



RESPONSES TO INFORMATION REQUESTS (RIRs)

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28 May 2003

ECU41530.E

Ecuador: Whether authorities provide effective law enforcement and prosecution of criminals, especially with respect to crimes committed against civilians by guerrillas and paramilitaries from Colombia; the identity and location of state protection institutions and to whom and where civilians can seek redress for police abuse or negligence (2000-May 2003)

Research Directorate, Immigration and Refugee Board, Ottawa

Various sources have reported that security along the Colombian border has deteriorated in recent years due to the actions of "irregular armed groups from Colombia" (ICG 8 Apr. 2003, 7; see also EU 17 May 2002, 9; *Freedom in the World 2001-2002* 22 July 2002; WOLA June 2002), leading to concerns that this situation "would affect public safety and the survival of democratic institutions" in the region (*Freedom in the World 2001-2002* 17 July 2002). The Washington Office on Latin America (WOLA) stated that Colombia's "internal violence" has spilled over into Ecuador and that the once "peaceful and innocuous" presence of Colombian guerrillas has been linked to an increased prevalence of violent crime (June 2002). For example, in the town of Lago Agrio, located in the border province of Sucumbios, Colombian guerrillas and paramilitaries gather information and "settle scores" against each other (WOLA June 2002). The local police reported that an average of 16 unidentified bodies are found every month, and that in May 2002 there were 68 murders recorded in Lago Agrio, a town of 50,000 inhabitants (ibid.). The *Christian Science Monitor* (CSM) corroborated this information, stating that from February to June 2002, the increased presence of FARC guerrillas and "rival paramilitary groups" in Lago Agrio has been connected to more than 100 assassinations (11 July 2002). In addition, the CSM noted that "[l]ocals in contact with the guerrillas claim that the FARC has a list of 300 people still to be executed" (11 July 2002). WOLA also reported that kidnappings, extortion and car jackings have "increased greatly" since January 2001 (June 2002).

The CSM stated that, overall, "[h]undreds of people have been kidnapped along the border, and inhabitants of six villages fled their homes at gunpoint when the FARC moved onto their land in February [2002]" (11 July 2002). Sources have corroborated that there have been a significant number of kidnappings in the border region and that there have been "reports of extortions and threats of kidnapping of ranchers, farmers, and businessmen" (*Country Reports 2002* 31 Mar. 2003, Sec. 1b; see also AI 2002). The International Crisis Group (ICG) added that, while "some [kidnappers] are delinquents who adopt a political cover," irregular armed groups also use kidnapping to obtain resources (8 Apr. 2003, 7).

With regard to state protection in the border region, the ICG stated that

Although in August 2002 it was reported that army strength in Sucumbios would be increased to 12,000 men, it continues to be difficult to secure 630 kilometres of border. Ecuador's border guards and military operating along the frontier lack sufficient equipment and logistical capacity. Their work is made more difficult by the absence of a Colombian counterpart along large stretches. The 1989 bilateral accord on creation of a Border Integration Zone and the 2000 accord on police cooperation are examples of the efforts made to remedy this situation. However, results have been elusive, in good part owing to lack of resources but also of political commitment (8 Apr. 2003, 9).

Moreover, WOLA reported that there has been an increase in human rights abuses and "civil-military relations have deteriorated as the civil population is often treated as 'suspect' by both Ecuadorian military and police" (June 2002). In a 26 August 2002 report, CRE Satelital radio Website stated that, in the border province of Sucumbios, "Ecuadorian peasants and farmers are opting to sell their farms and leave the zone" for fear of Colombian guerrillas.

Nevertheless, the Comision Andina de Juristas (CAJ) reported that, on 1 September 2002, the National Police would begin operating permanent migration control checkpoints on highways and frontier towns to monitor Colombians entering Ecuador (26 Aug. 2002). An October 2002 article in *El Universo* reported that, in the aftermath of the capture of two FARC members and a thwarted attack on a gas station in the Sucumbios region, Ecuadorian security forces "doubled the surveillance posts along the border strip and increased their mobile patrols" (6 Oct. 2002). In a 27 November 2002 report, the CAJ stated that four ex-members of a Colombian armed group, accused of extortion, were captured by the Judicial Police of Sucumbios.

According to WOLA, in an effort to assist citizens caught between security forces and irregular armed Colombian groups in the border regions of Colombia, Ecuadorian NGOs are organizing "national and local coalitions

in order to work toward a coordination of resources and initiatives" (June 2002). In addition, the CAJ reported that the "constant denouncements" (*constantes denuncias*) of human rights violations in Ecuador against the public security forces has motivated the National Police to enrol its officers in a course on human rights and international humanitarian law (20 Aug. 2002). The International Red Cross of Ecuador stated that the course would be practical in enabling the police to demonstrate efficiency, professionalism and respect for human rights principles in their practice (CAJ 20 Aug. 2002).

Nevertheless, Amnesty International, in its 2002 annual report for Ecuador, mentioned that concern remained about the resolution of cases involving members of the security forces who stood accused of human rights violations. Amnesty International stated that although many agents of the security forces were "brought before police courts, ... the vast majority of those accused ... are not convicted" (2002). *Country Reports 2002* noted that "[t]he office of the Ombudsman ('Defensor del Pueblo') was created in 1998 to ensure ongoing attention to human rights problems; however, some observers criticized its lack of independence in practice" (31 Mar. 2003, Sec. 4). Yet, it was reported that "[a] total of 150 police officers were fired in 2001 for infractions related to human rights violations or corruption" (*Country Reports 2002* 31 Mar. 2003, Sec. 1c).

Please see the attached directory of Ombudsman (Defensoria del Pueblo) offices in Ecuador as listed on its Website.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum. Please find below the list of additional sources consulted in researching this Information Request.

References

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Unsuccessful attempts in contacting the Defensoria del Pueblo.

Unsuccessful attempts in contacting the Comision Ecumenica de Derechos Humanos.

World News Connection (WNC)

Internet sites:

Derechos Human Rights/Equipo Nzkor

Diario del Norte [Ibarra]

Human Rights Watch (HRW)

Search engine:

Google

Attachment

Ecuador. n.d. Defensoria del Pueblo. "Directorio Institucional."
<<http://www.dlh.lahora.com.ec/paginas/judicial/paginas/DefP.48.htm>> [Accessed 27 May 2003]

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