

The Ecuador–Peru Peace Process

Marcel Fortuna Biato*

Abstract: The 1998 Brasilia Peace Agreement ended a territorial dispute between Ecuador and Peru that, due to the size and location of the contested area, had remained a source of regional instability and continental tensions for decades. This paper examines the circumstances that finally allowed negotiations, beginning in 1995, to overcome an almost two-centuries-old conflict, long after almost all territorial disputes in South America had been laid to rest. It will focus in particular on the diplomatic endeavours by the guarantor countries of the 1942 Rio de Janeiro Protocol, which involved a unique set of negotiations, and the setting up of the first effective multilateral peace operation in South America. It also suggests that the peace agreement benefited from the dynamics of economic integration underway since the 1980s. Finally, it considers the implications for regional security arrangements, as well as Brazil's leadership credentials in South America.

Keywords: Dispute Settlement; Land Dispute; Integration; Peace Mission; Peru; Ecuador.

Introduction

On 28 October 1998, in a historic ceremony at the Itamaraty Palace¹ in Brasilia, a long-standing border dispute that had fed persistent rivalry, a series of failed diplomatic overtures, and sporadic hostilities between Ecuador and Peru was finally put to rest. The signing of the Brasilia Peace Accord was the final act in a prolonged conflict that had, due to the vast size and strategic location of the contested area, been an enduring source of regional instability. This outcome followed an intensive mediation exercise that had mobilised diplomatic energies on an unprecedented scale, incorporating the first effective multilateral peace-keeping mission in South America.² The agreement also strengthened a wave of self-confidence then sweeping the continent, and marked a novel willingness to face up to age-old evils undermining regional growth and advancement.³ It was no coincidence that, shortly thereafter, Brasilia hosted the first ever meeting of the region's heads of state.

Over a century and a half of sporadic standoffs, a major war, and a succession of diplomatic manoeuvrings fed an atmosphere of ingrained suspicions and latent distrust between Ecuador and Peru (Arroyo del Río 1995; Tobar Donoso 1982) that undermined all endeavours to either solve the border dispute or isolate it from the wider bilateral relationship.⁴ The bad blood even made a dead letter out of the 1942 Protocol⁵ that had re-

* Ministry of Foreign Affairs, Brasilia-DF, Brazil; biatomarcel@gmail.com.

established peace, and settled the bilateral borders in the wake of the 1941 war between the two countries. The guarantor countries (Argentina, Brazil, Chile and the USA) which were tasked with ensuring the Protocol's full implementation⁶ were quickly neutralised into inaction. Following the collapse of successive attempts over several decades to revive negotiations about implementing the 1942 Protocol (Vinícius de Souza 1983; Calderón 1997), leaders in both countries largely gave up any hope of a definitive border settlement, preferring to leave the dispute to hibernate while pursuing the significant opportunities for economic co-operation and trade.⁷ Recurring small-scale armed scuffles, it was thought, could conveniently be dealt with through traditional confidence-building measures to foster *détente*, at least on the field of battle. This tactic prevailed as recently as 1991, when a border skirmish was quickly followed by a cease-fire sponsored by the guarantor countries, but without any meaningful attempt to deal with the underlying issues (Klepak 1998; Palmer 1997).

Ironically, the peace process, which lasted between February 1995 and October 1998, was unleashed by a war. Fighting in the Andean highlands over several weeks in January 1995 was the most intense military conflict in South America for more than half a century (Fernández de Córdoba 1998; Pedro 1997). Why was the 'Cenepa War'⁸ not just one more flare-up in the apparently unending spiral of armed confrontation and failed negotiations that had long defined relations between these Andean neighbours? Following the 1941 war, the 1942 Protocol had formally set the boundaries between the two countries (McBride 1996), but was unable to exorcise the long-standing bad blood. Why did the 1995-8 peace process, half a century after its signing, succeed where innumerable attempts spanning almost a century⁹ had failed?

Choreography of peace

Traditional theories about the efficacy of conflict resolution tend to focus on identifying a midpoint which bridges the distance between conflicting positions by teasing out a positive-sum formula that gives enough to each side for a deal to be clinched. When applied to specific cases, the predictive possibilities of these theoretical methods have generally been found wanting. The search for an ideal balance of interests easily turns into a tautological goose-chase. How useful can such a tool be in the Ecuador-Peru case when one considers that the 1998 agreement made no substantive alterations to either the border or to bilateral relations? The following analysis of the negotiation dynamics suggests that more recent approaches, focusing on the subjective predisposition of parties to end a given conflict, offer a more useful heuristic tool.

Window of opportunity

In seeking to analyse the preconditions for successful mediation, many authors (notably Zartman 2000; Touval 1982) have focused on the general concept of 'ripeness'. Applied to the Ecuador-Peru clash, it could be argued that conditions were in fact abundantly

‘ripe’ for some form of accommodation: globalisation and post-Cold War détente both favoured hopes for regional integration, rendering parochial nationalism and xenophobic rhetoric not only out of date but positively counterproductive. Furthermore, general war-weariness in the face of the cost and uncertain outcome of the January 1995 conflict weakened jingoistic fervour, increasingly seen as a smokescreen to hide the failures of local elites in delivering sustainable economic growth and social welfare. Most importantly, reinvigorated democratic institutions and a more mature and engaged public opinion allowed Jamil Mahuad to run for the Ecuadorian presidency in 1997 on a peace platform and Peru’s incumbent leader, Alberto Fujimori, to respond in kind.

The usefulness of the notion of ‘ripeness’ as an overarching synthesis has its limits, however, when one considers that not all ripe moments are seized. How else to explain that the previous border skirmish, only a few years before (in 1991), did not lead to decisive guarantor engagement? Furthermore, some kinds of negotiations can take place in the absence of ‘ripeness’. The 1942 Protocol, it is worth recalling, was signed in the aftermath of the bloody 1941 war – and therefore hardly an instance of visionary forethought. Rather, the conditions under which it was signed (see note 13) were to stoke the fires of distrust and controversy. Others refine the notion of the perception of ‘ripeness’ by offering detailed analyses of the perceptions and motivations associated with local actors. While this enriches the concept’s descriptive value, it adds little predictive value.

Tipping point

Ripeness theory has evolved beyond this generic appreciation. It posits the existence of tipping points beyond which the accumulated costs arising from a prolonged and ‘hurtful’ stalemate, often linked to catastrophic scenarios, trigger the necessary pressure for a desirable denouement. The stalemate in the aftermath of the Cenepa War would seem to confirm this hypothesis. The significant losses underscored the fact that neither Ecuador nor Peru was ever likely to achieve an outright military victory and, even then, only at extremely high political and economic cost. A further escalation of hostilities could easily spin out of control in terms of human suffering and materiel loss, with unpredictable political fall-out in notoriously unstable countries. President Fujimori refused to heed the high command’s calls to make full use of Peru’s military superiority to mount a massive counteroffensive in response to Ecuador’s illegally amassing of troops in the demilitarized zone.¹⁰

As for Ecuador, together with the very real risk of suffering a devastating retaliatory attack, there was an additional incentive to show restraint. Ecuadorian forces had for once held their own in the face of vastly superior troops, and repulsed Peruvian counterattacks. In what was to become known as the ‘mini victory at Cenepa’, the Ecuadorian brass felt professionally vindicated, politically empowered and therefore more open to accommodating the Peruvians (Moncayo 1994).¹¹

Stalemate and beyond

Yet the notion of a stalemate serving as the trigger for a negotiated settlement is also problematic. Its questionable explanatory value is underscored by the fact that ‘injury’ may in fact harden rather than help dissolve resistance. By mid-1998, for example, as a final agreement seemed tantalizingly close, unexpected difficulties surfaced. Minor accommodations about navigation, customs and trade facilities that were meant to help unlock the crucial question of border demarcation (see later) began to suffer a barrage of technical and formulaic stonewalling. This was associated with unexplained troop movements after many months of calm, as signs grew of unauthorized infiltration into the demilitarized zone. Fujimori was forced to cancel his trip to Quito for the August inauguration of President-elect Mahuad who had, on the campaign trail, adopted a more moderate and pragmatic tone in respect of the border issue. As talks advanced, disaffected groups on both sides were clearly seeking to sabotage any outcome that meant anything less than outright victory for their interests and prejudices. The peace process had suddenly become a victim of its own success, and the guarantors were forced to weigh in heavily to put the negotiations back on track (Biato 1999; Mariz 1998).

That ‘ripeness’ provides an opportunity for substantive knowledge and techniques of negotiation to come into play is little more than a tautological acknowledgement of the obvious: ‘When ripeness exists, practitioners need all their skills to turn it into a successful peacemaking process’ (Stern and Druckman 2000).

Ripeness theory tries to overcome these perceived hurdles by adducing, as an additional and necessary component, the ‘perception of a way out’, the sense on both sides that a negotiated outcome is within reach, and that the other party shares the desire to move to a mutually agreeable outcome. In other words, impending failure must be matched by a sense of how to break the stalemate.

The game-changer in 1995 was the willingness of political leaders to play out what could be described as a ‘choreography of peace’ (Biato 1999). Through an orchestrated display of mutually reciprocated confidence-building measures and good faith gestures, the distance between the two sides was gradually narrowed down to the issue at the heart of the dispute: the border running through the Cenepa Valley.

But how to overcome these differences without generating the kind of friendly fire that sabotages negotiations, as described above? How to keep maximalist demands in check until negotiations progress to a point where a durable end result, however far from the original expectations, can be envisioned?

The guarantors as honest brokers

More important than trying to establish whether there is room – ‘ripeness’ – to launch a mediation effort is to actually engage in one, and then ascertain pragmatically how best to move ahead. ‘The absence of “ripeness” does not tell us to walk away [...] It helps identify obstacles and suggests ways of handling them and managing the problem until resolution

comes within reach' (Crocker 1992: 471). Rather than focus on theoretical formulations, Crocker underscores the crucial role of the mediator by providing practical counsel about organising mediation exercises. Similarly, Goodby uses visible indications of the willingness of external actors to help break the deadlock as a litmus test. Even if one believes that 'ripeness' results from objectively measurable indicators, this sensibility will often remain barren if not enabled by interested outside actors exerting persuasive pressure.

As the aftermath of the 1991 skirmish had shown, despite the 'ripeness' of conditions, accumulated failures and frustrations had made the parties unable to write this 'peace score' on their own; a choreographer was required. It was not by chance that the first two years of the four-and-a-half-year peace process were taken up by defining the rules of procedure that were to guide the ensuing negotiations under guarantor guidance. Only then were these two long-standing adversaries able to grasp the nettle, and work out their co-responsibilities in building a common future.

In overcoming the brinkmanship that is part of any bargaining exercise where trust is lacking, the mediator must balance two vital tools for coaxing out progress: to actively support the negotiations, but to threaten to remove this support should the parties fail to engage consistently. Only then will the opposing sides assume ownership of the peace process, and accept responsibility for making a final agreement stick.

No doubt because of their own reading of the 'ripeness' of conditions, the guarantors were willing to put these principles into practice in the aftermath of the January 1995 war, and go beyond previous practice of just overseeing a ceasefire. Their response was quick and decisive, guided by the following assumptions:

Peace as the goal

The guarantors were willing to help establish a lasting cessation of hostilities and send a peace-keeping operation to secure the war zone, but only if both sides committed themselves to resolving the underlying border issue. This basic understanding was enshrined in the Itamaraty Peace Declaration of 17 February 1995, making official the existing ceasefire as well as the guarantors' commitment to enforcing it. The bargain required crucial concessions to help sustain what amounted to a diplomatic juggling act: Ecuador would provisionally abstain from questioning the validity of the 1942 Protocol, which it had maligned for decades. In exchange, Peru would concede that certain preliminary issues raised by Ecuador should be addressed before negotiations on the boundary demarcation, provided for in the 1942 Protocol, could be formally resumed and concluded (Bustamante 1997; Moreyra 1995).

Peace-keeping

An effective demonstration of a willingness to move ahead first had to come in the battlefield. This meant allowing the deployment of the Military Observer Mission to Ecuador and Peru (MOMEPE) to stabilise the conflict perimeter by enforcing a lasting ceasefire,

setting up a demilitarised zone after the separation of forces, and fostering generic confidence-building measures on the ground.¹² The next step involved nudging the antagonists towards assuming growing responsibility for securing peace and security. The guarantors introduced the innovative but risky strategy of rotating greater numbers of Ecuadorian and Peruvian officers into the MOMEF high command.¹³ By making them take on greater duties in the field, MOMEF helped prepare the groundwork for the diplomatic negotiations that would ensue on the substance of the dispute (Biato 1999; Klepak 1998).

Scope of the dispute

Assuming responsibility goes beyond adopting immediate measures to ensure the cessation of hostilities; it also requires a willingness to address the long-term implications of an agreement. The parties must, as it were, take 'ownership' of the process, no matter how distant the final formula is from their initial ambitions. To this end, the guarantors required both sides to make explicit their respective claims, thus avoiding brinkmanship and hedging. Once the military situation was under control, starting in March 1996, lists were exchanged containing the 'outstanding disagreements' – in other words, the respective points of view on how best to implement the 1942 Protocol. Through carefully orchestrated technical expositions, each side presented their demands in unprecedented detail and precision, and reacted to those of the other party. For the first time, each side became acquainted with the full range and import of the other's ambitions and proposals. They could now more clearly discern what was in fact in play, allowing both sides to better evaluate how far they might be willing to depart from their initial demands in exchange for putting the long-standing dispute to rest (González 1997). At this stage, the guarantors exercised mediation in its commonly understood form, hovering between dialogue facilitation and more intrusive third-party interventions (Alvarez et al 2013).

Realigning negotiations

However, as negotiations advanced, apparently insurmountable differences emerged on the border demarcation issue, which threatened to undo all the goodwill previously built up. Clearly, conflict resolution often requires more than an arbiter; it calls for an honest broker capable of seizing a particularly advantageous moment to intervene, and help catalyse a breakthrough. Overcoming overwhelming inertia and skepticism requires developing a strategy that provides a negotiating environment sufficiently free from outside pressures to allow the gradual dilution of ingrained rivalries and prejudices, and the percolation of innovative perspectives.

The challenges in forging this virtuous cycle of reconciliation are especially great when dealing with inter-state conflicts that often involve issues of national sovereignty, and imponderable notions of collective dignity and identity.¹⁴ The question of the mediator's role when stalemate takes hold opens the way for the discussion of 'creative diplomacy' – in other words, the notion, suggested earlier, that the major challenge to a solution has less

to do with the substance of the disagreement than with variable and voluble perceptions of loss or injury. The guarantors faced the challenge of encouraging the sides to engage in what Saunders (1991) describes as 'interactive conflict resolution' through 'conflict transformation'. It presupposes that conflicts of interests are largely socially determined and therefore reversible, given the proper conditions over time. Flowing from this, it believes that the perceptual and emotional components of disputes – whether the sovereign interests of a country, or the local politics of identity – can be transformed by engaging in a dialogue that opens the way for a realignment of perceptions and expectations.

Beginning in late 1997, the guarantors began to rethink the negotiation process. They presented a new blueprint for discussions focused no longer on reducing the distance between the parties, but rather on building consensus in areas where the benefits of an agreement for both sides were most tangible.¹⁵ Many of the strategic goals sought by Ecuador could be achieved without redrawing the border with Peru. A bilateral agreement could provide for specific concessions about freedom of navigation and border integration that would achieve Ecuador's stated aim of overcoming the long-standing isolation and backwardness of its Amazonian region.¹⁶ Thereafter, the talks focused on bringing to fruition the following modalities of bilateral co-operation:

- i. *Encouraging navigation and trade*: This involved allowing Ecuadorian vessels to navigate freely along the Peruvian stretch of tributaries leading to the open sea. Additionally, Ecuador would be allowed to establish export processing centres (including customs and port facilities) along those rivers, where Peru would improve navigational conditions. These concessions would help to develop the Ecuadorian backwaters, and enhance its competitiveness and integration with the rest of the continent.
- ii. *Border co-operation*: This involved fostering cross-boundary integration and financing local infrastructure in order to enable, through co-ordinated administration, the rational and sustainable use of shared natural resources.
- iii. *Confidence-building*: This involved introducing security measures to enhance control over weapons stockpiles, and transparency in their acquisition and maintenance. This would help cool down the arms race that flared after Ecuador had insisted on acquiring a disproportionately large dissuasive capability, given Peru's overwhelming offensive superiority.
- iv. *Guarantor assistance*: This involved offering, within the framework of the 1942 Protocol, guarantor intercession with friendly nations and international financial and technical agencies so as to promote the implementation of these proposals.

'Hands-on' mediation

The new framework got negotiations going along these axes, but consciously left the crucial demarcation issue in suspension. By offering compensation that achieved in practical terms Ecuador's central objectives, it was hoped that Quito would agree to drop territorial claims it had fought for both at the negotiating table and on the battlefield. Unfortunately,

all the possibilities for co-operative development that an agreement would open up fell short when it came to cutting the Gordian knot of border demarcation.

The challenge now before the guarantors was to build an 'expectations bridge' to a common outcome. Through actions that display legitimacy and proportionality, the mediator can unlock a series of motions that help to distil changes in relationships and perceptions. Zartman (2000) and Touval (1982) go so far as to suggest that the active engagement of the mediator may require moving beyond a role in communication and formulation to that of active manipulation. However, recourse to heavy pressure will only be effective if applied in a way that is ultimately acceptable to the two sides; otherwise he risks fostering a sense of overbearing duress and/or blackmail that may tempt the affected side to question or denounce the agreement.

How did the guarantors square this negotiating circle? In return for the mutual concessions agreed to by both sides to ensure that the negotiations would move ahead, the guarantors agreed to take on a catalytic role: they became the arbiter of last resort in the eventuality – considered almost inevitable – that the sides would be unable on their own to achieve closure on the 'outstanding disagreements'. Should these differences prove insurmountable, the guarantors would be obliged to put forward an alternative proposal to help close the gap.¹⁷ They might also, if requested, present – this time only in an advisory capacity – a proposal providing a package solution to the dispute should other options fail.¹⁸

In this way, the guarantors sought to keep the negotiations from sputtering out, but without sliding down a dangerous and slippery slope: once forced to take the lead, being obliged to ultimately assume full responsibility for the outcome. By these means, a system of reciprocal checks and balances was put in place by which the guarantors, while not being allowed to impose a solution, could condition their continued involvement in the peace process to meaningful demonstrations of commitment on the part of both parties. The guarantors put in place what might be described as a political-diplomatic pincer movement that nudged the parties forward. This was but the latest in a series of carefully calibrated moves aimed at gradually increasing the pressure on both sides to move forward in exchange for guarantor support. This policy had shown itself robust enough to weather repeated bouts of political instability in both countries.¹⁹

The last and decisive challenge for the guarantors was to unblock discussions on the crucial question of border demarcation. As far as Peru was concerned, the first step was to fully implement the 1942 Protocol, and only on that basis to attempt to placate Ecuadorian sensibilities. According to Ecuador, the procedure had to be the other way round: only after having accommodated Ecuador's minimal expectations on the territorial issue could normalisation of bilateral relations and border demarcation be pursued.

A negotiating framework was called for that would allow both sides to formally retain their stated positions, while simultaneously encouraging a realistic review and reconsideration of the feasibility of achieving them. To enable this balancing act, the guarantors made use of the notion of a single undertaking by which concessions agreed to on specific points would only be validated and made public in the event of a general agreement about all the outstanding issues. This ingenious formula discouraged brinkmanship, and allowed

for a decanting of maximalist claims. The sides tacitly agreed to suspend negotiations on the especially sensitive border question, thus allowing time for progress to be made on the less controversial but potentially game-changing possibilities for bilateral co-operation. In what became known as an exercise in 'constructive ambiguity', Ecuador temporarily shelved its core demand: sovereign access to the Marañón River, and a review of 90% of the demarcation work already done. In exchange, for the time being, Peru ceased public calls for Ecuador to abandon these claims, and to accept unconditionally the validity of the 1942 Protocol.

After lengthy talks, a series of bilateral commissions on these topics was established in January 1998,²⁰ as well as a timetable extending to April to prepare recommendations on the 'outstanding issues'. As was to be expected, the reports generally confirmed the Peruvian positions²¹ and, as agreed, were kept under wraps.²² This outcome left implicit the understanding that Ecuador would abandon its territorial claims if satisfactory compensation in other areas was forthcoming.

Presidential diplomacy

The parties

The conditions were thus created for an imminent agreement: Ecuador would come away with a small consolation about the border issue as well as a series of trade and economic compensations, in exchange for accepting, as required by Peru, the validity of the 1942 Protocol and final recognition of the boundary. This formula threatened to unravel in the face of last-minute hitches, in particular the threat of a military showdown along the border (see earlier). Given these setbacks, the guarantors encouraged presidents Mahuad and Fujimori to personally take charge of the negotiations. To their credit, they immediately moved on to the central theme in one-to-one meetings without the presence of overly zealous or cautious advisers.²³ Mahuad had taken the lead by stating privately that he was willing to take Ecuador down the road to peace by forfeiting its long-standing territorial demands; for this, he would need face-saving concessions. The answer was Tiwintza, a minor outcrop near the Cenepa Valley with no tangible strategic or economic value. It had, however, been the stage for gritty resistance by outnumbered Ecuadorian troops during the short but nasty 1995 war that became known as the 'mini victory' (see earlier). It had become a rallying cry for a renewed sense of military prowess and national pride in a country that had always felt itself at the mercy of its more powerful neighbours; a portent of a nation rising from the ashes of past humiliation.

The most obvious solution to this question was a swap of territory, with Ecuador ceding land along the border equal in size to Tiwintza. However, national sentiment in Peru against giving up even the tiniest piece of land proved uncompromising, in so far as this could be interpreted as tantamount to revising the 1942 Protocol. Like many other countries, Peru regards settlements about border issues as sacrosanct, as the obverse would run the risk of opening up almost all international boundaries to dispute (Ferrero Costa 1998). An alternative proposal involved setting up a park or natural sanctuary around Tiwintza,

stretching along both sides of the border. As a token of the spirit of reconciliation and integration, the area would be demilitarised, and all boundary markers would be removed. Peru had already rejected an Ecuadorian proposal for a single transborder park, to be managed by both countries. The reason remained the same: a fear that this sort of formula would blur the border, serving as a prelude to proposals for 'internationalising' part of its territory, and hence for mutilating national sovereignty.

The guarantors

Differences about the format of the park proved to be insurmountable, leading to fears of a new military crisis if the expectations riding on this highly visible diplomatic exercise were frustrated. There followed, in early October, a last-ditch push for peace that involved a sequence of moves carefully synchronised between the parties and the guarantors. Presidents Mahuad and Fujimori wrote an open letter to the guarantors, asking them to present a proposal to overcome this last stumbling block. The guarantors agreed, but with an extraordinary caveat: the resulting blueprint for peace was to be endorsed beforehand by Parliament in both countries, in other words, even before taking cognisance of its content.²⁴ The guarantors had made their final 'pincer move', raising the stakes in exchange for providing continued support. Their endorsement was no longer conditional on just a show of good faith on the part of the parties; they now required full acquiescence with whatever solution the guarantors came up with. The price for peace was unquestioning compliance.

It was clear to all that only the authority of the guarantors – and the threat of a total collapse of the peace process should they back away – would bring the negotiations to a successful conclusion. Especially in Ecuador, the leadership clearly did not have the political wherewithal to take the final fateful leap alone.²⁵ That the guarantors were able to demand a 'blank cheque' was only possible given the respect and admiration garnered by their good offices over several years. The guarantors were cashing in the promissory note the parties had signed at the beginning of negotiations in February 1995, when Ecuador and Peru agreed to strive for lasting peace as the price for the guarantors' aid in establishing a firm cease-fire. After heated but brief debates, the parliaments of both countries approved this procedure by a comfortable margin.

Once this Rubicon had been crossed, events moved swiftly. On 23 October, the solution devised by the guarantors was made public. In essence, it validated the conclusions of the bilateral commissions that had met earlier in the year, but whose one-sided results (advantageous to Peru) had been withheld. As regards Tiwintza, the guarantors devised a regime in terms of which Peru would transfer control – but not sovereignty – over the square kilometre of land around this historic battlefield to Ecuador. Following a generally favourable reaction in both countries, the agreement was signed at a ceremony in the Itamaraty Palace in late October. The Presidential Act of Brasilia enshrined a number of bilateral accords resulting from four years of negotiations. The border agreement, arrived at only a few days previously, was the crowning achievement of a series of understandings that included navigation rights, Ecuadorian processing centres, border integration, and military confidence-building measures.

Reinventing the guarantee mechanism

Taking the ‘ripeness’ metaphor to its ultimate conclusion, it can be argued that the guarantors were not satisfied to simply wait for the ripened fruit to fall into their laps. Rather, they decided to go for the high-hanging (durable peace) rather than the low-hanging ones (yet another potentially short-lived cease-fire). The guarantee mechanism had finally shed its traditional role as a mere enforcer of treaties. Prior to the post-World War Two settlement, great and/or regional powers were expected to ensure that the terms of treaties, especially those dealing with peace and security arrangements, were promptly and fully put into effect. The principle of *pacta sunt servanda* – the sanctity of compliance as the cornerstone of the rule of law – meant that the preservation of international peace and security strictly construed, rather than considerations of justice and equity, were the driving concerns in any settlement. In 1995, the 1942 Protocol was effectively rewritten: from now on, it would not simply serve as a tool for legitimising the verdict of the 1941 war – in other words, the imposition of Peru’s military fiat – as a prelude to peace.

By taking on the role of ‘choreographer’, beginning with the decision to link support to observance of the February 1995 ceasefire, the guarantee mechanism was progressively refashioned into an instrument of peace-inducing dialogue and conciliation. This process involved:

- i. Institutional versatility: the guarantee provided a flexible framework for fostering a progressive meeting of minds, which *in extremis* included what might be termed ‘constructive’ manipulation. With prudence and pragmatism, the guarantors explored on an ad hoc basis the multiple combinations of good offices and mediation tools in the Latin American diplomatic toolbox. This helped to set in motion a ‘choreography of peace’ geared to an open exchange of ideas and confidence-building.
- ii. Exit strategy: the guarantors did not allow themselves to be blackmailed by adversarial brinkmanship. At the military level, they employed the threat of withdrawing MOMEF – which could reignite hostilities – as a powerful incentive for the parties to assume full responsibility for moving the peace process forward. Finally, during the decisive stages of the negotiations, the guarantors made their presentation of a formula for a final solution conditional upon its prior acceptance by the parties.
- iii. Formalised commitments: the procedural obligations taken on by both the parties and the guarantors throughout the negotiation process were officially adopted as public documents for which all involved could be held accountable; this requirement was all the more challenging as the success of the single undertaking formula required maximum confidentiality about the substance of the ongoing negotiations.
- iv. Collegiate decision-making: this meant that the guarantors were less susceptible to outside pressures and accusations of partiality. Though occasionally cumbersome, this highly collaborative line of action conferred a sense of monolithic impartiality and credibility, reducing its vulnerability to outside distractions and

internal dissension. This was especially important given the great discrepancies in power projection as well as in the national interests and strategic visions of its members.

The post-peace process

Bilateral peace dividends

By mid-1999, demarcation of the remaining segments of the Ecuador-Peru border had been concluded, thus fulfilling the provisions of the 1942 Protocol. Following the full normalisation of relations, bilateral trade soared from US\$100 million in 1996 to roughly US\$3 billion in 2014. Peruvian enterprises are today responsible for 5% of all foreign investments in Ecuador, while military expenditure has fallen by about 20%.

Other expected peace dividends have been slower in coming. The Binational Development Plan of the Ecuador-Peru Border Region proposed in the peace agreements was only set up in 2000.²⁶ The plan has channeled more than US\$2 billion into development projects in traditionally depressed border areas. More than 1.5 million local people now benefit from basic sanitation services, while 800 000 people have gained access to electricity as well as to hundreds of new schools, dozens of health clinics, and improved road connections that help to connect the region with the wider economy.

Regional peace dividends–new regional security arrangements

The peace process must be understood in the context of fundamental changes in the Latin American security outlook in recent decades. Firstly, the failure of post-war arrangements to overcome long-lasting border disputes largely discredited inflexible formulae that seek to impose rigid legal regimes that do little to encourage good faith initiatives and confidence-building. The Bogota Pact, with its mandatory arbitration mechanisms for ensuring the peaceful settlement of regional disputes, had fallen into disuse, as had the Inter-American Treaty on Mutual Assistance (TIAR), the post-war hemispheric security mechanism. Secondly, decades of military rule had ushered in a bellicose nationalism that highlighted this predicament by bringing war to Central America (1980s) and a subsequent threat to the Southern Cone (1978).²⁷ Thirdly, aggressive US intervention in local conflicts was increasingly seen as counterproductive and anachronistic, at a time when *détente* in Europe signalled the waning of the Cold War.

In the wake of the region-wide return to democratic governance in the 1980s, the Contadora Group²⁸ was the first meaningful effort to take up the challenge of developing home-grown answers to local security concerns. It was a first step, conceptually, in arguing that answers to the region's chronic instability should be sought in social and political reform rather than in repression, more often than not with US proxy involvement. The inevitable upshot was to define Central American – and by extension all Latin American – security and economic self-determination concerns in opposition to perceived US political and military hegemony. The Rio Group was set up in 1986 to take the Contadora

agenda forward in a more institutionalised format. Touted as an alternative to what was widely judged to be a US-dominated Organization of American States (OAS), it became the first exclusively Latin American and Caribbean political forum. However, the group failed to go beyond the role of a loosely co-ordinated round table, and eventually lost relevance.²⁹

A role for the superpower

By contrast, the successful outcome of the Ecuador-Peru peace process ten years later was a wake-up call for South American leaders. It pointed to the fact that, at least under certain circumstances and constraints, the USA could be an ally in solving some of the region's thorniest security challenges. Its role as one of the original guarantors came naturally to a country active since the late 19th century in mediating in this and other disruptive conflicts in Latin America. Although often grudgingly, US interest in fostering a stable status quo advantageous to its economic and commercial interests in the region was acknowledged throughout the region. Major hostilities between Ecuador and Peru in 1941 (during World War Two) and in 1994 (on the eve of the First Summit of the Americas) were considered inconvenient distractions from major regional goals, making active US active involvement in restoring peace more than welcome.

The US role in the peace process was vital in at least three ways. On the one hand, it provided logistical support that was decisive to MOMEPA's success,³⁰ given the high costs and technical challenges of setting up and maintaining the large-scale field operations required to secure, stabilise, and oversee a vast stretch of territory in a relatively inaccessible, high-altitude environment. On the other, the USA's superpower status gave it significant leverage, both political and economic, when it came to inducing Ecuador and Peru to come to terms. Finally, US leadership was crucial in giving teeth to proposals for bringing to life many of the promised peace dividends. A case in point was US support in ensuring that international financing – through multilateral banking institutions as well as foreign lenders – would be available for the development projects in the Amazon and border regions. Its constructive, even decisive, part in the peace process underscored that there was continued room for an active US security role in the region.

However, an even more important corollary of the peace process was that a constructive US presence was only possible given the major changes the region was undergoing, centred fundamentally on the 'ripeness' criteria identified previously: political and institutional maturity, imperatives of globalisation, among others. The peace process and the guarantee mechanism were important not so much because they set up innovative procedures for overcoming complex conflicts, but rather because they gave expression to fundamental transformations that helped South American society, given the right conditions, to make good on the age-old promise of regional co-operation and integration. This was made manifest in the ability of the three South American guarantors to work together. Although theirs was a relatively supplementary role, the presence of Argentina and Chile was vital in helping to consolidate a sense of continent-wide endorsement of the peace process. More importantly, it underscored that the long shadow of South American

rivalries need no longer hamper co-ordinated action towards collective goals. Argentina and Chile had not only been embroiled in a major confrontation – which had almost led to war in 1978 – but were also deeply entrapped in the complex web of regional power plays dating back to the 19th century that became the crucible in which the Ecuador-Peru conflict was forged.³¹

Brazilian leadership

No country was more aware than Brazil of the possibilities offered by the peace process. It understood that the situation was ripe for peace, and that an opportunity had arisen to take up the challenge, first faced by Contadora, of setting up an effective regional peace and security arrangement. It also recognised that conditions were ripe for Brazilian leadership, by transforming its purely formal co-ordinating role as lead guarantor into a platform for overcoming its own traditional reluctance to exercise overt regional leadership as well as to help assuage the doubts of potential rivals, particularly Argentina and Colombia.

In this, Brazil was aided by two favourable circumstances. The first was signs of a growing US desire to reduce its political liability and strategic exposure in the region, beginning after the Cold War, and most notable after the 2008 financial crisis.³² While the USA provided invaluable logistical and strategic support, its willingness to take a back seat to Brazil's lead role in the guarantee mechanism seemed to hint at how future collaboration could gainfully evolve. Secondly, Brazil was emboldened to undertake these ambitious initiatives in the wake of a renewed sense of national self-confidence, following the country's economic rise from the mid-1990s onwards. Brasilia was thus encouraged by Brazil's emergence as a regional, even global, role model in several high-profile social (anti-poverty programme) and economic (intellectual poverty; agricultural technology) agendas.

Not surprisingly, the upshot of the successful peace process was not renewed submission to US strategic interests, but rather Brazil's hosting of the first summit of South American heads of state in 2000. This first ever meeting of regional leaders – without outside participation or interference – eloquently evoked the possibilities for joint action in overcoming long-standing rivalries, and paving the way for common action on the way to long-postponed economic and social development goals (Stuenkel 2014). These developments reinforced Brazil's confidence in its ability not only to guide regional policy initiatives, but also to help bridge the gap between US concerns and regional autonomy. A tentative indication in this direction first came in 2002, when, under Brazilian leadership, the 'Group of Friends' helped to diffuse the crisis arising from the US-friendly coup attempt against President Hugo Chávez of Venezuela.³³ Encouraged by these developments, beginning in 2005, Brazil masterminded discussions about a new regional co-ordination mechanism, including arrangements to deal with old and wider emerging challenges.³⁴

The hopes raised by the launch of UNASUL in 2008³⁵ have gone largely unfulfilled. As a 'perfect storm' of economic and political crises has enveloped Brazil in recent years, its first victim was the self-assurance that powered the early years of UNASUL. The waning of

the commodity boom has been accompanied by the renewed spectre of pockets of social unrest and even political instability across the continent. The sense of common purpose has been further undermined by the revival of old ideological rifts under the burden of economic distress. Brazil's recent retreat from active regional leadership gave President Chávez room for imposing his own brand of anti-US and authoritarian state capitalism. This has largely paralysed UNASUL, which is presently engulfed in a highly politicised and divisive debate about conditions under which the 'democratic clause'³⁶ can be invoked against governments thought to be violating fundamental principles of pluralism and the rule of law. Further evidence of this generalised retreat is the wilting of the network of bi-regional consultative mechanisms, such as the Africa-South America (ASA) and the Arab Countries-South America (ASPA) fora.

Perhaps the greatest challenge facing UNASUL is that of making a working proposition of its Defence Council, tailored to co-ordinate security issues and outstanding border disputes, which remain a major stumbling block to any effective economic and trade integration. These include the question of transparency in arms purchases and proposals for joint arms reductions; recourse to outside actors (such as the International Court of Justice) on major outstanding disputes (Colombia-Venezuela, Bolivia-Chile; Uruguay-Argentina); and how best to deal with the USA. Even UNASUL's pacification efforts in Bolivia, considered its greatest achievement yet, have not overcome deep-seated political tensions in that country. Not surprisingly, by mid-2016, UNASUL still had little to show for its efforts to mediate between the crumbling Venezuelan administration of Nicolás Maduro and the emboldened local opposition. In both cases, growing indications of a deteriorating institutional environment have been accompanied by signs of potential political instability, and claims of human rights violations.

Lessons

How useful is this conceptual discussion in coming to grips with the Ecuador-Peru peace process? First, it shows that there are no scientifically precise and therefore watertight formulae for successful mediation exercises. The peace process and guarantee mechanism display a specificity that does not offer a closed and self-encased 'model' for dealing with such disputes. After all, flexibility and adaptability were their greatest strengths. While insisting that interactive conflict resolution is a 'well-defined systematic approach', Saunders willingly concedes that 'its practice is an art form, not a science' (quoted in Stern and Druckman 2000: 257).

Secondly, it highlights the importance of 'ripeness' not as a specific moment when everything falls into place, but rather as a goal to be achieved; the building up of an outcome through carefully timed initiatives that make the most of favourable circumstances. The final outcome, after four years of intense negotiations, basically underwrote the pre-1995 status quo that Ecuador had previously rejected. This outcome suggests that the interplay of different variables in a limited time frame can best account for the final result. This happens at two distinct, though closely interwoven, levels.

At one level, timing refers to the weight of circumstantial factors that can break what might be described as a historical 'stalemate'. In the peace process, these include the consolidation of democratic institutions throughout South America, making leaders more attentive to popular demands for greater job and educational opportunities as well as better living conditions in general and hopes for regional integration; and a deeper popular awareness of the costs and futility of war. Just as crucial was the partnership established between a newly confident Brazil and a USA willing to engage more constructively, in line with the novel political climate in the region.

At another level, timing has to do with the schedule-bound dynamics of the negotiation process. The guarantors developed a playbook that was carefully executed over more than four years. Through a series of public gestures and private consultations, they created a momentum that cumulatively swept away mistrust (between the parties), skepticism (about the guarantors' commitment), and fear (of making concessions). In the decisive phase, the threat of the imminent collapse of negotiations helped the guarantors to pressure the parties into a final push for peace, rather than serving as a pretext to hold back. This highlights how elusive the concept of stalemate can be. The last-minute attempts to sabotage the peace process had little to do with stalemate, as this is usually understood. Rather, they were the almost predictable end result of the success achieved at that stage, and thus to be seen as a 'positive' demonstration that negotiations were on the right track. The 1942 Protocol provided the stage on which the guarantors could act as 'choreographer', a diplomatic gyroscope guiding the delicate interplay between these two dimensions.³⁷

Thirdly, references to 'creative diplomacy' highlight the importance of the hands-on approach adopted by the guarantors. In previous crises, the obstacles to conciliation had appeared insurmountable to the point that a solution was either imposed on the weaker side (the terms of the 1942 Protocol) or a resolution was postponed indefinitely, allowing the conflict to fester (the lack of follow-through after successive ceasefires).

In the Lima (January 1996) and Santiago (October 1996) agreements, the guarantors took on the responsibility of nudging both sides through a combination of substantive proposals and the threat of removing support (Biato 1999). At no point did the guarantors seek to paper over conflicting positions; on the contrary, they were made as explicit as possible so as to better identify and hopefully overcome them.

Fourthly, references to 'interactive conflict resolution' underscore the challenge of achieving 'conflict transformation' in an inter-state conflict involving highly sensitive and polarised issues of national sovereignty and collective dignity. This approach features facilitating meetings at which members of groups in conflict seek to understand each other's positions in order to create an atmosphere conducive to accommodation. When it became clear that efforts to encourage the two sides to thrash out their differences were not working, actually worsening the tensions rather than relieving them, the guarantors gave the negotiations a new direction, focused on the mutually beneficial outcomes expected from a peace agreement.

Fifthly, the peace process points to the importance of instilling a sense of 'ownership'. It is unrealistic to imagine that parties to a conflict would accept the costs of politically unpalatable decisions if they believed that no costs and responsibilities would accrue if

negotiations failed. In respect of the diplomatic negotiations, this was achieved at two distinct levels. In substantive terms, the guarantors involved both sides in preparing the technical-juridical reports on which the border agreement was based. Politically, both sides agreed to the condition set by the guarantors, i.e. that the final outcome had to be formally accepted beforehand by the parliaments of both countries. This was tantamount to manipulation – but duly accepted by both sides. These components were mutually reinforcing, especially when the military dimension was added whereby Ecuadorian and Peruvian officers were rotated into the MOMEPE high command and progressively obliged to take over the daily chores and procedures related to peace-keeping.

Conclusion

The 1998 Brasilia Accords showed that South America could overcome entrenched rivalries and perverse inheritances on the way to attaining its collective aspirations. It helped to inspire efforts to develop regional arrangements capable of turning peace and security into a passport to regional development.

In 1995, the guarantors broke with one of the most perverse tenets of the pre-war non-aggression system that had floundered dramatically in the late 1930s. The vaunted principle of non-interference in the internal affairs of sovereign states was commonly flouted by great powers concerned with promoting their own national interest within their respective spheres of influence. This contributed to proxy conflicts and instability among smaller states, leading to further outside intervention.

Global warming and global financial crises have made the implications of mutual interdependence and interconnectedness increasingly obvious. But just as challenging to world peace and security is the difficulty traditional regional and multilateral security arrangements have in dealing with highly destabilising but often intractable inter- or intra-national, disputes that have mushroomed since the end of the Cold War. NGOs with humanitarian and conflict resolution components have been in the forefront of efforts to galvanise world opinion in favour of leaving behind the traditional zero-sum logic of international conflict as a confrontation of the irrepressible interests of sovereign entities.

An alternative is increased recourse to international arbitration, notably via the International Court of Justice in The Hague. The inherent limitations of this option were made abundantly clear when, in 2013, Colombia announced that, given the result of what it dubbed the politically biased outcome of its dispute with Nicaragua, it ceased to recognise the Court's jurisdiction. In contrast, the Ecuador-Peru Peace Process had the merit of creating the conditions under which the parties were able to absorb the political fallout associated with a negotiated outcome involving painful concessions.

MOMEPE played a central role in this process by acting as a decompression chamber for the tensions in the war zone, thereby serving as an anteroom for the ensuing political-diplomatic negotiations. Its performance points to the challenge facing armed forces in Latin America to reinvent themselves in a region that is seeking effective democratic answers to the emerging 'new threats' of international terrorism and transnational crime.

As UNASUL's present stasis suggests, the jury is still out on whether this process will evolve into a full-blown arrangement capable not only of dealing with future crises, but ideally of pre-empting them. This will depend on a number of factors. The first is whether the promise of regional integration will be realised. This means continued endeavours to lift barriers, both physical and psychological, to the free flow of produce, markets, resources and ideas. Yet integrating South America competitively into the globalised economy will require a continued commitment to democratic governance and the maintenance of political stability. As the peace process made clear, the negotiated settlement of controversies – rather than bellicose nationalism – is the best vaccine against the threat of domestic subversion and overseas interference. Additionally, following on from its active role within the guarantee mechanism, Brazil will need to exercise consistently the growing leadership responsibilities that the international community has come to expect (Stuenkel 2014), and domestic public opinion is only now beginning to appreciate. Lastly, Brazil's future role will hinge to a significant degree on its leadership credentials in helping to re-fashion South America's relationship with the hemispheric superpower.

Notes

- 1 Seat of the Brazilian Foreign Ministry.
- 2 The Ecuador-Peru Military Observer Mission (MOMEP).
- 3 Despite its undeniable transcendence, there is a paucity of published material about the peace process and its wider implications. This article is largely based on internal cable traffic within the Brazilian Foreign Ministry.
- 4 The corrosive atmosphere that prolonged a rivalry so distant from contemporary concerns arose from the complex interplay between emerging proto national identities. Establishing the boundaries between the two countries took on a crucial role in the development of national identity and pride. The precarious cartographic knowledge available at the time, as well as the blurred jurisdictions handed down from the imperial administration ensured that the rivalry between these embryonic nationalities would continue to fester when they emerged as newly sovereign countries (Checa Drouet 1936). This distrust was exacerbated at the onset of the rubber boom in the late 1800s when the penetration of land-hungry Peruvian settlers into contested areas reinforced Ecuadorian irredentism (Krieg 1986).
- 5 Its full title is 'Protocol on Peace, Friendship and Limits', signed in Rio de Janeiro on 29 January 1942.
- 6 Articles V and VII of the 1942 Protocol.
- 7 In line with the 'integration fever' that led to the Andean Pact in 1969, a bilateral commission was set up in 1971 to encourage the movement of people and vehicles across the border as part of what became known as the 'step by step policy'.
- 8 The principal theatre of war was the Cenepa Valley, which lies in the south-western corner of Ecuador.
- 9 Prior to the 1941 war, there were three major attempts at a negotiated solution: the 1890 Herrera-García Treaty, and the arbitrations undertaken by the King of Spain (1910) and President Roosevelt (1938).
- 10 Unbeknown to the Peruvians, Ecuadorian forces had infiltrated and occupied strips of the 1938 demilitarized zone, thus gaining an unforeseen tactical advantage.
- 11 The importance of assuaging Ecuadorian military pride is explainable. Back in 1941, despite vigorous lobbying by the mediators, Peru had only agreed to evacuate undisputed Ecuadorian territory occupied during the war once Ecuador signed the recently negotiated Protocol. Not surprisingly, not long thereafter Ecuador began to question its validity on the grounds that it had been imposed by military fiat.
- 12 Confidence-building measures include the introduction of joint patrols and fixed observation posts, as well as agreement on limiting military activities, such as mobilisation and the calling up of reserves.

- 13 The downside was that sensitive military intelligence or information on MOMEF policy was selectively leaked to either side, often leading to the Ecuadorian and Peruvian HQs trying to second-guess or pressure MOMEF.
- 14 Saunders (2000) and others have argued that the contribution of interactive conflict resolution increases as the capacities of government diminish, thus suggesting that small-scale informal initiatives could pave the way for more formal arrangements.
- 15 The proposal was submitted in the form of a document entitled 'Considerations on the part of the Guarantor Countries with a view to providing a basis for understanding between the Parties, November 19, 1997'.
- 16 The importance of this issue to the Ecuadorian psyche is underscored by the Ecuadorian national motto: "Ecuador was, is and will always be an Amazonian country".
- 17 This commitment was enshrined in the Lima Declaration, January 1996.
- 18 This understanding was enshrined in Santiago Accord, October 1996.
- 19 Originally scheduled for early 1996, substantive negotiations only took off in April 1997, after Ecuadorian President Abdalá Bucaram had been forced out of office and the main Peruvian negotiator had been taken hostage at the Japanese Embassy in Lima.
- 20 These 'technical-juridical groups' included external, third-party experts from guarantor countries.
- 21 As part of the agreed strategy to accommodate Ecuadorian sensibilities, one of the three groups handed down a decision favourable to the Ecuadorian claim despite weak corroborating evidence.
- 22 From the very outset of the peace process, there was an agreement among the participants – sometimes flouted – to impose a moratorium on all publicity about substantive aspects of the negotiations. It was hoped, correctly, that this would allow greater room for maneuver during the negotiations.
- 23 The mutual concessions required prompted Peru's hawkish foreign minister, Eduardo Ferrero, to resign in protest against Fujimori's 'unnecessary' accommodations.
- 24 This understanding became known as the 'Binding Point of View'.
- 25 To help neutralise a political backlash from fervent nationalists, the guarantors obtained a papal statement publicly welcoming the agreement.
- 26 Updated data are available at <http://planbinacional.rree.gov.pe>.
- 27 Papal mediation in 1984 helped Argentina and Chile strike a deal on the Beagle Channel dispute. The Venezuela-Guyana contest over Essequibo has resisted numerous attempts at arbitration.
- 28 Later accompanied by the Contadora Support Group, which involved extra-regional countries, including Brazil.
- 29 It was succeeded in 2010 by CELAC, whose main achievement to date is ending Cuba's regional diplomatic isolation.
- 30 Among other things, the US military provided the guarantor troops and command structure of MOMEF with air support.
- 31 Argentina's role was somewhat compromised by revelations that senior Argentine military officers had authorised clandestine weapons sales to Ecuador, in clear violation of the country's obligations under the 1942 Protocol.
- 32 In the course of directing its reduced resources to higher priority threats around the globe, US involvement in regional security has been limited to an increasingly peripheral role in the anti-drugs war, except in Colombia. The recent normalisation of US relations with Cuba should speed this process by overcoming the most enduring diplomatic and security spat between the USA and Latin America.
- 33 The 2002 fiasco will hopefully have convinced the USA of the convenience of deferring to multilateral fora in dealing with perceived regional security threats.
- 34 Latin American and more specifically Brazilian leadership of MINUSTAH is a case in point.
- 35 The Community of South American Nations (CASA) was launched in 2004, and renamed the Union of South American Nations (UNASUL) in 2008.
- 36 Like MERCOSUL, UNASUL can suspend a member country in the wake of actions judged to be anti-democratic, unconstitutional or illegitimate.

- 37 The importance of having a choreographer is best underlined by the consequences of its absence. Despite undeniable distinctions and specificities, efforts to reconcile Israelis and Palestinians face similar challenges to those confronting Ecuadorian and Peruvian leaders in February 1995. In both cases, there was a generally acknowledged, if unspoken, understanding of what the overall contours of a mutually acceptable final agreement would have to be. The fundamental difference is that the USA did not act as a truly honest broker in respect of the West Bank, and did not allow any other parties to do so (Falk 1997: 6).

References

- Alvarez, Miguel et al. 2012. *Translating Mediation Guidance into Practice: Commentary on the UN Guidance for Effective Mediation by the Mediation Support Network*. Foreword by Jimmy Carter. New York and Accra: Mediation Support Network. At info@mediationsupportnetwork.net.
- Arroyo del Río, Carlos. 1995. *Por la Pendiente del Sacrificio*. Quito: Banco Central de Ecuador.
- Belaúnde Moreyra, Antonio. 1995. *Nuestro Problema con el Ecuador*. Lima: Ed. Ariel.
- Biato, Marcel. 1999. 'O Processo de Paz Peru-Ecuador'. *Parcerias Estratégicas* 6:241-247.
- Calderón, Félix. 1997. *La Negociación del Protocolo de 1942: Mitos y Realidades*. Lima: Sociedad Peruana de Derecho Internacional & Academia Diplomática del Perú.
- Checa, Drouet B. 1936. *La Doctrina Americana del Uti Possidetis de 1810*. Lima: Librería e Imprenta Gil.
- Crocker, Chester A. 1992. *High Noon in Southern Africa*. New York: Norton.
- Falk, Richard. 1997. *Honest Broker? US Policy and the Middle East Peace Process*. Center for Policy Analysis on Palestine.
- Fernández de Córdoba, Marcelo. 1998. "Itamaraty: Seiscientos Veintisiete Días por la Paz". Quito: V&O Gráficas.
- Ferrero Costa, Eduardo. 1998. 'El proceso para la ejecución plena del Protocolo de Río de Janeiro: Un testimonio'. *Análisis Internacional* 15, CEPEI, Julio-Diciembre.
- González, María del Carmen. 1997. 'Algumas Reflexões sobre a Garantia do Protocolo do Rio de Janeiro de 1942'. Master's thesis, Universidade de Brasília.
- Goodby, James. 1996. 'When war won out: Bosnian peace plans before Dayton'. *International Negotiation* 1 (3).
- Klepak, Hal. 1998. *Confidence Building Sidestepped: the Peru-Ecuador Conflict of 1995*. Toronto: Center for the International and Security Studies, York University.
- Krieg, William L. 1986. *Ecuadorian-Peruvian Rivalry in the Upper Amazon*, Washington, DC.: US Department of State.
- Lecaro Bustamante, Arturo. 1997. *El Problema Territorial con el Perú desde la Perspectiva Diplomática*. Quito: Artes Gráficas Señal Impresa Ltda.
- Mariz, Vasco. 1999. 'O Brasil e o Conflito Peruano-Ecuadoriano'. *Carta Mensal* 45 (531), Rio de Janeiro.
- McBride, George. 1996. *Frontera Peruano-Ecuadoriana: Selección de Memoranda e Informe Final*. Lima: Fundación del Ministerio de Relaciones Exteriores del Perú.
- Moncayo, Paco. 1994. *Ecuador: Geopolítica, Poder y Seguridad*. Quito: Editorial Escuela Politécnica del Ejército.

- Palmer, David Scott. 1997. 'Peru-Ecuador border dispute: missed opportunities, misplaced nationalism and multilateral peacekeeping'. *Journal of Inter-American Studies and World Affairs* 39 (3).
- Nascimento, Antônio Carlos do. 1997. 'Peru-Ecuador. Futuro de Paz/Perspectiva de Conflito'. Master's thesis, Brasília: IRBr.
- Saunders, Harold. 1991. 'Guidelines B'. Unpublished manuscript. Washington, DC: Kettering Foundation.
- Sousa, José Marcus Vinício de. 1983. *Estudo sobre a Disputa Territorial entre o Peru e o Equador*. Brasília: IRBr.
- Stern, Paul and Daniel Druckman (eds). *International Conflict Resolution After the Cold War*. Washington DC: National Academy Press.
- Stuenkel, Oliver. 2014. 'Brazilian regional leadership completes 20 years'. *Huntington Post*. 6. June.
- Tobar Donoso, Julio. 1982. *La Invasión peruana y el Protocolo de Rio*. Quito: Banco Central del Ecuador.
- Touval, Saadia. 1982. *The Peace Brokers*. Princeton, NJ: Princeton University Press.
- Zartman, William. 2000. 'The hurting stalemate and beyond'. In Paul C Stern and Daniel Druckman (eds), *International Conflict Resolution After the Cold War*. Washington, DC: National Academy Press. pp. 225-250.

Acknowledgements

The author dedicates this work to Ambassador Ivan Cannabrava, the principal Brazilian negotiator in the Ecuador-Peru peace process, and to all those who toiled tirelessly over many years to bring peace and the hope of prosperity to the peoples of these countries.

About the author

Marcel Biato obtained a master's degree in political sociology from the London School of Economics in 1989. In 1980 he joined the Brazilian foreign service, serving in London, Berlin and at the UN, where he was active in legal matters, including Law of the Sea, Terrorism, and international criminal law. In 2010, he headed the Brazilian delegation to the Review Conference of the Rome Statue of the International Criminal Court (ICC) in *Kampala, Uganda*. He later served as a foreign policy advisor to the Brazilian President's Office (2003-2010), and as ambassador to Bolivia (2010-2013). He also served as a member of the Brazilian negotiation team during the Ecuador-Peru peace process (1995-1998). He is scheduled to head Brazil's permanent mission to the International Atomic Energy Agency (IAEA). He also researches and writes about Brazilian diplomatic history.

Received on 28 February 2015, and approved for publication on 30 September 2015.



<https://creativecommons.org/licenses/by-nc/4.0/>

