



International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families

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Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families

Concluding observations on the fourth periodic report of Ecuador*

1. The Committee examined the fourth periodic report of Ecuador¹ at its 632nd and 634th meetings,² held on 1 and 2 June 2026. At its 649th meeting, held on 12 June 2026, it adopted the present concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State Party's fourth periodic report, which was prepared in response to the list of issues prior to submission,³ and the information provided during the dialogue by the State Party's delegation, which was led by the Deputy Minister for Human Mobility from the Ministry of Foreign Affairs and Human Mobility. The delegation also included the General Coordinator for Legal Affairs from the Directorate General of the Civil Registry and Identification Documents and representatives of the Permanent Mission of Ecuador to the United Nations Office and other international organizations in Geneva.

3. The Committee appreciates the frank and constructive dialogue held with the high-level delegation and welcomes the comprehensive information provided by the State Party's representatives, as well as the constructive approach adopted during the meetings, which facilitated joint analysis and reflection. The Committee is also grateful for the replies and additional information that were submitted within 24 hours of the dialogue. The Committee notes that information on certain issues was lacking because it had not been received from the relevant national authority and recommends that the State Party take the necessary measures to ensure that national authorities submit, in a timely manner, the detailed information requested by the Committee.

4. The Committee recognizes that the State Party has a complex migration profile as a country of origin, transit, destination and return for migrants and refugees that is hosting a significant migrant and refugee population, primarily from Venezuela, and is also facing an increase in emigration from Ecuador owing to socioeconomic and security-related factors.

B. Positive aspects

5. The Committee welcomes the efforts made and initiatives taken by the State Party to promote and protect the rights of migrant workers and members of their families. It also notes with satisfaction:

* Adopted by the Committee at its forty-second session (28 May–12 June 2026).

¹ [CMW/C/ECU/4](#).

² See [CMW/C/SR.632](#) and [CMW/C/SR.634](#).

³ [CMW/C/ECU/QPR/4](#).



- (a) The ratification, in 2021, of the International Labour Organization (ILO) Violence and Harassment Convention, 2019 (No. 190);
 - (b) The endorsement, in 2022, of the Los Angeles Declaration on Migration and Protection;
 - (c) The adoption, in 2023, of the Organic Act against Trafficking in Persons and the Smuggling of Migrants;
 - (d) The adoption, in 2025, of the Organic Act amending legislation on age discrimination in employment;
 - (e) The adoption, in 2025, of the Organic Act amending the Labour Code to promote dignified conditions for domestic workers.
6. The Committee also welcomes the following institutional and public policy measures:
- (a) The National Implementation Plan for the Global Compact for Safe, Orderly and Regular Migration 2025–2029;
 - (b) The Action Plan on Combating the Smuggling of Migrants 2024–2030;
 - (c) The National Agenda for Equality in Human Mobility 2021–2025, concerning social and economic inclusion in the context of human mobility;
 - (d) The Action Plan on Combating Trafficking in Persons 2019–2030, concerning the prevention, protection and prosecution of trafficking offences committed in the context of migration;
 - (e) The rulings of the Constitutional Court on migration issues, such as rulings No. 96-21-JP/25, No. 360-19-JH/25, No. 365-18-JH/2, No. 13-17-IN/24, No. 335-13-JP/20, No. 2185-19-JP and consolidated cases/21, No. 1497-20-JP/21, No. 212-20-EP/24, No. 983-18-JP/21, No. 2120-19-JP/21 and No. 14-19-IN/23.

7. The Committee notes with satisfaction that, on 12 May 2022, the State Party became a champion country for the Global Compact for Safe, Orderly and Regular Migration. It also welcomes the State Party's pro tempore presidency of the Quito Process in 2025. In the light of its general comment No. 6 (2024) on the convergent protection of the rights of migrant workers and members of their families through the Convention and the Global Compact for Safe, Orderly and Regular Migration, the Committee recommends that the State Party continue to take measures to implement the Global Compact for Migration, in accordance with its international obligations under the Convention and other international human rights instruments.

C. Principal subjects of concern and recommendations

1. General measures of implementation (arts. 73 and 84)

Legislation and application

8. The Committee took note of the declarations of states of emergency between 2022 and 2026 in response to “serious internal disturbances” and notes with concern the impact this has had on the rights of migrants, including as a result of the expansion of the security-based approach to migration policies, the extension of immigration control functions to the Armed Forces and the consequent increase in human rights violations against migrants.

9. **In line with the recommendations made by the Human Rights Committee,⁴ the Committee against Torture⁵ and the Committee on the Elimination of Racial Discrimination,⁶ the Committee recommends that the State Party:**

⁴ CCPR/C/ECU/CO/7, para. 10.

⁵ CAT/C/ECU/CO/8, para. 12.

⁶ CERD/C/ECU/CO/25, para. 15.

(a) **Establish a road map to gradually phase out the use of states of emergency and security- and military-based approaches to migration management, as these are incompatible with the human rights protection framework set forth in the Convention;**

(b) **Ensure that all immigration control functions in which military personnel are involved remain under the leadership and control of civilian authorities and are subject to independent oversight and accountability.**

Ratification of relevant instruments

10. **The Committee recommends that the State Party ratify the following ILO Conventions and Protocols: the Migrant Workers (Supplementary Provisions) Convention, 1975 (No. 143); the Occupational Safety and Health Convention, 1981 (No. 155); the Private Employment Agencies Convention, 1997 (No. 181); the Maternity Protection Convention, 2000 (No. 183); the Promotional Framework for Occupational Safety and Health Convention, 2006 (No. 187); the Protocol of 1995 to the Labour Inspection Convention, 1947 (No. 81); and the Protocol of 2002 to the Occupational Safety and Health Convention, 1981 (No. 155).**

Coordination

11. The Committee welcomes the establishment, in 2018, of the National Round Table on Human Mobility. However, it notes with concern the lack of effective coordination among authorities on the issue of human mobility, as evidenced by the limitations of the decentralized autonomous governments in ensuring protection and essential services and the weakening of institutions specializing in human rights and equality, including the absorption of the Ministry for Women's Affairs and Human Rights into the Ministry of the Interior.

12. **The Committee recommends that the State Party:**

(a) **Strengthen coordination between national authorities and decentralized autonomous governments on issues related to human mobility in order to ensure effective access to protection and essential services for migrants;**

(b) **Restore specialized institutions dedicated to human rights and gender equality, in particular the Ministry for Women's Affairs and Human Rights, and strengthen them by ensuring that the necessary human, technical and financial resources are provided, given the importance of such institutions for the protection of migrant women and girls.**

Data collection and the right to privacy

13. The Committee takes note of the platforms providing public access to the information and services furnished by the National Statistics and Census Institute, the Ministry of Foreign Affairs and Human Mobility and the Ministry of the Interior to strengthen administrative records. However, it notes with concern the limited availability of comprehensive and disaggregated statistics on human mobility, as well as the lack of interoperability among systems and the need to strengthen mechanisms for the protection of personal data in migration contexts.

14. **The Committee recommends that the State Party:**

(a) **Strengthen the system for collecting disaggregated, up-to-date, harmonized, accessible and quality data on human mobility, ensuring the interoperability of systems and establishing safeguards to protect the personal data of migrants;**

(b) **Provide information on the action taken to promote and encourage scientific research in the field of migration, including disaggregated statistical data used to support research centres, institutions and scientific output.**

Independent monitoring

15. The Committee notes with concern the lack of independent oversight and accountability mechanisms, the weakening of the Ombudsman's Office in institutional and

budgetary terms and with respect to its specialized mechanism for persons in situations of human mobility, and the continued violence against human rights defenders and leaders of migrant communities, which is compounded by the lack of effective progress in investigating violent incidents.

16. The Committee recommends that the State Party:

(a) **Establish and strengthen independent oversight, investigation and accountability mechanisms for migration policies and operations, particularly in cases involving the armed forces;**

(b) **Strengthen the independence and capacities of the Ombudsman's Office and reestablish the specialized mechanism for persons in situations of human mobility, in full compliance with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles) and with the corresponding budgetary support;**

(c) **Prevent and investigate acts of violence against human rights defenders and leaders of migrant communities in a diligent, prompt and impartial manner.**

Training on and dissemination of information about the Convention

17. The Committee notes with concern the insufficient training of public officials and law enforcement authorities regarding the rights of migrant workers and members of their families and the obligations arising from the Convention.

18. The Committee recommends that the State Party implement training programmes on the rights of migrant workers and members of their families and the various provisions of the Convention, as well as on measures to promote respect for their dignity and recognition of their contributions to society, with the participation of the media, the private sector, civil society organizations and community leaders.

Participation of civil society

19. The Committee notes with concern the limited participation of civil society organizations and migrant communities in the design and evaluation of policies related to human mobility. Furthermore, it warns of the chilling effect that the broad oversight powers and the possibility of sanctions or revocation of legal status set out in the 2025 Organic Act on Social Transparency could have on organizations that defend the rights of migrants.

20. The Committee recommends that the State Party:

(a) **Ensure the participation of civil society organizations and migrant communities in the design and evaluation of policies related to human mobility;**

(b) **Review the 2025 Organic Act on Social Transparency and remove any provisions that could, directly or indirectly, have a chilling effect on organizations that defend the rights of migrant workers and members of their families.**

2. General principles (arts. 7 and 83)

Non-discrimination

21. The Committee notes with concern the rise in xenophobia and racism directed at migrants, particularly Venezuelans and Colombians, including stigmatizing rhetoric – often amplified on social media – associating them with insecurity and organized crime. It is also concerned about reports of abuse and discrimination in government offices and in the delivery of public and humanitarian services, as well as the multiple and intersecting forms of discrimination and violence faced by migrant women, including women with disabilities, and LGBTIQ+ persons.

22. The Committee recommends that, in accordance with joint general recommendation No. 38 (2025) of the Committee on the Elimination of Racial Discrimination and general comment No. 7 (2025) of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families and joint general

recommendation No. 39/general comment No. 8 (2025), on eradicating xenophobia towards migrants and others perceived as such, the State Party:

(a) **Adopt specialized legislation aimed at authorities, the media and society at large, which lays the groundwork for the eradication of xenophobia, discrimination and the racialization of migrant workers and members of their families;**

(b) **Adopt a comprehensive intersectoral strategy to prevent and combat xenophobia, racism, hate speech, discrimination and violence against migrants, including in digital contexts;**

(c) **Conduct awareness campaigns to promote the integration of migrants, avoiding rhetoric that is harmful to them, and train public officials to treat them with dignity and equality when providing services and to safeguard their mental health at all times.**

3. Human rights of all migrant workers and members of their families (arts. 8–35)

Border management and migrants in transit

23. The Committee notes with concern the shortcomings in border management policies and in measures to protect migrants, particularly those in an irregular situation, from violence, arbitrary checks, racial profiling and forced internal displacement, such as in the context of Operation Pandora. It is also concerned about the impact of the closure of official border crossings with Colombia and Peru on the ground of “national security”.

24. **The Committee recommends that the State Party:**

(a) **Ensure that border management policies include measures to effectively protect migrants, particularly those in an irregular situation, from violence, arbitrary checks and racial profiling, and to comprehensively address internal forced displacement;**

(b) **Investigate allegations of abuses in the context of Operation Pandora and adopt guarantees of non-repetition and ensure accountability;**

(c) **Review and, if necessary, modify the closures of border crossings with Colombia and Peru to align with the Recommended Principles and Guidelines on Human Rights at International Borders and address the resulting impact on effective access to international protection.**

Labour exploitation and other forms of ill-treatment

25. The Committee takes note of initiatives in the area of labour, including the “Ruta de los Derechos” (Path to Rights) programme, led by the Public Defence Service, designed to guide and assist migrants with administrative procedures related to access to employment and the exercise of labour rights. However, it is concerned about:

(a) The persistent exploitation and precarious employment conditions faced by migrant workers in an irregular situation, particularly in informal and precarious sectors, with wages below the minimum threshold, a lack of contracts and no enrolment in social security programmes, as well as, inter alia, obstacles to reporting abuses, especially those committed against migrant women;

(b) The exposure of migrants and refugees, particularly women, LGBTIQ+ persons and persons with disabilities, to violence, extortion and labour and sexual exploitation, especially threats directed at persons with irregular migration status and/or made in the context of extractive industries or in rural areas or the Amazon region.

26. **The Committee recommends that the State Party:**

(a) **Strengthen labour protections, including in the informal and precarious sectors, for migrant workers and members of their families in an irregular situation through enhanced labour inspections, enrolment campaigns for the Ecuadorian Social Security Institute and guidance and reporting mechanisms;**

(b) **Strengthen preventive and punitive measures designed to combat violence, extortion and labour and sexual exploitation of migrants and refugees by establishing support and referral pathways that incorporate a gender and disability perspective, ensuring access to protection, shelters and specialized assistance, providing guidance and reporting mechanisms and conducting effective investigations, particularly in the context of extractive industries and in rural areas and the Amazon region.**

Detention of migrants and members of their families

27. The Committee takes note of the amendment made in October 2025 to the Organic Act on Human Mobility to incorporate provisions on the detention and deportation of migrants that permit deprivation of liberty in cases of non-admission, detention and expedited deportation based on ambiguous grounds of “public safety,” “threat or risk,” and “internal armed conflict,” in addition to existing provisions and practices. The Committee is concerned about the tightening of administrative sanctions, such as prolonged re-entry bans and expedited deportation procedures, including during states of emergency, without prior judicial review. It also notes with concern the use of confidential reports and brief hearings, which undermine due process, impede access to asylum and consular protection and violate the prohibition on collective expulsions.

28. **In accordance with its general comment No. 5 (2021) on migrants’ rights to liberty and freedom from arbitrary detention and their connection with other human rights, the Committee recommends that the State Party:**

(a) **Include in legislation, and prioritize in practice, alternatives to administrative detention for migrants and take measures to prevent them from being subjected to arbitrary detention or arbitrarily deported in an expedited manner on the basis of ambiguous grounds or in violation of due process or without access to consular assistance or protection;**

(b) **Review the legal provisions governing migration, including the Organic Act on Human Mobility, with a view to bringing them into line with the Convention, thereby preventing human rights violations and the use of ambiguous terminology and administrative sanctions such as prolonged re-entry bans;**

(c) **Eliminate administrative practices involving arbitrary detention in migration matters, as well as the use of ambiguous language, confidential reports and brief hearings that violate due process.**

Conditions of detention for migrants

29. The Committee notes with concern the lack of independent oversight and effective monitoring mechanisms in locations where migrants who have been refused entry are held and in detention centres and other facilities where migrants are deprived of their liberty, as well as allegations of torture, ill-treatment and deaths in custody of detained migrants, and the lack of effective investigations, including into cases reported in prisons.

30. **The Committee recommends that the State Party:**

(a) **Ensure that any deprivation of liberty of migrants is subject to independent oversight and is accompanied by effective complaint mechanisms and safeguards against arbitrary detention and abuse in custody, in locations where migrants who have been refused entry are held and in detention centres and other facilities used for this purpose;**

(b) **Promptly and impartially investigate allegations of torture, ill-treatment, disappearances and deaths in custody, including cases reported in prisons, and ensure that all migrants deprived of their liberty are treated in accordance with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).**

Deportation

31. The Committee is concerned about possible violations of due process rights and the rights to an individualized assessment, to legal assistance and to remedies with suspensive effect, as well as violations of the principles of non-refoulement and proportionality and of the prohibition on collective expulsions, in the following contexts:

(a) The introduction, in the amendments made on 24 October 2025 to the Organic Act on Human Mobility, of the possibility of deportation on the ground of “threat or risk to internal security and the structure of the State” through streamlined single hearings held within a maximum of 24 hours;

(b) The amendments made on 26 June 2025 to the Organic Act on Public Integrity to insert, in article 61 of the Comprehensive Organic Criminal Code, a new paragraph 1 which introduces the possibility of deportation on the ground of “serious internal unrest” and allows for the deportation of foreign nationals who are deprived of their liberty, including those in pretrial detention awaiting a final conviction, as well as the imposition of 40-year re-entry bans and of disproportionate punitive measures in the event of re-entry, with such individuals potentially being considered military targets.

32. **The Committee recommends that the State Party:**

(a) **Review the provisions of the Organic Act on Human Mobility relating to deportation on the ground of a threat or risk to internal security and the structure of the State, in accordance with the Convention;**

(b) **Review, with the aim of aligning it with the Convention, the provision on deportation on the ground of serious internal unrest, as contained in the new paragraph 1 that was inserted in article 61 of the Comprehensive Organic Criminal Code through the amendment made to the Organic Act on Public Integrity on 26 June 2025.**

Asylum

33. The Committee is concerned about the amendments made to the Organic Act on Human Mobility on 24 October 2025, specifically:

(a) Article 104, which establishes the requirement that, based on the information available to the State, a person must not be considered to pose “a threat or risk to public safety and the structure of the State” in order to be granted refugee status, a broad and ambiguous criterion that could lead to arbitrary decisions and unduly restrict access to international protection;

(b) The repeated use, including in provisions relating to humanitarian protection, residence, naturalization and non-admission, of broad and ambiguous criteria such as the requirement that, based on the information available to the State, a person must not be considered to pose “a threat or risk to internal security”, which could lead to arbitrary decisions and unduly affect access to rights and international protection mechanisms.

34. **The Committee recommends that the State Party review the Organic Act on Human Mobility to bring it into line with the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, the 1951 Convention relating to the Status of Refugees and the 1967 Protocol thereto and the principle of non-refoulement, with a particular focus on article 104 of the Act and on the provisions therein that place conditions on access to humanitarian protection, residence, naturalization and non-admission, ensuring that all decisions are based on clear, objective and individualized criteria and that due process and access to effective remedies are guaranteed.**

Consular assistance

35. The Committee takes note of the establishment of the Directorate for Circular Migration within the Office of the Deputy Minister for Human Mobility and of the circular migration programmes. However, it notes with concern the continuing limitations on

ensuring, in a comprehensive and coordinated manner, the rights and protection afforded to Ecuadorian migrant workers abroad, which are a consequence of the reduction in the presence and provision of consular services.

36. **The Committee recommends that the State Party strengthen and coordinate its comprehensive protection strategy for Ecuadorian migrant workers abroad by stepping up consular assistance and protection mechanisms through the provision of digital services and of legal and psychosocial assistance and the establishment of mobile consulates, flexible procedures for issuing and renewing documents or accepting expired ones, and information campaigns.**

Freedom of association

37. The Committee is concerned about the requirement, as set out in article 459 (4) of the Labour Code, for candidates to hold Ecuadorian citizenship in order to be eligible for trade union positions, which could unduly restrict migrant workers' right to freedom of association.

38. **The Committee recommends that the State Party review and amend article 459 (4) of the Labour Code to ensure that migrant workers can establish trade unions and serve on union leadership bodies, in accordance with article 40 of the Convention and international standards on freedom of association.**

Paid domestic work

39. The Committee notes the growing number of migrant women engaged in paid domestic work and acknowledges the State Party's ratification of the ILO Domestic Workers Convention, 2011 (No. 189) and the adoption of the Organic Act amending the Labour Code to promote dignified conditions for domestic workers. However, it is concerned that government oversight covers only workers in a regular situation, since all women, whatever their migration status, are at risk of working excessively long hours, earning low wages, performing tasks they have not agreed to and experiencing physical ailments that are not properly addressed by their employers.

40. **The Committee recommends that the State Party:**

(a) **Effectively implement the ILO Domestic Workers Convention, 2011 (No. 189) and take the necessary steps to enforce the Organic Act amending the Labour Code to promote dignified conditions for domestic workers;**

(b) **Ensure that female migrant domestic workers, whatever their migration status, have access to social security, a living wage and decent working conditions.**

Social security

41. The Committee notes with concern that people in situations of human mobility, particularly those in an irregular situation, continue to face barriers in accessing social security and other essential services due to a lack of documentation, with migrant women, single mothers, children and persons with disabilities being disproportionately affected.

42. **The Committee recommends that the State Party ensure that people in situations of human mobility have effective access to social security and other essential services, without discrimination and irrespective of their migration or employment status, through flexible documentation requirements and accessible enrolment mechanisms and procedures, and that public services and immigration control duties remain separate.**

Medical care

43. The Committee notes with satisfaction that the Ministry of Health, with support from the International Organization for Migration, has strengthened institutional capacities in the area of healthcare for migrants. However, it is concerned that migrants and members of their families continue to face administrative and coverage barriers in accessing health services, particularly mental healthcare, sexual and reproductive healthcare and specialized care for

survivors of gender-based violence. It is also concerned about excessive documentation requirements and the fear associated with irregular migration status, particularly in the case of migrant and refugee women.

44. The Committee recommends that the State Party ensure that migrants enjoy universal access, without discrimination, to physical, sexual, reproductive and mental health services, and that survivors of gender-based violence have access to comprehensive care, irrespective of their migration status, including by ensuring that health services and immigration control duties remain separate.

Birth registration

45. The Committee notes with concern that, despite the amendments to the Organic Act on Identity and Civil Data Management, obstacles remain to the registration of births and the issuance of documentation for the children of migrants and that discriminatory treatment has been reported in the context of civil registration and documentation procedures.

46. The Committee recommends that the State Party ensure, for all children of migrants, immediate and free birth registration and access to identity documents, without discrimination on the basis of the migration or documentation status of their parents, through flexible documentation requirements, mobile offices and coordination between health services and civil registry offices.

Education

47. The Committee welcomes the recognition of the right to education without discrimination on the basis of migration status and the adoption of flexible mechanisms for school enrolment. However, it notes with concern the obstacles faced by migrant and refugee children and adolescents in accessing and remaining in the education system, which include discrimination and delays in school enrolment and in the recognition of academic credentials, as well as the requirement to provide documents, such as a passport or visa, and which hinder access to education, including higher education, and increase the risks of educational exclusion, child labour, trafficking and recruitment by criminal groups.

48. The Committee recommends that the State Party:

(a) Ensure effective access to education for migrant and refugee children and adolescents, without discrimination, by eliminating bureaucratic barriers, streamlining the process for the recognition and accreditation of academic qualifications, reducing costs and establishing flexible mechanisms for document verification;

(b) Implement measures to prevent and punish discrimination and xenophobia in school settings and avoid delays in the enrolment of migrant and refugee children and adolescents;

(c) Avoid requiring passports or visas for migrant workers and members of their families to access education, including higher education.

Transfer of earnings and savings

49. The Committee notes that remittances from Ecuadorians living abroad have increased in recent years, reaching more than \$7.7 billion in 2025 and becoming one of the country's main sources of income. The Committee is therefore concerned that earnings and savings are sent by insecure means and that no comprehensive measures are in place to ensure the financial inclusion of migrant workers and members of their families.

50. The Committee recommends that the State Party:

(a) Establish secure mechanisms for sending earnings and savings and introduce flexible identification requirements and financial education strategies;

(b) Strengthen the economic and financial inclusion of migrant workers and members of their families by reducing remittance costs, expanding digital financial services and entrepreneurship programmes and supporting initiatives led by business organizations and migrant networks.

4. Provisions applicable to particular categories of migrant workers and members of their families (arts. 57–63)

Migrant adolescents and migrant women

51. The Committee is concerned about the persistence of sexual and gender-based violence, femicides, trafficking and exploitation committed against migrant, refugee and asylum-seeking women and girls, particularly those from Venezuela and Colombia, as well as the shortcomings in the recording of femicides of foreign women. Similarly, it notes with concern the obstacles that migrant and refugee women who are victims of violence, exploitation or trafficking continue to face in accessing justice due to irregular migration status, lack of documentation and fear of deportation or reprisals. It also notes with concern the increase in digital violence and online attacks against migrant and refugee women and against women who advocate for the rights of migrants.

52. The Committee recommends that the State Party:

(a) **Ensure the effective implementation, in contexts of human mobility, of the Central Register of Acts of Violence, as well as of legislation on violence against women and reparations for victims of femicide;**

(b) **Eradicate sexual violence and other forms of violence against migrant, refugee and asylum-seeking women and girls, particularly those from Venezuela and Colombia, and ensure that those who are victims of violence, exploitation or trafficking have safe and effective access to reporting, protection and justice mechanisms without the risk of detention, deportation or reprisals;**

(c) **Take measures to prevent, investigate and punish digital violence against migrant and refugee women, as well as against women defenders of migrants' rights, ensuring effective protection and accountability mechanisms.**

5. Promotion of sound, equitable, humane and lawful conditions in connection with the international migration of workers and members of their families (arts. 64–71)

Children in situations of international migration

53. The Committee notes with concern the shortcomings in the protection and regularization of migrant and refugee children and adolescents, particularly those who are unaccompanied or separated, which increase their vulnerability to violence and forced recruitment by armed and criminal groups, as well as shortcomings in the implementation of the procedure set out in the protocol on support for adolescents and members of their families in situations of human mobility in Ecuador and of rulings No. 2120-19-JP/21 and No. 212-20-EP/24, which concern enhanced protection for children and adolescents in contexts of human mobility.

54. **Recalling joint general comment No. 3 of the Committee on the Protection of the Rights of All Migrant Workers and Members of Their Families/No. 22 of the Committee on the Rights of the Child (2017) and joint general comment No. 4/No. 23 (2017), the Committee recommends that the State Party strengthen mechanisms for the identification, protection and regularization of migrant and refugee children and adolescents, particularly those who are unaccompanied or separated, by enhancing early detection and prevention of violence and forced recruitment, and ensure the effective implementation of the protocol on human mobility and of rulings No. 2120-19-JP/21 and No. 212-20-EP/24.**

Return and reintegration

55. The Committee notes the significant number of Ecuadorians who have returned in the past five years, the fact that family reunification is one of the main reasons for their return and the various immediate support measures the State Party has taken to assist returnees upon arrival, including the upcoming completion of a jobs database. However, it is concerned about the limited scope of return measures, in particular the lack of social reintegration

measures, and the low number of returnee certificates, which grant access to various services, that have been issued compared to the estimated number of returnees.

56. **Recalling the recommendation made in its previous concluding observations,⁷ the Committee recommends that the State Party strengthen the scope of the immediate measures provided for in its return policy and develop and implement social reintegration measures for returning Ecuadorians and members of their families, ensuring family unity and effective access to employment, psychosocial support and social inclusion measures and improving the accessibility and coverage of the certificate system for returning migrants.**

International cooperation with countries of transit and destination

57. The Committee notes with concern the signing, in July 2025, of an agreement with the United States of America allowing for the transfer of Spanish-speaking nationals of third countries such as Cuba, Guatemala and the Bolivarian Republic of Venezuela to Ecuador, a country where they have no ties or support networks, and the lack of transparency in the negotiation and implementation of this agreement. Similarly, the Committee takes note of reports of deportations of Ecuadorian citizens from the United States to third countries, including the Democratic Republic of the Congo, without sufficient guarantees of consular protection.

58. **The Committee recommends that the State Party:**

(a) **Ensure that the negotiation and implementation of international migration agreements are guided by the principles of transparency, institutional oversight and accountability and do not conflict with the provisions of the Convention;**

(b) **Take urgent measures to prevent the deportation of Ecuadorian citizens to third countries by strengthening consular assistance and protection and ensuring that their situations are assessed on a case-by-case basis and that due process is respected;**

(c) **Conduct refugee status determination or other international protection procedures for nationals of other countries who have been transferred to Ecuador, with the aim of ensuring that they are not returned to their countries of origin if they might face persecution there and to prevent any and all arbitrary deportations.**

Trafficking in persons

59. The Committee takes note of the adoption of the Organic Act against Trafficking in Persons and the Smuggling of Migrants in 2023 and of its implementing regulations in 2024, as well as bilateral and multilateral cooperation agreements entered into by the State Party. However, it notes with concern that shortcomings persist in efforts to combat the trafficking of migrants and to provide protection and assistance to victims, particularly migrant workers in an irregular situation and especially Venezuelan women.

60. **Recalling its previous recommendation,⁸ the Committee recommends that the State Party:**

(a) **Strengthen the institutional response to the trafficking of migrants, particularly in the context of organized crime, violence and recruitment through digital platforms, by reinforcing early detection mechanisms and the protection of children and adolescents;**

(b) **Ensure that survivors of trafficking in persons have effective access, without discrimination, to protection, justice and comprehensive services, including the specialized mechanisms of the national protection and support scheme for victims, witnesses and other participants in criminal proceedings, and guarantee the effective application of the principle that survivors should not be treated as criminals.**

⁷ CMW/C/ECU/CO/3, para. 45.

⁸ Ibid., para. 47.

Smuggling of migrants and irregular migration (art. 68)

61. The Committee takes note of the adoption of the Action Plan on Combating the Smuggling of Migrants 2024–2030 and is concerned about the increase in irregular migration and migrant smuggling due to violence, worsening socioeconomic conditions and restrictions on regular migration channels, as well as the growth of organized crime networks linked to these phenomena, which gives rise to other related illegal activities such as kidnappings, extortion, disappearances and arms trafficking.

62. **The Committee recommends that the State Party expand regular migration channels and strengthen measures to prevent and combat the smuggling of migrants and the organized crime networks linked to it, and, in particular, that it implement and monitor the public policy developed on the basis of the Action Plan on Combating the Smuggling of Migrants 2024–2030.**

Measures to address migrant workers in an irregular situation

63. The Committee takes note of the efforts made to implement special regularization processes such as the special humanitarian visa (VERHU) and the temporary residence visas for exceptional circumstances (VIRTE and VIRTE II), as well as Executive Decree No. 436. However, it is concerned about the limitations of these processes and the fact that they have been suspended, as well as about the lack of permanent and sustainable mechanisms in this regard, which contributes to the large number of migrants who are in an irregular situation.

64. **In line with its previous recommendations,⁹ the Committee recommends that the State Party:**

(a) **Resume migration regularization processes, publicize them and establish requirements that are accessible and affordable for migrant workers and members of their families;**

(b) **Adopt a permanent, human rights-based system for migration regularization that prevents and reduces irregular migration, guarantees effective access to legal residency and international protection and eliminates disproportionate barriers to obtaining and maintaining legal migration status.**

6. Dissemination and follow-up**Dissemination and application**

65. **The Committee requests the State Party to ensure the wide dissemination of the present concluding observations, in the official languages of the State Party, to the relevant State institutions, including to government ministries, the legislature, the judiciary and relevant local authorities, as well as to non-governmental organizations and other members of civil society.**

66. **The Committee recommends that the State Party consider formally establishing a national mechanism for implementation, reporting and follow-up, with a clear mandate and sufficient human, technical and financial resources to enable it to effectively coordinate collaboration with international and regional human rights mechanisms, prepare reports, conduct follow-up and support the implementation of the obligations assumed under the treaties, as well as of the recommendations and decisions issued by those mechanisms.**

Technical assistance

67. **The Committee recommends that the State Party further avail itself of international and intergovernmental assistance for the implementation of the recommendations contained in the present concluding observations in line with the 2030 Agenda for Sustainable Development. It also recommends that the State Party continue its cooperation with the specialized agencies and programmes of the United Nations.**

⁹ Ibid., para. 39.

Follow-up to concluding observations

68. The Committee requests the State Party to provide, within two years (that is, by 1 July 2028), written information on the implementation of the recommendations contained in paragraphs 28 (arbitrary detention and deportation), 52 (migrant adolescents and migrant women), 58 (agreement with the United States) and 64 (regularization) above.

Next periodic report

69. The Committee requests the State Party to submit its fifth periodic report by 1 July 2031. The Committee will adopt a list of issues prior to reporting under the simplified reporting procedure at one of its sessions preceding this date, unless the State Party explicitly opts for the traditional reporting procedure for its fifth periodic report. The Committee draws the State Party's attention to its harmonized treaty-specific guidelines.¹⁰

¹⁰ [HRI/GEN/2/Rev.6](#).