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## Peru: Compensation pending for victims of forced displacement

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*The Government has registered the first 3,000 of the estimated 150,000 remaining IDPs in Peru, as part of a process to compensate all victims of the internal armed conflict which ended in 2000. The National Council for Reparation, set up in October 2006, is leading the compensation process in line with the recommendations of the Truth and Reconciliation Commission (Comisión de la Verdad y Reconciliación, CVR) which was established in June 2001 and presented its final report in August 2003. While official recognition of these IDPs is a positive step towards compensation, the Ombudsman's Office has reported delays and flaws in the preparation and implementation of the process.*

*The internal armed conflict, between the Shining Path Maoist group and the leftist Túpac Amaru Revolutionary Movement (MRTA) on the one side and government armed forces and self-defense groups on the other, lasted from 1980 to 2000, and forced between 500,000 and one million people, mainly from indigenous groups, from their homes towards urban areas. It is estimated that half of the IDPs returned after the capture of rebel leader Abimael Guzman in 1992 and that by 2007 an estimated 80 per cent had returned or resettled. Yet the absence of comprehensive programmes to support the return and reintegration process, and the living conditions in home areas which continue to be unsustainable as a result of the conflict, have in many cases prompted the further migration of these IDPs.*

*In addition to the forced displacements, around 69,000 people disappeared or were killed during the course of the conflict. The CVR indicated that both the rebel groups and government forces were responsible for massive human rights violations, including forced displacements, during the conflict. While the rebel movement is far less strong than in the 1980s and the first half of the 1990s, reports of violence related to elections and development projects and threats against human rights defenders continue to trickle in. Meanwhile, there are concerns that members of the Shining Path have established alliances with drug traffickers. However, the 2006 conviction of guerilla leaders is seen as a step towards truth and justice for many people who endured human rights violations during the conflict.*

**Map of Peru**



Source: United Nations Cartographic Section, May 2004

More maps are available on <http://www.internal-displacement.org/>

## Campaign for reform becomes brutal uprising

From 1980 to 2000 Peru endured internal armed conflict as the Peruvian Armed Forces and self-defence groups fought the armed groups *Sendero Luminoso*, or Shining Path, and the *Túpac Amaru Revolutionary Movement (MRTA)*. The Shining Path, which became the organisation most responsible for human rights violations during the war, initially campaigned for land reforms and broader social and economic rights, in response to one of the most unequal landholding distributions in all of Latin America. Yet the initial cause soon gave way to a totalitarian and brutal Maoist ideology which relied on the use of terror against civilians (CVR Final Report, 28 August 2003). The government largely ignored the armed rebellion in its early stages because it was carried out in remote rural areas.

However in December 1982 it declared a state of emergency in nine provinces and placed them under military command. The Truth and Reconciliation Commission (CVR) found that not only rebel groups but also government forces were responsible for systematic violations of human rights and international humanitarian law, including 28 per cent of the killings of civilians (CVR Final Report).

In the absence of functioning state institutions, rural communities organised “*rondas campesinas*” (self-defence committees) to protect themselves against attacks by rebel groups. These defence patrols later fought alongside the armed forces against the insurgents, and were also responsible for human rights abuses (CVR Final Report). Civilians refusing to

join were often accused of supporting the rebellion (Cohen and Sanchez-Garzoli, May 2001, p.6).

As a result of the violence during the 1980s and 1990s, between 500,000 and one million people were forcedly displaced from their homes, according to the Red Cross and *Programa de Apoyo al Repoblamiento (PAR)*, the government agency assisting displaced people to return home (ICRC & PAR, 31 December 2003, p.68; CVR Final Report). Over 69,000 people were killed or disappeared. Indigenous peasant populations, primarily from the departments of Ayacucho, Huancavelica, Apurímac and Central Sierra, represented a disproportionate 70 per cent of the displaced (CVR Final Report).

Civilians were also subjected to human rights violations such as torture, rape, kidnapping, arbitrary detention, and expropriation and destruction of property. The 10,000 indigenous Asháninka people displaced in Junín, for example, were victims of violations which could constitute crimes of genocide, according to the Truth and Reconciliation Commission. In the views of Shining Path leaders, indigenous identity and culture needed to be eliminated to pave the way for their “new state”. They imprisoned about 5,000 people in camps, submitted them to appalling treatment and used them as slaves and combatants. Pregnant women were murdered or forced to abort, girls were used as sex-slaves, and many were forced to kill their own family members under threat of death. Others were left to die from hunger and disease in captivity. In Satipo, Shining Path forcibly displaced thousands of indigenous Asháninkas and held them in conditions amounting to

slavery. They were imprisoned in sub-human conditions in camps, and forced to fight, work and perform sexual services. These abuses were possible due to the absence of state institutions and the prevailing deep-rooted prejudice against rural Andean communities (CVR Final Report).

As the CVR concluded, displacement was often an end in itself, a deliberate strategy by the warring parties in pursuit of their military objectives. People were also forced to flee either because of direct attacks or when ordered to do so by security forces, or because the persistent conflict prevented them from meeting their minimum subsistence needs. Following the end of the conflict, an estimated 80 per cent of the IDPs either returned or settled permanently in areas of displacement (CEPRODEP, April 2007). The Ministry of Women and Social Development estimates in May 2007 that around 150,000 IDPs remain to be included in the National Registry of Displaced People (MIMDES, 14 May 2007). Although key rebel leaders were arrested in the 1990s and sentenced to life imprisonment in late 2006, the number of “subversive acts” increased from 128 in 2005 to 233 in 2006, according to the National Police’s Department of Intelligence (CNDDHH, April 2007, p. 187). While the majority of the reported incidents were labelled “agitation and propaganda”, they included nine armed attacks and eight “terrorist attacks”, the latter referring to attacks committed by remnants of the Shining Path. One particularly violent attack resulted in the killings of five policemen and three civilians in Ayacucho in December 2006 (CNDDHH, April 2007, p. 197). Surviving Shining Path groups have reportedly allied with

drug traffickers in the coca-producing regions of Alto Huallaga and el Ene-Apurímac (Peru21, 2 January 2007).

### **First IDPs eligible for conflict compensation**

The CVR Final Report identified each party’s responsibility for human rights violations, noted the failure of central decision makers to acknowledge the magnitude of the crisis, and formulated recommendations with a view to reconciliation. These included a recommendation to recognise all people forcibly displaced during the conflict as victims and therefore potentially eligible for compensation, regardless of their large numbers and the resulting financial implications. The CVR also recommended that individual and collective compensation programmes be developed in areas such as mental and physical health, education, symbolic and economic support, and provision of identification documents.

The Report stated that the end of hostilities did not mark the end of the problem of displacement, but rather opened up opportunities for its resolution. Finally, in compliance with the United Nation’s Guiding Principles on Internal Displacement, the Report acknowledged that the displacement was to be measured as a matter of fact rather than as a matter of formal registration.

Yet the compensation to internally displaced people and other victims of this conflict still hinges on official recognition. The Government has followed a recommendation in the Report in establishing the National Reparation Council, which has as a main task the establish-

ment of a “unified registry of victims”. The registry is mandated to compile various lists of groups of victims of the conflict, including the National Registry of Displaced People (*Registro Nacional de Desplazados*). As a result, a first list of 3,000 officially-recognised IDPs was finalised in May 2007, based on which a High-Level Multisectoral Commission will determine access to compensation (MIMDES, 14 May 2007; Sofia Macher, 5 December 2006). Despite the promising mechanisms to compensate the victims of the conflict, the process of registering the estimated 150,000 remaining IDPs has been reported to be marred by a number of flaws. The Ombudsman’s Office reported lack of coordination, poor training of enumerators, poor communication of the objectives of the registry to the internally displaced people themselves, and lack of IDP participation in its preparation (Ombudsman’s Office, February 2007).

### **Obstacles to enjoyment of basic rights for IDPs**

The majority of IDPs are indigenous people who have fled rural areas towards provincial capitals or the main urban centres of Lima, Huancayo and Ica. Between 120,000 and 200,000 IDPs settled in Lima during the conflict. Others fled to local centres in rural areas, in an attempt to maintain control of land and resources despite the dangers posed by the warring parties (ICRC & PAR; CNDDHH, June 2002 p.93). Yet almost thirty years after the beginning of the conflict, IDPs and other victims continue to face social, political, economic and cultural exclusion where they settle and when they return (Sofia Macher, 5 December 2006).

Despite the precarious conditions and problems of integration, more than 80 per cent of the IDPs decided to settle in urban areas, due to a perception of better employment and education opportunities for their children, the impossibility of rebuilding their lives and the lack of infrastructure in their areas of origin, and the psychological trauma associated with the place of displacement (ICRC & PAR, 31 December 2003, p.85). Most of the IDPs in Lima live in slums without the most basic services (UN CHR, 25 February 2004). They face discrimination on ethnic and linguistic grounds, and their lack of documentation such as birth certificates and voter registration cards prevents them from exercising their basic civil and political rights. Many cannot legally hold jobs, conduct bank transactions, register their children in school or own land. Many indigenous communities never possessed titles to their ancestral territories, and when they were displaced by conflict, new settlers often occupied their lands and secured titles. This has greatly complicated restitution processes for IDPs who have returned to their areas of origin (CNDDHH, March 2001, s.3.2.e).

### **Right to return and challenges for the national and international response**

Years after the end of the conflict, it becomes increasingly difficult to distinguish economic causes of migration from the long-term effects of the armed conflict and forced displacement. Independently of the armed conflict, and along with most other developing countries, Peru has experienced mass economic migration from rural to urban areas over a long period. Out of the estimated population of 27 million, three out of four live

in urban areas, with seven million people in the department of Lima alone; and more than 1.5 million live outside Peru, mainly in the US and Spain (IOM, December 2006; INEI - accessed 23 May 2005). Yet, as the Commission recognised, the armed conflict worsened the already precarious economic conditions in rural areas (CVR Final Report).

When the security conditions improved, the Government met its duty to initiate return and reintegration programmes for IDPs. But the government only helped those IDPs who decided to return permanently to their areas of origin, and it is estimated that as a result only some 21,000 people benefited from the assistance. By limiting support to permanent returnees, the government excluded a large number of IDPs (an estimated 37 per cent) who opted for dual residence, maintaining links to both their farmlands and urban livelihoods, based on seasonal migration patterns pre-dating the war (ICRC & PAR, 31 December 2003, p.30, 41; CNDDHH, June 2002 p.93). Most of the permanent and temporary returnees still live in very precarious conditions and will not successfully reintegrate without focused assistance. Conversely, the absence of comprehensive programmes to support return and reintegration, and unsustainable conditions in rural areas as a result of the conflict, prompted the renewed migration of those IDPs who had returned in the years following the end of hostilities, according to a national human rights organisation (CEPRODEP, April 2007).

As of 2007, international support to mitigate the consequences of the conflict is focused on general development and poverty eradication rather than on pro-

grammes targeting IDPs as a category of people with specific needs. While this may be understandable given the difficulties of separating economic migrants from IDPs, the government's ongoing registration of the remaining IDPs and the compensation mechanisms in place pose a renewed opportunity for international agencies to support the realisation of the IDPs' rights and a more comprehensive reconciliation process.

The registration and compensation process has just begun, seven years after the official end of the hostilities, and a number of challenges remain to be addressed. There is a risk that general poverty eradication and development projects may be presented as compensation schemes for victims, thereby undermining the separate reconciliation process (Sofia Macher, 5 December 2006). Furthermore, a large number of the socially, culturally, politically and economically excluded people in Peru are from indigenous communities that were forcedly displaced during the conflict. More than 70 per cent of these communities live below the poverty line (IFAD, accessed 17 May 2007). Yet neither the compensation schemes currently being implemented nor the general development and poverty eradication programmes supported by international agencies address one of the most unequal distributions of land and resources in all Latin America. Even the comprehensive implementation of the compensation schemes may therefore do little to resolve the continued exclusion of many IDPs and other victims of the conflict.

*Note: This is a summary of the IDMC's country profile of the situation of internal displacement in Peru. The full country profile is available online [here](#).*



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**Note:** All documents used in this overview are directly accessible on the Peru [List of Sources](#) page of our website.

## About the Internal Displacement Monitoring Centre

The Internal Displacement Monitoring Centre, established in 1998 by the Norwegian Refugee Council, is the leading international body monitoring conflict-induced internal displacement worldwide.

Through its work, the Centre contributes to improving national and international capacities to protect and assist the millions of people around the globe who have been displaced within their own country as a result of conflicts or human rights violations.

At the request of the United Nations, the Geneva-based Centre runs an online database providing comprehensive information and analysis on internal displacement in some 50 countries.

Based on its monitoring and data collection activities, the Centre advocates for durable solutions to the plight of the internally displaced in line with international standards.

The Internal Displacement Monitoring Centre also carries out training activities to enhance the capacity of local actors to respond to the needs of internally displaced people. In its work, the Centre cooperates with and provides support to local and national civil society initiatives.

For more information, visit the Internal Displacement Monitoring Centre website and the database at [www.internal-displacement.org](http://www.internal-displacement.org)

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