

<b>Country/entity</b>	Ecuador Peru
<b>Region</b>	Americas
<b>Agreement name</b>	Reglamento para la administración del Canal de Zarumilla y la utilización de sus aguas
<b>Date</b>	26 Jan 1998
<b>Agreement status</b>	Multiparty signed/agreed
<b>Interim arrangement</b>	Yes
<b>Agreement/conflict level</b>	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)

<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
<b>Third parties</b>	-
<b>Description</b>	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 <sup>7</sup>

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<b>Agreement document</b>	<a href="#">EC_PE_981026_Regulation_for_the_Administration_of_the_Zarumilla_Canal_tr.pdf (opens in new tab)</a>   <a href="#">Download PDF</a>
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## Groups

<b>Children/youth</b>	No specific mention.
<b>Disabled persons</b>	No specific mention.
<b>Elderly/age</b>	No specific mention.
<b>Migrant workers</b>	No specific mention.
<b>Racial/ethnic/ national group</b>	No specific mention.
<b>Religious groups</b>	No specific mention.
<b>Indigenous people</b>	No specific mention.
<b>Other groups</b>	No specific mention.
<b>Refugees/displaced persons</b>	No specific mention.
<b>Social class</b>	No specific mention.

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## Gender

<b>Women, girls and gender</b>	No specific mention.
<b>Men and boys</b>	No specific mention.
<b>LGBTI</b>	No specific mention.
<b>Family</b>	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** No specific mention.

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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** No specific mention.

**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 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 1.5m<sup>3</sup>/s and 0.4m<sup>3</sup>/s, the two countries will take turns using it.

For anything lower than 0.4m<sup>3</sup>/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.

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## **Security sector**

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

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## **Transitional justice**

<b>Transitional justice general</b>	No specific mention.
<b>Amnesty/pardon</b>	No specific mention.
<b>Courts</b>	No specific mention.
<b>Mechanism</b>	No specific mention.
<b>Prisoner release</b>	No specific mention.



<b>Vetting</b>	No specific mention.
<b>Victims</b>	No specific mention.
<b>Missing persons</b>	No specific mention.
<b>Reparations</b>	No specific mention.
<b>Reconciliation</b>	No specific mention.

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## **Implementation**

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

<b>Referendum for agreement</b>	No specific mention.
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<b>International mission/force/similar</b>	No specific mention.
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<b>Enforcement mechanism</b>	<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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<b>Related cases</b>	No specific mention.
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<b>Source</b>	<a href="http://www4.congreso.gob.pe/comisiones/1999/exteriores/libro1/2avolum/indins.htm">http://www4.congreso.gob.pe/comisiones/1999/exteriores/libro1/2avolum/indins.htm</a>
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