

Resolving the Peru-Ecuador Border Dispute

By Horacio Falcao

When the peace agreement was signed on October 26th, 1998 between Ecuador and Peru, it was a major breakthrough that had eluded the two countries for some 170 years. The border dispute between the countries had resulted in the loss of hundreds of lives and also had an adverse impact on economic development of these countries. CMG and its sister organization CMIIG are proud to have played a significant role in facilitating this agreement. Two weeks before the signing of the agreement in Brasilia, CMG and Roger Fisher received a letter from President Mahuad of Ecuador stating: "When we succeed in reaching agreement, and succeed we shall, Ecuador and Peru will owe thanks to a great many governments, officials, and other individuals. I know of none who have done more to make this peace possible than you and Conflict Management Group."



L-R: Roger Fisher, Foreign Minister José Ayala, & Ambassador Ivonne A-Baki

The territorial dispute between Ecuador and Peru dates back to Colonial times and the legal claims to the territory of the Amazon region. The Marañon-Amazon River was established as the border between the two countries in 1830, although this agreement was contested. During the 19th century and the early 20th century a succession of negotiations between the two countries failed, including those arbitrated by the King of Spain and the U.S. Government. Protracted hostilities were a consequence of these failures, until, in 1942, the Peru-Ecuador border conflict was terminated through U.S. intervention, which resulted in the Rio de Janeiro Protocol. After signing the Protocol, both countries continued their armed conflicts due to a failure in establishing a precise boundary between the two countries.

In 1995, Tiwintza was the site of further hostilities. The dispute interfered with, and ultimately led to, the cancellation of the opening of a dispute resolution center by Conflict Management Group (CMG) at the University of San Francisco in Quito, Ecuador.

CMG tried to find ground for an understanding between Peru and Ecuador, and suggested a facilitated joint brainstorming session to the then Ecuadorian president and former Peruvian deputy minister of foreign affairs. This session, facilitated by CMG in 1995, consisted of six people in important decision-making positions from each country. They all met together for a week, not as official representatives of their governments, but as individuals. In this non-committal meeting, the

Ecuadorians and Peruvians focused on developing their relationship and brainstorming ideas on how both countries could settle their disputes.

Among the participants in the facilitated joint brainstorming session were the present Ecuadorian Vice-President Gustavo Noboa, Peruvian Foreign Minister Fernando De Trazegnies, and the

Ecuadorian Ambassador to the U.S. Ivonne A-Baki, all important figures in the peace talks between both countries. In the words of President Jamil Mahuad of Ecuador: "That one-week session in Cambridge has had a lasting impact on the way Ecuador and Peru deal with the boundary problem and deal with each other."

Up until 1998, President Alberto Fujimori of Peru had already had peace talks with several former Ecuadorian presidents, on a one-to-one basis. The

attempts to reach peace failed on each occasion. In 1998, Jamil Mahuad was elected president of Ecuador and his major priority was achieving peace regarding the border dispute. President Mahuad, as a Harvard Kennedy School of Government alumnus, learned about principled negotiation strategies directly from Roger Fisher.

Before the two presidents met, Mahuad sought CMG's advice on how to handle the negotiations. CMG's advice was unique because despite their role as a partisan advisor, instead of counseling a land-grab for Ecuador, they advised Mahuad how to solve the border dispute and achieve peace. Such advice normally would be identified as the counsel of a neutral third party, more so than of a partisan advisor. This was probably a major ingredient in the efficiency and impact of the advice.

In the meantime, Mahuad invited Roger Fisher to meet with Fujimori in an attempt to get CMG to help both sides of the negotiation. After Fujimori had previously agreed to meet, the peace talks went so fast and well that there was no further need for the scheduled meeting.

With the advice of CMG, Mahuad was the first Ecuadorian president responsive to Fujimori's efforts to effectively negotiate and solve the border dispute. The presidents focused more on the relationship between themselves and switched the adversarial approach of the negotiations to a joint problem solving one. For the first time, both presidents had a direct and open line of communi-

Continued on page 7

Emerging Partnerships – CMG and CECI

Both CMG and CECI, the Canadian Center for International Studies and Cooperation, recognize that sustainable development requires effective conflict management at the local, national, and international level, so that gains made on the social, political, and economic fronts are not lost. The collaboration began in Guatemala where CMG's Latin America Practice Group teamed



Organizers of a joint CECI and CMG workshop in Burkina Faso

up with Therese Bouchard of CECI to work with grassroots organizations charged with implementing parts of the Guatemalan peace process. In Africa, CECI and CMG have trained members of the Mediateur du Faso, an independent agency set up by law in Burkina Faso, and conducted workshops in Burundi. In early May, a workshop will be held for teachers in Guinea to assist them in the implementation of a national peace program in schools.

Peru-Ecuador Continued from page 6

cation and could understand each other's challenge in this particular negotiation.

One of the biggest challenges of the negotiations was over Tiwintza. This dense forest region, apparently insignificant, was the place where many soldiers from both sides had died in the 1995 armed conflict. The symbolic value of Tiwintza made it hard for either president to concede this point. The negotiations came to a deadlock. The presidents, aware of the delicacy of the issue, left the decision to the guarantor countries who solved it based on a CMG idea. Peru gained national sovereignty over Tiwintza, with Ecuador also holding it as a private property.

The positive outcome of the negotiations was also in part due to the support of Brazil, the U.S., Argentina and Chile, as guarantor countries to the Rio de Janeiro Protocol. By reaching an agreement over their border dispute, Ecuador and Peru can now focus on issues of economic development and improving the standard of living of their citizens. ■

Global Environmental Conference Continued from page 5

point during the conference, a visitor from the European Union observed "It is truly remarkable how well people are working together. In Europe, people would be at each other's throats - it's a wonderful process."

Creating the workshop atmosphere required acceptance, ongoing support, and contributions by the entire GPAC staff and conference workshop team. CMG worked with GPAC and conference facilitators to develop a handbook entitled "Facilitator and Rapporteur Guidance" which not only provided a detailed overview of the FJB process, but also offered techniques and strategies on its implementation in working groups. Numerous pre-workshop conferences were held to help clarify and build support for the process. This kind of careful team building was crucial to the overall success of the conference.

Setting the Mood and Reaching Outcomes

Most of the participants had never heard of FJB prior to the opening session. The GPAC team explained FJB as a process that would be implemented in the workshop. Ted Johnson, the facilitator coordinator, led the group through a series of "mood setting" exercises to illustrate some important mental shifts needed to make FJB work for them. The exercises were designed to help partici-

Emerging Partnerships - CMG and W.H.O

In December 1996, Conflict Management Group (CMG) and the World Health Organization (WHO) kicked off a series of workshops aimed at improving the skills of lesser-developed countries in negotiation and conflict management for the purposes of better mobilizing financial aid for their health sectors. These workshops were held in Côte d'Ivoire, Bénin, Nepal, India, Zimbabwe, Gabon, Nigeria, Ethiopia and Mauritania.



CMG & WHO workshop participants in Mauritania

As the series of workshops progressed, the contributions of CMG and WHO become more fully integrated, allowing participants to see how the acquisition of negotiation and conflict resolution skills might benefit them at all levels of the health sector.

The joint CMG-WHO team is now being approached by individual countries who have asked for workshops to be held at the national level, with the hopes of more effectively integrating a larger number of ministry officials as well as local donor agency representatives. Finally, CMG and WHO officials are writing a set of negotiation guidelines based on the lessons learned from the regional workshops.

pants connect with each other as human beings, increase their understanding of each other's perceptions, and recognize the benefits of collaboration.

During the workshop, each working group had several challenges. They had to come together as a group, analyze the scoping papers, determine if any gaps existed in current environmental programs and strategies, brainstorm a wide-ranging set of options to deal with the gaps, and narrow that list to the three most promising options to work on.

Another challenge in this workshop was the dynamic of typically antagonistic groups such as environmentalists, fishing industry representatives, and individual fishermen. Talking together to find common areas of potential agreement was something they had never tried before. Focusing on long-term interest was key for this group. They agreed to jointly sponsor studies which would develop credible information on fish reserves and the impact of mechanical fishing gear on certain areas.

Similar group dynamic antagonism existed among some of the developers and preservationists with respect to coastal development. The facilitator of this group devoted time to having participants introduce themselves and share a personal connection with the coast. In one account, a developer spoke of his grandfather taking him fishing as a child.

Even though he was now a builder, he wanted to make sure that the coast was preserved so that he could look forward to taking his grandson fishing in the same area he had been to as a boy. This kind of personal sharing helped the group shift the way they saw each other, and change what could have been hostile debating into collaborative dialogue and problem solving.

For the duration of the workshop, Ted Johnson and the GPAC co-chairs and staff moved among the working groups to help reinforce FJB concepts, consult and advise on matters of process, perform necessary interventions, and manage facilitator meetings.

Throughout the workshop participants frequently referred back to the "mood-setting" exercises as a helpful frame for working collaboratively. Additionally, participants made the effort to meet new people and build important working relationships. By the end of day three, the working groups had produced fifteen region-wide comprehensive action strategies to address environmental pollutants in the Gulf of Maine.

The final workshop outcomes exceeded the expectations of GPAC and the workshop participants. CMG was delighted to have had this important opportunity to apply its tools and process technology to a set of extremely important environmental issues. ■