

PERU

History of crimes against people and the environment

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In the first four months of 2017, severe floods isolated hundreds of Peruvian towns, leaving thousands of families homeless and destroying over 100 bridges (many of them already faulty), especially along the Northern coast: Tumbes, Piura, Chiclayo, Trujillo, Huarney. The waters have swept away bridges and roads. In the cities of Piura and Trujillo the main squares were flooded.

A national tragedy

The figures reported by the National Emergency Operations Center (COEN) as of 15 April, 2017 are: 1,010,208 people affected from December 2016 to April 12, together with 221,761 damaged houses. The Amazon, Marañón, Ucayali and Napo rivers, in the Amazon region, are under red alert because owing to a critical level of flow and danger of overflow.

With the exception of the Amazon jungle (actually a green desert because of its poor soil quality), Peru is practically a desert along the coast while land on the slopes of the Andes is extremely difficult to cultivate. Since the beginning of the 20th century, rich families used the better lands, those that had permanent water sources, to build their mansions and set up their haciendas. This practice was started when Peru was a colony of Spain. Before that, the Incas settled on the slopes of the Andes, because they knew that the low areas were dangerous and infested with mosquitoes.

In the most important cities, the colonialists and their successors diverted the ancient natural waterways, the streams that flowed from the Andes to the sea on the coast and the irrigated waters in Lima, the capital. When the population grew, they appropriated the valleys, already partly covered by cement, and threw the poor

into the deserts of Lima, Trujillo, Chiclayo and Piura, the principal cities of the coast.

Peru in the 19th century was connected by railways. When the gasoline and automobile monopolies entered the country, the government of the pro-American financier Augusto Leguía (1919 – 1930) abandoned the railroads and opened motorways for cars only on the coast. The long-distance shipping service that connected the ports of the long Peruvian coast for the transportation of passengers and cargo was abandoned. The tram lines and electric vehicles of Lima were abandoned or destroyed to favour bus company monopolies. The entire transportation system was centered on narrow, poorly paved highways constructed by corrupt contractors. These roads link only the main cities with ports for export of products by mining and other large enterprises, but most provinces and districts where small farmers live and produce along with poor inhabitants have only bad and dangerous neighbourhood roads.

At the same time, mayors and other government officials began selling state lands in the hills, mountains and on river banks. Dictators such as Manuel Odría (1948-1956) and seemingly democratic politicians such as Fernando Belaunde, Alan García and Alejandro Toledo (1980 - 2010) tolerated and motivated the land sales that their agents and operators carried out to obtain votes.

In 1980, the first decision by the democratic government of President Fernando Belaunde, which succeeded the military governments of Velasco (1968-1975) and Morales Bermúdez (1975-1979), was to close down the National Office for Slums, created by the 1968 military revolution to plan urban development.

Lima and other cities again grew in a disorderly way.

Belaunde and Prime Minister Manuel Ulloa Elias, who was also Minister of Finance (despite ties to the financial world), initiated a Legislative Decree to divide the lands of the huge production cooperatives that had been organized through agrarian reform. As the cooperatives were parceled out and acquired by agitators and land speculators, individual peasants occupied the shores of rivers; in order to grow crops they demolished the natural defenses of carob and cane fields that channeled the waters naturally.

In 1985, an enormous project to reforest the Andes with native trees --supported by Dutch funding -- was halted and eventually abandoned. Another decree abolished the protection of the arable land surrounding Lima in order to give access to urbanization companies and land speculators. The chaotic process of urbanization increased as the massive deforestation of the Amazon was undertaken, together with massive mining projects that poisoned the waters. Even illegal mining was tolerated despite the resulting mercury pollution in surrounding rivers.

In 2001 President Valentín Paniagua suspended the Marca II project to bring water directly from the Andean lagoons to Lima through a tunnel, arguing that it was unnecessary. In 2004, Pedro Pablo Kuczynski, the current President, again suspended the initiative when he was Economic Minister under President Toledo. The Ministry of Economy and Finance (MEF) rejected a US\$ 32 million loan from the Japanese Bank for International Cooperation (JBIC) for the project. Only US\$32 million were needed for Marca II, or Marca Pomacocha II, to capture and derive the waters of Huallacocha Bajo and Pomacocha lagoons to the Atarjea Purification Plant in Lima. Had this work been done in 2004, Lima with its 10 million inhabitants would not have run out of water in the summer of 2017.

A World Bank survey in 2005 reported that toxic materials used in mining activities (such as cadmium and mercury) are not properly disposed of.¹ A 2001 study by the Ministry of Health indicated that 23.5 percent of the population studied in the city of Trujillo and the Department of Liberty have levels of cadmium in the blood that exceed international standards.²

Water temperatures in Peru warmed by two degrees more than usual in the first months of 2017. A World Bank report had shown back in 2007 that the ice caps of the Andean mountains were disappearing.³ By early spring, Peruvian peaks had already lost their snow. At the same time the hole in the ozone layer grew larger, reaching almost half of the atmosphere over the national territory. The Andes and the Altiplano region are the two places in the world where the sun's radiation is most intense.⁴ The levels of ultraviolet radiation in Lima, Arequipa, Huancayo, Puno and the cities of the Southern plateau reached 20 points in 2016 (the maximum possible in the Ultraviolet Radiation Index).

As a result, rain, which should be a blessing, is a curse in Peru. People are told it is a natural disaster and generally believe that. But in reality it is a crime organized by the land speculators to profit and enrich themselves. The reconstruction that will follow the great disaster of 2017 will lead to new large corporations in the reconstruction of highways, railroads and bridges that will fail again or be halted or delayed due to the poor quality of construction that is the result of contracting out to private companies whose practice is to make profits by lowering costs.

1 Banco Mundial. Reporte Riqueza y Sostenibilidad: Dimensiones Sociales y Ambientales de la Minería en el Perú. Lima, 2005.

2 Dirección General de Saneamiento Ambiental DIGESA 2001.

3 Banco Mundial, Región de América Latina y el Caribe, Unidad de Desarrollo Sostenible. Análisis ambiental del Perú, retos para un desarrollo sostenible. Perú, mayo 2007.

4 CORA Rolando. Radiación ultravioleta B. Vulnerabilidad y riesgos en el verano. Lima: Ministerio del Ambiente. Dirección General de Investigación y Asuntos Ambientales.

According to the World Bank, damage to the environment has an economic cost of 3.9 percent of gross domestic product (GDP), and mainly affects the poorest populations.

Since 1990 government has adopted a variety of measures resulting in a chaotic system of laws and underfunded institutions that compete with each other and overlap in terms of functions. For example, Chapter XII of the National Code for the Environment and Natural Resources, enacted in 1990, contains standards for the management of natural resources and the National Environment Council (CONAM) was established in 1994 as a coordinating body for environmental policy. Other legal instruments range from those covering forests and biodiversity to the regulation of sectoral activities and the integration of a national environmental system.

However, there is tenacious resistance by those who argue that environmental regulation is an obstacle to economic growth and corporate profits. Thus in 1991, Chapter XII of the Code was abolished to approve the Framework Law for the Growth of Private Investment that dismembered environmental management among sectoral ministries. Peru does not have an independent agency or planning system that defines environmental priorities and resources.

In 1992, the Natural Resources Office (ONERN) was transformed into the National Institute of Natural Resources (INRENA). INRENA manages public forests, soils and water resources and biodiversity through three municipalities and supports the expansion of an irrigation infrastructure operated by the Water Users' Boards.

The National System for Protected Natural Areas (SINANPE) comprises 60 areas covering 19 million hectares, 14.8 percent of the total area of the country. Biodiversity is regulated by the Convention on Biological Diversity, ratified in 1993, and the Law on the Conservation and Sustainable Use of Biological Diversity adopted in 1997. The Fund for Natural Protected Areas (PROFONANPE), established in 1992, channels US \$ 90.6 million annually to support conservation efforts. But the Department of Protected Areas has been unable to spend PROFONANPE funds efficiently because there is no systematic mechanism for identifying priorities nor any political will to spend.

The Energy and Mines sector and the ministries of Production, Transportation and Communications, Housing, Construction and Sanitation also have environmental units. In 2001, a National Environmental Impact Assessment System was approved but to date has no specific regulations. Most of the above entities have insufficient resources or are donor-dependent.