

# Migration Policy in the New Ecuadorean Constitution. Toward the Formation of a Transnational Nation-State.

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## Migration Policy in the New Ecuadorean Constitution Toward the Formation of a Transnational Nation-State

by

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Ecuador's new constitution, approved in 2008, establishes the basis for a new model of the nation-state, characterized as progressively transnational, that attempts to protect both Ecuadoreans living abroad and foreigners residing in the country. It recognizes the right to migrate and the transnational family and advocates universal citizenship, the free movement of all inhabitants of the planet, and the eventual end of the status of foreigner as an element of the transformation of unequal relations between countries.

En la nueva constitución de la República del Ecuador, probada en el año 2008, se sienta las bases de un nuevo modelo de Estado-Nación de carácter cada vez más transnacional que intenta velar por las y los ecuatorianos radicados en el exterior, así como por las personas extranjeras residentes en el país. Reconoce el derecho a migrar, la familia transnacional, ciudadanía universal, la libre movilidad de todos los habitantes del planeta y el progresivo fin de la condición de extranjero como elemento transformador de las relaciones desiguales entre los países.

**Keywords:** Constitution, Ecuador, Migration, Political transnationalism

The right for persons to migrate is recognized. No human being will be identified or considered illegal for his migration status.

—Article 40, Constitution of Ecuador

Ecuadoreans' migration abroad can be traced back to the last century, but it began to be problematized in the public and academic sphere only at the end of the 1990s. The concerns at the time were mainly linked to understanding its economic aspects, increasing migration flows, the formation of migration chains and networks, and sociocultural changes at the family and community level (see Herrera, Carrillo, and Torres, 2005; Herrera and Ramírez, 2008; Ramírez, 2011). An issue of recent concern to some Ecuadorean academics that

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has been relegated to the background is linked to the political lives of migrants and migration policies in the places of origin and destination. Perhaps the most striking thing on this level has been the appearance of associations and organizations of migrants making claims and struggling for the rights of those "without papers." Many Ecuadoreans were impressed by the 2000 accident in Murcia, Spain,<sup>1</sup> and the Fifty-Kilometer March<sup>2</sup> organized by the Association of Rumiñahui Migrants of Ecuador after the approval of Law 8/2000, which reduced labor rights and rights to reunification and association and established the so-called Progressive Voluntary Return Program. The strengthening of security agendas in migrant-receiving countries, the appearance of political actors such as migrants' associations, and the emergence of various "problems" linked to migration, especially South-North migration, resulted in migration issues' being put on the political agendas of successive governments in the places of origin and destination and in multilateral spaces.<sup>3</sup>

What are the principal advances that the Ecuadorean state has incorporated into migration policy, and how have they come about? What does the new Ecuadorean constitution say about migration? To what extent can we speak of the emergence of a new model of the transnational state? This article seeks to address these concerns, beginning with a brief review of migration policies existing in Ecuador before the structural reforms of Rafael Correa and Alianza PAIS, many of which became part of the new constitution approved by a referendum in 2008.

The theoretical lens I use for this article is political transnationalism. By this I mean the activities performed by migrants associated with the formation of committees, associations, and movements that attempt to influence and participate in the local/community or national life and the activities that states promote to incorporate their diasporas into their political life. Various writers who have worked with this conceptual category (see Bauböck, 2003; 2007; Fitzgerald, 2000; Guarnizo, Portes, and Haller, 2003; Martiniello and Lafleur, 2008; Østergaard-Nielsen, 2003; and Portes, 2003) have placed more emphasis on migrants' actions than on the tasks of states. Portes (2003) points out that the notion of political transnationalism could be applied to a vast range of trans-border activities varying in their frequency and distribution but mainly attributable to only a minority of migrants. At the same time, Fitzgerald (2000) considers the development of the field as basically the result of three ways of interpreting the study of migration: "the political participation by way of distance voting, the exercise of pressure on the part of migrants, and cross-border financial contributions." In one of the better-known articles on the topic, Guarnizo, Portes, and Haller (2003) focus on transnational migration as essentially "a phenomenon of construction through which subjects respond to social obligations from long-distance, through the sense of belonging, seeking a transformation of social practices in their countries of origin." For his part, Østergaard-Nielsen (2003), proposing a new typology of transnational political activities, distinguishes those undertaken by migrants (homeland politics, transnational politics) and those carried out in the host country (immigrant politics), overlooking activities in the countries of origin. It is these latter activities that are the novelty today, cultivating the affiliation and loyalty of migrants regardless of distance and time elapsed. As Bauböck (2007) suggests,

what is fundamentally new is that national institutions are allowing migrants to claim rights and affiliate themselves with several political systems. The Ecuadorean case is beginning to show good empirical evidence of this response.

At the methodological level, the article combines various research sources and techniques: the new constitution and the internal documents produced by the Constituent Assembly, such as the information published on its web page; observations carried out in Alfaro City, where the assembly met; and the discussions that preceded the drafting of the articles. However, my main tool is analysis of the corpus<sup>4</sup> on human mobility that was included in the new constitution.

### POLITICS AND MIGRATION IN THE LATE 1990s AND THE BEGINNING OF THE NEW CENTURY

The presence that migrants acquired in the decade of the 1990s resulted in some achievements at the political level, among them the possibility of dual citizenship, established through a plebiscite under Sixto Durán Ballén in 1994, and the right to vote, included in the 1998 Constitution as follows: "Ecuadoreans living abroad can choose the President and Vice-President of the Republic at their place of registration. The law will regulate the exercise of this right" (Republic of Ecuador, 1998: Title III, Chapter 3, Article 27). The fact that only as recently as this was migration mentioned in the constitution is a measure of the low priority that the state has assigned to the "migration problem" in its international policy. While in the 1998 Constitution it is indicated that "the State will seek to protect Ecuadoreans who find themselves abroad" (Republic of Ecuador, 1998: Title II, Chapter 1, Article 11), the mechanisms for the enforcement of this provision were not established in timely fashion, nor was any organization established to develop issues around migration and assemble the resources necessary for the care, promotion, and protection of the rights and opportunities of citizens abroad (see Eguiguren, 2011).

The delayed implementation of the right to vote abroad shows the institutional deficits of a slowly modernizing ministry. The limited political importance that government elites had assigned to human mobility is a reflection of the fact that for them migration was far from representing a public problem. As had already occurred in other countries with high rates of workers' moving abroad, only the importance of remittances could drive the national political class to change its position on its diaspora from "benign neglect to active seduction" (see Devesh and McHale, 2003).<sup>5</sup> It is only since the appearance of certain transnational migrants' organizations at the beginning of this century, especially the Rumiñahui and the Lactakaru,<sup>6</sup> that migrants have begun to make demands. This has occurred in the context of one of the worst political and economic crises that the country has ever experienced.

Between 1997 and 2000, there were five governments, among them an indigenous-military junta, and two presidents were removed and fled the country. In March 1999 the economic crisis reached its peak, and President Jamil Mahuad froze the savings accounts of bank depositors and announced the dollarization of the economy starting in January 2000. Discontent forced people to migrate

in great numbers; in 2000 there were 175,922 migrants, the largest number in the country's history. At the end of 2000 a grassroots uprising led by the indigenous movement overthrew the president, and after a brief interval under an indigenous-military junta the military leadership handed over power to Vice President Gustavo Noboa.

Social demands forced the government to establish roundtables with social actors, migrants' associations among them, which persuaded it to create a program of assistance, savings, and investment for Ecuadorean migrants and their families. The program was to be funded with US\$5 million (which never materialized) and managed by the Ministry of Foreign Relations, which had recently (in 2001) developed the first national plan for Ecuadoreans abroad.<sup>7</sup>

In 2003 Col. Lucio Gutiérrez came to power with the support of the indigenous movement. This alliance lasted a very short time, during which Nina Picari, leader of the indigenous movement, was named minister of foreign relations. At this point the European countries imposed the Shengen visa on Ecuadoreans, and a roundtable on migration policy was created as part of a government-driven national dialogue.

Rafael Correa Delgado became president at the end of that year, and in a position speech in 2007 he referred to migrants as the country's "fifth region,"<sup>8</sup> a clear sign that migration issues were not only part of the government's agenda but also state policy. The statement of Alianza PAIS (2006) on migration was a proposal based on respect for migrants' human rights, especially the right to migrate, the idea that there are no illegal human beings, the desire to establish supranational citizenship, the struggle against coyotes and moneylenders, and the promotion of a return policy and electoral participation, among other proposals that were subsequently included in the Andean Human Development for Migration Plan (2007–2010), the 2008 Constitution, the National Plan for Living Well (2009–2013), and the Nationality Equality Agenda for Human Mobility (2013–2017).

Just after the Correa government assumed power, it created the Secretaría Nacional del Migrante (National Migrant Ministry—SENAMI) and launched a plebiscite for April of that year calling for a national assembly to create a new constitution. After a resounding approval (81.72 percent), elections for assembly members were held on September 28, 2007, and a year later, on September 30, 2008, the Ecuadorean people voted to approve the new constitutional text. In all these electoral processes, as in the subsequent elections of 2009 and 2011, Ecuadoreans living abroad participated. Billboards at the entrance to the city of Alfaro-Montecristi, where the Constituent Assembly was held, welcomed representatives from the various provinces and Ecuadoreans who had gone abroad: "Welcome Migrant Brothers: The Homeland Now Belongs to All."

### THE ARTICLES ON HUMAN MOBILITY

The innovative nature of the new constitution lies in the concept of human mobility. A human rights focus invites us to rethink categories such as nation, identity, and belonging, abandoning the antiquated essentialisms that have prevailed. As we have seen, some issues had already been covered in the 1998

Constitution, but they were basically limited to allowing Ecuadoreans abroad to vote. The new constitution captures not only political rights but also economic and labor rights with a human rights focus. It prioritizes human rights over legal requirements and administrative conventions—achieving what the United Nations intended in 1948 with the Universal Declaration of Human Rights without creating mechanisms for ensuring compliance by the signatories. The 2008 Constitution also reflects the naturalization of human mobility and, with it, the abandonment of territoriality as the basis of the right to have rights, producing a resounding critique of the paradigm of security adopted by the Northern and developed countries of the planet. It is also a departure from the focus on migration administration or governability that has been advocated by organizations such as the International Organization for Migration.

The development of the constitution in this regard had four aspects. In the first place, there was a change in language, eliminating the words "migration" and "migrant," which had a pejorative charge, especially in the receiving countries, and replacing them with the terms "human mobility" and "Ecuadoreans abroad." This was not just a linguistic change but a theoretical, political, and ethical proposal. Secondly, human mobility was treated laterally, appearing in 57 articles throughout the constitution's seven titles. Thus the holistic view of human mobility shared by various actors and social and academic organizations was reinforced. Thirdly, for the first time in history a constituent assembly included Ecuadoreans living abroad,<sup>9</sup> who came to Montecristi or sent their proposals to be analyzed and discussed there. Finally, the drafting of the constitution had constant feedback from various social actors,<sup>10</sup> both in Alfaro City and virtually, through the assembly's web page, video conferences, and blogs.

Effectively including the issue of human mobility in the constitutional project required the support of certain key actors, beginning with the president, Rafael Correa, and the president of the Constituent Assembly, Alberto Acosta. The greatest impetus came from the group of advisers and actors of civil society that had long been working on an agenda of migration policy with a rights focus.

The issue of mobility addressed in the constitution is based on a central premise that recognizes for the first time people's right to migrate (Republic of Ecuador, 2008: Article 40): "*No human being shall be identified or considered as illegal because of his/her migration status.*" With this human mobility is decriminalized and the use of migration status as a motive for discrimination is prohibited. It is an attempt to avoid expulsion of the undocumented and imprisonment for not meeting administrative requirements. The same article says that the state will offer assistance to Ecuadoreans living abroad, whatever their migration status, and their families, whether they reside abroad or in the country, so that they can freely exercise their rights; protect them when, for any reason, they have been deprived of their freedom abroad; promote their ties with Ecuador, facilitate family reunification, and stimulate voluntary return; maintain the confidentiality of personal information in the archives of Ecuadorean institutions abroad; and protect transnational families and the rights of their members.

This second part of the article hints at a new form and new reach of the state, one whose responsibilities extend to the migrant population—a qualitative and

transnational leap that is apparent in the recognition of different types of family (Article 68). The transnational family, characterized by the migration of one or more of its members, maintains emotional, communication, and financial links with members in the country of origin. Its recognition permits the development of actions for its protection and especially the protection of children and adolescents (Article 45); they have "the right to receive information about their parents or absent relatives unless it is harmful to their well-being." Similarly, the state will protect and give special attention to families separated for whatever reason (Article 69/4).

These articles have forced the increased presence of state institutions beyond its borders, not only reinforcing and/or broadening diplomatic missions but creating new embassies and consulates with a new focus on social and citizen diplomacy. In addition, the SENAMI has created a network of Ecuadorean centers in the main cities to which Ecuadoreans have migrated: New York, Madrid, Milan, London, and Caracas. Similarly, there are branches of the Ombudsman's Office in some of these cities, and various authorities have periodically visited the countries where migrants live and met during the president's trips abroad with Ecuadoreans who have left the country.

At the same time, the new constitution advocates universal citizenship, the free movement of all inhabitants of the planet, and a gradual end to the status of foreigner as an element of the transformation of unequal relations between countries, especially North-South relations (Article 416/6). This article constitutes an invitation to the international community to abandon discrimination, racism, and xenophobia and open its borders to people as readily as to capital and products.<sup>11</sup> As Estévez (2008) points out, the idea of universal citizenship is based on a "decolonized" notion of global justice that considers migrants active subjects in structural transformation.<sup>12</sup> Drawing from Dussel, Estévez (2008: 25) argues that epistemological decolonization involves considering the material dimension of individuality and the collective of migrants and the issues of power that underlie relations between countries and basing actions on a nonliberal view of human rights—in this case a sociopolitical one.

This perspective seeks the free flow of people of the region with the aim of creating a Latin American and Caribbean citizenship to strengthen integration. It calls for the "implementation of policies that guarantee human rights of the people living along borders and refugees<sup>13</sup> [and] the common protection of Latin American and Caribbean citizens in countries of migratory transit and destination" (Article 423/5). The intention here is to establish concrete paths toward the achievement of the strategic objective of a community based on principles of complementarity and solidarity. Latin American and Caribbean citizenship is established as the basis for universal citizenship, eliminating limitations on travel of compatriots from the region<sup>14</sup> and increasing tourism, educational, and cultural projects, and other exchanges that strengthen sustainable alliances.<sup>15</sup> This new view produced a certain unease and concern, especially in some receiving countries and international organizations, which viewed it as a provocation and the response of a socialist government to the security-minded policies that dominate the majority of the world's countries.

Political rights included not only voting for president and vice president but also choosing national representatives of special districts and election to office.

Foreigners residing in Ecuador also had the right to vote if they had legally resided in the country for at least five years (Articles 62/2 and 63). Granting foreigners the right to vote is an important advance directly related to the promotion of universal citizenship. The tendency toward differentiation and reduction of rights due to nationality is the exception rather than the rule in this constitution, in contrast to the 1998 version.

Discussion was particularly intense with regard to whether voting by Ecuadoreans abroad should be obligatory or voluntary. Once again, the participation of Ecuadoreans residing abroad and specialists in the topic was sought through the assembly's web page. Participation in the political life of the country was not, however, limited to voting but extended to the presentation of proposals and projects at all levels of government through mechanisms provided in the constitution and the law (Article 102). In addition, Ecuadoreans residing abroad can call for a referendum on matters of interest to the Ecuadorean state with the backing of at least 5 percent of persons registered in the electoral rolls of the special district (Article 104).

Political movements are permitted at any level of government of the special district abroad (Article 109), and this, together with the recognition of the community of Ecuadoreans abroad as a special district that can sponsor legislation, is increasing interest in political issues. Article 116 says, "For multi-person elections, the law shall establish an electoral system . . . and shall determine the voting precincts inside and outside the country." This provoked a proliferation of candidates and parties or social movements for the six seats in the Constituent Assembly designated for representatives of Ecuadoreans living abroad. For the 2007 elections, 86 candidates managed to register—28 from Europe, 36 from the United States, and 22 from Latin America—from 25 organizations (11 parties and 14 movements).<sup>16</sup> Ecuadoreans living abroad are also eligible for membership in the new National Assembly (Article 118/3).

Political rights are not limited to the old idea, unfortunately still predominant, of including citizens in political life exclusively through voting and ephemeral representation. The new constitution includes more radical participation through other channels, one of them being the so-called fourth state power: the Council on Citizen Participation and Social Control, which is charged with promoting and encouraging citizen participation on issues of public interest (Article 207), for which Ecuadoreans residing abroad may also become candidates through competitive exams and merit.

Further, the new constitution says that the state shall ensure respect for the labor rights of Ecuadorean workers abroad and promote conventions and agreements with other countries for the regularization of such workers (Article 329/5). It will also generate incentives for migrants to send savings and assets home in the form not just of consumption but also of productive investment (Article 338). Finally, what the president called the "fifth region" is allowed voluntary participation in social security (Article 374), something that various migrant organizations had wanted for years.

Various of these articles clearly express a new conception of the right to migrate from a transnational and humanistic viewpoint. The nation-state goes beyond its territorial limits and attempts to protect its citizens independently of where they are and provides opportunities for incorporating the diaspora

through the recognition and protection of the transnational family, promoting links between "there" and "here."

While this government began to work, from the beginning, for Ecuadoreans who had to leave the country through the creation of the SENAMI, it was the new constitution that made the new approach state policy. Article 392 says that

the State shall safeguard the rights of persons with respect to human mobility and shall exercise leadership on migration policy through the competent body, in coordination with the different levels of government. The State shall design, adopt, implement, and evaluate policies, plans, programs, and projects and shall coordinate the action of its agencies with that of other States and civil society organizations that work on human mobility at the national and international levels.

At the same time, the constitution states that the Office of the Ombudsman will also have delegates abroad and will function as protector of the rights of Ecuadoreans within and outside the country (Articles 214 and 215). Likewise, national equality councils are to be created to ensure the full exercise of the rights enshrined in the constitution. They will be responsible for the formulation, observance, follow-up, and evaluation of public policies and will coordinate with executive and specialized agencies for the protection of rights at all levels of government (Article 156). These councils will be made up equally of representatives of civil society and the state and chaired by a representative of the executive branch (Articles 156 and 157).

### BY WAY OF CONCLUSION

This article has tracked the development of public policy on migration, focusing on the advances with regard to human mobility in Ecuador's new constitution. Ecuador is experiencing a transformation, and the advances made in this area attempt not only to incorporate its diaspora more actively into political life but also to rethink the nation-state as transnational. Beyond the reasons that the Ecuadorean state may have for approaching its migrants (be it attracting human capital, remittances, or political pressure, as Bauböck [2003] points out, or simply an internal policy issue), it is allowing—as he suggests—"growing opportunities" for migrants to combine "external and internal links and status" and consequently also social rights and resources deriving from both the country of origin and the country of destination. The new constitution's articles on human mobility constitute a great step toward becoming an example for the region and the world of treating the issue in a holistic and humane way.

This process began to gather strength in the first years of Alianza PAIS and constitutes a departure in the treatment of migration, and this calls for an analysis of its effects focusing on its breakthroughs, tensions, and continuities. While the advances in this area are undeniable, among them the principle of universal citizenship, the focus on citizen diplomacy, and the transnational perspective that appears in the National Plan for Human

Development of Migration and later in the constitution and in other government documents, there are certain latent tensions in the security policies still in effect. In fact, the migration and immigration law established in the 1970s is in contradiction with the constitutional framework. It is by reading the political configurations—noting the structural and conjunctural problems of the policy and the international context and understanding the state not as monolithic but as a multidimensional phenomenon in which there is unequal distribution of power—that we can achieve a better understanding of the way different views of migration policy are molded and disputed among actors in changing scenarios.

The project of forming a transnational nation-state with a focus on rights implies a rethinking of consular and migration policy and the role of a rights-based state abroad, something that we have seen in the creation of Ecuadorean centers and branches of the SENAMI abroad and in the president's visits and meetings with the Ecuadorean migrant community.

One of the challenges that remains is the development of a new organic code of human mobility that includes a process of regularization for immigrants in our country. Despite the government's attempts to draft a preliminary bill on this issue, it has not fully come together for various political reasons. It is not only a matter of will but one of seeing the scenarios, actors, conjunctures, correlations of forces, "political time," and alliances, among other variables, that make it feasible to have new legal frameworks. Another challenge is the restructuring of institutions with the aim of not only avoiding duplication of functions and competencies but also de-bureaucratizing some of the procedures in the area of migration. As I have said, the experiment of two-headed and three-headed models in the stewardship of migration policy has left much to be desired for various actors from civil society and from the government and most of all for migrants, who are the ones ultimately affected by changes in institutional designs.

The experience over the past six years demonstrates that, to be able to exercise its functions with regard to Ecuadoreans abroad, the SENAMI urgently needs to collaborate with the Ministry of Foreign Relations. It is worth remembering that the Treaty of Vienna charged the Foreign Service with dealing with issues of citizens abroad. The strengthening of the consular apparatus (more than 80 leased and 113 honorary) and the new focus on citizen diplomacy, added to the institutional changes in concentrating the leadership of foreign nationals, immigration, and asylum in one ministry, all reflect the importance that the current secretary of state attributes to migration.

Lastly, it is necessary to work with citizens, mostly on policies of hospitality that will replace discrimination and xenophobia with *philoxenia* (the term used by the ancient Greeks to mean "friendship with foreigners," which was considered the greatest virtue in a Greek citizen). While utopia would be the disappearance of differences between "us" and "them"—the gradual end to the condition of foreigner to which the constitution aspires—an important step is to have policies of hospitality that involve changes in culture and in mentality driven by the state. It is time for the governments and citizens of the world to recover the principle of *philoxenia*, transforming principles into concrete actions that allow us to continue on the path to universal citizenship and living well for all.

## NOTES

1. In December 2000, a car driven by the Spanish chauffeur of an estate in Murcia had an accident that caused the death of practically all its passengers, 12 Ecuadorean migrants. In the process of repatriation of the bodies, it was discovered that they were undocumented farm workers, working illegally for local businessmen who barely provided housing for them on the estate. The local and international press, as well as various representatives from the political class in both countries, commented on the incident and spoke out about the necessity of regulating immigration and illegal labor in Spain.

2. Of the same character as but smaller than the marches organized by Latinos in the United States in 2006 against the Sensenbrenner bill and the recent marches in opposition to SB1070, which criminalized undocumented immigration in Arizona.

3. As in the 2001 South American Conference on Migration and Mercosur's Forum Specializing on Migration and the Andean Forum on Migration of 2008. Various decisions have been made on migration issues at the level of the Andean Community of Nations. At the global level there are the Berne Initiative, the Global Commission on International Migration, the Global Migration Group, and the Global Forum on Migration and Development (see Domenec, 2009; Ramírez and Alfaro, 2010).

4. The group of texts from which statements can be extracted (Deleuze, 1991: 26).

5. For agencies such as the Inter-American Development Bank and the World Bank, "migradollars" were and are seen as a way of overcoming poverty and improving the quality of life and development of people. Remittances have constituted the second-most-important source of income for the country since the beginning of this century.

6. While the first emerged in Spain in 1997, the "subsidiary" made up of relatives in Ecuador emerged in 2001, the same year that Lactakaru was established. These two have had the most visibility in the transnational political area. Although the level of forming associations among Ecuadorean migrants is low, there are many associations formed around cultural, sports, or religious rather than political issues.

7. As Araujo and Eguiguren (2009) point out, institutions charged with policies toward Ecuadoreans abroad were consolidated in 2000. The Migrants' Rights Agency was created in 2002 and the National Corporation for Migrant Protection in 2003.

8. Ecuador has historically been divided into four regions: Coast, Mountain, East, and Insular.

9. Six of them, three men and three women, lived in Spain, two in the United States, and one each in Italy, Venezuela, and Chile.

10. Social actors from all over the country gathered in Alfaro City; around 1,500 delegations and some 60,000 persons attended.

11. Article 9 states that "foreign persons on Ecuadorean territory shall have the same rights as Ecuadoreans." This aspect caused tension during the constitutional debate. Even some assembly members representing migrants were against it, requesting that only out-migrants be considered.

12. If the sending and receiving countries of migrants are responsible for the dynamics of globalization, they have obligations toward persons who enter their territory as immigrants, even though they may be undocumented. Their responsibility is to allow these persons to find employment and seek a dignified life in the most prosperous countries until the conditions of inequality between nations change.

13. The right to freely transit through national territory and choose one's residence and to enter and exit freely is guaranteed. Foreigners will not be returned to a country in which their lives, liberty, security, or integrity are in danger (Article 66/14). Further, the right to asylum is recognized, those who receive special protection are guaranteed full exercise of their rights (Article 41), and arbitrary displacement is prohibited (Article 42). An aspect of special significance is the possibility of granting refugee status to collectives.

14. The idea of South American citizenship was discussed at the South American Conference on Migration in Bolivia in 2011.

15. While there was a spirit of global integration during the drafting of the constitution, paradoxically there was a strong current of essentialist identity, for example, in the article defining Ecuadoreans by birth as "persons born abroad of mothers or fathers born in Ecuador and their descendants to the third degree of consanguinity" (Article 7/2), which disadvantaged migrants living in Europe.

16. The Movimiento Unión Nacional de Inmigrantes Ecuatorianos en Venezuela, the Movimiento Hermandad Ecuatoriana, the Movimiento Agrupación de Ecuatorianos Progresistas en el Exterior, the Movimiento Quinta Región, the Movimiento Honradez Nacional, the Movimiento Concertación Nacional Democrática, the Movimiento Ciudadano de Migrantes Ecuatorianos Nueva República, the Movimiento de Ecuatorianos Unidos en USA y Canadá-402, the Movimiento Frente Unido de Inmigrantes Ecuatorianos, the Movimiento Independiente Apoyo al Emigrante Ecuatoriano, the Movimiento Ciudadano-406, and the Movimiento Independiente Polo Democrático.

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## The Yasuní-ITT Initiative

### Toward New Imaginaries

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*The Yasuní-ITT (Ishpingo-Tambococha-Tiputini) Initiative consisted of leaving the oil underground in a part of Yasuní National Park in the Ecuadorean Amazon, one of the most biodiverse regions in the world. The financial compensation was to be invested in renewable energy, protection of biodiversity, and conservation of 44 protected areas. This initiative proposed a change of imaginaries. One of its most important contributions was questioning the fundamental role of oil in our capitalist and productivist society. With this project, which was linked to the National Plan for Living Well, Ecuador was moving toward a post-petroleum-based society and the pursuit of better living standards through bio-knowledge.*

*La Iniciativa Yasuní-ITT (Ishpingo-Tambococha-Tiputini) consistió en dejar el crudo bajo tierra de una parte del Parque Nacional Yasuní, en la Amazonía ecuatoriana, considerada como una de las más biodiversa del mundo. La compensación financiera sería invertida en diferentes ámbitos como las energías renovables para cambiar la matriz energética, el cuidado del ambiente para proteger la biodiversidad, conservar las 44 áreas protegidas. Esta iniciativa propuso un cambio de imaginarios. Una de sus aportaciones más importantes era su cuestionamiento del rol de la base de nuestra sociedad capitalista y productivista: el petróleo. Con este proyecto que estaba vinculado al Plan Nacional para el Buen Vivir, el Ecuador se dirigió hacia una sociedad post-petrolera y apuesta a una sociedad del buen vivir basado en el bioconocimiento.*

**Keywords:** Climate change, Oil, Biodiversity, Ecological debt, Post-petroleum-based society

Ecuador's best-known characteristics are its powerful indigenous movement, its chronic political instability, and its participation in what has been termed "Latin America's left turn." The current process, the so-called Citizens' Revolution, has not garnered as much attention as Hugo Chávez's policies in Venezuela, Lula's in Brazil, or those of Bolivia's Evo Morales. However, more than three years since the adoption of the new constitution, which was written

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