



COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

ECUADOR

12 MAY 2009

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Preface

- i This Country of Origin Information Key Documents (COI Key Documents) on Ecuador has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Documents includes information available up to 1 May 2009. It was issued on 12 May 2009.
- ii The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any UKBA opinion or policy.
- iii For UK Border Agency users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.
- iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Ecuador is also provided. Please note, this background material is not intended to provide a summary of the material contained in the documents listed.
- v This COI Key Documents and the documents listed are publicly disclosable.
- vi Any comments regarding this COI Key Documents or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

Country of Origin Information Service

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ADVISORY PANEL ON COUNTRY INFORMATION

- xi The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UKBA's country of origin information material. The APCI reviewed a number of UKBA's reports and published its findings on its website at www.apci.org.uk. Since October 2008, the work of the APCI has been taken forward by the Chief Inspector of UKBA.

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2. Background information on Ecuador

Official name: Republic of Ecuador

Area: 283,560 sq km (109,000 sq miles), including the Galapagos Islands

Population: 14,573,101 (July 2009 est) [sic]

Capital City: Quito (population 1.8 million)

People: Mestizo (60 per cent), Indigenous (20 per cent), Caucasian (15 per cent), Black (5 per cent).

Language(s): Spanish (official), Amerindian languages (especially Quechua).

Religion(s): Roman Catholic (95 per cent).

Currency: US dollar (since March 2000)

Exchange Rate: One US dollar = 0.66 pounds sterling, as at 8 May 2009 (Coinmill) [33a]

Head of State: Rafael Correa Delgado

Vice-President: Lenin Moreno Garces (All Central Intelligence Agency (CIA) World Factbook, updated 23 April 2009, except the exchange rate) [8a]

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GEOGRAPHY

The FCO Country Profile for Ecuador, updated 26 March 2009, reported "Ecuador straddles the equator in the north-western part of South America. The country is bordered by Colombia to the north, Peru to the south and east, and the Pacific Ocean to the west. The Galapagos archipelago, famous for its connection with Charles Darwin, is part of Ecuador and is set in the Pacific Ocean some 960km off the Ecuadorian coast." [1a]

The World Police Encyclopedia, 2006 edition noted "Ecuador's population is composed of 52% natives (mainly Quechuas) and 40% Mestizos (mix of Spanish colonizers and South American Indians); the remaining 8% are mainly Spaniards and African descendants. Approximately 65% of the population lives in urban centers, and 35% in rural areas... 47% of the population lives in the region of the Sierra, and 49% in the Costa." [36]

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MAP



(UN Cartographic Section) [13a]

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RECENT HISTORY

Geographia, in an undated entry, accessed 23 April 2009, succinctly summarising recent history, noted:

"Ecuador's modern history has had its struggles. A long-standing, internal dispute between the conservative city of Quito and the liberal Guayaquil has at times boiled over into violence. Near the turn of the century, leaders on both sides were assassinated, and military dictators have ruled the country for most of its recent history. Ecuador returned to democracy in 1979, however, and free elections have continued since. A border dispute with Peru exists to this day, and some skirmishes recently flared in the Amazon, though fighting has subsided for the time being." [37a]

The Freedom House report, Freedom in the World 2008, Ecuador, covering events in 2007, released on 2 July 2008, stated:

"In October 2002 legislative elections, the Social Christian Party (PSC) secured the largest number of seats. [Colonel Lucio] Gutierrez won a surprise victory in that year's presidential election, pledging to eliminate corruption and ease acute rural poverty. His January 2003 inauguration marked the first time that Ecuador's head of state shared the humble background and ethnicity of the country's large indigenous population.

"By the end of 2003, the president had been weakened by the conflicting demands of his heterogeneous leftist coalition and the immediate effects of his economic reforms...In September 2004, Gutierrez met in Panama with self-exiled former president Abdala Bucaram... known as 'El Loco' (The Madman), controlled a small political party that was considered a key potential ally in the upcoming elections. Gutierrez's anticorruption credentials were further damaged when he fired the head of the national tax agency, who had cracked down on business-tax scofflaws and boosted collection rates.

"In the October 2004 regional and municipal elections, Gutierrez's Patriotic Society Party (PSP) failed to receive the 5 percent of the vote required for official recognition as a party. Subsequently, the opposition began to press for Gutierrez's removal. In December, Gutierrez dismissed the Supreme Court for political bias, replacing the panel with loyal judges who granted immunity to several exiled politicians accused of corruption, including Bucaram. However, when Bucaram returned to Ecuador vowing to lead a 'revolution of the poor' in the manner of Venezuelan president Hugo Chavez, middle-income groups in Quito joined the protest movement against Gutierrez [who was finally ousted from office in April 2005. His removal]... marked the third time in nine years that an elected president was thrown out of office by Congress and street protests.

"Assuming the presidency, Vice President Alfredo Palacio replaced top military commanders and reinstated CONAIE [Confederation of Indigenous Nationalities of Ecuador] representatives at the head of several state bodies as part of an elaborate factional balancing act. He also reversed his predecessor's tough fiscal policies, diverting funds to social expenditures. In late 2005, in an apparent attempt to bolster his waning popularity, Palacio demanded that contracts with foreign oil companies be renegotiated to meet terms more favorable to the state. He also pushed for a referendum to form a constituent assembly, but it was blocked by Congress and the politicized Supreme Electoral Tribunal (TSE).

"Demonstrations against foreign oil companies and a proposed free-trade agreement (FTA) with the United States dominated the first half of 2006, leading to emergency

declarations in six provinces in February and March. In May, the government annulled the contract of U.S.-based Occidental Petroleum, accusing the company of violating its terms; the move prompted the United States to suspend FTA talks indefinitely. Meanwhile, relations with Colombia deteriorated as that country's military and bands of Revolutionary Armed Forces of Colombia (FARC) guerrillas crossed the border on several occasions.

"Rafael Correa—a charismatic former finance minister who pledged to align Ecuador with Chavez, renegotiate the country's foreign debt, and end the FTA talks with the United States—unexpectedly finished second to banana magnate Alvaro Noboa in the first round of the presidential election on October 15. Noboa's Institutional Renewal Party of National Action (PRIAN) led congressional elections the same day, taking 28 out of 100 seats. Gutierrez's PSP placed second with 24. Correa won the second presidential round in November with some 57 percent of the vote.

"Ecuador's legislative, judicial, and executive branches clashed repeatedly during 2007, further weakening the country's already debilitated institutions. President Rafael Correa used his personal popularity to secure an overwhelming victory for his political movement in elections to an assembly charged with drafting a new constitution. The constituent assembly began its work in late November amid opposition concerns that Correa was intent on centralizing power." [10a]

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RECENT EVENTS AND POLITICAL DEVELOPMENTS

In March 2008 a diplomatic crisis developed "after a Colombia cross-border strike into Ecuador kills senior Farc [Revolutionary Armed Forces of Colombia] rebel Raul Reyes. Venezuela and Ecuador cut ties with Colombia and order troops to their borders." In the following month the defence minister and several top military chiefs resigned over the continuing row of the raid on FARC rebels by Colombian forces. Diplomatic ties with Colombia were eventually restored in June. (BBC News, Timeline updated 25 February 2009) [26d]

On 25 July 2008 a new draft Constitution was approved by a special constituent assembly. The President said it would tackle political instability and create a more just society. Critics said it would make the Presidency more powerful. (BBC News, 25 July 2008) [26b] This was followed in September by President Correa gaining 64% of the vote in a constitutional referendum to increase his powers. (BBC News, 26 February 2009) [26d]

In January 2009 it was reported that the President Correa's touchy relations with the indigenous peoples' movement worsened after the passage of a mining law. Opponents of the law feared it will affect the environment, natural wealth and cause pollution and the only beneficiaries will be foreign corporations. (Inter Press Services News Agency, 16 March 2009) [27a]

In March 2009, more troops were deployed on the Colombian border to try and prevent paramilitaries crossing into Ecuador. (Press TV, 8 March 2009) [29a]

It was reported on 11 March 2009 that campaigning had begun in the run up to the general elections due on 26 April 2009. There were eight candidates for the

Presidency. (Prensa Latina, 11 March 2009) [28b] During March campaigning intensified. Violence was reported in Guayaquil between followers of Mayor Jaime Nebot and members of the Alianza Pais, President Correa's party. (Prensa Latina, 23 March 2009) [28e] On 20 April 2009 it was reported that the Ecuadorian presidential candidates had closed their campaigns in advance of general elections of 26 April. (Prensa Latina, 20 April 2009) [28f] Latinamericanpress.org stated on 30 April 2009 that "With 80 percent of the ballots counted, [President] Correa had won close to 52 percent of the vote, giving him a lofty lead over his seven opponents." The same source noted that "Although he had lost support from some sectors of his traditional base, President Rafael Correa's resounding victory in the April 26 election will not only give him another four years in office, but also allow him to make his political proposals more radical." [40a]

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BASIC ECONOMIC FACTS

Gross Domestic Product (GDP): US\$52.6 billion (2008 preliminary)

Annual Growth: 12.3 per cent (2008 preliminary)

GDP per person: \$3,670

Income distribution: According to 2004 official statistics, 41.5% of the population was classified as poor, with 8.5% extremely poor. The top 20% of households had access to 44% of all consumption, while the bottom 20% had just 6.7%. This illustrates the wide disparities in the distribution of wealth in Ecuador.

Inflation: 10 per cent (figure is projected for the whole of 2008, extrapolated from January – August 2008 figures)

Major Industries: Oil, bananas, fishing, fresh cut flowers, shrimp farming, timber.

Major trading partners: United States, Latin American countries, European Union, Japan, Korea. (FCO, 26 March 2009) [1a]

HUMAN RIGHTS

The FCO Country Profile, Ecuador, updated 25 February 2009 stated:

"Ecuador is a signatory of the 6 major Human Rights instruments, has a National Human Rights Plan and a Constitution that is one of the most advanced in terms of human rights principles in Latin America.

"Ecuador's Human Rights record does not attract regular criticism from Human Rights organisations. Amnesty International has in the past urged the Ecuadorean Government to show its commitment in practice to the respect of human rights, and has called upon the authorities to carry out independent and impartial investigations to bring perpetrators of human rights abuse to justice. Murder rates in Quito and Guayaquil have risen in recent years and kidnappings have also increased." [1a]

The US Department of State report on Human Rights Practices 2008, Ecuador (USSD Report 2008), released on 25 February 2009, stated in its introduction:

"While the government generally respected the human rights of its citizens, there continued to be problems in the following areas: isolated unlawful killings and use of excessive force by security forces, sometimes with impunity; poor prison conditions; arbitrary arrest and detention; corruption and other abuses by security forces; a high number of pretrial detainees; and corruption and denial of due process within the judicial system. Societal problems continued, including violence against women; discrimination against women, indigenous persons, Afro-Ecuadorians, and homosexuals; trafficking in persons and sexual exploitation of minors; and child labor." [2a]

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HEALTH ISSUES

The USSD International Travel profile of Ecuador, updated 5 November 2008, noted:

"Adequate medical and dental care can be readily obtained in the major cities of Ecuador. In smaller communities and in the Galapagos Islands services are limited, and the quality is variable and generally below U.S. standards. Ambulances, with or without trained emergency staff, are in critically short supply.... Pharmacies are readily available in any city. However, the availability of some medications is sporadic, and formulations and brand names will differ from products available in the U.S. Narcotics and tranquilizers are extremely limited in availability." [2e]

The Foundation for Sustainable Development reported in an undated article:

"The primary health concerns in Ecuador can be attributed to the natural effects of poverty on living conditions and the dangers introduced by industrial and agricultural development processes...Malnutrition is a serious problem in Ecuador, as poverty generally translates into fewer meals and less protein and minerals...Chronic malnutrition rates have eased up in past years, yet it is still a serious problem, especially in the Sierra, where food consumption is lower than other regions...Other important health issues are gender-related. Alcoholism and violence are common issues for men who are unable to cope with the economic desperation that confronts them... Finally, chemicals related to industrial and agricultural production processes are often released into the environment and contribute to degenerative disease in Ecuador." [34a]

LESBIAN, GAY, BISEXUAL AND TRANSGENDER PERSONS

Legal status

Spartacus 2009, the International Gay Guide, noted that same-sex relations were an offence until 1997 “Nowadays the constitution sanctions non-discrimination on the basis of sexual preference, according to Ecuador’s constitution... At the end of August 2007 the Secretary of Defense, Lorena Escudero, announced that the applicable constitutional articles regarding the prohibition of sexual discrimination in military were to be introduced. With the new law it is forbidden to dismiss soldiers from the army because of homosexual acts.” [6a]

The USSD Report 208 noted “Although the law prohibits discrimination based on sexual orientation, homosexuals, transsexuals, and transvestites continued to suffer discrimination from both public and private bodies... The 2008 constitution specifically prohibits discrimination directed at persons with HIV/AIDS.” [2a] (Section 5)

Government/societal attitudes

The USSD Report 2008 observed that “According to the NGO Kimirina, police subjected homosexuals, transsexuals, and transvestites to cruel, inhuman, and degrading treatment. The NGO accused the police of specifically targeting them and inflicting physical and psychological abuse, threats, extortion, and robbery. Police routinely arrested homosexuals and transvestites in public areas.” The same source added “There was no societal violence against persons with HIV/AIDS; however, persons with HIV/AIDS often preferred to conceal their health condition in order to avoid social discrimination.” [2a] (Section 5)

Pink News, in an article dated 28 March 2008, noted “A member of Ecuador’s National Assembly has caused outrage throughout the gay community by comparing homosexuality to paedophilia and bestiality... However, since joining the Assembly, she [Rosanne Queirolo] has caused controversy by embracing the country’s ultra-conservative Christian Evangelical movement and campaigning against constitutional protection for homosexuals.” [6a] The Associated Press reported on 31 July 2008 “A top Roman Catholic official said the country’s draft constitution is incompatible with the faith because of its provisions on abortion and same-sex unions... Archbishop Antonio Arregui Yarza of Guayaquil criticized the draft charter for including what he called ambiguous abortion laws and granting the same benefits to same-sex couples and married heterosexual couples.” [30a]

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PRISON CONDITIONS

The USSD Report 2008 noted that:

“Conditions in prison and detention centers generally were poor and tended to be worse in the tropical coastal areas than in the temperate highlands. Overcrowding was a chronic problem in most prison facilities, although the Ministry of Justice reported that it had remodelled seven detention centers throughout the country... A number of prisons experienced serious outbreaks of disease, and medical care was often inadequate... Conditions were notably better in the Quito’s women’s prison than in men’s facilities.” [2a]

Prisoners Abroad noted, in a report dated May 2007, that:

"There are 33 prisons in Ecuador. The majority of prisoners are housed in the two main cities of Quito (in the mountains) and Guayaquil on the coast... In Quito prisoners are first sent to CDP (Centro de Detencion Provisional) where conditions are extremely basic and overcrowding is extreme... Resources in the prisons are minimal and prisoners (and their families) are expected to provide almost everything: mattress, clothes, medicines etc... In most prisons, prisoners share a small cell with at least two others... Prisoners report that the quality of food can be very poor and occasionally quite toxic... Chronic overcrowding, vermin and lack of preventative healthcare measures mean that disease spreads very quickly." [31a]

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TREATMENT OF WOMEN

The Freedom House 'Freedom in the World' 2008 report noted that "Violence against women is common, particularly in indigenous areas where victims are reluctant to speak out against other members of their community. Abortion is legal only if pregnancy threatens the woman's life or health, and in cases of rape if the victim is mentally handicapped or insane." Women had the same rights as men in divorce, property distribution and inheritance. [10a]

The USSD 2008 reporting in similar vein, noted that:

"Although the law prohibits violence against women, including within marriage, abuses were widespread. The law criminalizes rape, including spousal rape, and provides a penalty of up to 25 years in prison. In cases of statutory rape involving 'amorous' sex with a minor, the rapist may marry the victim, cancelling the charges unless the marriage subsequently is annulled. The penalty for rape where death occurred is 35 years' imprisonment. As of August there were 3,159 reported rapes, 527 cases where charges were filed, and 156 cases prosecuted successfully. Many rapes were not reported due to the victim's reluctance to confront the perpetrator. The law provides penalties for domestic violence of up to a fine of \$28 or seven days in prison and gives family courts the power to remove an abusive spouse from the home if continued cohabitation creates a risk to the victim of abuse. The courts also may issue restraining orders prohibiting the abusive spouse from approaching the victim or her place of employment or study; prohibiting the abusive spouse from persecuting or intimidating the victim or any member of her family; reinserting the victim into the family home, if shared, while simultaneously removing the abusive spouse from the premises; and ordering any treatment deemed beneficial to the affected family." [2a]

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3. Index to key source documents

The Home Office is not responsible for the content of external websites.

(KB users - click source number to access document directly)

KEY FACTS AND GEOGRAPHY	[1a]	Foreign and Commonwealth Office, Country Profile: Ecuador, last updated on 26 March 2009 http://www.fco.gov.uk/en/about-the-fco/country-profiles/south-america/ecuador
	[2a]	United States Department of State, Country Report on Human Rights Practices for 2008, 25 February 2009 http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119158.htm
	[2c]	United States Department of State, Background Note: Ecuador, last updated February 2009 http://www.state.gov/r/pa/ei/bgn/35761.htm
	[6a]	BBC, Country Profile: Ecuador, last updated on 26 February 2009 http://news.bbc.co.uk/1/hi/world/americas/country_profiles/1212882.stm
	[8a]	Central Intelligence Agency (CIA), The World Factbook Ecuador, last updated on 5 March 2009 https://www.cia.gov/library/publications/the-world-factbook/geos/ec.html
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	[2c]	United States Department of State, Background Note: Ecuador, last updated February 2009 http://www.state.gov/r/pa/ei/bgn/35761.htm
	[6a]	BBC, Country Profile: Ecuador, last updated on 26 February 2009 http://news.bbc.co.uk/1/hi/world/americas/country_profiles/1212882.stm
	[10a]	Freedom House, Freedom in the World 2008, Ecuador http://www.freedomhouse.org/template.cfm?page=22&year=2008&country=7386

RECENT EVENTS AND POLITICAL DEVELOPMENTS	[1a]	Foreign and Commonwealth Office, Country Profile: Ecuador, last updated on 26 March 2009 http://www.fco.gov.uk/en/about-the-fco/country-profiles/south-america/ecuador
	[2a]	United States Department of State, Country Report on Human Rights Practices for 2008, 25 February 2009 http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119158.htm
	[2c]	United States Department of State, Background Note: Ecuador, last updated February 2009 http://www.state.gov/r/pa/ei/bgn/35761.htm
	[3a]	Amnesty International (AI) report 2008: Ecuador, covering events from January to December 2007 http://www.amnesty.org/en/region/ecuador/report-2008
	[10a]	Freedom House, Freedom in the World 2008, Ecuador http://www.freedomhouse.org/template.cfm?page=22&year=2008&country=7386
	[26d]	BBC Timeline: Ecuador, last updated on 25 February 2009 http://news.bbc.co.uk/1/hi/world/americas/1212826.stm
HUMAN RIGHTS - GENERAL:	[1a]	Foreign and Commonwealth Office, Country Profile: Ecuador, last updated on 26 March 2009 http://www.fco.gov.uk/en/about-the-fco/country-profiles/south-america/ecuador
	[2a]	United States Department of State, Country Report on Human Rights Practices for 2008, 25 February 2009 http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119158.htm
	[3a]	Amnesty International (AI) report 2008: Ecuador, covering events from January to December 2007 http://www.amnesty.org/en/region/ecuador/report-2008
	[10a]	Freedom House, Freedom in the World 2008, Ecuador http://www.freedomhouse.org/template.cfm?page=22&year=2008&country=7386
HUMAN RIGHTS – SPECIFIC ISSUES: (IN ADDITION TO GENERAL REPORTS ABOVE, INFORMATION ON THE FOLLOWING ISSUES IS PROVIDED IN THE DOCUMENTS LISTED BELOW)		
CHILDREN	[2a]	United States Department of State, Country Report on Human Rights Practices for 2008, 25 February 2009 http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119158.htm
	[2d]	United States Department of State, Trafficking in Persons Report, 4 June 2008 http://www.state.gov/g/tip/rls/tiprpt/2008
	[7a]	Coalition to Stop the Use of Child Soldiers, Global Report 2008 - Ecuador http://www.childsoldiersglobalreport.org/content/ecuador
	[11a]	The United Nations Children's Fund (UNICEF), Ecuador

		background summary http://www.unicef.org/infobycountry/ecuador.html
DEATH PENALTY	[14a]	Hands Off Cain, Ecuador, status and legal position http://www.handsoffcain.info/bancadati/schedastato.php?idc_ontinente=24&nome=ecuador
ETHNIC GROUPS	[2a]	United States Department of State, Country Report on Human Rights Practices for 2008, 25 February 2009 http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119158.htm
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	[15a]	Ecuador Travel, Ethnicity, Ethnic groups http://www.ecuador-travel.net/information.ethnic.htm
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	[2b]	United States Department of State, International Religious Freedom Report 2008, 19 September 2008 http://2001-2009.state.gov/g/drl/rls/irf/2008/108524.htm
	[22a]	The Joshua Project, Country Listing, Ecuador http://www.joshuaproject.net/countries.php
FREEDOM OF SPEECH AND MEDIA	[2a]	United States Department of State, Country Report on Human Rights Practices for 2008, 25 February 2009 http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119158.htm
	[9a]	Committee to Protect Journalists (CPJ): Attacks on the Press in 2008: Ecuador http://www.cpj.org/2009/02/attacks-on-the-press-in-2008-ecuador.php
	[10b]	Freedom House, Freedom of the Press 2008: Ecuador http://www.freedomhouse.org/template.cfm?page=251&year=2008
	[12a]	Reporters sans Frontieres: Ecuador, Annual Report 2008 http://www.rsf.org/article.php3?id_article=25590
HUMAN RIGHTS INSTITUTIONS, ORGANISATIONS AND ACTIVISTS	[2a]	United States Department of State, Country Report on Human Rights Practices for 2008, 25 February 2009 http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119158.htm
	[10a]	Freedom House, Freedom in the World 2008, Ecuador http://www.freedomhouse.org/template.cfm?page=22&year=2008&country=7386

INTERNALLY DISPLACED PERSONS (IDPs)	[2a]	United States Department of State, Country Report on Human Rights Practices for 2008, 25 February 2009 http://www.state.gov/g/drl/rls/hrrpt/2008/wha/119158.htm
	[16a]	UNHCR, Ecuador, Ecuador and partners discuss plan for action for refugees, 10 July 2008 http://www.unhcr.org/news/NEWS/487631432.html
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	[32a]	New York University School of Law, The Basic Structure of the Ecuadorian Legal System and Research, October 2007 http://www.nyulawglobal.org/globalex/ecuador.htm
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	[6a]	Pink News, Evangelicals attack Ecuador's protection of sexual minorities, 28 March 2008 http://www.globalgayz.com/ecuador-news.html#article1
	[18a]	Queer City, About Quito gay life, 27 October 2008 http://quito.queercity.info/about.htm
MEDICAL ISSUES	[4a]	Foundation for sustainable development, health issues in Ecuador http://www.fsdinternational.org/ntlopps/country/ecuador/healthissues
	[19a]	Médecins Sans Frontières, IAR 2007, MSF Country Programme Closures, 11 August 2008 http://www.msf.org/msfinternational/invoke.cfm?component=article&objectid=B18E4763-15C5-F00A-254E66C5F340E4A6&method=full_html
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	[21a]	HIVinSite, Ecuador, updated September 2006 http://hivinsite.ucsf.edu/global?page=cr05-ec-00
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