

ECUADOR

BUREAU OF INTERNATIONAL NARCOTICS AND LAW ENFORCEMENT AFFAIRS

2016 International Narcotics Control Strategy Report (INCSR)

Report

A. Introduction

Situated between two of the world's largest cocaine producing countries, Ecuador is a major transit country for illegal narcotics. Cocaine and heroin from Colombia and Peru are trafficked through porous land borders and via maritime routes for distribution to the United States and Europe. While not a major drug producing country, Ecuador is a major transit country for chemical precursors to process illegal narcotics and is also vulnerable to transnational organized crime due to weak public institutions, permeable borders, and corruption. Ecuador's police, military, and judiciary lack sufficient resources to confront the transnational criminal challenges they face. Elements of the Ecuadorian government remain committed to reducing the supply of drugs, although the country's top leadership places more importance on demand reduction and addressing the public health aspect of the issue. Domestic drug consumption is rising and public treatment facilities are insufficient to treat Ecuador's population suffering from substance use disorders, a problem that will likely be compounded by Ecuador's 2014 decriminalization of personal possession and consumption of most narcotics, hallucinogens, and stimulants.

B. Drug Control Accomplishments, Policies, and Trends**1. Institutional Development**

The Ecuadorian government is cognizant of the detrimental effects of narcotics trafficking and transnational organized crime throughout the country. During 2015, Ecuadorian authorities arrested 8,386 individuals for trafficking-related crimes, compared to 4,116 during all of 2014. In 2015, the United States provided only modest logistical and operational support to Ecuadorian counternarcotics operations. The U.S. Department of State's International Narcotics and Law Enforcement Affairs (INL) and U.S. Agency for International Development ceased operations in Ecuador in September 2014.

Ecuador's 2008 Constitution categorizes drug abuse as a public health problem and mandates that the government develop prevention programs and provide treatment and rehabilitation options to persons with substance use disorders. In December 2013, the National Assembly passed a new criminal code (COIP), which went into effect in August 2014. While the new code increased penalties for most crimes, it decriminalized personal use possession and consumption of relatively small amounts of narcotics.

The COIP created a tiered approach to drug trafficking and possession with larger amounts carrying longer prison sentences. After the original legislation proved ineffective at combatting drug trafficking, the National Council for the Control of Narcotic Drugs and Psychotropic Substances (CONSEP) released a new table for drug penalties in September of 2015; this table drastically reduces the minimum amount of narcotics required to trigger each tier of punishment. Ecuador's Ministry of Interior has invested in developing technological capacities to target narcotics traffickers, including a special crime laboratory in Quito completed in 2014. The laboratory provides police with tools to catalog and search fingerprint records and conduct DNA tests and toxicology screening. A second laboratory opened in Guayaquil in October 2015.

The Government of Ecuador has bilateral counternarcotics agreements with many countries in the region, including the United States. The United States and Ecuador have agreements on measures to prevent the diversion of chemical substances, on the sharing of information for currency transactions over \$10,000, migrant smuggling and human trafficking, and a customs mutual assistance agreement. The U.S. Coast Guard (USCG) and Ecuadorian maritime authorities also exercise Maritime Operational Procedures that coordinate the boarding of vessels claiming Ecuadorian nationality in international waters. The Ecuadorian government unilaterally suspended this agreement for six months in 2014 before reactivating it in August of the same year. Between August 2014 and December 31, 2015, use of the reactivated Operational Procedures resulted in some of the most successful counternarcotic boarding operations carried out by the USCG around the world, including the boarding of 87 suspected trafficking vessels and the seizure of 28 metric tons (MT) of cocaine.

The United States and Ecuador are parties to an extradition treaty that entered into force in 1873 and a supplementary treaty that entered into force in 1941. However, Ecuador's constitution prohibits the extradition of Ecuadorian citizens, and the United States and Ecuador do not have a significant extradition relationship. The United States and Ecuador do not have a mutual legal assistance treaty, but occasionally cooperate under the Inter-American Convention on Mutual Assistance in Criminal Matters.

2. Supply Reduction

Ecuador remains a major transit country for cocaine shipments via air, land, and maritime routes, and heroin shipments via air and mail. Drug traffickers use various methods to move shipments, including containerized cargo ships, small fishing boats, self-propelled semi-submersible and fully-submersible submarines, "go-fast" boats, aircraft, human couriers, and mail. Transnational criminal organizations including Los Zetas, the Sinaloa and Gulf cartels, and the Revolutionary Armed Forces of Colombia (FARC), are operating in Ecuador. Mexican cartels increasingly use private aircraft and clandestine runways to transport money into Ecuador and cocaine to Mexico and Central America.

In 2015, most of Ecuador's counternarcotics activities focused on combatting the public health issue of drug dependence. In March, the Ministry of Interior created a plan to address this issue by establishing "micro-trafficking" units that target street level traffickers. Drug availability continues to increase. Ecuador made noteworthy improvements in surveillance capabilities along its northern border. Video

monitoring is used in strategic smuggling chokepoints in Esmeraldas, Lago Agrio, Ibarra, and Tulcan.

Official police statistics indicate cocaine seizures increased in 2015 from 2014. Ecuadorian officials seized 59 MT in 2015 (including base cocaine), exceeding the 50 MT seized during 2014. Police also seized 159 kilograms (kg) of heroin compared with 195.3 kg in 2014, and 13 MT of marijuana compared with 1.53 MT in 2014. Of note, Ecuador's seizure reports include seizures in foreign locations from vessels that departed Ecuadorian ports. In 2015, this accounted for 2.2 MT of the cocaine reported seized.

Maritime seizures increased significantly in 2015, despite the Ecuadorian Navy's lack of resources. Ecuadorian maritime counter-narcotics operations in 2015 included at least three successful independent take-downs, including an operation in February in which Ecuadorian Coast Guard and Navy assets interdicted the fishing vessel JACK MAR near the Galapagos Islands seizing 2.3 MT of cocaine and detaining nine suspects.

Drug traffickers continue to use containerized cargo and shipping containers to smuggle drugs out of Ecuador, often concealing drugs in licit cargo. The Port of Guayaquil is a major South American transshipment hub for cocaine concealed in containerized cargo to Europe. Despite the fact that the port authority, Contecon, employs relatively robust security measures at its facility, only 20 percent of containerized exports are inspected. Meanwhile, traffickers continue to smuggle liquid chemicals (including ether) from Ecuador to Colombia and Peru for cocaine processing.

The 2015 UN Office on Drugs and Crime (UNODC) World Drug Report reported no significant coca cultivation in Ecuador. Ecuadorian authorities have detected small scale coca and poppy cultivation along the northern border. The police or military immediately eradicate coca or poppy plants when discovered, although nearly all poppy plants are wild and not cultivated for heroin production. In 2015, the government eradicated 30,152 poppy plants, 45,266 coca plants, and 31 marijuana plants.

Synthetic drug production and consumption is not a major issue of concern for Ecuadorian authorities. In April 2015, a group was arrested in Colombia for trafficking synthetic drugs to several countries in South America, including Ecuador. Ecuador reported to UNODC that some new psychoactive substances (NPS) were detected within the country, but information on the synthetic drug situation within Ecuador remains mostly anecdotal.

3. Public Information, Prevention, and Treatment

Ecuador has a mounting domestic drug abuse problem. UNODC carries out demand reduction and drug prevention programs in Ecuador with funding from the United States and other international donors. According to UNODC data, the average age of first-time drug users in Quito and Guayaquil rose from 13.7 years in 2010 to 14.3 in 2014. All drug offenders are entitled to drug treatment under the Ecuadorian Constitution, but resources and treatment facilities remain inadequate. As of December 2013, there were 15 publicly-funded outpatient drug treatment facilities and no public inpatient drug treatment facilities in Ecuador. Other drug treatment options, such as the 198 private facilities that provide drug treatment alternatives, are often cost-prohibitive.

Coordination of abuse prevention programs is the responsibility of CONSEP, the government agency responsible for developing and implementing drug control policies in Ecuador.

4. Corruption

As a matter of policy, the Ecuadorian government does not encourage or facilitate the illicit production or distribution of narcotic or other controlled substances, or the laundering of proceeds from illegal drug transactions. Ecuador's new penal code increased penalties for government officials who impede the prosecution of drug traffickers and strengthens the definition of conspiracy.

Narcotics-related corruption remains a problem within the public security forces. In January 2015, two police officers were killed and others injured in a shootout while trying to prevent off-duty officers from transporting a shipment of marijuana in Esmeraldas. In March, 63 officers were dismissed after failing to pass a polygraph related to the event.

Several government entities are responsible for receiving and investigating corruption complaints, but resource constraints and political pressure generally lead to a lack of prosecution.

C. National Goals, Bilateral Cooperation, and U.S. Policy Initiatives

Before 2014, the primary focus of U.S. government assistance and training was to enhance the capabilities and resources of Ecuador's police, military, and judicial agencies, enabling them to combat transnational criminal organizations involved in narcotics trafficking and money laundering. These coordinated operations resulted in sustained damages to drug trafficking rings, and helped strengthen Ecuador's sovereignty and national security.

The Ecuadorian government's forced closure of the U.S. Embassy's Security Cooperation Office in 2014 reduced United States-Ecuadorian collaboration against illegal drugs. In addition, the cessation of INL and USAID programs in 2014 diminished collaboration on programs aimed at improving economic conditions and reducing the trade in illicit drugs. Despite these setbacks, the United States continues to support Ecuador's security forces in limited ways. Ecuador participates in the annual U.S. Coast Guard-sponsored Multilateral Counterdrug Summit, which enhances bilateral cooperation in combating maritime drug trafficking and improving prosecution of maritime trafficking cases.

In 2015, the United States supported prevention programs in coordination with Ecuador's Ministry of Interior, Ministry of Education, CONSEP, the International Organization for Migration, and other governmental entities that address drug abuse awareness.

Ecuador is making efforts to improve cross border counternarcotics cooperation with Colombia and Peru. Ecuador and Colombia successfully coordinated counter-narcotics operations in 2015. On July 20, Ecuadorian authorities captured Colombian drug trafficker Diego Mauricio M.R. ("El Paisa"), the third most wanted man in Colombia. He was extradited to Colombia later that month. Ecuador increased maritime information sharing with both Colombia and Peru, but more work is needed in intelligence sharing. The United States

will continue to work with Ecuadorian police and security officials to increase their interdiction capacity at sea and in port facilities.

D. Conclusion

The United States supports Ecuador's counternarcotics efforts and strongly encourages Ecuador to place a high priority on the interdiction of illicit drugs and the control of chemical precursors, both on land and at sea.

With a sharp decrease in U.S. financial assistance, Ecuador will need to dedicate additional funds to counternarcotics efforts meet growing challenges. The Correa Administration should make efforts to augment the capacity of the police and military through the acquisition of interdiction equipment and provision of additional training for the police and the military.

While the implementation of Ecuador's 2014 penal code provides new tools to law enforcement personnel to conduct surveillance and operations, the lack of regimented investigative training continues to hinder Ecuador's ability to successfully prosecute transnational crime. The 2015 revisions to the penal code show Ecuador's commitment to combatting and reducing drug trafficking. Ecuador needs to provide sufficient resources to implement these changes in its legal system if it is to increase interdiction, investigation, and prosecution of transnational crime.

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