



[Home](#) > ... > Ecuador

2025 Trafficking in Persons Report: Ecuador

[IN THIS SECTION /](#) [ECUADOR \(TIER 2\)](#)

ECUADOR (Tier 2)

The Government of Ecuador does not fully meet the minimum standards for the elimination of trafficking but is making significant efforts to do so. The government demonstrated overall increasing efforts compared with the previous reporting period; therefore, Ecuador remained on Tier 2. These efforts included increasing prosecutions and developing procedures and guidelines to promote interagency coordination, improve victim protection and repatriation, and support the prosecution of trafficking crimes. In addition, the government's trafficking laws resulted in a court ruling in favor of hundreds of victims of forced labor in a landmark class action lawsuit against a multi-national agricultural company, which included an order for reparation payments for all victims, thus advancing efforts to mitigate labor trafficking in agricultural sectors and protecting communities vulnerable to exploitation and labor trafficking. However, the government did not meet the minimum standards in several key areas. Authorities investigated fewer cases and did not provide specialized services for adults, boys, or girls younger than 12; law enforcement officials did not have a victim identification protocol, and coordination efforts led by the interinstitutional committee decreased.

PRIORITIZED RECOMMENDATIONS:

Provide specialized services for all victims of labor and sex trafficking, including adults, boys, and girls younger than 12.

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Draft and approve a victim identification protocol for law enforcement and train officials on its use.

Vigorously investigate, prosecute, and convict traffickers, including labor traffickers and public officials complicit in trafficking.

Increase interagency coordination and engagement to improve prevention efforts.

Ensure judicial compliance with orders to issue reparation payments to trafficking victims and bring alleged traffickers to justice.

Increase efforts to proactively identify victims of forced criminality and ensure victims are not penalized solely for unlawful acts committed as a direct result of being trafficked.

Revise the NAP (known as PACTA) to include efforts to mitigate the recruitment of children into criminality by armed gangs and transnational criminal organizations (TCOs), including by force.

Create a specialized prosecutorial unit to focus solely on trafficking crimes.

Increase support and collaborate with NGOs for the consistent and adequate provision of victim services.

Criminalize all forms of child sex trafficking, by amending the definition of trafficking in the penal code (COIP) to remove the requirement of force, fraud, or coercion in child sex trafficking offenses.

Hire specialized labor inspectors, and train them on indicators of forced labor, and conduct proactive and unannounced labor inspections in sectors vulnerable to exploitation, such as banana plantations, floriculture, hemp (abaca), and mining.

Establish systems to protect workers from labor trafficking, including amending legal provisions to prohibit employers from withholding passports or travel documents from workers, collecting worker-paid recruitment fees, and allowing foreign workers to change employers without facing penalties or deportation.

PROSECUTION

The government maintained efforts to prosecute human trafficking.

Articles 91 and 92 of the 2014 Criminal Code criminalized all forms of labor trafficking and some forms of sex trafficking. In 2024, officials increased the penalties under Article 92 from 13 to 16 years' imprisonment to 16 to 19 years' imprisonment, and 26 to 30 years' imprisonment in the case of death of the victim. These penalties were sufficiently stringent and, with respect to sex trafficking, commensurate with those for other grave crimes, such as kidnapping. Article 91 defined trafficking broadly to include all labor exploitation, child pornography, child labor, illegal adoption, and the sale of tissues, fluids, and genetic materials of living persons. The definition of trafficking in Article 91 correctly established the use of force, fraud, or coercion as an essential element of an adult trafficking offense. However, the law did not include a necessary provision indicating that the elements of force, fraud, or coercion were unnecessary in the case of sex trafficking offenses involving child victims. Therefore, some forms of child sex trafficking offenses were not explicitly criminalized under Article 91.

In 2024, authorities investigated 101 cases of potential trafficking, including 15 cases under Article 91 (nine for sex trafficking and six for forced labor) and 86 cases for unspecified forms of exploitation under different articles of the penal code. This compared with 197 potential trafficking investigations in 2023, including 112 possible trafficking investigations under Article 91 and 85 under different articles of the penal code for unspecified forms of exploitation. Authorities prosecuted 30 individuals for trafficking crimes, including 27 for sex trafficking and three for forced labor, compared with prosecuting 10 individuals in 2023, including five for sex trafficking, three for forced labor, and two for forced begging. In addition, officials reported 56 ongoing prosecutions initiated in previous years, 54 for sex trafficking and two for forced labor. Courts convicted five sex traffickers compared with the conviction of five traffickers in 2023. The government did not provide sentencing data for convicted traffickers. Because Article 91 defined trafficking broadly and officials reported cases pursued under other articles of the penal code, some of the investigations, prosecutions, and convictions reported may not have involved crimes that rose to the level of trafficking as defined under international law. The Specialized Prosecutor's Office focused on Transnational and International Organized Crime (FEDOTI), under the Attorney General's Office (AGO), continued the prosecution of a CEO and two of his predecessors for their role in the alleged labor trafficking of 342 individuals at an abaca fiber plantation.

The Anti-Trafficking and Migrant Smuggling Unit (UNAT) under the National Police was responsible for investigating crimes against children and adolescents, and the judicial police unit was responsible for investigating trafficking crimes against adults. In 2024, the UNAT had 72 law enforcement officers working on human trafficking and migrant smuggling crimes.

FEDOTI was responsible for the prosecution of trafficking cases at the national level; however, due to its expansive mandate and the continued focus on high-profile prosecutions, scarce resources remained tied up, leaving the unit to prioritize non-trafficking crimes. The judicial branch had a specialized court against corruption and organized crime, which covered human trafficking under its mandate; one case was handled by the specialized court in 2024.

The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking crimes; however, corruption and official complicity in trafficking crimes remained significant concerns, inhibiting law enforcement action during the year, and cases from previous years remained unresolved. Officials did not investigate allegations from 2023 that immigration officials at border crossings allowed alleged traffickers to transport potential sex trafficking victims to neighboring countries or provide updates in the case of the labor inspectors who allegedly accepted bribes to overlook violations.

Authorities – in some cases in partnership with international organizations or foreign governments – trained officials, including police officers, prosecutors, and judges, on victim identification, victim-centered engagement, and investigating and prosecuting trafficking crimes. With support from an international organization, the AGO developed an investigative guide to support prosecutors working on trafficking cases. Authorities reported training relevant officials on its use but did not specify how many were trained or if any prosecutors proactively used the guide.

The government cooperated with foreign governments on anti-trafficking operations; the AGO reported working with foreign governments on 63 new trafficking-related investigations in 2024 and UNAT officials carried out three investigations with Peru, in which six Ecuadorian victims were identified.

PROTECTION

The government increased protection efforts.

In 2024, authorities identified 63 possible victims of trafficking, of which 55 were exploited in sex trafficking and eight in labor trafficking, compared to identifying 67 in 2023. Of the 63 possible identified victims, 21 were women, two were men, 34 were girls, and six were boys. Officials also identified 57 individuals in unspecified forms of exploitation that may amount to

trafficking. International organizations and government-supported NGOs identified 130 victims, of which they reported included 79 women, 41 girls, nine men, and one non-binary adult; 56 were from Venezuela, 39 were from Ecuador, 31 from Colombia, two from Peru, one from Argentina, and one from Brazil. The government did not have a victim identification protocol for law enforcement to proactively identify victims. Officials reported referring victims to care, and NGOs and international organizations confirmed authorities routinely referred victims to services. In 2024, the Ministry of Social and Economic Inclusion (MIES), responsible for child victim services, provided mental and psycho-social assistance to 49 victims, shelter to 16 victims, and job skills training and educational reintegration support to 45 victims. The Ministry of Women and Human Rights (MWHR) provided mental health and psycho-social services to 31 women victims. The Ministry of Public Health provided basic and immediate medical care to 49 victims and the AGO provided legal support to 64 victims. A government-supported NGO provided safe housing or hotel accommodations to five victims. This compared with 222 victims who received assistance from the government and government-funded NGOs in 2023, including 14 sex trafficking victims whom the Ministry of Interior (MOI) referred to services and 63 who received temporary housing in government-operated shelters. An international organization provided mental health, legal, and some form of safe housing accommodations to 130 victims.

The government did not have adequate or specialized shelter services for adult women, girls younger than 12, or male victims of any age. There were three specialized shelters that combined could provide services to 66 female adolescent sex trafficking victims, of which the government fully funded and operated two. The third shelter was operated by an NGO and partially funded by the government. MWHR was responsible for assisting adult trafficking victims and operated eight 24-hour women only emergency care centers where victims of any crime, including trafficking, could receive immediate services. Officials remained confused and unaware of which agency was responsible for services for men or boy victims. Officials reported adult trafficking victims could access hotel placement for up to 10 days in lieu of shelter services if they had safety concerns on the basis of their sexual orientation or identity. There was limited specialized services and care outside major cities, and police often had trouble finding shelters for victims, particularly outside the capital. As a result, police sometimes placed victims in non-specialized shelters until space in a specialized shelter became available. Authorities reported training non-specialized shelter staff from on human trafficking and the specific needs of victims. Law enforcement officials collaborated with an international civil society organization that media, advocates, and anti-trafficking experts noted may not be using a victim-centered and trauma-informed approach. The government had two separate assistance protocols outlining minimum standards of care for female adult

and adolescent trafficking victims in specialized and non-specialized shelters. In 2024, officials provided \$1.34 million for services for all victims of crime, including human trafficking. In previous years, stakeholders reported inconsistencies in effectively dispersing funds to implementing partners left victims vulnerable to re-victimization and created gaps in care provision.

The government did not report penalizing trafficking victims for offenses committed as a direct result of being trafficked; however, due to the deteriorating security situation and the lack of sufficient proactive identification procedures for labor trafficking victims, particularly boys, authorities did not take effective measures to prevent the inappropriate penalization of some unidentified trafficking victims solely for unlawful acts committed as a direct result of being trafficked, including those forced into criminality by organized criminal and transnational groups. The AGO's formal witness protection program (SPAVT) could provide immediate support to child victims, allowing them a 30-day reflection period before deciding whether to participate in the penal process against traffickers. If victims chose to assist in the prosecution of traffickers, the government continued to provide services through SPAVT; otherwise, officials referred female child victims to MIES to help with their reintegration. During the reflection period, services offered by the SPAVT usually included shelter, medical assistance, legal support, psychological care, job placement, and assistance with school or university admissions. The AGO provided protection assistance to 13 child victims through the SPAVT program, compared with 25 in 2023.

Foreign victims had access to the same services as Ecuadorian victims. The MOI published two new operating procedures establishing guidelines for the protection of Ecuadorian victims identified abroad, and one for the care of foreign victims identified in Ecuador. Ecuadorian diplomatic and consular missions abroad had funding to provide food, lodging, and airplane tickets to Ecuadorian victims seeking repatriation. In 2024, authorities repatriated and assisted two Ecuadorian victims of trafficking who were exploited in Colombia, and repatriated a Colombian victim of sex trafficking identified in Ecuador. Ecuadorian law permitted courts to issue restitution for victims and in 2024, courts ordered five convicted traffickers to pay restitution to victims; of which four were ordered to pay \$5,000 and one was ordered to pay \$3,000. Additionally, in a landmark class action lawsuit involving 342 victims of forced labor, a constitutional court ordered a Japanese multinational company operating in Ecuador to pay \$41 million in restitution payments amounting to \$120,000 to each victim. Initial payments of \$20,000 were due 90 days from the December ruling, at which time authorities filed a request seeking approval to sell farmland to be able to pay the workers. Authorities did not confirm if any restitution payment had been to victims in any cases but indicated some of the factors

that hinder victims' ability to receive payment, such as administrative delay, insolvency of convicted traffickers or companies, and a lack of effective enforcement tools to hold traffickers accountable. The Human Mobility Law guaranteed protection against refoulement to countries where the lives of victims or their relatives were at risk, including foreign victims of trafficking. Authorities reported they could grant temporary or permanent residency to foreign victims, and the government assisted in cases where the victims wished to repatriate. The government – in some cases with the support of international organizations – trained police and other public officials from MWHR, MIES, and the Ministry of Health on victim protection measures.

PREVENTION

The government decreased prevention efforts.

The Inter-Institutional Committee for the Prevention of Trafficking in Persons, previously chaired by the MOI, was led by the UNAT during the year. The government conducted two inter-institutional engagements in 2024, which was notably less than in 2023, when it led 12 engagements, and fewer than the required three sessions per year. With the support of an international organization, the Ministry of Labor (MOL) adopted a new victim identification guide for labor inspectors and trained some labor inspectors on its use.

The government continued implementing the 2019-2030 NAP for the elimination of trafficking, commonly known as PACTA, but relied heavily on international organizations and foreign governments for the implementation of PACTA-mandated activities. A civil society organization indicated a need for PACTA to be revised to reflect increasingly contemporary challenges the country has faced since 2023, such as the increase in forced criminality of children related to a rise in gang violence. Authorities conducted public awareness campaigns that reached public servants, immigration officials, and members of the private sector on trafficking crimes and case referral. Officials – with the support of international organizations – provided training for civil servants on the prevention of trafficking crimes. The government operated a hotline for the public to report crimes. Authorities reported receiving four calls of possible trafficking to the hotline, of which one case was referred one case to law enforcement for investigation, and four victims identified and referred to services.

An international organization trained MOL officials on labor trafficking indicators. Labor inspectors conducted 490 child labor inspections and referred cases to the AGO for criminal investigation. In 2024, the AGO initiated 342 prosecutions as a result of cases referred by the MOL and identified 25 victims of trafficking (21 victims of sex trafficking and four victims of forced labor). The MOL required employers to register the contracts of all foreign workers so authorities could verify they had adequate work conditions and salaries. Ecuadorian law did not explicitly prohibit labor recruitment practices traffickers commonly exploited, such as charging workers' recruitment fees or confiscating workers' passports. However, observers noted, such practices would be interpreted as violations of workers' rights and personal freedoms, which were protected under Ecuador's Constitution and in other legal provisions. The absence of specific prohibitions against these practices increased the vulnerability of workers to exploitation and forced labor. MOI officials reported migrant workers could change employers without obtaining special permissions or losing their work permit. The MOL regulated recruitment agencies and subjected those charging workers' recruitment fees to penalties or closure; however, authorities did not report how many recruitment agencies were subjected to penalties or closure.

The MOI and Ministry of Tourism made efforts to mitigate extraterritorial commercial sexual exploitation and abuse by foreign tourists in Ecuador through awareness campaigns and training officials and authorities reported these efforts contributed to their identification of three child victims of sex trafficking. The government did not report efforts to reduce the demand for commercial sex acts.

TRAFFICKING PROFILE:

Trafficking affects all communities. This section summarizes government and civil society reporting on the nature and scope of trafficking over the past five years. Human traffickers exploit domestic and foreign victims in Ecuador, and traffickers exploit victims from Ecuador abroad. Traffickers exploit Ecuadorian adults and children in sex trafficking and forced labor within the country, including in domestic service; begging; banana, abaca hemp, and palm plantations; floriculture; shrimp farming; fishing; sweatshops; street vending; mining; and other areas of the informal economy. In 2023, the country faced unprecedented levels of violence tied to TCOs and the rise of organized criminal groups, which led to an increase in forced child recruitment into criminality. Organized criminal groups with links to Mexican drug cartels have permeated Ecuador's coastal region and highlands, strengthening their ranks by

partnering with local criminal gangs and actively recruiting children from vulnerable communities by luring them with money or gifts, and in many cases, under threat of hurting their families or subjecting them to debt bondage. According to sources, recruited children, some as young as 12, receive approximately \$4,000 a month, including housing and food, almost 10 times the minimum monthly wage of an adult in the formal economy. In one case, authorities reported TCOs took over a housing complex in Guayaquil's Nueva Prosperina's neighborhood, gifted adolescents the apartments of homicide victims, and subjected them to debt bondage they could only pay off by selling narcotics, carrying out homicides, and extortions. Schools remain recruitment grounds for traffickers and criminal actors, particularly in Guayaquil and Duran. Media reports indicated, between January and June of 2023, an estimated 1,326 children between the ages of 12 and 17 had abandoned school to join organized criminal groups, and by 2024, 60 percent of members of organized criminal groups were children. Traffickers recruit children to work as informants and lookouts (*campanas*), selling drugs in local communities, collecting extortion payments, transporting drugs, or working as hitmen. The convergence of poverty and lack of opportunity made children highly vulnerable to recruitment and manipulation. Traffickers also recruit girls to exploit in sex trafficking or force them into relationships with gang leaders, leaving them vulnerable to trafficking crimes. Sex trafficking is most prevalent in coastal provinces, including El Oro, Guayas, Manabí, Los Rios, and northern border provinces, including Carchi, Esmeraldas, Loja, and Sucumbíos. Indigenous peoples and Afro-Ecuadorians, Colombian refugees, and Venezuelan migrants are particularly vulnerable to trafficking. According to a 2023 UN report, bonded labor allegedly persists in sugar cane, avocado, fruit, corn, and bean farms, impacting primarily vulnerable Afro-Ecuadorian communities, including children as young as 12 years old, who were remunerated significantly below the minimum wage in a form of debt bondage.

Traffickers use Ecuador as a transit route for trafficking victims from Colombia, Venezuela, and the Caribbean to other South American countries and Europe. According to law enforcement officers, there are 42 informal border crossing points controlled by gangs and locals between Ecuador and Peru. Migrants enter the country via illegal border crossings, which significantly increases their vulnerability to violence, exploitation, and human trafficking crimes. In 2022, an international organization reported between eight and 10 single Venezuelan males crossed the border weekly with children with whom they did not have a familial relationship. Advocates report women, children, those who identify as lesbian, gay, or bisexual, refugees, and migrants continue to be the most at risk for sex trafficking; Indigenous persons, Afro-Ecuadorians, and Chinese nationals are vulnerable to forced labor. Traffickers promising a better life to migrants from South and Central America, the Caribbean, and, to a lesser extent, Africa and Asia confiscate documents, impose debts, and threaten or force migrants into

commercial sex upon the victims' arrival in Ecuador. Traffickers exploit Colombian, Peruvian, Venezuelan, and, to a lesser extent, Central American women and girls in sex trafficking, domestic servitude, and forced begging. Traffickers increasingly use social media networks to recruit and groom individuals to later exploit them in sex and labor trafficking. Traffickers recruit children from impoverished Indigenous families under false promises of employment and subject them to forced begging, domestic servitude, or forced labor in sweatshops and street and commercial vending in Ecuador and other South American countries.

Traffickers lure vulnerable displaced Venezuelans with fraudulent employment opportunities and later exploit them in sex trafficking and forced labor. Workers in illegal, unreported, and unregulated (IUU) fishing are vulnerable to forced labor. Foreign-flagged fishing vessels, including reefers that belong to Chinese based companies and often use Panamanian 'flags of convenience,' are found slightly outside Ecuador's exclusive economic zone. These fleets deploy small vessels into Ecuador's waters and turn off mandatory satellite radars, preventing authorities from tracking their location. Operators of foreign-flagged vessels often subject workers to forced labor and coerce them to illegally cross into sovereign territories, risking criminalization. IUU fishing practices result in forced displacement because of environmental degradation and risk additional trafficking in alternative sectors. In 2024, a study indicated organized criminal groups recruited artisanal fishermen into criminality using extortion, threats, and fear.

Traffickers exploit Ecuadorian adults and children in sex trafficking and forced labor abroad, including in Chile, Colombia, Peru, the United States, and to a lesser degree, in Argentina, Spain, and Suriname. Some Ecuadorian trafficking victims are initially smuggled and later exploited in commercial sex or forced labor, including forced criminality in drug trafficking, in third countries. Colombian illegal armed groups target and forcibly recruit Ecuadorian children living along the northern border. Allegedly, some corrupt Ecuadorian officials alert traffickers to law enforcement operations or labor inspections, and some local authorities assist traffickers in procuring falsified identification documents, resulting in victims' lack of confidence in the police and a reluctance to report potential crimes.

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