

ALLIANCE TREATY OBLIGATIONS AND PROVISIONS (ATOP)
CODING SHEET

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SECTION I: FORMATION, MEMBERS, AND DURATION

1. ATOP ID: # 1220.
2. COW Alliance # (if applicable): #2043.
3. Signature date(s) (may vary for members in multilateral alliances):
January 25, 1860.
4. Members of alliance (use COW country codes):
130 Ecuador
135 Peru.
5. Was the alliance signed during war? If so, which war, and which member(s) was at war? (check COW data)
No.
6. Means by which alliance was established (e.g., treaty, executive agreement, diplomatic notes, etc.): (Only select "treaty" if the agreement requires ratification.)
Treaty.
7. Was the treaty public, public but with secret articles, or secret? If secret articles, describe the content of secret articles.
Public.
8. Are there provisions for adding additional members mentioned in the treaty? (Yes, No) If Yes, describe these provisions.
No.
9. Are specific state(s) mentioned as possible future members of the alliance? (Yes, No) If Yes, which state(s)?
No.
10. Are there specific provisions in the treaty concerning the length of time the treaty is to last? (Yes, No) If Yes, describe.
No.
11. Are there conditions under which members may renounce the treaty? If Yes, describe these conditions.
No.
12. Are there specific provisions in the treaty concerning renewal of the treaty? (Yes, No) If Yes, describe these provisions.
No.
13. Number of times alliance renewed, dates of renewal, and means by which alliance was renewed (Do not include automatic renewals):
Zero.
14. Termination date(s) (may vary for members in multilateral alliances) and source(s) for termination dates(s):
July 14, 1861.
15. Describe what caused the alliance to terminate.
Gabriel Garcia Moreno overthrew Guillermo Franco in Ecuador, partially due to public anger over the treaty with Reni (Herring, 1968: 579).

SECTION II: OBLIGATIONS

16. Type of alliance (defense pact, neutrality pact, nonaggression pact, consultation pact, offense pact): (List all that apply to any member of the alliance.)
Defense Pact
Neutrality Pact.

17. Type of alliance as coded in COW data (if applicable): Defense Pact.

18. Describe the obligations of the alliance partners.

They also engage, in order to draw closer the bonds of a sincere and lasting friendship to enter into treaties of commerce and navigation, mutually to defend each other against any foreign aggression, and in interim not to permit, but to prevent, the citizens of the country, as well as strangers or refugees, within the territory of either of the two republics, making warlike preparations of any description to disturb the tranquility of the other (Art.IX).

In the unfortunate event of either of the two republics being menaced in its nationality and independence, the other shall cooperate in its defense with the means of which it can dispose, it being understood that the alliance is perfected by the fact of danger, and that it may immediately have its practical effect (Art.XVI).

(...) and if either of these republics should hereafter find itself under the necessity of making territorial grants or cessions, or if any part of its territory should be exposed to be occupied or invaded by another power, Peru or the Equator respectively shall, in the first case, have the preference as next neighbors; and, in the second, the part of territory exposed shall thereby come under the protection of the government of Peru if it should be Ecuadorian, and of the government of Ecuador if it should be Peruvian (Art.XXVIII).

Whenever Peru or Ecuador may unfortunately be engaged in war with another nation, or in preparing for it, neither of these republics, nor any citizen of them, shall accept a commission or cooperate in any manner hostile against the republic which may be in that condition; and all pacts and agreements which shall have been or which may be made, with such wicked and punishable intention, shall be void and of no effect (Art.XVIII).

19. Are any of the obligations contingent upon any of the following: specific adversary, specific location, specific ongoing conflict, number of adversaries, noncompliance with a specific demand, attack, nonprovocation of enemy, or prior agreement among partners? (List all that apply)

No.

20. Describe the nature of the limits to obligations listed in #19.

N/A.

21. Are there any additional provisions for assistance in the event of war? (e.g., promise not to participate in economic sanctions against partner, promise not to aid internal or external enemies, etc.) (Yes, No) If Yes, describe.

Yes. Whenever Peru or Ecuador may unfortunately be engaged in war with another nation, or in preparing for it, neither of these republics, nor any citizen of them, shall accept a commission or cooperate in any manner hostile against the republic which may be in that condition; and all pacts and agreements which shall have been or which may be made, with such wicked and punishable intention, shall be void and of no effect (Art.XVIII).

When one party shall be engaged in war, the other party shall interpose its friendly mediation, and shall endeavor, by all the means within its reach, that the differences may be amicably settled (Art.XIX).

They also engage, in order to draw closer the bonds of a sincere and lasting friendship to enter into treaties of commerce and navigation, mutually to defend each other against any foreign aggression, and in interim not to permit, but to prevent, the citizens of the country, as well as strangers or refugees, within the territory of either of the two republics, making warlike preparations of any description to disturb the tranquility of the other (Art.IX).

The Government of the Equator and that of Peru, each on its own part, will not tolerate in its respective territory the fomentation of enterprises by political refugees, tending to disturb order in the State to which they belong; but they engage to send such persons at least 80 leagues into the interior on the first requisition with necessary proof, made by the Government against which their machinations are directed (Art.X).

22. Are there any additional limits to the alliance obligations or conditions under which treaty obligations do not apply that were not listed in #19? (Yes, No) If Yes, describe.

No.

23. Is a specific target/threat mentioned as the object of the treaty? (Yes, No) (Answering Yes to this question does not necessarily mean that obligations are limited only to this adversary.) If Yes, list the target nation(s) (using COW country codes if possible) and describe the general nature of the reference to the target of the treaty.

No.

24. Are the treaty obligations symmetric? (That is, do all members commit to the same obligations?) (Yes, No) If No, describe.

Yes.

25. Does the treaty prohibit members from settling conflicts independently (no separate peace)? (Yes, No) If Yes, describe.

No.

26. Does the treaty have provisions requiring that the contracting parties consult before making commitments to third parties (excluding

no separate peace provisions discussed above)? (Yes, No) If Yes, describe these provisions.
No.

27. Does the treaty specify that the contracting parties must not enter into any other alliances that are directed against the alliance in question? (Yes, No) If Yes, describe.

Yes. The two parties bind themselves not to commit any act or to make treaties, or any kind of convention whatever, by which the independence of South America, and particularly that of Peru, or the Equator, may be menaced (Art.XXVIII).

Whenever Peru or Ecuador may unfortunately be engaged in war with another nation, or in preparing for it, neither of these republics, nor any citizen of them, shall accept a commission or cooperate in any manner hostile against the republic which may be in that condition; and all pacts and agreements which shall have been or which may be made, with such wicked and punishable intention, shall be void and of no effect (Art.XVIII).

28. Additional coder comments regarding treaty obligations:

SECTION III: INSTITUTIONALIZATION OF THE ALLIANCE

29. Does the treaty make reference to the potential for conflict among members of the alliance? (Yes, No) If Yes, describe.

Yes. With the important object of preventing war between Peru and Ecuador, and making it more difficult and impossible, they agree that neither of the two nations shall employ its arms against the other without having previously demanded justice from the government from which it may have received the injury or offense, and without the difference being submitted to the decision of a neutral power (Art.XXIII).

30. Does the treaty discuss mediation/arbitration or other means of settling disputes among the signatories? (Yes, No) If Yes, describe.
Yes. See 29.

31. Does the treaty require official contact among the military forces of the participating states? (Yes, No) If Yes, describe. (Note whether official contact is required only in the event of hostilities or also during peacetime.)
No.

32. Does the treaty include provisions for military aid? (e.g., grants, loans, transfer of technology, training) (Yes, No) If Yes, describe these provisions.

Yes. The expenses occasioned by the assistance which, by this article, both countries are mutually obliged to afford one another, shall be on the account of the government which applies for it, or in whose favor it is given, including therein not only the costs of the transport of troops when it takes place, but also of their maintenance and return (Art.XVI).

33. Does the treaty provide for integrated command of military forces while the alliance is in effect (peacetime as well as wartime)? (Yes, No) If Yes, describe.
No.

34. Does the treaty require subordination of the forces of one or more member states to another in the event of hostilities? (Yes, No) If Yes, describe.
No.

35. Does the treaty establish any organizations? (include provisions for regularly scheduled meetings) (Yes, No) If Yes, describe.
Yes. A mixed commission to fix the boundaries shall be established (Art.VI).

36. Does the treaty provide for joint military bases, or for one or more states to place troops in the territory of one or more other states? (Yes, No) If Yes, describe.
No.

37. Does the treaty specify contribution levels (funds, troops, etc.)? (Yes, No) If Yes, describe.

Yes. (...) The expenses occasioned by the assistance which, by this Article, both countries are obliged to afford each other, shall be on account of the Government which applies for it, or in whose favor it is given, including therein not only the costs of the transport of the troops when it takes place, but also of their maintenance and return (Art.XVI).

38. Does the treaty contain any provisions regarding coordinated increase of armaments, reduction of armaments, prohibition of weapons, or rules of warfare? (Yes, No) If Yes, describe such provisions.

Yes. The two countries (...) "have agreed to adhere to the 4 Articles proclaimed by the Congress of Plenipotentiaries assembled in Paris in 1856, and which Peru has accepted on the 5th October, 1857. To wit: 1st, Privateering is and remains abolished; 2nd, The neutral flag covers the enemy's property, excepting contraband of war; 3rd, neutral property, excepting contraband of war, is not subject to confiscation under an enemy's flag; 4th, Blockades, to be binding, must be effective, that is

to say, they must be maintained by a sufficient force, capable of actually preventing all approach to the enemy's coast (XXV). It is agreed that in the unfortunate event of the amicable relations between the two Republics being interrupted, the citizens of either of the contracting parties, established or resident in the States of the other, may continue freely in the exercise of the profession, commerce, or industry, in which they are occupied, enjoying the same guarantees as before, and without their effects being subject to embargo or confiscation (Art.XIV).

39. Does the treaty explicitly permit or prohibit the acquisition of territory not currently held by either ally? (Yes, No) If Yes, describe reference.

No.

40. Does the treaty include discussion of the division of gains from any future conflict? (Yes, No) If Yes, describe.

No.

41. Does the treaty include discussion of demobilization/withdrawal following conflict? (Yes, No) If Yes, describe.

No.

42. Are there any other provisions in the treaty that describe the means through which the states will coordinate their military efforts and policies? (Yes, No) If Yes, describe.

No.

43. Additional coder comments regarding references to alliance institutionalization:

SECTION IV: TREATY CONTEXT

44. Does the treaty state that it nullifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are nullified and describe the treaty reference.

Yes. By the present treaty all others are repealed which have been formerly concluded between Peru and the Equator, either as a section of the ancient Colombia, or as an independent republic (Art.XXXI).

45. Does the treaty state that it modifies any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are modified and describe the treaty reference.

No.

46. Does the treaty state that it includes any existing treaties signed by one or more of the contracting parties? (Yes, No) If Yes, list the treaties/agreements that are included and describe the treaty reference.

Yes. It is intended to help the fulfillment of the Convention of the 4th of December, 1859.

47. Does the treaty make any references to international organizations? (Yes, No) If Yes, list the international organization and describe the nature of the reference.

No.

48. Does the treaty make any references to other existing alliances? (Yes, No) If Yes, list the alliance and describe the nature of the reference.

No.

49. Are there any companion agreements referenced in the treaty? (Yes, No) If Yes, describe the agreements.

No.

50. Does the treaty include statements regarding non-military cooperation (e.g., economic, cultural, scientific exchange)? (Yes, No) If Yes, describe.

Yes. Commerce and navigation (Art.IX), legal cooperation (Art.XXI, XXVII).

51. Does the treaty resolve other conflicts among the parties to the alliance? (Yes, No) If Yes, describe.

Yes. The treaty is a peace treaty. Peru acknowledges itself satisfied (Art.II). Territorial settlement (Art.V).

52. Does the treaty propose/enforce settlement of a conflict not involving parties to the alliance? (Yes, No) If Yes, describe.

No.

53. Does the treaty propose other agreements among the contracting parties? (Yes, No) If Yes, describe.

Yes. The parties shall enter into treaties of commerce and navigation (Art.IX).

54. Does the treaty mention unresolved conflicts among the contracting parties? (Yes, No) If Yes, describe.

Yes. A commission shall fix the borders (Art.VI).

55. Does the treaty include provisions for economic aid or other enticements (include trade concessions, post war recovery, etc.)? (Yes, No) If Yes, describe these provisions.

No.

56. Does the treaty describe circumstances under which one party may intervene in the internal politics of another party or specifically commit the states to non-intervention? (Yes, No) If Yes, describe.

No.

SECTION V: DOCUMENTATION

57. Additional coder comments on this alliance treaty:

58. Source of coding information (e.g., treaty, treaty and secondary sources, secondary sources only, etc.): Treaty.

59. Treaty citation: CTS, vol.121, p.309.

60. Date of last revision of this coding sheet: 01/25/05.

61. Coder: Andrew Long, Michaela Mattes, Ashley Leeds.