Recipients Versus Participants: Politics of Aid and Victim Representation in Transitional Justice Practices in Peru

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Mijke de Waardt & Eva Willems

ABSTRACT

This article examines how features of international development cooperation are reproduced within international networks of stakeholders in transitional justice (TJ) processes aimed at seeking redress for victims of mass atrocities. To answer this question, the authors analyze interactions between survivors of the Peruvian internal armed conflict and (inter)national development and human rights NGOs involved in the TJ process. The article identifies four features of international development cooperation and scrutinizes the respective ways in which they challenge the reciprocal linkages between NGOs and victim-groups in post-conflict settings: asymmetrical relationships, ephemeral agenda-setting processes, paternalism, and socio-geographical concentration of development interventions. We show how these four features influence representations of victimhood as well as the extent to which survivors can formulate their demands and priorities.

I. INTRODUCTION

Since the late twentieth century, transitional justice (TJ) has been the dominant paradigm for dealing with the legacies of mass violence in post-conflict and post-dictatorial societies. By now, TJ's initial focus on accountability and victims' civil and political rights has broadened, opening up to economic,

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social and cultural rights.[1] Next to punitive justice, its toolkit includes a wide range of strategies concerning social, restorative, transformative, and distributive justice.[2] Scholars such as Rama Mani, Pablo de Greiff, and Roger Duthie have, in this respect, emphasized the link between TJ and development objectives in post-conflict societies.[3]

While they are mostly considered as separate fields, TJ and development share conceptual and ideological underpinnings based on human rights and humanitarianism, as well as policy agendas within overlapping international donor support chains, and intersecting domestic networks of non-state actors in post-conflict societies.[4] In contexts where governments are unlikely to support civil society organizations advocating for recognition of and redress for human rights violations, technical, moral, and financial support of international donors plays an important role in their continued existence.[5]

Despite the close links between the two fields of study and practice, scholarly debates have been mainly centered around normative assumptions about how TJ's end goals can be best connected to development objectives. Only few empirical studies have focused on the intersecting networks of TJ and development actors in the implementation of post-conflict justice efforts, mostly by shedding light on the international financing of large operations such as war crime tribunals and truth commissions.[6] To discern how priorities are defined in post-conflict processes and in what ways victims' demands are integrated in this agenda,[7] a better empirical understanding of the features that characterize the collaborations between different (inter) national nongovernmental actors involved in TJ efforts is therefore necessary.

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1. Lars Waldorf, *Anticipating the Past: Transitional Justice and Socio-Economic Wrongs*, 21 Soc. & Legal Stud. 171 (2012).
2. Paul Gready & Simon Robins, *From Transitional to Transformative Justice: A New Agenda for Practice*, 8 Int'l J. Trans'l Just. 339 (2014); Wendy Lambourne, *Transitional Justice and Peacebuilding After Mass Violence*, 3 Int'l J. Trans'l Just. 28 (2009).
3. Pablo De Greiff & Roger Duthie, International Center for Transnational Justice, Transitional justice and development: making connections (2009); Rama Mani, *Dilemmas of Expanding Transitional Justice, or Forging the Nexus Between Transitional Justice and Development*, 2 Int'l J. Trans'l Just. 253 (2008).
4. Jemima García-Godos, *Victims' Rights and Distributive Justice: In Search of Actors*, 14 Hum. Rts Rev. 241 (2013).
5. Transitional Justice, International Assistance, and Civil Society: Missed Connections, (Paige Arthur & Christalla Yakinthou eds., 1st ed. 2018).
6. *Id.*; Barbara Oomen, *Donor-Driven Justice and its Discontents: The Case of Rwanda*, 36 Dev. & Change 887 (2005); Tazreena Sajjad, *Heavy Hands, Helping Hands, Holding Hands: The Politics of Exclusion in Victims' Networks in Nepal*, 10 Int'l J. Trans'l Just. 25 (2016).
7. Kieran McEvoy & Lorna McGregor, Transitional Justice from Below: Grassroots Activism and the Struggle for Change (2008); Simon Robins, *Whose Voices? Understanding Victims' Needs in Transition: Nepali Voices: Perceptions of Truth, Justice, Reconciliation, Reparations and the Transition in Nepal by the International Centre for Transitional Justice and the Advocacy Forum, March 2008*, 1 J. Hum. Rts. Prac. 320 (2009); Rosalind Shaw, Lars Waldorf & Pierre Hazan, Localizing Transitional Justice: Interventions and Priorities After Mass Violence (2010); Kimberly Theidon, Intimate Enemies: Violence and Reconciliation in Peru (2012).

This article investigates this nexus by building on conceptualizations regarding the practices of international development cooperation. It scrutinizes how features of international development cooperation are reproduced within international networks of stakeholders in TJ processes aimed at seeking redress for victims of mass atrocities. More precisely, it analyzes the relations and interactions between survivors of the Peruvian internal armed conflict—many of whom are organized in victim-groups (i.e. membership peer-support associations and community organizations in villages where atrocities took place)—on the one hand, and (inter)national development and human rights NGOs involved in the TJ process on the other. The article's central concern is how "the wider politics of aid and political economy of development"[8] underlying these interactions affect the ways in which victimhood and victims' needs are represented, and how they influence the extent to which survivors are able to articulate their concerns and priorities in the aftermath of violent conflict.

Additionally, by identifying how the politics of aid are reproduced within networks of stakeholders in TJ processes, we contribute to ongoing debates on victim participation. During the past decade, as a response to criticism on TJ as being too top-down and legalistic, bottom-up and victim-centered approaches have become a central concern of TJ research and practice.[9] Nonetheless, to achieve a modality of participation that goes "beyond victims' mere presence" as consultees, or as the ones who share their testimonies, research has demonstrated that TJ processes should build upon existing structures of organization and decision making among survivors.[10] Instead of imposing ready-made frameworks on victim groups, which instigate an instrumental and therefore less sustainable form of participation, it is the grassroots organizational structures of survivors that should direct the content and design of TJ measures in order to make them more responsive. This article contributes to a better understanding of the opportunities and limitations of broadening such victim participation in TJ efforts, by analyzing how politics of aid that are at play in these international networks of stakeholders in TJ processes facilitate and control the representation of victimhood and victims' demands.

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8. Anthony Bebbington, *NGOs and Uneven Development: Geographies of Development Intervention*, 28 Progress in Hum. Geog. 725, 738 (2004).
9. García-Godos, *supra* note 4; Lisa J. Laplante, *Just Repair*, 48 Cornell Int'l L. J. 513 (2015); Eva Ottendoerfer, *Translating Victims' "Right to Reparations" into Practice: A Framework for Assessing the Implementation of Reparations Programs from a Bottom-Up Perspective*, 40 Hum. Rts. Q. 905 (2018); Ralph Sprenkels, Impunity Watch, 'Restricted Access': Promises and Pitfalls of Victim Participation in Transitional Justice Mechanisms: A Comparative Perspective (Habib Nassar ed., 2017).
10. Mijke de Waardt & Sanne Weber, *Beyond Victims' Mere Presence: An Empirical Analysis of Victim Participation in Transitional Justice in Colombia*, 11 J. Hum. Rts. Prac. 209 (2019).

The findings in this article are based on ethnographic research with survivors of the Peruvian internal armed conflict in both urban and rural settings in two successive studies carried out between 2008 and 2020. Methods included: (1) semi-structured interviews and follow-up conversations with victims, their representatives and civil society stakeholders; (2) focus group discussions; and, (3) participant observation. The first study was conducted in the cities of Lima, Ayacucho, and Huancayo over a time span of twenty months between 2008 and 2013. Sixty-five in-depth semi-structured interviews were conducted with members of three different victims' associations (i.e., of unjustly detained persons; of family members of disappeared persons; and of internally displaced persons) and thirty-five interviews with employees of nongovernmental organizations (NGOs) belonging to the network of these victims' associations. The second study was carried out with victims in rural conflict-affected communities in both the highlands of the Ayacucho region (provinces of Victor Fajardo and Huancasancos) and the subtropical forest areas of the Valley of the Rivers Apurímac, Ene, and Mantaro (VRAEM, provinces of La Mar, Huanta, La Convención and Satipo) over a time span of twenty months between 2014 and 2018. This resulted in 185 semi-structured interviews with survivors (both members and non-members of victims' associations).

All interviews were recorded and transcribed as the fieldwork was in progress and stored in encrypted computer files to ensure the anonymity and safety of research participants. Subsequently, the data was analyzed by identifying relevant features of text fragments and establishing inter-relationships among codes using qualitative data analysis software tools. Besides the interviews, the authors conducted participant observation during meetings and activities organized by victims' associations and NGOs, as well as during TJ practices such as commemorative events, exhumations of mass graves, and restitution ceremonies.

In what follows, we set out by portraying the mutual relationships between NGOs and victim-groups in the context of TJ practices. We argue that mechanisms of representation and appropriation of victimhood underlie these relationships. Next, we discuss the constitution of Peruvian civil society over the last decades. Then, we proceed to identify four features of international development cooperation and scrutinize the respective ways in which they challenge the reciprocal linkages between NGOs and victim-groups in post-conflict settings: asymmetrical relationships, ephemeral agenda-setting processes, paternalism, and socio-geographical concentration of development interventions. Based on the empirical data from the Peruvian case, we show how these four features influence representations of victimhood as well as the extent to which survivors can formulate their demands and priorities. The article concludes with a general reflection on the effects of politics of aid on the possibilities of domestic civil society actors to set the

agenda in post-conflict settings. We argue that the abovementioned features of international development cooperation contribute to the disintegration rather than the unification of civil society and can obstruct possibilities for genuine victim participation.

II.   NGOS, VICTIM-GROUPS, AND VICTIMHOOD REPRESENTATION

Even though victim-groups and NGOs are both civil society actors, one should not confuse them with one another. If we follow Edwards and Hulme's distinction of NGOs and grassroots organizations, NGOs are private, non-profit, non-voluntary organizations that provide assistance to disadvantaged societal groups, with the aim to improve the quality of life of these groups.[11] Yet, NGOs are the local agents, but also those who mediate the transfer of funds from—mostly international—donors to targeted recipients.[12] They are thus the intermediary organizations within the contexts of the international networks of stakeholders in TJ processes aimed at seeking redress for victims of mass atrocities.

Victim-groups, on the other hand, are grassroots-organizations based on voluntary engagement. They are run by people whose interests are represented by peer-support or community organizations, typically in a village where an atrocity took place. Victim-groups might also be the recipients of aid, but their contacts with international donors in the development and human rights chains are primarily channeled through NGOs. The latter means that, in many cases, a complex relation of interdependency arises between NGOs and victim-groups, especially in a context where national governments are adversarial to civil society activism that advocates for the recognition of past human rights violations. In order to realize their advocacy work, victim-groups find support through funds or projects obtained by NGOs.[13] At the same time, these funds serve the continued existence of the NGOs that form alliances with victim-groups. The degree to which NGOs can successfully raise funds from international donors for projects related to seeking redress for past human rights violations, then, depends on the extent to which they can successfully claim to represent victim-groups and their demands. As will be demonstrated in this article, strategies of appropriation

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11.   Michael Edwards & David Hulme, NGO *Performance and Accountability: Introduction and Overview, in* Non-Governmental Organisations. Performance and Accountability: Beyond the Magic Bullet 3 (Michael Edwards & David Hulme eds., 1995).

12.   Kees Biekart, The Politics of Civil Society Building: European Private Aid Agencies and Democratic Transitions in Central America (1999); Tina Wallace, Lisa Bornstein & Jennifer Chapman, The Aid Chain: Coercion and Commitment in Development NGOs (2007).

13.   These findings are embedded in our empirical research. For more background on victim organizations in Peru, see: Mijke de Waardt, *Do Victims Only Cry? Victim-Survivors and Their Grassroots Organizations in Peru* (2012).

of victimhood applied by both survivors and NGOs play an important role in this representation.

The representation of victimhood is a topic under scrutiny in different studies. The term "ideal victim" was coined by Nils Christie to refer to "a person or a category of individuals who—when hit by crime—most readily are given the complete and legitimate status of being a victim."[14] To be recognized, survivors tend to be reduced to certain characteristics that make up their victim identity, and these properties become preconditions to be entitled to certain rights.[15] Didier Fassin and Richard Rechtman have argued that, under the influence of the rise of trauma theory, human rights discourse and humanitarianism in the post-World War II period, experiences of suffering and the requirement of being innocent have become central to define who is entitled to victimhood and can make claims for redress in the aftermath of mass violence.[16] Erica Bouris identifies innocence, and by extension purity, lack of responsibility, the absence of guilt, and moral superiority as key characteristics of the "ideal victim" in post-conflict settings.[17] The image of the innocent victim contrasted with that of the vicious perpetrator facilitates empathy with the former and their claim for justice, and is therefore often instrumentalized by NGOs for fundraising or advocacy purposes.[18] Tshepo Madlingozi has criticized this instrumentalization by pointing to the disempowering effects of what he calls the "production" of "ideal victims" by TJ actors.[19] At the same time, however, the extent to which victim-groups can find legal, political, and social recognition is influenced by their self-identification with the condition of victimhood, as well as the degree to which they are identified as victims by others.[20]

In the empirical sections below, we discuss different aspects of the ways in which representations of victimhood are facilitated and controlled in Peru, as well as the contentious issues that can be recognized in these representations. Such an understanding of representation does not only probe the *relations* between the representatives and the represented, it also includes the *images* that are generated through and within these relationships. This occurs by paying attention to the ways in which victimhood and victims are depicted within international networks of stakeholders in TJ processes.

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14.   Nils Christie, *The Ideal Victim, in* From Crime Policy to Victim Policy: Reorienting the Justice System 17, 18 (Ezzat A. Fattah ed., 1986).

15.   *Id.*

16.   Didier Fassin & Richard Rechtman, The Empire of Trauma: An Inquiry Into the Condition of Victimhood (Rachel Gomme trans., Princeton Univ. Press 2009) (2007).

17.   Erica Bouris, Complex Political Victims 35 (2007).

18.   See *id.* at 39.

19.   Tshepo Madlingozi, *On Transitional Justice Entrepreneurs and the Production of Victims*, 2 J. Hum. Rts. Prac. 208 (2010).

20.   Mijke de Waardt, *Naming and Shaming Victims: The Semantics of Victimhood*, 10 Int'l J. Trans'l Just. 432 (2016).

III. CIVIL SOCIETY IN PERU

Between 1980 and 2000, Peru was shattered by an internal armed conflict fought between the Maoist guerrillas of the Shining Path (*Sendero Luminoso,* a splinter group of the Communist Party of Peru), the Túpac Amaru Revolutionary Movement (MRTA), the Peruvian state forces and civil self-defense militias.[21] Against the background of this internal armed conflict, President Alberto Fujimori—who had been elected democratically in 1990—installed a dictatorial regime between 1992 and 2000 by closing down the parliament and violently silencing political opponents under the guise of a war on terror.[22]

After the crackdown of the Fujimori regime in 2000, a Truth and Reconciliation Commission (TRC) was installed under the pressure of civil society to investigate the events of twenty years of internal armed conflict and nine years of dictatorship.[23] The final report of the TRC—based on, among other sources, 16,000 testimonies of victims—estimated that at least 69,280 Peruvians had been killed or disappeared between 1980 and 2000.[24] The native language of 75 percent of the victims was Quechua or another indigenous language.[25] Forty percent of the victims fell in the rural region of Ayacucho, one of Peru's poorest regions.[26] These numbers made clear that ethnic, cultural, and socio-economic factors played a key role in the presence and dissemination of violence.[27] The work of the TRC furthermore resulted in the implementation of a reparation program providing material compensations on both an individual and collective level (*Plan Integral de Reparaciones,* PIR), the opening of a victim register (*Registro Único de Víctimas*, RUV) and several policies related to the exhumation of mass graves and the search for disappeared persons.[28]

Victim-groups, especially internally displaced persons (IDPs) and family members of the disappeared, already started to organize as grassroots-associations during the early years of the conflict. Apart from the moral and practical support members gave one another, they developed initiatives that aimed to bring about changes in policies, law, and public opinion in order

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21. Carlos Iván Degregori, Qué difícil es ser Dios. El Partido Comunista del Perú—Sendero Luminoso y el conflicto armado interno en el Perú: 1980-1999 (2013); Shining and Other Paths: War and Society in Peru, 1980-1995 (Steve J. Stern ed.,1998).
22. Jo-Marie Burt, Violencia y autoritarismo en el Perú: Bajo la Sombra de Sendero y la dictadura de Fujimori 25-26 (2011).
23. *Id.* at 24-25.
24. Comisión de la Verdad y Reconciliación, *Informe Final* (Lima, 2003), https://www.cverdad. org.pe/ifinal/ [https://perma.cc/2EAD-SVMV].
25. *Id.*
26. *Id.*
27. *Id.*
28. García-Godos, *supra* note 4.

to raise awareness and obtain recognition.[29] After the end of the armed conflict, the victim testimony-based truth-telling project of the TRC raised the general expectations for reparations and stimulated survivors to identify with the victim categories proposed by the TRC and the PIR. In many cases, it prompted survivors to organize alongside these lines.[30] By the end of the mandate of the TRC in 2003, at least 200 victims' associations existed.[31] This number rapidly increased during the following years with the opening of the RUV and the start of individual reparation payments.[32] For communities who wanted to claim collective reparations, organizing themselves in a victims' association was a precondition for being able to apply.[33] By 2012, the number of victims' associations was estimated by administrators of human rights organizations and employees of public bodies to exceed 400.[34]

The nature of these associations differs widely in the scope of their activities (i.e. local, regional, or national), the frequency of meetings held, the nature of the subjects discussed during these meetings (i.e. basic needs and services, informative workshops, advocacy work, commemorative activities, etc.), the profile of their members (e.g. in terms of socio-economic background), the meeting venue, and the amount of moral, technical, and financial support they receive from NGOs. The organization of victims' associations in Peru is moreover marked by a strong difference between rural and urban contexts. Rural associations, of which most members are peasants who are tied to their work on the land, typically have limited time and resources. Traveling to the regional capitals or to Lima to participate in activities implies spending money and time.

The existence of organized victim-groups can be linked to a longer tradition of grassroots activism in Peru that dates back to the 1960s and 1970s.[35] A strong belief in social transformation, the increasing number of academically trained social scientists, and new social demands of growing numbers of grassroots-groups living in recently founded neighborhoods on the outskirts of large cities characterized the *zeitgeist*.[36] An increasing number of NGOs

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29. Mijke de Waardt, *The Politics of Victimhood at the Grassroots Level: Inclusion and Exclusion Among Peruvian Victim Organisations, in* The Politics of Victimhood in Post-Conflict Societies 133 (Vincent Druliolle & Rodney Brett eds, 2018).

30. Hortensia Muñoz, *Human Rights and Social Referents: The Construction of New Sensibilities, in* Shining and Other Paths, *supra* note 21, at 447, 448.

31. OXFAM-GB, *Mapeo de las Organizaciones de Afectadas por la Violencia Política en el Perú* (2004) (on file with authors).

32. Rebecca K. Root, Transitional Justice in Peru 91 (2012).

33. *Id.*

34. Personal communication of author 1 with administrators of human rights organizations, Lima, (2012).

35. Mijke de Waardt & Annelou Ypeij, *Peruvian Grassroots Organizations in Times of Violence and Peace. Between Economic Solidarity, Participatory Democracy, and Feminism*, 28 Voluntas 1249 (2017).

36. *Id.*

emerged with agendas focused mainly on poverty relief and legal support for victims of human rights violations committed by state forces.[37] During the 1980s (i.e. the first decade of the internal armed conflict), the number of both human rights and development NGOs increased exponentially as the result of a discontinuation of state-run social projects and an increase in human rights violations committed by state forces, guerrilla movements, and armed civilians.[38]

Apart from these domestic circumstances, international processes also incited the entanglement of national and international human rights and development cooperation networks in Peru.[39] During the 1980s and 1990s, development cooperation became increasingly organized around "neoliberal economics" and "liberal democratic theory," which resulted in governments channeling official aid to and through private aid agencies (i.e. (inter)national NGO's) instead of resorting to bilateral or multilateral cooperation.[40] NGOs came to be seen as the intermediary between donors in the "Global North" and disadvantaged sectors of the population in the "Global South."[41] This resulted in the expansion of budgets to support NGOs in many countries in the "South."[42] In Peru, however, this happened in a context where NGOs were confronting the government with incontrovertible evidence of human rights violations and hence held a tense relationship with the state.[43] This dynamic of channeling funds directly from international donors to domestic NGOs fostered an atmosphere of competition and mutual suspicion which further complicated the relationship between both entities, with the government trying to control these funds through various measures.[44]

Although the majority of victim-groups emerged as grassroots-organizations, national and international NGOs thus played—and in some cases continue to play—an active role in supporting their claims. Especially in the heat of the conflict, the activities of emerging victim-groups were often viewed with suspicion by both the state and the guerrillas, and could prove dangerous for those involved.[45] To protect themselves, victim-groups

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37. Javier Avila, *Los Dilemas del Desarrollo: Antropología y Promoción en el Perú*, *in* No hay País más Diverso: Compendio de Antropología Peruana (Carlos Iván Degregori ed., 2000); Mario Padrón, Las Organizaciones No Gubernamentales de Desarrollo en el Perú (1998); Stern, *supra* note 21; Eduardo Toche, ONG, enemigos imaginados (1st ed. 2003).
38. Padrón, *supra* note 37.
39. *Id.*
40. Non-Governmental Organisations: Performance and Accountability Beyond the Magic Bullet (Michael Edwards & David Hulme eds., 1995).
41 *Id.*
42. Padrón, *supra* note 37, at 46.
43. Non-Governmental Organisations, *supra* note 40.
44. Aldo Panfichi & Mariana Alvarado, *Desconfianza y Control: Organizaciones no Gubernamentales y Política en el Perú*, *in* Usos, Abusos y Desafíos de la Sociedad Civil en América Latina 153, 185 (Bernardo Sorj & Sergio Fausto eds., 2009); Toche, *supra* note 37.
45. Eva Willems, *Open Secrets & Hidden Heroes: Violence, Citizenship and Transitional Justice in (Post-)Conflict Peru,* Ph.D., Ghent University 142 (2020).

established connections with domestic NGOs, who started documenting human rights violations by collecting denouncements from victims.[46] As both victim-groups and NGOs were under constant attack from the several parties in the conflict, they moreover increasingly resorted to international support networks of NGOs and intergovernmental bodies.[47]

During and in the years following the mandate of the TRC, Peru became an international laboratory for the design and implementation of TJ interventions: the TRC was labelled as one of the five most successful worldwide due to its high budget and broad mandate[48] and was the first in Latin America to hold public hearings and to take into account sexual violence.[49] The PIR was directly inspired by UN Special Rapporteur Pablo de Greiff's holistic interpretation of reparations and formed an important precedent for international standards established by the International Center for Transitional Justice.[50] The increase in international donor support for projects related to dealing with the legacies of past human rights violations in Peru stimulated domestic development and human rights NGOs to tailor their work to the objectives of the ongoing TJ project and maintain firm alliances with victim-groups.[51]

Through these alliances, victim-groups developed "repertoires of contention" [52] based on a global rights discourse in order to request Peruvian authorities and society to recognize the violations of their rights. While these associations generally did not resort to human rights discourse at the time of their creation,[53] they gradually adopted its vocabulary during the course of their struggle. Their collaboration with NGOs facilitated this transformation. NGOs organized workshops for members of victim-groups about constitutional, civil, and human rights; they took survivors' cases to national and international courts by providing legal assistance and disseminating information regarding the case proceedings; and they raised awareness about human rights violations among the general public. Consequently, victims fulfilled an important function for the work of NGOs: victims supplied NGOs with testimonies of human rights violations committed during the internal armed conflict, and provided a cause to raise international funds for. The organized efforts of victim-groups furthermore allowed NGOs to reach potential target-groups more efficiently for their projects.

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46. Coletta Youngers, *En busca de la verdad y la justicia. La Coordinadora Nacional de Derechos Humanos del Perú* (2007) on file with authors.
47. Willems, *supra* note 45, at 144; Mijke de Waardt, *Survivor Associations Negotiating for Recognition in Post-Conflict Peru*, Ph.D., Vrije Universiteit Amsterdam 95-96 (2014).
48. Priscilla B. Hayner, Unspeakable Truths: Transitional Justice and the Challenge of Truth Commissions 36 (2011).
49. Pascha Bueno-Hansen, Feminist and Human Rights Struggles in Peru: Decolonizing Transitional Justice 53 (2015).
50. De Greiff & Duthie, Int'l Ctr. for Trans'l Just., *supra* note 3.
51. De Waardt, *supra* note 13, at 72.
52. Charles Tilly, Stories, Identities, and Political Change (2002).
53. Julie Guillerot & Lisa Magarell, Reparación en la Transición Peruana: Memorias de un Proceso Inacabado (2006).

While acknowledging the importance of the role of NGOs in supporting victims' demands, the examination here focuses on how features embedded in the wider politics of aid affect victims' representation and claim-making in post-conflict Peru, and, by extension, in other post-conflict settings with similar dynamics.

IV.   ASYMMETRICAL RELATIONSHIPS WITHIN INTERNATIONAL NETWORKS OF STAKEHOLDERS

A first important component of the politics of aid is the asymmetrical relationship between donors in the "Global North" and NGOs in the "Global South" that characterizes the international networks of stakeholders in TJ processes, with money and decision-making power being concentrated in the hands of the former.[54] At the end of the 1990s, a development NGO in Huancayo that maintained strong contacts with the studied victim organization in that city, became seen by its Dutch donor as an organization whose main focus was no longer on issues related to the internal armed conflict.[55] The NGO became identified by the donor as an organization that supported agriculture.[56] The CEO of the NGO in Huancayo commented how this identification influenced the agenda of the organization:

> As a result, we no longer developed projects related to displaced persons or other victims of the conflict. We needed to distance ourselves from this, and now we work more on other issues, like production, issues related to promotion of agriculture, micro-enterprise, anti-corruption campaigns.[57]

These events are unmistakably the result of a specific type of organizational cooperation, the so-called "partnerships."[58] Worldwide, partnerships have assumed a key role in channeling aid since the late 1980s.[59] In comparison to Northern NGOs, Southern NGOs were expected to have more knowledge about the daily realities of disadvantaged sectors of the

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54. *See, e.g.*, Oomen, *supra* note 6.
55. Interview of Author 1 with CEO of development NGO in Huancayo, Huancayo (June 5, 2010).
56. *Id.*
57. *Id.*
58. Michael Edwards, David Hulme & Tina Wallace, *NGOs in a Global Future: Marrying Local Delivery to Worldwide Leverage*, 19 Pub. Admin. & Dev. 117 (1999); Alan F. Fowler, *Authentic NGDO Partnerships in the New Policy Agenda for International Aid: Dead End or Light Ahead?*, 29 Dev. & Change 137 (1999); Sarah Lister, *The Consultation Practice of Northern NGOs: A Study of British Organizations in Guatemala*, 13 J. Int'l Dev. 1071 (2001).
59. These partnerships are not chosen at random. Bebbington demonstrates that networks between Dutch and Southern organizations reflect previous forms and instances of aid and personal relationships among professionals. See also the section in the present article about socio-geographical concentration. Bebbington, *supra* note 8, at 735.

population in the South, and to have more access to these groups.[60] Northern NGOs were assumed to have more "knowhow" about managing projects, which they were supposed to pass on to their partners in the South through "capacity-building."[61] The logic went that, in the long run, partnerships would promote sustainability of and local ownership over development projects.[62] While NGOs in the North need the Southern partners as their *raison d'être*, the Southern NGOs need their Northern counterparts because the latter have access to the increasingly scarce financial recourses of donors or because they themselves are the donors.[63] This interdependence of a partnership seems to imply equality of the partners, while in practice it sustains asymmetrical power relations between Northern and Southern NGOs.[64] Typically, the Southern partner is financially dependent on the Northern one, which means that the latter has more leverage and decision-making power, a phenomenon that Aldo Panfichi and Mariana Alvarado call "colonizing the sources."[65]

This asymmetrical relationship between Northern and Southern NGOs influences the linkages between Southern NGOs and grassroots organizations, such as victim-groups. In the case of the Huancayo-based NGO, its agenda and selection of target groups depended on decisions of its Northern partner. These decisions not only resulted in the ending of the formal connection between this NGO and victim-groups, but also led to displaced persons and their associations no longer being represented within the international networks of stakeholders in TJ processes. Since IDPs were connected to the international network through the intermediary of a victims' association—which is no longer considered as a target group due to the unilateral rebranding of a Southern NGO by its Northern donor—they are left in the lurch.

Next to this unilateral rebranding of the work of Southern NGOs that results from asymmetrical relationships between partners, competition arises among various Southern partners of Northern NGOs. This competition has negative effects on the relationships between Peruvian NGOs, and by extension between NGOs and victim-groups. Southern NGOs need to comply with the stringent conditions of their Northern counterparts that examine resource allocation in order to assess their performance.[66] Through technical tools such as log-frames, donors require NGOs to design, monitor, and evaluate desirable and expected outcomes of projects in order to attain general development objectives in the long-term (e.g., strengthening justice

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60. *Id.*
61. *Id.*
62. *Id.*
63. *Id.*
64. *Id.*
65. Panfichi & Alvarado, *supra* note 44, at 178.
66. Lisa Bornstein, *Management Standards and Development Practice in the South African aid Chain*, 23 Pub. Admin. Dev. 393 (2003).

and democracy) and hold their Southern counterparts "accountable."[67] These objectives are then expressed in terms of manageable, measurable, and verifiable indicators of progress that are expected to shed light on the organization's specific contribution to the development outcomes. This happens despite the fact that many processes are too complicated to be handled by individual organizations, or to be divided into discrete steps. Some of the CEOs of NGOs, as well as development specialists argued that, because of this "bureaucratization," a gap arises between the Northern NGOs' focus on single indexes of progress, and the reality on the ground dealt with by Southern NGOs.[68] Also to be considered are the effects of the fact that domestic NGOs replicate one another's efforts or implement the same kind of activities with the same target groups.[69] "This need for a presence 'where the action is' sometimes leads to envy and competition among NGOs as a result of their parallel efforts to acquire greater social recognition and, thus, ensure the external financing required by such a presence."[70]

The following interview with an administrator of a human rights NGO illustrates the effects that this competition among domestic NGOs has on their relationships with victim-groups:

> Administrator: The idea was that we worked with the victims' associations. But every NGO had a different methodology, a different way to enter the associations. So, in many cases we received a lot of criticism from victims about our work, and sometimes we duplicated or triplicated our efforts with the same association, the same issues. So, it was a mess. [. . .] It is very difficult because each NGO responds to its own partner [donor in the global North] and in the context of what they have pursued as a project, and each one needs to show the results obtained by their own [organisation]. Thus, you don't really see it as a process in which various actors take part, in which we could work together through an alliance. [. . .] The victims criticize us, because they feel used. I think that we need to make certain changes in the way we work.[71]

The importance the administrator attaches to the negative effects of an administrative structure that is designed to measure the progress of "partners" is striking. This process of impact assessment and ensuing competition hinders cooperation among various Southern NGOs with similar objectives, resulting instead in fragmentation, tensions, and conflicts among them.[72] The conversation with the administrator about the negative effects of the administrative structure on their work also reflects the feelings of victim-

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67.   Avila, *supra* note 37, at 432.
68.   Interview of author 1 with NGO personnel in Lima, Huancayo, and Ayacucho (2009, 2010, 2011).
69.   *Id*.
70.   Luis Pásara & Nina Delpino, La otra Cara de la Luna: Nuevos Actores Sociales en el Perú 158 (1991); Edwards, Hulme, & Wallace, *supra* note 58, at 131.
71.   Interview of author 1 with administrator of a human rights NGO (Dec. 15, 2009).
72.   *See* Panfichi & Alvarado, *supra* note 44, at 178.

groups that they are being used. The typical project-based logic gives the impression to victim-groups that they are only contacted by NGOs when the latter need to implement or monitor the effects of activities. A member of the victims' association in Huancayo echoed this sentiment when saying that "[t]he NGOs make a lot of reports that help them, not us."[73] Another member of the same association stated: "We will always need support. So, NGOs are necessary. But the bad thing about NGOs is that they always ask a lot, promise a lot, but in the end they change nothing."[74] An administrator of a development NGO described what he saw as a clear and observable effect of the logic and ensuing competition in development cooperation:

> People go briefly to some town or city to get a donor's approval for a project. They go back to the place to do the activities, and then they go back home. Nothing is really developed in the long-term. This is dangerous, criminal, perverse. It is not about people anymore, but about winning a project. [. . .] You constantly need to check the project-criteria, not whether you are doing good for the people.[75]

This competition may result in domestic NGOs losing sight of two constitutive elements of their work: the broader objectives that they, as civil society organizations, are pursuing (i.e., instead of those of single projects), and their relationship with grassroots movements to jointly pressure the state to fulfil its responsibilities to its citizens.

Finally, asymmetrical relationships between Northern donors and Southern NGOs contribute to the perpetuation of domestic NGOs' intermediary role as representatives of victims. There are relatively few direct relationships between Northern donors and victim-groups. Members of the victims' association in Huancayo indicated that the lack of such direct relationships hampers their activities:

> The assistance of foreign NGOs should come directly, without intermediaries. It should support us directly. I'm afraid that if an NGO in Peru acts as an intermediary, the support will never get to us.[76]

This weakening of the representation of survivors does not facilitate their recognition nor encourage the latent potential of victim groups. Asymmetrical partnerships and the resulting unilateral rebranding of Southern partners and their activity-agenda and target-groups, competition between domestic NGOs, and mediated representation of victims all cast serious

73. Interview of author 1 with member of the victims' association in Huancayo, Huancayo (May 20, 2010).
74. Interview of author 1 with member of the victims' association in Huancayo, Huancayo (Apr. 21, 2010).
75. Interview of author 1 with administrator of a development NGO, Lima (Oct. 28, 2011).
76. Focus group of author 1 with members of the victims' association in Huancayo, Huancayo (Nov. 11, 2010).

doubts not only on the efficacy of the prevailing relationship between NGOs and victim-groups, but also on the veracity with which victims are depicted within international networks of stakeholders in TJ processes.

V.   EPHEMERAL AGENDA-SETTING PROCESSES

The asymmetrical relationships described above are reproduced in the agenda-setting processes within international development cooperation. Modifications in the agendas of donors and NGOs challenge the recipro-cal linkages between victim-groups and NGOs as these changing priorities influence whether and how survivors are represented within the international networks of stakeholders in TJ processes and in civil society. The ephemeral nature of target-groups, topics, and timing of interventions are the main defining variables for these agenda-setting processes.[77]

First, in line with human rights discourse, NGOs apply a normative concept of victimhood to identify the "ideal victims" who qualify as po-tential beneficiaries of their interventions in post-conflict settings.[78] In Peru, the extent to which certain categories of victims were identified as target-groups changed over time. For example, while the fate of IDPs or unjustly detained persons was still high on the agenda of NGOs during the conflict, the emphasis during the post-conflict period shifted in line with the most important TJ mechanisms that were being implemented on recommendation of the TRC.[79] Relatives of disappeared persons involved in the search for their loved ones, and victims who were considered eligible for individual monetary compensations provided by the reparation program (i.e. relatives who lost a direct family member and victims of rape), became the main target-groups of projects and collaborations, often at the expense of the representation of other victims such as (mostly male) victims of (sexual) torture, extrajudicial detention, and forced recruitment.[80] In one of the communities studied, several interviewees identifying with the latter categories of victimization stated that they felt "abandoned," hereby expressing their exclusion from TJ-related interventions.[81]

Second, the priorities of NGOs in terms of the activities they support frequently change as a function not only of the needs within the societies where they operate, but also as a result of the priority-setting processes of donors which are driven by political and economic motives next to humani-

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77.   These findings are embedded in our empirical research.
78.   Willems, *supra* note 45, at 116; Madlingozi, *supra* note 19, at 213.
79.   de Waardt, *Naming and Shaming Victims, supra* note 13.
80.   Willems, *supra* note 45, at 319.
81.   Interviews of author 2 with members of victims' association in rural community in Ayacucho, (Nov. 17, 2015, Nov. 18, 2015).

tarian ones.[82] This means that, every so often, new themes may suddenly emerge as the central focus of interventions, only to subsequently vanish shortly after as the result of new development "fashions."[83] Thomas Carroll, Denise Humphreys, and Martin Scurrah concluded that, in Peru, some NGOs select their target groups on the basis of available funds from foreign donors, and not on the basis of their experience or expertise with certain groups.[84]

In terms of this article, this means that the activities NGOs have engaged in (or not) on behalf of victims of the internal armed conflict may reflect donor priorities more than victims' needs. A clear example of such a donor "fashion" in post-conflict contexts is the focus on commemorative projects that start from the assumption that remembrance of a violent past leads to recognition for victims and prevention for future generations. In Peru, such commemorative projects—rooted in the *"Nie Wieder"* or "Never Again" idea—have been an important focus of donors such as the German Development Cooperation Agency.[85] While these projects can play an important role in giving visibility to survivors, the symbolic value of recognition in the form of memory does not always correspond to victims' needs. This is especially true in societies where victims face deeply rooted inequalities, where their needs revolve around socio-economic justice and the material improvement of living conditions.[86] A tension over these priorities arose during a meeting between a human rights NGO and a victim-group in Ayacucho about the organization of an event to commemorate a massacre committed by the army.[87] Whereas the victim-group wanted to seize the occasion to denounce the defective water supply in their village in front of the government officials attending the ceremony, the NGO representative stressed the importance of demanding official apologies and drawing the attention to the construction of a memorial site.[88]

Third, in addition to the fact that these donor fashions influence agenda-setting processes, changes to the agenda are also contingent on the short-term nature of the activities of many NGOs, which in turn is a result of the logic to fund programs within limited time frames. As early as 1991, scholars pointed out that NGO projects in Peru typically lasted between one and

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82. Lydia Kapiriri, *Priority Setting in Low Income Countries: The Roles and Legitimacy of Development Assistance Partners*, 5 Pub. Health Ethics 67, 77 (2012); Arturo Escobar, Encountering Development: The Making And Unmaking of the Third World (2012); James Ferguson, The Anti-Politics Machine: "Development," Depoliticization, and Bureaucratic Power in Lesotho (1994).
83. Avila, *supra* note 37.
84. Thomas Carroll, Denise Humphreys & Martin J. Scurrah, *Grassroots Support Organisations in Peru*, 1 Dev. in Prac. 97 (1991); Teobaldo Pinzas, Partners or Contractors?: The Relationship Between Official Agencies and NGOs (1997).
85. Willems, *supra* note 45, at 167.
86. *Id*. at 107.
87. Observation of author 2 during meeting between human rights NGO and victim-group, Ayacucho (Feb. 28, 2015).
88. *Id*.

three years.[89] This short-term character of activities was criticized by many NGO administrators and victims who were interviewed for this study. One member of the victims' association in Huancayo commented:

> It is good that there are NGOs, but the bad thing is that they are not permanent. The NGOs come, do their project, earn their salaries, and then they go. That does not help us.[90]

A professional affiliate of the victims' association in Ayacucho discussed the problems they were experiencing with the maintenance of the building of the Memory Museum of the association, an initiative funded by the German Development Cooperation during a certain period of time:

> Their policy is to work for only four years, and even during these years the support decreased, including economic support. They said that the support should be like this because the organisation needs to learn to be self-sustaining. Unfortunately, most organisations are not self-sustaining. So when the support is removed, they can't function. [The victims' association] is sustainable in the sense that it still survives. But it has no financial resources.[91]

Since long-term core funding arrangements between Northern donors and Southern NGOs based on operating costs are virtually non-existent, similar arrangements between Southern NGOs and grassroots organizations are impossible. Consequently, the representation of victims' risks becoming subject to the ephemeral project logic of aid interventions. At the same time, the temporary character of funding provided by Northern donors makes the financial situation of Southern NGOs very precarious. The fact that the latter all fish in the same pond in order to pursue donor money often stimulates competition rather than collaboration, as already described above. In the last couple of years, Peruvian NGOs have experienced a significant decrease in funds for TJ related projects as their urgency has decreased in the eyes of donors.[92] The focus of many organizations has therefore shifted to other topics that no longer require partnerships with victim-groups, with all its consequences for the latter's representation in civil society.

VI. PATERNALISM

Paternalistic ideas and behavior are deeply engrained in the politics of aid and seriously challenge the reciprocal relationship between donors, NGOs, and victim-groups in post-conflict settings. The "ideal victims" identified by

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89. Carroll, Humphreys, & Scurrah, *supra* note 84; Pásara & Delpino, *supra* note 70.

90. Interview of author 1 with administrator of a human rights NGO, *supra* note 71.

91. Interview of author 1 with professional affiliate of the victims' association in Ayacucho, Ayacucho (Mar. 10, 2010).

92. *See* Panfichi & Alvarado, *supra* note 44; Toche, *supra* note 37; Interview of author 1 with administrators of two NGOs in Lima (Oct. 10, 2011; Nov. 28, 2011).

donors and NGOs as target-groups for interventions in post-conflict societies are typically ascribed characteristics that imply a lack of agency and are often connected to the socio-economic background, race, and gender of the victim.[93] This perception of victimhood opens the door for NGOs to claim to "give a voice" to those who cannot speak for themselves, resulting in paternalistic behavior from the former towards the latter.[94] The needs of victims then risk becoming subordinate to the prejudices and interests of the NGOs who claim to represent them. This is reflected in, among other dynamics, the focus on "capacity-building"—a global trend in development cooperation since the 1990s.[95] According to the NGO administrators interviewed for this study, capacity-building workshops should enable victim-groups to formulate their needs and elaborate project proposals in line with the priorities of potential donors. In practice, strengthening the institutional independence of the victims' associations was in danger of being overlooked in favor of technical service delivery, and it was often unclear to what extent the agenda of the capacity-building workshops corresponded to the previously expressed needs of the association's members.

In addition, by representing members of victim-groups as lacking the necessary capacities and as needing training, NGOs again maintain their role as intermediaries of these groups and affect the way they are represented and have access to resources. This occurred, for example, with the representation of Peruvian IDPs. Despite the fact that their level of organization was internationally recognized as unprecedented,[96] the NGOs that were supporting the IDP organizations maintained that the displaced would not be able to develop their own program. As a result, financial means for activities were always channeled through NGOs, and never directly through the IDP associations.

The idea that victims need NGOs to represent them clearly limits the possibilities for peer-to-peer collaborations between equal stakeholders. In mid-2009, a Peruvian NGO contacted one of the victims' associations under study to develop a project proposal to raise awareness on the human rights of unjustly detained persons. Board members of the association held a couple of meetings with the NGO administrator for the purpose of drafting a plan and budget. A couple of months later, the foreign donors did approve the proposal, but after the project got financed, the executive board members

93.   Jelke Boesten, Sexual Violence During War and Peace: Gender, Power, and Post-Conflict Justice in Peru 5 (2016); Lieselotte Viaene, *Life Is Priceless: Mayan Q'eqchi' Voices on the Guatemalan National Reparations Program*, 4 Int'l J. Trans'l Just. 4, 5 (2010); Madlingozi, *supra* note 19.

94.   *Id*. at 225.

95.   Jenny Pearce, *Development, NGOs, and Civil Society: the Debate and its Future, in* Development, NGOs, and Civil Society 15, 59, 150 (Deborah Eade ed., 2000).

96.   The Forsaken People: Case Studies of the Internally Displaced (Roberta Cohen & Francis Mading Deng eds., 1998).

of the association were not invited to participate as coordinators, but rather as recipients of the workshop (i.e. as *beneficiados* or beneficiaries). The association declined such involvement. Survivors are thus expected to perform their role as recipients of service-delivery rather than as participants who (co-)design the framework and agenda of the interventions, as this fits the underlying idea of passive victimhood.

In Peru, this understanding of victimhood is often linked to a cultivation of victims' "cultural authenticity" as indigenous Quechua-speaking peasants by NGOs. For example, during a meeting between an NGO and a rural victim group in Ayacucho, the name that was to be given to a newly constructed memorial was being discussed. The NGO administrator rejected the name *santuario* (sanctuary) which the survivors wanted to give to the memorial, stating that they should come up with "something more original, something in Quechua, something authentic linked to the cultural theme."[97]

The paternalistic attitude of NGOs towards victim-groups moreover generates tensions in the collaborations between the two parties in Peru. The suspicion that NGOs exploit victims' experiences for the benefit of their own organization was shared by many of the members of victims' associations who participated in this study. As one member in Huancayo stated:

> NGOs use the victims' associations. We know how they started, the background they have, and now they shut us up with lunches. We should not be used by them. We dislike NGOs, because they deceive us and use us. The poor stay poor, and are used by them as puppets.[98]

In one of the rural communities under study, during a commemorative event in honor of the victims of the internal armed conflict, the priest sharply criticized the work of human rights NGOs in the region in his homily while encouraging the community to stand up for its rights:

> Until today, we, poor people, are being used by a lot of NGOs [. . .] who are often enriching themselves by using our name, the tears of these families [. . .] and we cannot tolerate that here. We cannot sell the dignity of our brothers, of our fathers and their pains. [. . .] They have even made documentaries, videos, everything, and they have been sold in a lot of parts of the world. But [. . .] what has changed? Almost nothing! Therefore, brothers, we don't have to wait for the help from outside. Let's stand up ourselves.[99]

Both statements reject the role of NGOs as intermediaries and entail a clear call from and to survivors to reclaim ownership over their own victim-

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97. Observation of author 2 during meeting between human rights NGO and victim-group, Ayacucho (Feb. 28, 2015).
98. Interview of author 1 with member of the victims' association in Huancayo, Huancayo (May 5, 2010).
99. Observation of author 2 during commemoration mass for victims of the internal armed conflict in rural community in Ayacucho (May 21, 2015).

hood. The close entanglement of TJ interventions with the politics of aid, however, works against this, as demonstrated in the foregoing paragraphs. Domestic development and human rights NGOs are assumed by donors to represent "the local voice" while direct victim participation and representation remains limited.[100] The dynamics of mediation and (financial) interdependence between domestic NGOs and victim-groups, and the way these are being sustained by the politics of aid, are generally neglected despite their impact on victim representation and claim-making.

VII.   SOCIO-GEOGRAPHICAL CONCENTRATION OF DEVELOPMENT INTERVENTIONS

In addition to the other three features of development cooperation, we argue that socio-geographical concentrations of NGOs have an impact on the representation of victim-groups within international networks of stakeholders in TJ processes and domestic civil society. In Peru, the presence of NGOs with a post-TRC agenda in the surroundings of victims has been critical for the latter's access to external support. This spatial distribution has fueled tensions between NGOs and victim-groups since the very beginning of their relationship in the mid-1980s. In contrast to the NGOs, most of the victim-groups—with the exception of some—are not located in Lima. As a rule, they emerged in rural areas where violence was rife, or in regional urban centers where people had taken refuge. The physical distance between these associations and the Lima-based NGOs, for example, made members of victims' associations feel excluded from activities organized by human rights NGOs in the capital.[101]

Two important geographical divisions within Peru explain the areas in which NGOs tend to be concentrated within the country: first, among the different highland and (sub)tropical forest regions, and second, between the capital and the rest of the country. Regarding the first, Anthony Bebbington systematically demonstrated how it is not the socio-economic geography of poverty, but rather the life histories of social networks, professionals and institutions that both underlie and precede the existence of NGOs in Peru, and which resulted in a significant concentration of NGOs in certain highland areas.[102] This means that NGOs and their activities are not likely to be present in areas where they, or their employees, did not previously conduct operations, irrespective of the emergent needs and priorities of populations in those areas.

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100.   Shaw, Waldorf, & Hazan, *supra* note 7, at 4.
101.   Coletta Youngers & Susan C. Peacock, La C La Coordinadora Nacional de Derechos Humanos del Perú Un Estudio de Caso de Construcción de una Coalición (2002).
102.   Bebbington, *supra* note 8, at 725.

In this regard, the absence of human rights and development NGOs focusing on post-conflict related topics is especially remarkable in the subtropical Valley of the Rivers Apurímac Ene and Mantaro (commonly abbreviated as VRAEM), a geopolitical zone which is a main area of coca cultivation and was severely affected by the internal armed conflict.[103] The International Committee of the Red Cross (ICRC) is the only humanitarian institution in the VRAEM working in the area of TJ and dealing with the past, more specifically in the search for missing persons.[104] They have, however, not more than one responsible staff member for a region that has approximately half a million inhabitants.[105] As a result of the absence of NGOs—which in many remote parts of the country take over the state's responsibility of informing citizens about their rights—disinformation and confusion about the TRC and the reparation program are even more present in the VRAEM than in the highland regions. For example, some interviewees in the VRAEM point out that they did not have the opportunity to testify because the TRC never came. Several respondents were unaware of the fact that they can still apply to be added to the victim register as a beneficiary for reparations, and there is general confusion about the administrative procedure and the types of reparations that can be claimed. Some state that they have claimed reparations but did not receive anything, while their profile corresponds to the requirements.[106]

Second, the majority of the main offices of NGOs are based in the capital as a result of the longstanding national tendency towards intensive centralization. Development scholars first discerned this evolution and observed the absence of NGOs in many Peruvian interior (especially (sub)tropical forest) areas more than twenty years ago.[107] As with the differences in concentrations among the highland regions, this spatial distribution does not necessarily reflect local needs.[108] This means that international cooperation networks tend to reproduce rather than counterbalance the existing socio-political and economic hierarchies and patterns of uneven development between Lima and other regions of the country.[109] In the context of this study, leaders of victims' associations in Ayacucho and Huancayo argued that they had not been informed on time about meetings in Lima, or that activities in that city meant that they would be unable to earn any money not only on the day of the meeting itself, but also on the long days of travel required to get to Lima. Since members of victims' associations participate on a voluntary basis, every

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103. Willems, *supra* note 45, at 431.
104. Personal communication of author 2 with ICRC representative (May 11, 2017).
105. *Id*.
106. Interview of author 2 with survivor of the internal armed conflict in the VRAEM region (June 27, 2018).
107. Padrón, *supra* note 37, at 49.
108. Panfichi & Alvarado, *supra* note 44, at 176.
109. Youngers, *supra* note 46, at 23.

hour of participation means no income, because the majority of them do not have formal jobs with a stable income. Members and leaders complained about meetings being organized in Lima, and about the lack of financial support for traveling and staying the night, whereas NGO administrators, if they visited Huancayo for monitoring or assessment activities, travelled in expensive intercity buses. Again, these kinds of inequalities between NGOs and victims' associations run the risk of undermining the possibilities of the victim-groups located in different regions of the country to make common cause in pressuring the state to implement the TRC's recommendations and put victims' rights on the political agenda.

Besides fueling tensions, this spatial concentration also shapes the extent to which victims are represented within international networks of stakeholders in TJ processes and civil society as it influences grassroots-associations, including victim-groups' access to donors and international networks.[110] Concomitantly, this uneven concentration results in the "exclusion" or "systematic disadvantaging" of groups by the broader structure of development cooperation and the underlying politics of aid.[111] The uneven sociogeographical distribution of NGO funds has thus led to some victim-groups being represented within the international networks of stakeholders in TJ processes, and others being excluded. This is not because the needs of the two groups differ from one another, but because those in the excluded group had the misfortune of not living or organizing themselves in the "right" place.

VIII.   CONCLUSION

At the end of August 2009, the president of a victims' association expressed her doubts about whether or not to attend the yearly event commemorating the sixth anniversary of the presentation of the Peruvian Truth and Reconciliation Commission report.[112] The year before, representatives of a number of organizations had agreed to go from the office of an NGO to the event. As soon as they arrived, they were asked to wear the t-shirts of the NGO whose office served as the meeting point. They were told that, if they did this, they could get a free lunch following the demonstration. The leader of the victims' association expressed that she was disappointed in the many members of her organization who changed their t-shirts, but that she also

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110.   Bebbington, *supra* note 8, at 732.
111.   *Id.* at 740.
112.   The association in which she was participating was not selected as one of the case studies, because it organized activities sporadically, which meant that conducting participatory observations in this organization on a daily basis was not possible. The association was visited a few times however, because of its long history of advocacy for victims' rights since the mid-1980s.

understood their decision to accept a free lunch on a day when they would not be earning any money.[113]

These remarks demonstrate a less favorable aspect of the interdependency between victim-groups and NGOs. With a government that shows no interest in the demands and objectives of all stakeholders advocating the same cause, the success of activities related to TJ relies on the active involvement of these stakeholders. Because of the support obtained through international development cooperation, the abovementioned NGO had an office big enough to accommodate a large number of persons, along with the money to pay for the lunches and t-shirts of these persons, and was thus able to take up a central role in exerting pressure for the common cause. As a result, however, this NGO prevented the participating victims' associations from presenting themselves as independent entities at the event. This anecdote is but one illustration of the relationships between NGOs and victim-groups in the Peruvian post-conflict context analyzed in this article.

By building on conceptualizations regarding the practices of international development cooperation, we find that politics of aid seriously impact the representation of victims in international networks of stakeholders in TJ efforts as well as their participation in TJ processes. We have demonstrated first of all how the asymmetrical relationships between Northern NGOs or donors, domestic development and human rights NGOs, and victim-groups impede an equitable collaboration between domestic NGOs and victim-groups. These asymmetrical relationships are reproduced through the ephemeral agenda-setting processes that characterize development cooperation, which force domestic NGOs to adjust their priorities to target-groups, trends, and timing defined by international donors instead of building genuine alliances with victim-groups and facilitating agenda-setting by the latter. Socio-geographical concentrations of development interventions furthermore aggravate inequalities between civil society actors, and dynamics of paternalism sustain a denial of the agency of grassroots groups, such as victims' associations.

In the case of Peru, the analyzed features of international development cooperation have contributed to a disintegration rather than a unification of civil society in the wake of the internal armed conflict by generating tensions between potential allies and limiting victims' space for claim-making and representation. This implies that, despite the shared objectives of domestic NGOs and victim-groups to pressure the state to comply with (promised) TJ measures that meet survivors' rights and demands, their efforts have suffered from serious fragmentation.

We are fully aware of the pivotal role that NGOs play in filling the void, particularly in contexts where governments have neglected their responsibil-

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113. Interview of author 1 with president of a victims' association in Lima, Lima (Aug. 24, 2009).

ity to address the impact of massive human rights violations on the lives of survivors, as is the case in Peru. However, it seems that the original role of domestic NGOs as emancipators of grassroots-groups has unintentionally eroded and is at the same time contested by the groups these NGOs claim to represent. Rather than qualifying the intentions or impact of the work of domestic NGOs on the lives of survivors, we identify specific features of international development cooperation as explanations for this erosion in the Peruvian case. David Mosse convincingly showed that international development cooperation is not so much driven by policy in itself, but rather by maintaining the relationships that arise during the practice of development cooperation.[114] Policies are created to capture diverse interests in coherent frameworks, and used as a tool for legitimizing interventions.[115] Maintaining relationships between the parties that shape, implement, and participate in projects (e.g. the donors, local elites, private development agencies, and recipients) is therefore what really matters in practice.

This article shows that relationships are critically important in daily practice, while adopting a different posture about maintaining relationships as the driving force. Starting with an ethnographic analysis focusing on victim-groups, instead of focusing on the intermediary organizations that advocate on their behalf, enables us to analyze what happens when the politics of aid affect survivors' possibilities to participate in any way in TJ networks. It moreover helps us to understand how these politics challenge possibilities to build and maintain relationships within civil society in order to strive collectively for wider social aims. As we have argued, the lack of cohesion between domestic civil society actors can have serious consequences for the ways in which victims and their demands are articulated and addressed in the context of TJ processes, as the efforts to do so become subject to the ephemeral and fragmented nature of the wider politics of aid.

Understanding how politics of aid are at play in domestic civil society networks is therefore also crucial if we want to gain a better understanding of the potential and limits of victim participation in TJ efforts. The conclusions about asymmetrical relationships, ephemeral agenda-setting processes, paternalism, and socio-geographical concentration of development intervention all suggest the need to empirically examine how politics of aid limit the options for domestic civil society actors to set the agenda in post-conflict societies. As we have demonstrated, certain features of international development cooperation strengthen the mediation of images about victimhood and representation of victims' demands by domestic NGOs, even when this is openly opposed by victim-groups themselves. In addition to the fact that this weakening of the representation obstructs the recognition of the agency of

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114.   DAVID MOSSE, CULTIVATING DEVELOPMENT; AN ETHNOGRAPHY OF AID POLICY AND PRACTICE (2005).
115.   *Id.*

victim-groups, it also jeopardizes opportunities for donors of TJ processes to obtain an accurate picture of potential TJ needs articulated by victim-groups.

If strategies for victim participation in TJ processes fail to consider these dynamics of mediation, they run the risk of reinforcing existing inequalities and only offering restricted possibilities to survivors for formulating their agendas. The field of TJ is characterized by a high degree of entanglement between networks of NGOs, victim-groups and scholars,[116] which at times seems to hamper a critical assessment of the dynamics that are at stake between these groups.[117] The fact that civil society groups in post-conflict settings often operate in a hostile relation with the state stimulates the tendency to take their unity or alliance for granted. Indeed, in such hostile environments, NGOs are often the only allies that victim-groups can resort to. It is therefore all the more important, if we really want victims to be at the helm of TJ processes, to understand how their potential participation is mediated by the politics of aid that play a crucial moral, financial, and technical role in shaping existing civil society networks.

ACKNOWLEDGMENTS

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116. Eugenia Alier Montaño & Emilio Crenzel, Las Luchas por la Memoria en América Latina: Historia Reciente y Violencia Política 15 (2015).
117. Zinaida Miller, *Effects of Invisibility: In Search of the "Economic" in Transitional Justice*, 2 Int'l J. Trans'l Justice 266, 290 (2008).