

## THE “HOTEL” CARRIÓN, RESISTANCES AND CONTRADICTIONS

### An approach to experiences of detentions and deportations

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The “Hotel” Carrión is located in the city of Quito and functions as a confinement center. The euphemism “hotel” hides countless violations at political, psychological and physical level, based on the notion of “irregularities” to criminalize migration. Detention, transfer and confinement not just means the loss of rights and freedom but the total re-organization of life in the context of confinement.

This research is based on semi-structured interviews of key actors, linked to the issue in a personal or institutional way. A total of 15 interviews in depth were made, working with: academics, NGO officials who work in support and protection mechanisms, family members and friends of arrested persons, persons who were arrested and achieved to leave prison and officials of public institutions, such as the Public Defender and the Ombudsman. I made a formal request to the Viceminister of Interior in March for a permit to enter the “Hotel” Carrión, but did not receive an answer. I had various options to enter “without them knowing who I am”, but I did not do it as this would have violated my commitment with the Bioethics Committee of the San Francisco University which protects my research. Finally I could not do my field work inside the “Hotel” Carrión specifically. Nevertheless, I consider that by covering this grid of actors as key, this research is not invalidated at all by the fact that the work could not be done directly at the place.

#### **Brief context of the Regulation of Human Migration in Ecuador**

The principles recognized in the Constitution of 2008, such as the recognition of the universal citizenship and the free movement, seemed to outline a favourable panorama for human migration and the respect of human rights. Nevertheless, the discrepancy between the Carta Magna and the Laws of Migration and Immigration (elaborated in the 1970 decade) caused a situation where the declarations made in the Constitution became not applicable. In order to conceptualize the inconsistencies which derive from it, one needs to start from this great regulatory contradiction, apart from understanding the atmosphere of mistrust in front of law and the distance it maintains to the experiences of persons in migration presented in this work.

Álvarez points out that the border is being used to exclude and expel, especially after the generalized turn towards migratory securitization post 11 September 2001, which validates persecution of persons in movement as “other” dangerous ones. This frame offers a justification for the stigmatization and criminalization of human migration, generating legitimate forms of State violence (Álvarez, 2012). These control policies conceptualize migration as a problem to defeat and the geopolitical frame of securitization points out procedures such as detention and deportation as effective alternatives.

#### **The “Hotel” Carrión and the euphemism of a prison**

The “Hotel” Carrión as an ambiguous institution of confused functioning proves a system which prioritizes the implementation of laws over the rights of the persons, even when the law is not applicable any longer or expired. Members of the migration police, persons who have been arrested, activists and academics who work on human migration agreed that the criminalization of persons is closely linked to the vision of one “type” of migrants. Various policemen with whom I could dialogue mentioned the capacity to “distinguish” persons without documentation. It is not by coincidence that it has been pointed out that the main number of detentions is that of persons of Cuban and Colombian nationality, due to the xenophobic imaginaries which have historically constructed these

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persons as “suspicious” and also due to the linguistic factor, in which a certain accent constitutes one of the fundamental signs of treating them differently.

The link between criminalization of migration and xenophobia is fundamental, as are the diverse forms of discrimination and exclusion due to nationality, “race”, ethnicity and gender, and their intersections validate persecution and detention of persons in movement. Living in an “irregular situation” means living under the continuous threat of deportation. De Génova suggests the complexity of the condition of being deportable which consists of the transformation of mundane activities into illicit acts which are related to a legal condition to which one cannot aspire. The insecurities that derive from the possibility of deportation convert the future into something revocable (De Genova, 2002).

The State media emphasize that this place is in fact a hotel which has all the facilities to make persons be comfortable in this place. The webpage of the Ministry of Interior indicates the following with reference to the place:

Foreign citizens are in a secure infrastructure with capacity for 100 persons that has: medical and dental assistance, psychological and psychiatric assistance, legal consultancy and administrative procedures amongst others. Apart from a cafetería, laundry, green spaces and a terrace for recreational activities. (Ministry of Interior)

It should be stressed that the foreign citizens who are in the shelter are there not under the condition of arrested, they are accommodated foreigners and their stay is temporary, while administrative procedures are put place to execute their deportation. (Ministry of Interior)

The “Hotel” Carrión is described as a “Temporary Shelter for Migrants”. As indicated previously, I have put these terms in quotation marks as this work problematize the naturalization of the use of denominations as a form to diminish what happens at the place.

One of the aspects which has generated more debate about the place is if in fact it is a Center of Deprivation of Freedom. As Messuti suggests, “a prison is precisely such due to the impossibility to cross freely its walls” (p. 35). Based on the fact that it is ilegal to arrest a person due to a situation of administrative irregularities, without detention order from a judge which justifies it, that in the majority of cases there is no police record and that the persons when they enter the center cannot leave it voluntarily, the conclusion, beyond governmental discourses, is that the experiences of the persons who have been there narrate a total re-organization of life in a context of confinement.

There are a series of abuses of power, innecesary and cruel, which range from deprivation of water or food to sanction practices that do not follow any protocol. According to the *Forced Migration Review*, confinement implies impotence and loss of agility which can derive in depression and post-traumatic stress as indicated by Carlos (2013).

As an example, one person who was arrested had a heart attack, and needed to take specific medicine, and they did not allow it to enter. They gave him similar tablets but half the dosis. And said ‘you can buy them on the street’. But if I am arrested, how can I buy them? (Personal Communication, 2016).

The process of euphemism through language, when pointing at a place that functions as a prison with the term “hotel” or “shelter” it is serious and dangerous as the circumstances under which these persons are arrested are unknown and it reinforces the xenophobic imaginary that they should be “grateful” as they are taken to a “hotel”.

**Fissures and contradictions**

Faced with a State that continuously produces irregularities to legitimate its power and that does not allow for regularity beyond an unachievable ilusion, what happens is these grey zones, such as the “Hotel” Carrión, an area where there are no possible justice or coherence. As in the cases of various of the interviewed persons, Carlos told me that when Antonio Félix (director del

“Hotel” Carrión) got to know that one of the arrested had migratory regulation, he issued a letter to the Department of Immigration to revoke or invalidate the document. (Personal communication, 2016). The automation added up to the general euphemism of a State that acts like a dehumanizing machine. From this focus, the rights which have been denominated “human” in practice are rights that have nothing in common with a vision of humanity intrinsic to a person. They are rights which are granted or not based on citizenship, strictly linked to a State-nation in crisis, as pointed out by Sabsay (2011). There is nothing in “the human” which makes a State take responsibility over what happens to persons in migration.

The World Strategy against Detention 2014-2019, proclaimed by ACNUR, points out the unnecessary suffering provoked by detention, the serious consequences at mental and physical level and the non-existing dissuasive effect it has on irregular migration (UNHCR, 2014). According to a Forced Migration Review, detention has an administrative as well as disciplinary function. Nevertheless, the alternatives to detention (such as monitoring through psychological and legal assistance, presentation in front of authorities and the community supervision) are based on cooperation, support and dialogue, and hence are policies more likely to be respected (Forced Migration Review, 2013). In a similar manner, the International Coalition against Detention points out the urgent necessity to move from the application of laws to the management of cases, which implies a comprehensive and coordinated focus on granting services which look for the continuity of assistance to persons with diverse and complex necessities (Coria & Bonnici, 2013).

Beyond looking at it as a solution to the “problem” which migrants supposedly represent for State security, it is important to conceptualize deportation as a breakdown and interruption of a life project. It constitutes by itself a process which appeals to logistics of territorial control in which the state machinery shows its limits of power through its capacity to mark certain persons as unacceptable and undesired, hence they are “punished” through expulsion. Deportation is clearly a form of State violence, of deprivation, which makes the forced return go beyond the geographic dimension and shows that borders are not only territorial demarcation and are constructed in daily interaction. Deportation and exile produce a breakdown of memory, fractions which mark the sensitive and emotional. It is only when we understand the depth of the wounds which are left by deportation (more so in cases of previous confinement) that arbitrary administrative procedures are not validated any longer as “implementation of law”. As pointed out by Manuela Picq, Brazilian professor and journalist who was forced to abandon the country in 2015, “in certain mode, deportation is hindering you from being who you are, continue being who you are” (Comunicación Personal, 2016).

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