

Country/entity	Ecuador Peru
Region	Americas
Agreement name	Propuesta definitiva de los Países Garantes sobre la fijación en el terreno de la frontera terrestre común
Date	26 Oct 1998
Agreement status	Unilateral document
Interim arrangement	Yes
Agreement/conflict level	Interstate/interstate conflict

Cenepa War (1995)

This brief conflict was fought between Peru and Ecuador in 1995, over the control of the Cenepa valley on Peruvian territory. There had been earlier military confrontations over this area between the two nations, one in 1941 (the Ecuadorian-Peruvian War), resulting in a border treaty later disagreed with by Ecuador, and another brief confrontation in 1981. The war was initiated by Ecuadorian outposts at the Cenepa River that were discovered by a Peruvian patrol. Peru claimed that the existence of these outposts constituted a violation of Peruvian territory and gave Ecuador an ultimatum to withdraw its patrols or they would be dislodged by force. The deadline passed and Peruvian troops were deployed to the area to remove the Ecuadorian posts, followed by a general mobilization by both sides. Heavy air and ground attack were carried out from the end of January until 28 February when a bilateral ceasefire agreement was signed. In March 1995, the Military Observer Mission to Ecuador and Peru came to Cenepa, which was later turned into a demilitarized zone, to supervise the separation of forces. Furthermore, both governments negotiated the final demarcation of the border, resulting in the Rio Protocol, signed 26 October 1998.

Close
Cenepa War (1995)

Stage	Implementation/renegotiation
Conflict nature	Territory
Peace process	Ecuador-Peru border dispute peace process
Parties	Ecuador, Peru, as the addressees of the document

Third parties	Signing for the four Guarantor Countries (Argentina, Brazil, Chile, and USA): Carlos Saul Menem Fernando Henrique Cardoso Eduardo Frei Ruiz-Tagle William Clinton
Description	This document is the final proposal of the Guarantor Countries regarding the setting of a Common Land Border between Ecuador and Peru in the disputed area. After encountering difficulties in the negotiations, Ecuador and Peru asked the Guarantor Countries to propose a resolution, and these countries agreed to do so, but requested that both countries (incl. the parliaments) commit in advance to the solution the Guarantor Countries would propose.

Agreement document	EC_PE_19981023_The_bilateral_instruments_that_form_the_comprehensive_and_definitive_Agreement_tr.pdf (opens in new tab) Download PDF
Agreement document (original language)	EC_PE_19981023_Los_instrumentos_bilaterales_que_forman.pdf (opens in new tab)

Groups

Children/youth No specific mention.

Disabled persons No specific mention.

Elderly/age No specific mention.

Migrant workers No specific mention.

**Racial/ethnic/
national group** No specific mention.

Religious groups No specific mention.

Indigenous people Groups→Indigenous people→Substantive
Page 2, 8.
Members of the region's native communities can move freely between the two ecological
zones.

Other groups No specific mention.

**Refugees/displaced
persons** No specific mention.

Social class No specific mention.

Gender

**Women, girls and
gender** No specific mention.

Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

State definition

Nature of state (general) No specific mention.

State configuration No specific mention.

Self determination No specific mention.

Referendum No specific mention.

State symbols No specific mention.

Independence/secession No specific mention.

Accession/unification No specific mention.

Border delimitation Page 2, 1.

In light of disagreement between the parties on the views and opinions issued by the experts appointed by the Guarantor Countries, in line with the Brasilia Declaration timetable on the three items submitted for consideration, the Guarantor Countries of the Rio de Janeiro Protocol believe that such views are part of the implementation of the Rio de Janeiro Protocol and under the judgment of the Arbitrator Braz Dias de Aguiar, and that the parties must therefore proceed to finalize these borders in the manner established by these views and opinions. For this purpose, the annexed maps specify the coordinates of the landmarks to be erected.

Cross-border provision

Page 2, 2.

In accordance with the attached sketch, the Peruvian government will give the Ecuadorian government an area of one square kilometre, in the centre of which is the point known as Tiwinza that Ecuador provided to the MOMEF.

Page 2, 3.

The transfer will be made free of charge through a public deed held by the corresponding entities of Peru and Ecuador, which will be signed when the comprehensive and lasting agreement enters into effect. This transfer will not affect sovereignty. The indicated property will not be seized by the Government of Peru.

Page 2, 4.

The Government of Ecuador, as owner, will have the actual rights that they entrust to the Peruvian National Private Law, except the right to transfer. The use that Ecuador makes of this territory will be in line with the conservation rules applicable to the area in which it is located.

Page 2, 5.

The Government of Ecuador will not have police or military within this area, or perform any related activities, except commemorative acts previously coordinated with the Government of Peru.

Page 2, 6.

Ecuadorian nationals may move freely on a single public motorised road, up to five meters wide, that connects the area with Ecuador, that must be available thirty months after the comprehensive and lasting agreement takes effect, and maintained by Peru with the goal of having a more direct and accessible route to Ecuador. The Technical Committee, referred to in paragraph 9, will be responsible for determining the path of this road. With this goal, respective border control posts will be established on both sides of the border. Given the ecological character of the area, you will not be able to move from one country to another with any kind of weapon.

Page 2, 7.

Each party will, within its territory and under its national law, decide upon an area of ecological protection under the sovereignty and jurisdiction of the State concerned, in the areas and perimeters that are outlined in the attached sketch. Both ecological zones will have the same name and will be adjacent and have a section of overlapping border.

Page 2, 8.

Members of the region's native communities can move freely between the two ecological zones.

Page 2, 9.

The administration of each of the zones will be in charge of competent bodies specialising in the respective country, who will coordinate among themselves through a Peru-Ecuadorian Technical Committee to instruct private, non-profit entities, national and/or international, specialized in conservation and management of natural resources, to perform the necessary studies and to collaborate in the management of environmental resources, so as to ensure their proper conservation.

Page 2, 10.

The respective national police and park ranger authorities will be responsible for the security of the ecological zones. The border posts of each party in these areas will be in the charge of police units and, given the nature of ecological protection of these areas, new military posts will not be installed within their limits. The current military posts

Governance

Political institutions (new or reformed) No specific mention.

Elections No specific mention.

Electoral commission No specific mention.

Political parties reform No specific mention.

Civil society No specific mention.

Traditional/religious leaders No specific mention.

Public administration No specific mention.

Constitution No specific mention.

Power sharing

Political power sharing No specific mention.

Territorial power sharing Power sharing→Territorial power sharing→Other
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Economic power sharing No specific mention.

Military power sharing No specific mention.

Human rights and equality

Human rights/RoL general No specific mention.

Bill of rights/similar No specific mention.

Treaty incorporation No specific mention.

Civil and political rights No specific mention.

Socio-economic rights No specific mention.

Rights related issues

Citizenship No specific mention.

Democracy No specific mention.

Detention procedures No specific mention.

Media and communication No specific mention.

Mobility/access Page 2, 6.
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Protection measures	No specific mention.
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Other	No specific mention.
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Rights institutions

NHRI	No specific mention.
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Regional or international human rights institutions	No specific mention.
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Justice sector reform

Criminal justice and emergency law	No specific mention.
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State of emergency provisions	No specific mention.
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Judiciary and courts	No specific mention.
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Prisons and detention	No specific mention.
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Traditional Laws	No specific mention.
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Socio-economic reconstruction

Development or socio-economic reconstruction	No specific mention.
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National economic plan	No specific mention.
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Natural resources	No specific mention.
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International funds	No specific mention.
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Business	No specific mention.
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Taxation No specific mention.

Banks No specific mention.

Land, property and environment

Land reform/rights No specific mention.

**Pastoralist/
nomadism rights** No specific mention.

Cultural heritage No specific mention.

Environment

Page 2, 6.

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Water or riparian rights or access

No specific mention.

Security sector

Security Guarantees

Page 2, 5.

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Ceasefire

No specific mention.

Police

Page 2, 10.

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Armed forces

No specific mention.

DDR

No specific mention.

Intelligence services

No specific mention.

Parastatal/rebel and opposition group forces

No specific mention.

Withdrawal of foreign forces

No specific mention.

Corruption

No specific mention.

Crime/organised crime

No specific mention.

Drugs No specific mention.

Terrorism No specific mention.

Transitional justice

Transitional justice general No specific mention.

Amnesty/pardon No specific mention.

Courts No specific mention.

Mechanism No specific mention.

Prisoner release No specific mention.

Vetting No specific mention.

Victims No specific mention.

Missing persons No specific mention.

Reparations No specific mention.

Reconciliation Page 1, paragraph 5 of the preamble:
In the aforementioned letter, the Parties requested our assistance in formulating a comprehensive and definitive proposal that helps achieve peace, friendship, understanding, and goodwill.

Implementation

UN signatory No specific mention.

Other international signatory Page 3, signed by representatives of the Guarantor Countries (Argentina, Brazil, Chile, United States):
Carlos Saul Menem
Fernando Henrique Cardoso
Eduardo Frei Ruiz-Tagle
William Clinton

Referendum for agreement	No specific mention.
International mission/force/similar	No specific mention.
Enforcement mechanism	Page 1, paragraph 6 of the preamble: Our governments, in a letter from the President of Brazil, dated October 10th, made known to Your Excellency that to reach such a proposal would require the prior acceptance by both governments of the binding nature for all the parties of our point of view, as well as approval of this commitment from the Congresses of Peru and Ecuador.
Related cases	No specific mention.
Source	http://www4.congreso.gob.pe/comisiones/1999/exteriores/libro1/2avolum/indins.htm
