

ECUADOR



ARTICLE 5 DEADLINE: 31 DECEMBER 2017
(FIVE-YEAR EXTENSION REQUESTED)

MINE ACTION PROGRAMME PERFORMANCE	For 2016	For 2015
Problem understood	6	5
Target date for completion of mine clearance	1	6
Targeted clearance	7	7
Efficient clearance	2	4
National funding of programme	8	8
Timely clearance	3	3
Land release system in place	6	6
National mine action standards	7	7
Reporting on progress	7	7
Improving performance	2	6
PERFORMANCE SCORE: POOR	4.9	5.9

PERFORMANCE COMMENTARY

Ecuador failed to meet its Article 5 deadline for clearance of 1 October 2017 and sought, and was granted, an additional three-month extension at the Fifteenth Meeting of States Parties. Since then it has determined that it needs a five-year extension, bringing into question its compliance with its duty under Article 5 of the Anti-Personnel Mine Ban Convention (APMBC) to clear anti-personnel mines as soon as possible. It cleared only 1,400m² of area in 2016.

RECOMMENDATION FOR ACTION

- Ecuador should accelerate its planned demining operations to ensure that it finally completes clearance by no later than the end of 2018.

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 2016, 132,976m² of contaminated area was reported to remain in 59 areas across five mined zones.¹ Contamination was believed to include a total of 4,125 anti-personnel mines.²

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

Table 1: Mine contamination by province (as at end-2016)³

Province	Contaminated zones	Area (m ²)
Morona Santiago (Tiwinsa)	1	35,490
Zamora Chinchipe	4	97,486
Totals	5	132,976

In its 2008 Article 5 deadline extension request, Ecuador listed farming, mining production, and tourism as the main productive activities affected by mine contamination.

PROGRAMME MANAGEMENT

The national mine action programme is managed by the National Centre for Humanitarian Demining (CENDESMI), an interministerial body chaired by the Ministry of Foreign Affairs.

Until October 2013, the Organization of American States (OAS) provided technical oversight and quality assurance (QA) of clearance.⁴

Standards

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

Operators

Demining operations are conducted by the Army's General Demining Command (CGD). The CGD has in the past been deploying 16 manual demining teams and 2 mechanical demining teams (using an MV-4 remotely controlled flail), as well as 1 mine detection dog (MDD) team.⁵ In 2017, Ecuador was planning to deploy only 12 demining teams.⁶

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 43,500m² within the Tiwinza square kilometre (an area at the centre of the conflict between the two nations).⁷

LAND RELEASE

Ecuador released less than 5,000m² of mined area in 2016 across two provinces (see Table 3), compared with output in 2015 of 66,000m². Operations in 2016 included the destruction of 565 anti-personnel mines and 2 items of UXO. One mined area was released in the province of Zamora Chinchipe (by cancellation). On 22 November 2016, demining operations began in the Tiwinza square kilometre through the Binational Humanitarian Demining Unit, which had released an area of 1,410m² by the end of the year, leaving 35,490m² to release in that zone.

Survey in 2016

A total of 3,267m² of suspected hazardous area (SHA) was cancelled in 2016, as set out in Table 2, releasing a single mined area in Zamora Chinchipe province. In addition, non-technical survey identified 26 previously unrecorded mined areas covering a total of 7,521m².⁸ These have not been reported separately from the four mined areas but the area is included in the total contaminated area.

Table 2: Release by survey in 2016⁹

Province	SHA cancelled (m ²)
Morona Santiago	0
Zamora Chinchipe	3,267
Total	3,267

Clearance in 2016

No mined areas were released in 2016 but clearance covered a meagre 1,410m², with the destruction of 565 anti-personnel mines and 2 ERW (see Table 3).

Table 3: Mine clearance in 2016¹⁰

Region	Areas cleared	Area cleared (m ²)	Anti-personnel mines destroyed
Morona Santiago	0	1,410	565
Totals	0	1,410	565

ARTICLE 5 COMPLIANCE

Under Article 5 of the APMBC (and in accordance with the three-month extension granted by states parties in 2016), 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 2017. On 31 March 2017, Ecuador formally submitted a request for a five-year extension until 31 December 2022.¹¹

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."¹² 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 0.13km² of contamination, 0.08km² would be cleared in 2016 and the remaining 0.05km² in 2017 prior to October.¹³ This did not occur.

Table 4: Mine Clearance in 2012–16

Year	Area cleared (m ²)
2016	1,410
2015	66,414
2014	39,660
2013	12,331
2012	21,911
Total	141,726

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 to Ireland (as Chair of the Article 5 Committee), Ecuador stated that "the technical study and clearing in the Provinces of Zamora Chinchipe and Morona Santiago (Km² [square kilometre] of Tiwinza) 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.¹⁴

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."¹⁵

In its Article 7 transparency 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 planned to release contamination according to the following workplan detailed in Table 5 below.

Table 5: Planned Mine Clearance in 2017–22

Year	Mined areas	Mined area (m ²)
2017	2	32,480
2018	2	26,159
2019	9	12,555
2020	10	8,431
2021	10	10,340
2022	26	7,521
Totals	59	97,486

Ecuador's request for a 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 Article 7 Report (for 2016), Form F2.
 - 2 Ibid., Form C.
 - 3 Article 7 Report (for 2016), Form C.
 - 4 Email from Carl Case, General Coordinator, Comprehensive Action against Antipersonnel Mines and Assistance for Control of Arms and Munitions, OAS, Washington, 19 March 2014.
 - 5 Statement of Ecuador, 14th Meeting of States Parties, Geneva, 1 December 2015.
 - 6 Article 7 Report (for 2016), Form F2.
 - 7 Ibid.
 - 8 Article 7 Report (for 2016), Form C.
 - 9 Ibid., Form F2.
 - 10 Ibid.
 - 11 Ecuadorian Ministry of Foreign Affairs, "Request for renewal of extension of the deadline to complete the destruction of antipersonnel mines in mined areas in accordance with Article 5, paragraphs 3 and 6 of the Convention on the Prohibition of the Use, Stockpiling, Production, and Transfer of Antipersonnel Mines and on their Destruction" March 2017.
 - 12 Article 5 deadline Extension Request, Decision, 28 November 2008.
 - 13 Statement of Ecuador, Intersessional meetings (Committee on Article 5 Implementation), Geneva, 19 May 2016.
 - 14 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.
 - 15 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, §d.