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US Sinks Ecuadorian Ships
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[The following article by Luis Angel Saavedra is reprinted with the permission of Noticias Aliadas in Lima, Peru. It appeared in the August 5, 2004, edition of Latinamerica Press.]

US Navy ships operating out of the Manta military base have sunk at least six Ecuadoran boats since 2001 as part of anti-drug and immigration-control operations. Three of the boats were simple fishing vessels. "The sailors forced us to abandon ship and then opened fire, sinking the boat," says Apolinario Salvatierra, a fisherman on the Don Ignacio, which was sunk on Dec. 2, 2002.

The US sailors went after the Don Ignacio within the 200 nautical miles (370 km) Ecuador considers its territory. While the boat sank, "the sailors were jumping up and down, and shouting for joy," says Wilfrido Marquez, another fisherman aboard the Don Ignacio. The Ecuadoran ship was not transporting drugs, according to the Sixth Criminal Court in Manabi, a province in western Ecuador, which investigated the case.

**Intercepted and destroyed**

According to Leonardo Vera Viteri, president of the Fisheries Board of Esmeraldas, in addition to the Don Ignacio, the US Navy has also sunk the Guayape and Tiwintza fishing boats. The two boats were registered with port authorities in the province of Esmeraldas, north of Manabi. "Everyone knows that these three ships were destroyed by the US military," says Vera. The same fate was met by the Santa Martha, Santa Maria, and Challenger, all registered in Manabi and intercepted while transporting illegal immigrants.

The Challenger, which had 160 passengers on board, was sunk on Feb. 5 by the USS Bone, which reported it "adrift," according to owner Ricardo Herrera. The Santa Maria was destroyed on March 3, 333 km from San Cristobal island, which forms part of the Galapagos, by the US frigate Long Way. It was sunk by torpedoes. A potential addition to this list, which the fishermen's association of Manta wants addressed, is the Jorge IV, which disappeared in June 2002 with 18 crew members on board.

The complaints filed by the owners of the boats also include the case of the Dayku Maru, which was intercepted three times between June 2001 and March 2002, before it was destroyed. The boat's owner, Carlos Llorente, was the first Ecuadoran to file a complaint against the US Navy for illegal actions carried out in Ecuador. His suit demands indemnification from the US Southern Command, for the destruction of property.

"The fishermen are no longer afraid to file complaints," says Fernando Larrea, of the Latin American Human Rights Association (ALDHU), which has taken on the cases brought before US courts.
Violating maritime laws

The US Embassy in Quito issued a communique stating that international maritime law allows boats to be sunk in international waters if they are decrepit or adrift, thereby posing a risk to navigation.

"Only the Challenger was in a state that could have justified its sinking; the rest of the boats could have been towed to the nearest port and handed over to port authorities if any illegal activity had been detected," says Miguel Moran, a lawyer in Manabi and director of the Tohali Movement, one of the principal groups opposed to the US military presence at Manta. The US Navy is not only violating Ecuadoran maritime laws, which states that only the Ecuadoran Navy can sink ships within the country's territorial waters, but also Article III of the agreement signed in 1999 allowing them to use Manta (see NotiSur, 1999-08-06). The agreement states that "interdiction operations in Ecuadoran territory are the exclusive responsibility of the Republic of Ecuador."

Ecuadoran authorities deny they have received any information on the cases, despite the legal procedures underway in Manabi and the accusations and information sent to the Foreign Ministry, Defense Ministry, and Port Authority in Manta by ALDHU, the Regional Foundation for Human Rights Assistance (INREDH), and the Tohali Movement.

"We have not received a single document," says Foreign Minister Patricio Zuquilanda. Anthropologist Liset Coba, a member of the INREDH research team that has monitored activities at the Manta Base since 2000, said that Ecuadoran authorities refuse to admit there is a problem to avoid any trouble with the UN Convention of the Law of the Sea, which states that countries have maritime jurisdiction over only 12 nautical miles, or 22 km.

Ecuador continues to hold to the thesis that it has rights over 200 nautical miles, or 370 km, basing its argument on the Treaty of Santiago, signed by Chile, Ecuador, and Peru in 1952. The three countries established that they have rights over 370 km. The US government does not recognize the validity of the Treaty of Santiago, given that it has signed, along with 108 other countries, the Convention of the Law of the Sea. As such, the US argument is that the Ecuadoran ships were sunk in international waters.

Zuquilanda and Vice Admiral Victor Hugo Rosero, commander of the Ecuadoran Navy, believe that Ecuador should renounce the Treaty of Santiago and sign the Convention of the Law of the Sea. The Ecuadoran Congress called Zuquilanda to testify on July 15 on the ships that have been sunk. He said that there was no "explicit evidence" or "concrete facts" to support the claims.

Congress is examining the possibility of impeachment hearings to remove Zuquilanda from office. Pressure from Congress and former foreign ministers, however, forced Zuquilanda to publicly state that Ecuador continues to recognize its sovereignty of over 370 km.