

# Displacement, decentralisation and reparation in post-conflict Peru

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## More effective planning and investment are needed in Peru in order to meet the needs of the country's long-term IDPs and to foster sustainable economic development.

Since the end of its internal conflict in 2000, Peru has integrated humanitarian statutes into national law and, through regional decentralisation, has tried to tackle the pervasive levels of poverty that sparked the Maoist insurgency in 1980. In spite of this progress, there has to date been little concerted effort made to assist those who suffered most during the conflict and who remain the most marginalised – the long-term internally displaced. Effective planning through the reparations process can not only restore justice but also have tangible benefits that contribute to the nation's development.

Over 600,000 people were displaced within Peru during the 1980s and 1990s as a result of armed conflict between the government, self-defence groups and insurgent forces of the Shining Path and the Tupac Amaru Resistance Movement, while 69,000 people were killed or disappeared. The conflict emerged as a campaign for greater land reform and broader social and economic rights, in response to one of the most unequal systems of land distribution in Latin America, extreme poverty and social exclusion. This initial cause developed into an oppressive Maoist movement that resulted in widespread human rights violations. The government remained slow to comprehend the full extent of the conflict during the 1980s. Once the full force of the conflict was felt in the capital in the early 90s, decisive action by the Fujimori government successfully countered the insurgency threat. This was achieved, however, through a system of peasant mobilisation and martial law that resulted in widespread human rights violations on a par with the atrocities committed by insurgency forces.

In the years that have followed, the government has striven to deal positively with the past. In 2004 it introduced a new law on internal displacement which incorporated international humanitarian and human rights standards into domestic legal structures through the framework of the Guiding Principles on Internal Displacement. The law clarifies the rights of those who have been forced to flee their homes by armed conflict or other causes, formalising state acceptance of responsibility for the prevention of displacement and for the protection and assistance of those who are displaced – clear progress towards preventing new injustices in the future.

The final report of the Truth and Reconciliation Commission (TRC) of 2003 recommended compensation programmes for both individuals and communities in areas of mental and physical health, education, economic support and the provision of identification documents, regardless of the resulting financial implications. However, despite this broad acceptance that the internally displaced remain a group with particular needs, their continued displacement is evidence of a failure to implement processes to achieve durable solutions.

### Challenges to progress

The reparation process has effectively stalled. Despite successful registration of IDPs by IDP associations, the National Reparation Council has been marred by lack of coordination, training for enumerators and IDP participation. In spite of its international obligations to do so, the state has not completed the collation of individual testimonies that would pave the way for individual monetary compensation based on specific rights violations. A major obstacle to

this is the insistence that individuals produce documentation that proves where they were originally displaced from. IDPs are invariably unable to produce such documentation, having fled under duress, usually only with sufficient time to collect rudimentary possessions. Government insistence that every individual within an IDP association complete individual registration for compensation before collective compensation can begin has resulted in the majority of associations being effectively blocked from receiving collective assistance.

Individual registration is inherently difficult, especially as the identity card system has only recently been extended nationwide in Peru. The most feasible and worthwhile approach is to focus upon collective reparations to IDP organisations in the form of sustainable livelihood programmes that have tangible development benefits, operated through the Ministry for Women and Social Development (MIMDES), the government department ultimately responsible for finding a durable solution. There must be a clear distinction between programmes that provide basic social services – that are national development priorities – and reparations programmes that target the specific needs of IDPs and uphold a notion of justice and compensation for victims. Offers of new schools and health-care centres to IDP associations by the authorities reflect a lack of understanding of the key issues of displacement and normal government responsibilities.

On the outskirts of Lima, the capital city, the urban slums of Villa El Salvador and San Juan de Lurigancho are home to some 200,000 IDPs. Although the majority of them came to Lima over 15 years ago, there is an enduring problem of integration, a consequence of social, political, economic and cultural exclusion. They live in the same makeshift shacks that were constructed upon their arrival. Most only have access to

trucked water which costs seven times more than tap water. The majority of IDPs arrived with knowledge of the agricultural sector that is not transferable to the arid coastal region; as a consequence, they work on average more than 14 hours a day in informal street trade and temporary work to make ends meet. Their ability to develop better livelihood strategies is severely hindered by the fact that, of the population now living in Lima, 25% only speak Quechua rather than the national language, Spanish, 42% are illiterate and 35% have only completed primary-level education.

When considering the protective structures of the Guiding Principles pertaining to resettlement and reintegration and actual implementation, the gap is all too apparent. Assistance should include access to financial resources, credit and adequate income-generating projects, especially for women. The absence of post-conflict interventions in Peru mirrors the scant attention given globally to durable solutions for the long-term displaced – and illustrates the consequences of funding shortfalls for effectively linking humanitarian relief and development interventions. While many IDPs worldwide reside in countries high on the radar of the humanitarian community, many more reside within less-noticed nations where the displacement-inducing conflict has ended yet where there are still significant protection needs and lack of choice of durable solutions.

### **Durable solutions**

How do we bridge the gap between what is provided for by law and what is realistically achievable through assistance programmes? An important first step is to evaluate how durable solutions and justice initiatives can be interwoven with national development priorities. Extending the reach and effectiveness of the state through decentralisation has been the principle development focus in Peru. The growth of the Maoist insurgency in the 1980s keenly illustrated the government's relative weakness beyond its power base in Lima. Consequently it has sought to increase the presence of government institutions and bodies in the interior, particularly in the isolated northern jungle and Andean regions. As a result

the state has made some progress in increasing school enrolment to cover 97% of the population while access to improved water sources has increased to 83% from 74% in 1990 at the height of the conflict.

The process has not been without its problems. Constructing and improving the effectiveness of local institutions inevitably requires capacity-building programmes – through village associations, for example – to improve accountability, engage communities in the democratic process and strengthen notions of national identity. This policy has backfired, however, as insufficient attention has been given to improving economic opportunities, accountability and the quality of social services. The response has been greater support for the Bolivarian Revolutionary Movement as a more attractive option for change. This is particularly the case within the higher Andean regions, bordering Bolivia, leading the international donor community in Peru to halt its engagement with the process, pending a reappraisal and evaluation of cooperation policy. In addition, with Peru's recent transition to middle-income country status, national authorities will become increasingly responsible for driving forward this process independently.

What remains clear is that providing livelihood opportunities at a regional level is fundamental to the decentralisation process and national development. The absence of opportunities in the interior has caused a steady flow of economic migrants to urban centres over recent decades, along with those who were forcibly relocated. While 61% of the population lived in urban areas in 1975, this figure rose to 72% by 2004, placing an immense burden on weak public and social support structures. However, there will be no reverse migration without improved economic opportunities and further improvements in the quality of the education system in rural areas.

Here the Peruvian government has a unique opportunity to fulfil its commitments to the nation's IDP population, while furthering national development priorities. An essential aspect of regional economic development is access to

the national marketplace of Lima, the absence of which has traditionally hindered access to higher earnings and essential reinvestment. However, viable networks already exist among the IDP populations themselves. Family and community networks have remained strong in the years since displacement. The numerous displaced people's associations provide an immediate focal point for the development of cooperatives or small businesses that can share skills and benefit from the comparative advantages of different locations.

Although there has been the perception that the internally displaced in Peru are simply waiting for reparations payouts, the realities in Lima's slums point to the contrary. Yes, they have suffered greatly but they are also full of creativity and ideas for small business development that are realistically achievable and that offer durable solutions to displacement and benefits to wider economic growth. Sample projects have included the production and importation of citrus products for the manufacture of fruit juices that are currently unavailable in the capital, the manufacture of household cleaning products using natural derivatives from the interior, and vocational skills training to provide young people with professional skills marketable in the capital. Such initiatives are invaluable starting points that the national authorities can support and extend. Importantly, such structures can benefit both rural and urban IDP communities, contributing towards both slum regeneration and rural economic development and, by association, contributing towards the increased economic activity amongst the poor that fosters further economic development and encourages reverse economic migration.

Capital is required to meet initial set-up costs. The lack of tradable collateral assets for small business loans can be offset through collective lending, where each individual holds collective responsibility. Here the state could kick-start the process, honouring its commitment to the displaced in the form of collective reparations that would drive small business development. Development actors and donors should step forward and support the

government in pursuing this policy agenda. Through honouring such commitments, the state would build important bridges between itself and the social class that will ultimately define the future of the nation. While some bridges may be symbolic in terms of national identity and shared collective vision, others are tangible, including adherence to the rule of law and the integration of the tax system.

Rather than being placed on the margins of political priority as simply a restorative justice process, the need

for durable solutions to displacement should be seen as an opportunity to foster sustainable economic development. Considering the enduring plight of Peru's internally displaced since their flight some 15 or 20 years ago, they are a people that deserve just such an opportunity.

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