Tackling Ecuador's Coastal **Crime: A Blueprint for Enduring Change**

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Table of Contents

About the authors	3
Introduction	4
Briefing	5
A 'perfect storm' in the region has sparked an unprecedented rise in organised crime.	5
Domestic poverty, violence and corruption hinder efforts to restore stability.	7
Poor prisons and insufficient coordination deepen a cycle of violence and poverty.	9
Insight	12
A Perfect Storm	12
Entrenched violence, corruption, poverty, and state incapacity hinder the re-establishm	nent
of stability	16
Ecuador's penal and justice system is punitive, crude and counterproductive	19
Insight Conclusion	21
Policy Recommendations	22
Action 1: Strengthen Ecuadorian policing while deploying a nimble counter-ca	artel
approach.	23
Action 2: Cut gang recruitment through substantive programmes which reduce poverty	and
social instability.	25
Action 3: Implement humane, productive and cost-cutting penal sector reform.	29
Conclusion	31

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Introduction

Just over a week into the new year, an unprecedented wave of violence and intimidation across Ecuador has brought a harsh truth to international attention; Ecuador, once a beacon of relative calm in an unstable region, has become South America's most dangerous country. A perfect storm of adverse developments has supercharged drug-trafficking across the border from neighbouring Columbia and through Ecuador's coastal ports, ending up (mostly) in Europe. In turn, this has led to increasingly frequent conflict between criminal gangs over control of lucrative smuggling routes, with bystanders often caught in the crossfire. At the same time, more entrenched domestic problems have undermined efforts to restore stability, and have even furthered the cycle of violence. Indeed, deep poverty has aided gang recruitment, while overcrowded prisons and a profoundly corrupt justice sector do little to set prisoners on the path of rehabilitation or deter high-level criminals. Concerningly, the current Ecuadorian government's securitised response to organised crime promises only short-term improvements - if any - in the absence of broader efforts to tackle the root causes of crime, as well as dysfunction in the public sector.

Consequently, it is clear that Ecuador faces a crisis of historical proportions, which will require an ambitious, long-term strategy to tackle successfully. In this report, we aim to highlight the root causes of violence in Ecuador's coastal, urban regions, underlining that today's crisis has been fueled by events often far beyond Ecuador's immediate borders, which will require concerted international effort to resolve. However, we also stress that, as Ecuador's security crisis has worsened, new developments cannot be understood as divorced from the failings of Ecuador's drug policy and its institutions, which themselves pose a huge challenge to restoring peace. With this in mind, we look to recent evidence of successful interventions under similar conditions to find actionable, humane and long-term answers to Ecuador's current crisis.

Briefing

A 'perfect storm' in the region has sparked an unprecedented rise in organised crime:

Major international developments in the drug trade have led to a surge of violence in Ecuador.

- There has been a significant rise in consumption and demand for drugs, especially cocaine, across Europe in recent years.¹
- The increasing demand for drugs forces producers to replace small planes and vessels with larger ships, which makes lucrative ports of Ecuador a place of battle between cartels.²
- Around 50% of global cocaine production is produced within a six-mile strip of land on the extremely porous 600 km-long Colombia-Ecuador border.³
- Ecuadorian coasts became an integral part of global drug trade, with around 70% of the country's cocaine leaving the country through ports in the coastal city Guayaquil.⁴
- After the implementation of the \$1 trillion US-supported 'Plan Colombia' and the reassertion of the state authority in cocaine-producing Peruan regions, drug producers from these countries moved their operations to Ecuador.⁵

The fragile balance of power between Ecuadorian gangs has fractured significantly, leading to open warfare between rival groups.

- The large influence of major international drug cartels such as Jalisco Nueva Generación and Cartel de Sinaloa in Ecuador, which financially and physically support their local proxies and make them capable of corrupting the officials and fighting for power, further instigates gang violence.⁶
- A power vacuum created by the adoption of a peace deal between Colombian government and the Revolutionary Army Forces (FARC) in 2016 that previously

¹ Reuters, 2023, <u>Cocaine use has risen across Europe, study shows</u>.

² Claire Donnelly, Meghna Chakrabarti, 2024, <u>Inside Ecuador's battle against drug gangs</u>.

³ Ivan Briscoe, Glaeldys Gonzalez, 2023, <u>Ecuador's Descent Into Chaos</u>.

⁴ Yalile Loaiza, 2021, <u>Choneros vs Lobos</u>.

⁵ Christopher Sabatini, 2024, <u>The horrors of Ecuador are not just Ecuador's</u>.

⁶ Claire Donnelly and Meghna Chakrabarti, 2024, <u>Inside Ecuador's battle against drug gangs</u>.

held monopoly on trafficking via Ecuador, and the subsequent lack of 'regional regulator' has instigated a battle for power between Ecuadorian gangs.⁷

 The earthquake in 2016 at the Pacific coast, which was a place where drug activities were concentrated, caused an influx of soldiers to those territories, forcing gangsters to search – and subsequently fight – for new lucrative trafficking points across the whole country.⁸

Economic issues have had a profound impact on Ecuador, facilitating the significant surge of violence.

- At the peak of COVID pandemic, the IMF approved a more than \$600 million bailout for Ecuador.⁹
- Around a quarter of the Ecuadorian population live below national poverty line with just under a tenth of population living in extreme poverty.¹⁰
- Dollarisation of the Ecuadorian economy (in the face of currency crisis) has simplified the procedure of money laundering and made drug dealing a very profitable business without the need to exchange currency.¹¹
- The COVID-19 pandemic has resulted in sharp economic decline, drop in oil prices and increased unemployment, which largely helped gangsters recruit young people.¹²

⁷ Maria Teresa Ronderos, 2024, <u>Ecuador's Chaos May Trace Back To The Demise Of FARC In</u> <u>Colombia</u>.

⁸ Will Freeman, 2023, <u>A Surge in Crime and Violence Has Ecuador Reeling</u>.

⁹ IMF, 2020, <u>IMF Executive Board Approves 27-month US \$6.5 billion Extended Fund Facility for Ecuador</u>.

¹⁰ World Bank, 2022, <u>Poverty and inequality platform</u>.

¹¹ Martine Jaureguy, 2024, <u>Dollarisation, drugs and and armed conflict: What's behind the violence in Ecuador</u>.

¹² Will Freeman, 2023, <u>A Surge in Crime and Violence Has Ecuador Reeling</u>.

Domestic poverty, violence and corruption hinder efforts to restore stability:

"Violent lobbying" fundamentally undermines Ecuadorian governance, particularly efforts to tackle crime.

- Violent lobbying is a phenomenon rather specific to the drug cartels of Latin America (esp. Columbia), in which violence is used to coerce the state into relaxing *de jure* policy on crime usually in response to new crackdown efforts.¹³
- According to the Ecuadorian government, the number of violent deaths nearly doubled between 2022 and 2023.¹⁴
- In 2022 alone, ACLED records at least 36 violent events specifically targeting elected officials, government workers, candidates, and their relatives, compared to seven between 2018 and 2021. Since 2022, these attacks have concentrated in the coastal provinces of Esmeraldas, Guayas, and Manabí.¹⁵
- In border regions, illegal armed groups exert great control over border economies, oftentimes imposing 'taxes' or infiltrating public administration, thereby undermining governance and trust in public institutions.¹⁶

Entrenched poverty and lack of opportunity plays a large part in gang recruitment.

- For the 15 years between 2008 and 2022, youth (15-24) unemployment had been between 7.96% and 11.08%.¹⁷ Particularly impactful determinants of youth employment in Ecuador were gender, ethnicity, and age group.¹⁸
- In 2015, it is estimated that of the economically active Ecuadorian population, between 33% and 44% had informal work.¹⁹ There is a close link between informal work and poverty, which had been strengthened in a study specifically focused on Ecuador.²⁰

¹³ Benjamin Lessing, 2017, <u>Making Peace in Drug Wars</u>, (p. 110-11)

¹⁴ Alexandra Valencia and Oliver Griffin, 2023, <u>What is happening in Ecuador and why is it so</u> <u>dangerous now?</u>

¹⁵ Armed Conflict Location & Event Data Project, 2023, <u>The Killing of Villavicencio: A Symptom of</u> <u>Rising Political Violence Ahead of Ecuador's Snap Elections</u>

¹⁶ Marcela Ceballos Medina & Gerardo Ardila Calderón, 2015, <u>The Colombia–Ecuador Border</u> <u>Region: Between Informal Dynamics and Illegal Practices</u>

¹⁷ World Bank, 2023, Ecuador: Youth unemployment rate from 2004 to 2023

¹⁸ Tulcanaza-Prieto, A.B.; Báez Salazar, P.A.; Aguilar-Rodríguez, I.E., 2023, <u>Ecuador: Youth</u> <u>unemployment rate from 2004 to 2023</u>

¹⁹ Marcela Ceballos Medina & Gerardo Ardila Calderón, 2015, <u>The Colombia–Ecuador Border</u> <u>Region: Between Informal Dynamics and Illegal Practices</u>, (p. 524)

²⁰ Carla Canelas, 2019, Informality and poverty in Ecuador

- In coastal regions of Ecuador, household poverty is more frequent compared to other regions. This can be attributed to dependency on agriculture, fishing, and tourism – mostly seasonal/short-term work.²¹
- Across Ecuador and particularly in the port Guayaquil, gang recruitment of minors had intensified in the last few years, illustrated by a 640% increase in homicides of minors between 2019 and 2023.^{22, 23}

Corruption and lack of capacity in the justice sector impedes action on crime.

- Corruption reduces trafficking risks and grants traffickers impunity from law enforcement. Corrupted officials make borders porous and the smuggling of drugs into a country easier.²⁴
- Should states lack the capacity especially judicial capacity to counter corruption, law enforcement is much more likely to accept bribes, in part due to fearing cartel violence more than state sanctions.²⁵
- Historically, judicial independence has been limited, and Ecuador adopted a hard-line approach that almost guaranteed a guilty verdict for drug-related offences, with harsh sentences even for minor crimes.²⁶
- Due to budgetary concerns, former president Lenin Moreno cut public spending, part of which was the elimination of the justice ministry and the reduction of the prison budget by 30%.²⁷
- The Ministry of Justice, Human Rights and Worship (formed in 2007) had been suppressed and eliminated by 2018 – thus removing much progress made in terms of social rehabilitation.²⁸

²¹ Carla Canelas, 2019, Informality and poverty in Ecuador

²² UNICEF, 2024, Ecuador: Homicide rate among children and adolescents soars 640 per cent in four years - UNICEF

²³ InSight Crime, 2023, <u>Disputes Over Drug Trafficking Routes Drive Child Recruitment in Ecuador</u>

²⁴ Luca Giommoni, R.V. Gundur and Erik Cheekes, 2020. <u>International Drug Trafficking: Past,</u> <u>Present, and Prospective Trends</u>.

²⁵ Benjamin Lessing, 2017. <u>Making Peace in Drug Wars</u>, (p. 69)

²⁶ Sandra G. Edwards, 2010, <u>A short history of Ecuador's drug legislation and the impact on its prison</u> population

²⁷ International Crisis Group, 2022, <u>Ecuador's High Tide of Drug Violence I Crisis Group</u>

²⁸ Castillo Vásquez, D. M., & Montero Montaño, M. D. C., 2023, <u>Eliminación del ministerio de justicia y</u> <u>su incidencia en la crisis penitenciaria del ecuador en los años 2019 a 2022</u>

Poor prisons and insufficient coordination have deepened a cycle of violence and poverty:

Ecuador's prisons are underfunded, overcrowded, and violent, contributing to extremely high rates of recidivism.

- Of 33,000 prisoners in Ecuador, more than 11,000 are estimated to belong to a major criminal gang.²⁹
- In the coastal province of Guayas, there is an average of only one prison guard for every 240 prisoners.³⁰
- As of November 2023, Ecuador's prison system is more than 12% over 'maximum capacity', with the prison population having more than tripled since 2010.³¹
- More than 420 Ecuadorian prisoners have been killed since 2021 in violent clashes involving rival gangs and prison staff.³²

Ecuador's historic response to gang violence, often featuring a highly securitised anti-drug policy, has been largely counterproductive.

- Until recently, Ecuador's wide-ranging anti-drug laws placed drug use or possession into the same criminal category as drug trafficking, with any individual found possessing drugs required to serve a mandatory minimum sentence in prison.³³
- In 2007, around 40 percent of all prisoners in Ecuador were incarcerated on drug charges. At the same point, more than 75 percent of all female prisoners in Ecuador were incarcerated for a drug offence. These prisoners were overwhelmingly 'micro-dealers' or personal users imprisoned on petty charges.³⁴
- The declaration of a 'state of emergency' and 'war' on narco-gangs in January 2024 following the disappearance of a major gang leader from prison has

²⁹ Reuters, 2022, <u>Gang control in Ecuador's prisons leave inmates' families terrified</u>

³⁰ Infobae, 2021, <u>Choneros vs Lobos: Cómo son las dos megabandas con 20.000 presos que están</u> provocando un baño de sangre en las cárceles de Ecuador

³¹ Prison Studies, 2023, Ecuador

³² Al Jazeera, 2023, Ecuador assesses toll of prison violence as 17 guards still held

³³ Sandra G. Edwards, 2010. <u>A short history of Ecuador's drug legislation and the impact on its prison</u> population

³⁴ Washington Office on Latin America (WOLA), <u>Ecuador: Memorandum on the Criminalization of Drug Use</u>

significantly escalated violence across Ecuador, leading to dozens of deaths and several bombings in the last month alone.³⁵

Insufficient international cooperation continues to stall efforts to effectively police Ecuador's borders and tackle the demand-side of drug trafficking.

- A decision to force the close a major US military base on the Colombian border in 2008 has significantly undermined efforts to police drug-smuggling on the frontier.³⁶
- An overwhelming majority of drugs trafficked through Ecuador end up in Europe, with 60% of the cocaine intercepted in Antwerp in 2020 originating from Ecuador.³⁷
- Militant groups, including splinter groups of the Revolutionary Armed Forces of Columbia (FARC), have crossed the border from Columbia following recent peace agreements, bringing further violent criminal operations to Ecuador.³⁸

³⁵ Al Jazeera, 2024, <u>Ten killed as gangs unleash terror as Ecuador declares state of emergency</u>

³⁶ Chatham House, 2024, <u>The Horrors of Ecuador are not Just Ecuador's</u>

³⁷ European External Action Service (EEAS), 2023, <u>Why events in Ecuador matter for the EU</u>

³⁸ Institut de Relations Internationales et Stratégiques, 2024, <u>Ecuador: A Swift Plunge into Criminal</u> <u>Chaos</u>

Insufficient International Cooperation

stall efforts to effectively police Ecuador's borders

Foreign Affairs Insight overview

Overview

This section aims to explain the origins of Ecuador's security crisis, and identify the key challenges which continue to hinder efforts to restore stability.

Firstly, it establishes how recent events have upset the historic balance in Ecuador, splintering the national drug market, undermining state capacity and plunging millions into poverty, ultimately fuelling a monumental rise in violence. Subsequently, this section explores the roots of organised crime, noting a close relationship between poverty, insecurity and gang recruitment, as well as a concerning lack of state capacity in the justice sector. Finally, it considers several fundamental shortcomings of Ecuador's approach to crime, noting that an overly securitised drug strategy and ill-conceived penal policy have deepened a vicious cycle of violence and deprivation, and constitute an indefensible waste of the state's limited resources.

A Perfect Storm.

Ecuador's 'perfect storm' of unfavourable conditions – a phrase that is frequently used to describe the recent Ecuadorian violence issues – generally refers to a set of major factors such as the recent global shifts in drug trade, political events in Latin America and even an unpleasant geographical location considering the recent developments. These factors have incrementally worsened the security situation in Ecuador even though the country, its authorities, and population in general have had little or no control over these factors. This section aims to outline and discuss these issues and set the scene for policy recommendations in the next section.

To begin with, Ecuador's neighbourhood, globally integrated economy and long coastline made it a 'superhighway' and an extremely attractive place for drug traffickers. For instance, there is an abundance of ports in Ecuador, whereas it lies along two major drug trafficking routes, the Amazon and the Pacific.³⁹ Both these routes lead to Europe and the US - the two most wealthy and lucrative cocaine consumer markets, which are, according to various estimations, worth up to \$40 bn annually.⁴⁰ Attractiveness of the European market is steadily increasing, indicated by growing amounts of cocaine being seized in ports annually (which means higher transportation and higher demand), relative openness of the industry as major players have not been established yet, and higher wholesale prices than in the USA.41 Additionally, apart from being located along two global routes, Ecuador shares its border with the two largest regional cocaine producers: Colombia, which alone has been increasing annual cocaine production since 2012 and accounted for 68% of all trafficking into Europe in the last decade, and Peru, with its solid contribution of 19% to the European cocaine market. Not surprisingly, Ecuador's long coastline, abundance of ports and lack of local authoritative drug dealers (as their internal production is miniscule) made it an extremely attractive shipment point for foreign gangs. Colombian producers subsequently started exploiting Ecuadorian transit capacities, initially transporting around 10% of Colombian drugs through Ecuador in 2000⁴² but then increasing this share to over a third in 2018.⁴³

The abovementioned factors would have not created violence unless it has been exacerbated by the recent fundamental political changes in Colombia. In 2016, Colombian revolutionary army FARC, which almost held a monopoly over drug production and trafficking in Colombia (and hence the key transportation point Ecuador) finally signed a peace deal with the government and dissolved.⁴⁴ It

³⁹ James Bargent, 2019. Ecuador: A Cocaine Superhighway to the US and Europe

⁴⁰ James Bargent, 2021. The Colombian Cocaine Shift to Europe: the Business No-Brainer

⁴¹ UNODC, no date. <u>Heroin and cocaine prices in Europe and USA</u>.

⁴² Marcela Ceballos Medina, Gerardo Ardila Calderón, 2015. <u>The Colombia–Ecuador Border Region:</u> <u>Between Informal Dynamics and Illegal Practices</u>

⁴³ James Bargent, 2019. Ecuador: A Cocaine Superhighway to the US and Europe

⁴⁴ Will Freeman, 2023. <u>A Surge in Crime and Violence Has Ecuador Reeling</u>

subsequently created a power vacuum in Ecuador as the key regional 'arbiter' left the arena, whereas lucrative ports and transportation capacities remained serving multibillion dollar European and American markets.⁴⁵ The increased importance of Ecuador to global drug trade has attracted large international cartels to the country and encouraged them to align themselves with rival domestic gangs, create local proxies and subsequently bring their own 'blood feuds' to Ecuador.⁴⁶ Additionally, some FARC members refused to surrender and shifted their criminal activities to Ecuador, causing even more bloodshed to the country⁴⁷ - a place where the Colombian government could not fight them. The most significant example of such gang war is the war between the Lobos and the Choneros – two large local gangs with a long history. Starting as allies, following h the murder of Luis Zombrano Gonzalez - the leader of the Los Choneros,⁴⁸ which created a considerable power vacuum, they have become bitter enemies. causing one of the most brutal gang wars in Latin America. Indeed, during their most notable fight, which happened during 2021 Guayaquil prison riots, 116 gangsters were killed.⁴⁹ More powerful international cartels also increased their activities in Ecuador, including famous Sinaloa Cartel, Jalisco New Generation Carted and even Albanian mafia.50

However, all these events became possible because of Ecuadorian porous borders probably, the largest national security issue that made all the abovementioned gang wars and trafficking possible. The border between Ecuador and Colombia has a length over 600 km,⁵¹ and cocaine production is conducted at the border, which is generally an extremely favourable place for gangs due to the lack of control from the officials. Porous borders not only 'support' cocaine production but also simplify movement of international criminal groups between countries. Additionally, widespread deprivation in the region provides significant incentives for local people to participate in or aid drug smuggling; strikingly, 44.8% of residents of the 'border zone' between Ecuador and Colombia live beneath the official poverty line⁵² (which has worsened considerably post-pandemic). At the same time, efforts towards international cooperation have failed due to countries' extreme focus on national military security, which made efforts to tighten control completely unsuccessful.53

⁴⁵ James Bargent, 2021, The Colombian Cocaine Shift to Europe: the Business No-Brainer

⁴⁶ Ivan Briscoe, Glaeldys Gonzalez, 2023, Ecuador's Descent Into Chaos

⁴⁷ IRIS, 2024, Ecuador: a Swift Plunge into Criminal Chaos

⁴⁸ Chris Dalby, Henry Shuldiner, 2023. <u>Ecuador's Choneros to Fragment Further After Ex-Leader's</u> Murder

⁴⁹ The Guardian, 2021, <u>'Strategy of Terror': 116 Dead as Ecuador prisons become battlegrounds for</u> gangs ⁵⁰ The New York Times, 2023, <u>How a Peaceful Country Became a Gold Rush State for Drug Cartels</u>

⁵¹ Reuters, 2022, Colombia, Ecuador agree joint plan to tackle organized crime on border

⁵² Marcela Ceballos Medina, Gerardo Ardila Calderón, 2015, The Colombia–Ecuador Border Region: Between Informal Dynamics and Illegal Practices

⁵³ Ibid.

In conclusion, a huge number of factors contributed to the escalation of gang violence in Ecuador, and 'perfect storm' is a very precise term to describe this situation. Many issues such as Ecuador's geographical location, dissolution of FARC and rise in cocaine consumption in Europe were largely out of control of the Ecuadorian government (although some measures could be taken at least to diminish the negative impact), whereas porous borders and gang wars to some extent were preventable. Many other, more minor issues such as the lack of visa requirements for foreign nationals and a dollarized economy (which favours money laundering) have also contributed to the recent surge of violence⁵⁴ – but ultimately, it was this storm of numerous adverse factors that has made this situation possible in its worst scenario.

⁵⁴ Will Freeman, 2023, <u>A Surge in Crime and Violence Has Ecuador Reeling</u>

Entrenched violence, corruption, poverty, and state incapacity hinder the re-establishment of stability.

Ecuador, once an 'island of peace' among Latin American states, has seen everincreasing levels of instability and violence in the last few years. In an effort to counteract the spike in violence, president Daniel Noboa has declared that Ecuador is in an 'internal armed conflict' against 22 criminal groups (now labelled terrorists) since January 2024.⁵⁵ Yet, this military-centric approach is unlikely to be successful - not least because of past precedent and of its failure in other Latin American states.⁵⁶ Instead, the state must resolve the entrenched, systematic problems of poverty, political violence, and corruption in Ecuador to achieve lasting change.

Violent lobbying is a phenomenon rather specific to the drug cartels of Latin America, in which cartels use violence to coerce leaders into changing *de jure* policy - usually in response to new crackdown efforts. The determining factor is the level of resources both sides (the state and the cartels) are willing to expend, creating a 'war of attrition' until one side caves in. Importantly, cartels often resort to 'violent lobbying' (rather than hiding or bribery) when they have less to lose - as they find it more economical to fight violently against the state's repressive policies.⁵⁷

Arguably, this was why 'violent lobbying' had never been particularly common outside of Columbia, and was not common in Ecuador.⁵⁸ Yet, on January 9, gunmen stormed a TV station live, merely the most high-profile act in a wave of violence in Ecuador. This was most likely a response to the new government's harsh crackdown on drug-related crime.⁵⁹ This specific outburst of 'violent lobbying' might have been a screening device to test the new leader's commitment to his crackdown policies⁶⁰ - which is likely very high given he is running on an anti-drug and anti-cartel platform. However, the current surge in violence only exemplifies a process that precedes the new government, which has only been in power since November 2023.

According to the Ecuadorian government, the number of violent deaths in general nearly doubled between 2022 and 2023.⁶¹ Particularly of note is the increase in political violence. In 2022 alone, ACLED records at least 36 violent events specifically targeting elected officials, government workers, candidates, and their relatives, compared to the grand total of seven between 2018 and 2021. Since 2022, these attacks have concentrated in the coastal provinces of Esmeraldas, Guayas, and Manabí.⁶² It is perhaps in these coastal regions that the combined consequences of poverty, violence, and corruption are most serious.

⁵⁵ International Crisis Group, 2024, <u>Can a War on Crime Bring Relief to Ecuador?</u>

⁵⁶ Marcela Ceballos Medina & Gerardo Ardila Calderón, 2015, <u>The Colombia–Ecuador Border</u> <u>Region: Between Informal Dynamics and Illegal Practices</u>, (p. 529)

⁵⁷ Benjamin Lessing, 2017, <u>4 - Modeling Violent Corruption and Lobbying</u>

⁵⁸ Ibid.

⁵⁹ Reuters, 2024, <u>Gunmen in Ecuador storm TV studio in wave of violence</u>

⁶⁰ Benjamin Lessing, 2017. <u>3 - Logics of Violence in Cartel–State Conflict</u>, (p. 70)

⁶¹ Reuters, 2023, <u>What is happening in Ecuador?</u>

⁶² Armed Conflict Location & Event Data Project, 2023, <u>The Killing of Villavicencio: A Symptom of</u> <u>Rising Political Violence Ahead of Ecuador's Snap Elections</u>

Poverty in Ecuador is entrenched, but it disproportionately affects different groups and regions.⁶³ In particular, the youth is most heavily impacted. For the 15 years between 2008 and 2022, youth (15-24) unemployment had hovered between 7.96% and 11.08%.⁶⁴ Even more worryingly, across Ecuador and particularly in Guayaquil, gang recruitment of minors had intensified in the last few years, illustrated by minors' homicide rates. Between 2019 and 2023, the country witnessed a staggering increase of 640 percent in homicides of minors (104 in 2019, 98 in 2020, 289 in 2022, and 770 in 2023).⁶⁵⁶⁶

Gang recruitment of youth is conducted through threats, promises of wealth and social status, and a sense of belonging,⁶⁷ which works well against the Ecuadorian backdrop of dysfunctional homes, loss of social programs, and deep economic deprivation.⁶⁸ In particular, it should be noted that much of the economic activity in Ecuador is in the informal sector, which is problematic. In 2015, it is estimated that of the economically active Ecuadorian population, between 33% and 44% had informal work.⁶⁹ In a more recent 2019 study, it is estimated that above 60% of workers are in the informal sector. This research also found a close link between informal work and poverty, with the case study being Ecuador.⁷⁰

Furthermore, in coastal regions of Ecuador where drug-related crimes are concentrated, household poverty is more frequent compared to other regions. This can be attributed to dependency on agriculture, fishing, and tourism – mostly seasonal and short-term work. In addition, natural phenomena like El Nino disproportionately affect the coast.⁷¹

Exacerbating all this is the failure of the justice sector and systemic corruption. For basic information, corruption reduces trafficking risks and grants traffickers impunity from law enforcement. Corrupted officials make borders porous and the smuggling of drugs into a country easier.⁷² Importantly, when the state lacks the capacity - especially judicial capacity - to fight against corruption, law enforcement can become

⁷⁰ Carla Canelas, 2019, <u>Informality and poverty in Ecuador</u>

⁶³ Tulcanaza-Prieto, A.B.; Báez Salazar, P.A.; Aguilar-Rodríguez, I.E. 2023. <u>Determinants of Youth</u> <u>Unemployment in Ecuador in 2019</u>, (p. 11, 59)

⁶⁴ World Bank, 2023, Ecuador: Youth unemployment rate from 2004 to 2023

⁶⁵ UNICEF, 2024, Ecuador: Homicide rate among children and adolescents soars 640 per cent in four years - UNICEF

 ⁶⁶ InSight Crime, 2023, <u>Disputes Over Drug Trafficking Routes Drive Child Recruitment in Ecuador</u>
⁶⁷ Chomczyński, P. A., Guy, R., & Azaola, E., 2023, <u>Beyond money, power, and masculinity: Toward</u>
<u>an analytical perspective on recruitment to Mexican drug trafficking organizations</u>

 ⁶⁸ InSight Crime, 2023, <u>Disputes Over Drug Trafficking Routes Drive Child Recruitment in Ecuador</u>
⁶⁹ Marcela Ceballos Medina & Gerardo Ardila Calderón, 2015, <u>The Colombia–Ecuador Border</u>
<u>Region: Between Informal Dynamics and Illegal Practices</u>, (p. 524)

In addition, another source suggests that informal employment has been around 60% of total employment between 2010 and 2022. Statista, 2023. Informal employment as percentage of total employment in Ecuador from 2010 to 2022

⁷¹ Ibid.

⁷² Luca Giommoni, R.V. Gundur and Erik Cheekes, 2020, <u>International Drug Trafficking: Past,</u> <u>Present, and Prospective Trends</u>

more afraid of cartel-induced violence than state sanctions, making bribery more successful.⁷³

Thus, to tackle corruption one needs to examine Ecuador's justice system. Historically, judicial independence has been limited, and Ecuador adopted a hard-line approach that almost guaranteed a guilty verdict for drug-related offences, with harsh sentences even for minor crimes.⁷⁴ These forces small-time criminals into life-long crime and incentivizes drug cartels to fight more violently, since they have less to lose.

In addition, the justice system was progressively weakened and made less independent. Due to budgetary concerns, former president Lenin Moreno (2017-2021) cut public spending, part of which was the elimination of the justice ministry and the reduction of the prison budget by 30%.⁷⁵ The Ministry of Justice, Human Rights and Worship (formed in 2007) had been suppressed and eliminated by 2018 – thus removing much progress made in terms of social rehabilitation.⁷⁶ All of this weakened the ability to counteract corruption while also reducing rehabilitation of even small-time convicts.

⁷³ Benjamin Lessing, 2017, Logics of Violence in Cartel-State Conflict

⁷⁴ Sandra G. Edwards, 2010, <u>A short history of Ecuador's drug legislation and the impact on its prison</u> population

⁷⁵ International Crisis Group, 2022, <u>Ecuador's High Tide of Drug Violence</u>

⁷⁶ Castillo Vásquez, D. M., & Montero Montaño, M. D. C. 2023, <u>Eliminación del ministerio de justicia y</u> <u>su incidencia en la crisis penitenciaria del ecuador en los años 2019 a 2022</u>

Ecuador's penal and justice system is punitive, crude and counterproductive.

A major roadblock to tackling Ecuador's gang violence is the state's own policy towards crime. In particular, Ecuador's prisons are overcrowded and dangerous, while its harsh approach to petty crime is costly, morally dubious and counterproductive. Consequently, a great deal of the state's limited resources are wasted in efforts which are overly punitive, and which target the wrong people - and there is thus significant opportunity to redirect these resources more productively and more equitably.

Firstly, it is undeniable that Ecuadorian prisons are violent, underfunded and overcrowded. To give a few illustrative examples, as of November 2023, Ecuador's prison system is more than 12% over 'maximum capacity', with the prison population having more than tripled since 2010.⁷⁷ Of these prisoners, 37.6% are in pre-trial detention,⁷⁸ while much of the remainder have only been convicted under minor charges.⁷⁹ Furthermore, more than 420 prisoners (of a population of ~30,000) have been killed in detention since 2021, mostly in clashes involving rival gangs,⁸⁰ with most of the victims in pretrial detention facing minor charges.⁸¹ In addition to gang violence, prisoners face 'credible reports of torture and abuse by prison guards' as well as generally 'harsh and life-threatening prison conditions' according to a 2022 report by the US State Department.⁸² Notably, regional authorities observe that prisons frequently fall under the control of gangs, who smuggle and sell basic amenities which are otherwise in short supply.⁸³ This situation is aggravated by staff shortages - for example, in the coastal region of Guayas, there is only one prison guard for every 240 inmates.⁸⁴

In all, these conditions have led an independent commission convened by the Ecuadorian government in 2022 to label Ecuador's prisons 'punishment warehouses' rather than places of meaningful rehabilitation.⁸⁵ These circumstances appear to contribute to very high rates of recidivism, and frequently pushes petty criminals into a life of crime - an observation which is borne out by an established social scientific

⁸¹ Organization of American States, Inter-American Commission on Human Rights, 2022, <u>Press</u>
<u>Release - IACHR Calls on Ecuador to Implement Urgent Measures to Address Crisis in Prisons</u>
⁸² US Department of State, 2022, <u>Country Reports on Human Rights Practices: Ecuador</u>

83 BBC News, 2022, Ecuador prison violence leaves at least 116 dead

⁸⁴ Infobae, 2021, <u>Choneros vs Lobos: Cómo son las dos megabandas con 20.000 presos que están</u> provocando un baño de sangre en las cárceles de Ecuador

⁷⁷ Prison Studies, 2023, Ecuador

⁷⁸ Ibid.

 ⁷⁹ Organization of American States, Inter-American Commission on Human Rights, 2022, <u>Press</u>
<u>Release - IACHR Calls on Ecuador to Implement Urgent Measures to Address Crisis in Prisons</u>
⁸⁰AI Jazeera, 2023, <u>Ecuador assesses toll of prison violence as 17 guards still held</u>

⁸⁵ Human Rights Watch, 2023, Ecuador: World Report 2023

literature which notes that highly punitory penal policy makes it far more likely for former prisoners to reoffend.⁸⁶

Furthermore, harsh prison conditions and generally repressive policy towards organised crime appears to motivate gang violence towards the state even outside of prisons. This is because, when cartel members already face high levels of repression, they have relatively less to lose (and more to gain) by engaging in 'violent corruption' with the goal of coercing public officials to relax enforcement. Crucially, in this scenario, the state is limited in how much it can threaten to increase repression in response - as cartel members are already wanted criminals facing high levels of threat.⁸⁷ Thus, a uniformly and unconditionally severe approach to organised crime can make it comparatively advantageous - or at least logical - for cartels to resort to violence towards the state.

Though Ecuador's most recent crackdown on organised crime is in its early stages, this logic appears to have held true, with the declaration of a 'war' on narco-gangs in January 2024 followed by a significant escalation of violence across Ecuador, which has led to dozens of civilian deaths and several bombings.⁸⁸ Though it is hard to fault Ecuadorian leaders for attempting to restore the rule of law, what can be drawn from these insights is that any crackdown on organised crime should be temporary, nimble and conditional, with clear goals and a sound exit strategy. At this moment, the crackdown does not satisfy these conditions - boding poorly for efforts to reduce gang violence in the long term.

Consequently, Ecuador's current penal system, as well as its broader approach to crime, poses a very significant problem for those seeking to restore immediate stability in Ecuador, and for those committed to the pursuit of a fair, free and prosperous society more broadly.

⁸⁶ Francesco Drago et al, 2011, <u>Prison Conditions and Recidivism</u>

⁸⁷ Benjamin Lessing, 2017, Logics of Violence in Cartel-State Conflict

⁸⁸ Al Jazeera, 2024, <u>Ten killed, gangs unleash terror as Ecuador declares state of emergency</u>

Insight Conclusion:

- A confluence of adverse regional developments, including Ecuador's geographical location, drug trade dynamics, and political instability, is the main causal factor behind the country's current security situation.
- Long-term, Ecuadorian gang recruitment has been rooted in poverty, high youth unemployment and social instability
- The Ecuadorian state is now stretched thin and often subject to violent intimidation
- A weak justice system and unnecessarily harsh penal policies hinder rehabilitation, incentivise violence, target the wrong people, and contribute significantly to recidivism

Policy Recommendations

Overview

The following set of policy recommendations aims to restore enduring stability to Ecuador by addressing its root causes and implementing solutions drawn from previous evidence of successful anti-gang policy. These recommendations seek to emphasise both the urgency of action and the necessity of long-term and humane decision-making. Firstly, this report underscores the importance of bolstering Ecuador's security apparatus, enhancing international justice collaboration, and deploying agile anti-cartel measures to prevent unnecessary escalation. Subsequently, this report prioritises the reduction of gang recruitment through substantive efforts to combat poverty and social instability. Finally, we advocate for significant penal and justice reforms, including improvements to prison conditions, a sustained emphasis on rehabilitation, and the reduction of incarceration rates for minor offences, all while fortifying the efficacy of the judicial system. By pursuing these measures, we anticipate a marked reduction in gang-related violence in the long term, and a restoration of stability to Ecuadorian society.

Action 1: Strengthen Ecuadorian policing while deploying a nimble counter-cartel approach.

In this section I will advocate for the Strengthening of international cooperation for fighting criminal gangs in Ecuador. Establishing greater support from developed countries and international organisations in the form of direct financial aid, and assistance of foreign instructors is also imperative for the policy to function. The Improvement of border cooperation with neighbours also factors into the broad goals of the policy recommendation.

Given high levels of corruption, the large influence of criminal gangs in public institutions, and the risk of excessive violence escalation, it is vital for Ecuador to seek for foreign support in fighting drug crimes.

The first policy that should be implemented is strengthening border zone cooperation with Colombia, establishing a special common area where both countries' security and military forces are allowed to enter. It is especially important due to the fact that 50% of global cocaine production is concentrated in this six-mile strip⁸⁹. Productive cooperation of both governments in this area will drastically reduce global cocaine production at least in the short-term. Although this may lead to the dilution of Ecuador's sovereignty in the area, the continued chaos in the area harms its sovereignty to a much greater extent. The recent changes in Ecuadorian fiscal policy, namely the increases in taxation and security spending should support implementation of the abovementioned proposition.⁹⁰

Successful Colombian experience of fighting FARC should also be taken as an example for Ecuador. Although the overall political context was to some extent different there, Colombia faced a much more consolidated group and managed to defeat it without serious outbreaks of violence and a civil war. With the support of various foreign aid providers (including UN Mission in Colombia⁹¹ and US-led 'Plan Colombia'⁹²), Colombian authorities conducted nimble and targeted operations, which were largely detrimental for FARC and almost halved the number of its members in a few years without escalating violence - finally forcing FARC to sign a peace agreement that favoured the government.⁹³

A similar intelligent approach should be adopted by Ecuador to prevent an uncontrollable escalation and excessive death toll - a plausible risk as a result of corruption and lack of experience and lack of capacity in government. For this purpose, Ecuadorian authorities should raise these issues at meetings with their colleagues from developed countries to encourage their investments in the improvement of the

⁸⁹ Ivan Briscoe, Glaeldys Gonzalez, 2023, <u>Ecuador's Descent Into Chaos</u>

⁹⁰ Reuters, 2024, Ecuador government proposes 214 million hike in security spending

⁹¹ UNMC, n.d., <u>UN Mission in Colombia</u>

⁹² Claire Klobucista, Danielle Renwick, 2017, Colombia's Civil Conflict

⁹³ Ibid.

situation in Ecuador. The United Kingdom, France, and Spain represent significant potential beneficiaries, having seized the largest amounts of cocaine in Europe in the last few years. Europe as a whole stands to gain considerably, with cocaine seizures in Europe having doubled since 2015.⁹⁴ The United States, which has an improving record of defeating drug traffickers (for example, as a result of the 'Plan Colombia'), should also be largely interested in tackling Ecuadorian trafficking.

Ideally, some involvement and coordination of international organisations should be present in Ecuador in the form of funds or coordination centres. Firstly, the United Nations can coordinate the activity of foreign advisers to ensure efficient cooperation between countries and transparency in expenditures to decrease effects of corruption, as well as to control activities of foreign countries to prevent the abuse of authority. Secondly, the IMF should reverse its decision, which forced the Ecuadorian authorities to cut security spending, which largely contributed to the inability of the government to fight criminal gangs. One effective strategy would be to provide long-term friendly loans to Ecuador that will be spent on security. However, at the same time, the IMF should closely monitor expenditures and audit them to minimise effects of corruption.

Finally, the Ecuadorian government could make some steps towards peace and incentivise gangs and their members to slow down their activity in the form of offering temporary ceasefires and enhancing prison conditions, which may largely contribute to normal integration of former gang members into peaceful society. Some formal work and guaranteed minimum wage can also be offered to former gang members to encourage them to give up on criminal activities.

Overall, a number of measures related to international cooperation as well as to domestic policing can be taken to deal with the crisis. While border security cooperation with Colombia should be strengthened immediately, some time will be required to attract investments from interested countries into tackling gang violence. International organisations such as the IMF should also reconsider their policies regarding funding of Ecuador, whereas the government can take an example of Colombia and adopt a nimble, gradual counter-cartel approach. Integration of former gang members into normal life should also be encouraged and institutionalised.

⁹⁴ James Bargent, 2021, <u>The Colombian Cocaine Shift to Europe: the Business No-Brainer</u>

Action 2: Cut gang recruitment through substantive programmes which reduce poverty and social instability.

With high rates of homicides and incarceration, the only way cartels can remain even remotely functional is through their recruitment. Thus, it is recruitment that should be targeted. After all, preventative measures are often more cost-effective than reactive ones, thus targeting gang recruitment could be complementary to funding security apparatus.⁹⁵

Gang recruitment often relies on promises of social status and the glorification of violence, which specifically targets the masculinity of many at-risk men. Thus, this could be an avenue for change. Educational interventions to promote alternatives to hegemonic masculinity and push for more positive masculinities have proven fairly effective at reducing gender-based violence among young people. These often take the form of individual teachers organising group activities in multiple sessions, which does not take a lot of resources.⁹⁶ Therefore, there is ground to believe this could also work to target the violent masculinities that cartels promote and rely on for recruitment.

However, hegemonic masculinity is only part of the problem, and violent displays of masculinity usually come from poverty and lack of purpose. To tackle gang recruitment, one must tackle poverty and unemployment, providing genuine alternatives to crime - which is easier said than done. This is even harder in an unstable economic climate, increased government austerity, and heightened gang violence. Yet, that does not mean there are no options.

A traditional, popular method is to focus on moving workers from the informal to the formal sector of the economy. This is mainly done through training and education for workers and especially the youth, who would then have the skills required for formal inclusion in the economy. Formal employment is perceived to come with a range of traditional social benefits (minimum wage, pensions, job security). Considering the link between informal employment and poverty discussed in the Insight, this is the ideal long-term aspiration.

However, this faces two problems in Ecuador. First, the government has been cutting public spending for the past few years. This means devoting additional funds to education is not particularly realistic. Second, and more importantly, there are serious financial disincentives to entering formal employment. Here, taxes and social benefits are key to understanding the informal and formal divide. A 2019 paper points to strikingly high formalisation costs in Ecuador, with on average 52.8% of workers' additional earnings taxed away due to social security payments. Costs are particularly

⁹⁵ Rafael Prieto-Curiel et al. 2023, <u>Reducing cartel recruitment is the only way to lower violence in</u> <u>Mexico I Science</u>

⁹⁶ Vanesa Pérez-Martínez, et al. 2023, <u>Positive Masculinities and Gender-Based Violence Educational</u> <u>Interventions Among Young People: A Systematic Review</u>

high for self-employed informal workers at the bottom of the earnings distribution⁹⁷ - those at risk for gang recruitment.

Lowering the cost of formalisation through changes in taxation could prove useful. However, it is worth remembering that a lack of formal jobs remains a large reason for the high prevalence of informal work. Thus, while formal employment can be an end goal, a more flexible acceptance of informal employment might be useful, so that it is less of a detriment in receiving state benefits.⁹⁸ Then, an expansion of noncontributory benefits such as CCTs could prove effective.

Conditional cash transfers (CCTs) have been a policy priority for Latin America since the mid-1990s. These transfers are usually contingent on utilisation of educational and healthcare facilities - with the belief that this would increase social mobility. Ecuador's CCT program, the *Bono Desarrollo Humano* (Human Development Fund), has massive reach, targeting approximately the poorest 40% of households.⁹⁹ The demographic to focus on are mothers with young children, as they must meet conditions for child school attendance, regular health check-ups, and no child labour. As poverty reduced between 2008 and 2013, the number of eligible mothers was cut down from 1,225,928 in March 2012 to 443,968 in March 2015.¹⁰⁰ More recent statistics have yet to return to the peaks of 2011-2013.¹⁰¹ One obstacle is eligible recipients not enrolling in the program, due to unclear eligibility, lack of required documentation, or distrust of personnel and services.

Like other CCTs, BDH has been viewed favourably to reduce poverty and increase social mobility.^{102,103} Aside from poverty reduction, some evidence suggests that CCTs can help reduce property-related crimes and promote trust in state institutions.¹⁰⁴ Thus, Ecuador could increase funding and expand the scope of the program. This does not just mean sending more money to more people, but also funding for better monitoring and administrative capabilities that would create a more effective system.

In conclusion, we propose three main approaches. First, target gang recruitment through educational programs that challenge violent aspects of masculinity, which are economical and have been effective at cutting down gender-based violence. Second, change taxation to reduce the cost of formalisation and be more flexible towards informal employment (make it less of a detriment for utilising social benefits). Third, expand and increase funding for existing Conditional Cash Transfers program,

⁹⁷ World Institute for Development Economics Research, 2019, <u>Financial disincentives to formal</u> work: Evidence from Ecuador and Colombia

⁹⁸ Ibid.

⁹⁹ Chloe S. Rinehart, James W. McGuire, 2017, <u>Obstacles to Takeup: Ecuador's Conditional Cash</u> <u>Transfer Program, The Bono de Desarrollo Humano</u>

¹⁰⁰ Ibid.

 ¹⁰¹ United Nations, 2020, <u>Bono de Desarrollo Humano (Human Development Grant) (2003-)</u>
¹⁰² World Bank, 2012, <u>Can Conditional Cash Transfers Reduce Poverty and Crime? Evidence from</u> <u>Brazil</u>

¹⁰³ The Conversation, 2017, <u>Yes, giving money to very poor people will make their lives better — just</u> <u>ask Ecuador</u>

¹⁰⁴ World Bank, 2012, <u>Can Conditional Cash Transfers Reduce Poverty and Crime? Evidence from</u> <u>Brazil</u>

aiming to provide some wealth for poor households and guarantee better developmental conditions for children - all the while garnering legitimacy for the new government.



Entrenched poverty Lack of opportunity plays a large part in gang recruitment

Action 3: Implement humane, productive and cost-cutting penal sector reform.

It is clear that Ecuador's penal and justice system is often crude, cruel and counterproductive, reinforcing a cycle of crime and exclusion. Therefore, reform in this area should constitute an immediate political priority. This report recommends a number of immediate measures:

Firstly, the Ecuadorian government should separate pre-trial detainees – which make up 36.2% of the prison population¹⁰⁵ – from convicted prisoners. This should render Ecuador's conventional prisons more manageable by considerably reducing their populations, while also shielding those awaiting trial from prison violence, intimidation and recruitment into gang structures. Ultimately, pretrial detainees should be held in specialist facilities.

Additionally, the state should work to minimise the incarceration of petty criminals. This should be pursued by expanding opportunities for parole for current prisoners, directing petty criminals to "low security" prisons which are not walled and where prisoners can work outside prison premises during the day. On top of this, the decriminalisation of petty drug possession should also be pursued. This policy is strongly backed by historic evidence; when implemented in the US, it has saved millions of dollars, reduced violence, reduced recidivism, and cut gang recruitment at its source.¹⁰⁶ Thus, if implemented in Ecuador, it should free substantial staff and resources to regain control and improve conditions in existing, conventional prisons.

Improved conditions within prisons should include better sanitation, humane housing and adequate nutrition, closely following the UN's standards on the rights of the prisoner.¹⁰⁷ Improvements in prison conditions should also form key parts of a more comprehensive strategy by the Ecuadorian government to incentivise criminal gangs to reduce violence. State authorities should encourage this by ensuring gang members who avoid violence prior to and during their arrest, as well as while incarcerated, face less severe conditions in prison.

At the same time, the Ecuadorian government should expand the mandate of its prison commission to consider further reforms to its penal and justice sectors. Among a number of potential reforms, this commission should consider emulating the policies of Guatemala's UN Commission against Impunity in Guatemala (CI-CIG) – which have contributed significantly to sustained 5% annual reductions in Guatemala's murder

¹⁰⁵ Prison Studies, 2023, <u>Ecuador</u>

 ¹⁰⁶ Office of Justice Programs, 1981, <u>Nor Iron Bars a Cage: Open Prisons - Anomaly or Opportunity</u>
¹⁰⁷ United Nations Office on Drugs and Crime (UNODC), n.d., <u>UN Standard Minimum Rules for the</u> <u>Treatment of Prisoners</u>

rate in a region facing a steep rise in homicides.¹⁰⁸ Areas of focus should include an expanded witness protection program, increased use of plea bargains in exchange for anti-cartel information, enhancing capacity to gather and analyse forensic evidence, and the foundation of "24-hour courts" overseen by well-established and vetted judges for the purpose of trying senior criminals, minimising the risk of them achieving effective impunity by bribing or intimidating justices and jurors.

These changes represent a broad, multifaceted approach to address the causes of insecurity in Ecuador. By prioritising reforms aimed at cutting prison populations and improving overall prison conditions, Ecuador has the opportunity to break the cycle of crime and exclusion, all while cutting overall costs. Moreover, expanding the mandate of the prison commission to consider further reforms along the lines of Guatemala's CI-CIG should significantly enhance the effectiveness of the justice system, building state capacity and reducing corruption simultaneously. Overall, it is imperative for the Ecuadorian government to implement these recommendations if it wishes to lay lasting foundations for a safer and fairer society.

¹⁰⁸ International Crisis Group, 2019, <u>Saving Guatemala's Fight Against Crime and Impunity</u>

Conclusion

Ecuador now undeniably stands at a critical juncture, facing unprecedented levels of violence and instability. However, within these challenges lie opportunities for meaningful change. By bolstering security measures through international cooperation and a nimble anti-cartel strategy, addressing root causes of gang recruitment through poverty alleviation and educational programs, and implementing humane reforms within the penal and justice sectors, Ecuador can chart a course towards a safer and fairer society. This moment calls for bold action, and by embracing these recommendations, Ecuador can pave the way for a brighter future for its people, free from the grip of violence and insecurity.

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