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Colombia, Ecuador Unable to Resolve Dispute Over Colombian Incursion

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Colombia and Ecuador have failed to restore full diplomatic ties five months after Colombia launched a military strike into Ecuadoran territory on March 1 (see NotiSur, 2008-05-09). Mediation efforts have been unable to re-establish formal and full relations between the Andean neighbor nations, although the two countries re-established low-level relations early in June.

The Organization of American States (OAS) is serving as the exclusive mediator between the governments of Colombia's President Alvaro Uribe and Ecuador's President Rafael Correa, with OAS Secretary-General Jose Miguel Insulza claiming on July 30 that the environment for re-establishing links "has improved a lot."

Ecuador pulled its ambassador after a cross-border Colombian military raid March 1 on a leftist rebel camp in Angostura, Sucumbios, Ecuador, in which a senior Colombian guerrilla leader and 24 other people were killed (see NotiSur, 2008-03-07). The OAS has already ruled that Colombia's attack violated Ecuador's sovereignty. Ecuador alleges that the US military, a major ally of the Uribe government, supported and participated in the cross-border attack.

Limited diplomacy restored
Former US President Jimmy Carter had been helping mediate, but he and his Carter Center ceased their involvement in the bilateral talks in late June, after the two governments expressed anger toward each other in separate public statements. Colombia and Ecuador had, at that point, restored diplomatic ties at the charge d'affaires level following mediation by Carter, Colombia's presidential spokesperson announced on June 6.

Uribe "ratifies the verbal promise" he gave Carter and re-affirms his readiness to restore full ties, spokesman Cesar Mauricio Velasquez said in a statement he read to the news media. The curt announcement followed a statement by the Carter Center in Atlanta that said Uribe and Correa had "confirmed their willingness" to restore ties "immediately and without preconditions."

Ecuadoran Foreign Minister Maria Isabel Salvador said later, "President Rafael Correa confirms his willingness to immediately renew relations at the level of charges d'affaires." The Carter Center's director for the Americas Jennifer McCoy told the Associated Press it had been working with both governments since the raid. "We talked about how renewing relations at the lower level would be a good first step, and they agreed on that today," she said on June 6.

Prior to the March 1 raid, Colombia had complained that both Ecuador and Venezuela were sheltering the Fuerzas Armadas Revolucionarias de Colombia (FARC). Documents that Colombia says were found in laptops belonging to slain FARC commander Raul Reyes indicate both Correa
and Venezuelan President Hugo Chavez had close ties to the rebel group. The Venezuelan and Ecuadoran governments dispute the legitimacy of the alleged evidence.

During the weekend, Ecuador asked that Colombia turn over a full set of the documents to the OAS, but Colombia said it would only turn over documents pertinent to Ecuador. Colombia's allegations of FARC links to regional governments and individuals be they public or private, Colombian or foreign are largely untested in any court, but they have caused significant political ripples throughout Latin America and even Spain (see NotiCen, 2008-06-05).

Colombia has seen increased tensions particularly with the government of Nicaragua's President Daniel Ortega, who gave official support and shelter to three people who survived the attack on the FARC camp (see SourceMex, 2008-06-18 and NotiCen, 2008-07-03).

\textit{Carter Center bows out}

While news reports in June anticipated the complete restoration of ties between the two nations, political tensions flared again in the final week of that month. Argentine newspaper Pagina 12 quoted Correa on June 22 as saying, "We are the ones who were attacked, we have to set the timing" to re-establish relations.

Correa said the "border is very hot and it is good to have fluid communication," referring to the decision to set up charge d'affaires diplomacy, "but to establish full relations we are going to have to demand that the attack be fully cleared up." Correa also said, "Three of the wounded, according to forensic reports, were very likely killed off while they were still alive [following the original attack], and the Ecuadoran citizen who died there died from rifle-butt strikes to his neck and not from gunfire or bombs."

He added, "The problem is not with the Colombian people, but rather with Uribe," pointing out that in his country there are 400,000 Colombians, 17,000 of them with refugee status and many of them displaced by the armed conflict. The comments set off complaints from the Colombian government, with Colombia's Foreign Minister Fernando Araujo saying on June 24 that his country was postponing renewing relations with Ecuador. Araujo complained of unspecified "aggressive" comments, but his aides pointed to the newspaper interview with Correa.

Ecuador's Foreign Minister Maria Isabel Salvador responded the same day by saying that her country, too, was suspending efforts to renew ties and was considering trade restrictions. "We have made the decision not to re-establish relations with Colombia," Salvador told a news conference. "I'm not going to say for how long." Salvador added, "Once more, the Colombian government is going against its word. If the situation doesn't improve...we do not rule out the eventual possibility of imposing trade restrictions." Ecuadoran business groups have expressed concerns about potential trade restrictions, and there have been reports of decreased Colombian tourism in Ecuador.

By July 1, the Carter Center had suspended its role in negotiations, with their Latin America representative Francisco Diez saying, "The conditions do not exist" to continue mediation. He told Ecuadoran radio station Sonorama, "Here it has remained sufficiently clear that President
Correa does not have any interest, at least for now, in advancing the re-establishment of diplomatic relations with the government of Colombia."

The Carter Center had been mediating between the two governments since September 2007, when relations were strained because of Colombia's intensification of herbicidal fumigations along the Ecuadoran border, fumigations aimed at eradicating illicit coca plantations (see NotiSur, 2007-08-17). Ecuadoran authorities claim that the spraying has harmful effects on the environment and on the health of people living in the region.

On July 2, a military rescue operation in Colombia succeeded in liberating 15 high-profile hostages the FARC had been holding (see NotiSur, 2008-07-25). The rescue made an international media star out of former presidential candidate and six-year hostage Ingrid Betancourt and served as the greatest propaganda coup the Uribe administration has pulled off in its six years in power.

One could argue that the hostage rescue made the political logic of an Ecuador-Colombia reconciliation even less sensible, from the perspective of the Correa administration. With the Uribe administration held in global esteem and with domestic approval ratings above the 90% mark, there was no incentive for the Ecuadoran government to make its Colombian counterpart look even stronger on the international stage.

Insulza's statements on July 30, following a one-hour meeting with Correa, seem to indicate that the passage of time may have allowed the Correa government to make a greater opening toward the Uribe administration. "I certainly think the climate in which our efforts are carried out has improved substantially, but for the same reason I think it is good to be cautious in the declarations," said Insulza. He said the situation "has yet to be improved so that [the governments of Ecuador and Colombia] can move their positions closer and achieve a restoration of diplomatic relations." He spoke of initiatives he sought to develop in the coming weeks.

Ecuador has rejected offers from the governments of Peru and Venezuela to mediate in the ongoing crisis, with Ecuadoran Security Minister Gustavo Larrea saying, "We have clearly established the OAS, in this instance, as the one to deal with this issue."

**Date set for fumigation case at The Hague**

As the diplomatic crisis regarding the March 1 attack into Ecuador persists, Ecuador's case against Colombia on herbicidal fumigations continues to plod its way through the International Court of Justice (ICJ) at The Hague.

In June, the court set a date of April 29, 2009, for Ecuador to present its documentary evidence against Colombia. That phase will precede an oral hearing. During that stage, both countries will be able to object to prior allegations, although neither party has shown any intention of presenting objections.

Ecuador argues in its application to the court that "spraying has already caused serious damage to the population, grains, animals, and the natural environment of the Ecuadoran side of the border and poses a serious risk of harm in the future."
Quito bases its complaint in Article XXXI of the Pact of Bogota 1948, in which both countries recognized the ICJ. In addition, Ecuador also invokes Article 32 of the UN Convention of 1988 against illegal drug trafficking. Ecuador also calls for compensation for the damage caused, referring to the death or health problems of people, damage or loss of property, damage to natural resources, or the costs of tracking these problems arising from the spraying.

For its part, Colombia rejects the allegations and maintains that the aerial sprayings on coca plantations are in compliance with international protocols, under which it takes into account aspects such as wind, altitude, and Ecuadoran sovereignty.

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