

# ECUADOR



**ARTICLE 5 DEADLINE: 31 DECEMBER 2022**  
 (UNCLEAR WHETHER ON TRACK TO MEET DEADLINE)

PROGRAMME PERFORMANCE	2017	2016
Problem understood	5	6
Target date for completion of mine clearance	1	1
Targeted clearance	7	7
Efficient clearance	2	2
National funding of programme	8	8
Timely clearance	4	3
Land-release system in place	6	6
National mine action standards	7	7
Reporting on progress	5	7
Improving performance	2	2
<b>PERFORMANCE SCORE: POOR</b>	<b>4.7</b>	<b>4.9</b>

## PERFORMANCE COMMENTARY

In 2017, Ecuador sought and was granted a five-year extension to its Anti-Personnel Mine Ban Convention (APMBC) Article 5 deadline through to 31 December 2022, despite its obligation to clear anti-personnel mines “as soon as possible”. Ecuador has provided contradictory figures for its outstanding mine contamination and its annual clearance plans do not appear to address all reported contamination. It cleared only some 15,000m<sup>2</sup> in 2017, yet that was itself an increase on the meagre 1,400m<sup>2</sup> of clearance the previous year.

## RECOMMENDATIONS FOR ACTION

- Ecuador should accelerate its demining operations to ensure it finally completes clearance.
- Ecuador should provide an accurate estimate of mine contamination and a revised annual clearance plan that reflects the amount of outstanding contamination.

## CONTAMINATION

Ecuador's contamination results from its 1995 border conflict with Peru. The most heavily mined section of the border is the Condor mountain range (Cordillera del Condor) which was at the centre of the dispute. As at the end of 2017, 97,469m<sup>2</sup> of contaminated area was reported to remain across five mined zones down from 132,976m<sup>2</sup> in 2016. Contamination was believed to include a total of 3,673 anti-personnel mines.<sup>1</sup>

Two of Ecuador's twenty-four provinces still have mined areas, as set out in Table 1. The two provinces are located in the south of the country along the border with Peru.

**Table 1: Mine contamination by province (at end-2017)<sup>2</sup>**

Province	Contaminated zones	Area (m <sup>2</sup> )
Morona Santiago (Tiwinza)	1	7,595
Zamora Chinchipe	4	89,874
<b>Totals</b>	<b>5</b>	<b>97,469</b>

In its 2017 Article 5 deadline extension request Ecuador reported 65,006m<sup>2</sup> of mined area remaining in Zamora Chinchipe and 35,490m<sup>2</sup> in Morona Santiago (Tiwinza).<sup>3</sup> In its APMBBC Article 7 report for 2017 these numbers are revised to the figures given in Table 1 above, but no clear explanation is given for the change in figures beyond a reported non-technical survey during 2017 in the Tiwinza square kilometre.<sup>4</sup>

Ecuador reported that mines impact local communities by restricting their movement across the border, limiting communication between groups and trade in traditional goods and services. The communities have become increasingly vulnerable to mine incidents in recent years as declining space for hunting and gathering has forced them deeper into the forests where there is greater mine contamination. Mines have also been displaced due to heavy rains, moving to areas where there is an increased chance that people will detonate them.<sup>5</sup>

## PROGRAMME MANAGEMENT

The national mine action programme is managed by the National Centre for Humanitarian Demining (CENDESMI). The Ecuadorian government created CENDESMI through Executive Decree no. 1297, on 22 September 1999.<sup>6</sup> It is an interministerial body chaired by the Ministry of Foreign Affairs and Human Mobility and is made up of the Ministry of National Defense, the Ministry of Public Health, and the Army Corps of Engineers (CEE) through the Engineers Battalion No. 68 "COTOPAXI" and the General Command for Demining and EOD (CGDEOD).<sup>7</sup>

### Strategic Planning

In its 2017 Article 5 deadline extension request Ecuador included a National Plan for Humanitarian Demining 2018–2022, which provides information on techniques, resources, mitigating factors, opportunities, and risks, as well as annual clearance targets. The clearance plan is for the contamination in the Zamora Chinchipe province. The clearance plan given for the Tiwinza square kilometre states that the operations will be carried out by the Ecuador-Peru Binational Demining Unit.<sup>8</sup>

**Table 2: Planned Mine Clearance in Zamora Chinchipe in 2018–22 (Extension Request)<sup>9</sup>**

Year	District	Mined areas	Mined area (m <sup>2</sup> )
2018	Gualaquiza	2	31,215
2019	Gualaquiza	9	9,590
2020	Miazi	12	14,734
2021	Chinapintza	10	1,946
2022	Condor Mirador; Machinaza Alto; Miazi; and Paquisha	26	7,521
<b>Totals</b>		<b>59</b>	<b>65,006</b>

Ecuador’s Article 7 report for 2017 also includes a clearance plan for 2018–22. Although it reports 89,874m<sup>2</sup> of area to be cleared in Zamora Chinchipe, the plan is for a total of 65,006m<sup>2</sup>. The clearance plan for the Tiwinza square kilometre is vague, noting only that there is one mined area of 7,594.61m<sup>2</sup> that will be cleared in the five-year period.<sup>10</sup>

**Table 3: Planned mine clearance in 2018–22 (Article 7)<sup>11</sup>**

Year	Province	Mined areas	Area (m <sup>2</sup> )
2018	Zamora Chinchipe	2	26,159
2019	Zamora Chinchipe	9	12,555
2020	Zamora Chinchipe	12	8,431
2021	Zamora Chinchipe	10	10,340
2022	Zamora Chinchipe	26	7,521
<b>Totals</b>		<b>59</b>	<b>65,006</b>

## Legislation and Standards

CENDESMI was set up by Executive Decree. There is no other national mine action legislation.

Under the Binational Cooperation Programme (Programa Binacional de Cooperación) established in 2000, Ecuador and Peru adopted a Binational Manual for Humanitarian Demining (Manual Binacional de Desminado Humanitario) in April 2013 to unify the demining procedures of both states in accordance with the International Mine Action Standards (IMAS).

## Quality Management

In March 2001, Ecuador and the Organization of American States (OAS) signed an agreement to implement the Assistance Program for Integral Action against Antipersonnel Mines in Ecuador.<sup>12</sup> Until October 2013, under this Agreement the OAS provided technical oversight and quality assurance (QA) of clearance.<sup>13</sup>

CENDESMI is responsible for observing and monitoring compliance of the demining, including quality control and certification of clearance operations.<sup>14</sup>

## Information Management

Ecuador uses the Information Management System for Mine Action (IMSMA) database.<sup>15</sup>

## Operators

Demining operations are conducted by the Battalion of Engineers No. 68 “COTOPAXI” and the CGDEOD with a combined total of 140 trained deminers, including 3 women.<sup>16</sup> In the past they have deployed 16 manual demining teams and 2 mechanical demining teams (using an MV-4 remotely controlled flail), as well as one mine detection dog (MDD) team.<sup>17</sup> However, in the additional information provided alongside its 2017 extension request, Ecuador stated that the remaining clearance will only be carried out by manual demining teams, due to the unsuitability of the terrain for the machine.<sup>18</sup>

In December 2013, the joint Ecuador-Peru Binational Humanitarian Demining Unit of 30 deminers conducted its first exercise in Morona Santiago. In October 2015, the Unit began operations in a mined area estimated to extend over 43,500m<sup>2</sup> within the Tiwinza square kilometre (an area at the centre of the conflict between the two nations).<sup>19</sup> In 2017, all survey and clearance within the Tiwinza square kilometre was performed by the Unit. They conducted clearance of 6,495m<sup>2</sup> and destroyed 391 anti-personnel mines, cancelled 10,919m<sup>2</sup> through non-technical survey, and reduced 7,332m<sup>2</sup> through technical survey.<sup>20</sup>

## LAND RELEASE

Ecuador released more than 33,000m<sup>2</sup> of mined area in 2017 in the two affected provinces, an increase in output from the less than 5,000m<sup>2</sup> of mined area released in 2016.

### Survey in 2017

In 2017, 7,332m<sup>2</sup> was reduced by technical survey and 10,919m<sup>2</sup> was cancelled by non-technical survey in the Tiwinza square kilometre, covering a total of 18,251m<sup>2</sup>.<sup>21</sup>

### Clearance in 2017

A total of 15,476m<sup>2</sup> was released by clearance in 2017 across two provinces, with the destruction of 453 anti-personnel mines and 5 explosive remnants of war (ERW).<sup>22</sup> In 2016, no mined areas were released and clearance covered a meagre 1,410m<sup>2</sup>, with the destruction of 565 anti-personnel mines and 2 ERW.

## ARTICLE 5 COMPLIANCE

Under Article 5 of the APMBC (and in accordance with the five-year extension granted by states parties in 2017), Ecuador is required to destroy all anti-personnel mines in mined areas under its jurisdiction or control as soon as possible, but not later than 31 December 2022.<sup>23</sup> This is Ecuador's third Article 5 deadline extension request.

In granting Ecuador's 2008 extension request, the Ninth Meeting of States Parties had noted that based on planned increases in funding and demining capacity, Ecuador "may find itself in a situation wherein it could proceed with implementation faster than that suggested by the amount of time requested."<sup>24</sup> This proved not to be the case. In its presentation to the Article 5 Committee in May 2016, Ecuador, one of the co-chairs of the committee, announced that of the remaining 0.13km<sup>2</sup> of contamination, 0.08km<sup>2</sup> would be cleared in 2016 and the remaining 0.05km<sup>2</sup> in 2017 prior to October.<sup>25</sup> This did not occur.

**Table 4: Mine clearance in 2013–17**

Year	Area cleared [m <sup>2</sup> ]
2017	15,476
2016	1,410
2015	66,414
2014	39,660
2013	12,331
<b>Total</b>	<b>135,291</b>

On 28 November 2016, Ecuador unexpectedly submitted a second request to extend its mine clearance deadline. The request was granted at the Fifteenth Meeting of the States Parties and a new deadline set for 31 December 2017. In the letter it sent seeking the request, Ecuador stated that "the technical study and clearing in the Provinces of Zamora Chinchipe and Morona Santiago (Tiwinza square kilometre) is about to conclude, pending the destruction of 5,478 anti-personnel mines in an area of 137,653 square metres." The letter explained that the failure to meet the 1 October 2017 deadline was due to a serious earthquake on 16 April 2016, which required the diversion of the armed forces away from demining, as well as to the physical characteristics of the land and climate conditions in the areas requiring clearance.<sup>26</sup>

In granting the extension request, the Fifteenth Meeting of States Parties noted that Ecuador and the Convention as a whole would benefit from a full extension request process taking place, and agreed to grant Ecuador a three-month extension until 31 December 2017. "In addition, the Meeting requested that Ecuador submit a detailed request, in accordance with the established process, by 31 March 2017, in order for Ecuador and the States Parties to benefit from a cooperative exchange on the request."<sup>27</sup>

In its Article 7 report for 2016, however, Ecuador suddenly and without explanation determined that it would need a further five years to fulfil its Article 5 obligations. It submitted another Article 5 deadline extension request in March 2017, which included annual clearance targets in 2018–22 (see Table 2) and an annual demining budget. Ecuador has allocated a budget of \$20,937,735.36 for humanitarian demining operations of which it has spent a total of \$8,730,063.08.<sup>28</sup>

In addition to the 65,006m<sup>2</sup> (or 89,874m<sup>2</sup>) of mine contamination left in Zamora Chinchipe, there is also 7,595m<sup>2</sup> (or 35,490m<sup>2</sup>) to be cleared in San Juan Bosco district, Morona Santiago province (the Tiwinza square kilometre) which has yet to be included in the annual targets.<sup>29</sup> Clearance of this area will be carried out by the Ecuador-Peru Binational Demining Unit. In the additional information provided by Ecuador alongside its 2017 extension request, clearance of the 26 hazardous areas in the vicinity of the Tiwinza square kilometre is planned to be carried out in 2018–20 amounting to a total of 122,880m<sup>2</sup> of clearance.<sup>30</sup> This is seemingly contradicted in Peru's "Updated National Plan for Humanitarian Demining 2018–2024" where clearance in Tiwinza was planned for 2018 covering five mined areas totalling 70,100m<sup>2</sup>.<sup>31</sup>

The amount of outstanding mine contamination in its Article 7 report for 2017 differs from the Article 5 deadline extension request. However, while the Article 7 report includes the revised figure for the contamination in Tiwinza (7,595m<sup>2</sup>), the clearance plan for Zamora Chinchipe in the same Article 7 report is based on the original figure of 65,006m<sup>2</sup> rather than the revised figure of 89,874m<sup>2</sup>.<sup>32</sup>

Ecuador's new five-year extension does not appear to represent an act of good faith. Its compliance with the duty under Article 5 of the APMBC to complete clearance "as soon as possible" is in serious doubt.

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- 1 APMBC Article 7 Report (for 2017), Form D.
  - 2 Article 7 Report (for 2017), Form D.
  - 3 2017 Article 5 deadline Extension request, p. 45.
  - 4 Article 7 Report (for 2017), Form D.
  - 5 2017 Article 5 deadline Extension request, p. 52.
  - 6 Executive Decree No. 1297, issued on 22 September 1999.
  - 7 2017 Article 5 deadline Extension request, Annex 1.
  - 8 Ibid., p. 45.
  - 9 Ibid.
  - 10 Article 7 Report (for 2017), Form D.
  - 11 Ibid.
  - 12 Ibid., Annex 1.
  - 13 Email from Carl Case, General Coordinator, Comprehensive Action against Antipersonnel Mines and Assistance for Control of Arms and Munitions, OAS, Washington, 19 March 2014.
  - 14 2017 Article 5 deadline Extension request, p. 39.
  - 15 Ibid, p. 25.
  - 16 Ibid, pp. 39–40.
  - 17 Statement of Ecuador, APMB 14th Meeting of States Parties, Geneva, 1 December 2015.
  - 18 2017 Article 5 deadline Extension Request, Additional Information provided on 8 September 2017, p. 1.
  - 19 Ibid.
  - 20 Article 7 Report (for 2017), Form D.
  - 21 Ibid.
  - 22 Ibid.
  - 23 2017 Article 5 deadline Extension Request.
  - 24 Article 5 deadline Extension Request, Decision, 28 November 2008.
  - 25 Statement of Ecuador, Committee on Article 5 Implementation, Geneva, 19 May 2016.
  - 26 Letter from Efraín Baus Palacios, Director of Neighbourhood Relations and Sovereignty for the Ministry of Foreign Affairs and Human Mobility and President of the National Humanitarian Demining Center of Ecuador, to Amb. Patricia O'Brian, Permanent Representative of Ireland to the United Nations in Geneva, and Chair of the Article 5 Committee, Note No. 14839-DRVS/CENDESMI, Quito, 26 November 2016.
  - 27 Decisions on the request submitted by Ecuador for an extension of the deadline for completing the destruction of anti-personnel mines in accordance with Article 5 of the Convention, 1 December 2016, para. d.
  - 28 2017 Article 5 deadline Extension Request, p. 95.
  - 29 Ibid., p. 45.
  - 30 2017 Article 5 deadline Extension Request, Additional Information provided on 8 September 2017, p. 10.
  - 31 Updated National Plan for Humanitarian Demining 2018–2024, May 2018, p. 17.
  - 32 Article 7 Report (for 2017), Form D.