



DEPARTMENT OF DEFENSE

US MILITARY ASSISTANCE AND ADVISORY GROUP, PERU
APO Miami AA 34031

DAJA-IO

21 April 1993

Totally Outstanding!

MEMORANDUM THRU COL VALENZUELA, MAAG PERU

FOR COL HALL, SJA CINCSOUTH

SUBJECT: After Action Report: Peruvian Human Rights Training Project

1. Phase Six of the Peruvian Human Rights Training Project, which began in August 1992, has been completed. Using CINCSOUTH initiative funds (10 USC 166a), Major Jeffrey F. Addicott, International and Operational Law Division, Office of The Judge Advocate General, and Major Andrew M. Warner, International and Operational Law Division, The Judge Advocate General's School Army developed and executed a plan to institutionalize human rights training in the Peruvian military and police. The focus of this program was to: (1) develop a human rights curriculum in the form of a basic handbook for the military and police; (2) train a cadre of Peruvian instructors in a comprehensive human rights Program of Instruction (POI); and (3) obtain a commitment from the Peruvian Joint Staff to make human rights training based on the standard human rights handbook mandatory for all of its forces, to include the police.

2. The Peru initiative is now in the sixth phase.

a. Phase I: Formulating a Joint Concept Plan.

(1) In 1991 the former SOUTHCOM Staff Judge Advocate (SJA), and two Army judge advocates from the Office of The Judge Advocate General, participated in a subject matter exchange with their Peruvian counterparts. Findings from the exchange suggested follow-on meetings would be highly productive as individuals in the two systems could learn much from one another. In the summer of 1992, the current SOUTHCOM SJA, Colonel Warren Hall and the Chief, Military Assistance and Advisory Group (MAAG) Peru, Colonel Alfred Valenzuela, decided the time was right to expand the initiative. The U.S. could benefit from the Peruvians who had been involved in a lengthy low-intensity conflict (including counterinsurgency, counterterrorism, and counterdrug efforts), and the Peruvians could benefit from the Army JAG approach to teaching human rights to soldiers.

(2) The first step was a site survey in Peru to assess requirements, resources, and capabilities. In August 1992, Majors Warner and Addicott traveled to Lima, Peru to discuss the overall human rights situation with Peruvian judge advocates and government officials. While the Peruvians expressed a desire to

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receive human rights instruction, there was no standardized methodology to teach human rights to soldiers, and there was no military legal facility designed or equipped to train Peruvian judge advocates and commanders in human rights.

(3) Human rights training needed to be institutionalized so that it would be clear that all Peruvian soldiers received at least the basic acceptable international standards. Then, if violations occurred, it would be the fault of particular individuals, not the government or a systemic problem that soldiers were not being told what was expected. Additionally, meaningful human rights training would assist with discipline among the ranks in the field, and would allow soldiers to cope better with the terrorist threat.

(4) Furthermore, by institutionalizing this training, human rights instruction would be a continuous requirement for all soldiers. It was apparent that sending a U.S. mobile training team to Latin America with a mandate for a "one shot" course on human rights would be inadequate. Cultural, language, and social barriers suggested that training Peruvian instructors, "training the trainers," stood the best chance for success. This would not only provide the Peruvian military with a permanent training capability, but send what would become a Peruvian message to a Peruvian audience.

(5) After extensive meetings with representatives from each of the Peruvian services, including The Judge Advocate General of the Peruvian Army, we agreed upon a joint concept plan. First, Peruvian judge advocates from each of the services would travel to the U.S. At the U.S. Army's Judge Advocate General's School (TJAGSA) they would learn about human rights and humanitarian law, they would develop lesson plans to teach these subjects in Peru, and TJAGSA instructors would ensure that these judge advocates could deliver effective classes. Then, U.S. Army judge advocates would travel to Peru to assist the Peruvians in teaching initial human rights classes to Peruvian military and civilian leaders. Next, the Peruvians would develop lesson plans for their junior enlisted soldiers and NCO's, as well as separate plans to train other Peruvian judge advocates. Finally, the Peruvians would conduct countrywide training sessions for their deployed soldiers and commit to continue such training.

b. Phase II: Developing a General Curriculum and Forming a Cadre of Peruvian Instructors.

(1) Six Peruvian military judge advocates, three from the Army, two from the Navy, and one from the Air Force traveled

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to TJAGSA in Charlottesville, Virginia for a 2-week period in October/November 1992. TJAGSA is the home of the U.S. Army's JAG Regiment, a state of the art legal training center located on the grounds of the University of Virginia.

(2) The purpose of this working relationship was twofold. First, the Peruvians received help in developing a comprehensive human rights training program of instruction (POI) for a broad-based Peruvian audience. A Spanish language deskbook was developed. It includes human rights law, law of armed conflict, international law, criminal investigations, and key documents in these areas. The second purpose was to train the Peruvians how to teach such classes effectively. By doing so, we hoped that these officers would be the nucleus of a permanent pool of Peruvian instructors who would then teach human rights throughout their armed forces.

c. Phase III: Generating Interest for Human Rights Training.

(1) The third phase of the plan took place from 15-19 December 1992. The Peruvian instructors used the human rights deskbook developed at TJAGSA (Phase II) to provide a 4-day human rights training course in Lima, Peru. The course was taught by the same Peruvian judge advocates who attended Phase II, along with two U.S. Army judge advocates and one U.S. Air Force Reserve judge advocate (fluent in Spanish).

(2) Approximately 50 participants, consisting of field commander designees, their judge advocates, and senior government officials from the Departments of Justice, Human Rights, and the Ministry of the Interior attended this "pre-command" type course. Attendees were selected by the Peruvian leadership so as to effect the greatest impact in the shortest time. For example, command designees who were taking commands in the Emergency Zones were selected. The objective of this phase was two-fold: to provide human rights instruction to senior military commanders and government officials, as well as subject the Peruvian trainers to their "baptism by fire" in presenting these materials to a live audience of their peers.

(3) Five Peruvian instructors led the course, which consisted of platform instruction and seminars. They did an outstanding job in presenting the material to the participants and in tending to the logistics of the conference. Without exception, they quickly took charge of the various seminars wherein the participants were divided into five "joint" groups. The Peruvian instructors then led individual group discussions.

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The Peruvian instructors clearly demonstrated their capacity to teach the material, and they showed a strong desire to conduct subsequent human rights training.

(4) As for the audience, all attendees actively participated in the course and seminars. They engaged in the question and answer sessions, and most notably, they carried on animated discussions following the daily classes. The overwhelming acceptance of the instruction indicated that the Peruvians had a genuine interest in human rights issues. Of particular interest to the participants were the reporting and investigating requirements of alleged human rights abuses.

(5) The closing ceremony was an extremely formal occasion, complete with pomp and circumstance, roll call presentation of diplomas, and a formal dining-in afterwards. In attendance at the Ceremonies were the senior officials from the Ministry of Defense, Ministry of the Interior, Department of Justice, the Police Department, and the U.S. Charge' d' Affairs.

d. Phase IV: Developing a Human Rights Handbook.

(1) Prompted by the success of the Phase III course, the Peruvians expressed a strong interest in developing separate programs of instruction for both the Peruvian military at large, and for the Peruvian legal officers. Peruvian judge advocates were tasked to help develop these a POI over the next two months.

(2) In February 1993, two Peruvian judge advocates returned to TJAGSA. Working with U.S. Army judge advocates, the TJAGSA staff (namely computer and audio-visual experts), and several Spanish speaking Air Force Reserve judge advocates, the Peruvians produced a quality Spanish handbook entitled "Ten Commandments of Human Rights" (copies enclosed: encl 1 - Spanish; encl 2 - English). Because many enlisted soldiers in the Peruvian Army cannot read, the "Ten Commandments of Human Rights" (hereinafter, "Ten Commandments") relies heavily on drawings and visual aids. They also produced outlines geared to teaching Peruvian judge advocates the particulars of trying terrorist and treason cases in the Emergency Zones.

(3) While there has been some human rights instruction and guidance by the Peruvian military in the past, it has been inconsistent. By emphasizing the adoption of a uniform text such as the "Ten Commandments," we sought a coherent, consistent approach to human rights training throughout the Peruvian military. "Ten Commandments" stress adherence to the rule of law, civilian control of the military, and the military's role in

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a democratic society. In conjunction with the handbook, the development of human rights and the relation of human rights with the law of war are taught by the trained instructors. Finally, the following "bottom line" conclusions are explained: the rights and responsibilities of individuals in a democratic society; the duties of soldiers, commanders, police, and other government officials in relation to human rights; and the accepted standards of human rights in the world.

(4) With the creation of the deskbook, the handbook, the Peruvian judge advocate outlines, and a cadre of Peruvian instructors, the Peruvian armed forces have the tools to begin the process to institutionalize human rights training into their military.

e. Phase V: Human Rights Training in the Field.

(1) Phase five of the plan took place from 15-23 March 1993 and consisted of two main thrusts. First, Majors Warner and Addicott delivered 2,500 copies of the "Ten Commandments" to the Peruvian military and observed as Peruvian judge advocates presented human rights courses based on the handbook to military audiences in Lima and in Pucallpa. Pucallpa is the headquarters for the largest emergency zones, Ucayali. Second, the MAAG PERU, Colonel Valenzuela, and Majors Addicott and Warner held extensive meetings with the top Peruvian military officials to ensure that human rights training based on the "Ten Commandments" is institutionalized.

(2) With the superb guidance and personal involvement of Colonel Valenzuela, the following approach was taken to gain support for the institutionalization of the handbook throughout the Peruvian military. An "attack by echelon" to cover all the top Peruvian officials gave the most promise for success. First, we met and got assurances from General Nicolas Hermoza, the Commanding General of the Peruvian Army and Chairman, Armed Forces Joint Command, that he fully supported the idea of using the "Ten Commandments" as the standard text for training human rights throughout the Peruvian Army. Then, we met and got similar assurances from the Chief of Staff of the Armed Forces Joint Command, that such a handbook would be disseminated to all branches of the military. We also held two detailed meetings with the Commanding General of the Instruction and Doctrine Command who assured us that the "Ten Commandments" would become their standard for human rights training.

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(3) Finally, agreement was reached on bringing all appropriate parties together to engage in a "fine-tuning" of the "Ten Commandments" handbook. This "fine-tuning" was led by the Peruvian doctrine experts and with Majors Warner and Addicott included representatives of the MAAG PERU, the Peruvian Joint Staff and the Peruvian JAG Corps.

f. Phase VI: Obtaining Approval from the Joint Staff for Handbook.

(1) On 15 April 1993, Major Addicott returned to Lima to continue the final drafting and approval process for the human rights handbook. On 19 April 1993, the final draft of the second edition was completed (encl. 3) and approved for use in the Peruvian military and police by Major General Jose Cabrejos, the Chief of Staff of the Peruvian Joint Staff (encl. 4). The title of the approved version of the handbook has been changed to the "Ten Commandments for the Forces of Order." This approval was directed by General Hermoza.

(2) On 21 April 1993, Major General Cabrejos authorized the printing and distribution of 50,000 copies of the "Ten Commandments for the Forces of Order" (encl. 5). Major General Cabrejos also authorized that a limited number of copies be made in English.

(3) The printing of the handbook will be done in Lima, Peru and paid for by CINC funds. The Peruvian Joint Command agreed that they would print future copies of the handbook as a function of their budget. Major Addicott has personally inspected the final draft of the approved handbook and approved the proposed layout, paper quality, and color. The MAAG PERU will proof the "ready to print" copy before it goes to press. In addition, arrangements are being made to transfer the funds from SOUTHCOM through MAAG PERU to the vendor. Total cost for this should be about \$13,000.

(4) The Peruvian Joint Staff anticipates that distribution of the "Ten Commandments for the Forces of Order" to the appropriate schools and commands for instruction and dissemination will begin in early June 1993. Numerous high level meetings with appropriate Peruvian officials have taken place during phase six to ensure that the process of dissemination reflects a true institutionalization of the handbook. We must continue to track this process.

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(5) Major Addicott entered into discussions with the Joint Staff about the logistics of tracking the distribution and instruction of the "Ten Commandments for the Forces of Order." Ideally, this should be accomplished through a computerized program. While the Peruvian's endorsed the idea, and even agreed to provide quarterly reports to the MAAG on the progress of human rights training and associated human rights "problems," they indicated that with limited supplies they would not be able to function properly without a computer. Without making any promises as to the ability of SOUTHCOM to fund the purchase of a "human rights" computer, Major Addicott asked that the Peruvian Joint Staff submit their proposal in writing to CINCSOUTH through the MAAG.

3. The apparent success of the program in Peru must be tempered by the fact that human rights training can only be effective to the degree that it is inculcated into the psyche of the military. At a minimum, the Peruvians now have a primary standardized human rights handbook developed "by Peruvians for Peruvians." However, the Peruvians must continue the effort by issuing a specific requirement that all Peruvian soldiers receive this human rights training on a regular basis. If the Peruvian military is successful in coming years, the success will be due to their commitment to continuing to teach to their soldiers the human rights materials that they now have in their hands.

4. The logistical, administrative, and personnel requirements of this effort have been tremendous. Without the hard work of numerous individuals to include Commander Ken White, Acting MAAG PERU, and Lieutenant Colonel Dayrl Sechrest, Deputy SJA, SOUTHCOM, the effort would not have succeeded. We know, however, that the concept works and works well.

5. We strongly recommend the following:

(a) The assurances that we received up and down the line to make the approved "Ten Commandments for the Forces of Order" the standard instructional textbook for all soldiers in the Peruvian military and police officers must be encouraged. To this end, we must continue to engage the Peruvian high command, through all available channels, to emphasize orders and regulations requiring all soldiers and police officers to receive regular (at least annual) training based directly on the "Ten Commandments for the Forces of Order."

(b) The tracking of the distribution and the instruction of human rights training based on the "Ten Commandments for the Forces of Order" is absolutely critical. If the Joint Staff

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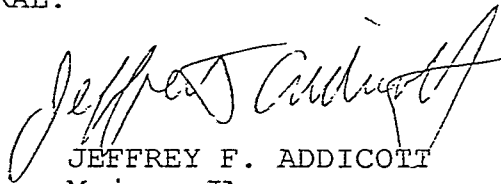
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commits in writing to using a SOUTHCOM purchased computer to do this, we recommend that CINCSOUTH dedicate the funds to purchase a computer for this specific purpose. This computer could provide MAAG with an excellent human rights link.

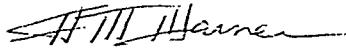
(c) A follow on trip in June 1993 should be made to observe classes in selected sites in Peru that are based on the "Ten Commandments for the Forces of Order." Another "spot" trip might be advisable in the fall. In all events, continuing contacts with the Peruvian military must be maintained by the MAAG PERU and SOUTHCOM.

FOR THE JUDGE ADVOCATE GENERAL:

5 Encls



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