


**Peace Agreement Access Tool PA-X <https://pax.peaceagreements.org/>**

<b>Country/ entity</b>	Ecuador Peru
<b>Region</b>	Americas Americas
<b>Agreement name</b>	Propuesta definitiva de los Países Garantes sobre la fijación en el terreno de la frontera terrestre común
<b>Date</b>	26 Oct 1998
<b>Agreement status</b>	Unilateral document
<b>Interim arrangement</b>	Yes
<b>Agreement/ conflict level</b>	Interstate/interstate conflict ( Cenepa War (1995) )
<b>Stage</b>	Implementation/renegotiation
<b>Conflict nature</b>	Territory
<b>Peace process</b>	Ecuador-Peru border dispute peace process
<b>Parties</b>	Ecuador, Peru, as the addressees of the document
<b>Third parties</b>	Signing for the four Guarantor Countries (Argentina, Brazil, Chile, and USA): Carlos Saul Menem Fernando Henrique Cardoso Eduardo Frei Ruiz-Tagle William Clinton
<b>Description</b>	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.

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**Agreement document** [EC\\_PE\\_19981023\\_The\\_bilateral\\_instruments\\_that\\_form\\_the\\_comprehensive\\_and\\_definitive\\_Agreement\\_tr.pdf](#) | [Download PDF](#) 

**Agreement document (original language)** [EC\\_PE\\_19981023\\_Los\\_instrumentos\\_bilaterales\\_que\\_forman.pdf](#) | [Download PDF](#)

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## 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.

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## Gender

Women, girls and gender	No specific mention.
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Men and boys No specific mention.

LGBTI No specific mention.

Family No specific mention.

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## **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 Page 2, 1.

delimitation 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.

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## 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.

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## Power sharing

Political power sharing No specific mention.

Territorial power sharing	<p>Power sharing→Territorial power sharing→Other</p> <p>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 MOMEPE.</p> <p>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.</p> <p>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.</p>
Economic power sharing	No specific mention.
Military power sharing	No specific mention.

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## 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.

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## **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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Page 2, 8.  
Members of the region's native communities can move freely between the two ecological zones.

Protection measures      No specific mention.

Other      No specific mention.

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## **Rights institutions**

NHRI No specific mention.

Regional or international human rights institutions No specific mention.

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## **Justice sector reform**

Criminal justice and emergency law No specific mention.

State of emergency provisions No specific mention.

Judiciary and courts No specific mention.

Prisons and detention No specific mention.

Traditional Laws No specific mention.

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## **Socio-economic reconstruction**

Development or socio-economic reconstruction No specific mention.

National economic plan No specific mention.

Natural resources No specific mention.

International funds No specific mention.

Business No specific mention.

Taxation No specific mention.

Banks No specific mention.

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### **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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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 within each park, in Coangos in Ecuador and PV1 in Peru, may remain whilst maintaining their current levels of staffing, but never exceeding fifty in each one.

Water or  
riparian  
rights or  
access

No specific mention.

## Security sector

Security Guarantees	<p>Page 2, 5.</p> <p>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.</p> <p>Page 2, 6.</p> <p>Given the ecological character of the area, you will not be able to move from one country to another with any kind of weapon.</p> <p>Page 2, 10.</p> <p>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 within each park, in Coangos in Ecuador and PV1 in Peru, may remain whilst maintaining their current levels of staffing, but never exceeding fifty in each one.</p>
Ceasefire	No specific mention.
Police	<p>Page 2, 10.</p> <p>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 within each park, in Coangos in Ecuador and PV1 in Peru, may remain whilst maintaining their current levels of staffing, but never exceeding fifty in each one.</p>
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.

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## **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.

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## 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>

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