Victims of Peru's Armed Conflict Hope for Justice

Elsa Chanduvá Jaña

Follow this and additional works at: https://digitalrepository.unm.edu/notisur

Recommended Citation

This Article is brought to you for free and open access by the Latin America Digital Beat (LADB) at UNM Digital Repository. It has been accepted for inclusion in NotiSur by an authorized administrator of UNM Digital Repository. For more information, please contact amywinter@unm.edu.
Victims of Peru's Armed Conflict Hope for Justice

by Elsa Chanduví Jaña

Category/Department: Peru

Published: Friday, August 26, 2011

After listening to the July 28 address to the nation by President Ollanta Humala Tasso, many victims and relatives of those who died during the armed conflict that battered Peru in the 1980s and 1990s felt that a light had been lit on the road toward justice.

In his address, President Humala called for "putting an end to the consequences of the terrorist violence that we experienced and making individual and collective reparations" so that the victims and relatives can "rebuild their personal and family lives and see their future in a different light, because they live in a country that includes them, that recognizes them as Peruvians and must not discriminate against them."

Wilfredo Oscorima, regional president of Ayacucho, told the press that the president's commitment to guarantee payment of collective and individual reparations to victims of the political violence would be a "real act of justice" for families in his jurisdiction. "Our region is one of those most affected by the political violence, and there are actually many victims, which is why we think that this policy should begin in Ayacucho, and we will be on the alert to see that it happens," Oscorima told the news agency Andina.

Rocio Silva Santisteban, executive secretary of the Coordinadora Nacional de Derechos Humanos (CNDDHH), said, "In general terms, we think it is very important that the [president] mentioned reparations and the victims of the armed conflict during his speech. It is important that the relatives heal their wounds, and there is no better way of doing that than with truth, justice, and memory."

Individual reparations demanded

Within the framework of the recommendations included in the Aug. 30, 2003, final report of the Comisión de la Verdad y Reconciliación (CVR), which investigated the violence in Peru between 1980 and 2000 (NotiSur, Sept. 12, 2003), Congress approved in July 2005 a law creating the Plan Integral de Reparaciones, which combined individual and collective reparations, both symbolic and material, under the auspices of the Comisión Multisectorial de Alto Nivel (CMAN) of the office of the presidency of the Cabinet (NotiSur, April 3, 2009).

The same year, the Registro Único de Víctimas (RUV) of the violence was created to identify persons and collectives (communities, population centers, and groups of displaced people) affected by the violence, to determine the beneficiaries of the reparation programs.

The RUV defines victims as persons or groups of people who have suffered actions or omissions that violate human rights norms, such as forced disappearance, kidnapping, extrajudicial execution, murder, forced displacement, arbitrary detention, forced recruitment, torture, rape, or death, as well as relatives of people killed or disappeared between May 1980 and November 2000.

As of May 31, 2011, the Consejo de Reparaciones, which is in charge of the RUV, had given the CMAN a list of 199,264 people registered in the RUV who had the right to be included in the Programa de Reparaciones Económicas. The information included data on 5,668 communities and...
population centers as well as 20 organized groups of displaced people who had not returned to their homes and who were registered with the RUV and eligible for collective reparations.

Jairo Rivas Belloso, technical secretary of the Consejo de Reparaciones, took stock of the reparations in 2006-2011, during the administration of former President Alan García, and he says that the most significant progress was in the collective-reparations program.

"The proposal was designed and its implementation begun in 2007, and it has continued throughout the entire period of government. Since the program began, more than 1,600 population centers have received payments of more than 160 million soles [US$59 million] from the central government," said Rivas in his assessment published on the Web site NoticiasSER.pe, the portal of the Asociación de Servicios Educativos Rurales (SER). "A completely different situation is seen in the individual-reparations program."

At the end of the fourth year of the García administration (July 2010), only the health-reparations program had been designed, and it had begun to be implemented through automatic, free registration of the victims with the Seguro Integral de Salud (SIS). Nevertheless, programs of special benefits for groups of specific beneficiaries such as persons with disabilities or rape victims were not developed. "In addition, there were problems with the care given to victims, especially with disinformation by personnel in charge of the health establishments, a problem that has not been corrected and has raised many doubts among victims who do not feel really cared for," said Rivas in his evaluation.

**Discriminatory decree**

In late 2010, no other design had been completed. On June 16, 40 days before García left office, his administration promulgated Decreto Supremo 051-2011-PCM, authorizing individual reparations to victims of the armed conflict who have been duly registered in the RUV.

Article One of the decree sets Dec. 31, 2011, as the expiration date for the period of determining and identifying beneficiaries of the economic-reparations program. Article Three sets the amount of economic reparations at 10,000 soles (US$3,676) for a victim who was disappeared or raped, who died, or who is disabled.

The national organizations of persons affected by the violence were not consulted or called together to socialize the actions of individual reparations by the central government, and they consider the decree arbitrary and undemocratic.

Haydee Antón, representative of the Centro de Atención Psicosocial (CAPS), complained that reparations do not take into account women victims of sexual violence but only those who were raped. "In CAPS, we have numerous complaints from women who, although not physically raped, suffered not only sexual assault but even electric shocks to their genitals," said Antón.

Gloria Huamani, president of the Asociación de Familiares de Víctimas de la Violencia Política de Ayacucho, told the press, "We demand that the Decreto de Urgencia 051-2011 be rescinded because its provisions are an offense to the families who lost their fathers, children, and siblings during the internal conflict. We are not asking for handouts, we want a decent reparation."

On Aug. 15, a delegation of victims of the political violence in Ayacucho arrived in Lima to express their rejection of the amount of individual economic reparations set by the previous administration.
"We do not agree. A life is not worth 10,000 soles. We have the same rights as the presidents of the self-defense committees who received reparations from the government of 35,000 soles [US$12,867], the police who received 50,000 [US$18,382], and Sr. Baruch Ivcher who received 20 million soles [US $7.3 million]," Jorge Rojas Huamani, a victim from the province of Huanta, told.

Baruch Ivcher, director of Canal 2 TV—Frecuencia Latina, received that amount in December 2005 as indemnity for damages caused Frecuencia Latina in 1997 (NotiSur, July 19, 1997) when the station was expropriated by the regime of former President Alberto Fujimori (1980-1990).

Human rights experts say that the amount set for individual reparations is inconsistent not only with amounts paid earlier but also with international standards. They also say that the government cannot cut off victim registrations because by law the registry is permanent.

"The Defensoría del Pueblo considers that, regarding reparations, the new government should ensure that there are sufficient resources to implement the pending programs and, in particular, that of individual reparations," Eduardo Ernesto Vega Luna of the Defensoría del Pueblo told representatives of those affected by the violence in Ayacucho who came to Lima.

Vega Luna told them that the Defensoría del Pueblo had proposed to the executive that the norms that initiated the economic reparations be revised. He also told them that it has asked for the inclusion of victims of sexual violence in the Plan Integral de Reparaciones.

Victims of the political violence have their hopes pinned on the new government and say clearly that economic reparations are not enough, it is also important to consider physical and mental health and legal status.

Lawyer Carlos Rivera, with the Instituto de Defensa Legal (IDL), while hailing President Humala's announcement that he will continue with reparations, said, nevertheless, that he should also speak out about justice, since many proceedings related to massacres or disappearances are paralyzed because Ministerio de Defensa authorities do not turn over information regarding the military personnel accused of violating human rights.

-- End --