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Chile Angered Over Peruvian Map Claiming Rights Over Disputed Maritime Area

by LADB Staff
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The Chilean government has protested the publication of an official map in Peru that asserts Peru's claim to an area of the Pacific Ocean to which each country claims exclusive rights. Chile withdrew its ambassador from Lima in mid-August after the map was published, while the president of Chile's Chamber of Deputies canceled an official visit to Lima. It was the latest ratcheting up of bilateral tensions between the neighboring countries since Peruvian President Alan Garcia announced in June that his country would take its case regarding maritime borders to the International Court of Justice (ICJ) in The Hague (see NotiSur, 2007-06-29).

Chile says that the maritime border between the two countries extends along a horizontal line at approximately the two nations' shoreline border. Peru claims that the border extends at a 45-degree southwest angle, which would expand Peru's oceanic territory by about 37,900 sq km (see NotiSur, 2005-11-18).

Lima daily newspaper La Republica reported that area has 26,000 sq km of anchovy-rich waters, making it an important zone for the fishing industry of southern Peru. Peru claims that Chile's position of the horizontal line, which runs below the 18th parallel, denies Peru benefits of the international convention that says nations have maritime rights 200 miles off their respective shorelines.

Chile says that Peru signed agreements multiple times in the 20th century that recognized the horizontal border, including a border treaty in 1929 and subsequent agreements in the 1950s. There is also controversy regarding where the line begins, with Chile arguing that it starts a ways inland along the border, which would place the horizontal line even further north.

Chile's ambassador withdrawn over 'major provocation'

Chile recalled its ambassador on Aug. 13. The Foreign Relations Ministry announced that "the Ambassador of Chile in Peru, Cristian Barros Melet, has been called to report on this date," in a brief press release. Chilean Chamber of Deputies president Patricio Walker, who had been planning an official visit to Lima on Aug. 21 to participate in a meeting of the Parlamento Andino and to meet with President Garcia, characterized the map as a major provocation.

"This, for us, is a major provocation and as a consequence we have decided to suspend my trip to Peru as a sign of protest, of rejection, for this unilateral and unfriendly act by the Peruvian government," said Walker. Chile pointed to the 1929 Tratado de Limites and international accords in 1952 and 1954, with the Foreign Relations Ministry saying, "This boundary was formalized according to the Acts signed by representatives of Chile and Peru on April 26, 1968, and August 22, 1969."
A communique by Chilean Foreign Relations Minister Alejandro Foxley said the map "fails to recognize the treaties that are in effect delimiting the border with Chile." Foxley added that "the projections over Chilean maritime spaces that the map published by Peru seeks to effect lack all international juridical effect and are not accepted by Chile."

Peru does not recognize the 1952 and 1954 agreements, calling them simple fishing accords. The Peruvian government responded by defending the publication, with Foreign Relations Minister Jose Garcia Belaunde saying, "This map will go to The Hague along with the dossier." He reiterated that Peru has not set a firm date for making its presentation to the ICJ, but the deadline "can't be very long term," he said.

Sen. Sergio Romero of Chile's foreign relations commission said that he hoped Peru would make it clear "as soon as possible that the map does not include fishing activity." "It would be virtually a declaration of war if they are saying that 'we also have our rights in fishing.' The situation is already very grave, but to put themselves at that level would be equivalent to an undisputed war-like situation," said Romero. He called on President Michelle Bachelet to reconsider a planned visit to Peru in November because he felt the conditions for such a visit were not present.

Partido Socialista (PS) Sen. Camilo Escalona said, "Chile has to maintain the position it has always had with calmness and serene firmness." Chile stated it would "continue exercising fully all of the rights that correspond in the area under [Chilean] sovereignty and jurisdiction with the help of international law. The complete respect for international law constitutes the basis of relations of friendship and cooperation between states." Peruvian analyst Juan Velit said, "Peru has exercised its sovereignty by publishing the map, and Chile's reaction was foreseeable."

Velit argues that Chile "took a fishing accord as a border delimitation, but those accords were not analyzed by the congresses of the countries" in order to consider them as border demarcations.

**Tensions ease briefly after Peru earthquake kills hundreds**

Chile and Peru agreed to put aside their differences briefly after an earthquake of 8.0 magnitude devastated the cities of Pisco and Ica on Aug. 15. The quake killed an estimated 540 people, although that number was not definitive as recovery efforts continued on Aug. 22. Chile joined many other nations in delivering aid and materials to the earthquake-stricken regions of Peru, with President Bachelet offering her sympathies.

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