

REPUBLIC

ÉCUADOR AND PERU

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Given and proclaimed in Ciudad Trujillo, District of Santo Domingo, capital of the Dominican Republic, the 10th day of January, 1942.

The President of the Revisory Assembly,
JULIO ORTEGA FRIER,
Representative for the District of Santo Domingo,

[Other signatures.]

PROTOCOL of Peace, Friendship and Frontiers between Ecuador and Peru.—Rio de Janeiro, January 29, 1942

[Ratifications exchanged at Petropolis, March 31, 1942]

(Translation)

THE Governments of Peru and Ecuador, desirous of solving the boundary question on which they have for long been divided, and taking into consideration the offer made to them by the Governments of the United States of America, Argentina, Brazil and Chile of friendly services with a view to a prompt and honourable solution of the problem, and inspired by the spirit prevailing at the Third Consultative Meeting of Foreign Ministers of the American Republics, have resolved to conclude a Protocol of Peace, Friendship and Frontiers in the presence of the representatives of those four friendly governments. For this purpose the following Plenipotentiaries:

[Here follow the names]

Who, having exhibited the Full Powers of the respective Parties, and having found them in good and due form, agree in subscribing to the following Protocol:

ART. 1. The Governments of Peru and Ecuador solemnly affirm their definite intention to maintain between the two peoples relations of peace and friendship, of understanding and goodwill, and to refrain from any act capable of disturbing these relations one with the other.

2. The Government of Peru will withdraw, within a period of 15 days from the present date, its military forces to the line defined in Article 8 of the present Protocol.

3. The United States of America, Argentina, Brazil and Chile will co-operate, by means of military observers, in arranging matters of withdrawal and the retirement of troops under the terms of the preceding Article.

differences between citizens Republic. Titles of honour may confer or may have conferred or have rendered eminent. To insure its peace and wellbeing, liberty and independence, shall

ARTICLES OF THE CONSTITUTION shall not be modified except with the concurrence of both Chambers. For modification is declared, the Executive Power may convene a Revisory Assembly. In the convening law articles whose modification is

Members of the Revisory Assembly shall be elected by the people of the Provinces, the election of deputies. There shall be less than two repre-

sentatives are necessary for members of the Assembly shall enjoy the same rights as members of both Chambers of

deal with the form of government, republican, democratic and

constitution may be made only in, nor may it ever be suspended or authority, or by popular

PROVISIONS

regarding the duration of the continuation of deputies to the number shall not affect the constitution which ends on August 16, 1942. The present constitution shall be full and effective as published.

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4. The Military forces of the two countries shall remain in their new positions until the final demarcation of the frontier line. Until that time, Ecuador will have only civil jurisdiction over the zones from which Peru was withdrawn, and which shall remain under the conditions of the demilitarised zone set forth in the Act of Talara.

5. The good offices of the United States, Argentina, Brazil and Chile shall continue until the final demarcation of the frontiers between Peru and Ecuador, this Protocol and its execution remaining under the guarantee of the four countries mentioned at the beginning of this Article.

6. Ecuador shall enjoy, for her navigation in the Amazonas and its septentrional tributaries, the same concessions as those enjoyed by Brazil and Colombia plus those agreed in a Treaty of Commerce and Navigation designed to facilitate free navigation in the said rivers.

7. Any doubt or disagreement which may arise over the execution of this Protocol shall be resolved by the Parties with the assistance of the representatives of the United States, Argentina, Brazil and Chile within the shortest period possible.

8. The frontier line shall have the following points:

A. In the west:

- (1) Mouth of the Capones in the Ocean ;
- (2) River Zarumilla and Balsamal Pass to Lajas ;
- (3) River Puyango or Tumbes to Cazaderos Pass ;
- (4) Cazaderos ;
- (5) Pilares Pass and Alamor Pass up to the River Chira ;
- (6) Riva Chira, upper reaches ;
- (7) Rivers Macará, Calvas and Espindola, upper reaches, as far as the source of the last-named in the Nudo de Sabanillas ;
- (8) From the Nudo de Sabamillas as far as the River Canchis ;
- (9) Entire course of the River Canchis and lower reaches ;
- (10) River Chinchipe, lower reaches, as far as the point in which it receives the River San Francisco ;

B. In the east:

- (1) From the San Francisco Pass, the *divortium aquarum* between the Rivers Zamora and Santiago as far as the confluence of the River Santiago and the Yaupi ;

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(2) A line up to the mouth of the Bobonaza in the Pastaza. Confluence of Cunambo River and the Pintoyaen in the Tigre River;

(3) Mouth of Cononaco in the Curaray, lower reaches as far as Bellavista;

(4) A line as far as the mouth of the Yasuni in the River Napo. Along the Napo, lower reaches, as far as the mouth of the Aguarico;

(5) From thence, upper reaches, as far as the confluence of the River Lagartococha or Zancudo and the Aguarico;

(6) River Lagartococha or Zancudo, upper reaches, as far as its source and thence a line which goes to meet the River Güepi to its outlet in the Putumayo and along the Putumayo up to the boundary of Ecuador and Colombia.

9. It is agreed that the line described above shall be accepted by Peru and Ecuador for fixing, by experts on the spot, of the frontier between the two countries. The Parties may, however, when proceeding to trace the frontier on the spot, authorise such reciprocal concessions as may be desirable to adjust the said frontier to geographical realities. Such rectifications shall be effected with the collaboration of representatives of the United States of America, Argentina, Brazil and Chile.

The Governments of Peru and Ecuador shall submit the present Protocol to their respective Congresses, the requisite approval to be obtained within a period no longer than 30 days.

In faith whereof the above-mentioned Plenipotentiaries sign and seal, in duplicate, in the Spanish language, at Rio de Janeiro, the 29th day of January, 1942, the present Protocol, under the auspices of His Excellency the President of Brazil and in the presence of the Ministers for Foreign Affairs of Argentina, Brazil and Chile and the Under Secretary of State of the United States of America.

ALFREDO SOLF Y MURO.
J. TOBAR DONOSO.
E. RUIZ GUINAZU.
SUMNER WELLES.
OSWALDO ARANHA.
JUAN B. ROSSETTI.