HOT OR NOT?

Border Conflicts in the Americas

By Sarah Bons

True, there hasn’t been a major armed conflict between two Latin American states since the 1995 border skirmish between Peru and Ecuador. But historic tensions exist, and some are heating up.

GUANTÁNAMO-CUBA

ORIGIN: Guantánamo, which occupies 45 square miles (117 km) of Cuban territory, was taken by the U.S. after it fought in the Cuban War of Independence in 1898. Afterwards, the U.S. established a naval base on the land, and a 1934 treaty between Cuban President Fulgencio Batista and the U.S. determined that the lease could not be terminated without the agreement of both parties. After the 1959 Cuban Revolution, Fidel Castro asked for the land back, but President Dwight Eisenhower refused, and the dispute exacerbated already high tensions between the two countries. Since the beginning of the U.S. War on Terror in 2001, the base has been used as a detention center. Its use and procedures have been widely criticized by Cuba, the United Nations and human rights groups.

STATUS: COOL. Despite the irritation to already strained U.S.-Cuba relations and international criticism of the detentions, given the overall poor state of relations, this is not a priority. More attention is being paid to the planned diplomatic opening.

VENEZUELA-ANTILLES

ORIGIN: The conflict is based on the water surrounding Aves Island, which is part of Venezuelan territory. Venezuela contends that the UN Convention on the Law of the Sea—which grants countries a 200-nautical-mile economic zone around their islands—legally justifies its right to an exclusive economic zone around Aves Island. But Antigua and Barbuda, Saint Kitts and Nevis, Saint Lucia, and Saint Vincent and the Grenadines assert that Aves Island is only a rocky islet, invalidating Venezuela’s claim to the potentially hydrocarbon-rich continental shelf around Aves.

STATUS: COLD. The UN considers Aves Island a rock, not an island, and there have been no recent disputes on the topic—in part because of Venezuela’s PetroCaribe program that benefits a number of the potential disputants.

DOMINICAN REPUBLIC-HAITI

ORIGIN: The root of the conflict stems from France and Spain’s dispute over control of Hispaniola. In 1697, the Spaniards ceded the western third of the island to France. After Haiti achieved independence in 1804, it occupied the Dominican Republic for 22 years, until 1844. In 1937, Dictator Rafael Trujillo in the Dominican Republic ordered massacres of more than 19,000 Haitians living in the areas of the Dominican Republic closest to Haiti. The genocide remains in the memory of Haitians.

STATUS: WARM. Continued violence and poverty, as well as the 2010 earthquake, have caused many Haitians to flee across the border to the DR, causing further tension. Haiti has experienced steady violence throughout its history, and tensions remain high, based in part on racism and distrust fueled by poverty, especially as Haitians continue to cross the border. However, talks on October 22, 2014, resulted in the countries’ pledge to boost trade and establish a joint investment fund.

NICARAGUA-COLOMBIA

ORIGIN: The dispute stems from nineteenth century claims between former colonies over Caribbean islands. Nicaragua and Colombia signed the Esguerra-Bárcenas Treaty in 1928, giving Colombia sovereignty over the San Andrés, Providencia and Santa Catalina Islands, situated 480 miles off the coast of Colombia and 142 miles off the coast of Nicaragua. But in 1980 the Nicaraguan Sandinista government renounced the treaty, asserting that it was signed due to pressure from the United States. In 2001, Nicaragua submitted the dispute to the
The boundary between the countries was initially determined in colonial times. Independence in 1821 opened the door for border disputes. The 1858 Cañas-Jerez Treaty gave the San Juan River to Nicaragua, but maintained Costa Rican commercial rights. Both continue to dispute the demarcations of the San Juan River and the tip of Calero Island.

In 2005, Costa Rica filed a case with the ICJ over its right to navigate the San Juan River freely. In 2009, the court ruled that Costa Rican police boats could not use the river, but tourists and service boats could for commercial purposes. In November 2010, Nicaraguan troops occupied the northern tip of Calero Island, pointing to Google Maps as proof that they owned the territory; Google quickly corrected their mistake. This led to a second, still pending ICJ case over Nicaragua’s presence in the disputed territory.

In 2011, the ICJ ruled that both countries should remove citizens from the disputed area, and in 2013, that Nicaragua should avoid dredging and canal construction in the disputed territory. Tensions flared again over allegations by Costa Rica that Nicaragua was building two new canals in Costa Rican territory.

**STATUS: GETTING WARMER.** The ICJ has two pending cases: one on the maritime delimitation and the other over the construction of a road on the Costa Rican side of the San Juan River. While Nicaraguan President Daniel Ortega continues what neighbors have considered “expansionist” policies, international arbitration is the only viable resolution.

International Court of Justice (ICJ), and on November 19, 2012, the ICJ granted the islands to Colombia, but redrew the maritime border, awarding Nicaragua almost 40,000 nautical miles of territory. In 2013, Nicaraguan Army Chief Julio César Avilés affirmed his country’s intention to “protect the maritime space granted to us by The Hague” and confirmed the purchase of Russian airplanes and boats. That same month, Nicaragua filed another suit to expand its maritime border past its current 200 nautical miles.

**STATUS: SLOW BOIL.** There is a lot at stake, given the rich fishing and reported hydrocarbon deposits in the waters. But despite the ramped-up rhetoric, both sides seem to be blowing off steam for domestic consumption. Nicaragua is unlikely to militarily provoke the issue, given Colombia’s military power.

**Contested boundary:** The San Juan River between Nicaragua and Costa Rica.
VENEZUELA-GUYANA

ORIGIN: When Guyana was a British colony, Venezuela claimed the Guyana Esequiba region (west of the Essequibo River) as its own, and the river as the boundary between the nations—essentially 60 percent or 13 million hectares of Guyanese territory. The claim is based on the region previously being a Spanish colony. Despite a number of international agreements denying Venezuela’s claims, military scuffles in the 1960s and 1970s increased tensions between the two countries. The region is rich in gold and the waters off the region are potentially rich in hydrocarbons.

STATUS: TEPID. In September 2011, Guyana asked the UN to extend its continental shelf the coast of the Essequibo by 150 nautical miles, where Venezuela has given concessions for natural gas. In October 2013, Venezuelan authorities briefly seized a U.S.-chartered oil exploration ship in waters that were under dispute with Guyana. Despite these tensions, Venezuelan President Nicolás Maduro and Guyanese Prime Minister Donald Ramotar have worked toward better relations in recent years and are awaiting the mediation of the UN.

VENEZUELA-COLOMBIA

ORIGIN: Conflict across the porous Venezuela-Colombia border stems primarily from the presence of non-state criminal actors, including drug traffickers, paramilitaries and Colombian guerrillas. Relations between the two countries reached a low point in November 2009, when President Hugo Chávez instructed his military to prepare for war after President Álvaro Uribe alleged that the Venezuelan government was giving safe haven to FARC guerrillas. But since then—and with the election of Colombian President Juan Manuel Santos—the governments have cooled tensions, linked in part to the FARC peace talks.

STATUS: WARM. Despite the peace talks and better inter-state relations, the border region has a host of illegal activities and growing problems that could erupt in violence. After Venezuela passed a law in 2012 allowing the government to shoot down suspected drug planes that violate its airspace, the army began to crack down on intrusions and suspected drug flights. In October 2013, five members of the Venezuelan Army accidentally crossed the border, and had to be escorted back by police after gasoline smugglers threatened them. On November 10, reports surfaced of fighting in Táchira state in Venezuela, causing the deaths of at least 14 alleged Colombian drug traffickers and Los Urabeños gangs. Added to the dangerous, lawless mix are allegations that regional units of the Venezuelan armed forces and national guard are involved in narco-trafficking and that Colombian paramilitary forces have carried out operations in Venezuela.

ECUADOR-COLOMBIA

ORIGIN: In December 2006, Ecuadorian Foreign Minister Francisco Carrion declared a Colombian crop-spraying program a hostile act and recalled his country’s ambassador. On March 1, 2008, a larger diplomatic crisis erupted when the Colombian military bombed FARC encampments in Ecuador and crossed the border to pursue the FARC combatants. In response, Venezuela and Ecuador dispatched their military to the border. Intervention by the OAS cooled the tensions, and President Álvaro Uribe apologized. Since the conflict, charges of Colombian FARC fighters taking refuge have been leveled by both sides.

STATUS: COOL. Since Colombian President Uribe (known for his tough talk) left office, relations have improved. In November 2010, Colombia and Ecuador re-established diplomatic ties, and in September 2013 Colombia agreed to pay Ecuador $15 million for damages caused by the coca spraying program. According to the more diplomatically inclined President Juan Manuel Santos, relations are “more brotherly than ever.”

BRAZIL-VENEZUELA

ORIGIN: This conflict concerns the Indigenous Yanomami people in the Brazilian and Venezuelan Amazon regions. Illegal gold mining on both sides of the border has created a host of problems, including health issues, violence and damage to Yanomami habitat. Indigenous representatives have called on both governments to

A Yanomami man close to the Venezuela-Brazil border.
Yanomami and their governments in Venezuela work together to better control their territory and stop illegal mining and delineate their rights to their lands from illegal activities in Venezuela, Brazil, and Guyana. Peruvian army soldiers patrol Ecuador’s border. On January 26, 1998, demarcating the border according to the Rio Protocol, but giving Ecuador navigation rights to the Amazon River as well as private navigation (though not sovereign) in Peruvian waters. On October 30, 2014, Ecuadorian Ambassador to Peru José Sandoval noted that the countries were in their “best moment” of bilateral relations. Chilean Army soldiers stand on their side of the border with Bolivia.

**Ecuador–Peru**

**ORIGIN:** Tension over the Condor mountain range that forms part of the border had caused sporadic armed conflict for over 60 years. A 1941 war resulted in the signing of the Rio Protocol in 1942, but later an aerial survey discovered the Cenepa River between the two countries, leading to Ecuador’s rejection of the Rio Protocol. War erupted in January 1995, when the two countries sent 5,000 troops into the area and clashed until signing a ceasefire agreement on February 17.

**STATUS:** Cold. In the wake of the 1995 conflict, the original guarantor countries of the Rio Protocol reconvened. Ecuador and Peru signed the Brasilia Presidential Act on October 26, 1998, demarcating the border according to the Rio Protocol, but giving Ecuador navigation rights to the Amazon River as well as private navigation (though not sovereign) in Peruvian waters. On October 30, 2014, Ecuadorian Ambassador to Peru José Sandoval noted that the countries were in their “best moment” of bilateral relations.

**Bolivia–Chile**

**ORIGIN:** In the 1879–1883 War of the Pacific and the 1904 Treaty of Peace and Friendship, Chile was granted the Bolivian coastline. As a result, Bolivia lost its access to the ocean and copper-rich lands, and has never given up on its goal of regaining access to the sea. On April 24, 2013, Bolivia brought the case before the ICJ. The case is still pending.

**STATUS:** Slow boil. On July 15, 2014, Chile filed a preliminary objection to the ICJ’s jurisdiction in the matter, claiming that the borders are based on a treaty signed by both countries. Despite limited diplomatic relations, armed conflict is unlikely, partly because Bolivia lacks the military might to launch an incursion and win. Bolivia also has extensive natural gas reserves that could be useful to Chile.

**Argentina–Malvinas/Falklands**

**ORIGIN:** First sighted in 1592 by an English sea captain, the Falkland Islands—or Las Malvinas as the Argentines refer to them—approximately 300 miles off the coast of Argentina have been officially under British control since 1771—though after independence, Argentina announced claims based on inheritance from Spain. On April 2, 1982, the Argentine military junta invaded the islands, starting a two-and-a-half month war that resulted in over 900 deaths, including 655 Argentines. On June 14, Argentina’s government surrendered. In a March 2013 referendum, 99.8 percent of islanders voted to maintain their status as a British Overseas Territory.

**STATUS:** Slow boil. Rhetoric is heated, but military action is unlikely. Since arriving in power in 2003, the Kirchners have made the islands a focal point in foreign policy, declaring in multilateral forums like the UN, UNASUR and the Summit of the Americas their country’s claims to the islands—and many regional leaders have expressed support.

**Peru–Chile**

**ORIGIN:** After winning the War of the Pacific (1879–1883), against Peru and Bolivia, Chile gained the Peruvian coastal province of Arica. In the 1952 Santiago Declaration, Chile, Peru and Ecuador agreed on theoretical maritime boundaries at 200 nautical miles, an agreement that gave Chile additional sea territory. In 2008, Peru brought its case before the ICJ, claiming approximately 14,672 square miles of ocean from Chile.

**STATUS:** Cold. On January 27, 2014, the ICJ ruled in favor of both countries; maintaining the border between the two and allowing Chile to keep control over its inshore waters, but also awarding Peru a triangle of approximately 811 square miles of sea territory. Both governments, with some complaints, have accepted the ruling.