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Can a War on Crime Bring Relief to Ecuador?

Spiking violence in Ecuador has led recently-inaugurated President Daniel Noboa to declare an “internal armed conflict” with criminal groups. In this Q&A, Crisis Group expert Glaeldys González explains how the South American country arrived at this point and the potential consequences of the government’s crackdown.



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What has happened in Ecuador?

After grappling with worsening insecurity for several years, Ecuador witnessed a terrifying spike in violence in the first half of January. Criminal groups have **shot civilians**; looted stores; and set off car bombs and other explosions in the capital Quito and Guayaquil, a major port city on the Pacific coast. Gunmen stormed a Guayaquil TV studio during a live news broadcast. Rioting inmates overran a number of the country’s prisons and held more than 150 prison guards hostage for almost a week. Overall, at least nineteen people have been **killed** since the criminal uprising began on 8 January. The mayhem represents an unprecedented challenge for Daniel Noboa, Ecuador’s youngest-ever president, who assumed office in November 2023 following victory in a run-off poll. With public alarm soaring in the

face of a seemingly unbridled criminal rampage, the government imposed on 9 January a state of exception. A day later it declared that the country was in an “**internal armed conflict**”, and would deploy lethal force and military assets to combat 22 criminal groups, now labelled terrorists.

The sequence of events that culminated in this unusual move began in the first week of the new year. On 7 January, Ecuadorian authorities reported the disappearance of José Adolfo Macías Villamar, also known as Fito, one of the nation’s most notorious gangsters, from the Guayaquil Regional prison. The government had planned to transfer him to a high-security jail, La Roca, as part of a broader effort to crack down on criminal groups in prisons. But that plan must have been leaked, because Fito was nowhere to be found when security forces came looking for him. The reigning leader of Los Choneros, the country’s largest and most brutal crime group, Fito had been serving a 34-year sentence since 2011 for a litany of offences, including robbery, murder and drug trafficking.

After his disappearance, chaos unfolded on the streets of the country’s major cities. The government commenced a hunt involving over 3,000 police and army officers. Simultaneously, rival criminal factions – sensing an opportunity to capitalise on the chaos and show their clout – unleashed a wave of violence. **Los Lobos**, the second-largest gang in Ecuador and the main competitor to Los Choneros, orchestrated uprisings on streets and in prisons, triggering riots in at least six jails under its control that led to the killing of one prison guard and the kidnapping of 178 others.

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After the gangs threw down the gauntlet, Noboa initially followed his predecessor Guillermo Lasso’s approach. Faced with outbursts of criminal violence, Lasso had declared states of exception **over ten times** between 2021 and 2023. While in some cases these were limited to jails or specific geographical regions, on other occasions they were national in scope: after the assassination of presidential candidate Fernando Villavicencio on 9 August 2023, for example, a state of exception was declared across the entire country. Noboa followed suit and on 8 January declared a 60-day state of exception. The move allows the government to mobilise the armed forces in support of the police, impose a nationwide curfew, and suspend freedom of assembly. But as pandemonium engulfed urban centres, and with the gang raid on TC Televisión in Guayaquil gaining worldwide media coverage, the president opted to redouble the state counter-offensive through declaration of an armed conflict. (The consequences of this declaration are discussed below.)

While Ecuador was formerly one of Latin America’s more peaceful nations, the violence is the culmination of a several-year trend. The country’s geography plays a role: sandwiched between Colombia and Peru – Latin America’s top producers of cocaine – Ecuador has emerged as a **key transport and logistics link** in the global drug supply chain. Hyper-violent gangs have buttressed their ranks by recruiting among **communities impoverished by COVID-19**. Meanwhile, a shortfall in security investment during the Lenin Moreno administration, in part due to IMF-backed budget cuts, have starved the state’s security forces. During his tenure, from 2017-2021, the government cut prison budgets by 30 per cent, eliminated the Justice Ministry, and froze the security budget. The combination of a weak state and strong criminal forces has led to a near-doubling of homicides each year since 2020. The nation’s **murder rate** for last year – around 40 murders per 100,000 people – is the highest in its history, and makes the country one of the most violent in Latin America.

What led criminal groups to carry out this violent campaign?

As noted, the attempted transfer of a notorious criminal boss appears to have served as a trigger for the recent spike in violence. Criminal groups use jails as strongholds, places where they charge inmates for their survival, smuggle in weapons and drugs, and clash with other gangs vying for control of narcotics trafficking and contract killing. Past transfers of inmates have often sparked unrest in and outside jails as these groups resist what they perceive as the state's efforts to regain control.

Security interventions, above all those targeting high-ranking members, can also upset the delicate equilibrium between feuding criminal factions. It appears this was precisely the effect of Fito's transfer on the Choneros' main foe, Los Lobos. One of the Lobos' leaders, Fabricio Colón Pico, also known as "El Salvaje" (the wild one), had been arrested in Quito on 5 January for his alleged participation in a kidnapping while also facing accusations of planning an attack on Ecuador's Attorney General Diana Salazar. Fito's escape implied a realignment of criminal forces on the streets and inside jails, alarming Los Lobos. In response, the group mounted riots in prisons they control, seized guards and exploited the ensuing turmoil to further their interests. In the early hours of 9 January, a mass **jailbreak** in Riobamba, the capital of Chimborazo province, saw Colón Pico escape. As a result, two senior figures from the country's most powerful criminal organisations, both vying for control of the drug trade, are now fugitives.

Even so, the uprising that followed Noboa's declaration of a state of exception stemmed from more than factional rivalries or a defence of criminal control over jails. In its scale, visibility and coordination, the violence posed a direct challenge to the government's effective authority and its ability to protect the public. By provoking havoc on the streets and forcing cowering citizens into the confines of their homes, criminal groups appeared to be engaging in mass blackmail of the Ecuadorian government and broader society. Their public show of might intended both to signal the state's inability to cope with their threats, as well as issue a warning as to what would lie in wait if the government implements the reforms it has been trying to push forward.

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Criminal groups obviously took note when Noboa unveiled a series of proposals in early January aimed at curbing their influence. Specifically, he proposed a national referendum on security policies such as imposing harsher sentences for serious crimes like homicide and arms trafficking; allowing the armed forces greater powers to stamp out criminal organisations and control prison access; and permitting extradition of Ecuadorians accused of carrying out crimes in other countries, thus paving the way to indictment and transfer to the U.S. In combination, these measures could threaten these groups' use of prisons as safe havens and command centres for their major rackets – above all drug trafficking, which intelligence reports suggest generates earnings of \$500 million a year for the country's gangs.

The state's capacity to intercept criminals and incarcerate them was also poised to grow. Noboa's security plans seek to assert military control over borders and ports, create a centralised intelligence hub, and equip law enforcement and military forces with cutting-edge technology and weaponry. Construction is also about to begin on two **maximum security prisons** in the Amazon and on the Pacific coast, to be handled by the same Mexican-Salvadoran consortium that built a new jail in El Salvador during President Nayib Bukele's anti-gang offensive, with a reported capacity for 40,000 inmates. (To be sure, Ecuador's new jails are to be far smaller, and its entire **prison population** is currently 31,300.)

Despite its ambitious proposals, Noboa's government is hardly a juggernaut. Noboa entered office only two months ago and his administration faces a host of challenges, from its fragile alliances in the National Assembly to the nation's struggling economy. The timing of the

attacks appeared to be a calculated attempt to exploit these vulnerabilities, with the aim of deterring some of the government's planned reforms. The wave of violence, moreover, has not relented. On 17 January, prosecutor César Suárez, who was investigating the attack on the television channel, was shot dead while driving his car in Guayaquil.

Although Ecuador's criminal groups seem bent on using the tactics of extreme intimidation, that approach may well backfire, both in terms of its escalatory effects and the cohesion it appears to have fostered among the nation's political leaders. The government's elevation of its fight against crime into an armed conflict came as a surprise to many observers and likely to the gangs as well. Also surprising was the level of unity shown by Ecuador's traditionally fragmented and polarised political forces in condemning the gangs and supporting the young president. Indeed, Noboa's declaration of armed conflict was approved unanimously in the National Assembly on 10 January.

What impact could the declaration of armed conflict have?

This is the first time in Ecuadorian history that government officials have declared an **internal armed conflict**. Moreover, aside from Colombia, it is now the only country in Latin America with an officially acknowledged conflict. The **decree** announcing the move mandates the mobilisation of the police and military across the nation with the stated aim of "safeguarding sovereignty and territorial integrity against transnational organised crime, terrorist organisations, and belligerent non-state actors". It also authorises the armed forces to conduct military operations to neutralise the 22 groups cited in the decree, in compliance with international humanitarian law and human rights principles.

Under the dual provisions of the state of exception and the declaration of armed conflict, Ecuador's security forces are authorised to employ lethal force against the members of groups designated by the government as parties to that conflict. Until now, the police and military have not sought to target gang members with deadly violence, but instead to locate and capture them as part of their role as law enforcement authorities. This is not unlike anti-crime crackdowns elsewhere in Latin America, which rely largely on mass arrests of suspects, restrictions on civil rights and use of armed patrols, although casualties in shootouts with security forces or in other, more opaque circumstances are not uncommon. But a shift towards status-based killing of gang members and direct armed confrontation between security forces and specific criminal factions could result in far larger casualties on both sides, while also harming civilians. This is especially the case in communities where these criminal groups have established their bastions and where residents might find themselves caught in the crossfire.

Beyond the very real escalation risk, crossing this line raises both legal and operational questions. Even internal wars have rules, and under international humanitarian law the parties to a conflict are required to distinguish between combatants and non-combatants, and use force in a manner that is proportionate. Other rules and safeguards for the protection of the civilian population, and for detained combatants, also apply. Operationalising these constraints in a conflict where fighters often blend in with the civilian population and may not fit within clear chains of command can be quite difficult. The Colombian government has extensive experience with these issues, as does the International Committee of the Red Cross, and would be good resources for Quito as it plots its path forward. For now, at least some humanitarian experts are also unconvinced that Ecuador's criminal outfits fit the profile of organised armed groups that international law would recognise as a conflict party.

The government's new approach [to gang violence] may also raise issues of domestic law.

The government's new approach may also raise issues of domestic law that create hurdles to implementation even if the requirements of international law are satisfied. Both for purposes of legality and legitimacy it will be important that these issues be aired and resolved by justice authorities and reviewed as appropriate by the nation's courts, including the Constitutional Court.

Ensuring both international and Ecuadorian law are respected is not, of course, the only prerequisite for a successful military campaign against the gangs. Practical obstacles are also likely to impinge on the outcome. According to Ecuadorian intelligence, thousands of troops and police officers collude with criminal groups. Indeed, these bands permeate public institutions at all levels, implicating current and former judges, police officers, prison guards, lawyers, mayors, and even former National Assembly deputies. These webs of influence may have recently been laid bare in the “**metastasis case**”, which uncovered a systematic plan to allegedly secure impunity for indicted suspects, simulate police operations to protect the properties of a financier of the drug trade, and recruit more agents for their network. Among the 29 people arrested in December 2023 as part of this probe was Wilman Terán, the president of the Judiciary Council, the body responsible for selecting, evaluating, promoting, and sanctioning judges and other judicial officials. (Terán has protested his innocence, calling his arrest “illegal and arbitrary”).

The success of the new measures also hinges on the government's ability to regain full control of prisons. Without this, military or police campaigns to capture members of criminal groups risk inadvertently bolstering the gangs' ranks by funnelling more individuals into their operational hubs, thereby perpetuating the cycle of violence.

Lastly, there are financial concerns. To fund the security plan, the government proposed on 12 January a three-point increase in the value-added tax (VAT), from 12 to 15 per cent. This measure, however, is unpopular and likely to place an additional financial burden on Ecuadorians. Economic constraints have already driven two waves of mass protests over the past five years.

What should be done?

The recent declaration of an internal armed conflict is a response to acute public alarm, and has been warmly greeted by many Ecuadorians. While the offensive mobilisation of police and military may yield short-term relief and serve to break up some crime groups, it nevertheless remains a stopgap solution at best, as **Crisis Group has previously argued**, and could also bring significant harm to the civilian population if safeguards are not carefully constructed and implemented. For any improvements in security to last and withstand the likely reconfiguration of criminal groups and their lucrative rackets, it is essential that authorities find ways to strengthen the integrity of state institutions, staunch the tide of escalating corruption, and reinforce intelligence-led law enforcement. A singular emphasis on military force and attacks or raids on criminal groups, to the exclusion of other critical reforms, could potentially exacerbate the nation's struggle with organised crime.

The government should not lose sight of the longer-term reforms that could provide enduring relief from insecurity.

In short, the government should not lose sight of the longer-term reforms that could provide enduring relief from insecurity. A crucial first step should be to build on the initial show of cross-party unity in the wake of last week's events and forge a consensus among political forces on the mainstays of security reform. Priorities should include regaining control over ports and prisons, and addressing corruption within state security institutions, notably the judiciary, police forces, customs and the prison system. The government should also consider comprehensive security sector reform, with a particular emphasis on enhancing the

intelligence apparatus. Strengthening the judicial system should also be high on the agenda. This includes ensuring that judges and prosecutors working on organised crime and corruption cases have the security they need to carry out their work.

While national initiatives are crucial, they alone are insufficient to combat transnational organised crime and the nexus between Ecuadorian gangs and international trafficking operations. Regional collaboration, particularly with neighbouring countries such as Peru and Colombia, is essential. Granted, it will not be easy to develop these networks: distrust between security forces and national capitals – often caused by the perception that corruption could cause sensitive information to leak – continues to vitiate the flow of critical criminal intelligence. Foreign backing, above all from the U.S. and the EU, could play a significant role in this respect, and should encompass technical assistance, training and support for regional security platforms such as Ameripol. The EU would also be well-positioned to support the design and implementation of projects in poor communities that enjoy few alternative livelihoods to crime.

Lastly, Ecuador's emergence at the heart of global drug trafficking, despite the fact that it has never traditionally produced drugs and was for long more peaceful than its neighbours, should rekindle **concern** as to the unwanted effects of the war on drugs. Exactly 40 years after Colombia **declared** the "war on drugs" for the first time, militarised counter-narcotic policies have not provided viable legal livelihood alternatives to those involved in the production and trafficking of illicit drugs (many of them amongst the poorest and most vulnerable populations in Latin America), nor have they limited the violence surrounding this business. Governments would do well to reassess these security policies, and pursue measures that are realistic and avoid causing greater harm to local communities – for example, by targeting those who drive the business and reap the largest profits from it, namely international financiers and traffickers.

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