

FOREIGN SERVICE DESPATCH

*Peru*

*622.233/9.760*

*XR 37.04*

FROM : Amembassy LIMA

131  
DESP. NO.

*2/0 RR*

September 7, 1960

TO : THE DEPARTMENT OF STATE, WASHINGTON.

DATE

REF : Embtel *WU*  
175 of September 7, 1960

4451366

20 For Dept. Use Only	ACTION <i>ARA-4</i>	DEPT. I N F O THER	<i>RM/R-2</i>	<i>JNR-7</i>	<i>EC-4</i>	<i>L-2</i>	<i>USUN-1</i>	<i>DIR-1</i>	<i>GG/H</i>
	REC'D <i>9-12-60</i>		<i>CIA-10</i>	<i>NSA-2</i>	<i>OSD-4</i>	<i>ARMY-4</i>	<i>NAVY-3</i>	<i>AIR-6</i>	

SUBJECT: Peruvian Statements on Ecuadorean Boundary *Buenos Aires - Guayaquil - Loja - Rio de Janeiro - Santiago -*

In response to statements made by President José María VELASCO Ibarra and Foreign Minister José CHIRIBOGA of Ecuador attacking the Rio Protocol and, more recently, threatening unilaterally to denounce it, the Peruvian Foreign Ministry of Foreign Relations September 2 and 6, reiterated Peru's traditional position.

Both statements emphasize the sanctity of the Rio Protocol and the need to enforce it, pointing out the adverse effect the non-enforcement or denunciation would have on the American regional system, international order, and the peace of the hemisphere. They state that Ecuadorean claims to the territory in question are non-existent, and declare that Ecuador provoked the 1941 conflict with Peru. Both refer to previous statements attributed to Velasco Ibarra, upholding the sanctity of international treaties and agreements, and denying any intention to seek their revision. The two statements warn that Peru will not permit discussion of matters already decided by the Protocol, and executed pursuant to its provisions.

The Foreign Ministry's statement of September 6, issued in direct response to declarations made by the Ecuadorean President and his Foreign Minister that the Ecuadorean Government proposes to denounce the Rio Protocol, is much stronger than the statement of September 2. Pointing out that the Protocol was duly sanctioned by both Governments, the statement warns that its unilateral denunciation would constitute a dangerous precedent which could undermine the American regional system, legal order, and the basis for peaceful conduct of relations between nations.

The statements of the Ecuadorean Foreign Minister are described as not only provocative towards Peru, but a direct attack on the principles underlying international order. As such, they affect the entire American community and constitute a threat to the peace of the continent. Moreover, they signify a grave lack of consideration and respect for the four Guarantor Powers. At a time when American solidarity is more important than ever, the Velasco Government attempts to employ the totalitarian argument of "living space" against Peruvian rights and the principles of international order. And to affirm that the Protocol, which is a treaty of indisputable validity, was unjust is an offense against the Guarantors and the other American States.

The statement of September 6 concludes by declaring that Peru does not intend to abandon its purpose of doing what is possible to live in peace and harmony with Ecuador. At the same time, however, it bluntly warns that Peru will not recede one step in defense of the inviolability of its treaties and laws, and that it will adopt

POL:CEBartch:es  
REPORTER

~~OFFICIAL USE ONLY~~

INFORMATION COPY

Retain in divisional files or destroy in accordance with security regulations.

OFFICIAL USE ONLY

(Classification)

Desp. No. 131

From LIMA

"all measures necessary for the security of the nation."

The press has prominently featured reports of the statements made by President Velasco and other Ecuadorean officials with respect to the Rio Protocol and the boundary. Today's Lima newspapers gave banner headlines to these statements, which they characterized as a threat to the peace of the Americas, and to the Peruvian Foreign Office rejoinder, which <sup>they</sup> headlined as a sober warning that Peru would take any measure necessary to preserve her national security. Numerous editorials have appeared on this subject in the last few weeks, and especially since President Velasco was inaugurated. Without exception, they have strongly denounced the Ecuadorean Government and have staunchly upheld the position maintained by Peru. Similar statements have been made this past week in both houses of Congress, by members representing the Government majority and the opposition alike.

The statements made by President Velasco and other officials of his Government with respect to the Rio Protocol and the boundary between Peru and Ecuador, and the sharp Peruvian official and public reaction to them, have resulted in a significant deterioration in relations between the two countries, which could have more serious repercussions at the present critical juncture in hemisphere relations, unless something is done to prevent it. Although sharply divided on internal political issues, Peru is completely united in its reaction to the strong political wind from the North. All parties and segments of opinion in this country strongly support the position assumed by the Peruvian Government in this matter. There is no other significant domestic or international issue affecting Peru in which national unity is so pronounced.

For the Chargé d'Affaires, a.i.:

*C. E. Bartch*  
C. E. Bartch

Second Secretary of Embassy

Enclosures: *all in 200*

1. Text of Peruvian Fonoff Statement of September 2, 1960 (unoff. trans.).
2. Text of Peruvian Fonoff Statement of September 6, 1960 (unoff. trans.).

Department pass copies to Buenos Aires, Quito, Rio de Janeiro, Santiago, and to USDel Bogotá.

OFFICIAL USE ONLY

(Classification)

Dés. No. 131From Lima

## COMMUNIQUE OF THE MINISTRY OF FOREIGN RELATIONS

(Unofficial Translation)

The Government of Peru, with the serenity and loftiness derived from the consciousness of its right, opposes the arbitrary words of President Velasco Ibarra with the historic truth and the juridical foundations of the Protocol of Rio de Janeiro of 1942, which definitively resolved the old question of boundaries. This pact, concluded with the collaboration of the Guarantor Nations, did nothing more than to consecrate the historical titles of Peru in the region of Maynas, in both their colonial and republican aspects, and the possession and sovereignty which Peru has exercised since it became an independent nation. On the other hand, the convention has granted to Ecuador considerable extensions of the high part of the tributary rivers of the Marañón and of the Amazonas, at the same time recognizing its right of free navigation and commerce in the amazonian basin. In a word, the Treaty has not modified, from the territorial point of view, the situation existing when Ecuador became independent, according to its Constitution promulgated in Riobamba. From the human point of view, the execution of the Protocol has not represented a change of nationality for any Ecuadorean.

The capital of the Amazon region, before Maynas, and its peoples, swore allegiance to the independence of Peru and its first Constitution, and since that time have without interruption elected their representatives to the Peruvian Congress. And the sovereignty exercised by Peru over this region was given international recognition even before the subscription of the Protocol of Rio de Janeiro.

The Protocol of Rio has been negotiated and guaranteed by such countries as Argentina, Brazil, Chile and the United States of America, because it has consecrated respect for sovereignty constituted legitimately and affirmed by historical traditions.

No one in America can forget that the incidents of the year 1941 on the Peruvian-Ecuadorean frontier were provoked by Ecuador.

The Protocol reestablished peace and is the guarantee of peace. Thus constituted, the Protocol was approved by the Congress of Ecuador and, within this atmosphere, the exchange of ratifications was accomplished under the auspices of the President of Brazil.

In the international order, the Protocol reposes in the respect to the personality of the States defined by their initial constitution and by strict and loyal compliance with international obligations.

Peru can never accept discussion of the territorial integrity with which it achieved its republican life, or that American peace and solidarity has to depart from the faithful compliance with treaties concluded in accordance with the principles of the Charter of the OAS and the bases of the Charter of the United Nations.

The same Dr. Velasco Ibarra, in a declaration published in the daily El Comercio in Quito June 12, 1944, referring expressly to the cited Protocol, stated:

UNCLASSIFIED

UNCLASSIFIED

(Classification)

ENCL. NO.

Desp. No. 131

From Lima

"I have already said on various occasions, having declared it to the press of Colombia, that I respect the obligations contracted by Ecuador in Rio de Janeiro."

This newspaper, on June 24 of the same year, also published the following declarations of Dr. Velasco Ibarra: "We are obligated to respect these treaties and we shall respect them."

On August 10 of that year, when he was President of Ecuador, Dr. Velasco Ibarra stated in his message: "We do not want conquests nor revision of treaties."

Peru will not permit any discussion of the acts of execution of the Protocol that have been placed into effect, in final terms, by the two signatory States, nor any attempt to employ procedures distinct from those stipulated in the same treaty in order to conclude the fixing of the boundary in the area, where only two or three markers remain to be placed, on a pre-determined line.

In any case, Peru has proposed, as recorded in the communications of this Foreign Office of the 11th and 19th of last August, that the Mixed Peruvian-Ecuadorean Demarcation Commission make a geographic survey, with the assistance of representatives of the Guarantors, in the brief tract that remains to be demarcated; that is, between the "Cunhuine-Sur" and the "20 de Noviembre" markers, where the award of the Brazilian technical arbiter Días de Aguiar should be applied, supervised by the Guarantor nations and in the course of execution by both States.

For all these reasons, Peru, jealous of its clearly established right, will not consent to any move that forces to recognize the validity of the Protocol of Rio de Janeiro, in which Ecuador has pledged its honor and which is guaranteed by four other American nations, which agreed to this guarantee, and also pledged their word, precisely because the reference convention embodied a just and definitive solution.

Lima, September 2, 1960

UNCLASSIFIED

UNCLASSIFIED  
(Classification)1  
Encl. No. 131  
Desp. No. \_\_\_\_\_  
From Lima

## COMMUNIQUE OF THE MINISTRY OF FOREIGN RELATIONS

(Unofficial Translation)

The new Minister of Foreign Relations of Ecuador has declared, according to press dispatches, that his Government proposes to "denounce" the Protocol of Rio de Janeiro, which definitively terminated the frontier dispute between Peru and Ecuador, and which was duly sanctioned by the Congresses of both Republics, in accordance with their respective constitutional provisions.

The unilateral denunciation of this solemn treaty would be an act totally irritating, incapable of modifying in the least the juridical situation created by the Protocol. If international obligations, if the instruments that govern the relations between States and delimit their territories were capable of being modified, revised or annulled, by the simple will of one of the parties, there would be no legal order nor basis for the pacific conduct of relations between nations. The regional American system would not be able to sustain itself or the agreements upon which it depends, such as the existing treaties subscribed to over many years, would be placed in doubt and exposed to the caprice of any Government.

The declarations of the new Ecuadorean Foreign Minister are not only simply a provocation of Peru, but are also a direct attack on the principles which serve as the foundation of international order. They therefore affect the entire American community and constitute a threat to the peace of the continent. They also signify, in special form, a grave lack of consideration and respect toward the four Guarantor States of the Treaty of Rio de Janeiro, which on subscribing to it as guarantors of its fulfillment and its execution.

The new attitude of the Ecuadorean Government demonstrates in a conclusive manner that which Peru had warned of many times to the Guarantor Powers: that the false pretexts adduced by the Foreign Ministry of Ecuador in order to avoid the task of demarcation, interrupted only when 78 kilometers remained to terminate it, had no other purpose than rebellion against the Treaty of 1942. This insurgence is now presented openly and scandalously.

At a time when American solidarity is more necessary than ever, the Government of Señor Velasco Ibarra attempts to fence against Peru and its rights, as well as against the fundamental principles of American order, the totalitarian argument of living space. A space that never belonged to it, nor was ever in its power. The Governments of America will know how properly to judge this pretension.

With respect to the affirmations made by President Velasco Ibarra and his Minister of Foreign Relations, Señor Chiriboga, concerning the conflict of 1941, it is sufficient to recall the fact that these events were provoked by the aggressive bellicosity of the Quito Government. Among other Ecuadorean documents which recognize this is nothing less than the open letter sent the 2nd of August, 1941, by Señor Velasco Ibarra to the then President of Ecuador, Señor Arroyo del Rio. It is then incredible that now, at a time most invested with

UNCLASSIFIED

(Classification)

Desp. No. 131

From Lima

presidential dignity, Señor Velasco Ibarra denies that which he previously stated over his signature, and attempts to "denounce" a Treaty whose sanctity was not placed in doubt during his previous Governments, but was proclaimed expressly in the message read before the National Assembly of his country the 10th of August, 1944.

Furthermore, the Protocol of Rio de Janeiro does not need new recognition of the Quito Government. It is a juridical fact of perfect and indisputable validity. As the Peruvian Foreign Ministry has frequently pointed out, this Treaty did not deprive Ecuador of anything it had, would have, or could have. To affirm that it was an injustice is an offense to the Guarantor Nations, which would not have lended themselves to it, and to the other Foreign Ministries which jubilantly welcomed as a happy event for America the signing of the Protocol and through it the definitive liquidation of the boundary dispute between Peru and Ecuador.

Our Government is not going to abandon its attitude of serenity, nor its purpose of doing what is possible in order to live in peace and harmony with the Republic of Ecuador. But it will not recede one step in the defense of the inviolability of the Treaties and of the laws of Peru, and it will adopt all the measures necessary for the security of the nation. Of this there should be no doubt whatsoever.

Lima, September 6, 1960.

UNCLASSIFIED