


## 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>	El Tratado de Comercio y Navegación
<b>Date</b>	26 Oct 1998
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/ conflict level</b>	Interstate/interstate conflict ( Cenepa War (1995) )
<b>Stage</b>	Framework/substantive - partial
<b>Conflict nature</b>	Territory
<b>Peace process</b>	Ecuador-Peru border dispute peace process
<b>Parties</b>	Ecuador, Peru: Fernando de Trazegnies Granda Minister of Foreign Affairs of the Republic of Peru Jose Ayala Lasso Minister of Foreign Affairs of the Republic of Ecuador
<b>Third parties</b>	-
<b>Description</b>	Constituent Agmt of Acta Presidencial de Brasilia. In this agreement, the two countries set up a regime for the navigation on the rivers and access to the Amazon. They set up rules for customs, transit of goods system, and related.

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**Agreement document** [EC\\_PE\\_981026\\_Commerce\\_and\\_Navigation\\_Treaty\\_tr.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 1, Article 8 The navigation between both countries of smaller settler vessels, especially of natives of the Peruvian or Ecuadorian border areas contained in this Treaty, will continue, for the purpose of exchange, without any formalities other than local customs.
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 delimitation No specific mention.

Cross-border provision	<p>Page 3, Article 22</p> <p>The Government of Ecuador will designate for the administration of each of these centres, a private company registered in Peru. The Government of Peru, through the respective concession contract, will cede the land for the operation of the Centre to the company appointed by the Government of Ecuador, within the scope of this Treaty. The time period referred to in the first paragraph of this article will begin from the date of signing of this contract. This company will finance and execute the construction of the respective centre, which will be subject to the relevant Peruvian standards, on a non-discriminatory basis.</p>
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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	No specific mention.
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	[Summary] The whole of the agreement concerns mobility and access to rivers for the purpose of navigation and trade.
Protection measures	Rights related issues→Protection measures→Other Page 3, Article 19 With regard to navigation safety, protection of the river environment, pollution from ships and collisions, the rules in force in the respective territories will applied on a non-discriminatory basis, for which the competent authorities of both countries will notify each other on existing standards.
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	Page 4, Article 33 General measures which the parties feel the need to adopt to respond to states of emergency may involve the temporary suspension, for the shortest possible time, of the exercise of navigation and land-based transit, on the basis of non-discrimination. The other party will be informed of such measures as soon as they are taken.
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	[Summary] The whole agreements concerns the use of rivers for navigation and the regulation of trade.

Taxation	<p>Socio-economic reconstruction→Taxation→Reform of taxation</p> <p>Page 4, Article 28</p> <p>Private companies installed in the centres that allocate their production to Ecuador or to third countries will be exempt from all taxes, including income tax.</p> <p>Page 4, Article 35</p> <p>The Parties agree to give each other the most-favoured-nation treatment . If one of the Parties grants Brazil or Colombia higher rights, powers, and facilities, they will be automatically be applicable in favour of the other.</p>
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	<p>Page 3, Article 19</p> <p>With regard to navigation safety, protection of the river environment, pollution from ships and collisions, the rules in force in the respective territories will applied on a non-discriminatory basis, for which the competent authorities of both countries will notify each other on existing standards.</p> <p>Page 4, Article 31</p> <p>In applying the present Treaty, measures for police and monitoring, health, preservation of the environment, migration and, in general, prevention and suppression of offenses under Peruvian legislation, will be applicable to nationals and to goods of both countries without discrimination, and will not in any case impede freedom of navigation and transit.</p>



Water or riparian rights or access	[Summary] The entire agreement concerns access to ports and navigation on the rivers.
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## Security sector

Security Guarantees	No specific mention.
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Ceasefire	No specific mention.
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Police	No specific mention.
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Armed forces	No specific mention.
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DDR	No specific mention.
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Intelligence services	No specific mention.
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Parastatal/ rebel and opposition group forces	No specific mention.
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Withdrawal of foreign forces	No specific mention.
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Corruption	No specific mention.
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Crime/ organised crime	No specific mention.
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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 No specific mention.

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## Implementation

UN  
signatory No specific mention.

Other  
international  
signatory No specific mention.

Referendum  
for  
agreement No specific mention.

International  
mission/  
force/similar No specific mention.

Enforcement  
mechanism Page 4, Article 37  
A Peru-Ecuadorian Trade and Navigation Commission will be established, in  
charge of resolving disputes that might arise from the application of this  
Treaty.

Related  
cases No specific mention.

Source USIP [http://www4.congreso.gob.pe/comisiones/1999/exteriores/  
libro1/2avolum/indins.htm](http://www4.congreso.gob.pe/comisiones/1999/exteriores/libro1/2avolum/indins.htm)

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