

**UNIVERSIDAD SAN FRANCISCO DE QUITO**

**Colegio de Ciencias Sociales y Humanidades**

**Ecuadorian Migration Policy: A Response to Venezuelan  
Migration Crisis through South-South Cooperation**

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## RESUMEN

La diáspora venezolana hacia otros países de la región representa un caso de estudio importante en relación al Ecuador, por lo que a través de cuatro secciones se analiza de manera cualitativa la cooperación sur-sur de Ecuador en respuesta a la crisis migratoria venezolana a través de políticas aplicadas últimamente. En primer lugar, se identifica el estado de la migración venezolana en materia de cooperación sur-sur. Luego, se determina la coherencia entre políticas internacionales y regionales más relevantes en materia de derechos humanos como justificación de las medidas tomadas por Ecuador. Adicionalmente, se compara el marco legal internacional con la Constitución del Ecuador y la Agenda de Política Exterior 2017-2021 respecto a la cooperación sur-sur y finalmente, se realiza un análisis de los aspectos más importantes de la agenda política de asuntos exteriores ecuatoriana y la migración venezolana.

**Palabras clave:** Normas *Ius Cogens*, cooperación sur-sur, políticas migratorias ecuatorianas, migración internacional, Venezuela.

## ABSTRACT

The Venezuelan diaspora to other countries in the region represents an important case study in relation to Ecuador. Through four sections this proposal qualitatively analyzes Ecuador's south-south cooperation through recently applied migratory policies in response to the Venezuelan migration crisis. The first part identifies how migration is related to South-South cooperation. Then, the second part determines the coherence between the most relevant international and regional policies about Human Rights as a justification of Ecuador's measures. The third part compares international legal framework with the constitution of Ecuador and the Ecuadorian Foreign Policy Agenda of 2017-2021 regarding south-south cooperation. The last part analyzes the most important aspects of the Ecuadorian foreign affairs policy agenda and Venezuelan migration.

**Keywords:** *Ius Cogens* Norms, South-South cooperation, Ecuadorian migration policies, international migration, Venezuela.

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## INTRODUCTION

The current Venezuelan context characterized by economic instability, lack of medicine and food, and terrible living conditions generated by poor political practices, have led to a massive wave of migration of the Venezuelan population to neighboring countries that apparently promise a better standard of living for Venezuelan migrants. Due to these conditions in the last 3 years, migration has affected South American countries. Ecuador has become one of the most popular destinations for migrants, not just to establish permanently but as a connection to other countries in the south, such as Colombia, Chile, Peru, and Argentina. Ecuador has received thousands of Venezuelan citizens, although the migration crisis has exceeded the capabilities of countries where migrants arrive. However, in response to this problematic Ecuador has promoted an initiative of south-south cooperation among the region countries that are affected by the same problematic. Two meetings have been held in Quito in 2018 and the result is the “Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region”, which is a common policy on Venezuela’s migrations crisis. Given these circumstances, the present paper will analyze how Ecuador’s legal framework responds to Venezuelan migration crisis through south-south cooperation.

The case of Venezuelan migration represents an important issue at the international level, due to the political, economic, and social conditions that this country is facing. This is a subject of national public interest for Ecuador, since it could bring different effects within Ecuadorian society. For the field of international relations, it is necessary to investigate the application of Ecuadorian migration policies based on their contribution and impact reflected in the consolidation of new dynamics of south-south cooperation. Lechini defines south-south cooperation as “a political cooperation that aims to strengthen bilateral relations and/or to form coalitions in multilateral forums, in order to obtain greater negotiation power, in defense

of their interests” (2009, 67). This definition refers to the interest of countries that are part of the Global South, which is extended in the first chapter. Normally debates on south-south cooperation focus on economic factors, but this case also includes relevant topics for cooperation such as security, guaranteeing the civil and human rights of migrants and regional principles. To do that the investigation has four sections.

The first part defines how south-south cooperation is related to migration dynamics since the change of the world order. It describes the current world order and how the emergence of the Global South has allowed south-south cooperation through coordinated policies. The second part determines the coherence between international and regional laws that establish the regulation of migration and cooperation. It has three sections: the methodology used for the investigation, the international scope, and the regional scope. The third part compares the international principles found in the Ecuadorian Constitution of 2008 with the Ecuadorian Foreign Policy Agenda of 2017-2021. Finally, the last part analyzes the sovereignty and south-south cooperation in the Ecuadorian Foreign Policy Agenda of 2017-2021 as a solution to the actual context of Venezuelan migration.

## **CHAPTER 1: SOUTH- SOUTH COOPERATION AND MIGRATION DYNAMICS**

The purpose of this chapter is to define how the change of the world order allows south-south cooperation related to migration dynamics. This is important to the main goal of the paper because this context helps to understand how south-south cooperation works in the current world. Also, it is necessary because Ecuador and Venezuela are part of the Global South, where new migration policies are being produced and where the crisis is happening. The first part describes the current world order about the cooperation of the Global North and South, which helps to understand the emergence of the Global South. The second part explains how the rise of the Global South allows cooperation in matters of migration and human rights. Finally, the last part explains how migration can be addressed from south-south cooperation through coordinated policies.

Until the Cold War the world was divided into East and West, which made it a bipolar international system with limited interactions in the east-west sense. Nowadays, the increase of world powers at the international system has changed the world order into a multipolar system, and as a result it involves interactions between the Global North and South (Dannreuther 2013, 23). Those interactions include planned actions among countries and international organizations like commercial relations, international cooperation, agreements and others. Historically international cooperation moved from the Global North to the Global South. That direction of international cooperation among north-south was accepted mainly due to the economic factors that characterize the North and the South.

Both the Global North and South are not just geographical sites, but conceptual sites built by a set of specific characteristics that countries have. On one hand, the Global North is formed by countries like United States, Canada, and some European countries that have

reached democratic values, stable economies and important standards by which the citizens can have a good quality of life and their human rights are highly recognized. These are characteristics of developed states, which “refer to the industrialized countries of the North, whose state formation process resulted in strong national state, a powerful synergy between state and society, and the capacity to benefit substantially from integration into the global economy” (Dannreuther 2013, 8). On the other hand, the Global South is formed by countries like some African or Latin-American countries that generally have weak economies and young democracies, which can make them poor and insecure. These are developing countries because they are considered that they don’t have reached a high level of “progress”. As a result of the lack of security, development, and wealth, “the attention on the south and state weakness increased in the post-Cold War period” (Dannreuther 2013, 15).

After World War Two, the creation of some international organizations like the World Bank, the International Monetary Fund, and the United Nations followed up on problems of international interest, such as world peace, poverty, massive violations of human rights, and countries’ levels of development. Under these institutions, it was expected that formal means of international cooperation schemes could be established so countries could help each other to fight against issues of shared interest. However, as these institutions were set up by a group of powerful and “developed” countries, the parameters and definitions about what was and was not a topic of international interest were set from their own interest.

From this view, the concept of cooperation can be biased because it is expected to come only from developed countries to help developing countries. In other words, that cooperation is expected to come from the Global North to the Global South. This traditional concept of cooperation is highly linked to the concept of development in economic issues. For example, the World Bank, which in its beginnings was the International Bank for Reconstruction and Development (IBRD), helped with the reconstruction of European cities

after the war (O'Brien and Williams 2016, 88), so they could be developed nations. However, with the change of the world order, cooperation schemes also allowed dynamics among countries of the Global South. The ascendance of the Global South has allowed the south-south cooperation to be a mechanism to increase development and to solve shared problems. Implementing “south-south cooperation can be a complex task” (Lechini 2009, 15), however, it can be achieved through the establishment of agendas and policies among countries that are in similar contexts. Also, south-south cooperation has included other topics, more than just development, that need urgent cooperation assistance as the problematic on migration and human rights violations.

In addition, migration flows are part of the Global North and South cross-border dynamics that sometimes are seen as problematic by countries because they are hard to control. According to Delgado Wise and Márquez:

The amount of migrants... has grown ostensibly in the last three decades. The main flows follow the south-north (82 million) and south-south (74 million) directions... Migrations registered in the south-south horizon, including transit and intra-national migration, face the most vulnerable conditions and occupy the lower rankings in the dynamics of displacement (2012, 27).

This explains that south-south migration flow has increased and also that it happens in the most vulnerable conditions, which involves human rights violations. The case of Venezuela, as one of the most remarkable cases of forced migration in the region, nowadays raises the question of how the south-south cooperation can provide solutions to the problematic that is affecting the region.

One definition given by the United Nations (UN) mentions that south-south cooperation “is a manifestation of solidarity among people and countries of the south that contributes to their national well-being, their national and collective self-reliance and the attainment of internationally agreed development goals, including the 2030 Agenda for Sustainable Development” (United Nations 2018), so it intends to be a contribution between

countries that are most likely to be in a similar situation. Also, the definition includes the Agenda for Sustainable Development established in 2015 by the UN and guided by the 17 Sustainable Development Goals that aim to promote prosperity by solving some necessities like accessibility to water, gender equity, the eradication of poverty, among others (United Nations 2018). Most of the objectives presented in the plan are problems that still happen in the majority of the Latin American countries and can be solved through south-south cooperation. This definition also says that south-south cooperation is an act of solidarity between countries, and this principle is very important to the migration problematic regarding Venezuela because some countries of the region are accepting Venezuelans as an act of solidarity.

Also, the World Bank sets up another definition that says that "south-south cooperation has become a mechanism to confront from the inside the challenges of development. The skills and solutions proposed by this group of countries are easier to replicate for their partners and peers" (World Bank 2017). This definition recognizes that south-south cooperation is not just an act of solidarity, but also a mechanism to solve from the inside problems that do not allow countries to develop or progress, for example bad nutrition, poverty, and poor access to health. From this definition, Latin America as a region would be seen as being able to promote a solution for Venezuela as the countries have similar cultural, economic, and social conditions.

In Latin America, south-south cooperation has boomed not just through the actions of economic blocks, as the Andean Community (CAN), the Southern Common Market (MERCOSUR), but also through specific programs created to exchange technical knowledge in different areas (World Bank, 2017). One example involves Colombia, Rwanda, Burundi and Ethiopia which have implemented a plan to exchange knowledge and techniques about the growth of coffee and to save the environment. Technical cooperation in agriculture is a

form of south-south cooperation that constitutes a form of progress for those countries' economy. Also, this cooperation is planned with anticipation and with the approval of the governments involved with the topic, but applied in the Global South. Even though technical south-south cooperation is related to economics and development, south-south cooperation can also be a mechanism to solve migration problems. For example, the establishment of plans, international agendas, or programs that propose solutions to migratory waves, so they can happen in an orderly and regulated way. In that way, these plans could guarantee the “full respect of the human rights and fundamental freedoms of migrants and their families regardless of their migratory status” (Community of Latin American and Caribbean States CELAC 2017).

As Lechini mentioned in the definition given at the introduction, south-south cooperation is a political cooperation that could be, for example, multilateral forums to defend an shared interest (2009, 67). This is exactly the case of Ecuador, who has responded to the Venezuelan migration crisis, which is a regional shared interest, with the arrangement of two meetings or forums in Quito to generate a shared policy with other countries of the region. The result of south-south cooperation has been a regional policy settled by countries that are affected by forced migration. This policy is the “Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region”, and it includes international principles, which seek to coordinate regional countries' actions. The main purpose of this policy to assist Venezuelans so they can mobilize in good conditions and they can also be protected by international human rights legal instruments. However, according to literal 14 from the Declaration it is also an exhortation to Venezuela as a state so it accepts the cooperation from other countries. Literal 14 says “The states...urge the Government of the Bolivarian Republic of Venezuela to accept the cooperation of the governments of the region and international organizations, in order to address the situation of their respective communities established in

Venezuela” (Declaration of Quito on Human Mobility 2018). It is important to mention, that both meetings in Quito had the presence of international organizations like the World Bank, the United Nations High Commissioner for Refugees (UNHCR), the International Organization for Migration (IOM), the Development Bank of Latin America (CAF), and the Inter-American Development Bank (IDB) (El Comercio 2018). This shows that the multipolar world also involves the action of other actors in the international arena besides states.

Finally, this chapter identified that the Global South can be a source of south-south cooperation not only about development, but also about migration and human rights problems. South-south cooperation is related to migration dynamics because it is a way of producing solutions like specific policies for shared problems. In Latin America, south-south cooperation is a mechanism used by southern countries like Ecuador to propose solutions from the inside. For example, the creation of the policy called “Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region”, which seeks to guarantee the human rights of Venezuelan migrants, so it can be migration more secure, regulated, and ordered.

## **CHAPTER 2: COHERENCE WITH INTERNATIONAL AND REGIONAL LEGAL FRAMEWORKS**

As explained in the last chapter, south-south cooperation is a mechanism to get solutions from the inside of Latin America to help with Venezuelan migration. Ecuador's initiative sets up the first updated specific policy to coordinate Venezuelan migration in the region. The purpose of south-south cooperation among the 11 signatory countries<sup>1</sup> applied a regional response specifically directed to help Venezuelan migrants and to exhort the Venezuelan state to accept south-south cooperation from regional governments, which is something that the Venezuelan state is not doing. On one hand, the deplorable conditions in which Venezuelan people migrate are an impulse to create a regional policy. However, the normative framework that supports this action is also an impulse for Ecuador to promote south-south cooperation. Several international and regional sources of law establish how migration should be treated, and specifically how people should be treated regarding international human rights. Here the international and regional legal framework, from broadest to the most specific documents, are reviewed to understand some of the rights and obligations that should be guaranteed and respected by states to avoid Human Rights violations of Venezuelan migrants. The purpose of this chapter is to determine the coherence between international and regional laws that establish the regulation of migration.

This step is necessary to achieve the main goal of the paper because it shows that actions taken by the Ecuadorian state are supported by an international legal framework. Also as Venezuelan migration is a cross-boarder crisis it involves international responses, so it is necessary that the policies have the same application in any country of the region where migrants arrive. As south-south cooperation is a coordinated action among states, those states are also coordinated by an international and regional legal framework, which eventually have

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<sup>1</sup> Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico, Panama, Paraguay, Peru and Uruguay

an application in the national regulations. Therefore, this chapter has three sections: the methodology, the international scope, and the regional scope. The first part explains the methodology used to analyze the legal documents and the policies. The second part explains the international public law sources established by the Statute of the International Court of Justice and then it analyzes the regulation of the state behaviour through the *Ius cogens* norms like the *pro homine* and *non-refoulement* principles. The last part links the international principles to the regional scope using the American Convention on Human Rights and the Resolution 2/18 of the Inter-American Commission on Human Rights (IACHR).

### **Methodology**

To achieve that main objective of this paper, this section establishes the methodology that guides the next two chapters. First, the philosophical stream will be critical realism viewed from the ontology of separation (Jackson 2011, 37), since it analyzes established categories which presuppose division and units of study such as the Ecuadorian Policy and Constitution. In addition, this investigation uses the qualitative method that allows the descriptive and comparative analysis of legal documents, through the analysis of policies. The criterion of political coherence will be applied within the policy analysis method, because it helps to find the logical correspondence in the argumentative line between the broad legal framework and the application at the specific level (Ministerio de planificación y cooperación 2000, 26). In other words, it finds the logical correspondence between international laws, the Constitution of Ecuador and Ecuadorian Foreign Policy Agenda of 2017-2021. Finally, this methodology helps to determine whether the Ecuadorian Foreign Policy Agenda of 2017-2021 is addressing key issues for the country and for the individuals such as migration and south-south cooperation.

## International Scope of Regulations

With an international understanding of the law, the same principles on migration and south-south cooperation can be recognized at the regional and, in the next chapter, at the national levels.

### *1. Statute of the International Court of Justice*

International public law has different sources established in the Statute of the International Court of Justice, and this court, according to Article 1 of the same statute, is “the principal judicial organ of the United Nations” (United Nations 1946, 21). As this court has the legitimacy to judge the controversies that member states could have, it also determines in Article 38 of the Statute of the International Court of Justice the sources that can be reached to solve those controversies:

Article 38.1.-The Court, whose function is to decide in accordance with international law such disputes as are submitted to it, shall apply:

- a. international conventions, whether general or particular, establishing rules expressly recognized by the contesting states;
- b. international custom, as evidence of a general practice accepted as law;
- c. the general principles of law recognized by civilized nations;
- d. subject to the provisions of Article 59, judicial decisions and the teachings of the most highly qualified publicists of the various nations, as subsidiary means for the determination of rules of law” (United Nations 1946, 26).

Article 38.1 is useful to understand the law in a hierarchical order, from the broadest regulations to the most specific ones, to analyze the impacts of international law at regional and national law.

### *2. The Ius Cogens Principles- Pro Homine and Non- Refoulement Principles*

The Vienna Convention on the Law of Treaties defines what norms exist at the top of the international legal body. According to Article 53 of the same Convention:

A peremptory norm of general international law is a norm accepted and recognized by the international community of States as a whole as a norm from which no derogation is permitted and which can be modified only by a subsequent norm of general international law having the same character (1969, 18).

These norms are called “*ius cogens*” and they can be recognized through international custom. According to the Statute of the International Court of Justice, international custom is a formal source of international law. *Ius cogens* norms are “peremptory”, which means they are upon every other norm, rule or law. These norms are accepted and recognized by states through domestic and regional legal bodies.

One example of *ius cogens* norms is the *pro homine* principle, which seeks to promote a wide interpretation of the human rights application. It is the universal criterion that should be used by each state when considering what will work best to achieve greater benefit for the person (Conklin 2012). It is important in this case of study, because a lot of human rights violations materialize surrounding Venezuelan migration. Throughout their journey, Venezuelan migrants do not find dignified treatment. They are not allowed to enter the bordering countries; they are returned to their country when they reach the borders of the countries, or in the worst case many of them die. This shows that although theoretically the *pro homine* principle is a universal criterion that protects the primordial interest of the person and seeks for its greatest benefit, some states do not necessarily do so.

The Statute of the International Court of Justice also demonstrates some general principles accepted by nations, that also are a source of international law. Besides the *pro homine* principle, the principle of *non-refoulement* seeks to protect migrants and refugees once they have arrived to another country. These principles together are like the discernment that the state must exercise before making a decision about how to act on humans. These are practical and applicable principles through the specific legal mechanisms of each state.

This section has shown how the international scope has sources of law with main principles that are above all other things. These principles help to interpret other legal bodies to protect people and their dignity under a set of principles including the *pro homine*

principle. These universal principles are later embodied in the laws and policies of Ecuador, which support Ecuador's actions.

## **Regional Scope**

While the UN represents the organization of almost every country in the world, other organizations or systems also regulate specific regions of the world. On the American continent the Organization of American States (OAS) is “the world’s oldest regional organization, dating back to the First International Conference of American States, held in Washington, D.C., from October 1889 to April 1890” (Organization of American States 2018). One of the cornerstone documents regarding human rights from the OAS is the American Convention on Human Rights, which is part of the Inter-American system of human rights. It is expected that most of the regional organizations contain in their treaties *ius cogens* norms that focus on solving regional issues. For example, they can be more specific regarding certain topics such as migration and cooperation. This section shows how the American Convention on Human Rights embraces those principles and how it commits states to provide answers to possible violations of human rights.

### *1. American Convention on Human Rights*

The American Convention on Human Rights is a treaty conformed by a set of norms that legally regulate the signatory states of the American continent. The preamble of the Convention or Pact of Costa Rica recognizes the essential rights of humans that should be protected through the domestic law of each country (1969, 1). This is, in other words, the *pro homine* principle. Furthermore, the preamble reinforces that these principles are expressed in other international legal tools as in the Charter of the Organization of American States (OAS), in the American Declaration of the Rights and Duties of Man, and in the Universal Declaration of Human Rights.

According to the American Convention on Human Rights records, both Ecuador and Venezuela are part of the OAS and both have ratified the Convention in 1977 (OAS 1979). By doing this they acquired some obligations for example, as expressed in Article 1: the obligation to respect rights recognized in the Convention (1969, 1). Some of the rights are the right to life, the right to human treatment, the right to nationality, freedom of movement and residence, among others. Moreover, the influence of the Convention as an international instrument is explained in Article 2, which expresses the domestic legal effects once the country has ratified the treaty. It says that “States Parties undertake to adopt, in accordance with their constitutional processes and the provisions of this Convention, such legislative or other measures as may be necessary to give effect to those rights or freedoms” (1969, 2). This article is very important because it engages states to guarantee the protection of rights according to human rights law.

These articles are pertinent to the Venezuelan situation because, even though the responsibility and the obligation of the state is to respect the rights specified in the American Convention on Human Rights, nowadays Venezuelan citizens are not protected by the Inter-American system on Human Rights. For example, in the case of Venezuela, it is a signatory country of the Convention on Human Rights, however on April 27 of 2017 President Nicolás Maduro announced that the country will leave the OAS, so by April 27 of 2019 Venezuela won't be part anymore of the Inter-American regime on human rights (Guzmán 2018). As a result, the organization won't be able to apply any other sanction on Venezuela's actions. This shows a violation in the obligations previously adopted.

On the other hand, Ecuador, who is also signatory of the Convention, in August of 2018 tried to implement a regulation by which Venezuelans could enter the country with just their passports, because “since the start of 2018, nearly 550,000 Venezuelans have entered Ecuador through Colombia” (Specia 2018). The Ecuadorian state attempted to implement this

regulation as a desperate response, but it was then abolished by a national tribunal because it was described as a violation to the national constitution and a violation to the Convention on Human Rights. In this case, the Ecuadorian state decided to respect its legal obligations.

These two scenarios show that although coherence exists among the international law, international principles and the American Convention on Human Rights, the Convention is not always applied in real context for example in Venezuela's case. The position that Venezuela has does not allow the application of south-south cooperation that currently Ecuador is promoting with the "Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region". Although the Declaration does not apply to Venezuela as a country, it does apply for the Venezuelan migrants.

In addition, the regulatory entities, which observe and judge, are necessary for the states to fulfill the obligations that countries have. That is why it is important to see how Inter-American system operates.

## *2. Inter-American Commission on Human Rights and Resolution 2/18 Forced Migration of Venezuelans*

The Inter-American system of protection of human rights has two entities in charge of the protection of human rights, one is the Inter-American Commission on Human Rights (IACHR), the principle organ of the OAS, while the other is the Inter- American Court of Human Rights, which is an organ created by the predisposition of states that are part of the American Convention on Human Rights (analyzed above). The American Convention on Human Rights regulates the functioning of both organs and the main differences are that "the Commission is a non-judicial body, so the resolutions are not binding unless the state approves the implementation and reach of its objectives. While on the other hand, the Court is an autonomous judicial body so its decisions are binding for the states" (Corte IDH 2018).

The IACHR does not have the power to force states to do something, but it can make observations to improve states' national law and behavior, so in future circumstances it does not commit the same errors again. In this case, the IACHR has done a specific report on Venezuela's situation and then published Resolution 2/8 about Forced Migration of Venezuelans as a response to the report. This resolution is a suggestion of how the other states of the OAS should face the situation. It is just a suggestion because the reports that the IACHR make about a theme are not considered binding for the states, as the only organ with that power is the court.

In its first part the Resolution 2/18 recognizes the main characteristics about the Venezuelan humanitarian crisis:

The IACHR considers that the massive violations of human rights, as well as the serious crisis that Venezuela has been facing as a result of the shortage of food and medicines, has led to the exponential growth of hundreds of thousands of Venezuelan people who have been forced to migrate to other countries in the region in recent years as a survival strategy that allows them and their families to preserve rights such as life, personal integrity, personal liberty, health, and food, among others (Organization of American States 2018, 1).

This paragraph stresses the main problems that Venezuelans are facing and also the rights that are not being ensured by the Venezuelan state. They are in a situation of forced migration because fundamental rights like life, integrity, and liberty are not being fulfilled in their own country. The resolution indicates that “the humanitarian crisis has a cross-border scope and as such requires a regional and international response based on shared responsibility and respect for and the guarantee of human rights” (Organization of American States 2018, 3).

Moreover, the Resolution has a list of 15 suggestions for the member states related to technical cooperation in the implementation of public policy to protect Venezuelans migrants. Some of them are related with the recognition of the refugee status<sup>2</sup>, the guarantee

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<sup>2</sup> Check bullet point 1 of the Resolution 2/8 from the IACHR

for Venezuelans to enter the countries <sup>3</sup> respecting the *non-refoulement* principle<sup>4</sup>, which is linked to the *jus cogens* principles; and the implementation of a regional and international coordinated strategy based on shared responsibility<sup>5</sup> (Organization of American States 2018, 3).

The international and regional analysis until this point shows that theoretically coherence does exist across all documents revised because all of them include and mention the same principles and rights when pointing to the lack of human dignity in the treatment of Venezuelans in the condition of forced migration. However, at the same time the Resolution 2/18 is a report that summarizes and describes the pragmatic problems that Venezuelans have, which is an example that shows that even with an established international legal framework the rights are still not being fulfilled in praxis by Venezuela. In the case of Ecuador, this chapter has shown that the creation of “Declaration of Quito on Human Mobility of Venezuelan citizens” is an action supported by the international legal framework of the American Convention on Human Rights, the Inter-American Commission on Human Rights, and the Resolution 2/18. In praxis Ecuador is cooperating with Venezuelans citizens, but through south-south cooperation among the signatories of the Declaration, which at the time are also part of the international legal framework revised.

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<sup>3</sup> Check bullet point 3 of the Resolution 2/8 from the IACHR

<sup>4</sup> Check bullet point 4 of the Resolution 2/8 from the IACHR

<sup>5</sup> Check bullet point 10 of the Resolution 2/8 from the IACHR

## **CHAPTER 3: *IUS COGENS* PRINCIPLES IN ECUADORIAN CONSTITUTION AND FOREIGN POLICY AGENDA**

The last chapter analyzed the existence of coherence in regional and international legal documents regarding *Ius cogens*. It also revised an application example of the American Convention on Human Rights with the Resolution 2/18 of the Inter-American Commission on Human Rights. This broad vision determines how south-south cooperation generated by Ecuador to protect Venezuelan migrants has an international justification of the legal international body. Now, this chapter compares international principles in the Ecuadorian Constitution of 2008 and the Ecuadorian Foreign Policy Agenda. This is important because it shows how the international principles are applied in the domestic legal framework of Ecuador, which supports the south-south cooperation promoted by Ecuador.

The first section begins with a context paragraph about the Ecuadorian Constitution. Then it analyzes some articles of the Ecuadorian Constitution of 2008 that involve international principles like *pro homine*, *non-refoulement*, non discrimination, cooperation principle and sovereignty principle. Finally, the last section shows how the Ecuadorian Foreign Policy Agenda is coherent with the Constitution by including the same international principles.

### **National Scope**

This part is the legal analysis based on Ecuadorian legal framework, which includes the Ecuadorian Constitution of 2008 and the Foreign Policy Agenda of 2017-2021.

#### *1. Ecuadorian Constitution 2008*

Ecuador has been acknowledged as a host country of migrants for example in the Colombian and Cuban migration cases. According to the Ecuadorian Foreign Policy Agenda,

“Ecuador is the largest receiver of refugees in Latin America” (Gobierno de la República del Ecuador 2018, 17). This happens because the Ecuadorian legal framework has clearly specified how the state should act in response to international affairs through a Foreign Policy Agenda, which in this case responds to a migratory crisis that could affect the country. International law is enforced by national law like the national Charter of the country, and that is why it is important to analyze the Ecuadorian one. The last Ecuadorian constitution was made in 2008 in Montecristi, province of Manabí under the government of Rafael Correa. The 8<sup>th</sup> heading of the Constitution is about the management of the international relations of Ecuador.

The Ecuadorian Constitution involves international principles like *pro homine*, non-discrimination, cooperation and sovereignty. The presence of international principles shows the coherence between the international and regional law with the national law. Therefore, this part is an analysis of some articles from the Ecuadorian Constitution that involve international principles and that also are related to migration, cooperation, and human rights. The *pro homine* principle puts human dignity above everything else, then the state sets measures or policies so humans can be protected and respected just with the condition of being a human. Part 6 from Article 416 from the Constitution<sup>6</sup> says that the Ecuadorian state “advocates the principle of universal citizenship, the free movement of all inhabitants of the planet, and the progressive extinction of the status of alien or foreigner as an element to transform the unequal relations between countries, especially those between North and South” (Constitution of the Republic of Ecuador 2018, 183). This article is an application of the *pro homine* principle because it sets some conditions through which humans can protect their dignity in the specific case of migration. Also, Article 416 reflects the non-

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<sup>6</sup> First chapter about Principles Governing International Relations, article 416.

discrimination principle as it looks to eliminate the status of alien because it is a source of discrimination among people.

Another international principle in the Ecuadorian Constitution is the cooperation principle. One way to establish cooperation among countries is through signing treaties, or any international legal instruments that establish a relation between countries. Part 7 from Article 416 “demands observance of human rights, especially the rights of migrant persons, and promotes their full enjoyment by complying with the obligations pledged with the signing of international human rights instruments” (Constitution of the Republic of Ecuador 2008, 183). In this case, the Ecuadorian state cooperates with other countries through international human rights instruments, like the American Convention on Human Rights, to have a protocol for migrants’ rights. Also, Article 392 from the Constitution emphasizes the responsibility of the Ecuadorian state to design and implement public policies with other states and civil organizations on human mobility at the national and international level (Constitution of the Republic of Ecuador 2008, 176). This article also involves cooperation not just as an act of solidarity, but also as part of the state’s responsibility.

Finally, the sovereignty principle is the first one mentioned by the 8<sup>th</sup> heading of the Constitution about the management of the international relations of Ecuador. Article 416 states that Ecuador’s international relations will respond first to the interest of the Ecuadorian people<sup>7</sup> (Constitution of the Republic of Ecuador, 2018, 183). This article is an example of the sovereignty principle because it reflects the power and independence of the Ecuadorian state of governing itself. This principle is what rules the state’s behavior at the national scope. On the other hand, what rules at the international and regional scope, regarding human rights, is the the *pro homine* and cooperation principles.

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<sup>7</sup> First chapter about Principles Governing International Relations, article 416.

## 2. *Application in the Ecuadorian Foreign Policy Agenda*

With Lenin Moreno, the current president of Ecuador, the country started a period of governance with new policies that respond to specific problems that Ecuador and the region are undergoing. One of these policies is the Ecuadorian Foreign Policy Agenda, which was emitted by the Ministry of Foreign Affairs and Human Mobility<sup>8</sup> and it is basically the strategic plan to respond to migration in different aspects.

The Agenda responds to Article 416 of the Constitution, which talked about the *pro homine principle* and non-discrimination, analyzed above. Also, the Foreign Policy Agenda has 7 objectives that are committed to building a multipolar world (Ministerio de Relaciones Exteriores 2018). Additionally, the first part of the Ecuadorian Foreign Policy Agenda is an analysis of the international scenario, which includes a regional analysis about Latin America and an emphasis on Venezuela's context. This section shows how the Ecuadorian Foreign Policy Agenda is coherent with the Constitution by including the same international principles.

The first objective of the Foreign Policy Agenda is: “defend sovereignty and the construction of peace” (Gobierno de la República del Ecuador 2018,46). This involves protecting the sovereignty of the country. As it was explained before, the principle of sovereignty recognizes the interest of the own country before establishing the state's foreign affairs at the international scope. That is why it is the first thing clarified at the Foreign Policy Agenda (Gobierno de la República del Ecuador 2018, 6).

In spite of recognizing sovereignty as an interest of the Ecuadorian state, the Agenda has some objectives that are focused on cooperation to achieve individual interests. For example, the policy 3.2 of the objective 5, which says: “promote the implementation of regional and bilateral mechanisms to prevent risky migration” (Gobierno de la República del

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<sup>8</sup> In Spanish: *Ministerio de Relaciones Exteriores y Movilidad Humana*

Ecuador 2018, 61), is a policy of cooperation for a specific group of people. This policy recognizes regional relations as essential to establishing public policies to prevent risks in migration, and to guaranty equality and easy access for people in human mobility. International cooperation is closer to liberal approach because in the case of migration the state prioritizes the individual and the necessity of other states to help the citizens.

Moreover, another example of cooperating for the interest of a specific human group is the second objective of the Foreign Policy Agenda, which says: “defend human rights and the rights of nature” (Gobierno de la República del Ecuador 2018,48). This objective is related with the application of Article 319 of the Ecuadorian Constitution and with Article 163 of the Organic Law on Human Mobility of Ecuador<sup>9</sup>, which addresses the protection of people in human mobility and the design of public policy to guaranty the accomplishment of their rights (Asamblea Nacional 2017, 29). Article 163 is the norm that includes national and international principles, and the objective of the Agenda is the measurable goal, but both are focused on defending human rights.

International human rights in mobility are present in the Agenda and in most of legal Ecuadorian and international documents revised in this paper. The following principles are mentioned regarding human mobility in the Agenda: *pro homine*, *non-refoulement*, non-discrimination, and cooperation to “integrate the region through policies of human mobility” (Gobierno de la República del Ecuador 2018, 39). This shows how the international and regional principles, are also present in the Ecuadorian legal framework, which established a specific policy that protects individuals in the context of migration. Moreover, Ecuador also supports the Global Compact for Safe, Orderly and Regular Migration proposed by the UN on July 13, 2018 through the Foreign Policy Agenda (Gobierno de la República del Ecuador 2018, 58), which is another mechanism implemented to protect migrants.

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<sup>9</sup> *Ley Orgánica de Movilidad Humana*

It is important for the main purpose of this paper to recognize that the Ecuadorian Foreign Policy Agenda also talks about how south-south cooperation. Although the Agenda recognizes that Ecuador has worked under the south-south cooperation scheme (Gobierno de la República del Ecuador 2018, 17), this scheme is defined as a mechanism only targeted to increase the technical capabilities and economic development of Ecuador. Also, it mentions that Ecuador has the intention to extend relations with the countries of the region and the Global South, but with nations whose relations would be strategic (Gobierno de la República del Ecuador 2018, 62). In this case, the “Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region” is a technical mechanism to solve a migratory crisis made from the establishment of strategic relations with the 11 countries that signed the declaration in Quito. Therefore, this section has shown how the Ecuadorian Foreign Policy Agenda is coherent with the Constitution by including international *Ius cogens* principles. Also, it demonstrates that the coherence allows that the legal framework could be an impulse to promote south-south cooperation with the creation of the “Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region”.

As such, the overall conclusion to be drawn is that the *Ius cogens* principles are applied in the Ecuadorian constitution and in the Ecuadorian Foreign Policy Agenda. The first section has shown how some articles of the Ecuadorian Constitution of 2008 involve international principles like *pro homine*, non-discrimination, cooperation and sovereignty principle. The second part recognized the coherence between the Ecuadorian Constitution and the Ecuadorian Foreign Policy Agenda through the application of international principles. Also, it found that the definition of south-south cooperation established in the Foreign Policy does not seek to find solutions specifically to the migratory crisis as it is more focused at increasing the technical capabilities and economic development of Ecuador. However, in praxis Ecuador has applied south-south cooperation with the creation of

“Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region”, which in the definitions of the Foreign Policy Agenda is closer to the definition of just cooperation because it’s about migration. Finally, it has shown that according to the definitions given in the agenda migratory crisis is more likely to be solved under a more general scheme of international cooperation than to be solved as a south-south topic. However, in praxis migration topics can be solved through both schemes international cooperation and south-south cooperation.

## **CHAPTER 4: MAIN TOPICS OF THE ECUADORIAN FOREIGN POLICY AGENDA OF 2017-2021 REGARDING VENEZUELAN MIGRATION**

This last section analyzes the three specific topics of the Ecuadorian Foreign Policy Agenda of 2017-2021 as a solution to the actual context of Venezuelan migration. The first part discusses how the sovereignty principle is not an impediment to cooperate. The second part explains the position of Ecuador about implementing south-south cooperation through a regional mechanism to regulate migration. Finally, the last part points out other important actors that can support south-south cooperation in a multipolar world. This last chapter is important because it highlights main topics of the Ecuadorian Foreign Policy Agenda of 2017-2021. These topics reinforce that Ecuador's legal framework impulse the actions of south-south cooperation taken by Ecuador regarding Venezuelan migration crisis.

Sovereignty is one of the main principles in the international regime and in Ecuador's agenda because it recognizes the state's self-sufficiency to solve its domestic affairs or problems by its own. For example, this principle was applied when the Ecuadorian state was overwhelmed by migrants at the northern border and “declared a state of emergency in the northern provinces of Carchi, Pichincha and El Oro” (Smith 2018). In this case it was necessary to protect the state and Ecuadorian citizens more than Venezuelans, sovereignty was more central than cooperating. The tension between sovereignty and cooperation is something that exist at the international and national level. However, the Ecuadorian state has a balanced position to manage its international affairs. The state's interest about sovereignty goes first, but also the state knows that it is necessary to cooperate and think about humans, no matter if they are Ecuadorian or not. Most of the international and regional legal framework revised is an example of cooperation, that demonstrates that the Ecuadorian state

values human rights and international principles like *ius cogens* because the cooperation that it provides is focused on humans more than in the Venezuelan State.

That is why, the second topic in the Agenda was Ecuador's international cooperation. On one hand, the Foreign Policy Agenda recognizes just international cooperation to solve migration crisis, which is a general international cooperation. On the other hand, the Foreign Policy Agenda also recognizes south-south cooperation, which is more specific because involves countries that are in a similar category, as a mechanism for technical help merely in terms of development. However, at comparing what the Foreign Policy says and what Ecuador does, nowadays Ecuador is also using south-south cooperation as a mechanism of technical help but specifically regarding Venezuelan migration. As it was mentioned through the whole paper, an example is the creation of the "Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region", which seeks to regulate migration in the region. This mechanism is the treaty that is being negotiated by some American countries through two consecutive meetings that have been organized in Quito with the purpose of defining a common policy on the crisis (International Organization for migration, 2018). The first meeting was on September 3 of 2018, and 11 countries signed the declaration. The second meeting was on November 22th and 23th of 2018, and its purpose was to particularize the commitments made in the first meeting (El Comercio 2018). These actions show that Ecuador is engaged with finding a consensual solution to a shared problem that is migration. Also, it shows that Ecuador has a legal framework behind this action.

Finally, the last important point is the presence of International Organizations at the meeting. The Ecuadorian Foreign Policy Agenda of 2017-2021 identifies that the actual world order is multipolar, as it was explained in the first chapter. The multipolar system allows other actors to participate in important forums and decisions regarding a topic. Sometimes the same international organizations set up meetings to create new policies. The

countries that signed the Declaration came as independent countries and created and signed the treaty. However, they also invited international organizations to participate in the meetings because the Venezuelan migration is also a topic of its interest. The presence of the World Bank, the CAF and the IDB was important because it demonstrates that migration is related to economics and development. Also, the participation of the UNHCR and the IOM was needed to contribute with technical knowledge about the implementation of the policy. International organizations are an example of how the current multipolar world works through the inclusion of other actors' participation in foreign affairs like migration. They can contribute to processes of cooperation as they are organizations with resources and knowledge in the subject.

The benefit of using south-south cooperation as a resolution mechanism is that eventually forced migration can happen in a more orderly way. Nevertheless, Ecuador is having a good first step through applying south-south cooperation with the arrangement of the two meetings to set a Latin American policy agenda. This comparison with the Ecuadorian Foreign Policy Agenda of 2017-2021 and the actual context of Venezuelan migration has demonstrated that the Ecuadorian state has a balanced policy between protecting the state and its citizens through the sovereignty principle, while protecting Venezuelan migrants through cooperating internationally to reduce the problem in a coordinated way among countries. At the time, even though the definition of south-south scheme does not explicitly say that it is a mechanism to tackle migration crises, the establishment of the "Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region" among 11 countries with similar characteristics is a good way to solve the problem from the inside out. The topics in this chapter have reinforced that Ecuadorian Foreign Policy Agenda of 2017-2021 impulse the actions of south-south cooperation taken by Ecuador regarding Venezuelan migration crisis.

## CONCLUSIONS

The world order is a multipolar system divided in the Global South and the Global North. In Latin America south-south cooperation lately has been used by southern countries to propose solution from the inside. The south-south cooperation scheme can be applied in migration topics to produce policies that can guarantee the human rights of migrants and make migration more secure, regulated, and ordered. Ecuador has applied south-south cooperation through the arrangement of 2 meetings, and as a result the group of 11 countries including Ecuador set up the “Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region”. This action fits in the definition of south- south cooperation given by Lechini, which said that south-south cooperation is “a political cooperation that aims to strengthen bilateral relations and/or to form coalitions in multilateral forums, in order to obtain greater negotiation power, in defense of their interests” (2009, 67). In this case Ecuador formed a multilateral forum to solved a common problem that is affecting other countries.

Then the second chapter determined the existence of coherence among all documents revised because all of them include and mention the same principles and rights. However, it also showed through Resolution 2/18 that having a legal framework does not necessarily mean that rights are being fulfilled in praxis. Moreover, it explained that the “Declaration of Quito on Human Mobility of Venezuelan citizens”, as an action of south-south cooperation, is supported by the international legal framework of the American Convention on Human Rights, the Inter-American Commission on Human Rights, and the Resolution 2/18.

Then, the third chapter compared *ius cogens* principles like *pro homine*, non-discrimination, cooperation and sovereignty principle with the application in the Ecuadorian constitution and in the Ecuadorian Foreign Policy Agenda, which had coherence between both documents. This has shown that the international principles applied in the national

Ecuadorian framework supports the south-south cooperation promoted by Ecuador. Also, it was noted that south- south cooperation scheme at the foreign policy is more focused at increasing the technical capabilities and economic development of Ecuador. According to the definitions given in the Agenda, migratory crisis is more likely to be solved under a more general scheme of international cooperation than to be solved as a south-south topic. However, in praxis migration topics can be solved through both schemes international cooperation and south-south cooperation.

The last part, found that the Ecuadorian state has a balanced policy. It protects the state and its citizens through the sovereignty principle, while it protects Venezuelan migrants through cooperating internationally through the establishment of a shared international agenda among countries with similar characteristics.

The *ius cogens* principles like *pro homine* and non- *refoulement* are present both in the international and national documents revised in this paper.

Ecuador has recognized in its domestic legislation some necessary measures to provide an efficient response to the migration problem that is occurring in Venezuela. The measure is a policy which was launched in 2017 specifically to reduce social dynamics that can become problematic for Ecuador, for example the forced migration of Venezuelans, who try to enter Ecuador. Also, the other measure is the “Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region” created in 2018.

However, the creation of policies does not guarantee the reduction of social problems like exclusion, discrimination, and xenophobia. Those problems that arise from migration still happen even if a policy or a law were designed to reduce them. Moreover, the concept of south-south cooperation proposed by the World Bank mentioned the necessity of responding to problems from the inside out, in this case among South American countries that are facing problems because of Venezuelan migration.

On one hand, Ecuador recognized the sovereignty principle but on the other hand it has not limited its cooperation actions at the international scope regarding Venezuelan migration crisis. Ecuador's actions supported by international and national legislation are an example of how the international human rights instruments, the Constitution of 2008, and the Foreign Policy Agenda of 2017-2022 respond to a south-south cooperation scheme in Venezuelan migration. In this way, it is still necessary to cooperate not only at the level of international cooperation but specifically among Global South countries, to generate orderly and regulated migratory processes so south-south cooperation is a good source to find solutions.

## BIBLIOGRAPHY

- Asamblea Nacional. Ministerio de Relaciones Exteriores y Movilidad Humana del Ecuador. Ley orgánica de movilidad humana del Ecuador. Registro oficial N° 938 1era sesión y 2da sesión, 2017. 29- 30. [https://www.cancilleria.gob.ec/wp-content/uploads/2014/03/ley\\_de\\_movilidad\\_humana\\_oficial.pdf](https://www.cancilleria.gob.ec/wp-content/uploads/2014/03/ley_de_movilidad_humana_oficial.pdf). (Accessed 17 April 2018)
- Constitution of the Republic of Ecuador. 2008. Title VIII: Principles Governing International Relations. Quito. Pp. 183
- Community of Latin American and Caribbean States (CELAC). 2017. *Special Declaration 2: On migration and Development*. Punta Cana. [Cumbre 25 January 2017]. <https://celac.rree.gob.sv/wp-content/uploads/2017/02/Migration-and-Development-Declaration.-Punta-Cana-2017.pdf> (accessed 21 April 2018)
- Conklin, William E. 2012. “The Peremptory Norms of the International Community.” *European Journal of International Law*, Volume 23, Issue 3, (August): 837–861, <https://doi.org/10.1093/ejil/chs048>
- Corte IDH, *Diferencias entre la Comisión Interamericana (CIDH) y la Corte Interamericana*. Legis.Pe. <https://legis.pe/diferencias-entre-comision-interamericana-cidh-corte-interamericana-corte-idh/>. (Accessed 18 June 2018)
- Dannreuther, R. 2013. *International Security: The Contemporary Agenda*. Cambridge: Cambridge University Press.
- Declaration of Quito on Human Mobility of Venezuelan Citizens. 2018. Ministerio de Relaciones Exteriores y Movilidad Humana. Quito. [https://www.cancilleria.gob.ec/wp-content/uploads/2018/09/declaracion\\_de\\_quito\\_en.pdf](https://www.cancilleria.gob.ec/wp-content/uploads/2018/09/declaracion_de_quito_en.pdf) (Accessed 18 December 2018)
- Delgado Wise, Raul y Márquez Covarrubias, Humberto. 2012. *Desarrollo desigual y migración forzada: Una mirada desde el sur global*. México, D.F: Editorial Miguel Ángel Porrúa. [https://www.researchgate.net/publication/293657443\\_Desarrollo\\_Desigual\\_y\\_Migracion\\_Forzada\\_Una\\_Mirada\\_desde\\_el\\_Sur\\_Global](https://www.researchgate.net/publication/293657443_Desarrollo_Desigual_y_Migracion_Forzada_Una_Mirada_desde_el_Sur_Global) (accessed 19 april 2018)

- El Comercio. 2018. *Reunión técnica sobre migración venezolana se hará la próxima semana en Quito*. <https://www.elcomercio.com/actualidad/reunion-migracion-venezolana-ecuador.html> (accessed December 7 2018)
- Gobierno de la República del Ecuador. Ministerio de Relaciones Exteriores y Movilidad Humana. *Agenda De Política Exterior 2017- 2021*. Quito, 2018. [http://www.cancilleria.gob.ec/wp-content/uploads/2018/01/agenda\\_politica\\_2017baja.pdf](http://www.cancilleria.gob.ec/wp-content/uploads/2018/01/agenda_politica_2017baja.pdf) (consultado el 21 de abril de 2018)
- Guzmán, Jowvaxy. (June 2018). “El próximo 27 de abril Venezuela abandonará la OEA”. *El Universal*. <http://www.eluniversal.com/politica/11700/el-proximo-27-de-abril-venezuela-abandona-oficialmente-la-oea> (Accessed 19 December 2018)
- International Organization for Migration. 2018. *Ecuador Launches New Human Mobility National Plan*. <https://www.iom.int/news/ecuador-launches-new-human-mobility-national-plan>. Accessed 2 December 2018.
- Jackson, Patrick. 2011. *The Conduct of Inquiry in International Relations*, 24-40. New York: Routledge.
- Lechini, Gladys. “La cooperación Sur-Sur y la búsqueda de autonomía en América Latina: ¿Mito o realidad?”. *Grupo de Estudios de Relaciones Internacionales (GERI)*, no. 12. (Octubre 2009): 55-81. Accessed December 16, 2018. <https://revistas.uam.es/index.php/relacionesinternacionales/article/view/4980/5443>
- Ministerio de Relaciones Exteriores y Movilidad Humana. 2018. “The Foreign Ministry presents its 2017-2021 Foreign Policy Agenda committed to build a multipolar world”. <https://www.cancilleria.gob.ec/en/the-foreign-ministry-presents-its-2017-2021-foreign-policy-agenda-committed-to-build-a-multipolar-world/> (Accessed 29 November 2018).
- Ministerio de Relaciones Exteriores y Movilidad Humana. 2018. “The ‘Declaration of Quito on Human Mobility of Venezuelan citizens’ was signed with 18 points of common agreement”. <https://www.cancilleria.gob.ec/en/the-declaration-of-quito-on-human-mobility-of-venezuelan-citizens-was-signed-with-18-points-of-common-agreement/> (Accessed 18 December 2018).
- Ministerio de planificación y cooperación división pública. 2000. *Metodología de análisis de políticas públicas: Conceptos y Criterios*. Santiago de Chile. [http://www.ministeriodesarrollosocial.gob.cl/btca/txtcompleto/mideplan/mideplan\\_02\\_metodologia\\_analisis\\_polit\\_publicas.pdf](http://www.ministeriodesarrollosocial.gob.cl/btca/txtcompleto/mideplan/mideplan_02_metodologia_analisis_polit_publicas.pdf). (Accessed 5 April 2018)

- O'Brien, Robert and Marc Williams. *Global Political Economy, Evolution and Dynamics*, Palgrave, fifth edition, 2016.
- Organization of American States (OAS). Inter-American Commission on Human Rights. Resolution 2/18: Forced Migration of Venezuelans. Sesión 167, 2 March 2018, Bogotá: Colombia. 1-6.  
<http://www.acnur.org/fileadmin/Documentos/BDL/2018/11642.pdf?file=fileadmin/Documentos/BDL/2018/11642> (Accessed 7 June 2018)
- Organization of American States (OAS), *American Convention on Human Rights, "Pact of San Jose"*, Costa Rica, 22 November 1969, available at: [https://www.oas.org/dil/treaties\\_b-32\\_american\\_convention\\_on\\_human\\_rights.pdf](https://www.oas.org/dil/treaties_b-32_american_convention_on_human_rights.pdf) [accessed 3 November 2018]
- Organization of American States (OAS), *Who We Are*, 2018, available at: [http://www.oas.org/en/about/who\\_we\\_are.asp](http://www.oas.org/en/about/who_we_are.asp) [accessed 13 November 2018]
- Smith, Paul. 2018. *Venezuelan exodus to Ecuador reaches record levels: UN refugee agency steps up aid*. Un News. <https://news.un.org/en/story/2018/08/1016812>. (Accessed 2 December 2018)
- Specia, Megan. Ecuador Struggles to Cope as Venezuelans Flood Its Borders. *New York Times*, 2018, available at: <https://www.nytimes.com/2018/08/11/world/americas/ecuador-venezuela-migration.html>. (accessed 13 October 2018)
- United Nations. 2018. *International Day for South-South Cooperation 12 September* <http://www.un.org/es/events/southcooperationday/> (Accessed 25 April 2018)
- United Nations. 2018. *Sustainable Development Goals*. <https://www.un.org/sustainabledevelopment/> (Accessed 20 November 2018)
- United Nations, *Statute of the International Court of Justice*, 18 April 1946, available at: [http://legal.un.org/avl/pdf/ha/sicj/icj\\_statute\\_e.pdf](http://legal.un.org/avl/pdf/ha/sicj/icj_statute_e.pdf) [accessed 2 November 2018]
- United Nations, *Vienna Convention on the Law of Treaties*, 23 May 1969, United Nations, Treaty Series, vol. 1155, p. 331, available at: <https://treaties.un.org/doc/publication/unts/volume%201155/volume-1155-i-18232-english.pdf> [accessed 2 November 2018]
- World Bank. 2017. *La cooperación Sur-Sur, intercambio de conocimiento para el desarrollo*. <http://www.bancomundial.org/es/news/feature/2017/09/13/cooperacion-sur-sur-intercambio-de-conocimiento-para-el-desarrollo> (accessed 25 april 2018)

