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PLAYING WITH FIRE: COLOMBIA, ECUADOR, AND VENEZUELA

REPORT TO MEMBERS

OF THE

COMMITTEE ON FOREIGN RELATIONS
UNITED STATES SENATE

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LETTER OF TRANSMITTAL

UNITED STATES SENATE,
COMMITTEE ON FOREIGN RELATIONS,
Washington, DC, April 28, 2008.

DEAR COLLEAGUES: From March 18–19, 2008, I directed my senior Senate Foreign Relations Committee (SFRC) staff member for Latin America, Carl Meacham, to visit Colombia and Ecuador to investigate their recent conflict in order to develop policy recommendations.

On March 1, 2008, a Colombian raid on an Ecuadorean camp controlled by the Revolutionary Armed Forces of Colombia (FARC) sparked the region's worst diplomatic crisis in years, prompting Ecuador and Venezuela to send troops to their respective borders with Colombia. As a result of the Colombian raid, Ecuador and Venezuela cut ties with Colombia. However, following intense diplomatic efforts, mainly through the Organization of American States (OAS), both countries promised to withdraw troops and normalize relations.

Consequently, Colombia pledged not to follow through on charges against Venezuelan President Hugo Chavez at an international court for reportedly supporting the FARC, a group classified by the United States, Canada, the European Community and Colombia as a terrorist organization. But information gathered at the site of the raid alleges that Ecuadorean government officials were involved in coordination with the FARC regarding the trafficking of drugs through Ecuador. This information suggests that Venezuelan officials were not only involved in facilitating drug- trafficking through Venezuela, but that they were also in coordination with the FARC in efforts to overthrow the Colombian government.

The United States is attempting to promote peace, prosperity and stability in the region. The robust economic relationship the Unites States has with all three includes the recent extension of the Andean Trade Preferences Act (ATPA) with Colombia and Ecuador and the important oil commerce with Venezuela. In addition, the United States has a strong relationship with Colombia through Plan Colombia and the proposed free trade agreement.

Mr. Meacham's report provides insight into the continuing sources of instability between Colombia, Ecuador and Venezuela and serious policy recommendations related to preventing future "flare-ups" and promoting U.S. interests.

I hope you find the report helpful as the U.S. Congress considers how to advance U.S. interests and promote peace and stability be-

tween these countries. I look forward to continuing to work with you on these issues, and I welcome any comments you may have on this report.

Sincerely,

RICHARD G. LUGAR, *Ranking Member,*

PLAYING WITH FIRE: COLOMBIA, ECUADOR, AND VENEZUELA

From March 18-19, 2008 Senate Foreign Relations Committee minority staff traveled to Colombia and Ecuador on an official visit to understand the conflict that commenced with the March 1, 2008 raid by Colombia into Ecuador to eliminate the FARC's[1] second in command, Luis Edgar Devia Silva, better known by his *nom de guerre,* "Raul Reyes." During this trip, staff met with senior officials of the Governments of Colombia and Ecuador and senior offi-

[1] The FARC is a foreign organization that was designated a Foreign Terrorist Organizations (FTOs) (FARC FTO designated date: 10/8/1997; Latest designated date: 10/2/2003; EO 13224 designation date 11/2/2001) by the Secretary of State in accordance with section 219 of the Immigration and Nationality Act (INA), as amended. FTO designations play a critical role in our fight against terrorism and are an effective means of curtailing support for terrorist activities and pressuring groups to get out of the terrorism business. Office of Counterterrorism, October 11, 2005. http://www.state.gov/s/ct/rls/fs/37191.htm

Legal Criteria for Designation under Section 219 of the INA as amended

1. It must be a foreign organization.
2. The organization must engage in terrorist activity, as defined in section 212 (a)(3)(B) of the INA (8 U.S.C. 1182(a)(3)(B)), or terrorism, as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989 (22 U.S.C. 2656f(d)(2)), or retain the capability and intent to engage in terrorist activity or terrorism.
3. The organization's terrorist activity or terrorism must threaten the security of U.S. nationals or the national security (national defense, foreign relations, or the economic interests) of the United States.

Legal Ramifications of Designation

1. It is unlawful for a person in the United States or subject to the jurisdiction of the United States to knowingly provide "material support or resources" to a designated FTO. (The term "material support or resources" is defined in 18 U.S.C. 2339A(b)(1) as "any property, tangible or intangible, or service, including currency or monetary instruments or financial securities, financial services, lodging, training, expert advice or assistance, safe-houses, false documentation or identification, communications equipment, facilities, weapons, lethal substances, explosives, personnel (1 or more individuals who maybe or include oneself), and transportation, except medicine or religious materials." 18 U.S.C. 2339A(b)(2) provides that for these purposes "the term 'training' means instruction or teaching designed to impart a specific skill, as opposed to general knowledge." 18 U.S.C. 2339A(b)(3) further provides that for these purposes the term 'expert advice or assistance' means advice or assistance derived from scientific, technical or other specialized knowledge."
2. Representatives and members of a designated FTO, if they are aliens, are inadmissible to and, in certain circumstances, removable from the United States (see 8 U.S.C. 1182 (a)(3)(B)(i)(IV)–(V), 1227 (a)(1)(A)).
3. Any U.S. financial institution that becomes aware that it has possession of or control over funds in which a designated FTO or its agent has an interest must retain possession of or control over the funds and report the funds to the Office of Foreign Assets Control of the U.S. Department of the Treasury.

Other Effects of Designation

1. Supports our efforts to curb terrorism financing and to encourage other nations to do the same.
2. Stigmatizes and isolates designated terrorist organizations internationally.
3. Deters donations or contributions to and economic transactions with named organizations.
4. Heightens public awareness and knowledge of terrorist organizations.
5. Signals to other governments our concern about named organizations.

cials at the United States Embassies in those respective countries. (See Appendix VII).

At the request of Senator Lugar, the purpose of the trip was to:

- Understand the recent conflict between Colombia and Ecuador, and the role played by Venezuela;
- Determine the outlook for future stability between the three countries, and what are the risks for another crisis; and
- Develop policy recommendations for the United States Government (USG).

BACKGROUND

On Saturday, March 1, 2008, Colombian Defense Minister Juan Santos, announced that "Raul Reyes" had been killed in a military raid led by Colombian military forces. The attack occurred in a guerilla camp in Ecuador, and involved both air force helicopters and Colombian troops fighting on Ecuadorean soil, two miles from the border with Colombia.

On March 2, Venezuelan President Hugo Chavez ordered the mobilization of ten tank battalions and the deployment of fighter jets to Venezuela's border with Colombia. Chavez also shut down the Venezuelan Embassy in Colombia and threatened to cut off all commerce. Ecuador responded by expressing its intent to deploy several troop battalions to the border.

That same day, in response to these developments, the Colombian government publicly released the contents of several documents allegedly found on laptop computers in the possession of "Raul Reyes." Among the documents found were what appear to be letters from Ecuador's Minister of the Interior, Gustavo Larrea, offering logistical support to FARC commanders and discussing regional political issues. These letters appear to document a relationship between the FARC and the governments of Ecuador and Venezuela. However, it should be noted that President Correa claims to have dismantled 47 FARC camps inside Ecuador over the last year and on three occasions carried out joint operations with Colombian troops.

President Chavez on the other hand has been unambiguous in his support for the FARC. Recently, President Chavez voiced his intention to campaign for the removal of the FARC from international terrorist lists and their reclassification to the status of "belligerent army." [2]

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[2] Belligerent forces, 1907 Hague Regulations
http://www.icrc.org/ihl.nsf/385ec082b509e76c41256739003e636d/b1d1726425f6955aec125641e0038bfd6

The qualifications of belligerents

Article 1. The laws, rights, and duties of war apply not only to armies, but also to militia and volunteercorps fulfilling the following conditions:

1. To be commanded by a person responsible for his subordinates;
2. To have a fixed distinctive emblem recognizable at a distance;
3. To carry arms openly; and
4. To conduct their operations in accordance with the laws and customs of war.In countries where militia or volunteer corps constitute the army, or form part of it, they are included under the denomination "army."

Art. 2. The inhabitants of a territory which has not been occupied, who, on the approach of the enemy, spontaneously take up arms to resist the invading troops without having had time to organize themselves in accordance with Article 1, shall be regarded as belligerents if they carry arms openly and if they respect the laws and customs of war.

On March 5, the Permanent Council of the OAS agreed on a resolution approved by all 34 Member countries calling the attacks "a violation of the sovereignty and territorial integrity of Ecuador and of principles of international law" (See Appendix I). However, the resolution did not textually condemn the raid. The killing of "Raul Reyes" resulted in a series of accusations and tense diplomatic exchanges between Ecuadorean President Rafael Correa and President Chavez against Colombian President Alvaro Uribe.

Colombian President Uribe ordered the strike into Ecuador in order to neutralize a high value FARC target, and safeguard the stability and democracy of Colombia within the context of a long standing war. A desire to protect the territorial integrity and sovereignty of Ecuador animated Ecuadorean President Correa's response.

The issue seemed to have subsided on Friday, March 7, at the Rio Group[3] Summit in the Dominican Republic, where President Correa accepted the apologies of President Uribe stating: "with the commitment of never attacking a 'brother country' again and by asking forgiveness, we can consider the very serious incident resolved." President Uribe expressed the regret of the Colombian government, but stated that it was necessary "in the fight against terrorism." Subsequently, on Sunday March 9, Venezuela stated that diplomatic relations with Colombia would immediately normalize. (See Appendix II for Rio Group Summit Declaration)

From March 9 to March 12, the Permanent Council asked that an OAS Commission led by OAS Secretary General Jose Miguel Insulza travel to Colombia, Ecuador and the site of the raid. As a result of the visit, President Correa said he would like to reactivate the Bi-national Border Commission (Combifrom) between Ecuador and Colombia to address border issues, and President Uribe called for mechanisms to enforce existing bilateral agreements.

On March 12, in response to an invitation from the Colombian government, an INTERPOL[4] team was placed in Bogota to review and assess the authenticity of the FARC files found on the laptop computers in the possession of "Raul Reyes." The Venezuelan government called the documents "a collection of inconsistent and incomprehensible documents."

Art. 3. The armed forces of the belligerent parties may consist of combatants and noncombatants. In the case of capture by the enemy, both have a right to be treated as prisoners of war.

[3] The Rio Group is an international organization of Latin American and Caribbean states. It was created on 18 December 1986 in the Brazilian city of Rio de Janeiro by means of the Declaration of Rio de Janeiro, signed by Argentina, Brazil, Colombia, Mexico, Panama, Peru, Uruguay and Venezuela (the members of the Contadora Group and the Contadora Support Group). To some extent it was perceived by some observers as an alternative body to the Organization of American States during the Cold War, since that body was dominated by the States. The Rio Group does not have a secretariat or permanent body, and instead relies on yearly summits of heads of states. Current member states are: Argentina, Belize, Bolivia, Chile, Colombia, Costa Rica, Dominican republic, Ecuador, El Salvador, Guatemala, Guyana, Haiti, Honduras, Mexico, Nicaragua, Panama, Paraguay, Peru, Uruguay and Venezuela.

[4] INTERPOL is the world's largest international police organization, with 186 member countries. Created in 1923, it facilitates cross-border police co-operation, and supports and assists all organizations, authorities and services whose mission is to prevent or combat international crime. INTERPOL aims to facilitate international police co-operation even where diplomatic relations do not exist between particular countries. Action is taken within the limits of existing laws in different countries and in the spirit of the Universal Declaration of Human Rights. INTERPOL's constitution prohibits "any intervention or activities of a political, military, religious or racial character."

On March 17, the OAS reconvened in an "Emergency Session" with the attendance of Foreign Ministers from member countries, per the March 5th Resolution to report on the OAS Commission's visit to the raid site in Ecuador and to meet with Government officials in Ecuador and Colombia. The Commission concluded in a March 17th report that ties of trust between the two governments have been severely damaged. The Commission also determined that the Ecuadorean and Colombian versions of the raid are contradictory and that the situation in the border area between the two countries is complex in terms of geographical, territorial, communications and economic aspects (See Appendix III).

On March 24, 2008, Ecuadorean Attorney General Alfredo Alvear confirmed that one of the bodies found on the scene of the guerilla camp in Ecuador belonged to Ecuadorean citizen Franklin Aisalla (an alleged FARC locksmith). The Ecuadorean government sought help from the OAS in condemning the killing.

Though concern regarding the worth and legitimacy of the "Reyes Computers" exists, on March 17 information derived from the computers led to the recovery of more than $480,000 in clandestine cash apparently hidden for several years in Costa Rica; on March 26, Colombian officials reported recovering 66 pounds of depleted uranium that they allege was originally acquired by the FARC. Juan Manuel Santos, Colombian Defense Minister, said that he expected the validation of the files to be completed by the end of April; "It is a great deal of information that is extremely valuable and important."

On April 9, Ecuadorean Defense Minister, Wellington Sandoval stepped down, along with the four top military commanders, after President Correa accused the military of aiding U.S. operations against FARC rebels.[5]

On April 14, Ecuadorean Minister of Public Administration, Communications and Information, Vinicio Alvarado, announced that a formal complaint would be filed with the OAS regarding statements made by Colombian officials on April 13 accusing President Correa of stopping Ecuadorean military operations against the FARC. The Minister said that the Ecuadorean Government found this to be a violation of the March 17, 2008, resolution.[6] As well, on April 17 President Correa warned the Colombian government—and Colombia's FARC rebels—to stay out of his country, saying future incursions would be considered an "act of war."

COUNTRY PERSPECTIVES

COLOMBIA

The FARC at Its "Tipping-Point"

Throughout staff's meetings, Colombian officials reiterated that they had accepted responsibly in their incursion into Ecuador, and noted that the Government of Colombia (GOC) was satisfied with the OAS resolution.GOC officials believe that the computers recovered at the scene of the raid provided explicit evidence of Ven-

[5] BBC News Ecuador's Military Chief Resigns http://news.bbc.co.uk/2/hi/americas/7339743.stm

[6] El Ecuador presentara µ queja formal ante la OEA por las ultimas acciones del Gobierno Colombiano http://www.presidencia.gov.ec/noticias.asp?noid=13360

ezuelan involvement with the FARC and support the contention that Venezuela turns a blind eye to FARC on Venezuelan soil. Furthermore, GOC officials believe that the death of "Raul Reyes" might be a critical blow to the FARC. GOC officials pointed to the example of Peru's Sendero Luminoso ("Shining Path"): "When Abimael Guzman (Sendero Luminoso's leader) went down, the rest of Sendero went down with him, over time."

Reviewing the history of Colombia's conflict with the FARC over the last decade, the argument was made that FARC behavior, particularly when offered the freedom of the Demilitarized Zone (Despeje, in Spanish) during the 1990's, demonstrated that the organization no longer had political legitimacy. One Colombian official noted that when the FARC was offered territory and political control, the group decisively chose narco-trafficking, banditry and violence. Since then, GOC officials assert, the gap between rhetoric and reality has only grown, and information acquired from the "Reyes Computers" decisively proves this.

One GOC official also expressed optimism that the "Reyes Computers" would continue to generate more revelations: At the time this quote was recorded, "Only ten percent of Reyes' principal computer has been exploited." GOC officials spoke of a tipping point where the cumulative blows to the FARC may lead to the implosion of the organization.

More broadly, GOC officials noted that the obtained evidence of "Reyes Computers" demonstrated that the FARC had developed broad and comfortable ties throughout Latin America and further afield. GOC officials were quick to point out that the information obtained from the "Reyes Computers" to date indicated that FARC had fraternal ties with communist parties in Brazil, Argentina, Mexico, Chile, and Spain, as well as longstanding and deep ties with President Chavez and networks of Marxists in Venezuela and Colombia.

The FARC's Presence in Ecuador and Venezuela

Prior to the March 1, 2008 raid, GOC officials had identified some 32 FARC camps operating freely on Ecuadorean soil. According to Ecuadorean officials the FARC would move their camps, at Ecuador's behest. GOC officials pointed out: "the real issue is not that 'Raul Reyes' was in his pajamas and not in his military fatigues when he was killed; the issue is that he felt comfortable enough in his Ecuadorean base to feel that he could sleep in his pajamas." Clearly, to the GOC this feeling of FARC security in Ecuador is a real outrage.

Regarding Venezuelan support for the FARC, GOC officials showed staff a map indicating FARC camps in Venezuela. The GOC knew that they were there, but could do nothing against them, GOC officials claimed. The Venezuelans are repeatedly informed by the GOC that the FARC is actively using Venezuelan soil; they cite Venezuelan inaction as evidence that Venezuela was actively supporting the FARC.

Venezuela's Military as a Source of Regional Instability

The Colombian Military believes that the Venezuelan mobilization at the Colombian frontier was disorganized and inconsequen-

tial. Yet, according to a Colombian Defense Ministry official, there remains a risk that Venezuela will take this logistical failure as "lessons learned" and improve its military to enable future action against Colombia. GOC officials believe that a successful Venezuelan attack on Colombia in the short term is "unimaginable." Yet, Venezuela's military shopping remains of deep concern to the GOC. The possibility that Venezuela may be seeking Man-Portable Air Defense Systems (MANPADS), as well as plans to purchase four Kilo-class Project 636 Russian diesel-electric submarines[7] and related talks with Russian officials to purchase additional weapons systems could pose a threat to Colombian military superiority, according to GOC officials.

The GOC's Take on the Possibility of U.S. Sanctions Against the Government of Venezuela

Staff relayed the increased likelihood that the impact of the information in the "Reyes Computers," if certified by Interpol, is likely to be followed by pressure in the U.S. Congress for a determination by U.S. authorities that the government of Venezuela is supporting an FTO, triggering mandatory sanctions.

GOC had an ambiguous position on any such sanctions. From the GOC standpoint, a decision triggering economic sanctions could severely limit Venezuelan commercial revenues, including oil, thus affecting Venezuela's ability to attract funds for arms purchases. On the other hand, as Venezuela's economic policies have progressively hollowed out the Venezuelan economy, and in particular its agriculture, GOC officials noted that Venezuela has grown into an enormous market for Colombia's agricultural produce. Any broad economic sanctions that would inhibit Venezuela's ability to attract capital would lessen Venezuela's ability to purchase Colombian goods, and any reduction in Venezuela's ability to purchase Colombian products would invariably have a negative impact on Colombia's economy. Moreover, any broad economic sanctions against Venezuela might result in political pressure for the United States to curtail economic relations; ultimately, this would rebound to the detriment of the Colombian economy.

The Significance of the U.S.-Colombian Trade Promotion Agreement for Colombian Economic Stability

Colombia is highly dependent on Venezuela as an export market for its products. According to U.S. Embassy officials in Colombia, commerce between Colombia and Venezuela has returned to normal after the recent crisis between those two countries and Ecuador. The Colombian Finance Minister estimates that a complete shutdown of trade with Venezuela could cost 100,000 jobs.

Venezuela is Colombia's second-largest trading partner after the United States. Trade between the nations totaled $6.5 billion as of December 2007, according to Colombian government statistics. Venezuela imported $5.2 billion in goods from its neighbor, nearly double the 2006 amount because of high demand for Colombian-

[7] The Kilo-class Project 636 submarines are mainly intended for anti-shipping and anti-submarine operations in relatively shallow waters. Venezuela, the fourth largest arms buyer from Russia after China, India and Algeria, has so far purchased some $3 billion worth of arms from Russia, including military helicopters, Kalashnikovs and Sukhoi fighter jets.

made vehicles, car parts and clothing. Colombia, meanwhile, purchased only $1.3 billion worth of Venezuelan goods, mostly petrochemical products and plastic goods. Venezuela currently absorbs some 15 percent of Colombia's total exports and about one-third of its manufacturing exports.

Venezuela is now Colombia's single most important destination for non-traditional (other than commodities) exports, accounting for 32% of such sales. Colombian exports of food to Venezuela are particularly crucial for Colombia commercially, and given price controls and shortages of many staples in Venezuela, for Venezuela as well. Colombian exports to the U.S. consist of mainly commodities and low value added products.

In relation to the to the *U.S.-Colombia Trade Promotion Agreement,* Colombia already gets 95% access to the U.S. through the Andean Trade Preferences Act (ATPA) that is subject to renewal by the U.S. Congress periodically. But, it is important to note that ratification of this agreement will not only provide an extra 5% access to the U.S. economy, once implemented, the agreement will eliminate tariffs on more than 80 percent of American exports of industrial and consumer goods immediately and 100 percent over time.

The agreement will also allow for the development of a stable, long-term environment for broad investment opportunities that will provide many gains. Preeminent among these gains, this environment would help Colombia to diversify its export markets.

ECUADOR

Anger and Frustration Toward Colombia

According to GOE officials, the GOC had an obligation on March 1, 2008, to notify Ecuador of its intent to raid the camp. GOE officials explained that they would not have had a problem capturing and extraditing Reyes to Colombia if GOC officials had requested it. According to GOE Military officials the Ecuadorean military was only minutes from capturing him last November.

GOE military officials state that unlike Colombia, Ecuador has cities close to its border, including Quito, suggesting that Ecuador is more vulnerable to the FARC than Colombia.

GOE officials admitted that they have lost political confidence in the role the United States could play in seeking the release of hostages held by the FARC. But, GOE officials noted that they remain interested in working for the release of all FARC-held hostages. In this regard, it is important to note that President Correa has called on the FARC to liberate all hostages without conditions.

The GOE holds that it has been accused unfairly by the United States of collaborating with the FARC when it was just doing its part to work for the release of hostages under a "humanitarian mandate."

President Correa has condemned the kidnappings of what the GOE designates as irregular forces[8] like the FARC.

[8] Irregular Groups/ Irregular Forces (Rexton Kan, Paul. March 2008. Drug Intoxicated Irregular Fighters: Complications Dangers and Responses. Strategic Studies Institute http://www.strategicstudiesinstitute.army.mil/

Continued

Confronting the FARC the "Ecuadorean Way"

The GOE explained that the Ecuadorean approach to dealing with the FARC emphasizes prevention of conflict using social and economic programs and a police presence. The GOE wants to invest in sustainable development and community policing rather than the military.

The GOE believes that the police can do what is necessary to combat illegal activity and ensure citizen security, including dismantling the FARC. The GOE is working to increase its presence in the border area, including medical clinics and judicial authorities, as well as the police. The objective is to reduce incentives for Ecuadorean citizens in the border area to work with irregular forces and to build a law-abiding society. Ecuador welcomes international assistance in these areas under a policy proposal devised by the GOE called "Plan Ecuador" (See Appendix IV).

Ecuador-Colombian Border Issues

The GOE believes that it can control the border if the GOC does so as well. The GOE explained that the FARC are present in Ecuador as a result of Plan Colombia—which is forcing FARC personnel to flee to Ecuador—and the inability of the GOC to contain the FARC within its borders.

GOE officials explained that they will never be able to make the border completely impassable. Yet, they were quick to point out that the Ecuadorean military has destroyed 47 FARC camps since 2007.

GOE officials emphasized that the FARC's 32th and 48th Fronts are located in southern Colombia (See map, Appendix V). The GOE has 14 military posts in its border region; according to GOE officials Ecuador covers the area more consistently than does Colombia (See map, Appendix VI).

The GOE has fought narcotics trafficking more effectively than has the GOC, according to GOE officials. Asked whether they would name the FARC a terrorist group, GOE officials offered that it would only make Ecuador a target.

GOE officials explained that for years they have welcomed a large number of Colombian refugees. But, they have never once received compensation for their care, or for Ecuadorean properties that were destroyed by the Colombian military during GOC operations along the border area. Nor has the GOC conducted impartial investigations when Ecuadoreans are killed during these operations. According to GOE officials, their requests to the GOC on this subject have gone unanswered.

Leadership of irregular group uses the promise of drugs to their fighters as a reward.

Leadership of irregular group encourages drug use as a motivation for atrocities against civilians.

Command and control of irregular troops are nearly nonexistent due to widespread drug use among fighters.

The types of equipment used by irregular forces do not require a great degree of skill.

Giving drugs to individuals coincides with the tactics employed by irregular forces.

Over time, drug use among irregular forces generally degrades combat effectiveness and leads to internal division and fragmentation.

Their members are not full-time, regularly trained military professionals. As a result, draftees and conscripts have sought drugs as a way to cope with an unfamiliar atmosphere and can behave similarly to irregular troops.

One Ecuadorean military official admitted that he believed that the FARC's actions are "terrorist," and was glad to see Reyes dead. This same official admitted the conflict with Colombia is painful; however, he asserted that "it is Colombia's fault. A relationship of mutual confidence has been broken through a chain of lies," he said.

According to GOE officials, bilateral mechanisms like the Combifrom have failed, and observers representing a third party (e.g., Rio Group, OAS, United Nations (UN)) are needed to ensure the rule of law.

According to the GOE, the origin of the problem is Colombia, since there are no Ecuadorean terrorists, mafias, or troops attacking Colombia. For its part, the GOE will continue its efforts to improve security, and even redouble them, while also seeking to address the causes of the conflict.

The "Reyes Computers": "A Mixed Bag"

Going forward, GOE officials stated that they would have confidence in the documents "allegedly contained in 'Reyes' Computers' collected during the Colombian military's raid" only if they were analyzed by an impartial source and handled in a transparent manner, rather than for political ends as Colombia is doing, GOE officials said.

Once the GOE has access to the information, it will investigate. According to GOE officials, some of the information in the computers will likely turn out to be wishful thinking on the part of the FARC and some will be unsubstantiated gossip or hearsay. Other parts, they admit, will be true.

ANALYSIS AND RECCOMENDATIONS

A violation of the territorial integrity of a country is a very serious infraction punishable by international law. An appreciation of Latin American sensitivities regarding sovereignty and the history in which these sensitivities developed is needed to place the recent crisis in full context. The often visceral Latin American response to issues of sovereignty springs largely from the reoccurrence of border conflicts between Latin countries and past interventions from European powers and the United States.

Staff believes that these attitudes serve as a backdrop for a situation that is still evolving and could escalate in the near future. In this regard, it is important for the United States to encourage a constructive regional framework that features a clear and explicit consensus. This consensus should unequivocally declare that the methods used by the FARC, and other like groups, violate both Colombia's sovereignty and the sovereignty of other countries where they operate, regardless of how these groups are classified, whether terrorist, irregular or belligerent.

Given that some countries view the FARC as a legitimate organization and benefit to some degree from FARC activities, finding agreement on such a framework presents a major challenge for the region. However, once the nature of FARC activities and the alleged relationships of some countries with the FARC are verified and exposed, it will be difficult for the complicit countries to continue to support the FARC through action or inaction.

Though there are other issues that make up the political landscape regarding this complicated situation, the chief question the USG may confront in the short term is:

- If the information found by Interpol in the "Reyes Computers" is determined to be credible and verifiable, what policy tools will the USG use to protect USG interests and, in partnership, the security of individual nations at risk?

The following are specific points that should be considered by relevant USG officials to ensure that the United States protects its interests in the region, advances regional partnership and plays a constructive role in creating a positive regional environment to minimize the possibility of crisis among Colombia, Ecuador and Venezuela.

1. Considerations for Additional Sanctions on Venezuela

Many have suggested that Venezuela be designated as a State Sponsor of Terrorism[9] due to its support for the FARC. Should evidence of closer collaboration between the FARC and Venezuela

[9] Country Reports on Terrorism Released by the Office of the Coordinator for Counterterrorism, U.S. State Department, April 30, 2007

State Sponsors of Terrorism: Overview

State sponsors of terrorism provide critical support to non-state terrorist groups. Without state sponsors, terrorist groups would have much more difficulty obtaining the funds, weapons, materials, and secure areas they require to plan and conduct operations. Most worrisome is that some of these countries also have the capability to manufacture weapons of mass destruction (WMD) and other destabilizing technologies that could get into the hands of terrorists. The United States will continue to insist that these countries end the support they give to terrorist groups. As a result of the historic decisions taken by Libya's leadership in 2003 to renounce terrorism and to abandon its WMD programs, the United States rescinded Libya's designation as a state sponsor of terrorism on June 30. Since pledging to renounce terrorism in 2003, Libya has cooperated closely with the United States and the international community on counterterrorism efforts. Sudan continued to take significant steps to cooperate in the War on Terror. Cuba, Iran, and Syria, however, have not renounced terrorism or made efforts to act against Foreign Terrorist Organizations. Iran and Syria routinely provided safe haven, substantial resources, and guidance to terrorist organizations. Venezuela was certified by the Secretary of State as "not fully cooperating" with U.S. counterterrorism efforts. The designation, included in Section 40A of the Arms Export Control Act, was based on a review of Venezuela's overall efforts to fight terrorism. Effective October 1, the decision imposed sanctions on all commercial arms sales and transfers. It remains in effect until September 30, 2007, when it may be renewed by a determination by the Secretary. (Venezuela is the only nation certified as "not fully cooperating" that is not a state sponsor of terrorism.)

State Sponsor: Implications

Designating countries that repeatedly provide support for acts of international terrorism as state sponsors of terrorism imposes four main sets of U.S. Government sanctions:

1. A ban on arms-related exports and sales.
2. Controls over exports of dual-use items, requiring 30-day Congressional notification for goods or services that could significantly enhance the terrorist-list country's military capability or ability to support terrorism.
3. Prohibitions on economic assistance.
4. Imposition of miscellaneous financial and other restrictions, including:

   Requiring the United States to oppose loans by the World Bank and other international financial institutions;

   Lifting diplomatic immunity to allow families of terrorist victims to file civil lawsuits in U.S. courts;

   Denying companies and individuals tax credits for income earned in terrorist-listed countries;

   Denial of duty-free treatment of goods exported to the United States;

   Authority to prohibit any U.S. citizen from engaging in a financial transaction with a terrorist-list government without a Treasury Department license; and

   Prohibition of Defense Department contracts above $100,000 with companies controlled by terrorist-list states.

come to light from Reyes' computer, pressure in Congress and in the Administration for such a shift in policy will grow.

If events lead to this option, policymakers must ensure that the law is carefully and flexibly crafted to guarantee that any enhanced sanctions diminish, rather than solidify, President Chavez's ability to mobilize public opinion in his favor, both in Venezuela and in the rest of Latin America.

Staff strongly cautions that policymakers must be wary of the implications of poorly thought out sanctions which might isolate the United States and lessen its ability to bring about constructive reforms and thereby advance USG interests.

Venezuela is currently subject to a number of legal restrictions, some of which create overlapping prohibitions. Some relate to the provision of foreign assistance, and some relate to other programs that do not necessarily utilize foreign assistance funds, e.g. Foreign Military Sales and licensing of defense articles and services (full list of U.S. Sanctions against Venezuela).[10] Some of these provisions restrict assistance to the government of Venezuela while others restrict assistance to the country as a whole.

Staff advises that any new sanctions regime must not impinge on U.S. commercial prospects in Venezuela.

It is difficult to conjure all appropriate possibilities that exist within the flexible framework provided in anti-terrorism law, although we can recall that the United States has crafted targeted sanctions against other problematic governments employing, among other restrictions, sanctions that have frozen assets and banned the travel of prominent officials and their families.

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[10] **Tier 3 Trafficking in Persons (TIP)**

Pursuant to Presidential Determination (PD) 2008-4 (October 18, 2007), during fiscal year 2008, as in prior recent fiscal years, the Government of Venezuela is ineligible for non-humanitarian, non-trade-related foreign assistance (as defined in the Trafficking Victims Protection Act (Div. A, P.L. 106–386), as amended) including most ESF and DA programs, and FMF and IMET. Foreign Military Sales (FMS) are also restricted. Except under specific circumstances including anti-TIP related programs, projects addressing basic human needs or certain regional projects, the United States must use its "best efforts" to actively lobby against International Financial Institution (IFI) financing for Venezuela.

Counternarcotics

For the past three years, Venezuela has been found to have "failed demonstrably" during the previous 12 months to adhere to its obligations under international counter-narcotics agreements and to take certain counter-narcotics measures under Section 706 of the Foreign Relations Authorization Act, FY 2002–2003 (FRAA) (P.L. 107–228). This sanction applies to the country as a whole and not just the government. The restriction applies to most assistance under the FAA, OPIC programs, sales and financing under the Arms Export Control Act (AECA), agricultural commodities other than food, Export-Import Bank financing, but does not apply to humanitarian or counternarcotics assistance. The President has waived the sanctions with respect to programs to aid Venezuela's democratic institutions. See PD 2007-33 (September 14, 2007).

Counterterrorism

Venezuela was designated as "not cooperating fully" with U.S. antiterrorism efforts, pursuant to section 40A of the Arms Export and Control Act, as amended, in both 2006 and 2007. The certification will lapse unless renewed by May 15, 2008. Pursuant to this certification, defense articles and services may not be sold or licensed for export to Venezuela during the relevant fiscal year. Prior to this certification taking effect, the Department of State announced as a policy matter in August 2006 that it would deny all applications for licenses or for other approvals to export defense articles or services to Venezuela.

Designations

Certain individuals and entities with Venezuelan addresses and/or identification cards have been designated by the Treasury Department's Office of Foreign Assets Control, primarily under its counter-narcotics trafficking sanctions programs. Any assets belonging to these individuals within U.S. jurisdiction are frozen, and transactions with these individuals and entities are prohibited.

Staff believes in this case that U.S. actions are stronger if they rest on the foundation of regional support. Absent such support, U.S. sanctions on Venezuela would be less effective. Indeed, they might be counter-productive. The USG has to act with care that other Latin American countries do not see themselves labeled unnecessarily and provocatively as supporters of terror, or the surrogates of terrorists, simply because they are carrying out their perceived national interest in maintaining relations with Venezuela.

It is better for the United States' long term interests in the region to be seen as respectful of the on-going process established in the OAS, which up to now has been beneficial in defusing tensions. On this occasion, rather than "speaking softly and carrying a big stick" the better posture for the USG to assume is one of speaking with gentle persuasion, and wise counsel, and letting those "sticks" that may need to be wielded be ones of a multi-lateral rather than a unilateral nature. Additional sanctions would be perceived as more legitimate if enacted within a multilateral framework.

This does not mean that support for terrorism is accepted, or that U.S. interests should be made vulnerable to the timetable or whims of the collective will of Latin nations. On the contrary, if evidence is established of serious and substantive support for the FARC by the Government of Venezuela then the Government of Venezuela's credibility in Latin America will be reduced. Venezuela will be viewed as an unreliable actor that seeks to sabotage the security interests of countries that do not share its economic paradigm, or its political views. To put it in context: Venezuela will be seen as infringing upon the sovereign rights of a Latin American neighbor, not because the U.S. says it is, but because the evidence proves it is. This can turn antipathy toward the USG by any single individual Latin American country into Latin American regional scrutiny of an intrusive brother country, whose government has proclaimed itself to be the major foe of the USG.

In other words, if Venezuela is found to be complicit, the U.S would be wise to allow for the regional dynamic to take its course. If the U.S. reacts too strongly, attention will go from Venezuela's transgressions to yet another example of "American intervention" and strong-arm tactics.

It is in this climate that political space will open for USG input that seeks to engender effective multilateral action in reaction to any nation that contravenes U.S. national security priorities and the collective interests of member countries of the OAS and signatories of its Charter.

2. Ensure that information gathered from the "Reyes Computers" is disseminated broadly and the process of how it was analyzed is transparent

If the Reyes information is proven to be authentic, Latin countries will need time to examine the information with the utmost transparency. In this regard, the creation of an official webpage, associated either with Interpol, or another credible multilateral organization, could serve as the exclusive venue through which documents are made public. Information that is sensitive to the military should be indexed appropriately.

This information must be kept and distributed by an organization that is viewed by Latin governments and people as impartial. If this does not occur, the information could be regarded in some Latin sectors as being doctored by the United States, thus losing its usefulness. This could easily alienate other Latin American countries. Obviously, this would not be helpful for U.S interests in the long term.

3. Should the "Reyes Computers" not yield credible and verifiable information that incriminates the highest ranks of the GOE the U.S. should work with the GOE and OAS to devise a comprehensive northern border security assistance plan for Ecuador perhaps as a refurbishment of "Plan Ecuador"

Staff encourages the U.S. Department of State to consider advancing in conjunction and partnership with Ecuador an effort through the OAS for the development of a northern border multilateral security assistance program that involves support for the GOE's efforts to gain control of the drug trafficking corridors of the country.

If the information from the "Reyes Computers" is not proven to be credible and verifiable, and assuming affirmative acceptance by Ecuador, this regional initiative in support of a sovereign country would be an effective first collective regional reaction in recognition by Latin America of the danger represented by the FARC to Ecuador's sovereignty, given the difficulty of patrolling and controlling the border. Necessarily this would include regional cooperative engagement for certain aspects of training and equipping Ecuador's counternarcotics forces, and the provision of humanitarian assistance and development components to help Ecuador deal with Colombian refugees and others displaced by conflict in the region.

As well, a regional assistance package should provide assistance to enhance Ecuadorean narcotics interdiction efforts along the border and at ports facilities. Assistance should also be considered for radar systems and should include support for Ecuador's police in the border area, specifically for procurement and training. Funds should also be made available for communications equipment, as well as ammunition and logistical support to enhance the Ecuador military's guarding of the border region.

In addition, an OAS regional plan developed with strong acceptance and input from Ecuador and Colombia that performs the functions associated with Combifrom would be a positive development for the entire region, and would set an example for conflict resolution and the primacy of rule of law across Latin America.

APPENDIX

Appendix I.—Resolution of the March 2008 Meeting of the Organization of American States (OAS)

(SOURCE: ORGANIZATION OF AMERICAN STATES, MARCH 2008)

ANNEX 1—RESOLUTION OF THE OAS PERMANENT COUNCIL

OEA/SER.G
CP/RES.930 (1632/08)
5 MARCH 2008
ORIGINAL: SPANISH

CP/RES. 930 (1632/08)

CONVOCATION OF THE MEETING OF CONSULTATION OF MINISTERS OF FOREIGN AFFAIRS AND APPOINTMENT OF A COMMISSION

(APPROVED AT ITS MEETING OF MARCH 5, 2008)

THE PERMANENT COUNCIL OF THE ORGANIZATION OF AMERICAN STATES, TAKING INTO ACCOUNT:

That the Organization of American States (OAS) is fully competent to take cognizance of deeds and events that jeopardize hemispheric peace and security;

That the purposes of the Organization of American States include respect for the personality, sovereignty, and independence of states and the faithful fulfillment of obligations derived from treaties and other sources of international law;

That Article 15 of the Charter of the Organization of American States establishes that "[t]he right of each State to protect itself and to live its own life does not authorize it to commit unjust acts against another State";

That Article 19 of the Charter prescribes that "No State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other form of interference or attempted threat against the personality of the State or against its political, economic, and cultural elements";

That Article 21 of the Charter emphasizes that "The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever";

That the Charter of the Organization of American States stipulates, in Article 28, that "Every act of aggression by a State against the territorial integrity or the inviolability of the territory or against the sovereignty or political independence of an American State shall be considered an act of aggression against the other American states";

That the Charter of the Organization of American States reaffirms the principle that "Controversies of an international character arising between two or more American States shall be settled by peaceful procedures"; and

That "[t]o strengthen the peace and security of the continent" and "ensure the pacific settlement of disputes that may arise among the Member States" are among the essential purposes of the OAS Charter;

CONSIDERING:

That on the morning of Saturday, March 1, 2008, military forces and police personnel of Colombia entered the territory of Ecuador, in the province of Sucumbϕos, without the express consent of the government of Ecuador to carry out an operation against members of an irregular group of the Revolutionary Armed Forces of Colombia who were clandestinely encamped on the Ecuadorian side of the border;

That that act constitutes a violation of the sovereignty and territorial integrity of Ecuador and of principles of international law;

That that act has triggered a serious crisis between those two countries, leading to the breaking off of relations between the two states and grave tension in the region;

That, pursuant to Article 84 of the Charter, one function of the OAS is to keep vigilance over the maintenance of friendly relations among the member states, using the procedures provided for in that Charter; and

That this case meets the conditions for convocation of a Meeting of Consultation of Ministers of Foreign Affairs, in light of Articles 61 ff of the OAS Charter,

RESOLVES:

1. To reaffirm the principle that the territory of a state is inviolable and may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatsoever.

2. To constitute a commission, headed by the Secretary General and composed of four ambassadors designated by him, to visit both countries, traveling to the places that the parties indicate, to submit the corresponding report to the Meeting of Consultation of Ministers of Foreign Affairs, and to propose formulas for bringing the two nations closer together.

3. To convene, under the provisions of Articles 61, 62, and 63 of the Charter of the Organization of American States, a Meeting of Consultation of Ministers of Foreign Affairs, to be held on Monday, March 17, 2008, at OAS headquarters, to examine the facts and make pertinent recommendations.

Appendix II.—Declaration of the Heads of State and Government of the Rio Groupon the Recent Events Between Ecuador and Colombia

(FINAL REVISED VERSION, 4:50 P.M., MARCH 7, 2008)

(SOURCE: ORGANIZATION OF AMERICAN STATES, MARCH 2008)

The Heads of State and Government of the Permanent Mechanism for Consultation and Policy Coordination—Rio Group—meeting on the occasion of the XX Summit Meeting, in Santo Domingo, Dominican Republic, mindful of the situation prevailing between Ecuador and Colombia, have decided to issue the following Declaration:

1. The entire region views as a matter of grave concern the events that occurred on March 1, 2008, when military forces and police personnel of Colombia entered the territory of Ecuador, in the province of Sucumbϕos, without the express consent of the Government of Ecuador, to carry out an operation against members of an irregular group of the Revolutionary Armed Forces of Colombia, who were clandestinely encamped on the Ecuadorian side of the border.

2. We denounce this violation of the territorial integrity of Ecuador, and we therefore reaffirm that the territory of a state is inviolable and may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds.

3. We note, with satisfaction, the full apology that President Alvaro Uribe offered to the Government and people of Colombia, for the violation on March 1, 2008, of the territory and sovereignty of this sister nation by Colombian security forces.

4. We also acknowledge the pledge by President Alvaro Uribe, on behalf of his country, that these events will not be repeated under any circumstances, in compliance with Articles 19 and 21 of the OAS Charter.

5. We note the President Rafael Correa's decision to receive the documentation offered by President Alvaro Uribe and which would have been reached the Government of Colombia after the events of March 1, so as to enable the Ecuadorian judicial officials to investigate possible violations of national law.

6. We also recall the principles, enshrined in international law, of respect for sovereignty, abstention from the threat or use of force, and noninterference in the internal affairs of other states, underscoring that Article 19 of the Charter of the Organization of American States stipulates that "[n]o State or group of States has the right to intervene, directly or indirectly, for any reason whatever, in the internal or external affairs of any other State. The foregoing principle prohibits not only armed force but also any other

form of interference or attempted threat against the personality of the State or against its political, economic, and cultural elements."

7. We reiterate our commitment to peaceful coexistence in the region, based on the fundamental precepts of international law contained in the charters of the United Nations and the Organization of American States, as well as in the essential purposes of the Rio Group, in particular the peaceful settlement of disputes and its commitment to the preservation of peace and the joint search for solutions to conflicts affecting the region.

8. We reiterate our firm commitment to counter threats to the security of all states, arising from the action of irregular groups or criminal organizations, in particular those associated with drug-trafficking activities. Colombia considers these criminal organizations as terrorist.

9. We support the resolution adopted by the Permanent Council of the Organization of American States on March 5, 2008. Likewise, we express our support for the Secretary General as he carries out the responsibilities assigned to him by said resolution, namely, to head a commission that will visit both countries, traveling to the places that the parties indicate, to submit a report on its observations to the Meeting of Consultation of Ministers of Foreign Affairs, and to propose formulas for bringing the two nations closer together.

10. We urge the parties involved to keep respectful channels of communication open and to seek formulas for easing tension.

11. Taking into account the valuable tradition of the Rϕo Group, as a fundamental mechanism for the promotion of understanding and the search for peace in our region, we express our full support for this effort at rapprochement. In that regard, we offer the Governments of Colombia and Ecuador the good offices of the Group to help bring about a satisfactory conclusion, to which end the Group's Troika will pay heed to the results of the Meeting of Consultation of Ministers of Foreign Affairs.

SANTO DOMINGO, DOMINICAN REPUBLIC, *March 7, 2008*

Appendix III.—Report of the OAS Commission That Visited Ecuador and Colombia

(SOURCE: ORGANIZATION OF AMERICAN STATES, MARCH 2008)

OEA/SER.F/II.25
RC.25/DOC. 7/08
16 March 2008
ORIGINAL: SPANISH

TWENTY-FIFTH MEETING OF CONSULTATION
OF MINISTERS OF FOREIGN AFFAIRS

March 17, 2008
Washington, D.C.

REPORT OF THE OAS COMMISSION THAT VISITED ECUADOR AND COLOMBIA

I. ORIGIN AND MANDATE

By a note dated March 2, 2008, the Government of Ecuador requested that a special meeting of the OAS Permanent Council be convened to consider "the incursion into Ecuador of Colombian armed forces to conduct an operation against members of the Revolutionary Armed Forces of Colombia (FARC)."

The OAS Permanent Council held that special meeting on March 4 and 5, 2008. On March 5, it adopted resolution CP/RES. 930 (1632/08), "Convocation of the Meeting of Consultation of Ministers of Foreign Affairs and Appointment of a Commission," in which it resolved:

> "1. To reaffirm the principle that the territory of a state is inviolable and may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatsoever.
>
> "2. To constitute a commission, headed by the Secretary General and composed of four ambassadors designated by him, to visit both countries, traveling to the places that the parties indicate, to submit the corresponding report to the Meeting of Consultation of Ministers of Foreign Affairs, and to propose formulas for bringing the two nations closer together.
>
> "3. To convene, under the provisions of Articles 61, 62, and 63 of the Charter of the Organization of American States, a Meeting of Consultation of Ministers of Foreign Affairs, to be held on Monday, March 17, 2008, at OAS headquarters, to examine the facts and make pertinent recommendations."

[See Annex 1—OAS Permanent Council resolution CP/RES. 930 (1632/08.]

Pursuant to operative paragraph 2 of that resolution, the OAS Secretary General invited the following four permanent representatives to the OAS to serve on the Commission: Ambassador Rodolfo Gil from Argentina, Ambassador Osmar Chohfi from Brazil, Ambassador Aristides Royo from Panama, y Ambassador Maria Zavala from Peru. In addition, the Ambassador from The Bahamas, Cornelius Smith, was part of the Commission in his capacity as Chair of the OAS Permanent Council.

The Commission departed from Washington, D.C., in the early morning of March 9 in a Brazilian Armed Force aircraft that the Government of Brazil had made available for that purpose. The Commission began its work in Ecuador, on March 9 and 10. On March 10 at night it traveled to Colombia. Then, on March 12 in the afternoon, it set out on its return journey to Washington. As established in the Permanent Council resolution, the Commission visited the places and held the meetings proposed to it by each of the governments of the states concerned.

The Commission would like to express its appreciation for the broad cooperation that the officials of both governments extended to it and for all the information provided to enable it to carry out its mandate. Likewise, it thanks the Governments of the Republic of Colombia and the Republic of Ecuador for providing the delegation with hospitality and transportation in each of the countries.

The Commission also wishes to express its appreciation to the Government of Brazil for providing a Brazilian Armed Force aircraft enabling it to travel from Washington, D.C., to the capitals of Colombia and Ecuador and thus carry out the mission entrusted to it. This made it possible for the Commission to travel to both countries in accordance with its established agenda and to return to Washington.

It should be mentioned that during the time period between the adoption of the OAS Permanent Council resolution and the start of the Commission's mission, the XX Summit of the Rio Group was held in the Dominican Republic, on March 7, 2008. At that meeting, the Heads of State discussed tensions in the region extensively. Following that discussion, they adopted a resolution supporting the work entrusted to the Commission by the OAS [See Annex 2—Declaration of the Heads of State and Government of the Rio Group on the recent events between Ecuador and Colombia].

It bears noting that the Secretary-General of the United Nations, Ban Ki-moon, publicly expressed that organization's support for the efforts of the OAS to bring about a rapprochement between Ecuador and Colombia. In that regard, in a press release dated March 6, the United Nations Secretary-General extended his full support for the mediating efforts of the Organization of American States to address the crisis between Colombia and Ecuador and said that the resolution adopted by the OAS Permanent Council on that topic "provides (an) impartial mechanism to clarify events and offers both countries a path to resolve their differences peacefully and cooperatively." [See Annex 3—United Nations Press Release.]

II. VISIT TO ECUADOR

Upon its arrival in the country, as set out in its agenda, the Commission met with the President of the Republic of Ecuador,

Rafael Correa; members of his cabinet; and other senior government officials. [See Annex 4—Agenda in Ecuador]. President Correa expressed his appreciation to the OAS and the Commission for the speed with which the latter had initiated its work. He explained that the incident had been resolved at the Rio Group Summit from a political point of view and that, as a result, tensions between the two governments had started to abate, even though it would be very difficult for him, from a personal point of view, to rebuild trust in his Colombian counterpart. However, he reiterated that it was essential to ascertain the truth about what had occurred with regard to all facets of the Colombian military incursion and to determine whether international humanitarian law had been complied with. In that connection, he emphasized that the Commission's work was important because it would make it possible to verify what had happened on March 1 and, on that basis, to propose mechanisms or measures to avoid its recurrence in the future.

President Correa raised a few specific concerns about the incident: (1) whether the bombing took place during a flyover of Ecuadorian territory; (2) what type of aircraft and technology was used for it; (3) how long the Colombian Air Force incursion into Ecuadorian territory lasted; (4) how the presence of Luis Edgar Devia Silva, alias "Raul Reyes," was detected and why he was put down in Ecuadorian territory; (5) what the condition was of the bodies of the deceased members of the FARC found in the camp; and (6) as some of those who had died had bullet wounds in the back and had been shot at close range, whether the rules of international humanitarian law were obeyed.

With regard to the operations of the Binational Border Commission between the Republic of Ecuador and the Republic of Colombia (COMBIFRON), President Correa expressed his strong desire to see that body reactivated and strengthened so that diverse border security matters could be resolved in that context.[1] Lastly, a video was shown depicting the state of the FARC camp when the Ecuadorian officials and armed force officers arrived. [See Annex 6—List of documents received by the Commission].

After a luncheon hosted by the Minister of Foreign Affairs of Ecuador, Maria Isabel Salvador, the Commission held a working meeting at which the following presentations were made:

- General information on the border area, operations against irregular groups carried out by the Armed Forces of Ecuador, prior incursions by the Colombian Armed Forces into Ecuadorian territory: presentation by the Minister of National Defense, Mr. Wellington Sandoval
- Military technical report on the bombing site giving detailed information on the locations hit by bombs and the type of bombs used: presentation by Air Force pilot Major Santiago Galarza and Air Force Technical Captain Eduardo Narvaez

[1] COMBIFRON was established on November 21, 1996, by the Ministers of National Defense of Ecuador and Colombia. It "coordinates, evaluates, and supervises compliance with military and police-related border security commitments signed by both countries, and proposes mechanisms for helping to solve problems in this area in a timely fashion and to strengthen relations between these institutions." Statute of COMBIFRON.

- Activities conducted by the Departments of Criminology and Forensic Medicine of the Ecuadorian National Police with regard to the incident in the province of Sucumbios-Angostura sector: presentation by Lieutenant Colonel Milton Zarate of the National Police's Criminology Department
- Legal analysis of the consequences of the Colombian incursion into Ecuadorian territory: presentation by Minister of Foreign Affairs, Trade, and Integration (acting)—Jose Valencia

Documents, which may be found in the annexes, were presented on all of these topics. [See Annex 6—List of documents received by the Commission].

The Commission visited the Military Hospital where the three injured women-two of them Colombian and the other Mexican-who had survived the attack on the camp were hospitalized, and questioned two of them. The young Mexican woman, Lucia Andrea Morett, was still in a state of shock and her version was very confused. The Colombian, Marta, relived with great clarity the explosions that awakened her in the middle of the night, the moment at which she realized she was injured, the noise and the moaning that she heard over a period of several hours, the arrival of the helicopters and soldiers, her encounter with them when they asked her about Reyes, the shooting and screaming, and the announcements that Reyes had been found. Later she heard that they had found a computer. The soldiers came to her assistance. First they told her that they would take her away and they put her on a stretcher, and later she felt that they had gone away. Then she waited for several hours, with the Mexican woman close by, until the Ecuadorian personnel arrived.

At the end of the day on March 9, the Commission also met with Ecuadorian civil society representatives, with the participation of the Minister for Policy Coordination, Ricardo Patino.

On March 10, the Commission took an Ecuadorian Air Force (FAE) aircraft to go to Lago Agrio (Nueva Loja) in the province of Sucumbios. From there it traveled by helicopter to the scene of the events located in the Angostura sector, 1,800 meters from the Colombian border. The Commission members went through the camp with Ecuadorian officials, who showed them the craters produced by the impact of the bombs dropped by Colombian aircraft, the trees with bullet marks, the locations of the Direct TV antennas, the different areas used by the FARC members (kitchen, sleeping areas, a schoolroom, power generators, a mess area, a corral, and dug-out pools for bathing), and the area where the bodies and injured victims were found. The camp is located in a remote forest zone, with very tall trees, dense vegetation, and no inhabited areas in the vicinity. According to the Minister of Defense of Ecuador, Wellington Sandoval, the camp was two to three months old. It accommodated some 20 to 30 people and received people who came from outside. AK-47 and M-16 rifles and one machine gun were found there.

Before leaving the country, the Secretary General and some Commission members held a meeting with the Ecuadorian chapter of the Colombia-Ecuador Dialogue Group, sponsored by the Carter Center with support from UNDP.

The Commission also held a press conference for national and international media to inform them of the activities carried out during its stay in the country. That very night, the Commission traveled to Bogota.

III. VISIT TO COLOMBIA

On March 11, the Commission, in keeping with its agreed agenda [See Annex 5—Agenda in Colombia] held a working meeting with officials from the Ministry of Defense and the Colombian Armed Forces in the Military Transport Air Command (CATAM). At that meeting, presentations were made on the location of radars, communications between Colombia and Ecuador at the foreign ministry level and COMBIFRON, and the description of Operation Phoenix (Operacion Fenix), which are contained in this document, and other information, which may be found in the respective annex. [See Annex 6—List of documents received by the Commission].

Following the presentations, the Commission departed for Puerto Asis in the Department of Putumayo in a Colombian Air Force aircraft. There the Commission held a brief meeting with the Government of the Department of Putumayo, with three demobilized FARC members and a local Teteye leader. Later on, the Commission conducted flew by helicopter over the border zone with Ecuador. During the flight, the Colombian officials indicated the location in Colombian territory from which, according to Colombian officials, the bombing had taken place. Later the aircraft landed in an area where illicit coca crops are eradicated by hand.

The Commission then went to Puerto Ospina, located on the Colombian bank of the Putumayo River, the natural border between the two countries, where it held a working meeting on board the river patrol boat ARC "Pastrana" with the Colombian Government delegation and some of that vessel's officers, who reported on the border river patrol's activities. Upon its return to the Department of Putumayo, it met with the Minister of Foreign Affairs of the Republic of Colombia, Fernando Araujo.

On March 12, the Commission had a working breakfast with the President of the Republic of Colombia, Alvaro Uribe Velez, which was attended by cabinet members and military officers. President Alvaro Uribe thanked the Commission for its presence and drew attention to the support the OAS extends to the peace process in Colombia through the MAPP. He recalled that the Colombian Constitution assigned two main responsibilities to the President of the Republic: (1) the conduct of international relations; and (2) leadership of the Armed Forces of Colombia in order to guarantee citizen security. He pointed out that respect for territorial sovereignty must be tied to respect for citizen security. He expressed the need to move beyond political agreements that are necessary to ease tension between the two countries, by identifying concrete mechanisms that ensure that existing bilateral and cooperation agreements are complied with.

Following the meeting with President Uribe, the OAS Secretary General and some Commission members held a brief meeting with members of INTERPOL who had come to Colombia at the request of that country's government to conduct an expert examination of three computers, three USBs (portable memory), and three hard

disks, which, according to the Colombian officials, had been found in the FARC camp. The INTERPOL delegates, accompanied by officials from the Administrative Security Department (DAS), informed the Commission that the results of their investigation would be ready in late April.

The Secretary General and some Commission members met with the Colombian chapter of the Colombia-Ecuador Dialogue Group, sponsored by the Carter Center with support from UNDP. Lastly, the Commission held a press conference for national and international media to inform them of the activities it carried out during its stay in the country. That same afternoon, the Commission began its return journey to Washington.

IV. VERSIONS OF THE FACTS

At 00:25 hours on Saturday, March 1, 2008, Colombian planes bombed a FARC camp located at Angostura, in the province of Sucumbios, on Ecuadorian territory, 1,800 meters from the frontier with Colombia, which borders on the Department of Putumayo.

The Government of Colombia indicates that the operation was initially planned to take place in Colombian territory because, according to intelligence information, Raul Reyes was going to be at that camp that night. At 22:30 hours on Friday, February 29, they received human intelligence information to the effect that Raul Reyes was at a camp located in Ecuadorian territory. For that reason they decided to carry out a dual operation on both of the identified camps. The two operations were carried out using different planes. During its flight over the area, the Commission was shown the location of the camp on Colombian territory and a map showing where the bombs were released [See Annex 6—List of documents received by the Commission].

The Government of Ecuador expresses doubts about the—in its view—very short period of time in which the Colombian authorities decided to carry out the operation and regards it as unlikely that it was done on the basis of human intelligence data because of the precision of the bombing. The Government of Ecuador also states that, according to the investigation carried out by its Air Force technical staff, six 500-pound GBU12 bombs were dropped by planes flying from South to North and four more were dropped by planes flying in a North-South direction, from Ecuadorian air space. It also points out that, judging by the remains of the bombs found at the camp, their delivery required advanced technology, which, they say, the Colombian Air Force does not possess.

For its part, the Colombian Government maintains that 10 bombs were dropped, which it classified as conventional. It also specifies that they were delivered from Colombian air space by five Super Tuscan aircraft and three A37 airplanes. The A37s dropped GPS-guided bombs, while the five Super Tuscan aircraft had sufficient technological capacity to drop bombs on targets with a 5-meter margin of error. The Government of Colombia adds that, technically, it is possible to verify the flight and delivery of the bombs in the information stored in radars located in Colombian territory and in the aircraft computers. When the Air Force operation was over, Colombian military and police flew into Ecuadorian territory in helicopters in order to recover the body of "Raul Reyes,"

which was the objective of what was called Operation Phoenix. According to what the Government of Colombia went on to say, when they were landing on Ecuadorian territory, the Colombian military clashed with some members of the FARC who had not been killed by the bombs. Having identified the body of "Raul Reyes," they proceeded to take it to Colombian territory together with the body of a person who, it was presumed, could be Guillermo Enrique Torres, alias "Julian Conrado," an assumption that was subsequently discarded. They also transferred the body of one Colombian soldier killed in the operation. Hours later, the Colombian military together with personnel from the Public Prosecutor's Office examined the material found in the camp and the state of the people found there.

According to information provided by the military authorities in Ecuador on March 1 at 06:15., the Colombian military authorities informed them that, on that same day, at 00:30 there had been a clash between the Colombian Armed Forces and a Colombian irregular armed group in its territory. Along those lines, President Correa said that he had received President Uribe's first call informing him that this clash had taken place and that it had begun in Colombian territory and had been continued in Ecuadorian territory, in a what was called a "hot" pursuit, resulting in the deaths of 17 irregular forces, the wounding or capture of 11, and the death of one Colombian soldier. The Commander of the Fourth "Amazonas" Jungle Division, having received the information from the Colombian side, ordered Jungle Brigade No. 19 Napo to go to that location. Because the initially provided coordinates were incorrect, that Brigade took longer than expected to arrive, which it did, finally, at 13:00 hours on that day. That was when the first Ecuadorian military contingent arrived. It was followed at 17:40 hours by the Ecuadorian Public Prosecutor from Lago Agrio, who on March 3 and 4, ascertained the existence of 22 bodies, some wearing only underwear, three wounded women, and a number of rifles. If the two bodies found by the Colombian Army were added in, the total would be 24 victims. Added to this is the body buried near the camp found on March 7 in a state of decomposition, which, according to the forensic information available, has most likely been a victim of the bombing a few days earlier. [See Annex 6—List of documents received by the Commission].

The preliminary study by the National Police of Ecuador found that there were three sets of causes of death:

1. From the blast of the explosions.
2. Mixed cause of death due to the blast and to penetration (with entry and exit orifices) of bullets shot from firearms.
3. Penetration (with entry and exit orifices) of bullets shot from firearms.

The different communications exchanged by both parties between their government and their military officers on these facts are to be found in the documents delivered to the Commission and in the press releases issued by the two countries.

[See Annex 6—List of documents received by the Commission].

V. INVIOLABILITY OF THE TERRITORY

The Ecuadorian Government has asserted that Colombian troops entered Ecuadorian territory without its authorization. The Colombian Government acknowledges that fact.

This incursion of military forces of one State into the territory of another, without authorization, violates the principle established in Article 21 of the OAS Charter. Article 21 states:

> The territory of a State is inviolable; it may not be the object, even temporarily, of military occupation or of other measures of force taken by another State, directly or indirectly, on any grounds whatever. No territorial acquisitions or special advantages obtained either by force or by other means of coercion shall be recognized.

This principle is one of the cornerstones of the international legal order and, in particular, the inter-American legal system, and a principle that from has always been indisputably linked to the principle of peaceful settlement of controversies between States and cooperation to safeguard peace, security, and development.

Already in 1888, when the Secretary of State of the United States of America, invoking the authorization granted by the Senate, issued invitations to the First International Conference of American States, held in Washington, D.C. from 1889 to 1890, which later gave rise to the Pan American Union, the origin of the OAS, he said that one of the purposes of that Conference was to consider:

> First. Measures that shall tend to preserve the peace and promote the prosperity of the several American States.
>
> Seventh. An agreement upon and recommendation for adoption to their respective Governments of a definite plan of arbitration of all questions, disputes, and differences that may now or hereafter exist between them, to the end that all difficulties and disputes between such Nations may be peaceably settled and wars prevented.

Thus, on April 18, 1890, the Conference adopted a resolution on the "Right of Conquest" condemning wars of conquest and affirming that the insecurity of national territory would lead fatally to the ruinous system of armed peace.

From then on, the principles of territorial inviolability and peaceful settlement of disputes among American States have been the cementing factors that have enabled States in the Americas to preserve peace in their relations with one another like no other region in the world.

To cite only one example prior to the OAS Charter, one can mention the "Convention on Rights and Duties of States," adopted at the Seventh International Conference of American States (Montevideo, 1933). Among other principles, this Convention establishes that:

> Article 8—No state has the right to intervene in the internal or external affairs of another.
>
> Article 10—The primary interest of states is the conservation of peace. Differences of any nature which arise

between them should be settled by recognized pacific methods.

Article 11—The contracting states definitely establish as the rule of their conduct the precise obligation not to recognize territorial acquisitions or special advantages which have been obtained by force whether this consists in the employment of arms, in threatening diplomatic representations, or in any other effective coercive measure. The territory of a state is inviolable and may not be the object of military occupation nor of other measures of force imposed by another state directly or indirectly or for any motive whatever even temporarily.

These principles were reaffirmed in 1948 when the OAS Charter was drafted. As in Chapter V of the OAS Charter, numerous conventions before and after that Charter referred to the obligation to peaceably resolve differences between States and that has been the path chosen by our States.

There are also numerous agreements reaffirming the importance of cooperation in respecting each State's internal legal order. To take just two recent examples, let us recall:

a. Inter-American Convention against the Illicit Manufacturing of and Trafficking in Firearms, Ammunition, Explosives, and Other Related Materials (1997, especially its Articles III (Sovereignty), XIII (Exchange of Information), XIV (Cooperation), and XV (Exchange of experience and training), XVI (Technical Assistance), and XVII (Mutual Legal Assistance).

b. Inter-American Convention against Terrorism (2002), especially its Articles 7 (Cooperation on Border Controls), 8 (Cooperation among Law Enforcement Authorities), and 9 (Mutual Legal Assistance).

Finally, it is worth pointing out that Article 2.c. of the OAS Charter proclaims as one of the Organization's essential purposes "[t]o prevent possible causes of difficulties and to ensure the pacific settlement of disputes that may arise among the Member States."

As for universal instruments, the Charter of the United Nations cites among the principles governing its member states that of sovereign equality among them and the need to settle their disputes by peaceful means, as well as to refrain from the threat or use of force against the territorial integrity of any state. These principles were then developed in the "Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations" (Resolution 2625 of the United Nations General Assembly in 1970), particularly in reference to the principle of the sovereign equality of states, pointing out that "the territorial integrity and political independence of the State are inviolable."

The United Nations Convention against Transnational Organized Crime (Palermo Convention) establishes, in its Article 4, that:

1. States Parties shall carry out their obligations under this Convention in a manner consistent with the principles of sovereign equality and territorial integrity of States and

that of non-intervention in the domestic affairs of other States.

2. Nothing in this Convention entitles a State Party to undertake in the territory of another State the exercise of jurisdiction and performance of functions that are reserved exclusively for the authorities of that other State by its domestic law.

VI. CONCLUSIONS

On the morning of Saturday, March 1, 2008, military forces and police personnel of Colombia entered the territory of Ecuador, in the province of Sucumbϕos, without the express consent of the Government of Ecuador to carry out an operation against members of an irregular group of the Revolutionary Armed Forces of Colombia who were clandestinely encamped on the Ecuadorian side of the border.

That act constitutes a violation of the sovereignty and territorial integrity of Ecuador and of principles of international law, as indicated in the Declaration of the Heads of State and Government of the Rio Group on this matter and in resolution CP/RES. 930 (1632/08), "Convocation of the Meeting of Consultation of Ministers of Foreign Affairs and Appointment of a Commission."

At the XX Summit of the Rio Group, President Alvaro Uribe pledged, on behalf of his country, that these events would not be repeated in the future under any circumstances, in compliance with Articles 19 and 21 of the OAS Charter.

Accordingly and taking into account the information that this Commission received from the two governments during its visit, the Commission has reached the following conclusions:

1. The ties of trust between the Governments of Colombia and Ecuador have been seriously damaged.

2. The Ecuadorian and Colombian versions of the manner in which the incursion took place are contradictory.

3. The situation in the border area between Ecuador and Colombia is complex and difficult in terms of geographical aspects, territorial control, communications, and the economic and social situation, among other factors.

VII. RECOMMENDATIONS

Operative paragraph 2 of resolution CP/RES. 930 established that the Commission headed by the OAS Secretary General should visit both countries, traveling to the places that the parties indicate, submit the corresponding report to the Meeting of Consultation of Ministers of Foreign Affairs, and propose formulas for bringing the two nations closer together.

Accordingly, chapters II and III of this report provide a detailed report on those visits. On the basis of the aforementioned conclusions, the Commission suggests or proposes the following recommendations:

1. The restoration of diplomatic relations between Colombia and Ecuador and reactivation of existing political consultation mechanisms.

2. The formation of an OAS mission for follow-up on and verification of commitments assumed and agreements reached by the two countries for cooperation on border issues and other matters of common interest.

3. The strengthening of border mechanisms for dialogue and cooperation, and study of a possible bilateral early-warning system.

4. The development, with the support of international organizations and entities like the IDB, the CAF (ADC), and the UNDP, among others, of border area cooperation and integration programs, including environmental projects.

5. The provision of incentives to dialogue among civil society organizations in the two countries.

6. The strengthening of relations among business organizations of the two countries, to identify ways to increase bilateral trade, including border-area trade.

In this context, the Commission deems it especially important to develop confidence-building measures between the two countries by means of periodic consultations and meetings among officials responsible for border control and security.

ANNEXES

Annex 1.—OAS Permanent Council resolution

Annex 2.—Declaration of the Heads of State and Government of the Rio Group on the recent events between Ecuador and Colombia

Annex 3.—Press Release by the United Nations Secretary-General

Annex 4.—Agenda in Ecuador

Annex 5.—Agenda in Colombia

Annex 6.—List of documents provided to the OAS Commission by the officials of both countries solely for the preparation of this report

Appendix IV.—Plan Ecuador

Plan Ecuador

Towards Human Security, Sovereignty, Peace and Sustainable Development in the Border Region

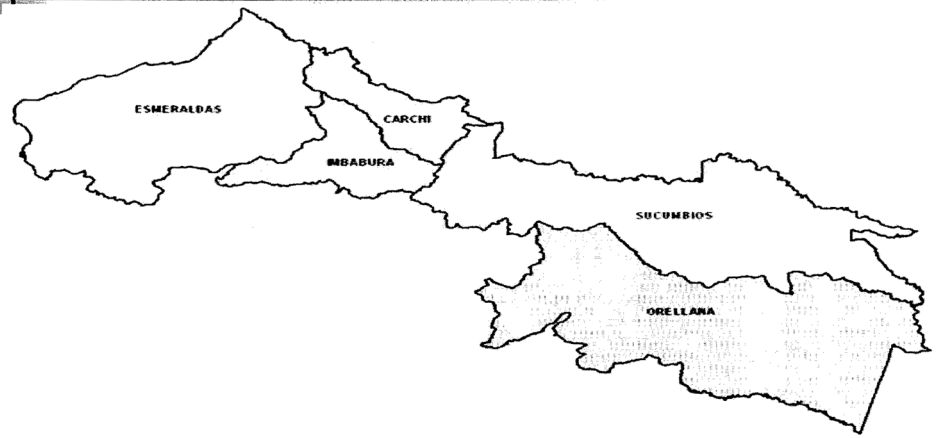
- Plan Ecuador is a State policy of the Government of the Citizen Revolution of the Republic of Ecuador that promotes, with emphasis and effectiveness, human security, sovereignty, peace, and sustainable development in the Northern border.
- Human security is conceived as the result of the full force of the principle of the inalienable sovereignty of the Ecuadorian territory, of its citizens, forgers of peace, of peaceful coexistence among Colombian and Ecuadorian brothers, and the sustainable development of the citizens that live in all the corners of the northern border area.

Lines of action

- Plan Ecuador has three lines of action:
  - Consolidating security and a culture of peace focused on human beings, the satisfaction of their needs and the empowerment of their capacities and freedoms.
  - Maintaining an equitable and solidary policy in our international relations.
  - Affirming a defense policy based on the protection of the population, the natural resources, and the national heritage of Ecuador, as well as on the effective control of its territory.

Plan Ecuador

Area of Impact



Ministry of Coordination of Internal
and External Security

Plan Ecuador

Target Population

- **Provinces**: Esmeraldas, Carchi, Imbabura, Sucumbíos and Orellana
  - Cantons: 31
- **Population**: 1,097,697 inhabitants
  - 44% live in urban areas
  - 56% live in rural areas
  - 9% of the total population of the country
- 60% live with less than two dollars per day

Plan Ecuador

Scope of Action

- Peace, security and governance in the northern border
- Improving economic conditions and licit productive alternatives
- Justice, human rights and humanitarian assistance
- Improving basic services

Ministry of Coordination of Internal and External Security

Peace, security and governance

- insecurity inThe increased production of drugs and the armed conflict in Colombia have created high vulnerability in the northern border of Ecuador.
- Increased the border region is directly linked to four decades of domestic violence affecting Colombia, in the following areas:
  - Groups and organizations dedicated to illegal or illicit activities.
  - Constant increase in the number of displaced persons (more than 300,000) from Colombia with ensuing humanitarian problems.
  - New forms of violence and crime, growth of poverty in border areas.
  - Harmful impacts on health, agricultural production and environment, as a result of aerial sprayings made by Colombian State.
- **Response Plan:**

  To generate, strengthen and empower the State and local governments in development management and supportive and proud coexistence in the provinces of the northern border.

Ministry of Coordination of Internal
and External Security

Improving economic conditions and licit productive alternatives

- Border with Colombia must be safe and dynamic.
- Circulation of people, goods and services must be legitimate, safe and unhindered, to contribute to revitalize the social and economic life of the region.
- Constant threat of involvement in illicit economic activities along the border.
- Three issues threaten environmental sustainability in the area: 1) Expansion of African palm plantations; 2) Indiscriminate wood exploitation; and 3) impacts caused by oil extraction.
- **Response Plan:**

  To pay special attention to licit economic production activities that generate income opportunities and agricultural incentives in the area.

Plan Ecuador

Justice, human rights and humanitarian assistance

- Border area is highly sensitive due to its proximity to coca, cannabis and poppy processing centers. Expansion of crops and increased smuggling of precursors spills domestic violence over into our territory and affects Ecuadorian society.
- Criminal justice system in the area is very weak, it has no credibility and operates in precarious conditions where the insecurity of justice operators is rampant. Social rehabilitation system also fails to play its essential role.
- Situation of violence in border area has been growing at an alarming pace, according to official information furnished by several human rights organizations.
- Violations of the right to live and to the security and integrity of all persons, as well as of the rule of law have been verified, especially related to the administration of justice.
- **Response Plan:**

  Ensuring universal access to efficient justice system, strict respect of human rights and compliance with international humanitarian assistance agreements.

Ministry of Coordination of Internal
and External Security

Improving Basic Services

- Region has huge deficits in provision of basic social services.
- Deficient services are most often linked to elimination of feces, piped water, drainage systems, protection of water sources, and solid and liquid waste management.
- Health care indicators, both for hospitalization and ambulatory care, are lower than national and regional ones.
- In education, the entire region has a schooling average (5.8 years) lower than the national average, which is 7.3 years.
- **Response Plan:**

  Improving and broadening coverage and quality of basic services, especially related to health, education and safe water.

Interventions

- Public Sector
  - Plan to Develop Road System in Northern Border - $144.4 MM
    - Petroecuador-Block 15 and Private Road Building Fund - $75MM
    - Ministry of Public Works and Transportation - $69.4MM
  - Electricity - $3MM
    - Increasing capacity to transfer power to Orellana and Sucumbíos from 20-22 MW.
    - 604 domestic photovoltaic solar systems in communities
    - Installation of 91 points of generation of alternative electricity and implementation of Internet access in rural locations
    - Micro Hydroelectric Power Plant Program
  - Environment - $10MM
    - Program for Decentralized Management of Natural Resources in Northern Border
    - Delimitation of Cuyabeno National Park
  - Housing and Urban Development - $18MM
    - Housing Program
    - Territorial Reorganization Program
    - Water and Sanitation Program

Plan Ecuador

Interventions

- Public Sector
  - Education
    - Improving access to education by boy, girl and adolescent refugees in Northern Border
    - Millennium Schools Program
    - Project to Universalize Basic Education
  - Comprehensive Territorial Intervention Programs
    - San Lorenzo, Dayuma and Tululbí
  - Supporting territorial competitiveness
    - Mixed Fund for the Promotion of Sub-national Competitiveness (CNPC)
    - Program for the development of competitive territories
  - Community Development Programs: $12.5MM
    - Petroecuador's Community Development Fund
  - Continuation of projects started by UDENOR - $0.5MM

Interventions

- International Cooperation - $45.3MM
  - Comprehensive Municipal Development Program (AID) - $8.6MM
  - Local Business Development Program (AID) - $4.6MM
  - Rural Development Program for Northern Border Region (CTB) - $14MM
  - Comprehensive Health Program (CTB-proposal) - $14MM
  - AMAZNOR Program - $3.6MM
  - Bi-national Solid Waste Management Program - $0.5MM

Interventions

- UN System - $26.7MM
  - Conflict Prevention Program - $6.5MM
  - Development and Cultural Diversity Program - $5.5MM
  - Governance Program in Water and Sanitation Sector - $7MM
  - Productive Chains Program - $5MM
  - Program for the Protection of Vulnerable Population Affected by Colombian Conflict in Northern Border -$2MM
  - HIV Prevention Program for Northern Border - $0.2MM
  - Program for the Articulation of Territorial Networks - $0.5MM
  - Peace and Conflict Analysis

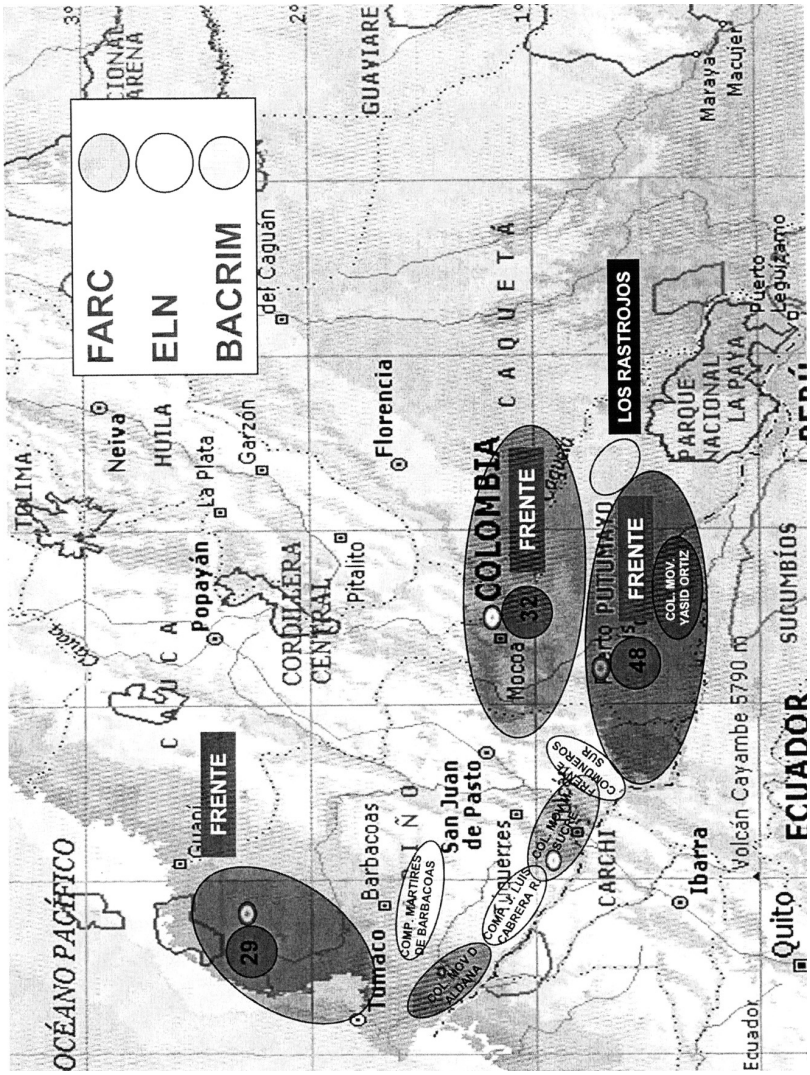
Plan Ecuador

A Dignified and Sovereign Response

Plan Ecuador is the alternative of Peace and Development to the UNDESIRABLE effects of Plan Colombia on our border, on our sovereignty, and on the dynamic solidarity and brotherhood of the Ecuadorian people.

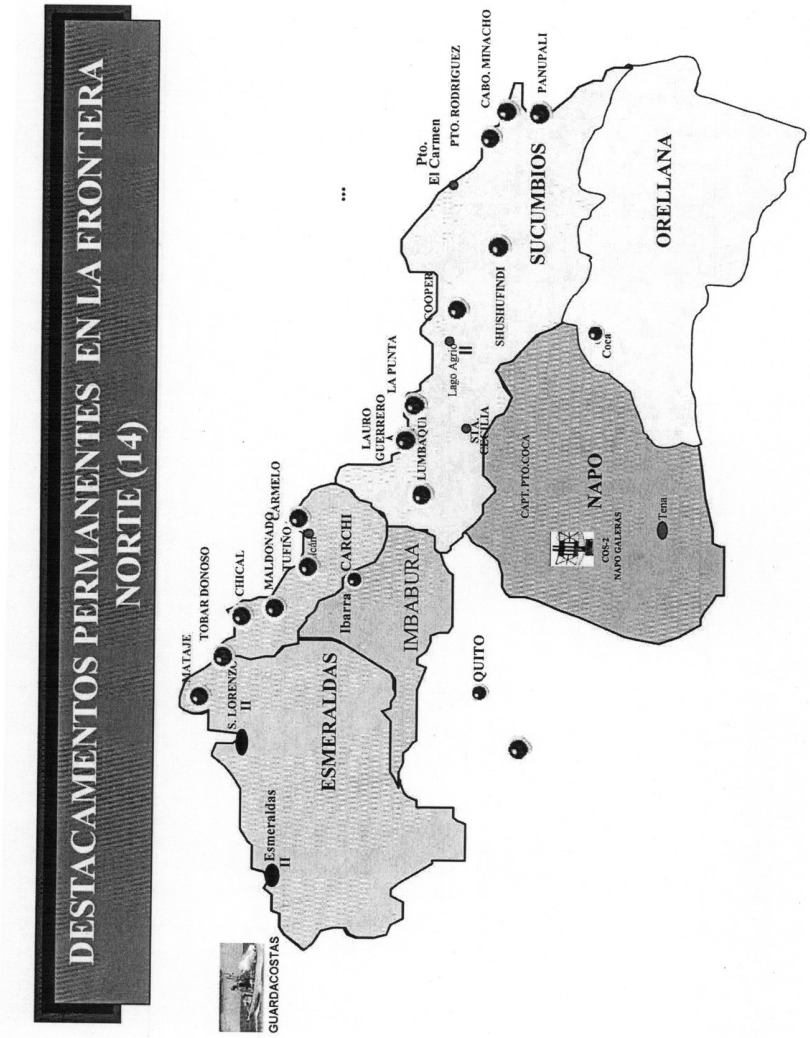
Ministry of Coordination of Internal
and External Security

Appendix V.—FARC's Presence on the Ecuadorean and Colombian Border



Source: Ecuadorean Ministry of Defense, March 2008.

Appendix VI.—Permanent Ecuadorean Military Presence on the Ecuadorean and Colombian Border



Source: Ecuadorean Ministry of Defense, March 2008.

Appendix VII.—Discussions With Individuals in Ecuador and Colombia

ECUADOR

Ecuadorean Government Officials

Under Secretary for Bilateral Affairs, *Diego Stacy,*
Director General for North America, *Santiago Chavez,* Ministry of Foreign Affairs
Minister of Government and Police, *Fernando Bustamante*
Under Secretary General, *Juan Sebastian Roldan*
Chief of Staff, *David Vaca* for Minister Bustamante
Under Secretary General of Defense, *Miguel Carvajal*
Under Secretary of National Defense, *Jorge Pena*

Ecuadorean Opinion Leaders

Berta Garcia, Catholic University, Military Analyst
Cesar Montufar, Simon Bolivar Andina University, Political Analyst
Franklin Barriga Lopez, Academic Director of Ecuadorian Institute of Studies of International Relations, Journalist

United States Department of State, U.S. Embassy Quito, Ecuador

Linda Jewell, U.S. Ambassador to Ecuador (DAS, POL, RA, MLGP, DATT)

COLOMBIA

Colombian Government Officials

Vice Minister of Defense, *Juan Carlos Pinzon*
Brigadier General, Rafael Parra, Deputy Director, Colombian National Police
Brigadier General, Alvaro Caro, Director Counternarcotics, Colombian National Police
Minister of Trade, *Luis Guillermo Plata*

United States Department of State, U.S. Embassy Bogota, Colombia

William Brownfield, U.S. Ambassador to Colombia (DAS, POL, NAS, ECON, MLGRP, ORA, RSO)

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