



EUROPEAN PARLIAMENT

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**DELEGATION FOR RELATIONS WITH THE COUNTRIES OF
THE ANDEAN COMMUNITY**

**Draft report by Mr Alain Lipietz, Chairman of the Working Group, for the
Committee on Foreign Affairs and the Committee on Development on the
Working Group visit to**

Peru (Lima and Piura)

20-24 November 2006

Brussels, 28 November 2006
LMG/nal

Introduction

The 2006 activity programme of the delegation for relations with the countries of the Andean Community included a visit to Peru by a working group during the week of 17 to 22 April. In view of the delay in the approval of the general programme of activities for the interparliamentary delegations, the President of the European Parliament, in letters of 30 August and 20 October 2006, authorised the mission.

Internal situation

After the resignation of President Alberto Fujimori, who had been elected for a third term in 2000, Peru went through a transition period in which the presidency was held by Valentín Paniagua, whose main objectives were to prepare and supervise the presidential and legislative elections, the first round of which was held on 8 April 2001. The second round was won by the candidate of Perú Posible, Alejandro Toledo, who obtained 53% of the votes. (The EP sent electoral observation missions to those elections).

The American Popular Revolutionary Alliance (APRA) put forward the former president Alan García, who won almost 47% of the vote, although he was defeated in the second round.

The municipal elections of November 2002 confirmed APRA's return to the political arena when it won 12 of the 25 regional governments, as opposed to Perú Posible, which gained only one.

In the 9 April 2006 elections, Alan García, of the Peruvian Aprista Party won 52.6% of the vote in the second round (4 June) after a hard-fought contest with his opponent, the nationalist candidate Ollanta Humala of Union for Peru. Alan García had already served as President of Peru from 1985 to 1990.

The European Parliament sent a seven-member parliamentary delegation to observe these elections, chaired by MEP José Ignacio Salafranca, PPE.

The elections passed without incident and were backed, at national level, by the institutions of Peru's electoral system: Jurado Nacional de Elecciones (National Electoral Jury), Oficina Nacional de Procesos Electorales (National Office of Electoral Processes) and the Registro Nacional de Identificación y Estado Civil (National Registry of Identification and Civil Status).

Fujimori's main goals were to eradicate the terrorist groups such as Sendero Luminoso (Shining Path), which had evolved towards urban guerrilla warfare, and the MRTA (Movimiento Revolucionario Túpac Amaru). To that end he had the support of the United States.

During the Fujimori Government's mandate, there was constant repression of the dissident opposition movements (such as the MRTA), journalists and human rights activists. Systematic threats and torture were commonplace (among other practices, forced sterilisation programmes were imposed on some 200 000 indigenous people).

During that time, human rights and fundamental freedoms were clearly violated, constituting crimes against humanity which were denounced by many NGOs and which are being prosecuted under the auspices of the Inter-American Human Rights Court.

Fujimori travelled to Japan in 2000 and from there announced his intention to resign. He was succeeded, after a decision of Congress, by a temporary administration headed by Valentín Paniagua. He attempted to restore the values of democracy and legality. Former president Fujimori is currently under arrest in Chile, and Peru has requested his extradition.

In June 2001, during the Toledo administration (Perú Posible), the Truth and Reconciliation Commission was set up, supported by the European Commission (report of December 2003) in which those involved in the 70 000 politically motivated disappearances and deaths between 1980 and 2000, the security forces and armed terrorist groups such as Shining Path, were denounced and held responsible. The proceedings against the latter organisation were brought together under a single case, helping to resolve it, and finally resulting in the conviction of those responsible, notably the leader of the guerrilla movement, Abimael Guzmán.

Despite many cabinet reshuffles, President Toledo's popularity continued to wane, stabilising only at the end of his mandate, amid a feeling among the people that electoral promises had not been kept, especially with regard to the fight against poverty and unemployment (although poverty is estimated to have gone down by 2%, 52% of the population of Peru still lives below the poverty line), corruption which cost the positions of several of his ministers and also affected the President's family, the increase in citizens' insecurity and the fear of a resurgence of the activities of Sendero Luminoso.

From the economic perspective, even though Peru is rich in natural resources, especially minerals, forests and fishing, underdevelopment and social, regional and sectoral imbalances have prevented the economy from taking off. Coca cultivation remains the most lucrative activity in large areas, despite the good results achieved in the various eradication programmes.

In accordance with the provisions of the Second EU-LAC Summit of Heads of State and Government held in Madrid in May 2002, a Political Dialogue and Cooperation Agreement was signed between the EU and the Andean Community in December 2003. At the fourth summit in Vienna in May 2005, the opening of negotiations was announced to reach an association agreement between the CAN and the EU. Venezuela's recent exit from the CAN to join Mercosur and the disparities between the politics and programmes of the current CAN governments will do nothing to facilitate the EU's negotiations with either of the two blocks.

One of the features of Alejandro Toledo's government was its keenness to establish a presence in the international arena. The fact that the third summit of South American Presidents was held in Cuzco on 8 and 9 December 2004 is ample proof of this. Peru has also made great efforts towards regional integration, with practical results such as those announced at the third summit in Cuzco: the proclamation of the South American Community of Nations, the construction of a highway from Brazil, through

Peru, to the Pacific; the suspension of visas between members of the Andean Community; and removal of passport requirements between Peru and Chile.

After a period of violence (coup d'état by the 'etnocacerista' leader, Antauro Humala, on 1 January 2005 that lasted three days and resulted in six deaths), the Toledo administration largely stabilised domestic politics.

Already in the regional elections of November 2002, Toledo had lost the confidence of the citizens and his minority in Congress prevented him from governing.

Economic growth for 2006 is estimated at 4-5%. Nevertheless, Peru's most pressing problems – poverty and unemployment – are still in the headlines. Unemployment is above 10% and high levels of poverty persist in the rural sectors.

The estimated per capita GDP for 2006 is \$6 289, putting it in 99th place. Its level of development in 2003 was 0.792, ranking 79th in the world. In 2005 exports grew by 33.7% in relation to 2004, and the estimate for 2006 is an increase of 35%. Most of its exports go to the United States and China.

It has free trade agreements with the other Andean countries, Mercosur members and Thailand, and has recently negotiated one with the United States.

Exports have increased, largely thanks to the benefits of the generalised system of preferences that exempts 90% of Peruvian exports from duty, but the benefits have not reached the great majority of Peruvians.

Peru takes part in the High Level Specialised Dialogue on Drugs, established between the Andean Community and the EU in 1995.

The most important cooperation goals are the achievement of social and economic cohesion, regional economic integration and combating drug trafficking.

Besides the eradication of extreme poverty in Peru, especially in rural areas, a relevant issue for cooperation is environmental protection, especially the conservation of the tropical forest, while endeavouring to achieve sustainable development. Other areas of cooperation are: improvements in education, health and sanitation of water supplies, stimulating policy on gender equality and strategies for preventing natural disasters.

The Government is also aiming to improve the industrial and service sectors, and boost exports.

The Commission's Peru Country Strategy Paper 2002-2006 lays down the following objectives:

- Support for the rule of law and institutional reform to ensure democratic transition.
- Socio-economic development of its production and infrastructure.
- Regional integration.

Under the 1998 peace agreement between Peru and Ecuador, the EU undertook to combat poverty in that border area.

Two other programmes in which the EU is taking part alongside Peru together with Bolivia, Colombia and Venezuela, are food security (PASA) and environmental conservation and the tropical forest, a programme that also aims to eliminate anti-personnel mines. Peru also takes part, as a CAN Member State, in the EU's programmes with the CAN (ALFA, ALBAN, etc.).

The European Parliament has demonstrated that it is aware of Peru's difficult situation, its political instability and the human rights violations that occurred during the Fujimori administration. In its Resolution of 19 January 2006, the EP supported the latter's extradition to Peru, being concerned about the legality and justice of the proceedings and fighting against his impunity. At the same time it expressed its concern at the recent rise in human rights violations, even under the democracy.

In the National Congress, two recent bills prompted an initiative by the European Commission, followed by action by the troika.

The first related to the re-establishment of the death penalty, promised by the APRA candidate during his election campaign, according to some of those we spoke to, for cases involving abuse and murder of minors. There was even talk of extending the application of the death penalty to include crimes of terrorism which, although they already attract the maximum sentence, the present criminal code does not allow it to be applied. This would contravene the international agreements that Peru has signed, notably the Pact of San José. If the bill were to become law, the country would have to withdraw from the Pact and therefore also from the Inter-American Court of Human Rights. Those we spoke to repeatedly expressed the view that this would enable amnesty laws to be adopted that would suit certain members of the present government very well.

The second related to the legislation on NGOs, meaning that the Peruvian International Cooperation Agency (APCI) would control NGOs' activities by means of hierarchical priorities for cooperation.

The delegation's arrival in Peru coincided with the municipal and regional elections on 19 November. The result meant the defeat of APRA and the other parties competing in the April presidential and legislative elections, and a victory for the independent candidates. APRA won in only two of the 24 regions and one constitutional territory. Ollanta Humala's Partido Nacionalista was weakened, especially in the south of the country. The result was a break between Lima, where the previous mayor, Luis Castañeda of Unión Nacional, remained in office, and the rest of the country, and the disappearance of Fujimorism at municipal and regional levels.

The results, which reflect a different situation from that in the Congress of the Republic, are interpreted by some of those we spoke to as a personal triumph for President García in relation to his party. In several conversations it was stressed that one cannot rule out a return to the political arena of Ms Lourdes Flores (National Unity candidate, defeated in the first round of the presidential elections).

The election results portend some difficult relations between the central executive and the regional executives, on account of the ideological differences, the many spokespersons, who have difficulty speaking with one voice, and of interests that will become clear on issues such as the mining industry or the taxation system.

Meetings with members of the Executive

The delegation was received by the **Prime Minister**, Mr **Jorge del Castillo**, accompanied by the Second Vice-President Ms **Lourdes Mendoza del Solar** to whom the European delegation expressed its concern about the spirit of the bills on NGOs and the reintroduction of the death penalty. Mr del Castillo said that he was practically sure that the latest draft would not survive since a two-thirds majority would be needed in the Chamber to introduce the necessary changes in the Constitution and, as had already happened in the past, a 'vote of conscience' unbound by party discipline would be allowed.

Regarding the legislation on NGOs, Mr **del Castillo** expressed his disagreement, on a personal level, with the bill that was still in a Parliamentary Committee, also saying that it would apply only to organisations wishing to benefit from tax exemptions.

Speaking about activities that were allegedly a 'danger' to the State, the Prime Minister gave examples such as protecting agriculture in regions where there was prospecting for opening mines (the danger would be in protecting a pre-modern economic activity in the face of progress) or alleged support for secession (in which none of those we spoke to believed) for the Ashuar Indians who live in the border region between Peru and Ecuador. Such statements show that the intended regulation of NGOs under the APCI law has a basis that could undermine democracy and the continuation of international cooperation in the country.

An interesting exchange of views was also held on the Peruvian policy on combating drugs and drug trafficking, the Prime Minister indicating that his Government's current policy was based on a more comprehensive focus than in the past by linking eradication with the alternative offered by sustainable development and which expressly distances itself from the Colombian Government's anti-drug policy with its fumigations.

The delegation held a meeting with the **Deputy Foreign Minister**, Mr **Gonzalo Gutiérrez**, in which bilateral relations were reviewed and the need to launch common policies in areas such as combating drugs or managing migratory flows was stressed. The situation within CAN in the light of Venezuela's departure was also discussed.

The Europeans ruled out the possibility of any agreements between individual CAN countries and the EU. Concerning the EU-CAN negotiations, the problems that some sectors could pose were assessed: agriculture, especially bananas, and intellectual property, with regard to the need to protect biodiversity and the traditional knowledge of the indigenous peoples from commercial exploitation.

Issues common to the various meetings held with our Peruvian contacts were also discussed: the bills on the reinstatement of the death penalty and NGOs. Regarding this latter bill, the Europeans drew attention to the potential adverse effects it could have on unofficial aid channelled through NGOs. The Deputy Foreign Minister explained that the bill aimed to achieve greater transparency in the management of NGOs' activities. He did not hesitate to describe the activities of some organisations as illegal.

Regarding the former, the Chairman of the European delegation said that such a reintroduction would be incompatible with the status of associate of the EU and could even cast doubt on the continuation of the GSP+.

Regarding combating drug trafficking, he understood that President García wanted to organise a summit of the Andean countries, the EU and the United States to discuss this issue. Emigration had to be analysed from a humanitarian point of view, respecting the rights of emigrants while channelling payments towards productive investments.

The delegation was received by the **Minister of Labour, Ms Susana Pinilla**, who reported on her government's development programmes, stressing the need to stimulate job creation through productive investment and the formalisation and training of informal microenterprises. The delegation suggested considering how the EU-CAN Agreement, which was about to be negotiated, could benefit the mass of informal workers. New approaches would be needed on both sides, beginning with the search for appropriate incentives to enable workers to formalise their status. It was also recommended that account be taken of the situation of small and medium-sized enterprises right from the start.

Meetings with members of the Legislature

The delegation was received by the **First Vice-President of Congress, Mr José Vega Antonio** whom the Chairman of the delegation informed of European concern about the possible reintroduction of the death penalty and the legislation that would affect NGOs' activities.

The delegation held a working meeting with members of the board of the **Commission for Andean, Amazonian and Afro-Peruvian Peoples, Environment and Ecology**, chaired by **Mr Carlos Cánepa La Coterá**, which addressed the main issues of decentralisation and the situation in the mining sector. With regard to the latter, reference was made to the 'environmental liability' amassed after decades of mining operations, some mines having been worked for many years without taking account of the consequences for the indigenous peoples or the environmental effects of those activities.

Reference was also made to the need for a law on indigenous peoples to be drafted with the participation of their representatives, the Quechuas, Aymaras and the country's 95 smaller ethnic groups.

Meetings with representatives of civil society

The delegation held a meeting with **Mr Javier Diez Canseco**, with whom it discussed various aspects of the fight against corruption in Peru. He estimated the amount embezzled during the Fujimori government at two billion dollars. Currently 150 officials and members of the armed forces of the Fujimori government were in prison accused of corruption.

He nevertheless drew attention to an alliance in Congress, chaired by **Mr de Sousa**, former lawyer of Fujimori, between APRA and the Fujimori supporters. The

consequence could be a less conscientious treatment of the cases of corruption from the time of the former president who is currently detained in Chile, obvious inactivity by the committee responsible for extraditing him, and involvement in cases of corruption against officials in the government of the previous president, Mr Alejandro Toledo.

The fight against corruption was currently hindered by the relevant posts being vacant in the public prosecutor's office, which was close to being dismantled, the Government's offer of legal assistance to the military men accused of human rights violations and Congress's failure to follow up the allegations of the committees investigating cases of corruption.

He also criticised the fact that Congress's bill on the control of the implementation of the budget had been abandoned.

Mr Diez Canseco also referred to the situation in Peru's mining sector, which hardly paid any royalties, its only contribution to the country's economy being taxes on profits which were often reduced by reinvestments allowed by the law.

The sector, from which the mining companies earned very high profits, involved only 80 000 direct jobs and 160 000 indirect ones and hardly took any account of the environmental impacts.

Decentralisation was discussed with members of the **Propuesta Ciudadana** initiative, Mr Gerardo Távora and Mr Eduardo Ballón. The process of decentralisation which was an initiative of the previous government, is a slow one, partly because the body responsible for strategic planning is not yet in operation.

Powers are transferred to the regions slowly and without the necessary resources. Fiscal decentralisation has not yet taken place and the regional governments are not empowered to collect taxes. Similarly, there is no legislation on the collection of the tax in the place where the activity takes place.

Finally, they stressed the need to set up an interregional compensation fund to offset the imbalances between the various regions.

The delegation held a working meeting with **Mr Salomón Lerner**, former chairman of the **Truth and Reconciliation Commission**, to discuss in detail the bills on NGOs and the reintroduction of the death penalty and the report of the commission he chaired.

With Ms Sofía Macher, Chair of the **Consejo de reparaciones de las víctimas del terrorismo** (Council for Reparations to Victims of Terrorism), an assessment was made of the state of implementation of the recommendations made in the final report of the Truth and Reconciliation Commission. Ms Macher said that progress in implementing those recommendations had been very slow largely because of a lack of resources, along with all manner of hold-ups, including changes in taxation. Of the 47 cases presented by the Commission, affecting some 1500 victims, 23 were in progress.

Exhumations were proceeding very slowly, also owing to a lack of resources.

She was also surprised that the Ministry of Defence had guaranteed the legal defence of the military personnel involved (numbering 300 to 400) while for victims or their families there were no funds to ensure that their interests were defended. This discriminated against the victims or their families in relation to those accused of having committed the crimes.

The 2005 reparation law, which operates at an individual or collective level, compels the State to make reparations where it is responsible for acts or omissions. Even in those cases where reparations were being made, they were not perceived as such by citizens. Furthermore, in some cases, projects such as highway construction, which would have been built anyway, are being declared as 'collective reparation' measures, a renaming exercise that jeopardises the concept of reparation and violates the right to receive them.

Ms Macher calculated that some two million people, or 600 000 families, had been obliged to move on account of the conflict.

The delegation held meetings with members of the **Coordinadora de derechos humanos** (Human Rights Coordination Unit) who reported on their monthly review of the country's human rights situation. The Coordination Unit told the delegation about the National Human Rights Plan. They regretted, however, that the Plan, prepared with the help of the Belgian Government, was little known. Moreover, no account was taken of it in the controversial APCI law, though it should be one of the essential reference documents for NGOs. The members of the coordination body asked the European Parliament delegation to see that the National Human Rights Plan is included in the relevant part of the association agreement that was about to be negotiated.

The talks also covered the implementation of the recommendations of the Justice and Reparation Commission, pointing out the need for a reform of the State, the armed forces and the education system in order to avoid any repeat of the events now under investigation. There had been little or no progress on those recommendations. As a specific example of the actual clarification work, stress was placed on the deadlock on many aspects of the report's recommendations, beginning with the investigation of the 6 000 places where there are known or assumed to be secret mass graves.

Regarding the ongoing proceedings, they expressed their concern at the low level of commitment by the armed forces to complying with the Commission's recommendations.

Finally they referred to the harassment and constant threats suffered by the defenders of human rights in Peru, on the increase over the past year.

Mr Ernesto de la Jara, of the Instituto de Defensa Legal (Legal Defence Institute), like others we spoke to who reported on judicial reform, expressed the fear that the bill on NGOs could result in the inspection of these organisations' activities and in some cases in their exclusion from the list, which would deny them their legal existence and therefore their access to the cooperation funds.

One of the main objectives of the delegation's mission was to investigate the consequences of mining both for the populations affected and the environment. To that end a working meeting was held with representatives of the **Confederación Nacional de Comunidades del Perú Afectadas por la Minería** (CONACAMI – National Confederation of Peruvian Communities Affected by Mining), including its chairman Mr Luis Enrique Riofrío and former chairman Mr Miguel Palacín Quispe.

They reported that mining came into conflict with the country's agriculture on which one third of the population depended, by causing disputes over land ownership with the mining companies, by creating health hazards, contaminating water resources and having a direct impact on the health of the population. In addition, water contamination can cause serious difficulties for Peruvian agricultural exports, especially those using the 'organic farming' label. At present there are 60 such conflicts. Fifteen cases have been referred to the Inter-American Commission.

While acknowledging that mining exports accounted for 50% of all exports, they regretted that they did not benefit the population.

The CONACAMI representatives also reported that some of the conflicts were caused by non-compliance with the legislation in force, especially ILO Convention 169 – despite it having been incorporated into national legislation – requiring prior consultation with the owner of the land where the mine is to be opened. In the case of rural communities, the authorisation has to be decided in the Assembly. In the case of the mine operated by Monterrico Metal, the company did not abide by this law, which gave rise to protests that were brutally repressed, two people being killed.

Finally, they said they had registered with the Peruvian Cooperation Agency from which they were later expelled on the grounds that their aims were not 'in line with the priorities of the Peruvian Government' which, in the opinion of the European Parliamentary delegation, was an unacceptable act of censorship.

Next a meeting was held with representatives of the **Red Muqui**, chaired by Ms Ana Leyva who reported on its activities in support of the defence of the rights of workers in mining areas.

They were not against the expansion of mining provided that it was done in accordance with environmental protection standards, especially regarding the rivers, and that the profits of mining should also bring benefits for the inhabitants of the regions affected.

Finally, they reported on the situation in the **Majaz** mine, the procedures for which did not comply with current regulations and the environmental impact study was carried out with little transparency and by the company itself.

Mr Lipietz, the chairman of the delegation, drew attention to the consequences that non-compliance with international conventions, especially ILO 169, could have on the application of the GSP+ system.

The members of **Fedepaz** also referred to the situation of the Majaz mine. They reported that it affected two rural communities and therefore, according to the legislation in force, two thirds of the members of the assemblies had to have given prior authorisation before work could commence. The company allegedly submitted to the central authorities signatures of certain leaders of the assemblies for acts of co-optation, ambiguous promises, etc. but not of two thirds of the members. The population disagreed, and even demonstrated in the mining town, whereupon the police intervened and serious violence ensued.

Meetings in Piura

In Piura, the delegation visited the town of **Tambo Grande** where it was received by the mayor, Mr Francisco Ojeda, who expressed concern at the adverse effects of mining in a predominantly agricultural area such as this one. The waste was contaminating the water table. This contamination could also affect the 'organic certification' currently enjoyed by their products and which helped them to sell on international markets.

A working meeting was then held on the basic issue of mining conflicts, with representatives of the **Diocese of Chulucanas, Deaconry for Justice and Peace, and Propuesta Ciudadana** which referred to the scarcity of water in the region, to its sensitivity to the El Niño phenomenon and to the fact that since the mining area was in a water catchment area, it would contaminate the rivers flowing into both the Pacific and the Atlantic. Thus it endangered not only the area in which the opencast mining took place, but also the fragile ecosystem of a vast area that could affect the global climate.

Finally, they deplored the Peruvian Government's lack of interest in environmental issues by giving absolute priority to mining development, as a generator of foreign currency, above agricultural development or the environmental consequences that mining could have.

Other meetings

The issue of combating drugs was discussed with the Executive President of DEVIDA (**National Commission for Development and a Drug-Free Life**), Mr Rómulo Pizarro, who explained the strategy pursued in combating coca leaf cultivation, production and marketing of paste in terms of crime and domestic consumption.

87% of coca leaves was processed into coca. The country's coca production was estimated at 180 metric tonnes (compared with 640 in Colombia and 90 in Bolivia), 92% of which was exported.

His department had devised an action plan for the period 2007-2011, which in the first instance provided for greater State involvement in the production areas and the promotion of sustainable development through alternative crops in the production areas, many of them now deforested. The marketing of these alternative products, the cause of the failure of earlier policies, would be carried out, among other means, through sale for the production of biofuels and any profits from the sale of credits under the Kyoto protocol.

He also said that DEVIDA's policy was to combat both coca production and the marketing of the precursors through better monitoring of their presence in the country.

The delegation also visited the headquarters of the **General Secretariat of the Andean Community** in Lima. Venezuela's departure from the organisation and the appointment of the General Secretariat's most senior officials as ministers after the recent elections in Peru placed the Secretariat in a difficult position, especially regarding its administrative resources. Mr Cristian Espinoza, Director-General for trade policy, explained the consequences of Venezuela leaving the CAN, and reported on the possibility of developing closer ties with Bolivia and the possibility of Mexico becoming an associate member in the medium term.

Regarding relations between the EU and the CAN, he pointed out that several Andean and European countries had yet to ratify the Political Dialogue and Cooperation Agreement signed in December 2003. There was also an interesting exchange of views on the EU Commission's negotiation mandate to negotiate with the CAN, the potential difficult issues of negotiation being intellectual property, especially in the aspects relating to the protection of biodiversity and the possibility of keeping traditional knowledge out of the channels of commerce, or farm produce, especially the banana.

Mr Espinoza reported on the free trade agreements that some Member States have signed with the United States which, according to the Venezuelan Government, lay behind Venezuela's withdrawal from the CAN. The CAN was not in principle incompatible with those agreements, provided that they observed certain conditions, mainly the application of the most-favoured nation clause.

The delegation was received by the **Deputy Ombudsman, Mr Samuel Abad**, with whom it discussed mainly the bill to reintroduce the death penalty and the bill on NGOs.

Regarding the recommendations of the Truth Commission, he said that everything regarding its work was accessible over the net, visited by some 2500 people every year. He expressed his concern at the slow pace of the court proceedings and at the decision of the Ministry of Defence to provide legal assistance for the military personnel involved in the events. The ombudsman was currently giving legal advice to 260 victims.

The delegation visited the headquarters of the **Agencia Peruana de la Cooperación Internacional (APCI)** whose Executive Director, Mr Haya de la Torre, reported that the aim of the law on the registration of NGOs was to achieve maximum transparency in their operation while improving coordination of action, by coordinating it under priority action programmes.

Conclusion

The delegation's visit took place only a few months after President Alan García came to power, but it had been possible to find out about his government's priorities, especially regarding the fight against poverty.

One of the central themes of the visit was the consequences for rural communities and for the environment of mining development in the country. This was a priority in that it earned the country considerable amounts of foreign currency especially because of the high price of the minerals. However, it had been observed that permits for mining did not comply with current legislation, especially the letter of ILO Convention 169.

Moreover, the mining companies hardly paid any royalties and the only benefit to the country was in terms of taxation. Neither was there much impact on employment.

A second theme was receiving information on the application of the recommendations of the Truth and Reconciliation Commission. There were few results, firstly owing to a lack of resources and secondly on account of hold-ups in the proceedings. Regrettably, the victims and their families were not receiving the necessary legal aid for their cases to be dealt with properly while those accused of the crimes did have assistance.

The visit had also been an opportunity to find out about draft legislation currently being debated. The first referred to the introduction of the death penalty for cases involving the abuse and killing of minors. The second referred to a bill affecting NGOs operating in Peru.

Regarding the first it was not certain that it could go ahead. While a broad section of public opinion was demanding its reintroduction as a means of fighting crime, and many members of the Government shared this concern, expanding the scope to include the vague concept of 'terrorism', it is to be hoped that if the parliamentarians vote in line with their consciences, that the bill will not be approved in any form. The delegation will closely monitor the bill's future after the summer recess of the Peruvian Congress.

Finally, the bill on the operation of NGOs could result in a cut in the resources for international solidarity that are channelled through them.

PARLAMENTO EUROPEO

Delegación para las relaciones con la Comunidad Andina

Visita de un grupo de trabajo al Perú
20-24 de noviembre de 2006

Lista de Participantes

Miembros de la Delegación

| Nombre | Apellido | Grupo político | País |
|-------------------|---|----------------|------------|
| Sr. Alain | LIPIETZ , Presidente de la Delegación • Comisión de Asuntos Jurídicos, Miembro • Comisión de Comercio Internacional, Miembro | Verts/ALE | Francia |
| | *** | | |
| Sr. Ján | HUDACKÝ • Comisión de Industria, Investigación y Energía Miembro | PPE-DE | Eslovaquia |
| Sr. Emilio | MENÉNDEZ del VALLE • Comisión de Asuntos Exteriores, Miembro | PSE | España |

Grupos Políticos de los Miembros de la Delegación

PPE-DE: Grupo del Partido Popular Europeo (Demócrata-Cristianos) y de los Demócratas Europeos

PSE: Grupo Socialista en el Parlamento Europeo

ALDE: Grupo de la Alianza de los Demócratas y Liberales por Europa

Verts/ALE: Grupo de los Verdes/Alianza Libre Europea

GUE/NGL: Grupo Confederal de la Izquierda Unitaria Europea/Izquierda Verde Nórdica

IND/DEM: Grupo Independencia/Democracia

Secretaría de la Delegación

| | | |
|-------------|-------------------------|--|
| Sr. Luis | MARTÍNEZ-GUILLÉN | Administrador Principal, Jefe de la Secretaría |
| Sr. Raymond | HERDIES | Asistente principal |

Secretarías de los Grupos Políticos

| | | |
|-----------|----------------|-------------------------------|
| Sra. Gaby | KÜPPERS | Consejera del grupo Verts/ALE |
|-----------|----------------|-------------------------------|



UNIÓN EUROPEA

DELEGACIÓN DE LA COMISIÓN EUROPEA EN EL PERÚ

MISION PARLAMENTO EUROPEO

Grupo de Trabajo de la Delegación del Parlamento Europeo para las Relaciones con los Países de la Comunidad Andina Programa

Domingo 19 de noviembre

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| 18:55 | <i>Llegada en el vuelo de Iberia, procedente de Madrid IB 6651 Traslado al Hotel Country Club, San Isidro Delegación CE: Francisco Acosta Soto</i> |
| 20:30 | <i>Reunión de coordinación con la Comisión Europea Hotel Country</i> |

Lunes 20 de noviembre

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| 09:00 | <i>Encuentro sobre Lucha Anticorrupción Entrevista con Javier Diez Canseco Lugar: Hotel Country</i> |
| 11:00 – 12:00 | <i>Encuentro sobre Descentralización Con Gerardo Távara (Responsable del Área de Incidencia Política del Grupo Propuesta Ciudadana), Eduardo Ballón (Responsable del Área de Comunicaciones del Grupo Propuesta Ciudadana), Julio Díaz Palacios y Carlos Herz (directivos de Red Perú) Lugar: Hotel Country Club</i> |
| 12:30 | <i>Briefing con los Embajadores de la UE Participantes: Embajadores UE y Jefe de Delegación Lugar: Hotel Country Club</i> |
| 13:00 | <i>Almuerzo con los Embajadores de la UE Participantes: Embajadores UE y Jefe de Delegación Lugar: Hotel Country Club</i> |
| 15:00 – 16:00 | <i>Reunión con la Comisión de Pueblos Andinos, Amazónicos y Afroperuanos, Ambiente y Ecología del Congreso de la República Participantes: Carlos Cánepa La Cotera (Presidente de la Comisión de Pueblos Andinos), María Sumire (asesor) y Miembros de la Comisión Lugar: Congreso de la República</i> |
| 16:00 – 17:00 | <i>Entrevista con Primer Vice Presidente del Congreso, José Alejandro Vega Antonio Participantes: Delegación PE Lugar: Congreso de la República</i> |
| 17:30 – 18:30 | <i>Reunión con Rómulo Pizarro, Presidente Ejecutivo de DEVIDA Tema: Lucha contra la Droga (seguimiento de la visita de Pizarro a Bruselas) Srta. Liv 449-0661 anexo 305 lchacon@devida.gob.pe Lugar: DEVIDA</i> |

Martes 21 de noviembre

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| 08:00 – 08:45 | Entrevista con Sofía Macher, Presidenta del Consejo de Reparaciones de las víctimas del terrorismo <i>Lugar: Hotel Country Club</i> |
| 09:00 – 09:25 | Entrevista en Radio Programas del Perú con periodistas Raúl Vargas y Augusto Álvarez Rodrich <i>Lugar: Radio Programas del Perú. Av. Paseo de la República 3866, San Isidro (frente a la Secretaría de la Comunidad Andina)</i> <i>Participantes: Alain LIPIETZ, Jan HUDACKÝ</i> <i>Delegación CE: ES</i> |
| 10:00 – 11:00 | Entrevista con el Vice Canciller Gonzalo Gutiérrez Tema: Cumbre de Lima 2008 <i>Lugar: Palacio de Torre Tagle</i> |
| 11:30 – 12:30 | Encuentro con organizaciones de Derechos Humanos Con Pablo Rojas (Coordinadora de DDHH), Francisco Soberón (Director de APRODEH), Rosa Villarán (secretaria ejecutiva del Movimiento Ciudadano “Para que no se Repita”), Angélica Mendoza (Presidenta de la Asociación Nacional de Familiares de Secuestrados y Desaparecidos del Perú – ANFASEP) <i>Lugar: Sede Coordinadora Nacional de Derechos Humanos. (Calle Pezet y Monel (ex Tupac Amaru) 2467, Lince, Teléfono: 702-2500)</i> |
| 13:00 Almuerzo | Con Salomón Lerner Febres (ex Presidente CVR), Javier Ciurlizza (Director Ejecutivo del Instituto de Democracia y Derechos Humanos de la Universidad Católica) y Alan Fairlie (Internacionalista) <i>Lugar: Club Nacional.</i> |
| 15:00 – 15:30 | Encuentro sobre Reforma Judicial Entrevista con Instituto de Defensa Legal (IDL): Ernesto de la Jara, Hildergard Willer, Manuel Villavicencio <i>Lugar: Hotel Country Club</i> |
| 16:00 – 17:30 | Conferencia “Repensar lo político entre lo global y lo local: La contribución de la ecología política” <i>Profesor Teivo Teinoven, Director del programa de estudios sobre democracia y transformación global. Teléfonos 243-2199, 9382-9775 teivo@nigd.org</i> <i>Lugar: Ciudad Universitaria, Universidad Nacional Mayor de San Marcos</i> <i>Delegación CE: ACM, ES</i> |
| 18:00 – 19:00 | Reunión con Presidente del Consejo de Ministros, Jorge del Castillo; con la Segunda Vicepresidenta de la República, Lourdes Mendoza del Solar; y con la encargada de Prevención de Conflictos, María del Rocío Vesga <i>Lugar: Presidencia del Consejo de Ministros. Av 28 de Julio 878, Miraflores</i> <i>Participantes: Ignacio Sobrino</i> |

Miércoles 22 de noviembre

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| 08:00 – 08:50 | Entrevista para programa “La buena tierra” (Antonio Brackk –TV Perú Canal 7) <i>Lugar: Hotel Country Club</i> <i>Delegación CE: Ernesto Salazar</i> |
| 09:00 – 10:00 | Encuentro sobre Minería CONACAMI , Confederación Nacional de Comunidades del Perú Afectados por la Minería: Entrevista con Luis Enrique Riofrío, Presidente de CONACAMI; Miguel Palacín Quispe, Luis Vittor, Lieven Pype y Mario Palacios Panés, miembros de CONACAMI. <i>Lugar: Hotel Country Club</i> |
| 11:00 – 11:45 | - RED MUQUI : Situación de la actividad minera en el Perú <i>Lugar: Hotel Country Club</i> <i>Participantes: Marco Arana, Juan Aste, Yuri Cahuata y Ana Leyva.</i> |
| 11:45 – 12:30 | - FEDEPAZ : Caso de la empresa Minera Majaz. <i>Lugar: Hotel Country Club</i> <i>Participantes: Juan Aste (Grupo Andes), Ximena Warnars (Cooperación) y Paula Meza (CEAS).</i> |
| 13:00 | Almuerzo libre |
| 17:20 | <i>Viaje a Piura en vuelo de LAN Perú, LP 304</i> <i>Llegada a Piura a las 19:55</i> |

Jueves 23 de noviembre – PIURA

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| 10:00-14:00 | Visita al pueblo de Tambo Grande y el Valle de San Lorenzo (entrevista con el Alcalde Francisco Ojea: Teléfonos (073)36-8411, (073) 36-8413 y (073) 36-8277 (municipalidad), (073) 996-3751 (celular) (073) 36-8504 y (073) 36-8138 (Oficina particular) <i>Participantes: Misión PE</i> |
| 16:30 – 17:30 | Reunión con Luis Chiroque (Diócesis de Chulucanas), Eva Bolye y Lupo Canterac (Diaconía para la justicia y la Paz en Piura), Cidse Toro (Coopera-Acción) y (Propuesta Ciudadanía) <i>Lugar: Hotel Los Portales Piura</i> <i>Participantes: Misión PE</i> |
| 19:25 | <i>Retorno a Lima en vuelo de LAN Perú, LP 305</i> <i>Llegada a Lima a las 20:50</i> |

Viernes 24 de noviembre – LIMA

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| 9:00 – 10:00 | Visita a la Secretaría General de la Comunidad Andina Entrevista con Christian Espinoza, Director General de Política Comercial, para tratar futuras negociaciones UE – CAN <i>Lugar: Sede de la Secretaría General de la CAN</i> |
| 10:00 – 10:30 | Conferencia de Prensa ofrecida Por Alain Lipietz, acompañado de Emilio Menéndez del Valle <i>Lugar: Sede de la Secretaría General de la Comunidad Andina</i> <i>Participan: Prensa local e internacional</i> <i>Delegación CE: ACM, ES, LP</i> |
| 11:00 – 12:00 | Debriefing con los Embajadores de la UE |

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| | <i>Participantes: Embajadores UE y Jefe de Delegación de la Comisión Europea Lugar: Hotel Country Club Delegación CE: ACM</i> |
| Almuerzo | Libre |
| 14:00 – 14:45 | Entrevista con la Defensora del Pueblo, Beatriz Merino <i>Lugar: Sede de la Defensoría del Pueblo: Jr. Ucayali 388, Cercado de Lima. Delegación CE: ACM, Malin Ljunggren</i> |
| 15:00 – 16:00 | Reunión con Director Ejecutivo de la Agencia Peruana de Cooperación Internacional, Agustín Haya de la Torre <i>Lugar: Sede APCI, Av. José Pardo 261, Miraflores Delegación CE: ACM</i> |
| 16:15 – 16:40 | Entrevista con Ministra del Trabajo, Susana Pinilla <i>Lugar: Ministerio de Trabajo. (Av. Salaverry 655 Jesús María, 5to piso. El ingreso es por la playa de estacionamiento). Delegación CE: Ignacio Sobrino</i> |
| 20:55 | Salida a Madrid y Bruselas (vía Iberia, vuelo IB 6652) <i>Participantes: Emilio MENENDEZ del VALLE, Luis MARTINEZ GUILLEN; Raymond HERDIES</i> |

Sábado 25 de noviembre – LIMA

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| 10:20 | Salida a París (vía TACA a Caracas, vuelo TA 34) <i>Participantes: Alain LIPIETZ Delegación CE: ACM</i> |
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