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LADB Staff

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## Peru's Truth Commission Issues Report

by LADB Staff

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After two years of work, Peru's Truth and Reconciliation Commission (Comision de la Verdad y la Reconciliacion, CVR) issued its report Aug. 28. It found that the number of victims exceeded 69,000, more than double most previous estimates for the years of internal conflict, which ran between 1980 and 2000 (see NotiSur, 2003-06-20).

The 12-member commission, created in June 2001 by interim President Valentin Paniagua, included two university rectors, two sociologists, two lawyers, a retired general, an engineer, an anthropologist, a Catholic bishop, a priest, and a Protestant minister. It had widespread support from national and international human rights groups and from foreign governments.

Salomon Lerner, head of the CVR, turned over the report to President Alejandro Toledo. "Today is Peru's moment to confront a time of national shame," Lerner said after giving the report to the president. "This report exposes a double scandal of the assassinations, disappearances, and massive torture and of the indolence, ineptitude, and indifference of those who could have prevented this human catastrophe but did not."

Lerner said the closing decades of the 20th century were ones of "horror and dishonor" for the country, in which "crimes against humanity were practiced by subversive organizations against society and by the Peruvian state through members of the security forces." Lerner said three of every four victims were campesinos whose first language was Quechua and who came from a sector of society historically ignored and treated with disdain.

Receiving the report, Toledo said he would work for national reconciliation that excludes both revenge and impunity. He said the "time has come to know the truth with justice and walk toward reconciliation." The president said it was "indispensable that we look into the mirror of the past. We can't open the doors to the future without looking first at the past, but it would be a serious error for a nation to remain trapped in the past, denying Peru the construction of the future."

### *Commission finds many responsible*

The CVR attributed responsibility for 54% of the victims to Sendero Luminoso, for 31% to the security forces, for 13% to paramilitary groups and "rondas campesinas" or government armed and backed campesino militias, and for 1.5% to the Movimiento Revolucionario Tupac Amaru (MRTA). Victims and families testified openly to the CVR in community forums. Hundreds of politicians and political activists were also interviewed. The commission which collected 17,000 testimonies from people in 530 villages affected by the violence identified by name some 32,000 people who died during the violence.

In the report, Sendero was accused of selective assassinations and tortures, kidnapping in indigenous communities, and forced recruitment of youth. The security forces were cited for having carried out arbitrary executions, forced disappearances, and torture in a systematic pattern of human rights violations. The MRTA was also accused of kidnapping and selective assassinations.

The CVR found that the worst violence took place during the 1980s, peaking in 1984 during the administration of former President Fernando Belaunde Terry (1980-1985), when Sendero Luminoso massacred villagers in the central highlands and the government unleashed a savage response. The regions most affected were the Andean departments of Ayacucho, Huancavelica, and Apurimac.

"Remember, the violence happened in the most isolated areas, to the poorest of all Peruvians," said Ernesto de la Jara, director of the Instituto de Defensa Legal, a human rights group in Lima. "Very few people even complained." The nine-volume report, with more than 8,000 pages, said the killing tapered off after 1992, when Sendero founder Abimael Guzman was captured and former President Alberto Fujimori (1990-2000) disbanded the parliament and imposed martial law in much of the country. A faction of Sendero continues to operate in Peru's coca-growing jungle region.

The CVR report cited "reasonable evidence" to consider Fujimori and his security advisor Vladimiro Montesinos criminally responsible for the atrocities committed by the paramilitary Colina group (see NotiSur, 2001-09-07). The report also pointed to the "political responsibility" of the administrations of Belaunde and Alan Garcia (1985-1990), two administrations widely considered democratic.

The report said those governments gave the military too much power and then failed to stem abuses when some military units conducted a scorched-earth campaign in the isolated highlands. The report recognized that at the beginning of his term, Garcia "began a series of social policies to redirect the countersubversive strategy in place." But, it said, the "prisons massacre" on June 18-19, 1986, in the Lima prisons of Lurigancho and El Fronton "marked the breaking point in the effort of the Alianza Popular Revolucionaria Americana (APRA) government to impose a new respect for human rights on the security forces."

The Catholic Church was not spared in the report, which said that "the defense of human rights was not solid in the archdiocese of Ayacucho during the major part of the armed conflict." The CVR recommended reparations, outlined in the Plan Integral de Reparaciones, which will be developed by a commission comprising representatives of the executive, civil society, and the Defensoria del Pueblo.

The CVR leaves some tasks unfinished. More than half of those estimated to have died 35,000 people are unidentified. Limited resources and time also prevented the commission from exhuming 2,000 mass graves. "There is so much more to investigate," said Elisabeth Acha, a sociologist who helped with investigations for the report. Criticism began even before report's release. In the weeks before the release of the report, critics began attacking the study's credibility.

Opposition Deputy Rafael Rey of the Unidad Nacional, who tried unsuccessfully to have the CVR disbanded for its "high level of politicization," said he was concerned the report would cause

"serious conflicts." Rey alleged that two members of the commission who consider Sendero a political group should have been disqualified. He was referring to Carlos Tapia and Sofia Macher who have said that Sendero is a political organization that used terrorism in its unsuccessful efforts to take power.

"No one is saying there should not be an investigation, but we are asking for objectivity and for the armed forces not to be treated as genocidal," said retired army Gen. German Parra, head of an association of retired officers.

On Aug. 29, Partido Accion Popular (PAP) vice president Victor Andres Garcia Belaunde denied that the party was responsible for not stopping the political violence. He also denied that the Belaunde Terry government had covered up the excesses of the armed forces. He said, "There is a Marxist ideological slant among the members of the commission who have tried to justify the violence."

APRA deputies Mercedes Cabanillas and Luis Santamaria said they considered the figure of 69,000 an exaggeration and they underlined that it was the subversive groups that began the violence and "sowed the seed of terror."

On Aug. 30, Juan Luis Cipriani, cardinal of Lima and a prominent member of ultra-right Opus Dei, called the CVR's assessment "prejudiced." In his homily during a mass on St. Rose of Lima day, with Toledo in attendance, the cardinal denied having been indifferent to the denunciations of human rights violations when he headed the archdiocese of Ayacucho. Cipriani, who had close ties to the Fujimori government, said that in the late 1980s and early 1990s, to be in Ayacucho and to be the bishop was to be under constant death threats. He said the armed forces and the police deserved society's total respect, and he expressed regret for the polarization caused by the CVR report.

## *Wounds will take long to heal*

Far from bringing reconciliation, the report threatens to reopen deep divisions in Peruvian society. It presents Toledo with a dilemma at a moment when his popularity is at rock bottom and Peru's democracy seems very fragile. Toledo faces growing calls from victims, the Peruvian left, and international human rights groups to launch criminal prosecutions against those implicated in the report.

The CVR is providing much new evidence to prosecutors involving about 120 former military commanders, along with detailed accountings of a stadium where people were tortured and were not seen again and isolated hamlets where campesinos were executed. Many of the officers served as political-military chiefs in the highlands, commanders given extraordinary powers in scores of communities.

"We understand it won't be possible to bring all the cases, but at least we want to see the cases tried that show patterns of gross human rights abuses," said Francisco Soberon, director of the Coordinadora Nacional de Derechos Humanos (CNDH), a coalition of Peruvian human rights organizations. "The right to know what happened is part of this. But justice must be the other major component. Without justice, there will be no reconciliation."

But conservative politicians, the army, and elements of the Catholic Church have sharply criticized the commission, saying it had been tilted in favor of Sendero. Trying to steer between the conflicting pressures, Toledo has called for "justice and reparations" for the victims while issuing a statement of support for the armed forces.

On Sept. 5, a group of 12 former military leaders filed a lawsuit against the CVR for slander for saying they were involved in human rights violations. Gen. Clemente Noel Moral, head of the group (Asociacion de los Defensores por la Democracia, ASODED), accused the commission of partiality.

Another general named by the report, Gen. Jose Valdivia, accused the commission's members of being Marxists with ties to Sendero a charge that has received more attention as Sendero actions have increased in some areas. "Who promotes this biased ideology Marxist sectors, the human rights groups with a Marxist bent," said Gen. Valdivia. "Instead of being honored for the work the armed forces did, they accuse us for the work we did. That is unjust."

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