad 2014).

Ecuador is no exception to this as the middle-income country “has been trying since 2014 to adapt its economy to a challenging international context characterized by low oil prices, appreciation of the US dollar, increasing external financing costs, and growing trade conflicts” (World Bank 2019). In the absence of fiscal savings, the government began a process of rationalizing public investment and optimizing current expenditures. It has also mobilized different sources of external financing and applied temporary measures to increase non-oil public income (World Bank 2019). It is worth noting that Ecuador’s devastating earthquake on April 16, 2016 affected the northwest coast of Ecuador by exacerbating the country’s difficult economic situation and by contributing to a decline in oil prices and increased debt payments (World Bank 2019). In this context, Colombians are seen as taking jobs from the general population and generating costs for the Ecuadorian government by taking advantage of health services and education (Rivera et al. 2017; Donger et al. 2017; Miller and Panayotatos 2019). Given this context, it is not surprising that none of the asylum seeker participants were able to successfully secure a formal job.

Since the large majority of asylum seekers in Ecuador are unable to find work in the formal sector, they resort to activities in the informal sector. This comes with its own set of risks, as asylum seekers are not bound to a legal contract and thus vulnerable to exploitation (Jacobsen 2012; Miller and Panayotatos 2019). Many refugees and asylum seekers working as domestic workers, construction workers experience exploitative working conditions with little or no financial and personal security. Because labour exploitation occurs, many asylum seekers and refugees turn to self-employment as street vendors (Interview with María-José, Quito, November 2018). However, municipal law obligates street vendors to have a specific permit allowing them to sell their products or services on the street, and this permit is very difficult to obtain for asylum seekers because of its annual fee and the documentation required to apply (for more information on the Metropolitan Permit see Quito Municipio 2019):

“The issue is that there are no permits available for foreigners [...]. And we have fought for it [...], in order that the Ministry treats them as an admirable group, lets them work and gives them permission to sell on the streets, but it has been impossible. [...] I have been working with HIAS for three years and I have seen only four refugees to obtain the permit on the hundreds of thousands of people who are here. Foreigners cannot apply because the Ministry of Employment says there is no space. These permits are given by the municipality [...] each year they open a call and receive over 10,000 applications and they can only give 2000 permits. It is up to them to do a super strong cleaning. [...] they

eliminate all foreigners first. With refugees the issue of documentation and discrimination is much more accentuated here because there is a lot of xenophobia among public officials. [...] it is almost impossible to get a permit to sell on the streets, then those who get it basically are those who have had a good lever.” (Interview with María-José, Quito, November 2018)

All ten participants worked as street vendors in the city of Quito, and yet, none of them had the required permit. If the municipal police arrest them without a valid permit while they are selling their products or offering any type of services in the streets of the city, they will receive a fine and have their goods confiscated by the municipal police (Quito Municipio 2019). The main issue for street vendors remains the high precarity that this type of employment offers. On a good day, they could make up to 10 USD, whereas the next day they may not earn anything. Another problem Colombian street-vendors face daily is the constant risk of persecution and discrimination because they are forced to work in the most transitory places of the city.

Some of the participants shared their experiences as street vendors in Quito:

“Well, my brother sells coconut juice on the street. Because my mom is sick and with the baby I cannot work much. At least my brother works and makes money around sometimes 10 USD to 12 USD a day, and sometimes no more than 5 USD so that everyone can eat and everything. But one day if there is a lot of rain, he cannot sell anything because who buys outside when it is raining. Nobody” (Interview with Valeria, Quito, November 2018).

“I have had several problems through my work. Once I was washing windows at the intersection and two people came out of a taxi and started talking to us in a very bad way. Many people passed by and did not say anything. They told us that I was a “snitch” (ratero in Spanish). That I was not Ecuadorian, and that Colombians should not be in their country, because we are only bringing problems and more criminality. They threatened us saying that we were taking away their work, and they said that they knew where we were working and that they would be coming for us. They said, “oh you are Colombians, you are criminals and delinquents.” I told him, “with the respect that you deserve, I am not a criminal nor am I of the FARC, I am a worker and I work to help my family move forward.” When they left, they told us to return to Colombia” (Interview with Diego, Quito, November 2018).

Moreover, an increasing number of Venezuelans have entered the country since 2014 (see Diaz 2019; Miller and Panayotatos 2019). These Venezuelans face less discrimination compared to Colombians. During his interview for this research project, Diego explained:

“Let me explain, if there is a vacancy and that an Ecuadorian, a Venezuelan and a Colombian arrives, the first one to obtain the job is the Ecuadorian, then the Venezuelan and then the Colombian. A thousand times, yes. And that is because we Colombians have a bad reputation for being delinquents and more aggressive, so the job will go to the hundreds of thousands of Venezuelans before going to us. And God knows how many are coming. [...] Now that more Venezuelans are arriving, it makes finding work even more difficult. [...] here the minimum wage is something like 15 USD a day. Venezuelans agree to work for 5 USD, because in Venezuela with the crisis they now work for 10 USD a month.” (Interview with Diego, Quito, November 2018)

Like Diego, three other Colombian asylum seekers interviewed during this research project mentioned the heavy competition for work with Venezuelans. Claiming that employers in Ecuador would rather hire immigrants from Venezuela as they can pay them half the salary they would offer to an Ecuadorian or a Colombian.

(2) Access to Housing

When Colombians arrive in Ecuador, the first thing they look for is housing. Seven of the ten asylum seekers who participated in this research project received help from HIAS who provided them with two to ten free hotel nights when they first arrived in Quito. In these few days, they hoped to find a decent apartment. However, the search was much more arduous than what they had anticipated.

Some landlords now have agreements with HIAS, allowing asylum seekers to access more affordable housing in Quito; however, the number of refugees and asylum seekers currently looking for housing in Quito outnumbers the landlords who have such agreements with the NGO. HIAS can also provide asylum seekers some rent money for up to two months. As for the rest of the landlords, many openly claim that they do not rent to Colombians and turn them around as soon as they find out their origin. This discrimination and denial to housing is even worse for Afro-Colombians who do often not get to speak with landlords as they refuse to open the door to them.

All of the participants experienced discrimination when looking for apartments in the city of Quito (see table 2). The following excerpts are telling:

“When I arrived here, I spent the first night at the hotel. HIAS sent us to find an apartment and they told us they were going to pay for the first month. We saw a house for rent and

unoccupied. We called and then when they started asking us where we were from. They told us that it was already leased, and they hung up on us just like that. When we call to visit houses, I waited for hours in front of the house before the person arrived. They sometimes never show up. They see that we are Colombian or that we are black and turn around and just never come to see us” (Interview with Diego, Quito, November 2018).

“Housing is even worse than when you look for a job, it's the worst of everything, especially in the neighbourhoods where we are able to afford rent. They open the door and say, “where you are from?”, “from Colombia”, “the apartment is not available” and rent sign is still there. A lot of discrimination. [...] HIAS do not get involved in that, they never helped us to search for housing. One has to get this its own housing. They told us a little bit where to look, in the periphery of the city because it is cheaper. They gave us money to pay our rent, but not enough and only for 2 months. Now I am paying \$100 USD per month. A small apartment, there is a bit of humidity, but it is good we can live well there. Before we were staying in a room the 4 in the same bed, but with time and the cold was more difficult, and we had to find another place” (Interview with Hugo, Quito, November 2018).

“Worse than in employment. They say, “Colombians? No, because here Colombians sell drugs and are in criminality.” Others tell me, “Colombians? No, we do not want Colombians here in the apartment.” And then they close the door on me. Sometimes they see me from the window, and they do not even open the door for us” (Interview with Mariana, Quito, November 2018).

Colombian asylum seekers with large families face even more setbacks. Landlords often do not rent to large families as they do not want too many people living in the same apartment (Ramírez et al. 2017; Interview with Sofía, Ximena and Valeria, Quito, November 2018). As a consequence, it is not infrequent to see 10-15 persons living under one small roof (Jácome 2019). For example, Isabella and her husband explained that their family was currently living in a two-room apartment and five of them slept on a small mattress on the damp dirt floor. One of their daughters became sick from the cold of the floor (Interview with Isabella, Quito, November 2018).

(3) Access to Education

Seven of the eight participants with school-aged children were able to enroll them in elementary school. For some asylum seekers, the enrolment process in Ecuador was faster than for others, but all children face intimidation and discrimination at school (see table 2). In some cases, discrimination turned to physical violence:

“[...] The oldest of my children had problems with other children in their school. He was badly beaten and we never were able to get him stitches, he will keep the scar all his life. I asked for the transfer of our children from that school but the school board refused, even if we really have to move. HIAS helped us find safer neighborhoods, where we could search for a new apartment (Interview with Camila, Quito, November 2018).

“Well, my other child is also being called *negrito* (which means little black in Spanish) and *Guacho* by the children of the school. He is very strong and does not take it personally, but I think it affects him a little since he is alone and he does not talk much. They make fun of him because his way of speaking is very different from theirs [...]. He got in a fight on the way back from school [...]. He never fights usually.” (Interview with Ximena, Quito, November 2018).

This corroborates other findings concerning discrimination (Donger et al. 2017; Pugh 2018). Unfortunately, the worst situations of discrimination are not triggered by other children but by authority figures in the schools, including teachers, school principals, and social workers. A participant had to intervene with her daughter’s professor who made racist jokes in front of her in class.

“My children go through significant discrimination at school. I had to talk with the professor because she would make racist jokes in front of the whole class and then the students would repeat the bad jokes to my daughter. They told her she was dirty and that she was hiding guns in her desk. The professor does not care. I want to talk with the school principal, but I am scared of the repercussions on my daughter if the teacher becomes worse with her. I am making a demand to change her class. My other two have good professors” (Interview with Sofía, Quito, November 2018).

Ximena’s son, who suffered severe discrimination from his teacher in the classroom, confessed that he had been repetitively beaten and locked up in the classroom’s closet:

“I went to get help because my 7-year-old son was in trouble with his teacher. She was mistreating him. She left him locked up in the classroom’s closet with a lock on the door, and she would hit him on the head. He did not want to go to school anymore. The teacher said that my son was lying, that he simply did not want to go to class. [...] I was afraid that he was not working in class and that he was really lying to me. [...] my boy told me that if I did not believe him that I could ask the cleaning lady about it. He said that she is the one who opened the door for him. He was the only Colombian boy in the whole class and I think it was just for that” (Interview with Ximena, Quito, November 2018).

Ximena got help from HIAS and the Foundation for the Refugee Education Trust (RET).⁸ They finally met with the school principal, who was apparently not aware of the situation. After several months of struggle, she was finally able to transfer her son to a different classroom (Interview with Ximena, Quito, November 2018). The daily conditions their children face at school are upsetting. Awareness campaigns have been put together by HIAS; nevertheless, these are still primarily symbolic.

(4) Access to Justice

Art. 47. Access to justice in equal conditions. Foreign nationals, regardless of their migratory status, shall be entitled to have access to justice and due process guarantees for the custody of their rights, in accordance with the Constitution, the law, and current international instruments (OLHM, article 47, p. 16).

Incidents of robbery, physical or verbal assault, discrimination, and confrontations with neighbours are common reasons to report to authorities in Quito. Usually, the objective of denouncing is to start an investigation, receive protection, and ultimately hold the individual responsible for the assumed crime. Unfortunately, Colombian asylum seekers hardly benefit from such protections in Ecuador. According to Guillermo Rovayo, the workforce in the Ombudsman Office is reluctant to take complaints from Colombians, especially if they are denouncing any form of threats they receive over the phone, mostly considering the extensive quantity they receive (Interview with Guillermo Rovayo, Quito, November 2018). A 2012 Feinstein International Center (FIC) report noted protection gaps in part result from the inattention to the risks some refugees and asylum seekers experience from armed actors operating in Ecuador (Jacobsen 2012).

As discussed earlier in section 4.1.2, it is recurrent to hear that Colombians have seen or met their persecutors in Ecuador. Sofía attended the interview for this research project with her sister-in-law who had a large knife wound on the palm of her hand. She explained that they had seen the people who were looking for them in Colombia while they were selling their merchandise in the park. They tried to go to the police twice, but they were unsuccessful. Then Sofía's sister-

⁸ RET International is a humanitarian organization deeply committed to protecting vulnerable young people through education. For the NGO's website see: <https://www.theret.org/>

in-law was attacked by two men with knives when returning home. The family attempted for a third time to get help from authorities in Ecuador, but with no success.

“[...] We had a problem with my sister-in-law, and she wanted to denounce but nobody wanted to take her complaint. We got help from a worker at the UNHCR [...] but when we returned another UNHCR girl [...] told us that they could not do much. Because they needed to return with photos of the aggressor or with the name or ID number of the aggressor. And that is not possible so we will not be able to denounce and now we just stay locked up in the house” (Interview with Sofía, Quito, November 2018).

Another asylum seeker shared her son’s story. He was the victim of intimidation at his school and was violently beaten by another boy at his school. Once more, they were unable to file a complaint at the Ombudsman Office.

“We looked into Ecuador’s laws to see who could help us sue the boy who assaulted my son. And it has not been possible until today. [...] We were in the Ombudsman Office in Florencia, in Carcelén [...] in all of them, and we still have not had an answer. No one will help us. We went to the Public Defender's Office and there they only gave us an order so that they would attend him at the clinic. [...] but it was already too late for stitches” (Interview with Camila, Quito, November 2018).

Combined with important feelings of insecurity, discrimination in Quito results to be the main setback faced by Colombian asylum seekers in their everyday lives, widening the protection gap in Ecuador. As they are unable to find work in the formal sector, they resort to activities in the informal sector and to self-employment often as street vendors. Adding to the precariousness is that this type of employment renders, Colombian street-vendors constantly at risk of persecution and discrimination because they are forced to work in the busiest places of the city. The upsetting levels of discrimination experienced by Colombian children in schools or by families when looking for housing, accessing health care, justice or highly contributes to Colombians’ everyday challenges living in the capital of Quito.

The Colombian violent conflict forced millions of Colombians out of their homes. Alarmingly, the ones who sought asylum in Ecuador during the past 30 years, have not seen their living conditions improve. With the signature of the Colombian Peace Agreement, asylum seekers

in Ecuador now face additional challenges in Quito. Two main impacts were scrutinized in chapter 4: safety and discrimination.

Closing their eyes to the victims of the conflict, international organizations and the Ecuadorian government significantly decreased assistance in anticipation of voluntary returns, redirecting their resources to other more urgent global emergencies (UNCHR 2020). The UNHCR reduced its role alongside the Ministry of Foreign Affairs and Human Mobility (MREMH) and third countries significantly decreased their resettlement quotas for Colombians. The MREMH reorganized its operations by limiting their workforce available to help asylum seekers. They also restructured their budget reducing the number of soldiers present at the border (Ugarriza 2018) and reducing funding for NGOs serving asylum seekers and refugees.

The expansion of armed groups' structures in Ecuador is also compromising their safety in the country of asylum and contributing to their constant fear of persecution, especially considering that the level of protection is extremely limited and that most of them are not living in safe neighborhoods in the outskirts of the city of Quito. One of the main findings of this research project is that the Peace Agreement has contributed to a rise of violence in Ecuador, and thus directly feeding discrimination towards Colombians, even worse with asylum seekers and Afro-Colombians, who are often understood to be the source of violence and poverty in Ecuador. Living in the shadows of the laws, which is also often the case for the general asylum seekers, these Colombians became even more vulnerable to violence, criminality and exploitation. As a consequence, Colombian asylum seekers now face a new wave of daily discrimination in Ecuador according to their race, nationality, and immigration status. This heavily affects their access to basic services and to employment in the asylum country.

CHAPTER 5 – CONCLUSION

After four years of intense negotiations, the Colombian Peace Agreement was signed between the Colombian government and the Revolutionary Armed Forces of Colombia (FARC) (UNHCR 2016). This Agreement was expected to put an end to a violent conflict that endured more than 50 years and generated close to 9 million victims (Unidad para las Víctimas 2020). Ecuador, as a neighbouring country, has been the main destination for Colombians for many years (UNHCR 2020). Despite the signature of the Peace Agreement, violence in Colombia has not stopped. In fact, the number of Colombians entering Ecuador has increased since the Peace Agreement, including now dissident FARC members and other armed groups who are expanding their illegal activities in Ecuador (Pugh et al. 2020; Rosen et al. 2019; InSight Crime 2019; UNHCR 2018a).

Drawing on interviews with asylum seeker and stakeholder participants, this research explored how the Colombian Peace Agreement has impacted the lives of Colombian asylum seekers in Ecuador, more specifically their refugee determination experience and their everyday life in Ecuadorian society. It shows that Colombian asylum seekers face increased setbacks navigating the refugee determination process in Ecuador. Not only do they struggle to schedule and attend an RSD interview, but the interview itself reveals an important lack of knowledge on the part of the IDP official on the situation in Colombia, which contributes to processing delays, mistaken transcriptions, and unfair decisions. In addition, IPD officials have been criticized for being rude and inattentive during the RSD interview, and their decisions are highly inconsistent. This research also illustrated how the three-month renewal requirement of the humanitarian visa serves to discourage Colombian asylum seekers from continuing with their refugee claim application. Colombian asylum seekers are also experiencing more refugee status denial than before, and consequently, they strive for visa alternatives that are more accessible to them, such as the MERCOSUR visa. However, replacing international protection with a temporary work visa is not an acceptable alternative since Colombians cannot return to their country right now. The research also revealed that, despite entitlements on paper, most asylum seekers do not receive any orientation on the RSD procedure and are not represented by a lawyer or a psychologist during the RSD interview (including minors and unaccompanied children). In addition, this research

highlighted how all Colombian asylum seekers struggle in their everyday life in Ecuador to access essential services. This is because service providers do not recognize the humanitarian visa as a valid document. Colombian asylum seekers also indicated that they fear more for themselves since the implementation of the Colombian peace process, as a new wave of violence hit Colombia, and that they face more discrimination than ever. The rising presence of FARC dissidents in Ecuador and the Ecuadorian government's discriminatory discourse towards Colombians contribute to the stigmatization of Colombians as guerrilla members responsible for this new wave of violence, and Afro-Colombians are particular at risk of increased violence and discrimination. As Colombians are usually unable to find work in the formal sector, they resort to activities in the informal sector and face increased risk of persecution and discrimination because they are forced to work in the most transitory places of the city. Discrimination towards Colombian asylum seekers affects all aspects of their lives in the city of Quito.

5.1 – Contribution of This Project

“Civil wars are more frequent, deadlier, and longer in duration than interstate wars, and they prove to be more difficult to settle peacefully” (Mattes and Savun 2009, p.14). Peace agreements have succeeded in terminating civil wars (Stedman 2001; Mutwol 2009; Kieh 2011), but there are many cases in which peace accords failed to end violent conflicts (Stedman 2001; Murshed and Verwimp 2008; Akebo 2017). We cannot assume that Peace Agreements necessarily result in a conflict resolution. While ceasefire agreements are often assumed to constitute “an integral step on the path to peace” (Kolås 2011, p.781, Akebo 2017), scholars have also suggested that Ceasefire Agreements in intrastate armed conflicts can have a significant negative influence on conflict dynamics and thus might contribute to sustaining or even aggravating violent conflicts (Kolås 2011; Clapham 1998; Mattes and Savun 2009; Akebo 2017). This underlines the importance of looking at ceasefire agreements in greater detail and more systematically in relation to the broader dynamics of intrastate peace processes (Akebo 2017).

The findings of this research do not suggest that Peace Agreements are not desirable, but that they have to be complemented with efforts to build state capacity to bring institutional presence to the territory, in order to limit consequences for the most vulnerable including victims

of the conflict who have been forcibly displaced in the course of the peace process. However, most of the research already done on the subject has been primarily focusing on “what went wrong” or “what works and what does not” with these agreements in the country (Nantulya 2018; Kreutz 2015, International Peace Institute 2013; Casey 2019). So far, the literature has not paid adequate attention to the impacts of such agreements on the victims of the conflict, including the millions of victims forcibly displaced by the conflict. Therefore, a key gap in the literature that this research addressed is the experiences of the Colombians who have sought asylum in Ecuador after the signature of the Peace Agreement. More particularly, although discrimination, racism, and stigmatization towards Colombian asylum seekers in Ecuador had already been explored (see Pugh 2018, for example), this research provided first-hand information on the escalating situation experienced by this population in Ecuador since the implementation of the Peace Agreement—including the challenges they face surrounding their refugee determination process and their legal documentation, among others. It also contributed to a better understanding of the discrepancies between the rights afforded to migrants within the Ecuadorian legislation and their actual protections in practice, including their access to basic services and their status regularization. Moreover, conducting interviews with stakeholders—who play a key role in the refugee determination system—sheds light on the reasons behind certain policies and actions, such as the increase in refugee status denials and the lack of durable solutions for Colombian asylum seekers in Quito in the aftermath of the Peace Agreement.

5.2 – Recommendations and Future Directions

Colombian asylum seekers’ rights and protections are significantly recognized and protected on paper, but the issue is one of implementation. Thus, there needs to be an enhanced process of recognition of the benefits of the participation of asylum seekers and refugees in the receiving community. Ecuador must urgently implement and enforce their laws and policies end the discrimination, exclusion and extreme poverty asylum seekers face in the country.

Furthermore, a country can have inclusive policies for refugees and asylum seekers, however, if the population at large—including service providers and employers—is not informed on their rights, asylum seekers might not even have the possibility to integrate in the receiving

country. This harsh discrimination, along with circumstances that forced Colombian asylum seekers to flee from their country of origin, have a significant effect on their psychological well-being. As a consequence, Colombian asylum seekers' ability to become self-sufficient in Ecuador is limited. A first step to reduce discrimination is to build fact-based discourse surrounding current public perceptions of migrants and refugees (Pocock and Chan 2018). While, anti-racism and prejudice reduction campaigns on TV, and public service announcements on radio and billboards, have been implemented in many countries (Pocock and Chan 2018), Ecuador –the Latin American country that hosts the largest number of refugees–, struggles to counter extremist narratives and social distrust in the host communities.

While authorities have formulated first initiatives for awareness campaigns for the inclusion and support of asylum seekers and refugees, these have had low impact, visibility and even lower levels of implementations. Authorities in Quito, but also in all Ecuador, must formulate and implement capacity building programs and intensify awareness campaigns to combat racial discrimination and stereotypes, but also to inform the Ecuadorian population on the challenges faced by this extremely vulnerable population. More concretely, an important step to alleviate the barriers that asylum seekers face because of discrimination would be to ensure that ethno-cultural education is inserted in the Ecuadorian national school curriculum, or even create a National Ethno-Cultural Education Secretariat within the Ministry of Education. On a similar note, the Ecuadorian government must inform and educate its public officers in order to guarantee access of Colombian asylum seekers to housing, medical care, justice and financial services.

While this study has focused on Colombian asylum seekers, many more should be considered in the global displacement crisis. Indeed, global displacement is one of the greatest societal challenges of our era. It comes as no surprise that the world reached in 2020, 70.8 million forcibly displaced people worldwide, which has an estimated 25.9 million refugees and 3.5 million asylum seekers (UNCHR 2020). While the scope of this study is limited, it has shown that any step taken towards the promotion of peace can have profound repercussions on forcible displacements and must therefore be adopted with great caution.

REFERENCES

- Adriaan, A. (2018). "Colombia's war victims: the numbers". *Colombia Reports*. April 9, 2018. Available at: <https://colombiareports.com/colombias-war-victims-the-numbers/>
- Akebo, M. (2017). Ceasefire agreements in contemporary peace processes. In *Ceasefire Agreements and Peace Processes: A Comparative Study* (pp. 13–27). <https://doi.org/10.4324/9781315562360-9>
- Alsema, A. (2017). "FARC demobilization camps to become 'Peace Villages'". 16 April 2017. *Colombia Reports*. Available at: <https://colombiareports.com/farc-demobilization-camps-become-peace-villages/>
- Alsema, A. (2017a). "Former FARC guerrillas abandoning peace process head of reincorporation". *Colombia Reports*. 17 September 2017. *Colombia Reports*. Available at: <https://colombiareports.com/farc-demobilization-camps-become-peace-villages/>
- Alsema, A. (2017b). "State failing to comply with Colombia's peace deal: UN". *Colombia Reports*. October 3, 2017. Available at: <https://colombiareports.com/state-failing-comply-colombias-peace-deal-un/>
- Alsema, A. (2019). "Forced displacement in Colombia up 89%: UN". *Colombia Reports*. 7 January 2019. Available at: <https://colombiareports.com/forced-displacement-in-colombia-up-89-un/>
- Alsema, A. (2020). "ICRC registers 'discouraging' increases in conflict-related violence in Colombia despite peace process". *Colombia Reports*. 5 March 2020. Available at: <https://colombiareports.com/icrc-registers-discouraging-increase-in-violence-despite-colombias-peace-process/>
- Amnesty International (2017). "Colombia: Human Right and the Peace Agreement. Submission for the UN Universal Periodic Review, 30th Session of the UPR Working Group, May 2018". Available at: <https://reliefweb.int/report/colombia/colombia-human-rights-and-peace-agreement-amnesty-international-submission-un>
- Amnesty International (2017a). "The Years of Solitude Continue. Colombia: The Peace Agreement and Guarantees of Non-Repetition in Chocó". Amnesty International. <https://www.amnesty.org/download/Documents/AMR2374252017ENGLISH.PDF>
- Amnesty International (2018) "Colombia: More than 1,000 people forcibly displaced in just four days". 23 January 2018. Available at: <https://www.amnesty.org/en/latest/news/2018/01/colombia-mas-de-1000-personas-sufren-desplazamiento-forzado-en-solo-cuatro-dias/>

- Arevalo-Carpenter, M. (2013). "Applying for asylum in Ecuador is not easy", 14 April 2013. Available at: <https://www.aljazeera.com/indepth/opinion/2013/04/201341162633725979.html>
- ASMIRA (2014). "The Challenge of Seeking Asylum in Ecuador", Associazione ASMIRA. Available at: <https://associazioneasmiraeng.wordpress.com>
- Asylum Access and US Committee for Refugees and Immigrants (USCRI) (2013). "Refugee Status Determination in Latin America: Regional Challenges & Opportunities", January 2013, Available at: <http://www.refworld.org/docid/542906694.html>
- Asylum Access Ecuador (2014). "Landmark Victory for Refugee Rights in Ecuador", Available at: <http://asylumaccess.org/landmark-victory-for-refugee-rights-in-ecuador/>
- Asylum Access Ecuador (AAE) (2019). Seeking Asylum in Ecuador. Available at: <https://asylumaccess.org/program/ecuador/>
- Ballesteros, A. (2017). "Former FARC members massively abandoning demobilization zones". *Colombia Reports*. October 16, 2017. Available at: <https://colombiareports.com/former-farc-members-massively-abandoning-colombias-peace-process/>
- Bargent, J. (2017). "Reports Show Ex-FARC Criminal Cells Taking Shape Around Colombia". *InSight Crime*. August 1, 2017. Available at: <https://www.insightcrime.org/news/analysis/reports-show-ex-farc-criminal-cells-taking-shape-around-colombia/>
- Beck, S., Mijeski, K., and Stark, M. (2011). ¿QUÉ ES RACISMO? Awareness of Racism and Discrimination in Ecuador. *Latin American Research Review*, 46(1), 102-125.
- Beier, R., & Fritzsche, J. (2017). Refugees and the city: UN-Habitat's New Urban Agenda. *Forced Migration Review*, 55, 29–30. <http://search.proquest.com/docview/1929035071/>
- Bell, C. (2000). "Peace agreements and human rights". Oxford, Oxford University Press.
- Beyers, C. (2016). "En los márgenes del Estado: El caso de los refugiados colombianos en Ecuador" in Kniffki, Johannes et Christian Reutlinger. *Trabajo social desde miradas transnacionales*, Berlin: Frank and Timme. p. 249
- Bilsborrow, R. E., Mena, C. F., and Arguello, E. (2011). "Colombian refugees in Ecuador: sampling schemes, migratory patterns & consequences for migrants", *International Journal of Global Environmental Issues*, 11(3-4): 271-98.
- Buzan, Barry, Ole Waever, and Jaap de Wilde. 1998. *Security: A New Framework for Analysis*. Boulder: Lynne Rienner.

- Brown, K. (2019). "Venezuelans Flee Violence in Ecuador" *New Internationalist*. 30 January 2019. Available at: <https://newint.org/features/2019/01/30/venezuelans-flee-violence-ecuador>
- Campos García, A. (2017). New drivers of displacement in Colombia. *Forced Migration Review*, (56): 34.
- Carreño, A. (2012). "Situación de refugiados colombianos en Ecuador". *Justicia*, p. 20-46. Available at: <http://publicaciones.unisimonbolivar.edu.co/rdigital/ojs/index.php/justicia/article/view/577>
- Casey, N. (2017). "After Decades of War, Colombia Farmers Face a New Test: Peace. *New York Times*. 18 July 2018. Available at: <https://www.nytimes.com/2017/07/18/world/americas/colombia-cocaine-farc-peace-drugs.html>
- Casey, N. (2019). "Colombia's Peace Deal Promised a New Era. So Why Are These Rebels Rearming? *New York Times*. 19 May 2019. Available at: <https://www.nytimes.com/2019/05/17/world/americas/colombia-farc-peace-deal.html>
- Celi, C. (2015). "Breaking News on South American Immigration: Investigating Ecuadorian and Colombian Newspaper Coverage". MA Thesis, Concordia University, Montreal, Canada.
- Cernea, M. (1997) 'The Risks and Reconstruction Model for Resettling Displaced Populations'. *World Development* 25(10): 1569–87.
- Cerón Gruezo, S. J. (2016). "Ecuador y Venezuela: políticas migratorias para refugiados colombianos", *Universidad San Francisco de Quito USFQ*.
- Cervone, E. (1999). Racismo y Vida Cotidiana: Las Tácticas de la Defensa Étnica. In *Ecuador Racista: Imágenes e Identidades*, edited by Emma Cervone, and Fredy Rivera, 137–58. Quito, Ecuador: FLACSO.
- Charles, C. (2016). « En Équateur, la citoyenneté universelle à l'épreuve des faits », *Plein Droit*, 1(108), p. 39-43. Available at: <http://www.cairn.info/revue-plein-droit-2016-1-page-39.html>
- Clapham, Christopher. (1998). Rwanda: The perils of peacemaking. *Journal of PeaceResearch*. 35(2): 193–210.
- Clarke, J. (2014). Beyond Social Capital: A Capability Approach to Understanding Refugee Community Organizations and Other Providers for 'Hard to Reach' Groups. *International Journal of Migration, Health and Social Care*, 10(2), 61-72.

- Coalition for Migration and Refugees (2013). "Alternative Report Convention on the Elimination of Racial Discrimination", Available at: http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/ECU/INT_CERD_NGO_ECU_13659_E.pdf
- Colic-Peisker, V. and Tilbury, F. (2007) *Integration into the Australian Labour Market: The Experience of Three "Visibly Different" Groups of Recently Arrived Refugees*. *International Migration*, 45 (1). pp. 59-85.
- Cooper, S., Olejniczak, E., Lenette, C., & Smedley, C. (2017). Media coverage of refugees and asylum seekers in regional Australia: a critical discourse analysis. *Media International Australia*, 162(1), 78–89. doi:10.1177/1329878X16667832.
- Cosoy, N. (2018). "Hotel Casa Verde, la sorprendente idea de la guerrilla de las FARC de Colombia para que los turistas experimenten lo que ellos vivieron". *BBC Mundo Meta*. 27 January 2018. Available at: <http://www.bbc.com/mundo/noticias-america-latina-42696490>
- Council on Foreign Relations (2020). Global Conflict Tracker. Last updated: 8 April 2020. Available at : <https://www.cfr.org/interactive/global-conflict-tracker/?category=us>
- Culbertson, S. (2016). Rethinking coordination of services to refugees in urban areas : managing the crisis in Jordan and Lebanon . RAND Corporation.
- Diaz, V. (2019). "ACNUR: 30 000 ciudadanos venezolanos llegaron a Ecuador en la primera semana de agosto del 2018". *El Comercio*, August 10, 2018. Available at: www.elcomercio.com/actualidad/acnur-venezolanos-ecuador-puentederumichaca-informe.html
- Ditta, E. (2016). "ELN y FARC combaten contra Los Urabeños en Colombia". *InSight Crime*. 14 April 2016. Available at: <http://es.insightcrime.org/noticias-del-dia/eln-farc-combaten-contra-urabenos-colombia>
- Donger, E., Fuller, A., Bhabha, J. & Leaning, J. (2017) "Protecting Refugee Youth in Ecuador: Evaluation of Health and Wellbeing", UNHCR and Harvard FXB. Available at: <https://cdn2.sph.harvard.edu/wp-content/uploads/sites/114/2018/05/UNHCR-ECUADOR-Report1.pdf>
- Donnelly, F. and Pham, B-C. (2017). "Securitization and elections: Speaking security at ballot boxes and beyond", *E-International Relations*. Available at: <https://www.e-ir.info/2017/11/18/securitization-and-elections-speaking-security-at-ballot-boxes-and-beyond/>
- Dussán, Y. (2018). "Explosions Rattle Colombia and Ecuador". *Diálogo*. February 6, 2018. Available at: <https://dialogo-americas.com/en/articles/explosions-rattle-colombia-and-ecuador>

- Duoos, T. (2015) “The Mercosur Visa: A Band-Aid for Ecuador’s Rejected Colombian Asylum Seekers”. Refugees International, Ed. Duoos, Tori. Available at: <https://www.refugeesinternational.org/blog/2015/12/10/ecuador>
- Easton-Calabria, E. (2015). From Bottom-Up to Top-Down: The ‘Pre-History’ of Refugee Livelihoods Assistance from 1919 to 1979. *Journal of Refugee Studies*, 28 (3), 412-436.
- El Comercio (2016). “Jefe de las FARC: “*Hay muchos desertadores que se quedan viviendo en Lago Agrio.*” September 23, 2016. Available at: <http://www.elcomercio.com/actualidad/farc-desertores-ecuador-paz-colombia.html>
- El Comercio (2019). “Indígenas de Imbabura entregan a las autoridades armas que portaba un extranjero durante las protestas” *El Comercio*. 21 October 2019. Available at: <https://www.elcomercio.com/actualidad/indigenas-imbabura-armas-protestas-ecuador.html>
- EL Comercio (2020). “Policía de Migración halló extranjeros que trabajaban sin permisos en centro de diversión nocturna de Quito” *El Comercio*. 10 March 2020. <https://www.elcomercio.com/actualidad/quito-venezolanos-policia-migracion.html>
- El Espectador (2019). Las 9 preocupaciones de la ONU sobre la implementación del Acuerdo de Paz”. *Noticias Colombia 2020 El Espectador*. January 3 2019. Available at:
- El País (2017). “Corte aprueba a Ecomun, la cooperativa para los desmovilizados de las FARC”. *Noticias Proceso de Paz*. 13 September 2017. Available at: <http://www.elpais.com.co/proceso-de-paz/corte-aprueba-a-ecomun-la-cooperativa-para-los-desmovilizados-de-las-farc.html>
- El Telégrafo (2018). “Disidencias de las FARC cuentan con 1.200 miembros, dice ministro”. 25 April 2018. Available at: <https://www.eltelegrafo.com.ec/noticias/mundo/8/farc-disidencias-colombia>
- El Telégrafo (2018a). “12 grupos armados operan en la frontera”. *El Telegrafo*. 17 May 2018. Available at: <https://www.eltelegrafo.com.ec/noticias/mundo/8/farc-disidencias-colombia>
- El Universo (2018). “Al menos 158 familias desplazadas por crisis en frontera con Colombia”, 17 April 2018. Available at: <https://www.eluniverso.com/noticias/2018/04/17/nota/6719367/menos-158-familias-desplazadas-tesis-frontera-colombia>
- European Asylum Support Office (EASO) (2019). “Country of Origin Information”, *Information and Analysis*. Available at: <https://www.easo.europa.eu/information-analysis/country-origin-information>

- Expreso (2018). Disidentes de las FARC estarían tras el atentado en San Lorenzo. January 29, 2018. Available at <http://www.expreso.ec/actualidad/ecuador-sanlorenzo-farc-atentado-cohebomba-KC1994729>
- Fiddian-Qasmiyeh, E., Loescher, G., Long, K., & Sigona, N. (2014). *The Oxford Handbook of Refugee and Forced Migration Studies*. Oxford University Press.
- FLACSO and UNHCR (2011). “Refugiados Colombianos en Entornos Urbanos. El caso de Quito y Guayaquil”. *Proyecto FLACSO Sede Ecuador - ACNUR Ecuador*. Available at: <http://www.corteidh.or.cr/tablas/r26520.pdf>
- Forrester, S. (2014). “Colombian Refugees in Ecuador”. *Global Transmigration Resources University of North Carolina*. Available at: http://globalmigration.web.unc.edu/?page_id=166
- Frediani, A. (2010). Sen’s Capabilities Approach as a Framework to the Practice of Development. *Development in Practice*, 20(2), p. 173-187.
- Freire, G., Diaz-Bonilla, C., Schwartz Orellana, S., Soler Lopez, J., & Carbonari, F. (2018). *Afro-descendants in Latin America: toward a framework of inclusion*. World Bank Group.
- Fuerzas Militares de Colombia (2017). “Plan Militar “Victoria” por una paz estable y duradera”, *Comando General Colombia*. 21 February 2017. Available at: <http://www.cgfm.mil.co/2017/02/21/plan-militar-victoria-una-paz-estable-duradera/>
- Fundación Ideas para la Paz (2017). Crimen organizado y saboteadores armados en tiempos de transición. July 2017. Available at: <http://cdn.ideaspaz.org/media/website/document/59c3dc1155e69.pdf>
- Fundación Ideas para la Paz (2018). “Disidencias de las FARC: ¿Cuáles son, dónde están, qué hacen?”. FIP. 6 February 2018. Available at: <http://ideaspaz.org/especiales/infografias/disidencias.html>
- Gagne, D. (2016). “Despite Colombia Accord, a New Rebel Threat Emerges”. *InSight Crime*. 14 September 2016. Available at: <http://www.insightcrime.org/news-analysis/despite-colombia-accord-new-rebel-threat-emerges>
- Gateley, M-C. (2014). Becoming Actors of their Lives: A Relational Autonomy Approach to Employment and Education Choices of Refugee Young People in London, UK. *Social Work and Society International Online Journal*. 12(12).
- Gill, S. (2016). “Lessons from Colombia’s past: Is the FARC’s demobilization mass suicide?”. *Colombia Reports*. 28 April 2016. Available at: <https://colombiareports.com/disarming-farc-mass-suicide/>

- Gómez Polo, G. (2019). “Líderes sociales: una matanza que no para”, El Espectador Colombia. 7 January 2019. Available at: <https://colombia2020.elespectador.com/pais/lideres-sociales-una-matanza-que-no-para>
- Guest G, Bunce A, and Johnson L. (2006). “How many interviews are enough? An experiment with data saturation and variability”. *Field Methods*. 2006;18(1):59–82. doi: 10.1177/1525822X05279903
- Harley, T. (2014). Regional Cooperation and Refugee Protection in Latin America: A ‘South-South’ Approach. *International Journal Of Refugee Law*. 26(1): 22-47.
- Hebrew Immigrant Aid Society (HIAS) (2019). HIAS in Ecuador, available at: <https://www.hias.org/ecuador>
- Heckathorn, D. (2011). “Snowball Versus Respondent-Driven Sampling”, *Sociology Methodology*. August 2011. 41(1): 355-366.
- Hernández, M. G. (2013). Migrating Alone or Rejoining the Family? Implications of Migration Strategies and Family Separations for Latino Adolescents Research in Human Development, 10(4), 332–352. DOI: 10.1080/15427609.2013.846048
- Holstein, J. A., & Gubrium, J. F. (2011). Animating interview narratives. *Qualitative research*, 3, 149-167.
- Huff, D. and Geis, I. (1954). “How to Lie with Statistics”, *W.W. Norton and Company Inc*. New York.
- Human Rights Watch (2018). “Violencia reciclada: Abusos por grupos disidentes de las FARC en Tumaco, en la costa pacífica de Colombia”, 13 December 2018. Available at: <https://www.hrw.org/es/report/2018/12/13/violencia-reciclada/abusos-por-grupos-disidentes-de-las-farc-en-tumaco-en-la-costa>
- Humanosphere (2017). *Peace deal in Colombia gives way to killings of rights defenders*, U.N. says. 17 March 2017. Available at: www.humanosphere.org/human-rights/2017/03/peace-deal-in-colombia-gives-way-to-killings-of-rights-defenders-u-n-says/
- Ibanez, M. and Klasen, S. (2017). “Is the War on Drugs Working? Examining the Colombian Case Using Micro Data”. *The Journal of Development Studies*, 53(10):1650–1662.
- Ibrahim, S. (2014). The Capability Approach: From Theory to Practice – Rationale, Review and Reflections. In Solava Ibrahim & Meera Tiwari (Eds.) *The Capability Approach: From Theory to Practice*. UK: Palgrave Macmillan.
- Immigration and Refugee Board of Canada (2013). “Whether the Revolutionary Armed Forces of Colombia, the National Liberation Army, Paramilitary Groups and Criminal Groups

Pursue Victims Who Relocate to Another Area; Whether These Groups Track Their Victims over the Long Term, Even If the Latter Return to Colombia after an Extended Period of Time (2010-March 2013)". IRB, 9 April 2013. Available at: <http://www.refworld.org/docid/5188f37f4.html>

InSight Crime (2019). 1st front Dissidence. *InSight Crime*. Last Update: 19 July 2019. Available at: <https://www.insightcrime.org/colombia-organized-crime-news/first-front-dissidence/>

International Crisis Group (2017). "Colombia's Armed Groups Battle for the Spoils of Peace". *Report N. 63 Latin America and Caribbean*. Available at: <https://www.crisisgroup.org/latin-america-caribbean/andes/colombia/63-colombias-armed-groups-battle-spoils-peace>

International Organization for Migration (IOM) (2011). "International Migration Law N°25 - Glossary on Migration", 25(1) p.114. Available at: <https://publications.iom.int/books/international-migration-law-ndeg25-glossary-migration>

International Peace Institute (2013). "Peacekeeping Operations and the Durability of Peace: What Works and What Does Not?", Available at: https://www.ipinst.org/wp-content/uploads/publications/ipi_e_pub_peacekeeping_int_l_expert_forum_3.pdf

Isacson, A. (2017). "Ex-FARC reintegration is flailing in Colombia, a would-be OECD member state". Adam Isacson. Available at: <https://adamisacson.com/ex-farc-reintegration-is-flailing-in-colombia-a-would-be-oecd-member-state/>

Jacobsen, K. (2012). Refugee Livelihoods in Urban Areas: Identifying Program Opportunities. Case study: Quito, Ecuador. *Feinstein International Center, Tufts University*.

Jacobsen, K. (2014). Livelihoods and Economics in Forced Migration. In Valeria Fiddian-Qasmiyeh, Gil Loescher, Katy Long, and Nando Sigona (Eds.) *The Oxford Handbook of Refugee and Forced Migration Studies*. Oxford: University of Oxford, 100-110.

Jacobsen, K. and Cardona, I. (2014). "Guidance For Profiling Urban Displacement Situations: Challenges And Solutions" Feinstein International Center – Tufts University. June 2014. Available at: <http://fic.tufts.edu/publication-item/guidance-for-profiling-urban-displacement-situations-challenges-and-solutions/>

Jacobsen, K. and Fusft Nichols, R. (2011). Developing a Profiling Methodology for Displaced People in Urban Areas: Final Report. *Feinstein International Center*. Boston: Tufts University.

Jacobsen, K., Ayoub, M., and Johnson, A. (2012). Remittances to Transition Countries: The impact on Sudanese refugee livelihoods in Cairo. *Center for Migration and Refugee Studies, The American University in Cairo*. Working Paper No. 2/ July 2012.

- Jácome, E. (2019). En la zona rural de Quito es dramático vivir en hacinamiento. *El Comercio Quito*. January 13 2019. Available at: <https://www.elcomercio.com/actualidad/rural-quito-dramatico-hacinamiento-calderon.html>
- Johnson, K. (2018). “Las disidencias: ni el plan A, ni el plan B”. *La Silla Vacía*. 24 January 2018. Available at: <http://lasillavacia.com/silla-llena/red-de-la-paz/historia/las-disidencias-ni-el-plan-ni-el-plan-b-64341>
- Johnson, K. (2019). “¿En qué quedó la implementación del Acuerdo de Paz y qué esperar para 2019?”, *El Espectador Colombia*. 3 January 2019. Available at: <https://colombia2020.elespectador.com/pais/en-que-quedo-la-implementacion-del-acuerdo-de-paz-y-que-esperar-para-2019>
- Judge, R. (2010). Refugee advocacy and the biopolitics of asylum in Britain. *Oxford: RSC*.
- Jurado Carrera, K. P. (2017). “Análisis de la Problemática Económica de los Refugiados Residentes en la Provincia de Nueva Loja en Ecuador”. *Universidad de las Fuerzas Armadas*.
- Justice for Colombia (2019). “United Nations announces huge increase in forced displacement in 2018”. 7 January 2019. Available at: <https://justiceforcolombia.org/news/united-nations-announces-huge-increase-in-forced-displacement-in-2018/>
- Karolina, A. & Sandoval, A. (2016). Adolescentes Refugiados Colombianos En El Ecuador: Asistencia Gubernamental Y No- Gubernamental Con Énfasis En El Área Educativa. Quito: Colegio de Ciencias Sociales y Humanidades, May 2016.
- Keleher, L. (2014). Sen and Nussbaum: Agency and Capability-Expansion. *Ethics and Economics*, 11(2), 54-70.
- Keyes, C.L.M. (2006). Subjective well-being in mental health and human development research worldwide: An Introduction. *Social Indicators Research*. 77(1):1–10.
- Kieh, G. K. (2011). “Liberia: State failure, collapse and reconstitution”. Cherry Hill, NJ, Africana Homestead Legacy Publishers.
- Kieh, G. K. (2011). “Peace agreements and the termination of civil wars. Lessons from Liberia”, *African Center for the Constructive Resolution of Dispute*. Available at: <https://www.accord.org.za/ajcr-issues/peace-agreements-and-the-termination-of-civil-wars/>
- Kincaid, J. (2019). “Armed conflict reactivating throughout Colombia as peace process is crumbling”. *InSight Crime*. 17 April 2019. Available at: <https://colombiareports.com/armed-conflict-reactivating-throughout-colombias-as-peace-process-is-crumbling/>

- Koizumi, K., & Hoffstaedter, G. (2015). *Urban refugees : challenges in protection, services and policy*. Routledge.
- Kolås, Åshild. (2011). Naga militancy and violent politics in the shadow of ceasefire. *Journal of Peace Research*. 48(6): 781–792.
- Korac, M. (2009). “Remaking home: Reconstructing life, place and identity in Rome and Amsterdam”, *Berghahn Books*, New York, NY and Oxford.
- Korovkin, T. (2008). “The Colombian War and ‘Invisible’ Refugees in Ecuador.” *Peace Review: A Journal of Social Justice* 20:321–29.
- Kreutz, J. (2015). “Civil War Outcomes and a Durable Peace: Setting the Record Straight”, *German Development Institute (DIE)*, Briefing Paper, 17/2015. Available at: <https://uu.diva-portal.org/smash/get/diva2:870480/FULLTEXT01.pdf>
- Lago, I. (2019). “Policía capturó a narcotraficante que presumía sus lujos en las redes sociales”. *El Diaro Extra*. 14 October 2019. Available at: <https://www.extra.ec/actualidad/policia-capturo-narcotraficante-presumia-lujos-redessociales-BA3200416>
- Landau, L. & Duponchel, M. (2011) “Laws, Policies, or Social Position? Capabilities and the Determinants of Effective Protection in Four African Cities,” *Journal of Refugee Studies* 24, no. 1 (2011): 1–22.
- Landau, L. (2014). Urban Refugees and IDPs. In *The Oxford Handbook of Refugee and Forced Migration Studies*. Oxford University Press. Ed. Fiddian-Qasmiyeh, E., Loescher, G., Long, K., & Sigona, N. <https://doi.org/10.1093/oxfordhb/9780199652433.013.0012>
- Landau, L., Wanjiku-Kihato, C., Misago, J.P., Obot, D., & Edwards, B. (2016). *Becoming Urban Humanitarians: Engaging Local Government to Portect Displaced People*. Urban Institute.
- LaSusa, M. (2016). “FARC Dissidents Forming Criminal Groups in Ecuador: Reports”. *InSight Crime*. Available at: <https://www.insightcrime.org/news/brief/farc-dissidents-forming-criminal-groups-in-ecuador-reports/>
- Lohmuller, M. (2016). “Is Ecuador Drawdown on Colombia Border Premature?”. *InSight Crime*. Available at: <https://www.insightcrime.org/news/brief/is-ecuador-drawdown-on-colombia-border-premature/>
- Mattes, M. and Savun, B. (2009). “Fostering peace after civil war: Commitment problems and agreement design”. *International Studies Quarterly*, 53 (3), pp. 737–759.
- McDermott, J. (2017). “FARC Unity Shatters in Colombia”. *InSight Crime*. 12 January 2017. Available at: <http://www.insightcrime.org/news-analysis/farc-unity-shatters-colombia>

- Mckay, F, Thomas, S., and Kneebone, S. (2012). ‘It Would be Okay If They Came through the Proper Channels’: Community Perceptions and Attitudes toward Asylum Seekers in Australia. *Journal of Refugee Studies*, 25(1), 113-133.
- Meili, S. (2017). “The Human Rights of Non-Citizens: Constitutionalized Treaty Law in Ecuador”. *Georgetown Immigration Law Journal*. 31 (2): 347-388.
- Mesones Rojo, G. (2020). “COVID-19 brings fear and discrimination to Venezuelans in Ecuador”, *The New Humanitarian Organization*. Available at : <https://www.thenewhumanitarian.org/feature/2020/05/18/coronavirus-ecuador-venezuelans>
- Migration Policy Institute (MPI) (2016). “No way out? Making additional migration channels work for refugees”, ed. Collet, Elizabeth, Clewett and Fratzke, Susan. March 2016. Available at: <https://www.migrationpolicy.org/research/no-way-out-making-additional-migration-channels-work-refugees>
- Miller, S. and Panayotatos, D. (2019). A Fragile Welcome: Ecuador’s response to the influx of Venezuelan refugees and migrants. *Refugees International (Field Report)*. June 2019. Available at: <https://www.refugeesinternational.org/reports/2019/6/17/a-fragile-welcome>
- Ministry of Foreign Affairs and Human Mobility (MREMH) (2017). “Conference: Unidad de Refugio y Apatridia, with Officer, Hernán Guerrero”. Tulcán: July 10 2017.
- Ministry of Foreign Affairs and Human Mobility (MREMH) (2018). “Requisitos Para Residencia Permanente Visa Mercosur (Requirements for Mercosur Visa Permanent Residence)”. Available at: <http://www.cancilleria.gob.ec/requisitos-para-residencia-permanente-visa-mercosur/>
- Ministry of Foreign Affairs and Human Mobility (MREMH) (2018a). “Ecuador’s Human Mobility Law marks a before and after guaranteeing human rights of migrants”. Quito, January 5, 2018. Available at: <http://www.cancilleria.gob.ec/en/ecuadors-human-mobility-law-marks-a-before-and-after-guaranteeing-human-rights-of-migrants/>
- Ministry of Foreign Affairs and Human Mobility (MREMH) (2018b). “Reglamento a la Ley Organica de Movilidad Humana” (Regulation of the Organic Law of Human Mobility), Executive Order 111, Official Registration Supplement 55 from Aug 10 2017. Available at: https://www.cancilleria.gob.ec/wp-content/uploads/2018/05/reglamento_ley_de_movilidad_humana_reformado_abril_2018.pdf
- Ministry of Foreign Affairs and Human Mobility (MREMH) (2020). “Informacion sobre refugio: Estadísticas refugiados”. *Servicios MREHM*. Last updated on 2 March 2020. Available at: <https://www.cancilleria.gob.ec/informacion-sobre-refugio/>

- Ministry of Public Health (2020). Programs and services. Medical Appointment Scheduling. Accessed on April 6, 2020. Available at: <https://www.salud.gob.ec/agendamiento-de-citas-medicas/>
- Ministry of Social Development (Ministerio Coordinador de Desarrollo Social) (2014) “Racismo y discriminación racial en Ecuador 2004”, Informe 2004. Consulted 16 August 2019. Available at: http://www.siise.gob.ec/siiseweb/PageWebs/pubsis/pubsis_F038.pdf
- Miroff, N. (2017). “Colombia’s war has displaced 7 million. With peace, will they go home?”. *The Washington Post*. 5 September 2017. Available at: https://www.washingtonpost.com/world/the_americas/colombias-war-has-displaced-7-million-with-peace-will-they-go-home/2016/09/05/538df3c6-6eb8-11e6-993f-73c693a89820_story.html?noredirect=on&utm_term=.d5030312deeb
- Morales, A. (2018). Retos y desafíos de los mecanismos de atención a personas refugiadas en Ecuador y la región”. *FLACSO University: Latin American Regional Seminar on Human Mobility*. 7 March 2018. Available at: <https://www.flacso.edu.ec/portal/pnTemp/PageMaster/bir6clzb62tsnpmro2vmhwa8w7ykh9.pdf>
- Moseley-Williams, S. (2017). “Colombia’s Ex-FARC Guerrillas are training as Coffee Growers and Baristas in Cauca. Independent. 12 September 2017. Available at: <http://www.independent.co.uk/travel/americas/colombia-farc-guerrilla-fighters-coffee-growers-farmers-baristas-cauca-peace-deal-president-juan-a7940346.html>
- Moscoso, R. & Burneo, N. (2014) Más Allá de Las Fronteras: La Población Colombiana En Su Proceso de Integración Urbana En La Ciudad de Quito. UNHCR, November 2014.
- Muggah, R. and Aguirre Tobón, K. (2018). Citizen security in Latin America: Facts and Figue. Igarapé Institute: Strategic Paper 33. April 2018. Available at: <https://igarape.org.br/wp-content/uploads/2018/04/Citizen-Security-in-Latin-America-Facts-and-Figures.pdf>
- Muggah, R. & Erthal Abdenur, A. (2018). Refugees and the City: The Twenty-first-century Front Line. World Refugee Council Research Paper 2. July 2018. Available at: <https://www.cigionline.org/sites/default/files/documents/WRC%20Research%20Paper%20no.2.pdf>
- Murshed, S. M. and Verwimp, P. (2008). “Enforcing peace agreements through commitment technologies”. UNU-WIDER Research Paper No. 2008/45. Helsinki, UNU World Institute for Development and Economic Research.
- Musu-Gillette, L. (2015). Educational attainment differences by students’ socioeconomic status. Available at: <https://nces.ed.gov/blogs/nces/post/educational-attainment-differences-by-students-socioeconomic-status>
- Mutwol, J. (2009). “Peace agreements and civil wars in Africa”. Amherst, NY, Cambria Press.

- Nantulya, P. (2018). “When Peace Agreements Fail: Lessons from Lesotho, Burundi, and DRC”, *Africa Center for Strategic Studies*. Available at: <https://africacenter.org/spotlight/when-peace-agreements-fail-lessons-from-lesotho-burundi-and-drc/>
- Naranjo Sandalio, R. (2018). *Life After Trauma: The Mental-Health Needs of Asylum Seekers in Europe*. Migration Policy Institute, 30 January 2018.
- New World Encyclopedia (2019). “Quito, Ecuador”. Consulted on 20 August 2019, Available at : http://www.newworldencyclopedia.org/entry/Quito,_Ecuador#Demographics
- Norwegian Refugee Council (NRC) (2014). “Ecuador: Housing, Land and Property Rights for Colombian Refugee Women and Persons in Need of International Protection (PNIP)”, June 2014. Available at: <http://womenshlp.nrc.no/wp-content/uploads/2014/06/EcuadorEnglishWeb.pdf>
- Nussbaum, M. (2000). *Women and Human Development: The Capabilities Approach*, Cambridge: Cambridge University Press.
- Nussio, E. (2013). “Desarme, desmovilización y reintegración de excombatientes: políticas y actores del postconflicto”. *Colombia Internacional*, p. 8-16. Available at: <http://www.scielo.org.co/pdf/rci/n77/n77a01.pdf>
- OAS (2019). “IACHR Announces Observation Mission to Ecuador in Response to Protests” *Press Release*. 17 October 2019. Available at: http://www.oas.org/en/iachr/media_center/PReleases/2019/262.asp
- Observatory for the Protection of Human Right Defenders (OBS) (2018). “Colombia: No Peace for Human Rights Defenders”, Fact-Finding Mission Report. May 2018. Available at: https://reliefweb.int/sites/reliefweb.int/files/resources/colombia_report.pdf
- OECD (2012). “Chapter: What are ingredients for success in a peace process?” *Improving International Support to Peace Processes*. P.27-48. DOI: <http://dx.doi.org/10.1787/9789264179844-en>
- Oetzel, R. (2018). “Retos y desafíos de los mecanismos de atención a personas refugiadas en Ecuador y la región”. *FLACSO University: Latin American Regional Seminar on Human Mobility*. 7 March 2018. Available at: <https://www.flacso.edu.ec/portal/pnTemp/PageMaster/bir6clzb62tsnpmro2vmhwa8w7ykh9.pdf>
- OHCP (2016). “Colombia’s Agreement to End Conflict and Build Peace”, available from the webpage of the High Commissioner for Peace in Colombia. Available at: <http://www.altocomisionadoparalapaz.gov.co/herramientas/Documents/Que-se-ha-acordado-ingles-vfinal.pdf>

- Orcés, D. M. (2009). Democratic Values and Public Opinion Toward Immigrants: The Case of Ecuador. *Latin American Politics and Society*, 51(4), 131-155.
- Organic Law of Human Mobility (2017). “Ley Orgánica De Movilidad Humana (Organic Law of Human Mobility)”, *Official registry No. 938*, Quito, 6 February de 2017. Available at: <https://www.aduana.gob.ec/wp-content/uploads/2017/05/Ley-Organica-de-Movilidad-Humana.pdf>
- Ortega, C., & Ospina, O. (Eds.). (2012). " No se puede ser refugiado toda la vida...": refugiados urbanos: el caso de la población colombiana en Quito y Guayaquil. Flacso-Sede Ecuador.
- Panam Post (2017). *Why the Santos-FARC Agreement Failed to Bring Peace to Colombia*. May 8, 2017. Available at: <https://panampost.com/julio-mejia/2017/05/08/why-the-santos-farc-agreement-failed-to-bring-peace-to-colombia/>
- Parkinson, C. (2012). “Colombian refugees face discrimination in Ecuador: Report”, January 25 2012. *Colombia Reports*. Available at: <https://colombiareports.com/colombian-refugees-face-discrimination-in-ecuador-reports/>
- Pax for Peace (2017). *One year later, Colombia peace accord failing*. November 24, 2017. Available at: <https://www.paxforpeace.nl/stay-informed/news/one-year-later-colombia-peace-accord-failing>
- Perry, G. and others (2007), “The razón de ser of the informal sector”, *Informality: Exit and Exclusion*, Washington, D.C., World Bank.
- Phelan, A. (2018). “Engaging Insurgency: The Impact of the 2016 Colombian Peace Agreement on FARC's Political Participation”. *Studies in Conflict and Terrorism*. Available at: <https://www-tandfonline-com.proxy.bib.uottawa.ca/doi/pdf/10.1080/1057610X.2018.1432027?needAccess=true>
- Pocock, N. and Chan, C. (2018). “Refugees, Racism and Xenophobia: What Works to Reduce Discrimination?” *United Nations University*. Available at: <https://ourworld.unu.edu/en/refugees-racism-and-xenophobia-what-works-to-reduce-discrimination>
- Puente, D. (2019). “Ministro de Defensa habla de presencia de ‘insurgencia’ en Ecuador y de estrategias antiterroristas”, *El Comercio*. October 21 2019. Available at: <https://www.elcomercio.com/actualidad/ministro-defensa-insurgencia-antiterrorista-manifestaciones.html>
- Pugh, J, Jiménez, L.F. and Latuff, B. (2020). Welcome Wears Thin for Colombians in Ecuador as Venezuelans Become More Visible. January 9, 2020. Available at: <https://www.migrationpolicy.org/article/welcome-wears-thin-for-colombians-ecuador>

- Pugh, J. (2018). "Negotiating Identity and Belonging through the Invisibility Bargain: Colombian Forced Migrants in Ecuador," *International Migration Review*. <https://doi.org/10.1111/imre.12344>
- Pugh, J. and Moya, J. (2019). "Words of (Un)welcome: Securitization & Migration Discourses in Ecuadorian Media". *Unpublished manuscript*.
- Quito Municipio (2019). Desarrollo integral y regulación de las actividades de comercio y prestación de servicios de las trabajadoras y trabajadores autónomos". Ordenanza Metropolitana No. 0280. *Quito Distrito Metropolitano*. Available at: http://www.quito.gob.ec/documents/cartillas/cartilla_11.pdf
- Ramírez, J., Ireri C. & Coloma, S. (2017) "Ha, Usted viene por la visa Mercosur": Migración, integración y refugio en Ecuador. CIESPALCELAG, Quito. Available at: <https://www.aacademica.org/jacques.ramirez/4.pdf>
- Rampietti, A. (2019). "Violence continues to displace farmers in northern Colombia". *Aljazeera*. 17 May 2019. Available at: <https://www.aljazeera.com/news/2019/05/violence-continues-displace-farmers-northern-colombia-190507110552735.html>
- Ray, S. and Heller, L. (2009). *Peril of Protection: The Link Between Livelihoods and Gender-Based Violence in Displacement Settings*. New York: Women's Refugee Commission.
- Real World Radio (RWR) (2019). "Press conference at the closing of the III International Mission of Solidarity in Colombia of La Vía Campesina", April 2, 2019. Available at: <https://rwr.fm/coverage-en-2/we-do-not-trust-the-colombian-government-wants-to-comply-with-the-peace-accords/>
- Rein, R., Rinke, S., & Sheinin, D. (2020). *Migrants, Refugees, and Asylum Seekers in Latin America*. BRILL Books.
- Reiter, A. G. (2015). Does spoiling work? Assessing the impact of spoilers on civil war peace agreements. *Civil Wars*, 17(1), 89-111. DOI: <http://dx.doi.org/10.1080/13698249.2015.1059567>
- Reuters (2018). "Ecuador links police barracks bombing to Colombia FARC dissidents". *World News*. January 29, 2018. Available at: <https://www.reuters.com/article/us-ecuador-colombia-blast/ecuador-links-police-barracks-bombing-to-colombia-farc-dissidents-idUSKBN1FI2H4>
- Rivera, F., Ortega, G., & Larreátegui P. & Riaño-Alcalá, P. (2007). Migración forzada de colombianos: Ecuador. Medellín: Corporación Región.
- Rojas Andrade, G. (2016). "Post-demobilisation groups and forced displacement in Colombia: a quantitative approach", in DJ Cantor and N. Rodríguez Serna (eds.), *The New Refugees*:

Crime and Forced Displacement in Latin America. University of London, 2016, pp. 63–85.

- Romo Pérez, Andrea. 2017. “The Experiences of Black and Colombian Female Offenders with the Police in Ecuador: Understanding Minorities’ Intersecting Identities,” *Feminist Criminology* 14 (3): 330-348. DOI: 10.1177/1557085117744875.
- Rosen, J., Bagley, B., and Chabat, J. (2019). *The criminalization of states: the relationship between states and organized crime*. Lanham, Maryland: Lexington Books.
- Ryan, R.M. and Deci, E.L. (2001). On happiness and human potentials: a review of research on hedonic and eudaimonic well-being. *Annual Review of Psychology*. 52(1): 141-66.
- R4V (2020). Plataforma de Coordinación para Refugiados y Migrantes de Venezuela. *Initiative of the UNHCR*. Available at: <https://r4v.info/es/situations/platform>
- Salinas Ivanenko, A.P. (2014). *The rights of Colombian refugees in Ecuador: A paradox of advancements and retrogressions*. New York: Oxford University, 132 p.
- Semana (2019). “El factor colombiano en la violenta crisis de Ecuador”, SEMANA newspaper. October 13 2019. Available at: <https://www.semana.com/nacion/articulo/crisis-de-ecuador-contrabando-y-grupos-armados-colombianos/636075>
- Semana (2019a). “Presidente Duque rechaza injerencia extranjera en la violenta crisis de Ecuador”, SEMANA newspaper. October 13 2019. Available at: <https://www.semana.com/nacion/articulo/presidente-duque-rechaza-injerencia-extranjera-en-la-violenta-crisis-de-ecuador/636070>
- Sen, A. (1999). *Development As Freedom*. New York: Oxford University Press.
- Serker, M. (2004). “Nussbaum's Capabilities Approach and Religion”, *Journal of Religion*, 84(3): 379-409.
- Sharkey, L. (2018). “Violence Shocks Ecuador As Colombia's Woes Spread South”. *FORBES*. 1 May 2018. Available at : <https://www.forbes.com/sites/riskmap/2018/05/01/violence-shocks-ecuador-as-colombias-woes-spread-south/#4464f21672f2>
- Shedlin, Michele G., et al. (2016). “The Impact of Food Insecurity on the Health of Colombian Refugees in Ecuador”. *Journal of Food Security*, 4(2), 42-51.
- Silva Ávalos, H. (2017). “Colombia: Ground Zero of the Cocaine Trade”. *InSight Crime*. Nariño. 7 June 2017. Available at: <https://www.insightcrime.org/investigations/narino-colombia-ground-zero-cocaine-trade/>
- Smith, A., Lalonde, R. N. and Johnson, S. (2004). Serial migration and its implication for the parent-child relationship: A retrospective analysis of the experiences of the children of

Caribbean Immigrants. *Cultural Diversity and Ethnic Minority Psychology*, 10(2): 107–122.

- Solano, G. and Weissenstein, M. (2019). “Ecuador crisis weakens president, strengthens indigenous”, *The Washington Post*. 14 October 2019. Available at: https://www.washingtonpost.com/world/the_americas/ecuador-indigenous-president-open-talks-over-protests/2019/10/13/f3c5b25c-ee17-11e9-bb7e-d2026ee0c199_story.html
- Spears, I. (2008). “Understanding inclusive peace agreements in Africa: The problems of sharing power”. *Third World Quarterly*, 21 (1), pp. 105–118.
- Stedman, S. J. (2001). “Implementing peace agreements in civil wars: Lessons and recommendations for policy-makers”. IPA Policy Paper Series on Peace Implementation. New York, International Peace Academy.
- Storey, H. (2013). Consistency in Refugee Decision-Making: A Judicial Perspective. *Refugee Survey Quarterly*, 32(4), 112-125.
- Suárez-Orozco, C., Bang, H. J. and Kim, H. Y. (2011). I felt like my heart was staying behind: Psychological implications of family separations and reunifications for immigrant youth. *Journal of Adolescent Research*, 26(2): 222–257.
- Suárez, A. (2000). Parasites and Predators: Guerrillas and the Insurrection Economy of Colombia. *Journal of International Affairs*, 53(2), 577-601. Retrieved February 17, 2020, from www.jstor.org/stable/24357766
- Tipanluisa, G. (2019). “Las protestas, las mafias y el combustible”, *El Comercio*. October 22 2019. Available at: <https://www.elcomercio.com/blogs/informe-judicial/protestas-mafias-combustible-geovanny-tipanluisa.html>
- Ugarriza, J. E. (2018). ¿Reducir el Ejército en el posconflicto? *El Espectador*. October 29 2019. Available at: <https://www.elespectador.com/colombia2020/pais/reducir-el-ejercito-en-el-posconflicto-articulo-857318>
- UN Development Programme (UNDP) (2012). Colombia: Nariño: Análisis de la conflictividad. June 2012. p.7. Available at: https://info.undp.org/docs/pdc/Documents/COL/00058220_Analisis%20conflictividad%20Nari%C3%B1o%20PDF.pdf
- UN High Commissioner for Refugees (UNHCR) (1995). *RLD4 - Interviewing Applicants for Refugee Status*, 1995, RLD4, available at: <https://www.refworld.org/docid/3ccea3304.html> [accessed 8 April 2020]

- UN High Commissioner for Refugees (UNHCR) (2004). “Procedural Standards for Refugee Status Determination under UNHCR’s Mandate”. Available at: <https://www.refworld.org/pdfid/42d66dd84.pdf>
- UN High Commissioner for Refugees (UNHCR) (2010). “Country Operation Plan 2008-2009: Protection and Durable Solutions for People in Need of International Protection (PNIP) in Ecuador”, Appendix2-COP/ROP. Available at: <http://www.unhcr.org/home/PROTECTION/4716249e0.pdf>
- UN High Commissioner for Refugees (UNHCR) (2012a). “The Implementation of UNHCR’s Policy on Refugee Protection and Solutions in Urban Areas – Global Survey - 2012”. Ed. Moran, Mary Beth. Available at: <http://www.unhcr.org/516d658c9.pdf>
- UN High Commissioner for Refugees (UNHCR) (2016). “Colombia Situation Update: Colombia, Ecuador and Venezuela”. UNHCR December 2016. Available at: http://reporting.unhcr.org/sites/default/files/UNHCR%20Colombia%20Situation%20Update%20-%20December%202016_0.pdf
- UN High Commissioner for Refugees (UNHCR) (2016a). *UNHCR RSD Procedural Standards - Legal Representation in UNHCR RSD Procedures*, 2016, available at: <https://www.refworld.org/docid/56baf2c84.html> [accessed 12 July 2019]
- UN High Commissioner for Refugees (UNHCR) (2017). “UNHCR welcomes Ecuador’s, new Human Mobility Law”, UNHCR Ecuador. Available at: www.unhcr.org/news/briefing/2017/1/5878a0464/unhcr-welcomes-ecuadors-new-human-mobility-law.html
- UN High Commissioner for Refugees (UNHCR) (2017a). “UNHCR Global Focus: 2018 Planning summary”. 29 December 2017. Available at: <http://reporting.unhcr.org/sites/default/files/pdfsummaries/GA2018-Ecuador-eng.pdf>
- UN High Commissioner for Refugees (UNHCR) (2017b). “Forced displacement growing in Colombia despite peace agreement”, UNHCR Ecuador. Available at: www.unhcr.org/news/briefing/2017/3/58c26e114/forced-displacement-growing-colombia-despite-peace-agreement.html
- UN High Commissioner for Refugees (UNHCR) (2018). “Mid-Year Trends 2017”, March 2018. Available at: <http://www.unhcr.org/statistics/unhcrstats/5aaa4fd27/mid-year-trends-june-2017.html>
- UN High Commissioner for Refugees (UNHCR) (2018a). “UNHCR Statistical Yearbook 2016, 16th edition”. February 2018. Available at: <http://www.unhcr.org/statistical-yearbooks.html>
- UN High Commissioner for Refugees (UNHCR) (2018b). “UNHCR Global Appeal 2018-2019: Overview of chapter”, p.31. Available at: <http://www.unhcr.org/50a4c17f9.pdf>

- UN High Commissioner for Refugees (UNHCR) (2018c). “Guidelines on Assessing and Determining the Best Interests of the Child”, 2018 Provisional release. Available at: <https://www.refworld.org/pdfid/5c18d7254.pdf>
- UN High Commissioner for Refugees (UNHCR) (2018d). “UNHCR Resettlement handbook and country chapters”, Available at: <https://www.unhcr.org/protection/resettlement/4a2ccf4c6/unhcr-resettlement-handbook-country-chapters.html>
- UN High Commissioner for Refugees (UNHCR) (2019). “Ecuador: Fact Sheet” September 2019. Available at: https://www.acnur.org/op/op_fs/5d8bd87e4/ecuador-september-2019.html?query=ecuador
- UN High Commissioner for Refugees (UNHCR) (2019a). Handbook and Guidelines on Procedures and Criteria for Determining Refugee Status under the 1951 Convention and the 1967 Protocol relating to the Status of Refugees, Geneva, April 2019, HCR/1P/4/ENG/REV. 4, available at: <https://www.refworld.org/docid/5cb474b27.html>
- UN High Commissioner for Refugees (UNHCR) (2020). “Global Trends 2019”, 18 June 2020.. Available at: <http://unhcr.org/globaltrends2019/>
- UN High Commissioner for Refugees (UNHCR) (2020a). “Venezuela Situation: Emergencies” June 2020. Available at: <https://www.unhcr.org/venezuela-emergency.html>
- UN High Commissioner for Refugees (UNHCR) and Instituto de la Ciudad (2014). “Urban Profiles of the Colombian Population in Quito: Refugees, asylum seekers and other migrants: Results and recommendations” June 2014.
- UN High Commissioner for Refugees (UNHCR) Ecuador (2020). “Global Focus. UNHCR Operations Worldwide: Ecuador Key Figures”. *Accessed January 14 2020*. Available at: <http://reporting.unhcr.org/node/2543?y=2019#year>
- Unidad para las Víctimas. Government of Colombia (2020). “Registro Único de Víctimas (RUV)”. Last Updated: 1 March 2020. Available at: <https://www.unidadvictimas.gov.co/fr>
- United Nations Office of Internal Oversight Services (UN OIOS) (2012). “Audit of UNHCR operations in Ecuador”, 28 August 2012. Assignment No. AR2011/151/01. Available at: https://usun.state.gov/sites/default/files/organization_pdf/199306.pdf
- Uppsala Conflict Data Program (UCDP) (2018). “Definition: Department of Peace and Conflict Research”. Available at: <https://www.pcr.uu.se/research/ucdp/definitions/#Active>
- Vega Núñez, A.P. (2017). Analysis of formal-informal transitions in the Ecuadorian labour market. CEPAL Review, N. 123. Available at: https://repositorio.cepal.org/bitstream/handle/11362/43454/1/RVI123_Vega.pdf

- Verney, M. H. (2009) “Unmet refugee needs: Colombian refugees in Ecuador”. *Forced Migration Review*, 32, 60-61. Available at: <http://www.fmrview.org/sites/fmr/files/FMRdownloads/en/FMRpdfs/FMR32/FMR32.pdf>
- Villa, M. and Riaño, P. (2008). “El refugio en Ecuador. Las fronteras del no reconocimiento: Los colombianos en situación de refugio en Ecuador”, In *Poniendo tierra de por medio. Migración forzada de colombianos en Colombia, Ecuador y Canadá*. Medellín: Corporación Región et University of British Columbia, 68 p.
- Volkert, J. (2014). Capability Approach Applications in Germany: Official Poverty and Wealth Reporting and Beyond. In Solava Ibrahim & Meera Tiwari (Eds.) *The Capability Approach: From Theory to Practice*. UK: Palgrave Macmillan.
- Weisbrot, M., Johnston, J. and Merling, L. (2017). “Decade of Reform: Ecuador’s Macroeconomic Policies, Institutional Changes, and Results”, Washington, DC: *Center for Economic and Policy Research*, February 2017.
- White, A.G. (2011). In the shoes of refugees: providing protection and solutions for displaced Colombians in Ecuador. *UNHCR. New Issues in Refugee Research, Research*. <http://www.unhcr.org/4e4bd6c19.pdf>
- World Bank (2019). “The World Bank in Ecuador: Overview,” World Bank, Last updated: 15 October 2019. Available at: <http://www.worldbank.org/en/country/ecuador/overview>.
- Yagoub, M. (2016). “Santos Recognizes Criminal Groups are Moving into FARC Areas”. *InSight Crime*. 23 November 2016. Available at: <http://www.insightcrime.org/news-analysis/santos-recognizes-criminal-groups-are-moving-into-farc-areas>
- Zetter, R. and Ruaudel, H. (2018). Refugees’ right to work and access to labour markets: Constraints, challenges and ways forward. *Forced Migration Review*, (58), 4-7.

APPENDIX

Appendix A: Invitation to participate email/poster for Colombian asylum seekers.....	107
Appendix B: Recruitment email for stakeholders.....	108
Appendix C: Interview information sheet for Colombian asylum seekers.....	109
Appendix D: Interview information sheet for stakeholders.....	109
Appendix E: Interview consent form for Colombian asylum seekers	111
Appendix F: Interview consent form for stakeholders	116
Appendix G: Interview guide for Colombian asylum seekers.....	116
Appendix H: Interview guide for stakeholders.....	121
Appendix I: Certification of ethics approval	122

Appendix A: Invitation to participate email/poster for Colombian asylum seekers

THE COLOMBIAN PEACE AGREEMENT WITH THE FARC: ITS IMPACT ON THE LIVES OF COLOMBIAN ASYLUM SEEKERS IN ECUADOR

If you are Colombian and claimed refuge in Ecuador **after November 2016**, you might be interested in participating in this research! This letter is an invitation to a research project at looks at your past experiences as an asylum seeker in the city of Quito.

The project is conducted by a graduate student from the Canadian University of Ottawa and wants to inform the policies of the refugee application process, as well as the living conditions of Colombians in situation of asylum.

This project is interested in better understanding the following:

1. Your migratory choices and your experiences coming to Ecuador as an asylum seeker.
2. Your perception of the refugee application system and the obstacles/challenges faced in throughout the whole process.
3. Your thoughts and experiences within the Ecuador society as an asylum seeker, regarding your living conditions, access to basic services and perceived levels of discrimination.

You are invited to share your experiences by responding an interview. Interviews will be recorded and set up at a time that is convenient for you and in a location of your choosing and will take approximately 1 hour to complete. We will be offering you a compensation of \$10 for your time, as well as a compensation for travel expenses to and from the interview location

You will be asked questions like the ones above as well as others that provide information about your experiences as an asylum seeker in Ecuador.

Your contributions could help advocate to modify the setbacks you encountered during your refugee application. The information you provide will be kept completely confidential. We will be the only person who hear what you say.

If you are interested in participating, please contact *Jessica Losier* by one of the following means of communication:

Local phone number:

WhatsApp:

Email:

THANK YOU!

Appendix B: Recruitment email for stakeholders

Dear (NAME OF PARTICIPANT),

I hope you have been well since last time we talked [WILL BE MODIFIED ACCORDING TO WHO IS CONTACTED, AS I AM IN TOUCH WITH SOME PRACTITIONERS].

I would like to invite you to take part to a new research that I'm conducting, looking at the impact of the Colombian Peace Agreement on Colombian asylum seekers in Ecuador. The project seeks to shed light on the unintended consequences of the Agreement on Colombians, more specifically their refugee determination experiences and their everyday lives in Ecuadorian society.

With continued cooperation from you, as practitioners who work on the field have significant experience with the refugee status determination (RSD) system, we believe that this research will assist us in the analysis of what makes the RSD successful and what needs to be improved. The interview will also provide useful insight into how to improve living conditions of asylum seekers in Ecuador. The interview would last about 1 hour in the city of Quito but could also be conducted via skype and would be scheduled at a time that is convenient for you.

If you are interested in participating in this new research, please let me know by email and I will forward to you an information letter as well as a consent form. After you have had an opportunity to read through the additional information and sign the consent form, we can set up an interview time at your convenience.

In addition, if you have any questions, or would like to learn more about what this research involves, please do not hesitate to ask. Should there be someone with whom my contact would be more appropriate, I would be very appreciative if you would pass this email along to them.

Appendix C: Interview information sheet for Colombian asylum seekers

The Colombian Peace Agreement with the FARC: Its Impact on the Lives of Colombian Asylum Seekers in Ecuador

You are being invited to take part in a research project. Before you decide it is important for you to understand why the research is being performed and what it will involve. Before agreeing to take part in this research, you should read the information provided in this *Information Sheet* and the *Research Consent Form*. It includes details we think you need to know in order to decide if you wish to take part in the study. If you have questions, please ask one of the researchers listed below. You should not sign this form until you are sure you understand the information. All participation is voluntary. Thank you.

Purpose of the Study: The purpose of this research is to shed light on the impacts of the Colombian Peace Agreement with the Revolutionary Armed Forces of Colombia (FARC) on the life of Colombian asylum seekers in Ecuador. More particularly, the project seeks to investigate how the Peace Agreement impacted the refugee determination experience of Colombians in Ecuador. It also seeks to explore the everyday life challenges faced by asylum seekers due to exploitation, discrimination and stigmatization as a result of an increase in negative perceptions of Colombians in Ecuador.

Description of this research: We are inviting Colombian asylum seekers to participate in an interview with us. In these interviews, we hope that participants will share their perspective of the refugee application process within the Ministry of Foreign Affairs and Human Mobility and their experiences as asylum seekers in Ecuador. Topics to be discussed may include experiences throughout the refugee application system and within Ecuadorian society regarding their level of comfort and of self-sufficiency.

The interview can be set up at a time that is convenient for you and will take approximately 1 hour to complete. Interviews will be conducted at a time and place of your choosing. If you agree to participate in an interview, you will be asked to sign or agree verbally to the *Research Consent Form* attached to this document (Appendix E) before the interview is conducted. We anticipate that these interviews will provide crucial insight into the Ecuadorian refugee application process and on the current immigration difficulties faced by asylum seekers in the country.

It is imperative that the consent form is agreed to before the interview is conducted. Interviews discussions will be audio-taped for later analysis. If you happen to say something that you do not want transcribed, you can tell us and we will omit it. Participation in any research study is voluntary. If you decide to participate in this study you can change your mind without giving a reason; you may leave the interview at any time. You may refuse to answer any questions and may terminate your participation in the interview at any time.

Protecting your Information:

Participation in this research is anonymous. Anything that you say in the interview will remain confidential. Your name will not be linked to anything that is said, and every effort will be made to report the findings in ways that cannot be traced to any particular participant. All data from

the interviews will be kept in a secure location and will only be accessible to Jessica Losier and her research supervisor, Delphine Nakache.

Stipend:

To thank you, we will be offering you a \$ 10 stipend for your time and transportation costs to and from the interview, which you will receive after you have read and agreed to the *Consent Form* and before the interview begins.

Study results:

Study results will be reported through publications in academic and professional journals and/or conference presentations. It is also anticipated that this study's findings will be of interest to a range of stakeholders and will be presented to them in a variety of formats.

Research Ethics Board Contact:

If you have any questions regarding your rights as a research participant, you may contact the Research Ethics Board of the University of Ottawa during business hours at 613-562-5387.

Further Information:

Principal Investigator:
Jessica Losier - Graduate Student
School of International Development and Global Studies
University of Ottawa
Tel (Local):
WhatsApp:
Email:

Project Supervisor
Dr. Delphine Nakache
Professor, School of International Development and Global Studies
University of Ottawa
Tel (Office):
Email:

- THANK YOU VERY MUCH FOR YOUR PARTICIPATION-

Appendix D: Interview information sheet for stakeholders

The Colombian Peace Agreement with the FARC: Its Impact on the Lives of Colombian Asylum Seekers in Ecuador

You are being invited to take part in a research project. Before you decide it is important for you to understand why the research is being performed and what it will involve. Before agreeing to take part in this research, you should read the information provided in this Information Sheet and the Research Consent Form. It includes details we think you need to know in order to decide if you wish to take part in the study. If you have questions, please ask one of the researchers listed below. You should not sign this form until you are sure you understand the information. All participation is voluntary. Thank you.

Purpose of the Study: The purpose of this research is to shed light on the impacts of the Colombian Peace Agreement with the Revolutionary Armed Forces of Colombia (FARC) on the life of Colombian asylum seekers in Ecuador. More particularly, the project seeks to investigate how the Peace Agreement impacted the refugee determination experience of Colombians in Ecuador. It also seeks to explore the everyday life challenges faced by asylum seekers due to exploitation, discrimination and stigmatization as a result of an increase in negative perceptions of Colombians in Ecuador.

Description of this research: To facilitate this research, we are inviting stakeholders who are working in the field with Colombian asylum seekers in the city of Quito to participate in one-on-one interviews with us. Topics to be discussed may include challenges in your practices with migrants; the perceived changes in the refugee application process along with its obstacles and your view in the challenges experienced by Colombian asylum seekers within Ecuadorian society. The interview will be set up at a time and location that is convenient for you and will take approximately 1 hour to complete. If you agree to participate in an interview, you will be asked to sign the *Consent Form* (Appendix F) attached to this document and return it to us before the interview is conducted.

It is imperative that the consent form is signed before the interview starts. We anticipate that these interviews will provide crucial insight into the refugee application process from the practitioner's perspective. Interviews will be audio-taped for later analysis. If you happen to say something that you do not want transcribed, you can tell us and we will omit it.

Protecting your information: Participation in this research project is not intended to be anonymous, but if you indicate you wish to remain anonymous, anything that you say in the interview will remain confidential. Your name will not be linked to anything that is said, and every effort will be made to report the findings in ways that cannot be traced to any particular participant. All data from the interviews will be kept in a secure location and will only be accessible to Jessica Losier and her project supervisor, Professor Delphine Nakache.

Study Results: Study results will be reported through publications in academic and professional journals and/or conference presentations. It is also anticipated that this study's findings will be of interest to a range of stakeholders and will be presented to them in a variety of formats.

Research Ethics Board Contact: .

If you have any questions regarding your rights as a research participant, you may contact the Research Ethics Board of the University of Ottawa during business hours at +001-613-562-5387

Contact for further information:

Principal Investigator:
Jessica Losier - Graduate Student
School of International Development and Global Studies
University of Ottawa
Tel (Local):
WhatsApp:
Email:

Project Supervisor
Dr. Delphine Nakache
Professor, School of International Development and Global Studies
University of Ottawa
Tel (Office):
Email:

- THANK YOU VERY MUCH FOR YOUR PARTICIPATION-

Appendix E: Interview consent form for Colombian asylum seekers

The Colombian Peace Agreement with the FARC: Its Impact on the Lives of Colombian Asylum Seekers in Ecuador

Name of Participant: _____

Name of Principal Investigator: Jessica Losier, Graduate Student, School of International Development and Global Studies, University of Ottawa. Email:

Name of Project Supervisor: Delphine Nakache, Professor, School of International Development and Global Studies, University of Ottawa, Email:

Invitation to Participate: I am invited to participate in the above mentioned research study conducted by Jessica Losier in the context of a Master's thesis.

Purpose of the Study: The purpose of this research is to shed light on the impacts of the Colombian Peace Agreement with the Revolutionary Armed Forces of Colombia (FARC) on the life of Colombian asylum seekers in Ecuador. More particularly, the project seeks to investigate how the Peace Agreement impacted the refugee determination experience of Colombians in Ecuador. It also seeks to explore the everyday life challenges faced by asylum seekers due to exploitation, discrimination and stigmatization as a result of an increase in negative perceptions of Colombians in Ecuador.

Participation: My participation will consist of one interview with the researcher that will last 60 minutes. During this interview, I will be asked questions about my current immigration situation in Ecuador as an asylum seeker, my perception of the refugee application process and my experiences within the Ecuadorian society. A digital recorder will record the interview.

Risks: Speaking to a researcher about my current immigration situation and experiences in Ecuador may increase my level of stress and insecurity regarding my immigration status. To minimize this risk, anything that I say in the interview will remain confidential. My name will not be linked to anything that is said, and every effort will be made to report the findings in ways that cannot be traced to any particular participant. The interview will also take place in a time and place of my choosing. My name and the name of any organizations I work for will not be included in any report or publications arising out of this research. Some of the questions that will be asked may be considered to be of a personal nature. To avoid any discomfort, I will have the option of terminating the conversation or changing the subject at any time. I will still receive a compensation of \$10 for my time, as well as compensation for travel expenses to and from the interview location.

If I experience any emotional distress and wish to speak with a counsellor or find support services, I may wish to contact:

HIAS ECUADOR

Address: Mariscal Foch, Quito 170143, Ecuador

Phone: + 593(02)-2239-090 / + 593(02)-2239-098

UNHCR Ecuador – Protection Office

Address: Calle Whymper 28-39 y Francisco de Orellana, edificio Cervino

Phone: +593(02)-298-7800

SERVICIO JESUITA A REFUGIADOS-ECUADOR

Address: Calle Eustorgio Salgado N19-83 y Av. Universitaria (Sector Miraflores)

Phone: + 593(02)-2559-876 / + 593(02)-2543-985

MISIÓN SCALABRINIANA

Address: Calle Atacames Oe8-148 y la Gasca

Phone: 593(02)-243-2613

Benefits: I will not benefit directly from participating in this study. However, I will have the opportunity to share my story, both with the researchers and with other readers. In addition, knowledge gained from this study will contribute to a greater understanding of Ecuador's refugee application system among academics and policy makers.

Protecting your information

My identity will be kept confidential. Any document containing personal information will be stored in a locked cabinet and will only be accessed by the research team. My name will not be linked with the interview findings and will not be published in any report. At the end of the study, all personal information will be removed from the study's files. Notes and transcripts from the interviews will not include any identifying information; all participants will be assigned a number for identification purposes in interview notes and transcripts. Some of the data, completely depersonalized, might be used by members of the research team in work, publications, presentations and general communications.

Participation and Withdrawal

Participation in any research study is voluntary. If I decide to participate in this study, I can withdraw from the study at any time and/or refuse to answer any questions. My decision to stop participating, or to refuse to answer particular questions, will not affect my relationship with the researchers or any other group associated with this project, and I will still receive compensation. If I choose to withdraw, the researcher will dispose of all data gathered until the time of withdrawal using a shredder.

Stipend for Participants

I will be offered \$10.00 as well as compensation for transportation to and from the interview, which I will receive after I have read and signed this form and before the interview begins.

Study Results

The study results will be reported through publications in academic and professional journals and/or conference presentations. It is also anticipated that this study's findings will be of interest to a range of stakeholders and will be presented to them in a variety of formats. If I

would like to receive a summary of the study's findings, I can check the box on the signature page of this form.

Conservation of data

The data collected including interview transcripts and notes, as well as any audio recordings will be kept in a secure file cabinet accessible only to the researcher and her supervisor. All research records shall be preserved until publication and a reasonable time thereafter, in accordance with scholarly practice and University regulations, for a minimum of five years.

Research Ethics Board Contact

If I have any questions about the study, I may contact the researchers. If I have any questions regarding my rights as a research participant, I may contact the Research Ethics Board of the University of Ottawa (only in French or English) during business hours at +001-613-562-5387.

Signatures

Acceptance: *I, _____, agree to participate in the above research study conducted by Jessica Losier of the School of International Development and Global Studies, University of Ottawa.*

The research study has been explained to me, and my questions have been answered to my satisfaction. I have the right to not participate and the right to withdraw. As well, the potential harms and benefits of participating in this research have been explained to me. I know that I may ask now, or in the future, any questions I have about the study. I have been told that records relating to me will be kept confidential and that no information will be disclosed without my permission. I have been given sufficient time to read the above information.

I understand and accept that the interview will be recorded.

☐ Please send me a summary of the research findings.

☐ It is okay to contact me if you require clarification of what I've said.

There are two copies of the consent form, one of which is mine to keep.

Participant's signature: _____ Date: _____

** Participants may agree verbally to participate in this research

Principal Investigator's signature: _____ Date: _____

Appendix F: Interview consent form for stakeholders

The Colombian Peace Agreement with the FARC: Its Impact on the Lives of Colombian Asylum Seekers in Ecuador

Name of Participant: _____

Name of Principal Investigator: Jessica Losier, Graduate Student, School of International Development and Global Studies, University of Ottawa. Email:

Name of Project Supervisor: Delphine Nakache, Professor, School of International Development and Global Studies, University of Ottawa, Email:

Invitation to Participate: I am invited to participate in the above-mentioned research study conducted by Jessica Losier in the context of a Master's thesis.

Purpose of the Study: The purpose of this research is to shed light on the impacts of the Colombian Peace Agreement with the Revolutionary Armed Forces of Colombia (FARC) on the life of Colombian asylum seekers in Ecuador. More particularly, the project seeks to investigate how the Peace Agreement impacted the refugee determination experience of Colombians in Ecuador. It also seeks to explore the everyday life challenges faced by asylum seekers due to exploitation, discrimination and stigmatization as a result of an increase in negative perceptions of Colombians in Ecuador.

Participation: My participation will consist of one interview with the researchers that will last no longer than 1 hour. During this interview, I will be asked to answer questions in my professional capacity regarding the Ecuadorian refugee application process and my experience with Colombian asylum seekers in Ecuador. This interview will be audio-taped for later analysis. If I happen to say something that I do not want transcribed, I can tell the researchers and it will be omitted.

Risks: As this study is in the form of an interview with me in my professional capacity there are no foreseeable risks to me. If I formulate my own opinions on the administration or on the strengths/weaknesses of the organization's activities, I have considered professional risks that may result from expressing these opinions. I may specify something that I do not want transcribed and I can ask the researchers to omit it. I can also request that my participation remains anonymous.

Benefits: Information generated from this interview will provide a greater understanding of policies related to the refugee application process in Ecuador, and in conjunction with other insights from other practitioners, will inform policy and clarify issues and challenges that stakeholders face with the refugee application process. Participants in this research are likely to benefit from the expansion of general knowledge on this topic and potential improvement of the system itself.

Study Results: The study results will be reported through publications in academic and professional journals and/or conference presentations. It is also anticipated that this study's findings will be of interest to a range of stakeholders and will be presented to them in a variety of formats. If I would like to receive a summary of the study's findings, I can check the box on the signature page of this form.

Protecting your information: The research shall be kept confidential. Upon request, I may remain anonymous. If I wish to remain anonymous, the researcher shall take all reasonable steps to record and publish the information I provide without any identifying information. Answers to interview questions will be attributed to "Anonymous Participant" only. If I do not request anonymity, my responses to interview questions shall be attributed to me and I shall be identified by name or position in any paper that uses this research.

Voluntary Participation: Participation in any research study is voluntary. If I decide to participate in this study, I can withdraw from the study at any time and/or refuse to answer any questions. My decision to stop

participating, or to refuse to answer particular questions, will not affect my relationship with the researchers or any other group associated with this project, and I will still receive compensation. If I choose to withdraw, the researcher will dispose of all data gathered until the time of withdrawal using a shredder.

Stipend for Participants: I will be offered \$10.00 as well as compensation for transportation to and from the interview, which I will receive after I have read and signed this form and before the interview begins.

Revision of citations: If I do not request anonymity, I will be sent portions of any publications where my name is used, and I will be asked to approve these portions. If I do approve the portions the researchers will modify them or remove them accordingly.

Conservation of data: The data collected including interview transcripts and notes, as well as any audio recordings will be kept in a secure file cabinet accessible only to the researcher and her supervisor. All research records shall be preserved until publication and a reasonable time thereafter, in accordance with scholarly practice and University regulations, for a minimum of five years.

Research Ethics Board Contact: If I have any questions about the study, I may contact the researchers. If I have any questions regarding my rights as a research participant, I may contact the Research Ethics Board of the University of Ottawa (only in French or English) during business hours at +001-613-562-5387.

Signature page

Acceptance: I, _____, agree to participate in the above research study conducted by Jessica Losier of the School of International Development and Global Studies.

The research study has been explained to me, and my questions have been answered to my satisfaction. I have the right to not participate and the right to withdraw. As well, the potential harms and benefits of participating in this research have been explained to me. I know that I may ask now, or in the future, any questions I have about the study. I have been told that records relating to me will be kept confidential and that no information will be disclosed without my permission. I have been given sufficient time to read the above information.

☐ Please send me a summary of the research findings.

☐ It is okay to contact me if you require clarification of what I've said.

☐ YES, I would like my participation in this research to be anonymous

☐ NO, I do not want my participation in this research to be anonymous

There are two copies of the consent form, one of which is mine to keep.

Participant's signature: _____ Date: _____

Principal Investigator's signature: _____ Date: _____

Appendix G: Interview guide for Colombian asylum seekers

Questions will be asked in various ways according to the requirements of conversation-style, semi-structured qualitative interviewing and interpretive, interactional techniques of inquiry.

A) Migration Experience in Ecuador

This section aims to obtain a general understanding of overall experience of Colombian asylum seekers in Ecuador who submitted their refugee claim in the aftermath of the Colombian Peace Agreement.

Immigration patterns

(Goal: trace the participants' journey and elucidate their migration choices).

1. Where did you live last in Colombia?
2. Now, where do you live in Quito?
3. When did you arrive in Ecuador?
 - a. Did you go straight to Quito or were you in other cities before?
4. Why did you choose to come to Ecuador and not to another country?
 - a. What was the first thing you heard / knew about Ecuador as a country of protection for Colombians?
5. Why did you choose to come to Quito? Why not another city closer to the border?
6. Do you have another visa or are you in the process of resettlement with UNHCR?
 - ** If several visas in Ecuador, ask about duration and nature.

Claiming refuge in Ecuador

(Goal: Establish the participants' experiences and perceptions of the refugee application system).

7. When and where did you claim asylum at the Ministry of Foreign Affairs (MREMH)?
 - a. How did you know that you had to present yourself at the MREMH?
 - b. Is there anyone else applying under your refugee status determination application?
 - c. Did you receive help from an organization or from someone to prepare for the first interview with the MREMH?
8. Do you know what this process with the Ecuadorian MREMH is about?
 - a. In the MREMH did they explain how long the entire process can take? What are your expectations?
9. How long did it take before receiving the humanitarian visa, from the time you presented yourself at the MREMH until receiving the visa?
10. Was your second interview postponed by the MREMH? How many times?
11. How would you describe your interview(s) in the Ministry and the people who assisted you there?
12. At the MREMH did you experience any difficulty or challenge?

13. What is the greatest frustration of the entire refugee application process with the MREMH in Ecuador?

B) General experience in Ecuador

This section aims to establish the participants' living conditions in Ecuador, understand their level of comfort in the host society and how they fulfill their basic needs).

Life in Ecuador: self-sufficiency and access to basic services

(Goal: Establish the living conditions of current asylum seekers, understand whether they are aware of their rights under their immigration status).

14. What did the MREMH say you could do / access with the humanitarian visa (employment, housing, education, health, justice and banks)?
15. Based on your own experience, what kind of services have accepted your humanitarian visa as legal documentation? Who did not accept it? (According to the following list; (Work, Education, Rent, Health, Justice and financial services).
16. According to you, are people in Ecuador well informed about the humanitarian visa and about the rights of asylum seekers in the country?
17. Have you thought about getting another type of visa in Ecuador? Which one and why?

Life in Ecuador: level of comfort in the host society

(Goal: Establish how they feel within the Ecuadorian society, and what are their perceived levels of exclusion).

18. Do you feel safer in Quito?
19. Have you had security/persecution problems in Quito?
20. How has discrimination affected you in Quito? Any Examples? (Work, Education, Rent, Health, Justice and financial services).
21. Have you had problems with the police in Quito?
- a. If, so have you been detained?
22. Do you have a good relationship with Ecuadorians in the city of Quito? And with the Colombians?
23. On a scale from 1 to 10 (10 being the best score), what is your level of trust in the Ecuadorian authorities? And in Colombian authorities?
24. If you and your family are accepted as refugees, do you want to stay in Ecuador? And if you are rejected?
25. What else would you like to talk about that we have not discussed?

Appendix H: Interview guide for stakeholders

The generic guide will be adapted to the work sector of the practitioner. Questions will be asked in various ways according to the requirements of conversation-style, semi-structured qualitative interviewing and interpretive, interactional techniques of inquiry. Questions will be directed to elicit the following types of information:

1. Nature of relation with Colombian asylum seekers:
 - How many Colombian asylum seekers do you work with/meet/advise annually; for how long did you hold this position; what policies or documents guide these interactions?
2. Understanding the practitioner's experience/view with the RSD system:
 - Knowing that Ecuador has strong legislation guiding asylum policies, how is this perceived in practice, "on the ground"?
 - What works and what does not work and why; how it has changed in the past 5 years; how can it be improved.
 - What are the most challenging part of the refugee application?
 - How has the RSD process changed over time? Do you feel the process is now taking more time? Are you aware if there are more postponement of hearings or if more people are being rejected?
 - What is your perception of the Colombian peace agreement? Did it have any obvious impact on the ground for practitioners?
 - If more than one impact, ask about different impacts and explain.
3. Understanding their view of the living conditions of Colombian asylum seekers:
 - How difficult is it for asylum seekers to access to basic services?
 - How does the government ensure employment, housing and health safety standards with a population likely to face high levels of exclusion?
 - Do you feel you are well-prepared/equipped to deal with this population?
4. Views regarding the level of discrimination and stigmatization
 - What is your perceived level of stigmatization/discrimination of Colombians in Ecuador? Did this level of discrimination evolve over time? For the better or for the worse?
 - Are you aware of former FARC members trying to get employment here in Quito? Have you personally worked/assisted any of these members?
 - With the recent terrorist attacks and the killing of journalists in Ecuador, do you believe Ecuadorian have an increased stigmatized view of Colombians as members of armed groups, criminals and thieves?

Appendix I: Certification of ethics approval

12/10/2018

Université d'Ottawa
Bureau d'éthique et d'intégrité de la recherche

University of Ottawa
Office of Research Ethics and Integrity

CERTIFICAT D'APPROBATION ÉTHIQUE | CERTIFICATE OF ETHICS APPROVAL

Numéro du dossier / Ethics File Number
Titre du projet / Project Title

S-09-18-1112
The Colombian Peace
Agreement with the FARC: Its
Impact on the Lives of
Colombian Asylum Seekers in
Ecuador

Type de projet / Project Type

Thèse de maîtrise / Master's
thesis

Statut du projet / Project Status

Approuvé / Approved

Date d'approbation (jj/mm/aaaa) / Approval Date (dd/mm/yyyy)

12/10/2018

Date d'expiration (jj/mm/aaaa) / Expiry Date (dd/mm/yyyy)

11/10/2019

Équipe de recherche / Research Team

**Chercheur /
Researcher**

Affiliation

Role

Jessica LOSIER

École de développement international et mondialisation / School of
International Development and Global Studies

Chercheur Principal /
Principal Investigator

Delphine
NAKACHE

École de développement international et mondialisation / School of
International Development and Global Studies

Superviseur / Supervisor

Conditions spéciales ou commentaires / Special conditions or comments