

Presidential Act of Brasilia

In the city of Brasilia, October 26th, 1998, the most excellent Jamil Mahuad Witt, President of the Republic of Ecuador and President Alberto Fujimori Fujimori, President of the Republic of Peru, met to make a formal record of the definitive end of any differences that for decades have separated these two countries.

The following were present, in their roles of Heads of State of the Guarantor Countries of the Protocol of Peace, Friendship and Borders, signed in Rio de Janeiro on January 29th, 1942: Their excellencies Fernando Henrique Cardoso, President of the Federal Republic of Brazil, Carlos S. Menem, President of the Republic of Argentina, Eduardo Frei Ruiz-Tagle, President of the Republic of Chile and the Personal Representative of the President of the United States of America, Mr. Thomas F. McLarty III.

On the occasion of this momentous event, the Presidents of Peru and Ecuador agreed to endorse the present

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They therefore,

"1. Express their conviction regarding the historic significance, for the development and well-being of the fraternal people of Ecuador and Peru, of the understandings reached between the two Governments. With these agreements the substantive discussion envisaged in the Itamaraty Peace Declaration of February 17th, 1995, culminates, and ends in a comprehensive and definitive manner the discrepancies between the two Republics so that, on the basis of their common roots, both nations are headed toward a promising future of cooperation and mutual benefit.

"2. Declare that with the binding view issued by the Heads of State of the Guarantor Countries, in their letter dated October 23rd, 1998, which forms an integral part of this document, the border dispute between the two countries is definitively resolved. With this basis, they leave the firm and unbending will of their respective Governments to conclude, within the shortest possible time, the setting up of a Common Land Border.

"3. Simultaneously declare their commitment to submitting the agreements signed on this date to the internal law approval procedures, as appropriate, to ensure their speedy entry into force. These agreements are:

"- Trade and Navigation Treaty, in line with article VI of the Protocol of Peace, Friendship and Borders of Rio de Janeiro.

"- Comprehensive Ecuadorian Peruvian Agreement on Border Integration, Development and Neighbourly Relations which includes as annexes the Regulation of the Peru-Ecuadorian Neighbourliness Commission; the Convention on Transit of Persons, Vehicles, Sea and River Boats, and Aircrafts; the Regulation of the Peru-Ecuadorian Border Committees; the Organizational Structure of the Binational Development Plan for the Border Region; Programs of the Binational Development Plan for the Border Region, and the Organizational Structure of the Binational Fund for Peace and Development.

It also includes the Acceleration and Strengthening of Free Trade between Ecuador and Peru Agreement. Additionally, the Draft Agreement for Exchanging Notes to perform the Study for the Technical-Economical Feasibility of the Binational Putumayo-Tumbes Project; the Draft Memorandum for Understanding the Urban-Regional Program and Tumbes-Machala Axis Services; the Draft Memorandum for Understanding the Peru-Ecuadorian Interconnection Vial; the Draft Convention on Electrical Interconnection; the Base Agreement for Contracting a Feasibility Study for the Binational Hydrocarbons Transport Project; the Draft Memorandum for Understanding the Strengthening of Mutual Cooperation in Tourism; the Draft Agreement for the Development of a Technical Cooperation Program in the Area of Fishing; and the Draft Memorandum for Understanding Cooperation in Education.

"- Exchange of Notes on the Bases Agreement with respect to the rehabilitation or reconstruction of the Zarumilla Channel's water pipes, as well as the Rules for the Zarumilla Channel's Administration and the Use of its Waters.

"- Exchange of Notes in relation to aspects related to the Navigation of Gaps in the Rivers and of the Napo River.

"- Exchange of Notes on the Constitutional Agreement of the Binational Peruvian-Ecuadorian Commission on Measures for Mutual Trust and Safety.

"4. Will expressly place on record the importance of the agreements reached for the ideals of peace, stability, and prosperity, which support the American continent. With this goal, and in line with the first article of the Protocol of Peace, Friendship and Borders of Rio de Janeiro (1942), they reaffirm their rejection of threat or use of force in relations between Peru and Ecuador, as well as of all acts that may undermine peace and friendship between the two nations.

"5. Are eager to highlight their appreciation for the key role played in achieving these understandings by the Governments of Argentina, Brazil, Chile and the USA, Guarantor Countries of the Rio de Janeiro Protocol, and therefore will leave a record of the appreciation of their nations for the dedication and effort made in compliance with the Protocol and will call to for this to continue until the delineation of the border is complete".

Their Excellencies the Presidents of the Republics of Peru and of Ecuador, Alberto Fujimori and Doctor Jamil Mahuad Witt hereby sign this Act, as the Ministers of Foreign Affairs of Peru, Mr. Fernando De Trazegnies Granda and of Ecuador, Ambassador José Ayala Lasso endorse it.

Present as witnesses of this solemn ceremony: their Excellencies Fernando Henrique Cardoso, President of the Federal Republic of Brazil, Carlos S. Menem, President of the Republic of Argentina, Eduardo Frei Ruiz-Tagle, President of the Republic of Chile and the Personal Representative of the President of the United States of America, Mr. Thomas F. McLarty III.

Alberto Fujimori
President of the Republic of Peru

Jamil Mahuad Witt
President of the Republic of Ecuador

Carlos Saul Menem
President of the Republic Argentina

Fernando Henrique Cardoso
President of the Federal Republic of Brazil

Eduardo Frei Ruiz-Tagle
President of the Republic of Chile

Thomas F. McLarty III
Personal Representative of the President of the United States of America

Fernando de Trazegnies Granda
Minister of Foreign Affairs of Peru

Jose Ayala Lasso
Minister of Foreign Affairs of Ecuador