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 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	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 MOMEP.

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,

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 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 MOMEP. 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.

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. 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, 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.

Rights institutions

NHRI	No specific mention.
Regional or international human rights institutions	No specific mention.

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.

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 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 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	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. 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, 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.
Ceasefire	No specific mention.
Police	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.
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, paragpraph 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.