

PERU

by the American Bar Association Rule of Law Initiative (updated April 2018)

Summary of Reparations Efforts and Programs

Peru has a reparations program to address the internal armed conflict between the government and the insurgency by the Shining Path and the Túpac Amaru Revolutionary Movement (1980–2000). Reparations measures have drawn on truth commission recommendations. Collective reparations were delivered as basic infrastructure development.

Context

The internal armed conflict between the government and the insurgency by the Shining Path and the Túpac Amaru Revolutionary Movement, as well as between the two armed groups, killed 61,007–77,552—54% of whom were killed by the Shining Path and 1.5% by the Túpac Amaru Revolutionary Movement—and displaced around 500,000 people.¹ The conflict disproportionately affected the remote Ayacucho Region, where 40% of the deaths and disappearances occurred and 79% of conflict-affected people lived.² The government's engagement in the conflict ended after a corruption scandal caused President Alberto Fujimori to resign in November 2000.³

Sources of Reparations Efforts and Programs

Truth and Reconciliation Commission (Comisión de la Verdad y Reconciliación – CVR): In 2000, the government of Interim President Valentín Paniagua approved the establishment of the CVR, laying the foundation for the current reparations program. Supreme Decree No. 065-2001-PCM, June 4, 2001, set up the CVR,⁴ which operated from July 13, 2001 to August 31, 2003. The Supreme Decree mandated the CVR to investigate murders, disappearances, abductions, torture, violations of the collective rights of the Andean and native communities, and other serious violations that occurred during the war.⁵ On August 28, 2003, the CVR released its 8,000-page final report to the government.⁶ The CVR identified the majority of victims as poor, indigenous, and historically marginalized peasants. For example, although only one-fifth of the country spoke an indigenous language, three-quarters of victims spoke an indigenous language as their mother tongue. This indicated that racism was a strong root cause of the conflict.⁷ In determining eligibility for reparations, the CVR decided not to distinguish among victims based on whether their violator was a state or non-state actor.⁸ Ultimately, the CVR recommended that Peru's reparations scheme should include individual and collective as well as symbolic and material reparations.

Comprehensive Reparations Plan (Plan Integral de Reparaciones – PIR): In July 2005, the legislature passed the PIR as the reparations framework. The more elaborate suggestions of the CVR inspired the PIR.⁹ Under the PIR, beneficiaries are victims, relatives of victims, and groups whose individual and/or collective rights were violated.¹⁰ The Regulations to the Law Creating the PIR defines “victims” as individuals or groups who were extrajudicially killed, murdered, tortured, raped, disappeared, arbitrarily detained, kidnapped, forcibly recruited, forcibly displaced,¹¹ and/or had their due process rights violated.¹² The definition of victim excluded members of subversive organizations even if they had suffered torture or other serious crimes.¹³

Executive Decree 015-2006-JUS: In 2006, this decree detailed the PIR and set forth six programs for relatives of the deceased and the disappeared; victims of torture, rape, arbitrary detention, kidnapping, and displacement; and members of the military, police, and self-defense committees injured by the conflict. Children born from rape, children conscripted by self-defense committees, individuals unfairly indicted under terrorism or treason charges, and individuals who became undocumented because of the conflict were additional beneficiaries.¹⁴ The six programs have covered restitution of civil rights, education, healthcare, collective reparations, symbolic reparations, promotion and access to housing, and economic reparations or compensation.¹⁵

Reparations Council: In October 2006, Peru established the Reparations Council to administer the PIR by creating a victim registry for state agencies to use in implementing the PIR.¹⁶ It has reviewed and validated existing government and civil society registries as well as conducted field outreach to discover victims who had never registered. The Council entered into agreements with churches, municipalities, regional governments, civil society organizations, and other institutions and opened offices in the most conflict-affected provinces. The Reparations Council’s outreach also entailed workshops and public gatherings with victims’ groups, community leaders, and indigenous leaders. By the end of 2012, the Council had registered 160,429 individual victims—although not all of them qualified for compensation—and 7,678 communities, including 32 organizations of displaced persons who were entitled to collective reparations.¹⁷ Importantly, the Reparations Council executed special measures to register survivors of sexual violence by adding a category of “other forms of sexual violence,” which captured non-penetrative acts of sexual violence, such as forced abortions and forced nudity. Due to the expansion of eligible sexual violations, the Reparations Council registered four times more victims of sexual violence than the CVR, which only looked at rape.¹⁸

Reparations Efforts and Programs

The Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, adopted by the United Nations (UN) General Assembly in 2005, directs

states to provide victims with five forms of reparations: restitution, compensation, rehabilitation, satisfaction, and guarantees of non-repetition.¹⁹

1. Restitution

Restitution aims to restore the victim to their situation before they had been violated. For example, enabling a victim's return to their place of residence, returning property, and restoring citizenship are acts of restitution.

Enjoyment of human rights, identity, family life, and citizenship

Restitution of civil rights became a prong of the PIR as one of the six programs established by Executive Decree 015-2006-JUS. Relatedly, a law of 2005 devised a new legal category of "absence due to disappearance," giving individuals an alternative to declaring the deaths of their missing or disappeared family members in order to claim and receive civil benefits and inheritance. Unfortunately, as of 2013, the process of obtaining a judicial declaration of an "absence due to disappearance" has remained complex in spite of recommendations in 2008 to simplify it.²⁰

The Shining Path destroyed and burned many civil registries during its insurgency. The government took steps to return or replace lost civil records. The National Registry for Identification and Civil Status (Registro Nacional de Identificación y Estado Civil – RENIEC) assisted victims in obtaining documents through several programs, which were ongoing as of 2013. Their efforts have been successful; for example, by 2012, nearly 92% of children were registered, compared to 27.5% in 2008.²¹

Other aspects of this program involved restoring civil rights to those who were unfairly indicted for terrorism or treason, including by expunging their criminal records.²²

Return to one's place of residence

While the PIR considers displaced persons to be victims, it treats displacement as incomparable to the harms suffered by victims of killing, disappearance, torture, or sexual violence.²³ Consequently, the PIR has been unequally and detrimentally implemented with respect to displaced persons.

Return of property

Given the massive numbers of displaced persons and communities, the PIR created a special program for building and assigning housing, including by supporting the reconstruction of homes

in rural areas, reinstating property rights, and prioritizing victims to live in public housing. The PIR also offered technical and financial assistance to displaced persons living in precarious or temporary housing to help them self-improve their living situation, which was important given the inadequacy of makeshift encampments.²⁴

2. Compensation

When damage is economically assessable, states should provide compensation.

Physical or mental harm

Another of the six programs established by Executive Decree 015-2006-JUS concerned economic reparations and compensation. Individuals eligible for compensation included family members of deceased and disappeared persons, conflict-disabled victims, and rape victims. The CVR recommended a one-time payment of US\$10,000 to the family members of deceased victims, to be divided as follows: two-fifths to the deceased's widow or permanent partner, two-fifths to their children, and one-fifth to their parents. The CVR decided on US\$10,000 because it was the maximum amount given to members of self-defense committees as part of their demobilization.²⁵

Initially, from July 2010 until December 2011, the government of then-President Alan García paid PEN 10,000 (US\$3,700 at that time) per victim without explaining how it determined that figure. By the end of García's term in July 2011, his government had paid 1,021 victims.²⁶ As of December 2012, Peru has paid at least 17,652 victims—a total investment of PEN 96 million (US\$36.7 million as of 2013).²⁷

Lost opportunities, including employment, education, and social benefits

Executive Decree 015-2006-JUS designed an education program, entailing adult education and literacy programs, primary school access, vocational training, tuition waivers, and scholarships. It targeted children whose schooling was interrupted by the conflict, children of victims, and children forcibly recruited by self-defense committees.²⁸ Unfortunately, in 2008, education benefits were restricted to victims who had to leave school as a result of a crime, thus excluding from the program forcibly recruited children and children of victims who were not killed, disappeared, or raped. As of 2013, the execution of education benefits has remained low.²⁹

Material damages and loss of earnings, including loss of earning potential

Peru prioritized collective reparations to address the historical marginalization of Andean and Amazonian populations, and the distrust, violence, and displacement caused by the conflict.³⁰

The state implemented its collective reparations program from 2007 to 2011, focusing on small infrastructure projects to rebuild social and institutional structures and improve communities' economic productivity.³¹ Most projects responded to communities' economic and social needs, especially for basic services, such as healthcare, education, irrigation systems, drains, and roads.³² From 2007 to 2011, the government distributed PEN 165 million (approximately US\$63 million as of 2011) for development-type projects in 1,649 conflict-affected rural settlements, native communities, and other rural centers (or PEN 100,000 per community, regardless of the number of members per community).³³ The pace of implementation of the collective reparations program significantly slowed after 2011. By the end of 2013, the government had funded development-type projects in 1,946 conflict-affected communities, but this number is well below the 5,697 communities who registered as conflict-affected.³⁴

Problematically, the PIR funded basic infrastructure projects without publicizing them as reparations with the purposes of acknowledging victims and their suffering and of taking responsibility for violations. In fact, the PIR did not even consult community members about their priorities before allocating the PEN 100,000 to projects in their communities. The government used the funds to undertake public works and infrastructure reform, fixing the country's failing infrastructure but not necessarily compensating victims for their harms suffered. In addition, since these development-type initiatives were not advertised, many communities did not even know they existed.³⁵

Moral damages

The Regulations to the Law Creating the PIR (2006) state that the PIR aims to deliver compensation and other forms of reparations for the human, social, moral, material, and economic harms caused by the conflict.³⁶

3. Rehabilitation

Rehabilitation involves redressing victims through, for instance, the provision of medical, psychosocial, and legal services.

Medical and psychological care

Executive Decree 015-2006-JUS established a healthcare program to address conflict-related physical or mental suffering, including by distributing comprehensive healthcare services to victims, prioritizing children, women, and the elderly. To recover historical memory about the conflict, it would also deliver community healthcare programs and community-based emotional support programs. Moreover, the PIR dictated that clinical services should be designed in accordance with the needs and resources of the different parts of the country.³⁷ Available

information has revealed that the program unfortunately does not provide individualized health services based on a victim's particular circumstances and needs. Furthermore, as of June 2013, the government has not made progress in initiating these community healthcare services. Instead, the government has focused on registering victims for Comprehensive Health Insurance (Seguro Integral de Salud), enrolling 29,012 victims as of June 2012.³⁸

Regarding psychological care, the Ministry of Health established a Comprehensive Reparations Program on Mental Health to implement in the most conflict-affected areas. The program has recruited and trained professionals and by the end of 2012, it had delivered some level of mental healthcare to 57,739 individuals in the 11 most-affected regions. However, it is unclear whether those patients were conflict victims or other individuals.³⁹

4. Satisfaction

Satisfaction includes a wide range of measures, such as ceasefires, truth-seeking and documentation,⁴⁰ the search for missing or disappeared persons, and memorialization.

Verification of the facts and full and public disclosure of the truth

The CVR performed an important role in verifying the truth about the root causes of the conflict, violations, and perpetrators, which it disclosed in its 8,000-page final report to the government.⁴¹

Search for the missing, disappeared, and killed

The PIR prioritized the issue of missing or disappeared persons, evidenced by the promulgation of a new legal category of “absence due to disappearance.”⁴²

Approximately 16,000 people are still considered missing, including children, students, and whole groups of villagers. In the period of 2002–2015, Peru's special forensic team exhumed more than 3,000 bodies, mostly from unmarked mass graves. As of June 2016, the team has identified and returned approximately 1,800 remains to their families for burial. In 2016, Peru enacted Law No. 30470, the Law on the Search for Missing Persons, to grant families access to all available information about persons reported as missing during the conflict in recognition of their right to know the whereabouts and fates of their loved ones.⁴³ The law assigns the Ministry of Justice and Human Rights the responsibility of designing and executing the National Plan to Search for Missing Persons and creates a National Registry of Missing Persons and Burial Sites. It also provides psychosocial support for family members during their search.⁴⁴ As of March 2018, state institutions, local authorities, civil society, and family organizations have delivered psychosocial support to families of the missing or disappeared.⁴⁵

Public apology

Executive Decree 015-2006-JUS contained measures providing for public gestures, like individual and national apologies from the government and letters to victims.⁴⁶ Three months after receiving the CVR's final report, on November 21, 2003, then-President Alejandro Toledo apologized in a national address. In the name of the state, he apologized to the victims of violence and terror, specifically mentioning the deceased and the disappeared. Toledo promised to hold accountable security forces who committed "painful excesses" as well as Shining Path members.⁴⁷

Judicial and administrative sanctions against persons liable for the violations

Domestic courts prosecuted some of the most responsible perpetrators from all sides. In 1992, a secret military tribunal convicted the leader of the Shining Path, Abimael Guzmán, and sentenced him to life imprisonment. In 2003, Peru's top court ruled that the secret trial was unconstitutional, ordering a retrial that again sentenced him to life imprisonment for terrorism, murder, and other crimes three years later.⁴⁸ Víctor Polay, the leader of the Túpac Amaru Revolutionary Movement, was similarly convicted and sentenced to life imprisonment by a secret military tribunal in the 1990s, which the top court ruled to have been unconstitutional in 2003. Following his retrial, he was sentenced to 32 years of imprisonment.⁴⁹

Most recently, in 2009, former President Fujimori was sentenced to 25 years for crimes against humanity for the following incidents: the Barrios Altos massacre, the disappearances and massacre at La Cantuta University, and two kidnappings.⁵⁰ On December 24, 2017, President Pedro Pablo Kuczynski granted a pardon to Fujimori, a decision condemned by UN human rights experts. Meanwhile, thousands marched in Lima to protest the pardon.⁵¹

Commemorations and tributes to the victims

The CVR made several recommendations on commemorations and memorials, but as of 2013, Peru had not formulated a national policy on memorialization.⁵² While the national government opened the Place of Memory, Tolerance and Social Inclusion museum at the end of 2015,⁵³ civil society organizations and regional governments were the entities responsible for constructing monuments across the country.⁵⁴

In 2003, then-President Toledo declared December 10, which is internationally celebrated as Human Rights Day, "National Reconciliation Day." However, three years later, few or no public or private institutions observed the day.⁵⁵ Another national day, this time to specifically pay homage to Asháninka victims (who were the most-affected by the conflict), was proposed by the CVR.⁵⁶

In addition, the PIR called on the government to change the names of places associated with violations, such as jails, and to rename schools, streets, districts, and other facets of the community after “heroes of peace,” following consultations with victims’ groups.⁵⁷

Inclusion of an accurate account of the violations in training and educational materials

As part of Toledo’s public apology made in November 2003, he also promised to incorporate the CVR’s key findings into school textbooks.⁵⁸ The Ministry of Education developed educational materials based on the CVR’s findings, but political pressures led to the inclusion of a sanitized history that acknowledges, but does not detail, state-perpetrated violations. Furthermore, unlike the CVR, which highlighted racism as a root cause of the conflict, the education system has seemingly perpetuated the myth that poor, indigenous, and rural communities are national security threats.⁵⁹

5. Guarantees of non-repetition

Guarantees of non-repetition center on institutional reform, such as vetting and lustration processes.

Due process, fairness, and impartiality in civilian and military proceedings

Individuals whose due process rights were violated were considered to be “victims” under the Regulations to the Law Creating the PIR, indicating the importance that Peru attributed to due process. CVR recommendations on judicial reform highlighted the need for due process and human rights, the independence and autonomy of the judicial system, and the penitentiary system.⁶⁰ Since the CVR began its work, Peru’s top court recognized that secret trials contravened due process and fair trial standards, marking a move away from the acceptance of the Fujimori-era secret trials and toward rights-respecting ones.

Independence of the judiciary

The Constitution of 1993 guarantees the independence of judges, stating that they are subject only to the law.⁶¹ This has not held true in practice, and during his presidency, Fujimori fired hundreds of judges and replaced them with provisional judges based on nepotism in order to influence the judiciary.⁶² The CVR found that the wartime judicial system had failed to protect the rights of victims and consequently called for measures to strengthen the justice system.⁶³ CVR recommendations on judicial reform centered on the independence and autonomy of the judicial system, due process and human rights, and the penitentiary system.⁶⁴

The Paniagua and Toledo governments reformed the judiciary, including by addressing corruption. In 2000, then-President Paniagua specifically reformed the judicial branch by abolishing the executive committees used by Fujimori to appoint judges and prosecutors and control that branch. Fujimori's appointees were transferred into positions that corresponded to their actual experience. The next year, in August 2001, then-President Toledo doubled the salaries of judges and prosecutors to reduce the likelihood of external financial influences over them.⁶⁵

The government also began looking into and prosecuting perpetrators of human rights violations, in accordance with previous court rulings. The judiciary, as well as the other two branches of government, investigated dozens of cases of Fujimori-era political abuse and corruption; approximately 500 actions were proceeding against corrupt judges and prosecutors by the end of 2001.⁶⁶

Vetting and lustration

In 2000, the government restored the ability of the National Magistrates Council to appoint, evaluate, and discipline judges and prosecutors, including by removing them. As of 2001, the National Magistrates Council had already begun removing judges and prosecutors implicated in corruption.⁶⁷

Human rights education and training for law enforcement officials and security forces

Peru has a law providing for a national plan on human rights education for the police and the military.⁶⁸

Since 2003, the Center for International Humanitarian Law and Human Rights of the Armed Forces of Peru (Centro del Derecho Internacional Humanitario y Derechos Humanos de las Fuerzas Armadas del Perú – CDIH-DDHH) has educated the military about human rights and international humanitarian law to ensure their compliance with international law, agreements, and norms.⁶⁹ In addition to training Peru's military and the military personnel of other countries that request guest participation, the CDIH-DDHH has taught members of the police, judiciary, and Attorney General's Office and others whose work involves human rights jurisprudence or international humanitarian law. Its basic course is one month for military officers and guest civilian professionals and three months for supervisors, non-commissioned specialists, and naval officers. After completing the basic course, officers can enroll in a shorter advanced course on human rights.⁷⁰

¹ "Truth Commission: Peru 01," United States Institute of Peace (USIP), July 13, 2001, <https://www.usip.org/publications/2001/07/truth-commission-peru-01>; "Peru: Internal Displacement in Brief,"

Internal Displacement Monitoring Centre, accessed May 7, 2018, <http://www.internal-displacement.org/americas/peru/summary>.

² “Truth Commission: Peru 01”; Marta Martínez, “Peru’s Painful Mirror,” International Center for Transitional Justice (ICTJ), December 11, 2013, <https://www.ictj.org/sites/default/files/subsites/peru-painful-mirror/>.

³ “Truth Commission: Peru 01.”

⁴ Supreme Decree No. 065-2001-PCM, June 4, 2001, available at <http://www.mississippitruuth.com/documents/PERU.pdf> (English) and <http://www.cverdad.org.pe/lacomision/cnormas/normas01.php> (Spanish).

⁵ Supreme Decree No. 065-2001-PCM, art. 3.

⁶ “Truth Commission: Peru 01.”

⁷ Martínez; Transfer Commission of the Truth and Reconciliation Commission of Peru, *Hatun Willakuy: Abbreviated Version of the Final Report of the Truth and Reconciliation Commission*, trans. Instituto de Democracia y Derechos Humanos de la Pontificia Universidad Católica del Perú (Lima: Transfer Commission of the Truth and Reconciliation Commission of Peru, 2014), 15–16, http://ictj.org/sites/default/files/ICTJ_Book_Peru_CVR_2014.pdf.

⁸ Avocats Sans Frontières and REDRESS, *International Conference on Reparations: Redefining Complementarity with the International Criminal Court* (Brussels: Avocats Sans Frontières and REDRESS, 2016), 28, https://www.asf.be/wp-content/uploads/2017/01/ASF_UG_ReparationsConference_201610_PP_Low.pdf.

⁹ Law No. 28592 (Law Creating the PIR), 2005, art. 1, available at <http://www.ruv.gob.pe/archivos/ley28592.pdf> (Spanish) and https://ihl-databases.icrc.org/customary-ihl/eng/docs/v2_cou_pe_rule150 (English).

¹⁰ Law Creating the PIR, art. 5.

¹¹ Law Creating the PIR, art. 3.

¹² Regulations to the Law Creating the PIR, 2006, art. 45, available at https://ihl-databases.icrc.org/customary-ihl/eng/docs/v2_cou_pe_rule150.

¹³ Cristián Correa, *Reparations in Peru: From Recommendations to Implementation* (New York: ICTJ, 2013), 6, https://ictj.org/sites/default/files/ICTJ_Report_Peru_Reparations_2013.pdf.

¹⁴ Correa, 6.

¹⁵ Correa, 7–8.

¹⁶ “The mandate of the Reparations Council is to develop the National Register of Victims, RUV, an instrument that will be used by state institutions responsible for implementing the Comprehensive Reparations Plan. The Reparations Council is a collegial body that is part of the Ministry of Justice and Human Rights. Its members were appointed by Ministerial Resolution No. 0036-2014-JUS, perform their functions ad honorem (without compensation) and cannot be part of the public administration. It has a Technical Secretariat, a body of administrative and technical support.” Trans. of “Mandato,” Consejo de Reparaciones, accessed May 17, 2018, <http://www.ruv.gob.pe/consejo.html>, available at Ruben Carranza, Cristián Correa, and Elena Naughton, *Forms of Justice: A Guide to Designing Reparations Application Forms and Registration Processes for Victims of Human Rights Violations* (New York: ICTJ, 2017), 41, https://www.ictj.org/sites/default/files/ICTJ_Guide_ReparationsForms_2017_Full.pdf.

¹⁷ Correa, 9–10.

¹⁸ ICTJ, “A Practitioners, Perspective on Forms of Justice in Peru and Colombia,” December 7, 2017, <https://www.ictj.org/news/practitioners-perspective-forms-justice-peru-and-colombia>.

¹⁹ Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law, U.N. Doc. A/RES/60/147 (December 16, 2005), available at <http://www.ohchr.org/EN/ProfessionalInterest/Pages/RemedyAndReparation.aspx>.

²⁰ Correa, 21.

²¹ Correa, 21–22.

²² Correa, 7.

²³ Rafael Barrantes Segura, *Reparations and Displacement in Peru* (New York: ICTJ and Brookings-LSE Project on Internal Displacement, 2012), 10, <https://www.brookings.edu/wp-content/uploads/2016/07/Barrantes-Reparations-in-Peru.pdf>.

²⁴ Correa, 8.

²⁵ Correa, 8.

²⁶ Correa, 15–16.

²⁷ Correa, 19.

- ²⁸ Correa, 7.
- ²⁹ Correa, 22.
- ³⁰ Correa, 11.
- ³¹ Correa, 12.
- ³² Correa, 13.
- ³³ Correa, 12; Segura, 12.
- ³⁴ Correa, 12.
- ³⁵ Segura, 12.
- ³⁶ Regulations to the Law Creating the PIR, art. 10(d).
- ³⁷ Correa, 7.
- ³⁸ Correa, 23.
- ³⁹ Correa, 23–24.
- ⁴⁰ Documentation involves the verification of the facts, which contributes to an accurate account of violations and the disclosure of the truth.
- ⁴¹ “Truth Commission: Peru 01.”
- ⁴² Correa, 5–6.
- ⁴³ “Law Eases Search for Persons Missing in 1980–2000 Armed Conflict,” *Peruvian Times*, June 22, 2016, <https://www.peruviantimes.com/22/law-eases-search-for-persons-missing-in-1980-2000-armed-conflict/26990/>.
- ⁴⁴ Organization of American States, “IACHR Welcomes Enactment of Law on Search for Missing Persons from Period of Violence in Peru,” news release, July 25, 2016, http://www.oas.org/en/iachr/media_center/PReleases/2016/099.asp.
- ⁴⁵ “Peru: Dignified Burial for People Who Went Missing During Armed Violence in Tingo María,” International Committee of the Red Cross, March 22, 2018, <https://www.icrc.org/en/document/peru-dignified-burial-people-who-went-missing-during-armed-violence-tingo-maria>.
- ⁴⁶ Correa, 8.
- ⁴⁷ Drew Benson, “In Peru, An Apology for Wartime Abuses,” *Boston Globe*, November 23, 2003, http://archive.boston.com/news/world/articles/2003/11/23/in_peru_an_apology_for_wartime_abuses/.
- ⁴⁸ Associated Press, “Peru’s Shining Path Founder Faces Retrial,” *NBC News*, September 25, 2005, http://www.nbcnews.com/id/9483092/ns/world_news-americas/t/perus-shining-path-founder-faces-retrial/#.WvhPVqQvx0w; “Peru’s Shining Path Founder Sentenced to Life for Terrorism, Murder,” *Australian Broadcasting Corporation*, October 14, 2006, <http://www.abc.net.au/news/2006-10-14/perus-shining-path-founder-sentenced-to-life-for/1286120?site=news>.
- ⁴⁹ “Peru Guerrilla Leader Convicted,” *BBC News*, March 22, 2006, <http://news.bbc.co.uk/2/hi/americas/4832034.stm>.
- ⁵⁰ Rory Carroll, “Former Peruvian President Alberto Fujimori Sentenced to 25 Years,” *Guardian*, April 7, 2009, <https://www.theguardian.com/world/2009/apr/07/alberto-fujimori-peru>; “Alberto Fujimori,” Trial International, last modified March 23, 2018, <https://trialinternational.org/latest-post/alberto-fujimori/>.
- ⁵¹ Andrea Zarate and Marcelo Rochabrun, “Peru’s Pardon of Fujimori Condemned by U.N. Rights Experts,” *New York Times*, December 28, 2017, <https://www.nytimes.com/2017/12/28/world/americas/peru-fujimori-pardon.html>.
- ⁵² Correa, 24.
- ⁵³ Colin Post, “Peru Opens Armed-Conflict Memorial Museum in Lima,” *Peru Reports*, December 18, 2015, <https://perureports.com/2015/12/18/peru-opens-armed-conflict-memorial-museum-in-lima/>.
- ⁵⁴ Correa, 24.
- ⁵⁵ Benson; Julie Guillerot and Lisa Magarrell, *Memorias de un Proceso Inacabado* (Lima: Asociación Pro Derechos Humanos and ICTJ, 2006), 59, <https://www.ictj.org/sites/default/files/ICTJ-Peru-Memory-Process-year-2006-Spanish.pdf>.
- ⁵⁶ Ruth Rubio-Marín, Claudia Paz y Paz Bailey and Julie Guillerot, *Indigenous Peoples and Reparations Claims: Tentative Steps in Peru and Guatemala* (New York: ICTJ, 2009), 2, <https://www.ictj.org/sites/default/files/ICTJ-Identities-Reparations-ResearchBrief-2009-English.pdf>.
- ⁵⁷ Correa, 8.
- ⁵⁸ Benson.
- ⁵⁹ Julia Paulson, “From Truth to Textbook,” in *(Re)Constructing Memory: Education, Identity, and Conflict*, ed. Michelle J. Bellino and James H. Williams (Rotterdam, Netherlands: Sense Publishers, 2017).
- ⁶⁰ Transfer Commission of the Truth and Reconciliation Commission of Peru, 307–08.
- ⁶¹ CONSTITUCIÓN, 1993, art. 146, available https://www.constituteproject.org/constitution/Peru_2009.pdf?lang=en.

⁶² Freedom House, “Peru,” in *Countries at the Crossroads 2007* (New York: Freedom House, 2007), <https://freedomhouse.org/report/countries-crossroads/2007/peru>.

⁶³ Transfer Commission of the Truth and Reconciliation Commission of Peru, 304–05.

⁶⁴ Transfer Commission of the Truth and Reconciliation Commission of Peru, 307–08.

⁶⁵ US Department of State, “Peru,” in *2002 Human Rights Reports* (Washington, D.C.: U.S. Department of State, 2002), <https://www.state.gov/j/drl/rls/hrrpt/2001/wha/8263.htm>.

⁶⁶ U.S. Department of State, “Peru.”

⁶⁷ U.S. Department of State, “Peru”; Blair Cameron, *Battling a Cancer: Tackling Corruption in Peru, 2011–2014* (Princeton, NJ: Princeton University, 2015), 12–13,

https://successfultsocieties.princeton.edu/sites/successfultsocieties/files/BC_AC_Peru.pdf.

⁶⁸ Law on Compulsory Human Rights Education, 2002, art. 3, available at https://ihl-databases.icrc.org/customary-ihl/eng/docs/v2_cou_pe_rule142.

⁶⁹ Geraldine Cook, “Peruvian Armed Forces Mindful About Education in Human Rights and International Humanitarian Law,” *Diálogo*, November 16, 2016, <https://dialogo-americas.com/en/articles/peruvian-armed-forces-mindful-about-education-human-rights-and-international-humanitarian-law>.

⁷⁰ Cook.