

Country/entity	Ecuador Peru
Region	Americas
Agreement name	Reglamento para la administración del Canal de Zarumilla y la utilización de sus aguas
Date	26 Jan 1998
Agreement status	Multiparty signed/agreed
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 Canepa 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 Canepa, 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	Framework/substantive - partial
Conflict nature	Territory
Peace process	Ecuador-Peru border dispute peace process
Parties	Ecuador, Peru
Third parties	-
Description	Constituent Agreement of Acta Presidencial de Brasilia. Sets out detail of the Permanent Binational Commission to manage the Zarumilla Canal. Also deals with water extraction, maintenance of canal and pipes, organizational structure of the Commission ⁷

Agreement document	EC_PE_981026_Regulation_for_the_Administration_of_the_Zarumilla_Canal_tr.pdf (opens in new tab) 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	No specific mention.
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 No specific mention.

Cross-border provision No specific mention.

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 No specific mention.

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.
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Socio-economic rights	No specific mention.
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Rights related issues

Citizenship	No specific mention.
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Democracy	No specific mention.
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Detention procedures	No specific mention.
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Media and communication	No specific mention.
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Mobility/access	No specific mention.
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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.

Traditional Laws No specific mention.

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.

Land, property and environment

Land reform/rights No specific mention.

Pastoralist/nomadism rights No specific mention.

Cultural heritage No specific mention.

Environment

Page 3, Art. 15:

Art. 15.- The Commission will distribute the Canal's flow so that Ecuador can use 55% of the total available and Peru 45%. When the flow rates are between 1.5m³/s and 0.4m³/s, the two countries will take turns using it.

For anything lower than 0.4m³/s, the entire flow rate will be considered as ecological flow to maintain the environment up until the river's mouth into the sea.

Any water running under the river bed which can be obtained will be shared by the two countries in the same percentages established in this article.

Page 3, Art. 23

Art. 23.- The Commission will promote the adoption of sanitation measures and execution of sanitation and environmentally beneficial projects of using the Canal's waters.

Water or riparian rights or access

[Summary] The whole agreement concerns water and riparian rights.

Security sector

Security Guarantees	No specific mention.
Ceasefire	No specific mention.
Police	No specific mention.
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	No specific mention.

Implementation

UN signatory	No specific mention.
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Other international signatory Signatories/witnesses: US, Chile, Argentina, Brazil

Referendum for agreement	No specific mention.
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International mission/force/similar	No specific mention.
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Enforcement mechanism	<p>Page 6, Articles 37 and 38:</p> <p>Art. 37.- The Committee will resolve by itself any problems that may arise among the National Branches of the two countries from water use, or differences in the maintenance of the Canal, as well as any other matter within its competence.</p> <p>Art. 38.- If the National Branches are not able to agree within the Committee, the issue will be the escalated to their Governments, who will consult without delay the Foreign Ministries, so that it may be resolved in the shortest possible time.</p>
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Related cases	No specific mention.
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Source	http://www4.congreso.gob.pe/comisiones/1999/exteriores/libro1/2avolum/indins.htm
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