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BUREAU OF
INTELLIGENCE
AND RESEARCH

—ECUADOR: NEW TRY FOR SOVEREIGN
ACCESS TO THE AMAZON —

Summary

Ecuador's hopes for gaining sovereign access to the Amazon River in territory that Peru now holds took on new life following a US initiative last September. Surprisingly, Peru at first appeared willing to consider Ecuador's historic claim in return for Ecuadorean recognition of the Rio Protocol of 1942 (which is the basis for the de facto border between the countries). Peru's new attitude clashed with its determination, strongly held since the War of the Pacific (1879-83), never to relinquish more national territory. By November, however, the likelihood of a settlement decreased markedly as Peru backed away from its earlier apparent willingness to consider the legitimacy of the Ecuadorean aspiration. The Ecuadoreans, for their part, are now backpedaling from their stated willingness to accept the protocol.

The dispute goes back to post-colonial days. The Rio Protocol (of which the US is a guarantor without specific duties) was accepted under some duress by Ecuador after its defeat by Peru in 1942. In 1960, however, Ecuador denounced the protocol, which all other signatories continue to consider valid. Though the issue has often been dormant, sovereign access to the Amazon is an Ecuadorean foreign policy goal of the utmost symbolic importance.

Peru's recent conciliatory posture may be due to a desire to convince Ecuador (and perhaps Chile) that Peru's arms purchases are not a threat to its neighbors. The Peruvian Government may have planned to persuade its military of the advantages of settling the dispute with Ecuador in order to eliminate the threat of a two-front war in which Chile might ally itself with Ecuador.

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It is likely, however, that this argument has failed. Meanwhile, the Ecuadorean military may not wish to settle for the narrow corridor to the Amazon that the Peruvians, at their most generous, might be expected to offer. At present, the prospects for a settlement seem slight.

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Recent Developments

Ecuador's perennial hopes for sovereign access to the Amazon in territory now held by Peru were fanned bright last September when President Carter broached the matter in bilateral talks with leaders of both countries. He expressed his interest in the issue while President Morales Bermudez of Peru and President Poveda of Ecuador were in Washington to observe the Panama Canal Treaty signing. The stay produced two signal events: a rare face-to-face meeting of Peruvian and Ecuadorean Presidents and the expressed willingness of the Peruvian President to open discussions on territorial problems that his government had said were closed. Poveda was thus able to return to Ecuador and report that he and Morales Bermudez "had analyzed all bilateral matters of historical and political interest, especially those of a more delicate and historic nature"--meaning Ecuador's hopes for a return to the status of an Amazonian country.

Several promising developments followed:

- Foreign Ministers de la Puente of Peru and Ayala of Ecuador had an amicable two and one-half hour meeting in New York which touched on the issue.
- Both foreign ministers told the US separately that their countries expected to exchange notes setting forth the objectives of discussions on border demarcation and Ecuadorean access to the Amazon.
- The Ecuadoreans indicated that they would honor the Rio Protocol of 1942, which Peru claims is valid but which Ecuador denounced in 1960.

The most surprising development was the apparent willingness of de la Puente (and therefore, possibly Morales Bermudez) to recognize that the Ecuadoreans seek "sovereign access" to the Amazon and not simply commercial rights or some other sort of access not involving territorial concessions. The Peruvian military (since Peru's humiliation by Chile in the War of the Pacific, 1879-83) generally hold the conviction that Peru should not give up another square

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inch of territory, as strongly as the Ecuadoreans espouse their right to sovereign access to the Amazon. If an exchange of notes acknowledges Ecuador's territorial aspirations, the Peruvian military leadership is certain to come under criticism from the Peruvian officer corps. But Ecuador will accept nothing less and will be most wary of any attempt by Peru to modify the word "access" with any adjective other than "sovereign."

Not surprisingly, the Peruvians have been concerned since September about the obvious, and probably unwarranted, euphoria in Quito. This euphoria includes an unusually favorable disposition toward the US, resulting in US-Ecuadorean relations that are almost unrealistically cordial.

Developments in November suggest that Peru's (and our) concern about Ecuador's mood is warranted. Both sides are resuming traditional postures:

--In a November 10 letter to President Carter, President Morales Bermudez said Peru will soon make proposals allowing Ecuador to "take advantage of its Amazonian potential" but added the significant caveat that "this Peruvian effort should not necessarily be limited to the Ecuadorean desire for a sovereign outlet to the Amazon."

--On November 17 de la Puente told the US Ambassador that the countries were unable to agree on language to be used in the notes because--contrary to earlier indications, noted above--Ecuador refused to recognize the Rio Treaty and would admit only that the two countries maintain contrasting positions. De la Puente left unsaid the language Peru suggested on Ecuadorean access to the Amazon. It is virtually certain, however, that the proposed language did not reflect earlier statements by de la Puente which had encouraged the Ecuadoreans to believe that Peru now considered Ecuador's desire for sovereign access to the Amazon to be negotiable.

The unfolding events suggest that in preliminary talks the respective foreign ministries were more forthcoming than their military regime masters subsequently approved.

Historical Background

Ecuadorean-produced maps all show the country's eastern border lying along the Marañon branch of the Amazon

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and including Iquitos, the Peruvian port above which most ocean-going vessels cannot proceed. In contrast, the de facto border (which at no point touches the Amazon) is 170 to 250 miles west of Iquitos along markers agreed to while Ecuador still adhered to the Rio Protocol. Along the unmarked portion of the border, Peruvian and Ecuadorean military patrols have a tacit agreement to stay on opposite sides of the Cordillera del Condor.

Nevertheless, the Ecuadoreans base their claim to the north bank of the Marañon on (1) the departure in 1542 from Quito of the expedition under Francisco de Orrellano that discovered the Amazon; and (2) the Pedemonte-Mosquera Protocol of 1830. The latter provided that the border between the countries was the same as that between the colonial audiencias of Peru and Ecuador, which was along the Marañon. Ecuador claims that this protocol is still valid, but Peru holds that since Ecuador withdrew from the Gran Colombia federation in 1830, Ecuador forfeited its rights.

The border problems have aroused great passion. Mediation by the King of Spain from 1895 to 1910 failed and war was averted only by the intervention of the US, Argentina, and Brazil. US arbitration was fruitless during the 1930's. The US, Argentina, and Brazil offered to arbitrate once again in 1941, but Peru invaded Ecuador on July 5 of that year and occupied all of the southernmost (El Oro) province. Peru then presented an ultimatum requiring Ecuador to cede some 70,000 square miles of eastern territory in exchange for the return of El Oro. The US, Argentina, Brazil, and Chile became guarantors of the Protocol of Peace, Friendship and Boundaries between Ecuador and Peru signed at Rio on January 29, 1942, under which Ecuador relinquished its eastern territories.

Rio Protocol

The Rio Protocol established the procedure under which the boundary would be marked.

--Article V states that the US and other guarantors shall continue their activity (which is not specified) until definite demarcation of the border is accomplished.

--Article VI says that Ecuador shall "enjoy, for the purposes of navigation" the same concessions as Brazil and Colombia for commerce and navigation on the Amazon (but it says nothing about "sovereign" access).

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--Article VIII indicates the general contour of the boundary.

The discovery in 1946 of the upper reaches of the Cenepa River made impossible the demarcation of the border along the watershed between the Zamora and Santiago Rivers, as had been called for in Article VIII. The Ecuadoreans used this situation to renew their hopes for Amazon access. In 1951, President Galo Plaza said that no settlement with Peru was possible without access to the Amazon. In 1960 President Velasco Ibarra declared the Rio Protocol void, leading to a four-year break in relations with Peru. Despite Ecuador's unilateral declarations, however, the guarantors and Peru continued to uphold the protocol.

The issue, while often dormant, has been subject to periodic Ecuadorean agitation. Peruvian unwillingness to discuss it led to Ecuador's withdrawal last December of an invitation to Morales Bermudez to stop in Ecuador en route to Venezuela.

Ecuador's Aspirations

Access to the Marañon is Ecuador's most fundamental foreign policy objective, and even the receipt of a note from the Peruvians opening the question of the legitimacy of this claim would be an important advance. Ecuador's Foreign Ministry stresses the overriding importance of the symbolism attached to the flying of the Ecuadorean flag on the Marañon in contrast to the limited economic and strategic value of sovereign access.

If the Ecuadoreans concede the validity of the Rio Protocol, they will focus their hopes for access on the portion of the Peru-Ecuador border that has not been marked, a 60-mile stretch west of the Cenepa. The Ecuadoreans claim that the area has no important natural resources, despite rumors of possible petroleum reserves. Small boats are navigable to the rapids on the Marañon known as the Pongo de Marisereche. Consequently, the Ecuadoreans would like to have access to the Marañon below this point, which is just above the Marañon's confluence with the Santiago. Although Ecuador reportedly has access to the Amazon system via the Napo and Cururay Rivers, to the northeast, national mythology will accept only the Marañon as access to the Amazon proper.

If Ecuadorean aspirations are confined to the undemarcated area:

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--the minimum Ecuador might accept is a narrow corridor, perhaps no more than a few kilometers wide, stretching some 100 kilometers to the Amazon-Santiago confluence; but

--it would try to obtain a large chunk of territory encompassing both ends of the undemarcated border and forming a triangle of perhaps 10,000 square kilometers with a point at the rivers' confluence.

The Ecuadoreans would expect the Peruvians to offer, at most, the former. The Ecuadorean Government, in pressing for the larger concession, will be responding in part to the designs of military men who, in some cases, feel that Peru's concessions should also include territory east of the border demarcated under the Rio Protocol.

Peruvian Aspirations

Peru's sincerity in entering discussions is naturally open to question. The Ecuadoreans say, however, that even before the meeting with President Carter, Peru showed some slight softening in its attitude. President Carter's initiative appears to have moved Morales Bermudez to be forthcoming to the Ecuadoreans, at least temporarily. The most credible reason for Peru's present posture is that it wishes to deflect hostility from international observers, including the US and border countries, who have expressed concern about Peru's arms build-up. The Peruvians may believe that negotiations can be conducted for a long period with an inconclusive end, while serving as an international earnest of good intentions.

The reasons that Peru might wish to be genuinely forthcoming, or at least appear to be so, include:

- a desire to secure Peru's northern frontier in case of hostilities with Chile, the No. 1 potential enemy;
- the possibility that international lenders will be more generous in alleviating Peru's significant financial problems if the country appears to be seeking Andean peace;
- a genuine hope of decreasing Andean tensions and solving ever-troublesome border disputes, including those in the north and the south.

It is likely that the Peruvian Government is not entirely unified on its motives and objectives. In

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discussions with the US Ambassador on November 2, Foreign Minister de la Puente said he would have difficulty selling the advantages of a settlement with Ecuador to the Peruvian military, given their deep-seated repugnance to ceding national territory. Moreover, there is a widespread popular, though unsubstantiated, belief that petroleum exists in the territory under consideration. In July 1976 the Peruvians opened to bidding a concession for oil exploration cutting across the area coveted by Ecuador. Thus far, however, apparently no oil company has responded.

De la Puente's strongest argument for internal consumption probably is that concessions could secure the northern border in case of hostilities in the south. The success of such an argument will be influenced by two highly uncertain factors:

- the Peruvian military's intentions toward Chile, and their perception of Chilean intentions toward Peru;
- the Chile-Bolivia-Peru discussions on the Bolivian corridor to the sea.

If the Peruvian military, in fact, intend to pursue their revanchist aspirations in the south, they may genuinely wish to secure Peru's northern border, perhaps speeding a settlement with Ecuador. Interestingly, the Peruvians have blamed the Chileans for encouraging the Ecuadoreans to be unreasonable in their territorial demands in order to frustrate a settlement. On the other hand, even the remote possibility of successful corridor discussions, including a land buffer between Peru and Chile, could decrease the war threat in the Andean region and Peru's perception of the urgency of a northern settlement.

Timing

If negotiations are started, both sides will expect them to last at least several years. Next year, the Ecuadorean military propose to turn over the government to civilians. The Peruvian military, similarly, have promised elections for a constituent assembly in 1978 and presidential elections by 1980. The opening of a national political dialogue in both countries could subject the border talks to new pressures. For instance, the possibility of petroleum in the area would appear to be a major rallying point for Peruvian opponents of concessions. Civilians, if and when they take control of the government, will be wary of alienating the military establishments and opening themselves to criticism from members of opposition parties.

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Consequently, the optimum time for making an agreement may be before the military leaders in both countries return to the barracks. It should be noted, however, that this timing would open the arrangements to questions of constitutional legitimacy.

Prospects

Until recently, the foreign ministries in both countries seemed to feel that there were grounds for negotiations. The outcome of the situation, however, is in the hands of the two military establishments. It is unlikely that either one will agree to the major concessions required to put negotiations on a fruitful course. The most probable scenario includes a period, perhaps even now coming to an end, during which Peru and Ecuador will rebuff each other's major demand. After that, negotiations are likely either to collapse or to stagnate. It is unlikely that notes will be exchanged.

A breakdown on the current rather tentative dialogue, either full or partial, will add another measure of distrust to the Andean situation, in which Peru already is regarded suspiciously by its neighbors, particularly Chile and Ecuador. In the absence of convincing evidence that Peru does not have aggressive intentions, Ecuador and Chile are likely to increase purchases of sophisticated arms (to the extent this is possible) and to lay the basis for further cooperation (i.e., against Peru). In turn, the Peruvians can be expected to react uneasily to their neighbors' activities.

US Participation

Whatever official position the US might take, the Ecuadoreans probably believe that we have a role to play in the negotiations. If negotiations break down, the Ecuadoreans will hope for US pressure on Peru. Failure of the US to respond sympathetically could create some bitterness in Quito, though a measure of gratitude would still be felt toward President Carter for trying to get negotiations under way. The recent fillip to amicable US-Ecuadorean relations will probably end as the main determinant of the Ecuadorean attitude once again becomes US willingness to transfer arms to Ecuador to counter the "Peruvian threat."

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