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Ecuador to Seek Legal Action to Stop Colombia Fumigations Near Border

by LADB Staff
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Colombia's decision to renew aerial fumigations to kill coca plants along its southern border with Ecuador has set off a diplomatic crisis between the two countries. Although Ecuadoran President Rafael Correa announced a deal with Colombia shortly before his Jan. 15 inauguration, he has since said that his government would take complaints regarding the herbicidal spraying to the International Court of Justice (ICJ) at The Hague.

Ecuador withdrew its ambassador from Bogota because of the dispute. Ecuadorans believe that Colombia is attempting to drag them into the Washington-financed Plan Colombia, a military program against rebel groups and drug traffickers, and characterize the decision to renew fumigations as a hostile act.

January deal attempts to put end to crisis
During the transitional period between Ecuador's presidential elections in December and Correa's January inauguration (see NotiSur, 2007-01-26), border-area fumigations played a central role. Correa's deal-making with Colombian President Alvaro Uribe led the outgoing Ecuadoran government to criticize the president-elect.

Ecuador had withdrawn its ambassador from Bogota after Colombia renewed spraying in December to eradicate coca fields, the raw material for cocaine, within 100 meters of their shared border. In a prior agreement in 2005, Colombia agreed not to spray within a 10-km strip along the Ecuadoran border.

As of Jan. 3, Colombia had fumigated 10,128 hectares of coca along the Ecuadoran border, according to Colombia's director of anti-narcotics police Jorge Baron. He said 3,000 ha remained to be destroyed. Colombian anti-drug personnel, under the protection of US-supplied Black Hawk helicopters, have been spraying to eradicate the plant as part of the US-supported effort to fight drug trafficking.

Colombia regards glyphosate, the Monsanto corporation's fumigant used to kill coca crops, as "innocuous" to human health. Correa said on Jan. 10 that Colombia had agreed to give notice of any spraying in the border area. A team of experts from the Organization of American States (OAS) was due to study the health impact of glyphosate.

Correa and Uribe agreed to create a three-party commission with representatives from both countries and a third from the OAS that would ensure that the spray did not enter Ecuadoran territory. Correa told reporters in Quito that the agreement marked "a huge step forward" in cross-
border ties. Correa met Uribe at Daniel Ortega's inauguration in Nicaragua. The agreement came a day after Ecuador took its case against Colombia to the OAS.

But Ecuador's outgoing Foreign Minister Francisco Carrion criticized the pact and said Ecuador would not reinstate its ambassador in Bogota until the spraying was halted entirely. Carrion said that public statements by the Colombian government appeared to have the aim that "Ecuador involve itself in Plan Colombia," something a broad majority of Ecuadorans oppose.

The fumigations and alleged incursions of Ecuadoran airspace by Colombian military aircraft have put a serious strain on bilateral relations. Carrion regarded Correa's deal with Uribe as undermining efforts by the government to effectively protest Colombian activities. He called the Correa-Uribe deal a "setback" for the OAS.

Carrion described the aerial fumigation program as a hostile act, arguing that Colombia's spraying destroys crops and poses serious health risks on Ecuador's side of the border. Colombia says the program is vital to combat illegal coca production, and it is targeting plantations controlled by drug traffickers and left-wing rebels. Colombia remains the world's largest producer of cocaine, although its share has dropped to 54% from 74% in 2000.

Correa recently canceled a trip to Bogota to protest the spraying, reflecting opposition among a number of Latin America nations to the US-led anti-narcotics strategy. Peru and Bolivia cooperate with US counterdrug policies but have long resisted Colombia's aerial-fumigation policy. Correa's decision came at the end of talks in Venezuela with President Hugo Chavez, who has described the US drug war as "the imperialists excuse to penetrate our countries, run roughshod over our people, and justify their military presence in Latin America."

**Colombia claims fumigations will end**

By the end of January, Correa's government was preparing to go to The Hague to stop Colombia's spraying. On a Feb. 10 radio broadcast, Correa criticized Uribe's government, saying, "We will take a firm hand against what we consider an aggressive act and, therefore, among other things, we will make a criminal complaint against Colombia at the International Tribunal at The Hague for the damage that has been done to us by the unilateral decision to bombard the northern border of Ecuador with glyphosate."

In an official communique, Colombian Foreign Minister Maria Consuelo Araujo said that, starting Feb. 12, Colombia would begin "the manual eradication phase and end the fumigation phase and, therefore, there is a good stimulus to begin implementing the agreement between the presidents [Uribe and Correa]."

Araujo's Ecuadoran counterpart Maria Fernanda Espinosa responded, "Now Colombia has really changed its attitude, it has said that it is going to end the fumigations. I have asked that they give us written notification."

Earlier in February, Espinosa attacked Colombia's attitude as unfriendly toward Ecuador. "The confidence Ecuador has in Colombia is gravely wounded.... Colombia has repeatedly insisted on an
unfriendly attitude toward Ecuador," said the foreign minister in statements to Channel 8 television on Feb. 6. "We have lost confidence in the offers and commitments made by Colombia, we see that they have not kept promises to Ecuador, their behavior has not been transparent, their attitude has not been that of a good neighbor, and that has to change."

**Correa: Plan Ecuador to oppose Plan Colombia**

In a visit to the Ecuadoran Amazon, Correa announced that he would set up "Plan Ecuador" in opposition to Plan Colombia. "We will launch Plan Ecuador into the world in response to the plan of violence, of death, of militarism of Colombia," he said. "We will hope to be putting much more resources and efficiency into the development of the northern border." The region is hit by large numbers of Colombian refugees, and Colombian authorities allege that rebel groups and drug manufacturers use the Ecuadoran side of the border to launch attacks and make narcotics.

Correa has previously defied the US military effort to combat narcotics smuggling by announcing he would not renew the agreement that allows US troops to use the air force base at Manta as a forward-operating base for drug interdiction. Ecological concerns Espinosa told the Ecuavisa television network Dec. 18 that the spraying could cause genetic damage to people who are affected.

Espinosa cited studies by scientists from the Universidad Catolica and the Universidad Central in Quito, which found alterations at a cellular level that cause fetal malformations and genetic damage in people near fumigation zones. "Cesar Pazmino, at the Universidad Central, has sent me a number of very serious studies," said Espinosa, an expert on environmental issues who was regional director of the World Conservation Union (IUCN). "He has a PhD. in genetics. We are really concerned about this."

The Comite Interinstitucional contra las Fumigaciones (CIF), which brings together more than 10 human rights, environmental, and indigenous organizations in Ecuador, sees the resumption of spraying as a provocation aimed at the leftist Correa's government and as an act of scorn for the agreements signed in December 2005. The CIF had asked the Ecuadoran government to recall its ambassador from Colombia and to take legal action before the ICJ.

The spraying "is a new violation by the Colombian government of the individual and collective human rights of the people along the border, especially their rights to life, health, and food," said Jhonny Jimenez of the CIF. In a Dec. 7, 2005, agreement, Colombia had promised to create mobile teams to eradicate coca bushes by hand, which it failed to do.

"This shows that the Colombian government considers aerial fumigation the only eradication method, even though it has been proven that spraying destroys food crops, aggravating the food and health situation of border communities," argued Jimenez. The activist said that, in CIF’s view, the Colombian government's performance "shows that it is far from interested in putting an end to illicit crops and even less so in putting an end to drug trafficking, which nourishes armed groups and the economy of the United States itself."

"The aim is to displace broad sectors of the population, who have repeatedly been sprayed during Christmastime, as occurred in 2000, 2002, 2004, and 2005. This also demonstrates that the agreement
signed last year [2005] was just a mockery of Ecuador, because the only reason the spraying stopped was that it was part of the pre-established schedule," said Jimenez.

Dr. Adolfo Maldonado, with the local environmental group Ecological Action, which also forms part of CIF, said the concentrations of glyphosate used in spraying along the border are much higher than those employed in conventional agriculture. In addition, aerial fumigation is more dangerous than manual spraying because the poison is spread over wide areas, including villages, legal crops, local flora and fauna, and water sources.

"This fumigation delegitimates the petition made by the UN through a mission that visited Ecuador in February 2005, which provided evidence pointing to the need for a study on the effects on health and the environment in the area along the border," said Maldonado. [Sources: Inter Press Service, 12/18/06; Associated Press, BBC News, 01/11/07; El Tiempo (Colombia), 12/12-15/06, 01/29/07; El Universo (Ecuador), 01/15/07, 01/16/07, 01/29/07; El Nuevo Herald (Miami), 12/12/06, 12/15/06, 01/10/07, 01/11/07, 01/16/07, 01/22/07, 01/24/07, 02/05-07/07; www.telesurtv.net, 12/15/06, 12/18/06, 12/26-28/06, 12/30/06, 01/03/07, 01/04/07, 01/08-11/07, 01/15/07, 01/16/07, 01/18/07, 01/22/07, 01/29/07, 02/01/07, 02/07/07; www.BBCMundo.com, 02/10/07; El Comercio (Ecuador), 12/14/06, 01/09-11/07, 01/12/07, 01/19/07, 02/13/07]

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