



Making Refugee Rights a Reality in Africa, Asia, and Latin America
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Ecuador advances the protection of refugees

ECUADOR – Asylum Access is pleased to announce that on September 12, 2014, the Constitutional Court of Ecuador released decision No. 002-0524, in which the Articles 27, 33 and 48 of the executive decree 1182 are declared unconstitutional. These articles establish respectively: a period of 15 days to apply for refugee status, a period of 3 days to appeal the inadmissibility of a request and a period of 5 days to appeal ineligibility for refugee status. The Constitutional Court ruled that these periods violate the principle of equality and substituted them with 3 months to present the request for refugee status before the authorities, and increased the period of appeal to 15 days.

Further, the Constitutional Court added to Article 8, which uses the refugee definition laid down in the 1951 Convention relating to the Status of Refugees, the expanded content of the Cartagena Declaration of 1984, which allows individuals to be recognized as refugees “because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order.”

Finally, the Constitutional Court eliminated the second parenthetical remark in Article 50 and explicitly included the right to present an extraordinary recourse of revision to appeal decisions made by the Ministry of Foreign Relations and Human Mobility.

On October 26, 2012 Asylum Access Ecuador presented a constitutional challenge to the Executive Decree 1182. This action was combined with a similar one presented by the University of San Francisco and was supported by an amicus presentation by Human Rights Watch and Cardozo School of Law. Last week’s decision responds to both of these challenges.

Asylum Access celebrates the Constitutional Court’s ruling in recognition of the importance of ensuring that persons who seek refuge status can gain access to the international protection that Ecuador has committed to provide.

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About Asylum Access

Asylum Access is an international human rights nonprofit founded to make refugee rights a reality in Africa, Asia and Latin America. Our innovative model gives refugees the tools to rebuild their lives with dignity through four integrated tools: individualized legal counsel and/or representation, community legal empowerment, policy advocacy and strategic litigation. Please visit www.asylumaccess.org for more information.

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