

افغانستان آزاد – آزاد افغانستان

AA-AA

چو کشور نېاشد تن من مېباد بدین بوم و بر زنده یک تن مېباد
همه سر به سر تن به کشتن دهیم از آن به که کشور به دشمن دهیم

www.afgazad.com

afgazad@gmail.com

European Languages

زبانهای اروپایی

[Guillaume Long](#)

24.09.2020

Political Trials and Electoral Bans: the Battle for Democracy in Ecuador



Andrés Arauz, candidato a la presidencia

Foto: Telesur

Ecuadorian President Lenín Moreno and his allies have gone to great lengths to prevent former president Rafael Correa and his political movement from returning to power. In order to achieve this goal, the current government has persecuted opponents and barred candidates from running. Moreno's authoritarianism has, so far, gone largely unnoticed internationally. With elections scheduled for February 2021, it is crucial that the international community keeps a vigilant eye on the Ecuadorian government's persistent attempts at perverting the course of democracy.

The Moreno government's main strategy has been to try to block Correa himself from being a candidate in the February 2021 elections. Correa's legacy of [reducing poverty and inequality](#)

[in the context of high economic growth](#) during his 10 years as president (2007–2017) means that he and the political movement that he created still enjoy [widespread popular support](#) and represent the greatest threat to the new elite pact that Moreno has painstakingly consolidated. Moreno had been initially elected on a platform of continuity with Correa’s “Citizens’ Revolution.” Once in power, however, Moreno stunned Ecuador and the world by orchestrating a dramatic political U-turn, soon promising to crack down on correísmo and undo ten years of Correa’s social and economic policies.

In February 2018, after months of relentless and tightly orchestrated media onslaught on the former president’s legacy, Moreno organized and won a referendum to introduce term limits. Within a year, [Moreno’s popularity had gone into free fall; dropping by over 50 percent](#) and continuing to decline thereafter. But in the small window of opportunity that his political honeymoon afforded him, Moreno’s political project was able to fulfill its overarching purpose: to block Correa from running for president once and for all.

In June 2020, Correa announced [his intention to run for vice president](#) in the upcoming elections. Correa’s presence on the electoral ticket would undeniably boost the electoral potential of his movement at the polls and pose a clear threat to Moreno and his conservative alliance. Foreseeing this, Moreno had already resolved that his safest option would be to banish Correa from Ecuadorian politics for good. The only way to secure this was via a distinctly aggressive form of judicialization of politics or “lawfare,” inspired by the judicial targeting of political adversaries elsewhere in Latin America, as in the case against former president Lula da Silva in Brazil. In order to carry out his plan, Moreno needed a tight control over the justice system, which he achieved by slipping a proposal into the [2018](#) referendum granting him extraordinary powers over the judiciary. The referendum allowed Moreno to appoint trusted, die-hard anti-correistas at the head of autonomous institutions. Once he controlled the Judiciary Council, the Constitutional Court, the Prosecutor General, and the Comptroller General, he could unleash all these institutions against his correista enemies.

There are currently no less than [25 ongoing criminal investigations](#) against Correa. For a while, the main case against Correa was for allegedly ordering the 2012 failed kidnapping, in Colombia, of Fernando Balda, a little-known fugitive of Ecuadorian justice with ties to the criminal underworld, the far right and former Colombian president Álvaro Uribe. This case landed Correa a pretrial detention order, enough for Correa to be effectively barred from returning to Ecuador. This ruling provided great temporary relief for Moreno and his allies. But in August 2020, the chief witness in the case, an Ecuadorian police sergeant who had been instrumental in the accusations against Correa, [sought refuge in Argentina](#) where he announced that [he had been threatened](#) with a nine-year jail sentence if he refused to testify against Correa.

Fortunately for Moreno, another criminal investigation against Correa, this time on corruption charges, had landed the regime the long-awaited result it had been hoping for. In April 2020, Correa was sentenced to [eight years in prison](#) and stripped of his political rights for 25 years.

The prosecution’s case against Correa has mostly relied on the testimony of Pamela Martínez, a former advisor to Correa, who claims to have accepted money from businessmen in 2013 and 2014 with Correa’s knowledge. A notebook emerged in which Martínez details the sums of money she says she received. The notebook is written in the present tense, but it was soon revealed that it was physically printed in 2018, some four years after the alleged events took

place. Martínez now claims [she wrote the notebook's content "on impulse,"](#) on a 45-minute flight from Quito to Guayaquil in 2018. It is thus from memory that Martínez alleges to have included [entries like](#): "Today I received Alexis Mera in my office (...) I have asked for a meeting with the president to tell him about Alexis's request"; and "vice president tells me to receive envelope and hand it over IMMEDIATELY..."; with, below, the word "delivered" scribbled in diagonal, as though checking the task once accomplished. Her precise accounting of funds received is also a tribute to Martínez's impressive ability to remember, four years later, amounts to the exact cent. One entry is for "13,306.88" US dollars.

Nevertheless, the court admitted the notebook as a key piece of evidence. Correa was found guilty — in the absence of any demonstrable involvement with the alleged crimes — of ["psychic influence"](#) over a group of public officials to commit acts of corruption.

Correa's lawyers appealed the sentence. For a while, the government feared that Correa's appeal would not be exhausted by September 17, the day on which parties can start registering their candidates for the February 2021 elections; the candidates are then granted immunity from prosecution until after the elections. To bar Correa from running, the appeals process — which typically may drag on for months — would have to be significantly accelerated. But even in the context of a pandemic that has forced the Ecuadorian judiciary to virtually shut down and [postpone all nonurgent hearings](#), Correa's appeal soon broke records of expediency. Whereas it took four years for former Ecuadorian president Jamil Mahuad's appeal to be heard in a court of cassation, a mere 17 days elapsed between Correa's appeal, the cassation hearing, and the final ruling served in writing. These judges, all appointed during Moreno's intervention of the judiciary, unsurprisingly upheld the April verdict.

Correa currently resides in Belgium, his wife's home country, and Interpol, in its attempts to stay clear of politically motivated cases, has [repeatedly denied Ecuador's requests](#) for the issuance of a red notice against him. Ultimately, this matters little to the anti-correista alliance. While many may relish the sight of Correa in jail, even if it would most likely generate a political backlash detrimental to their interests, the guilty verdict's true purpose is to damage Correa's legacy, prevent him from being physically present in the country, and bar him from running in elections.

The regime's other line of attack has been to undermine the organizational strength of correísmo. The purpose is to prevent Correa and his supporters from having a coherent and functioning political party. Back in 2017, Moreno successfully stripped Correa of Alianza País, the party Correa had created in 2006 in his first successful bid for the presidency. As Correa's former vice president, Moreno knew that in order to [wage an effective campaign against Correa](#) and his legacy, he needed to neutralize Correa's movement. The opportunity arose when Moreno's leadership of Alianza País was challenged by several Correa loyalists. [Another favorable judicial ruling](#) gave Moreno complete control over the party. Of course, Alianza País was correista in essence, and once its historic leader was sidelined, most of its members jumped ship. But fully aware of his transitional role, Moreno's goal was never really to have a strong party of his own. His aim was to make the biggest political force in Ecuador party-less. This he achieved.

Correa and his supporters then sought to create a new party, but [their attempts were systematically foiled](#) by the government-controlled electoral authorities. In 2019, the correistas were eventually forced to join a [preexisting political organization](#) called Fuerza Compromiso Social. So, on July 19, 2020, Ecuador's electoral authorities simply [suspended](#)

[Fuerza Compromiso Social](#) from the register of political parties, thereby blocking it from presenting candidates to the upcoming elections. As a result, in August 2020, correistas were forced to seek the auspices of yet another party, Centro Democrático, to host the movement's candidacies.

Correa's enemies know that this endless journey from one party to another, with its corresponding change of name, color, symbol, list number, and awkward deals with the leadership of host parties, generates an organizational weakness that hampers the party's capacity to dedicate its energy to the task of garnering popular support. And yet, despite these incessant attempts at eroding Correa's room for maneuver, [August 2020 polls](#) confirmed that correismo remains a force to be reckoned with and is most likely to come in first place in the first round of the February 2021 presidential elections. If anything, the movement's August 18 nomination of young economist Andrés Arauz as its presidential candidate has given correismo renewed momentum.

Moreno, on the other hand, faces an uncertain future. His dwindling popularity and credibility, [at 8 percent](#), is the lowest for any president since Ecuador's return to democratic rule in 1979. Last October, popular anger erupted against the government's [IMF-supported neoliberal austerity program](#), resulting in the country's [largest protests in decades](#). The government only barely regained control over the situation after [brutally cracking down on the protests](#): 11 people were killed, at least 1,500 were injured, and over 1,200 were detained. A wave of arrests of opposition figures, [including elected officials](#), followed. Several legislators sought refuge in the Mexican embassy and were [flown to safety months later](#).

In 2020, Moreno's dramatic mismanagement of the COVID-19 crisis made [global headlines](#) when the streets of Guayaquil became [littered with abandoned corpses](#) as the city's health care and mortuary capacities collapsed. Poverty and inequality [have also been rising](#) over the last two years. And a series of [corruption scandals](#) are creating havoc in Moreno's government. The president himself faces accusations of having used [an offshore account in Panama](#) to receive bribes.

Moreno may be able to count on the protection of the United States once his term is up. After all, he has, in a clear effort to secure the support of the US administration, carried out a vast U-turn on many international issues: Ecuador's exit from the Union of South American Nations (UNASUR), which Washington always saw as a rival to the Organization of American States (OAS) and contrary to its interests; the termination of Julian Assange's asylum in Ecuador's London embassy; the recognition of the US-backed Juan Guaidó as president of Venezuela; a renewed program of US military and FBI cooperation, including [the US training of Ecuadorian military personnel](#); and Ecuador's unfaltering alignment with the Trump administration on virtually every vote at the Permanent Council of the OAS.

Having jailed and forced many members of the opposition into exile, brutally repressed protests, and barred both Correa and his political party from running in the upcoming elections, the Moreno government has crossed more than a Rubicon in the violation of essential political rights in Ecuador. So far, the local media and the United States have given Moreno carte blanche, an acquiescence that may lead Moreno to believe that he has little to gain from constraining his authoritarian slide and much to lose from allowing an increasingly likely Arauz victory come February. As a result, the rumor in political circles in Ecuador is that the government is already conjuring up a strategy to bar Arauz from running, by any means possible. Popular pressure and international scrutiny, strikingly lacking so far, will be

necessary to pressure the Moreno government to desist from further harassment, and to hold a semblance of free and fair elections.

The Moreno government's political persecution and manipulation of the election has already convinced a large segment, perhaps even a majority, of the Ecuadorian population that the elections are not free and fair. Were the government to bar or further handicap Arauz's candidacy, people will cry fraud. Political conflict could escalate to unprecedented levels and jeopardize Ecuador's democratic stability for the foreseeable future. This is uncharted territory. Not just anti-democratic, but also dangerous and irresponsible.

- **Guillaume Long** is a senior policy analyst at CEPR. He held several positions as minister during the Rafael Correa government in Ecuador.

<https://cepr.net/political-trials-and-electoral-bans-the-battle-for-democracy-in-ecuador/>

Article first published on [Open Democracy](#)
22/09/2020