

## Reflections on a visit to Peru

### Bringing community justice to poor, migrant families and communities in the Amazonian rainforest.

*In March, Adrian Hawthorn (Programme Funding Advisor) visited Peru as organiser and presenter of a 'funding workshop' for Tearfund's partners in the Andean region. This workshop outside Lima was attended by 47 partner delegates and was funded by the Dutch Government. As part of the visit Adrian spent time with Paz y Esperanza, one of Tearfund's rights focused partners.*

How do you assert human rights in remote regions such as the Amazonian rainforest of Peru? This is the question that led me to visit Moyobamba, the capital of the San Martin region of Peru. The affirmation of rights, both of the indigenous peoples and of the women and children who are seeking protection against all forms of violence, is the focus of two DFID supported projects undertaken by Paz y Esperanza, a justice focused Christian NGO. Paz y Esperanza tackles poverty through a different approach, one which primarily aims to uphold the rights of the individual. But how can such rights be realised in remote regions, such as in the Amazon?

Through my visit I discovered that the solution to this problem is about much more than seeking redress through the legal system - **it's about culture change**. The San Martin region in North Peru has seen a population growth from 110,000 to 770,000 in the last 20 years. This has been primarily caused by uprooted, young, migrant peoples who are seeking to etch out agricultural livelihoods in the rainforest, living far from urban centres. It's in these remote regions that an initiative called 'Communal Rounds' has started to flourish. Since the 1970s around seven thousand of these Communal Rounds have emerged, filling the need for an answer to the endemic violence, exclusion and intolerance.

A Communal Round consists of the elders and the land owners of an area who come together to deal with infringements of moral law, domestic violence and delinquency in their community. They draw their understanding from the Bible, traditional values and a moral code of just behaviour. Church pastors often participate in the Rounds either directly or in supportive roles. In each district there is a Round for men and a Round for women, making them more accessible and less intimidating to those who seek access. The focus is on changing attitudes and the reforming the offender. The perpetrator is seen as a valuable member of the community, one who should be confronted with the problems they have caused and through discussion with the victims of their crime ultimately restored.

A case at a village called **Carisal** illustrates the way Communal Rounds operate. Anna, a young mother of three, had lived for several years not knowing where her husband, Santos, had gone. One day Santos suddenly returned and demanded the sale of the farm land so he could leave with half the proceeds. The Rounds were asked to help as Anna didn't want to separate or sell the land. The Rounds decided the husband could leave but he could not sell the land because the children needed the food from the crops grown on the land. In addition, however, Anna was working and consequently she was not being able to give enough time to the children and this was having a harmful affect on their upbringing. The case was resolved by the Rounds

following discussions with Santos deciding to stay and support the children. Both Anna and Santos signed a commitment to the family and then publicly rededicated themselves to each other in a gathering of the community.

When I asked why the state justice system was inadequate it was explained to me that victims have to travel, at personal cost, to a town to lodge their complaint. Another visit may also be required in order to testify in court. In addition, the outcome of the state judicial system for a woman might be the imprisonment of her violent partner. However, this man may lead to the breadwinner for her family being imprisoned a detrimental outcome for the woman her family. Indeed, state justice is remote, expensive and ineffective for someone who is a poor farmer.

Amongst other aspects the project includes employment of a journalist. Radio programmes are used to portray real and imaginary situations where violent incidents are portrayed and a solution offered. Furthermore, panels of experts are used to comment on domestic violence and similar incidents reported in the news. Clearly the emphasis is on culture change. This grass roots application of a community level justice code may not be perfect but it provides a popular, accessible, free and helpful route to community justice where the focus is on rehabilitation of offenders and the change of attitudes.

Paz y Espernaza supports Communal Rounds through training 'Rounders' in the legal rights of the individual and in methods of conflict resolution. Paz y Esperanza also leads a Round Table where representatives of 25 civil society organisations work together to present government with joint proposals and ideas to further the rights of the individual within the community. This work includes sponsorship for a School in Inter Cultural Justice.

Between January and October 2010 about 5,300 cases of violence against women were reported in Moyobamba. Very few led to any convictions through the courts. Most were instead resolved through victims appealing to the Communal Rounds where solutions were brokered and the violent and abusive conduct confronted often achieving reform and reinstatement of the offender into the community.

Overall the visit made me far more aware of the isolation and vulnerability of victims of violence, exclusion and intolerance and of the strength there is in community level access to a justice code applied through local elders.

*Adrian Hawthorn*  
*March 2011*

Adrian with Communal Rounders at Shucshuyucu near Moyobanba, Peru



Adrian with Paz y Esperanza project staff in Lima