



**Australian Government**  
**Refugee Review Tribunal**

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# Country Advice

## Peru

Peru – PER39205 – Shining Path –  
Recruitment and Kidnapping of Children –  
Police Protection

5 September 2011

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**1. Does the country information indicate that Shining Path intimidates people to gain access to schools or workplaces?**

No reports were found of Shining Path<sup>1</sup> intimidating people specifically to gain access to schools or workplaces.<sup>2</sup> In 2011, however, the US Department of State noted that during 2010 Shining Path engaged in extortion and intimidation.<sup>3</sup> In 2011, the US Congressional Research Service indicated that this intimidation and extortion is concentrated in the key coca production areas<sup>4</sup> of Peru where Shining Path exercises significant control and influence over coca-farming communities. Villa El Salvador is located on the outskirts of Lima. According to this report:

Sendero Luminoso [Shining Path] has begun to re-establish its relationship with Peruvian coca growers, taxing the coca industry in its area of operation in exchange for providing coca growers protection from drug trafficking violence and ensuring fair prices for their coca crops.<sup>5</sup>

Similarly, on 17 March 2009 *New York Times* reported that testimony from villagers in the coca producing area of the Apurimac and Ene River Valley (VRAE) indicates that:

Perhaps the most notable difference between the new Shining Path and the old is the new group's relationship with the villagers, which ostensibly favors paternalism over terrorism.

The villagers refer to the guerrillas as “los tíos,” the uncles, although any familial affection is enforced by the threat of violence.

It is a volatile arrangement well understood from the highest generals to a fruit peddler like María Aucatomá, 48, who sells mangoes near the village of Machente at a spot

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<sup>1</sup> In Spanish, Shining Path is referred to as ‘Sendero Luminoso.’ Alternatively, it is known as ‘Senderista’ (i.e. ‘walkers’).

<sup>2</sup> Nature of the research conducted included a foreign language search of internet sources. Internal Tribunal databases, the CISNET database, Factiva database and publically available documents on the internet (including the Immigration and Refugee Board of Canada, European Country of Origin Information Network and Refworld) were also searched.

<sup>3</sup> US Department of State 2011, *2010 Country Reports on Human Rights Practices*, 8 April <http://www.state.gov/documents/organization/160473.pdf> - Accessed 31 August 2011

<sup>4</sup> The key coca production areas of Peru are located in the Apurimac and Ene River Valley (VRAE) and the Upper Huallaga Valley (UHV) region.

<sup>5</sup> Seelke, C.R., Wyler, L.S., Beittel, J.S. & Sullivan, M.P. 2011, ‘Latin America and the Caribbean: Illicit Drug Trafficking and U.S. Counterdrug Programs’, Congressional Research Service, 12 May <http://www.fas.org/sgp/crs/row/R41215.pdf> - Accessed 1 September 2011

marked with crosses for the three civilians and five policemen killed by the guerrillas in an ambush.

“We can live in peace,” Ms. Aucatoma said quietly, “as long as we obey the uncles.”<sup>6</sup>

The same article indicates that Shining Path intimidates those who are seen to be cooperating with the military. The article states that in the village of Rio Seco, in the VRAE region, Shining Path guerrillas abducted the village leader after accusing villagers of helping the military. According to the article, the village leader has not been seen since.<sup>7</sup>

## 2. Does the country information indicate that Shining Path was recruiting or kidnapping children in 2007 or does so presently?

### Reports of the recruitment and kidnapping of children by Shining Path in 2007

No reports were found directly linking Shining Path to recruiting or kidnapping children in 2007.<sup>8</sup> Two incidents, however, were located which indicate that Shining Path had child members in 2007, one of which details the rescue of a child who was kidnapped by Shining Path.

1. In 2011, *Dialogo*<sup>9</sup> reported that in January 2010, a nine year old boy was rescued from a Shining Path camp in the VRAE region. The article notes that the child had ‘endured more than **three** years of physical and mental torture while in **captivity**.’<sup>10</sup> Given this, it is possible that the child was kidnapped by Shining Path in 2007 or earlier.
2. In November 2010, it was widely reported that photos of Shining Path ‘child soldiers’ (taken in 2007 and 2008) were found during a raid on a suspected Shining Path unit in the VRAE region.<sup>11</sup> It is not clear, however, from these articles when

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<sup>6</sup> Romero, S. 2009, ‘Cocaine Trade Helps Rebels Reignite War in Peru’, *New York Times*, 17 March <http://www.nytimes.com/2009/03/18/world/americas/18peru.html?pagewanted=all> – Accessed 1 September 2011

<sup>7</sup> Romero, S. 2009, ‘Cocaine Trade Helps Rebels Reignite War in Peru’, *New York Times*, 17 March <http://www.nytimes.com/2009/03/18/world/americas/18peru.html?pagewanted=all> – Accessed 1 September 2011

<sup>8</sup> Nature of the research conducted included a foreign language search of internet sources. Internal Tribunal databases, the CISNET database, Factiva database and publically available documents on the internet (including the Immigration and Refugee Board of Canada, European Country of Origin Information Network and Refworld) were also searched.

<sup>9</sup> Dialogo is a military magazine published by the Commander of the United States Southern Command as an international forum for military personnel in Latin America.

<sup>10</sup> ‘The Guerrilla’s Child Armies’ 2011, *Dialogo*, [http://www.dialogo-americas.com/en\\_GB/articles/rmisa/features/viewpoint/2011/04/01/feature-13](http://www.dialogo-americas.com/en_GB/articles/rmisa/features/viewpoint/2011/04/01/feature-13) - Accessed 31 August 2011; ‘Nino Rescatado de Garras de Sendero Luminoso Sufrio Cruel Tortura’ (Child Rescued from Clutches of Cruel Torture Suffered the Shining Path) 2011, *RPP* [http://www.rpp.com.pe/2011-01-23-nino-rescatado-de-garras-de-sendero-luminoso-sufrio-cruel-tortura-noticia\\_329930.html](http://www.rpp.com.pe/2011-01-23-nino-rescatado-de-garras-de-sendero-luminoso-sufrio-cruel-tortura-noticia_329930.html) - [http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Fwww.rpp.com.pe%2F2011-01-23-nino-rescatado-de-garras-de-sendero-luminoso-sufrio-cruel-tortura-noticia\\_329930.html](http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Fwww.rpp.com.pe%2F2011-01-23-nino-rescatado-de-garras-de-sendero-luminoso-sufrio-cruel-tortura-noticia_329930.html) - Accessed 1 September 2011 Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained.

<sup>11</sup> Peru Military Finds Photos of Child Soldiers in Shining Path’ 2010, *Caretas*, Adapted from Spanish by Diana Schwalb, 23 November <http://archive.livinginperu.com/features-1779-general-peru-military-finds-photos-child-soldiers-shining-path> - Accessed 31 August 2011; ‘Peru Military Finds Photos of Child Soldiers in Shining Path’ 2010, *Caretas*, Adapted from Spanish by Diana Schwalb, 23 November <http://archive.livinginperu.com/features-1779-general-peru-military-finds-photos-child-soldiers-shining-path> - Accessed 31 August 2011

these children were recruited by Shining Path. On 23 November 2010, *Caretas*<sup>12</sup> reported that the photos showed over 50 children, aged between five and 16 years old, many posing with automatic weapons and reading manuals by Mao Tse-Tung.<sup>13</sup> Commenting on the incident in 2011, the US Department of State noted that the group of children was believed to be ‘part of a group led by Leonardo Huaman Zuniga (or “Alipio”), a notorious Shining Path leader.’<sup>14</sup>

In November 2010, *Revista Gobierno*<sup>15</sup> (translated from Spanish) noted that the children shown in the photos had been kidnapped by Shining Path in a ‘comprehensive educational effort’ to recruit, train and indoctrinate.<sup>16</sup> In 2011, the US Department of State noted ‘[i]t was thought that children such as those [shown in the photos] were sometimes kidnapped from local towns and were sometimes the children of Shining Path members.’<sup>17</sup>

### **Reports of the recruitment and kidnapping of children by Shining Path between 2008 and 2011**

One incident was found of children kidnapped by Shining Path being rescued by authorities in 2011. On 14 March 2011, *El Comercio*<sup>18</sup> and *La Republica*<sup>19</sup> reported that the Peruvian Army had rescued two children kidnapped by suspected members of Shining Path in Ayacucho, in the VRAE region.<sup>20</sup> These reports (in Spanish, accessed through Google

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<sup>12</sup> *Caretas* is a weekly Peruvian news magazine.

<sup>13</sup> ‘Peru Military Finds Photos of Child Soldiers in Shining Path’ 2010, *Caretas*, Adapted from Spanish by Diana Schwalb, 23 November <http://archive.livinginperu.com/features-1779-general-peru-military-finds-photos-child-soldiers-shining-path> - Accessed 31 August 2011

<sup>14</sup> US Department of State 2011, *2010 Country Reports on Human Rights Practices*, 8 April <http://www.state.gov/documents/organization/160473.pdf> - Accessed 31 August 2011

<sup>15</sup> *Revista Gobierno* is a news service which provides information on Peruvian and global current affairs.

<sup>16</sup> ‘Sendero Luminoso Y Los Pequeños Guerrilleros De Peru’ (Shining Path Guerrilla) 2010, *Revista Gobierno* <http://www.revistagobierno.com/portal/index.php/mundo/america-latina/2559-sendero-luminoso-y-los-pequeños-guerrilleros-de-peru.html> - <http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Fwww.revistagobierno.com%2Fportal%2Findex.php%2Fmundo%2Famerica-latina%2F2559-sendero-luminoso-y-los-pequeños-guerrilleros-de-peru.html> - Accessed 2 September. Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained.

‘Peru Military Finds Photos of Child Soldiers in Shining Path’ 2010, *Caretas*, Adapted from Spanish by Diana Schwalb, 23 November <http://archive.livinginperu.com/features-1779-general-peru-military-finds-photos-child-soldiers-shining-path> - Accessed 31 August 2011

<sup>17</sup> US Department of State 2011, *2010 Country Reports on Human Rights Practices*, 8 April <http://www.state.gov/documents/organization/160473.pdf> - Accessed 31 August 2011

<sup>18</sup> *El Comercio* is a Peruvian newspaper based in Lima.

<sup>19</sup> *La Republica* is a Peruvian newspaper based in Lima.

<sup>20</sup> ‘Ninos Secuestrados Presuntamente Por SL Fueron Rescatados’ (SL Allegedly Abducted Children were Rescued) 2011, *El Comercio*, 14 March <http://elcomercio.pe/peru/727468/noticia-dos-ninos-secuestrados-presuntamente-sendero-fueron-rescatados> - <http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Felcomercio.pe%2Fperu%2F727468%2Fnoticia-dos-ninos-secuestrados-presuntamente-sendero-fueron-rescatados> - Accessed 31 August 2011 Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained; ‘Ejercito Rescata a Ninos Secuestrados Por Sendero Luminoso’ (Army Rescues Children Abducted by the Shining Path) 2011, *La Republica*, 14 March <http://www.larepublica.pe/14-03-2011/ejercito-rescata-ninos-secuestrados-por-sendero-luminoso> - <http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Felcomercio.pe%2Fperu%2F727468%2Fnoticia-dos-ninos-secuestrados-presuntamente-sendero-fueron-rescatados> - 31 August 2011 Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained.

translation) do not clarify whether the children were kidnapped for recruitment purposes. The article in *La Republica*, quotes a General of the Peruvian Army as saying that the abduction of children by Shining Path 'is a constant in the area'.<sup>21</sup>

According to the US Department of State, during 2010 there were reports that Shining Path had 'recruited children to serve as combatants and in the illicit narcotics trade.'<sup>22</sup> On 15 August 2010, *Info Region*<sup>23</sup> reported that according to villagers of Anco, in the VRAE region, armed Shining Path rebels entered the village and kidnapped two 10 year old children to 'train as pioneers'. The same article (translated from Spanish), however, notes that police had not confirmed the villagers' version of events.<sup>24</sup> No other reports were found to corroborate this.

In 2009, footage was shown on Peruvian television of children in a Shining Path camp in the VRAE region. On 30 May 2009, *RT*<sup>25</sup> reported that the film showed a ten year old boy leading the platoon and the 'training of 17 pre-teen children armed with automatic weapons and wearing military fatigues.'<sup>26</sup> On 4 June 2009, *Info Sur Hoy*<sup>27</sup> reported the children in the film were between 'eight and 11'.<sup>28</sup> The abovementioned *RT* article indicates that recruited children participate in Shining Path attacks. For example, 'in April [2009], in an ambush on a military patrol, one of the Senderista rebels was only 11 years old.'<sup>29</sup> No information was found about when the children shown in the video were recruited and if they were kidnapped or the children of Shining Path members.<sup>30</sup>

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<sup>21</sup> 'Ejército Rescata a Niños Secuestrados Por Sendero Luminoso' (Army Rescues Children Abducted by the Shining Path) 2011, *La Republica*, 14 March <http://www.larepublica.pe/14-03-2011/ejercito-rescata-ninos-secuestrados-por-sendero-luminoso> - <http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Felcomercio.pe%2Fperu%2F727468%2Fnoticia-dos-ninos-secuestrados-presuntamente-sendero-fueron-rescatados> - 31 August 2011 Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained.

<sup>22</sup> US Department of State 2011, *2011 Trafficking in Persons Report – Peru*, 27 June <http://www.state.gov/g/tip/rls/tiprpt/2011/164233.htm> – Accessed 31 August 2011; US Department of State 2011, *2010 Country Reports on Human Rights Practices*, 8 April <http://www.state.gov/documents/organization/160473.pdf> - Accessed 31 August 2011

<sup>23</sup> Info Region is a Peruvian news service, with a particular focus on drug trafficking.

<sup>24</sup> 'Sendero Luminoso Habría Secuestrado a dos Niños en Poblado de Anco' (Shining Path have Kidnapped Two Children in the Village of Anco) 2010, *Info Region*, 15 August <http://www.inforegion.pe/portada/66942/sendero-luminoso-habria-secuestrado-a-dos-ninos-en-poblado-de-anco/> - <http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Fwww.inforegion.pe%2Fportada%2F66942%2Fsendero-luminoso-habria-secuestrado-a-dos-ninos-en-poblado-de-anco%2F> - Accessed 31 August 2011 Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained.

<sup>25</sup> RT is a television news station broadcasting in the US and Russia.

<sup>26</sup> Stibbs, J. 2010, 'Peru's Guerrillas Conscript Child Troops', *RT*, <http://rt.com/news/peru-s-guerrillas-conscript-child-troops/> - Accessed 31 August 2011

<sup>27</sup> Info Sur Hoy is a news service about Latin America and the Caribbean. It is sponsored by the US Southern Command (USSOUTHCOM).

<sup>28</sup> Bonilla, O. 2009, 'Shining Path Recruits Children as Guerrillas', *Info Sur Hoy*, 4 June [http://www.infosurhoy.com/cocoon/saii/xhtml/en\\_GB/features/saii/features/2009/06/04/feature-04](http://www.infosurhoy.com/cocoon/saii/xhtml/en_GB/features/saii/features/2009/06/04/feature-04) - Accessed 1 September 2011

<sup>29</sup> Stibbs, J. 2010, 'Peru's Guerrillas Conscript Child Troops', *RT*, <http://rt.com/news/peru-s-guerrillas-conscript-child-troops/> - Accessed 31 August 2011

<sup>30</sup> Nature of the research conducted included a foreign language search of internet sources. Internal Tribunal databases, the CISNET database, Factiva database and publically available documents on the internet (including the Immigration and Refugee Board of Canada, European Country of Origin Information Network and Refworld) were also searched.

### 3. What is the status of Shining Path now, in 2011?

Shining Path is currently active in Peru. As at 19 May 2011, Shining Path remained on the US Department of State's list of foreign terrorist organisations.<sup>31</sup> In January 2011, Jaymei Heilman<sup>32</sup> advised the Immigration and Refugee Board of Canada (IRBC) that although Shining Path has diminished in size and strength since 1992<sup>33</sup>, it continues to function, albeit in a 'significantly modified form.'<sup>34</sup> Similarly in 2009, Maureen Taft-Morales<sup>35</sup> noted that Shining Path 'appears to be growing in size and influence'.<sup>36</sup> The abovementioned advice provided by Jaymei Heilman in 2011 estimated the membership of Shining Path to be 'several hundred.'<sup>37</sup> Figures from 2009 indicate there were an estimated 200 to 800 Shining Path members at that time.<sup>38</sup>

In 2010, the US Department of State reported that Shining Path consisted of two separate rival factions: one in the Upper Huallaga Valley (UHV) and another in the VRAE region.<sup>39</sup> These interior areas are known for significant narcotics production and trafficking.<sup>40</sup> According to advice provided to the Immigration and Refugee Board of Canada (IRBC) by Gustavo Gorriti<sup>41</sup> in 2008, the two factions are 'largely hostile to each other.'<sup>42</sup>

Figure 1: Map showing the Upper Huallaga Valley and the Apurimac Ene River Valley<sup>43</sup>

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<sup>31</sup> US Department of State 2011, *Foreign Terrorist Organisations*, 19 May  
<http://www.state.gov/s/ct/rls/other/des/123085.htm> - Accessed 2 September 2011

<sup>32</sup> Jaymei Heilman is an assistant professor of Latin American history at the University of Alberta.

<sup>33</sup> The leader of Shining Path, Abimael Guzman, was captured in 1992.

<sup>34</sup> Immigration and Refugee Board of Canada 2011, *Peru: Status and Criminal Activities of the Shining Path (Sendero Luminoso); Government and Police Efforts to Address Shining Path Actions*, 17 February, Refworld website <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4e4389a32> - Accessed 31 August 2011

<sup>35</sup> According to the US Congressional Research Service, Maureen Taft-Morales is a specialist in Latin American affairs.

<sup>36</sup> Taft-Morales 2009, 'Peru: Current Conditions and U.S. Relations, Congressional Research Service, 21 July  
<http://www.fas.org/sgp/crs/row/R40716.pdf> - Accessed 31 August 2011

<sup>37</sup> Immigration and Refugee Board of Canada 2011, *Peru: Status and Criminal Activities of the Shining Path (Sendero Luminoso); Government and Police Efforts to Address Shining Path Actions*, 17 February, Refworld website <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4e4389a32> - Accessed 31 August 2011

<sup>38</sup> Taft-Morales 2009, 'Peru: Current Conditions and U.S. Relations, Congressional Research Service, 21 July  
<http://www.fas.org/sgp/crs/row/R40716.pdf> - Accessed 31 August 2011

<sup>39</sup> US Department of State 2011, *Country Reports on Terrorism 2010 – Peru*, 18 August  
<http://www.state.gov/s/ct/rls/crt/2010/170259.htm> - Accessed 31 August 2011

<sup>40</sup> US Department of State Bureau of Diplomatic Security 2010, *Peru 2010: Crime and Safety Report*,  
<https://www.osac.gov/Pages/ContentReportPDF.aspx?cid=9258> - Accessed 1 September 2011

<sup>41</sup> Gustavo Gorriti is a Peruvian journalist who has published works on Shining Path and Peruvian politics.

<sup>42</sup> Immigration and Refugee Board of Canada 2011, *Peru: Status and Criminal Activities of the Shining Path (Sendero Luminoso); Government and Police Efforts to Address Shining Path Actions*, 17 February, Refworld website  
<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4e4389a32> - Accessed 31 August 2011

<sup>43</sup> Jaskoski, A. 2009, 'Army for Rent, Terms Negotiable', *Berkeley Review*, Spring  
<http://www.clas.berkeley.edu/Publications/Review/Spring2009/pdf/BRLAS-Spring2009-Jaskoski.pdf> - Accessed 30 August 2011

## Upper Huallaga Valley (UHV)

## Apurimac and Ene River Valley (VRAE)



Sources consulted agree that both factions of Shining Path are involved in drug trafficking, drawing most of their revenue from these activities.<sup>44</sup> An article in *In Sight* from 8 August 2011, notes that Peruvian authorities believe Shining Path are ‘narco-terrorists’ whose primary aim is drug trafficking.<sup>45</sup> In March 2009, *New York Times* summarised Shining Path’s key operations as ‘protecting drug smugglers, extorting taxes from farmers and operating its own laboratories.’<sup>46</sup>

### Shining Path Activities During 2011

On 17 August 2011, *El Comercio* reported (translated from Spanish) that a group of more than 12 armed Shining Path members intercepted a group of German and American tourists in Choqueruirao, in the Cusco region. The Shining Path insurgents ordered the tourists to hand over their money and no one was harmed. The article notes that ‘the insurgents said they were never the Shining Path, who deny name [sic], but [were] members of the Communist Party of Peru. The article notes that the insurgents identified ‘Feliciano’ as the group’s leader.<sup>47</sup> Feliciano (real name, Oscar Ramirez) is one of the captured founders of Shining Path.<sup>48</sup>

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<sup>44</sup> Immigration and Refugee Board of Canada 2011, *Peru: Status and Criminal Activities of the Shining Path (Sendero Luminoso); Government and Police Efforts to Address Shining Path Actions*, 17 February, Refworld website <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4e4389a32> – Accessed 31 August 2011

<sup>45</sup> Graham, R. 2011, ‘Shining Path Still Doing Political Work, Bolivia Arrests Show’, *In Sight*, <http://insightcrime.org/insight-latest-news/item/1367-shining-path-still-doing-political-work-bolivia-arrests-show> - Accessed 1 September 2011

<sup>46</sup> Romero, S. 2009, ‘Cocaine Trade Helps Rebels Reignite War in Peru’, *New York Times*, 17 March <http://www.nytimes.com/2009/03/18/world/americas/18peru.html?pagewanted=all> – Accessed 1 September 2011

<sup>47</sup> ‘Miembros de Sendero Luminoso Habrían Atacado a Turistas en Choquequirao’ (Shining Path Members Allegedly Attacked Tourists in Choquequirao) 2011, *El Comercio*, 17 August <http://elcomercio.pe/peru/1053915/noticia-miembros-sendero-luminoso-habrian-atacado-turistas-choquequirao> -

On 8 August 2011, *In Sight* reported that four alleged Shining Path members were arrested in Bolivia after handing out ideological pamphlets in front of a public university in La Paz.<sup>49</sup> The article notes that:

The material reportedly encouraged protests against Bolivian president Evo Morales and contained language associated with the Shining Path (Sendero Luminoso) of old, including “Long live Marxism, Leninism, Maoism!” According to authorities, all four Peruvians had links to Shining Path and were attempting to recruit students to the movement, offering “apprenticeships” in Peru where students would receive training in handling weapons and explosives.<sup>50</sup>

According to an article in *Southern Pulse*<sup>51</sup> dated 5 August 2011, these arrests may indicate that political ideology remains important to some members of Shining Path, contradicting officials’ claims that the group is little more than a drug-trafficking outfit ‘hiding under the old brand name of the Shining Path.’<sup>52</sup>

On 20 July 2011, *BBC* reported that Shining Path rebels had killed two soldiers in Ayacucho province, in the VRAE area.<sup>53</sup> Similarly, on 6 June 2011 *In Sight* reported that ‘an ambush attributed to the Shining Path guerrilla group killed five soldiers’ in the VRAE region.<sup>54</sup>

**4. If people are still being harassed by Shining Path, what is the capacity of the police in Peru to provide protection and are there reports about the willingness of the police to protect people who are being harassed by Shining Path, in particular, are there reports of the police branding people who make complaints about Shining Path as being affiliated with Shining Path?**

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<http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Fwww.inforegion.pe%2Fportada%2F66942%2Fsendero-luminoso-habria-secuestrado-a-dos-ninos-en-poblado-de-anco%2Fhttp%3A%2F%2Felcomercio.pe%2Fperu%2F1053915%2Fnoticia-miembros-sendero-luminoso-habrian-atacado-turistas-choquequirao> - Accessed 1 September 2011 Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained.

<sup>48</sup> Please see: Paez, A. 2008, ‘All-Out War on Remnant of ‘Shining Path’ Guerrillas’, *IPS*, 9 May

<http://ipsnews.net/news.asp?idnews=42313> – Accessed 2 September 2011

<sup>49</sup> Graham, R. 2011, ‘Shining Path Still Doing Political Work, Bolivia Arrests Show’, *In Sight*,

<http://insightcrime.org/insight-latest-news/item/1367-shining-path-still-doing-political-work-bolivia-arrests-show> - Accessed 1 September 2011; ‘Bolivia: Cayeron Peruanos Acusados de Reclutar Para Sendero Luminoso’ (Bolivia, Peru Accused of Recruiting Fell to the Shining Path) 2011, *El Comercio*, 2 August

<http://elcomercio.pe/mundo/962886/noticia-bolivia-cayeron-peruanos-acusados-reclutar-sendero-luminoso> -

<http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Felcomercio.pe%2Fmundo%2F962886%2Fnoticia-bolivia-cayeron-peruanos-acusados-reclutar-sendero-luminoso> -

Accessed 1 September 2011 Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained.

<sup>50</sup> Graham, R. 2011, ‘Shining Path Still Doing Political Work, Bolivia Arrests Show’, *In Sight*,

<http://insightcrime.org/insight-latest-news/item/1367-shining-path-still-doing-political-work-bolivia-arrests-show> - Accessed 1 September 2011

<sup>51</sup> Southern Pulse provides intelligence services, news and information about Latin America. Its members and clients include US Government agencies, NGOs, media organisations and academics.

<sup>52</sup> ‘Is Sendero Luminoso Rekindled?’ 2011, *Southern Pulse*, 5 August

<http://southernpulse.com/CustomContentRetrieve.aspx?ID=3945794> – Accessed 1 September 2011

<sup>53</sup> ‘Shining Path Rebels ‘Kill Two Soldiers’ in Peru Jungle’ 2011, *BBC*, 20 July <http://www.bbc.co.uk/news/world-latin-america-14212293> - Accessed 31 August 2011; Sokatch, J. 2011, ‘Shining Path Kills 2 Peru Soldiers’, 21 July

<http://insightcrime.org/insight-latest-news/item/1272-shining-path-kills-2-peru-soldiers> - Accessed 31 August 2011

<sup>54</sup> Stone, H. 2011, ‘Shining Path Kills 5 Soldiers in Peru’, *In Sight*, 6 June <http://insightcrime.org/insight-latest-news/item/1041-shining-path-kills-5-soldiers-in-peru> - Accessed 31 August 2011

No information was found specifically about the capacity or willingness of the Peruvian National Police (PNP) to protect individuals being harassed by Shining Path.<sup>55</sup> Information was, however, located about the capacity of the PNP to address Shining Path activities more generally. According to the PNP's *Strategic Plan for 2007 to 2011* (translated from Spanish) a key goal of the PNP is to 'secure, maintain and restore internal order and provide protection for individuals and the community' and to 'prevent, investigate and fight crime.'<sup>56</sup> The *Country Report on Terrorism 2010 – Peru* by the US Department of State indicates that PNP have the capacity to investigate and arrest Shining Path members. According to this report, in 2010 the PNP detained over 121 suspected terrorists, including prominent Shining Path members and collaborators.<sup>57</sup>

In contrast to the above, in January 2011 Jaymei Heilman advised the Immigration and Refugee Board of Canada (IRBC) that although the police and military are involved in the Peruvian Government's efforts to fight Shining Path militants, 'the effectiveness of these forces, however, is compromised by limited state resources and by the Peruvian state's historical neglect of its highland and jungle regions.'<sup>58</sup> Heilman also notes that the effectiveness of the police and military to address Shining Path 'may be limited by corruption' and that 'several national and international observers have alleged that members of Peru's military have cooperated with drug traffickers.'<sup>59</sup> Similarly, in 2010 the US Department of State noted that during 2009, the PNP lacked staff, training and professionalism and that issues such as 'corruption and impunity' remained problems.<sup>60</sup> In a survey conducted by the Peruvian branch of Transparency International<sup>61</sup> in 2010, 45 per cent of respondents identified the police as a corrupt institution.<sup>62</sup>

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<sup>55</sup> Nature of the research conducted included a foreign language search of internet sources. Internal Tribunal databases, the CISNET database, Factiva database and publically available documents on the internet (including the Immigration and Refugee Board of Canada, European Country of Origin Information Network and Refworld) were also searched.

<sup>56</sup> 'Plan Estratégico 2007-2011 De La Policia Nacional Del Peru' (Peruvian National Police Strategic Plan 2007-2011) 2007 [http://www.pnp.gob.pe/transparencia/PLAN%20ESTRATEGICO%20INSTITUCIONAL%202007-2011/PE\\_PNP\\_2007\\_2011.pdf](http://www.pnp.gob.pe/transparencia/PLAN%20ESTRATEGICO%20INSTITUCIONAL%202007-2011/PE_PNP_2007_2011.pdf) – [http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Fwww.pnp.gob.pe%2Ftransparencia%2FPLAN%2520ESTRATEGICO%2520INSTITUCIONAL%25202007-2011%2FPE\\_PNP\\_2007\\_2011.pdf](http://translate.google.com/translate?sl=es&tl=en&js=n&prev=t&hl=en&ie=UTF-8&layout=2&eotf=1&u=http%3A%2F%2Fwww.pnp.gob.pe%2Ftransparencia%2FPLAN%2520ESTRATEGICO%2520INSTITUCIONAL%25202007-2011%2FPE_PNP_2007_2011.pdf) - Accessed 2 September 2011 Please note: Google translations can often be poor and can contain errors – as such they give only a rough indication of the contents of a document. For any further reliance on this information, a professional translation should be obtained.

<sup>57</sup> US Department of State 2011, *Country Reports on Terrorism 2010 – Peru*, 18 August <http://www.state.gov/s/ct/rls/crt/2010/170259.htm> – Accessed 31 August 2011

<sup>58</sup> Immigration and Refugee Board of Canada 2011, *Peru: Status and Criminal Activities of the Shining Path (Sendero Luminoso); Government and Police Efforts to Address Shining Path Actions*, 17 February, Refworld website <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4e4389a32> – Accessed 31 August 2011

<sup>59</sup> Immigration and Refugee Board of Canada 2011, *Peru: Status and Criminal Activities of the Shining Path (Sendero Luminoso); Government and Police Efforts to Address Shining Path Actions*, 17 February, Refworld website <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4e4389a32> – Accessed 31 August 2011

<sup>60</sup> US Department of State 2010, *Country Reports on Human Rights Practices for 2009*, 11 March <http://www.state.gov/g/drl/rls/hrrpt/2009/wha/136123.htm> - Accessed 2 September 2011

<sup>61</sup> Transparency International is an international organisation which aims to promote transparency in elections, public administration, procurement and business.

<sup>62</sup> Immigration and Refugee Board of Canada 2011, *Peru: Status and Criminal Activities of the Shining Path (Sendero Luminoso); Government and Police Efforts to Address Shining Path Actions*, 17 February, Refworld website <http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=printdoc&docid=4e4389a32> – Accessed 31 August 2011



No direct reports were found of police branding people who made complaints about Shining Path as being affiliated with Shining Path.<sup>63</sup> One report was found in the *New York Times* from 17 March 2009, however, which indicates that coca-farmers may be labelled as ‘subversives’ by the military. The article quotes a coca farmer in Rio Seco in the VRAE area as saying ‘[t]hey [the military] called us subversives and they opened fire’, killing four people.<sup>64</sup> Two children, aged one and six, also disappeared and are believed dead. The same article also quotes a coca farmer from Nueva Esperanza in the VRAE region as saying ‘[t]he soldiers think we are all terrorists, and with that idea they believe they can destroy anything that moves.’<sup>65</sup>

**5. Is there any country information regarding whether drugs traders are recruiting or kidnapping Peruvians, or children in particular?**

No reports were found of groups linked to drug trafficking (other than Shining Path) kidnapping or recruiting Peruvians, including children.<sup>66</sup> As stated at question three, Shining Path is a key drug trading organisation and is considered by Peruvian authorities to be ‘narco-terrorists.’<sup>67</sup> On this basis, the reports of recruitment and kidnapping of children by Shining Path stated at question two, are evidence that drug traders undertake these activities in Peru. In addition to these reports, in 2010, the US Department of State stated that Shining Path had recruited children as ‘drug mules’. Similarly, in 2008 the International Crisis Group noted:

As controls have made it more difficult to use cars and trucks to deliver big quantities [of drugs] to the coast, traffickers are relying on human couriers (*mochileros*), **young people** who carry five to fifteen kgs [sic] of cocaine by foot along ancient Inca trails that cross the passes of the high Andes.<sup>68</sup>

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<sup>63</sup> Nature of the research conducted included a foreign language search of internet sources. Internal Tribunal databases, the CISNET database, Factiva database and publically available documents on the internet (including the Immigration and Refugee Board of Canada, European Country of Origin Information Network and Refworld) were also searched.

<sup>64</sup> Romero, S. 2009, ‘Cocaine Trade Helps Rebels Reignite War in Peru’, *New York Times*, 17 March <http://www.nytimes.com/2009/03/18/world/americas/18peru.html?pagewanted=all> – Accessed 1 September 2011

<sup>65</sup> Romero, S. 2009, ‘Cocaine Trade Helps Rebels Reignite War in Peru’, *New York Times*, 17 March <http://www.nytimes.com/2009/03/18/world/americas/18peru.html?pagewanted=all> – Accessed 1 September 2011

<sup>66</sup> Nature of the research conducted included a foreign language search of internet sources. Internal Tribunal databases, the CISNET database, Factiva database and publically available documents on the internet (including the Immigration and Refugee Board of Canada, European Country of Origin Information Network and Refworld) were also searched.

<sup>67</sup> Graham, R. 2011, ‘Shining Path Still Doing Political Work, Bolivia Arrests Show’, *In Sight*, <http://insightcrime.org/insight-latest-news/item/1367-shining-path-still-doing-political-work-bolivia-arrests-show> - Accessed 1 September 2011

<sup>68</sup> International Crisis Group 2008, *Latin American Drugs 1: Losing the Fight: Latin America Report No. 25*, 14 March <http://www.crisisgroup.org/en/regions/latin-america-caribbean/025-latin-american-drugs-i-losing-the-fight.aspx> - Accessed 1 September 2011

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