

Shared Memories: The Truth Commissions of Paraguay and Ecuador

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Only going backwards can you advance towards the future
Augusto Roa Bastos, Vigilia del Almirante

Only through the deed of truth can death be annulled
Hermann Broch, La muerte de Virgilio

The Truth and Justice Commission of Paraguay (hereinafter the “CVJ of Paraguay” or “the Commission”) and the Truth Commission of Ecuador (hereinafter the “CV of Ecuador” or “the Commission”) are the last official truth commissions in South America. The violations of human rights in South America in the last few years have not had a lot exposure at an international level or even in the American continent, thus the relevance of these initiatives under the present dynamics of the so-called transitional justice.

Paraguay has had one of the longest and most repressive unipersonal military dictatorships in the Americas; Alfredo Stroessner stayed in power for about 35 years (1954–1989). He used totalitarian methods that neglected the rights of tens of thousands of Paraguayans. Ecuador has not escaped from governmental violence either, and particularly during the León Febres Cordero Administration (1984–1988), who was elected by popular vote, there was a climate of political persecution against opponents, and gross violations of human rights also took place during this period.

In a strict sense of the word, both countries did not have an internal armed conflict. However, in Paraguay, the end of the seventies witnessed the development of armed resistance groups such as *Movimiento 14 de Mayo* and *Frente Unido de Liberación Nacional* (FULNA), and in Ecuador, the mid-eighties witnessed the creation of the armed group called *Alfaro Vive Carajo* (AVC); however, none of these organizations was able to develop hostility that could allow classifying their actions as a non international armed conflict. Both countries experienced a persistent political persecution and repression model, with the subsequent violation of the most fundamental human rights in a general and systematic manner, including crimes against humanity, as determined by both commissions.

This chapter will point out the most relevant findings and conclusions by both truth commissions. The following pages will predominantly be of a descriptive nature, particularly because their final reports are so recent that their results are just becoming visible, and within such a short time, it has been impossible to conduct a more critical and thorough assessment. The first part presents a brief description of the political contexts that were under analysis by both commissions. The second part presents the composition, mandate, and characteristics of each commission, as well as some similarities and differences in their composition and work. The third part points out and describes some of the most significant findings of the final reports. The fourth part will briefly present the relationship between the impacts of both commissions in the face of the international human rights protection system. Finally, there will be a review of the situation in Paraguay and Ecuador after the submission of their final reports.

The Paraguayan Context¹

Since the independence of Paraguay, two phenomena have traumatically characterized its history. First, we have the War of the Triple Alliance against Uruguay, Argentina, and Brazil, in which a large part of the territory was lost. Then, we have the Chaco War against Bolivia between 1932 and 1935, and the revolution in February 1936 that marked the start of the military hegemony in Paraguay. General Alfredo Stroessner, taking advantage of the serious internal confrontation in the ruling party, i.e., the Colorado Party, led a coup d'état on May 4, 1954.

The Stroessner dictatorship lasted for 35 years thanks to what was known as the granitic unit among his government, the Armed Forces, and the Colorado Party. For eight consecutive presidential elections, Stroessner ran as the single candidate of the Colorado Party, a party that controlled the entire state bureaucracy, including the Armed Forces. The elections took place under a state of siege and without any guarantees for

¹ To learn about the Paraguayan context, read paragraphs 1 to 19 of the conclusions and chapter II, and the characteristics of the Stroessner regime in volume I of the final report of the CVJ: www.verdadyjusticia-dp.gov.py.

a political opposition. In an international context dominated by the Cold War and the Doctrine of National Security, the communist party was not only forbidden but also persecuted, and any attempts to criticize the regime failed.

Stronism elevated the terrorism of the State to a form of a totalitarian government and as a permanent policy. This control on the entire Paraguayan society produced a systematic and general situation of violations of human rights for 35 years. If people were not in favor of the regime, they were against it.

Arbitrary detention and torture were among the most common violations, but there were also cases of enforced disappearance and extrajudicial execution, and thousands of Paraguayans were forced into exile. Conclusion 35 of the Final Report of the CVJ reads:

One of the most important differences between the Paraguayan repressive model and those of other countries in the region is that there were not clandestine military or police structures different from or parallel to the official and public structures of the Paraguayan State. The different structures of the political, military, and political apparatus perpetrated gross violations of human rights characterized by high visibility and advertising. There were not clandestine torture and detention centers; therefore, well-known police, military, governmental, and civil bodies were used.

The repressive apparatus perpetrated gross violations of human rights against low-income, peasant, and worker population sectors, and it was also responsible for a brutal and unique persecution of the members of clandestine and forbidden organizations, both political and armed, which were members of the communist party, community leaders, other political opponents, and even soldiers who were not aligned with the regime.

Even though the transition process in Paraguay started in 1989 with the overthrow of Stroessner, it was characterized by a strong confrontation between the democratic sectors and the authoritarian atavism. In spite of the attempts to dismantle the legal system of the dictatorship, particularly with the enactment of a new Constitution in 1992 and with the ratification of the international instruments of the universal and Inter-American basic human rights systems, the changes in the country's reality were quite slow and without a political alienation from the past. The Colorado Party stayed in power until 2008, and it was until the victory of Fernando Lugo in the presidential elections and when he came to power in August of that year that the country started its true transitional process. Even though the Stroessner dictatorship ended twenty years ago, its effects are still so strong and permanent that Paraguay is gradually shuffling off the "spoils system" and authoritarian culture and the State is taking on its responsibility for the guarantees and respect of its citizens. After the dictatorship was overthrown, small attempts were made to provide some reparation to the victims, and the final report of the CVJ is an example of these first attempts by the Paraguayan society to be accountable for its past.

The Ecuadorian Context²

In August 1984, León Febres Cordero was elected President of the Republic of Ecuador by popular vote, and he represented the rightist sectors. His regime imposed a neoliberal economic model and an authoritarian government that was permanently confronting the sectors that disagreed with his political project. His violent discourse was always aimed at attacking the opposition, particularly the leftist sectors. To repress the social movements, the Government used especially the police forces and intelligence services by creating, with the support from the private sector, the flying squadrons of the police forces, which together with the paramilitary groups, repressed the student demonstrations and the labor strikes and evicted a large part of the population.

² Regarding the Ecuadorian context, see the section on the socio-economic and political context in the executive summary and the first section of volume II of the Final Report of the CV at www.coverdad.org.ec.

During his administration, the Alfaro Vive Carajo (AVC) organization took several armed propaganda actions (such as the taking of the mass media, painting of walls, and theft of the sword and a bust of the historical leader Alfaro Vive, among others) and used company and bank robberies and abduction as a funding method. The response of the State to these actions by AVC was the disregard of the legal and constitutional systems, thus conducting extrajudicial executions, arbitrary detentions, torture, and rapes. The Government intentionally overstated the danger of this armed organization and continued persecuting the false rebels even though the politically most important members of AVC were in prison or had been killed. Therefore, his administration justified the persecution of other social and political leftist leaders, established a climate of terror, and gave an authoritarian power to the Police and the Armed Forces.

This Government had an excluding conception of human rights, which were reserved for those who, according to the regime, respected the established order. Torture was institutionalized among the different police bodies, particularly the Criminal Investigation Service (SIC) and some military headquarters. Besides torture, there were extrajudicial executions, deaths under military or police custody, and other abuses of power and authority, and in some cases, the enforced disappearance of people.

After the Febres Cordero Administration, between 1988 and 2007, the neoliberal model continued to be implemented and worsened the living conditions of most Ecuadorians, thus causing significant social unrest and decomposition. The crisis and the political instability were a persistent trend in those years. From 1995-1997 to the elections in 2006, the political crisis of the dominant elites worsened, which was evident with the fall of the three presidents elected in those years: Abdalá Bucaram (1996-1997), Jamil Mahuad (1998-2000), and Lucio Gutiérrez (2002-2005).

The different administrations used the National Security Law to declare a state of emergency to keep what they called “the order and peace of the Republic.” The labor strikes, the indigenous revolts, the provincial strikes, the student demonstrations, and other forms of movements used by the people to file their claims, were considered threats to the security of the State or, even, criminal situations.

The excluding conceptions of human rights prevailing in the León Febres Cordero Administration for alleged drug dealers, criminals, and “terrorists” continued prevailing during the 1988-2007 period, thus producing gross violations of human rights such as extrajudicial executions, enforced disappearances, and torture. The implementation of the neoliberal model brought the consequence of the deteriorating living conditions, as well as an increase and emergence of new criminal behaviors of a transnational nature, which developed hand in hand with globalization, such as drug trafficking, human trafficking, abductions, international vehicle theft, etc. To deal with such problems that had basically structural origins, the Administration used repressive methods, the toughening of sentences, and even social clean-up operations by executing groups who were not punished. This situation took place particularly in some areas in the country such as the provinces near the border with Colombia.

Most violations of human rights by police or military groups have not been punished nor have they been sued or sentenced. Impunity has been possible thanks to the special jurisdictions that allowed police officers and soldiers to be judged in their own courts, in which they were generally declared innocent. Moreover, a sense of unity has been maintained, and it has been the main obstacle to finding the truth, doing justice, and compensating the victims.

Composition, Mandate, and Characteristics of the Truth and Justice Commission of Paraguay³

The CVJ was a major achievement of the civil society and the Paraguayan State. Its creation responded to the demand for associations of victims of the dictatorship and for human rights organizations when the Stroessner regime came to an end. This ended with an agreement with the National Parliament and the Executive Branch, which allowed the sanction of Law 2225/03.

Even though the law that created the CVJ was enacted on October 6, 2003, it formally came into force on July 20, 2004 due to budgetary reasons. And even though eighteen months of work, extendable to six additional months, were originally anticipated, the mandate was extended for twenty-four additional months. The CVJ finally submitted its report on August 28, 2008.

The mandate of the CVJ focused on cases of violations of human rights, particularly enforced disappearances, torture, exile, and other gross violations from May 1954 (the month when Alfredo Stroessner came to power in Paraguay) to October 2003 (the month when the law was enacted). Article 2 of the law established the following duties and objectives for the CVJ:

- a) Analyze and investigate political, social, and cultural conditions, as well as the behaviors of the different institutions of the State and other organizations that contribute to the gross violations of human rights.
- b) Help relevant bodies explain the violations of human rights by state and semi-state agents.
- c) Preserve the memories and testimonies of the victims by trying to determine the whereabouts and situation of the population affected by such violations and identify the aggressors as much as possible.
- d) Preserve the evidence of human rights violations.
- e) Provide all the evidence to the Executive Branch so that the legal system takes immediate action to protect the rights of victims and prevent the impunity of those accountable for such violations.
- f) Contribute to an official explanation of the truth, which entails making the State morally and politically accountable.
- g) Contribute to the explanation of the relationship between human rights and governmental, national, and international authoritarian policies.
- h) Recommend courses of action and institutional, legal, and educational reforms and others, as a guarantee of prevention so that they are processed through legislative, political, or administrative initiatives.
- i) Develop victim reparation and claim proposals which will be the basis of the actions to be taken.
- j) Develop a final official report about all the investigations and proposals developed during the period under study.

The CVJ was composed of nine commissioners: one representative of the Catholic Church, which chaired the commission, a representative of the Legislative Branch, three representatives of dictatorship victim organizations, and three representatives of the civil society. The general coordination of the CVJ was assigned to a commissioner who was in charge of the different subject matters and work areas. The former, aimed at investigations, were composed of the testimony, enforced disappearance, and extrajudicial execution, torture, and exile unit, and of the investigations of the repressive system; the latter were composed of different areas: laws, health, communication, education, and institutional relationships. Moreover, there was an administrative staff, an investigation coordinator, and some national and international consultants, but the size of this staff was small as compared to other commissions.

The CVJ was based in Asunción and had other regional branches in cities such as San Ignacio de Misiones, Caaguazú, Caacupé, and Alto Paraná, which were focused primarily on the testimonies of the

³ For some characteristics and activities promoted by the CVJ, see “Comisión de Verdad y Justicia, Memoria de Gestión, 2004–2008,” Asunción, 2008.

victims. One of the CVJ campaigns was: “2,000 testimonies for history,” a figure that was surpassed at the end of its mandate.

Under the slogan, “Whoever forgets repeats,” the CVJ held six public and two international hearings. The first three national hearings were held in the cities of Asunción, San Juan Bautista de Misiones, and Caaguazú, respectively, in order to listen to the victims of the Stroessner dictatorship. The international hearings were held in the Argentine cities of Buenos Aires and Posadas; one was aimed at dignifying the thousands of Paraguayans who were in exile in such a country, and the other at documenting the Paraguayan exile in the Argentine border. The last two hearings were focused on topics and were held in Asunción, and dealt with topics such as “women and children during the Stroessner dictatorship” and “indigenous peoples and dictatorship.” An important consequence of the public hearing in Buenos Aires was the removal of the Paraguayan ambassador, Orlando Fiorotto Sánchez, when he was accused of betrayal and persecution of opponents during the Stroessner dictatorship.

Composition, Mandate, and Characteristics of the Truth Commission of Ecuador⁴

The claims by the victim organizations from Ecuador were solved through the creation of the CV, through Executive Decree 305 of May 3, 2007, thanks to the political will of President Rafael Correa, and whose duty was to “investigate, explain and prevent the impunity of violent actions and human rights violations that took place between 1984 and 1988 and other periods.”⁵ The objectives of the Commission, in accordance with Article 2 of the Executive Order were to:

- a) Conduct a thorough independent investigation of human rights violations that took place between 1984 and 1988, and other special cases, such as the so-called Fybeca case, as well as their causes and circumstances.
- b) Ask for a declassification of the confidential or natural security files of the State.
- c) Encourage the recognition of the victims of such violations and design reparation policies.
- d) Recommend any necessary legal and institutional reforms, as well as effective tools to prevent and punish human rights violations.
- e) Determine the existence of possible evidence of social, criminal, and administrative liabilities to submit them to the relevant authorities.

The CV of Ecuador started operations on January 14, 2008. Even though it was planned for nine months and extendable for three additional months, it was extended on three other occasions through executive decrees, and the date for the submission of the final report was set on June 7, 2010 in Quito.

The Commission was composed of four commissioners and a support committee composed of five members; three of them were victims and victims’ relatives. The CV had an executive secretariat and a professional interdisciplinary investigation team based in the city of Quito, besides national and international consultants and a technical administrative team. These professionals frequently travelled across the country to hear the testimonies made by the victims of human rights violations.

A Comparison between the Two Commissions

The CVJ of Paraguay and the CV of Ecuador shared some similar aspects regarding their mandates, methodologies, and outcomes that should be briefly reviewed. Some strengths, weaknesses, obstacles, and unpublished contributions are also worth mentioning.

4 For the characteristics of the CV, see the introduction of the Final Report of the CV.

5 Executive Decree No. 305, May 3, 2002. Article 1.

Arbitrary detention and torture were among the most common human rights violations in Paraguay and Ecuador during the regimes of Stroessner and Febres Cordero, as stated in the final reports of both truth commissions. The mandate of the violations that should be analyzed by each of them has a lot of coincidences because it is focused on the most fundamental rights, including the rights to life, personal and sexual integrity, and personal freedom. Therefore, they focused their investigations on extrajudicial executions, enforced disappearance, arbitrary detention, torture, and other cruel, inhuman or degrading treatment or punishment, and sexual violence.

Both commissions conducted thorough investigations. The CVJ of Paraguay investigated not only the violations during the Stroessner dictatorship (1954–1989), but also it had the mandate to study the violations that took place between 1990 and 2003, though with less significant results due to a lack of testimonies heard by the Commission with regards to such a period. The CV of Ecuador investigated not only the violations during the León Febres Cordero Administration (1984–1988), but also the violations between 1985 and 2008. To a certain extent, the extension of the periods beyond Stroessner and Febres Cordero might be due to the need to investigate new forms of violence that took place years later, as an extension of those repressive Governments, and a need to point out the institutional reforms and policies that were allowing such new violations of human rights.

In Paraguay, the mandate extended beyond the Stroessner dictatorship, mainly due to the demand of the National Union of Ethical Citizens Movement (Partido Unión Nacional de Ciudadanos Éticos-UNACE), which was chaired by General (r) Lino Oviedo, who demanded the investigation of the events known as the “Paraguayan March.”⁶ In Ecuador, the extension of its mandate only prevented the investigative and analytical efforts from focusing on the Febres Cordero Administration, but it also resulted in an incomplete and superficial examination of other presidential periods.

Even though in practice, the CVJ of Paraguay was mainly focused on the human rights violations by the Stroessner dictatorship, investigating the transitional years was always difficult and its approach was quite poor and incomplete. Volume VII, which presents some paradigmatic cases, has a section titled “Democratic Transition Progress,” with just 30 pages and which superficially deals with some events related to the situation of human rights during those years. On the other hand, the CV of Ecuador dealt with 51 cases that took place after the Febres Cordero Administration; however, even though most cases might illustrate the dynamics of each presidential period, their number is not representative as compared to the number of actual violations.

A unique characteristic of the composition of both commissions was not only that all the commissioners were nationals of their countries, but also most of them were victims. The CVJ of Paraguay had three commissioners who expressly represented victim organizations, besides other commissioners who were also direct victims of the Stroessner dictatorship, and other officials of these commissions were victims’ children. In the CV of Ecuador, one of the four commissioners was a victim and three members of the support committee were also victims. This victim situation in both commissions was not present in other similar experiences in Latin America. Such a unique situation added commitment to the work since the demand for the respect of the victims’ human rights was more evident.

6 The “Paraguayan March” was a political crisis that took place after the assassination of the then-Vice-President Luis María Argaña, on March 23, 1999. The opposition initially blamed the president, Raúl Cubas Grau and the political leader Lino Oviedo. The death of Argaña provoked a series of demonstrations by opponents and followers of Oviedo and the Cubas Administration, and ended with the massacre during the Paraguayan March when seven demonstrators who were opponents of the Government at that time died, and this led to the resignation of President Cubas.

However, this situation raised some concern and rejection by some opponent sectors regarding the independence and impartiality of their work. A weighted assessment of this aspect can be made based on their final reports. Explaining past human right violations entails a commitment to the dignity of the victims and to an affected society, and such a mission it is not and cannot be neutral. Telling the truth in the face of political violence means taking sides with humiliated and offended parties. These commissions, and their members, were always on the victims' side because they heard their testimonies and their claims and provided opportunities for a dialogue and participation, but such opportunities did not limit the independence of their tasks.

Each commission had strengths that largely determined the outcomes. Both commissions learned from the experiences of other truth commissions in Latin America and did not start from scratch when they implemented their mandates. From start to finish, both had governmental assistance. I should mention the presidential support to the CV of Ecuador, both in terms of funds and support to implement its mandate. The commitment by the international community, through embassies and cooperation agencies in the granting of funds, was more significant in the case of Paraguay; the CV of Ecuador was funded almost entirely with governmental resources.

The personal support of President Rafael Correa of Ecuador to the activities of the CV can be contrasted with the apathy of the Nicanor Duarte Administration of Paraguay, for the implementation of the CV mandate. These attitudes were also the target of criticism. As in other countries, the attitude by those who felt affected by the revelations of the Commission made them restrict their impact. In the case of Ecuador, it unfoundedly accused the Final Report of the CV of seeking to discredit the political opponents of President Correa, inherited from León Febres Cordero. On the other hand, the apathy by the Duarte Administration toward the CVJ of Paraguay could be explained because it was a Government of the Colorado Party, to which Strossner belonged, and which could only be defeated until the Paraguayan presidential elections of April 20, 2008, which elected Fernando Lugo. President Lugo, during an emotional event two weeks after his inauguration, formally received the Final Report of the CVJ, and since his Administration and in many aspects; there has been a true transition in Paraguay. Some of these aspects include the design and implementation of a governmental policy based on the respect and guarantee of human rights.

In comparison to their two most recent predecessors in the continent, i.e., Guatemala and Peru, these two truth commissions had fewer resources. The investigation teams from Paraguay and Ecuador were small and staffed with young professionals, something that is somehow reflected in the fact that the case analysis does not have the depth of other truth commissions. Even though the staff of the CV of Ecuador made frequent trips outside Quito, this Commission did not have any branch outside its headquarters, and both commissions did not conduct massive and permanent promotion campaigns like those conducted elsewhere. The low work profile, in both cases, is illustrated with the modest contribution of resources by the international community and, even, with a profound unawareness, in many places, of the fact that both countries ventured into a transitional justice initiative based on the truth commissions.

The number of testimonies heard by both commissions is different and has to do with the different effects of political violence in both countries: 2,059 in Paraguay and 659 in Ecuador. This difference is explained not only by the type of violations and their impact, but also by the unique implementation of the commissions' mandate. A partial but objective explanation of the Ecuadorian case was the lack of branches outside Quito for this purpose, as well as the modest promotion campaign by the commission itself. Furthermore, in the Ecuadorian case, the attitudes towards the human rights violations during such a period included concealment, silence, and isolation of the victims. In both countries the most frequent violations were arbitrary detention and torture, and there was a significant number of survivors, which made it possible to document the different periods in a more coherent and thorough manner.

The CV of Ecuador was able to declassify more than 300,000 governmental documents (particularly from the National Security Council, the Ministry of Defense, and the National Police) and heard some documentary complaints by the Ecumenical Commission of Human Rights (CEDHU) of Ecuador; nevertheless, it did not have the previous databases, such as the Paraguayan case. The CVJ of Paraguay took into account other sources of information different from and previous to its own in order to identify the victims. First, the official data on the detentions by the police in Asunción are stored in the Center of Documentation and Archives for the Defense of Human Rights of the Supreme Court of Justice of Paraguay, known as the *archives of terror*, discovered in 1993. Second, there were lists of people who were indemnified by the Ombudsman Office and who were recognized as victims of human rights violations after 1989. Moreover, there was information of the archives of NGOs such as Committee of Churches for Emergency Aid (*Comité de Iglesias para Ayuda de Emergencias*, CIPAE) and Antonio Guash Center of Paraguayan Studies (*Centro de Estudios Paraguayos Antonio Guasch*, CEPAG).

The CVJ of Paraguay and the CV of Ecuador also shared some obstacles to the investigations. The truth by the perpetrators of human rights violations is still an unresolved matter in Latin America. Since the foundation of the CEH of Guatemala, the truth commissions have tried to disclose the structures responsible for human rights violations and how they operated. In spite of the efforts by the CVJ of Paraguay to characterize the repressive machinery and the efforts of the CV of Ecuador to find out the main military and police structures involved in the human rights violations, the corresponding pages of their final reports contained limited analyses that clearly disclosed the actions of these police and military groups. Even though Paraguay had valuable documents kept in the archives of terror, and even though the Ecuadorian government declassified, expressly for the CV, about 300,000 pages of police and military units during the León Febres Cordero Administration, the reconstruction of the structure of such repressive machinery, as well as its *modus operandi*, was not an easy task.

Moreover, little information that could have been valuable was provided by the members of such units. Even though the CVJ of Paraguay had some witnesses who worked for the Government during the Stroessner dictatorship and even though 61 alleged perpetrators of human rights violations appeared in front of the CV of Ecuador, their testimonies were not key statements to clearly disclose the actions of the perpetrators. Anyway, it is worth mentioning that both made valuable efforts in this search. Particularly, the CV of Ecuador held two public summons for a meeting with the alleged perpetrators. On April 6, 2009, 211 people were summoned, and on May 21 of that year, 84 more were summoned, but only 61 attended.

Another outstanding aspect was the participation of the civil society and of the human rights organizations in both commissions. Precisely as an obstacle resulting from the Stroessner dictatorship, the human rights movement from Paraguay is much more recent and, thus, is not strong enough nor does it have the accumulated experience of its peers in other parts of Latin America. The CVJ of Paraguay has always had the support of these organizations, especially because three commissioners represented its perspective; something similar happened with the CV of Ecuador, whose chairman also chaired one of the most traditional human rights organizations. However, it should be pointed out that during the work process, most of these organizations did not have an active and participative attitude towards the corresponding truth commissions.

A case in point in Paraguay was the contribution of the Committee of Churches for Emergency Aid (CIPAE), the Coordinator of Human Rights of Paraguay (CODEHUPY), the Coordinating Table titled “Historical Memory and Archives of Repression,” and in the case of Ecuador, the role of the Ecumenical Commission of Human Rights (CEDHU). Maybe because they had a respectful attitude and guaranteed a more objective and independent work, non-governmental human rights organizations, in both countries, played the role of spectators and not of a leading spokesperson. They had a low profile and, particularly in the case of Ecuador, they had little dialogue with the CV. Therefore, they did not take advantage of the

unique opportunity to purposefully contribute to the explanation of past violations and, probably, their involvement in the implementation of the commissions' recommendations was limited.

The role of victim organizations was different from the role played by human rights organizations. In both countries, victim organizations encouraged the creation of both commissions. That is why maybe both had commissioners who were victims of human rights violations, as well as the General Coordinator of the CVJ of Paraguay and several members of the support committee of the CV of Ecuador. The participation of such organizations was essential, especially to encourage a large number of people to make a statement before the commissions. I should particularly mention the National Movement of Victims of the Stroessner Dictatorship (MNV) and the Association of Relatives of Disappeared Detainees of Paraguay (FADDAPY) and the Ecuadorian Committee against Impunity (CENIMPU).

A drawback related to the track record of victim and human rights organizations in both countries and which was evident in both truth commissions has been the psycho-social approach in the past - and at present - used for the victims of human rights violations. Ecuador and Paraguay do not have a track record in the training of staff specialized in victim management, nor do they have special programs, except for some small committed organizations. This is an unresolved matter in both countries and it is one of the most urgent tasks. The two final reports provide significant recommendations to close the gap, particularly rehabilitation actions.

Both commissions had the possibility of prosecution during their mandates; i.e., they could file lawsuits in competent national courts, but each commission chose a different venue. Both the CVJ of Paraguay and the Peruvian Truth and Reconciliation Commission filed some complaints against alleged perpetrators, but the outcome was not satisfactory since no court decision was made against the prosecuted people. Maybe, one of the most outstanding results regarding these complaints was that they urged the Paraguayan Government to become a party to the UN Convention on Imprescriptibility of Crimes of War and Against Humanity, moreover, some types of criminal classifications were interpreted more attuned to the notion of torture according to the international law on human rights. The current General Directorate of Truth, Justice, and Reparation of the Ombudsman Office of Paraguay (hereinafter DGVJR-DP) is monitoring these complaints and has filed others with the Office of Public Prosecutor.

On the other hand, the CV of Ecuador decided not to file any complaint during its mandate. However, it submitted a general prosecution strategy in Ecuador and at an international level regarding the facts under investigation to the Attorney General's Office, once the Final Report was published. This strategy was called "Elements for the prosecution of cases of human rights violations and crimes against humanity," a document that was complemented with a detailed analysis of the evidence collected for about 40 cases, so that they can be assessed by the Ecuadorian legal authorities. The filing of these cases, with the prosecution criteria, made the Attorney General's Office to create a Specialized Unit of the Truth Commission, through Resolution 49-2010.

Even though the Office of Public Prosecutor of both countries had the last say regarding these investigations, the lawsuit proposal in Ecuador is more strategic than in Paraguay. The public prosecutors from both countries are indebted with the victims and they are expected to fulfill their right to justice, as the best guarantee to prevent violations from repeating.

During its mandate, the CV of Ecuador was entrusted with investigating a human rights violation case besides the 1984–2008 period: the investigation of the Bosco Wisuma case, a professor of the Shuar ethnic group, who died on September 30, 2009 as a consequence of a confrontation with members of the National Police during a demonstration against a water bill in the city of Macas, capital of the province of Morona

Santiago,. Since there were immediate reactions by different sectors, blaming the assassination on both the police and the indigenous groups, the Government ruled that the CVJ should conduct an independent and impartial investigation. Under its sponsorship, a forensic and ballistic appraisal concluded that Wisuma died as a consequence of a lead bullet that did not come from the Police ammunitions, but it could have been shot by either the police or the indigenous people. This investigation was unusual because the truth commissions were created to clarify past cases, not current cases, something that should be investigated by the Attorney General's Office of the Republic of Ecuador.

One of the most unique outcomes of the CVJ of Paraguay, which is part of the non repetition actions, was the creation of an optional course called "Authoritarianism in the recent history of Paraguay" as part of the curriculum of the Ministry of Education and Culture aimed at third-cycle elementary school students, so that the young students and the future generations could become aware of the events during the Stroessner military regime. This optional course was included in the school curriculum in 2008, besides the publication of a book about this same topic; this course is still promoted by the Ministry of Education and the DGVJR-DP.

The Final Report of the Truth and Justice Commission of Paraguay

One of the 2,059 victims of human rights violations who came to the CVJ of Paraguay stated the following:

One of the recommendations you can give, I am already sixty years old... is to help and try to avoid the return of the dictatorship; I would be willing, so that people will never forget what happened because the past events were very serious! If we were at least aware of what happened. I am even listening to people say that 'they lived better under the dictatorship,' but I cannot live better if I do not have the freedom we did not have at that time. Therefore, I tell people not to forget everything that happened on those days.

This testimony made by Norberto Acosta Lugo, a Paraguayan arbitrarily detained in Asunción in 1976 and brutally tortured at the Investigation Unit of the National Police, summarizes the message by the Final Report of the Truth and Justice Commission of "Anivehaguaoiko," a Guaraní phrase meaning "so that it does not repeat."

The figures in the reports are self-evident. It is estimated that during the Stroessner regime there were at least 20,090 direct victims of the following human rights violations: 19,862 people were arbitrarily or illegally detained, 18,772 were tortured, 58 were extrajudicially executed, 337 disappeared, and 3,470 were exiled. Practically no one who was detained escaped torture and almost every victim was subject to a gross violation. Of the victims recorded by the la CVJ, 86 % (17,277 people) were at least subject to one form of physical torture, and 83% (16,675 people) were subject at least to one form of psychological torture. On the other hand, 18,772 were tortured, and this accounts for 94.5% of those who were unlawfully deprived of their liberty. Many people suffered more than one violation, and it should be taken into account that these figures show a large under-registration of exile and other forms of human rights violations against women and girls and of sexual violence. The CVJ considered that there were indirect victims, i.e., about 107,987 people, relatives, or acquaintances of direct victims who suffered the serious negative consequences of the events, or the violations of their rights as a result of some of those violations. It should be taken into consideration that the average population of Paraguay, during the period under study, was 2,500,000 inhabitants (1,300,000 in 1950 and 4,100,000 in 1992), which shows the level of impact.

The most frequent torture was beating with and without an instrument, and the humiliating situations and the mistreatment at detention centers included: poor nutrition, isolation, and unhealthy conditions. The

signs of the brutal beatings suffered by most victims are still present to this day. Almost half the victims were subject to death threats; something that reiterates the policy of the Government of fueling terror and anxiety in the civil population, without any respect for their rights or physical and psychological integrity. The use of certain highly intense torture techniques regarding pain or physical or psychological suffering (such as the use of electricity or a cattle prod, a basin, hanging or extreme body positions, witness third-party torture) affected about one of four detained people. Torture was the most serious and extensive instrument of social control during the dictatorship, and brutal methods were used and perpetrators were trained in making torture an exhibition of power and an attempt to destroy victims.

Being part of a social sector, for instance agricultural leagues, student movements, opposition parties, or armed movements, as well as the emerging organizations of the United National Liberation Front (*Frente Unido de Liberación Nacional*, FULNA) or the Military Political Organization (*Organización Político Militar*, OPM), was the determinant to become a victim of human rights violations. The suspicion was raised in every social sector that did not show an acceptance of the regime. The unlawful deprivation of liberty and torture mainly affected the members of political parties and of social movements, particularly peasant organizations. The largest number of enforced disappearances and extrajudicial executions was among members of armed groups.

The CVJ was able to identify, by first and last name, 423 victims of these violations, which accounts for 336 victims of enforced disappearances, 59 extrajudicial executions, and 28 cases that could not be convicted due to their characterization.

Many women suffered human rights violations that were not generally visible. This happened occasionally because women talked more about the pain and violations of their partners, children, or relatives. In other cases, some forms of violence against women were unfairly characterized not by the cruelty and disdain of the perpetrators, but of a stigma of victims, i.e., sexual violence. Nevertheless, the study by the CVJ showed that women were permanent victims of human rights violations during the dictatorship because they were related to other people, members of communities that were attacked, or leaders and members of organizations.

Human rights violations lasted throughout the Stroessner regime and across every department of the country. They did not only affect a large number of individual victims, but also entire communities. During the seventies, peasant communities were violently repressed, particularly those linked with Christian Agricultural Leagues. There were communities that were entirely devastated, such as a case of San Isidro de Jejuí (a department of San Pedro) in February 1975, and others were seriously affected by collective attacks, such as the communities of Costa Rosado (department of Caaguazú), Acaray (department of Alto Paraná), Simbrón (department of Paraguari) Sangre de Drago (department of Misiones), and Pueblo de Dios (department de Caaguazú), among others. Such communities represented experiences of non violent resistance to the dictatorship under a Christian movement that promoted, through economic self-management, awareness, alternative education, and political self-organization. Furthermore, during this regime, there was a lack of respect for the human dignity of indigenous groups, and there were gross violations of their human rights, such as the attacks by civilians and soldiers against communities of indigenous groups such as Aché, Ayoreo, Maskoy, and Toba Qom, including extrajudicial executions of adults and even children and elders, as well as rapes of women.

Human rights violations were also accompanied by the loss of property and land, which were illegally seized and assigned. The CVJ studied rural land assignments and the transfers and the respective title deeds granted by the governmental bodies in charge of agricultural reform; from 1954 to 1989 and from 1989 to 2003, in order to determine if the assignments and the granting of title deeds were in conformity with the

applicable laws and if they had the current legally required budgets at the time of assignment. The CVJ investigated the granting of public lands in primary and secondary documentary sources and found some irregularities that made them null and void. A recommendation was made to the State to promote any relevant legal actions and the compensation for damages.

The CVJ held the State accountable for these human rights violations during the Stroessner regime, particularly the Executive Branch which was unipersonally exercised by the President of the Republic, the National Police, and the Armed Forces, as well as the public administration. It also held the Legislative Branch accountable for the Central Electoral Board and the Judiciary, particularly the Supreme Court of Justice. The personal accountability of Alfredo Stroessner Matiauda, the members of the Police Force, the Armed Forces, the ministers, and other public servants were particularly pointed out. Some members of Parliament, who were members of the Supreme Court of Justice, first-instance judges, and members of appellate courts were also held accountable.

The CVJ also held the National Republic Association (Colorado Party) accountable for human rights violations, but with the exception of the Popular Colorado Movement (Mopoco) and the Republican National Association of Exile and Resistance (ANRER) due to their dissent and resistance to the dictatorship. Likewise, individuals who acted with the support and tolerance of the State agents, particularly leaders of the Colorado party, the militia, urban guards or activists who participated with or without a police or military uniform, were also held accountable. The CVJ also established the personal and institutional accountability of some private businessmen and business organizations, some members of the media, particularly the press from the party in power, leaders of the Catholic Church, particularly in the first decade of the dictatorship, and leaders of other religious groups.

It also established the accountability of some US administrations, some Brazilian governments, and the cooperation of the repressive systems linked with the Condor Operation (promoted by the governments of the military dictatorships of Argentina, Uruguay, and of Augusto Pinochet in Chile) for the human rights violations during the Stroessner dictatorship.

The report has eight volumes. The first volume contains the conclusions, recommendations and descriptions of the Stroessner regime; it also points out the historical causes of the coup d'état of 1954 and the characteristics of the political regime of the totalitarian dictatorship.

The second volume presents the main human rights violations; the violations that the CVJ focused on are: arbitrary detentions and unlawful deprivation of liberty, torture and other cruel, inhuman, or degrading treatment or punishment; enforced disappearances, and extrajudicial executions, and exile.

The third volume deals with human rights violations by some specific groups under a vulnerable or risky situation and that have frequently become invisible: violations of women's human rights and violations of the rights of children, boys, girls, and adolescents, and some violations of the rights of indigenous peoples. The fourth volume deals with illegally obtained lands; the CVJ studied the assignments of rural lands and the title deeds granted by the governmental bodies in charge of agricultural reform from 1954 to 1989 and from 1989 to 2003.

The fifth volume analyzed the consequences of human rights violations and the experience of victims; it also studied the characteristics of repression from a psycho-social point of view, and the impact of terror on collective behavior. The consequence of torture, exile, enforced disappearances or executions, sexual violence, and the attacks of communities posed a challenge for the recognition and reparation policies for victims and the reconstruction of the social fabric.

The sixth volume is focused on the accountability for human rights violations; it describes the repressive system and includes a list of the main authorities, both civil and military, who were pointed at during the testimonies as alleged perpetrators of human rights violations, as well as other people who were frequently reported by the victims.

The seventh volume studies some paradigmatic cases and their consequences; such cases were selected in terms of the different periods of the dictatorship and showed the variety of victims and repressive actions against social movements, political groups, and emerging armed organizations.

The last volume includes supplementary documents, a list of the victims, disappearance records, photographic documents of detention centers and statistical charts.

The victims' rights to truth, justice, and reparation, after the overthrow of the Stroessner regime, have not been properly protected in accordance with the severity of the violations and damages. The measures taken by the Paraguayan government concerning satisfaction, restitution, rehabilitation, compensation and assurances of non-repetition, have not been sufficient. Therefore, the CVJ, seeking full and effective reparation, made 178 recommendations. These recommendations represent a program to improve the respect and guarantee of human rights and a necessary reform of the Paraguayan State to get rid of the dictatorship inheritance and for an effective enforcement of justice. These actions should be aimed at the articulation of a reparation policy and the validity of the protection of human rights in the next few years.

The Final Report of the Truth Commission of Ecuador

(Before) ... I was happy, optimistic, always positive, and full of energy. Even though during that awful year, a very important part of «myself» was destroyed, in spite of having less trust in myself and others, a worsening health, having been deprived «of what I was able to build » during the years of my greatest creative and productive potential, they destroyed the most important part of «my life » and of «my world ». ... For years, I was not able to talk about it. Since I know it is not easy to do it, I would like to talk not only on my behalf, but on behalf of those who were forced to experience torture and its consequences ... without any possibility to say anything about it.

This testimony made by Miryam Muñoz, who was a civil official of the Ministry of Defense, and who was detained on August 27, 1984, and tortured at the premises of the Conocoto Battalion of Military Intelligence in Quito, and accused of an alleged relationship with Alfaro Vive Carajo, summarizes the purpose of the report: speaking on behalf of the victims who suffered severe human rights violations by the Ecuadorian government. Oblivion is not only the antithesis of memory, but also of justice.

The CV of Ecuador was created at the request of a group of victims of human rights violations, who were asking the State for an adequate satisfaction of the rights to truth, justice, and reparation. In Ecuador, during its recent past, there have been abuses against human dignity perpetrated by State agents. In particular, the León Febres Cordero Administration designed and implemented a governmental policy which was systematically and comprehensively accountable for deprivation of liberty, extrajudicial executions, and enforced disappearances. Moreover, during the subsequent governments between 1988 and 2008, other cases of human rights violations were reported.

During the 1984-2008 period, the Commission was not able to state that 456 people, in 118 cases, were direct victims of the 831 identified human rights violations: 269 victims of deprivation of liberty, 365 of torture, 86 of sexual violence, 17 of enforced disappearance, 26 attempts against the right to life, and 68 of extrajudicial executions.

Based on the number of human rights violations, the most frequent violations included torture and unlawful deprivation of liberty, followed by sexual violence, extrajudicial executions, attempts against the right to life, and enforced disappearances. The relationship between unlawful deprivation of liberty and torture is predominant, and these violations took place in a sequence of cases.

Sexual violence affected 18% of the total victims, especially under arbitrary detentions and as a form of torture. Enforced disappearance, hiding the whereabouts and the situation of the victim, was in some cases temporal and helped other state agents perpetrate other human rights violations against the victim. Extrajudicial executions took place in different situations; besides the death that resulted from the torture practices, and death resulted also from an excessive use of force even though there was not any deliberate intention of the state agent to provoke it and, on the contrary, it happened as a consequence of the beating, wounds, or other means deliberately used or, even, by the direct will of putting an end to the victim's life.

The largest number of violations took place during the León Febres Cordero Administration, accounting for 68% of the victims, that is, 311 people. In the speeches of President León Febres Cordero, human rights were not a significant topic and they lacked content and validity. The criminalization of political enemies proved that human dignity was a precarious value during his Administration.

The strategy used by the León Febres Cordero regime to dismantle the insurgent groups in the country – annihilate the leaders and suppress the political opposition – was based on the use of special structures, both from the Police and the Armed Forces. Based on these mechanisms, the Government managed privileged information about the political opposition and manipulated the information of the State for its own benefit. The use of pseudonyms, clandestine detention and torture centers inside police or military premises, security booths, among others, disclosed the clear intention of leaving no trace of the actual perpetrator or the mastermind of the acts, exonerating the State agents, and establishing impunity.

In 94 of the 118 cases (80% of the total), the Commission identified the alleged perpetrators involved in the human rights violations under investigation. When the traces made it possible, the immediate supervisors or highest authorities of the departments where the cases took place were also held accountable. Of the 459 identified alleged perpetrators, 49.6% accounted for active and passive officers and members of the National Police, 28.3% active and passive members of the three branches of the Armed Forces, 10% governmental authorities, 5.4% court officers, and 5.9% authorities or agents from foreign governments. This identification did not have any legal consequence since the Commission did not have any jurisdictional authority. Instead, this should help the Office of the Public Prosecutor, competent international organizations, or other Governments to conduct the necessary accountability investigation.

In Ecuador, during the León Febres Cordero Administration, many crimes against humanity were perpetrated against the Ecuadorian civil population. The CV conducted a thorough investigation of the human rights violations against members of the Alfaro Vive Carajo organization and former commando groups of the Taura Airbase. In both cases, it was possible to confirm the concurrence of elements that allowed classifying the cases as crimes against humanity. There was a general and systematic attack against these population groups, and the perpetrators acted with full knowledge of the context and the scope of their behavior.

During this Administration, there was a clear persecution of any political opposition manifestation. Alfaro Vive Carajo was an organization that decided to rise up in arms and tried to develop a guerrilla war, but it was so relentlessly persecuted by the Febres Cordero regime that the crimes perpetrated against its members do not have a word to describe them but crimes against humanity. All its leaders were practically victims of extrajudicial executions and its members were detained and tortured in a systematic and general manner. A similar case was that of the commando groups of the Taura Airbase, which after kidnapping

President Febres Cordero for one day and guaranteeing that they would respect his rights, they were subject to arbitrary detentions, torture, and other cruel, inhuman or degrading treatment or punishment; they were subject to a military criminal trial and sentenced without respecting the minimal judicial guarantees. These two cases, though different, showed that this Administration designed and implemented a governmental policy that sought to annihilate or submit everyone who might be considered a political enemy.

The fact that the Commission was focused on the analysis and investigation of these two collective cases does not rule out the existence of other crimes against humanity committed against the civil population of Ecuador in the same period or later. Two cases were chosen, i.e., Alfaro Vive Carajo and the former commando groups of Taura, because of the impact they had on the recent history of Ecuador and its population.

In the case of the former members of Alfaro Vive Carajo, the CV represented an opportunity to get rid of ostracism and social marginalization within a political fragmentation context. It was also an excellent opportunity to rebuild the social relationships fractured by violence, as well as a better insertion in the country even when the medium-term effects are still to be assessed.

The report is composed of five volumes. The first volume includes five sections on the investigation methodology and process, the legal framework, a description of the human rights violations, sexual violence, a gender approach, and the psycho-social impact of the human rights violations in Ecuador. The second volume deals with crimes against humanity and contains four sections: the socio-economic and political context, the main military and police structures involved in human rights violations in Ecuador; an analysis of the violence portrayed in the repressive speeches of León Febres Cordero and his Administration, and human rights violations that are deemed crimes against humanity.

The third volume, focused on accounts of cases during the 1984–1988 period, contains 67 reports of human rights violations perpetrated during the Febres Cordero Administration. The fourth volume analyzes the cases of the 1989–2008 period and contains 51 accounts, including two cases deemed special due to their unique impact: Sucumbíos (province in the Colombian border, a case containing the versions integrated into a single account of multiple victims of human rights violations between 2000 and 2008), and Colope (a case on the detention and torture of seventeen members of Alfaro Vive Carajo, in the province of Esmeraldas in 1983), as well as 36 documentary cases that were within the jurisdiction of the Commission.

The last volume, besides the conclusions and recommendations, includes an alphabetical list and records of 458 alleged perpetrators and their level of involvement in the cases under investigation, an alphabetical list and records of 459 victims of human rights violations investigated by the Commission, and the text of a bill in favor of victims as one of the most significant recommendations. Furthermore, an executive summary including the topics analyzed in the first three volumes, including the conclusions and recommendations, was published in a single volume⁷.

Some Comparisons between the Final Reports

The articulation and classification of the recommendations in both reports follow the parameters of the current doctrine in terms of reparations as set forth in the international law on human rights. These two truth commissions were created after 2005, a year when the United Nations endorsed two major instruments on this topic: the Set of Principles for the protection and promotion of human rights through action to combat

⁷ Another summary of the Final Report of the CV can be reviewed in: Bahamonde, C. (2010). Breve descripción y contenido del Informe Final de la Comisión de la Verdad de Ecuador. In *Develando el desencanto. Informe sobre derechos humanos Ecuador. Versión ampliada*. Quito: Andean Program on Human Rights, Universidad Andina Simón Bolívar. Sede Ecuador. pp. 83 to 92.

impunity, and the Basic Principles and Guidelines on the Right to a Remedy and Reparation for Victims of Gross Violations of International Human Rights Law and Serious Violations of International Humanitarian Law. Therefore, the recommendations in both reports are structured under large sets of actions such as satisfaction, restitution, indemnification, rehabilitation, and no repetition, pursuant to international human rights standards and the doctrine and jurisprudence of the Inter-American human rights system.

The catalogue of recommendations, 178 for Paraguay and 155 for Ecuador, was the result of a gradual consultation and building process, particularly in Ecuador. This country conducted a preliminary review of recommendation that have been suggested for years by governmental and non governmental human rights organizations, both national and international, for instance, the Office of the Ombudsman of Ecuador, the national and international human rights NGOs, the Inter-American Commission and Court of Human Rights, the UN committees, some non conventional mechanisms, also the United Nations, such as the Special Rapporteurs or Task Forces who visited the country on several occasions.

Based on these recommendations and considering some suggestions derived from the interviews of people who made their statements to the CV, a series of questions were designed and asked to the victims during three workshops in the cities of Guayaquil, Quito, and Loja; on the one hand, in order to find out the correct type of reparation for victims, and on the other hand, to find out about the possible reparation measures derived from a preliminary review. The outcomes of these workshops allowed systematizing a list of recommendations that was later submitted, debated, and improved during a meeting attended by representatives of governmental organizations to discuss the different topics. Then, there was a meeting with some non-governmental human rights organizations to obtain their points of view about the catalogue of recommendations under study. As can be seen, the set of reparation measures had a participative dynamics that took into account the demands of the victims and the opinions of governmental and non-governmental organizations and which gave it a significant legitimacy as a recommendation development process.

In Paraguay, this was not done in participative manner, but it took into consideration the demands made by the victims during their testimonies to the CVJ, as well as some statements made by some human rights NGOs, who filled out a questionnaire sent by the Commission.

Both commissions analyzed the impact or consequences of such violations, a study that became a chapter in each final report. This should be assessed because the reports go beyond a mere description of the perpetrated violations to timely analyze the effects of such violations at an individual, family, and collective level and how they de-structured the community and social fabric.

Unlike other truth commissions in Latin America, both in Paraguay and Ecuador they indicated the names of the alleged perpetrators of the violations. The report of Paraguay mentions 447 first and last names of people accused by the victims, and the report of Ecuador, 460 who were indicated by the investigations. Even though in both final reports these names did not have any legal or judicial consequences, mentioning the first and last names of the perpetrators of such serious human rights violations is indeed a social sanction.

There are also unpublished analyses in the reports of both commissions regarding the Latin American experiences. Both commissions, though in a limited manner, tried to document cases of human rights violations against the LGBTI population (lesbian, gay, bisexual, transgender, and intersex). The report of Paraguay did it based on two paradigmatic cases that are included in volume VII, the case of Bernardo Aranda in 1959 and the case of Mario Luis Palmieri in 1982; and the report of Ecuador did it in the final section of the chapter on sexual violence and the gender approach in volume I titled “Homophobia and transphobia: violence and discrimination against the LGTBI population in the decades of 1990 and 2000”.

By pointing out some analytical innovative elements, the topics of exile and ill-obtained rural lands should be mentioned in the report of Paraguay; and in Ecuador, the analysis of violence as part of the repressive speeches of León Febres Cordero and the case studies included in the section about crimes against humanity. The Paraguayan exile during the Stroessner dictatorship had such a magnitude that it was considered in the mandate of the CVJ as a violation that should be analyzed in a specific manner. The way each final report deals with these topics is outstanding not only due to their uniqueness and the analysis presented; these topics are a significant contribution to the study of human rights in the region.

An additional outcome of the CV of Ecuador is worth mentioning: a bill to provide reparation for victims. As one of its most important recommendations, the CV developed a bill to provide reparation for victims and ensure the prosecution of serious human rights violations and crimes against humanity committed in Ecuador between October 4, 1983 and December 31, 2008. Such a bill is structured into six titles: object and principles, victim reparation measures, institutional structure for reparations and prosecution, a procedure to grant individual measures of administrative reparations, investigation and prosecution measures, and transitional provisions and amendments. The bill suggests the creation of a program of administrative reparations as the most effective mechanism to encourage victim reparations.

The drafting of the bill considered a thorough comparative analysis of the programs of reparations in Latin America and included valuable comments of some Ecuadorian experts and governmental officials. The bill was formally submitted to the National Assembly at the beginning of the second half of 2010, and the Ecuadorian Parliament has not yet properly debated this bill. This is an important initiative to implement the recommendations of the CV and, above all, to build a solid path that will prevent human rights violations from repeating.

The bill is foreseeing two types of reparation measures: individual administrative reparation measures and general-scope reparation measures. Individual measures are specifically aimed at direct victims and their relatives. General-scope measures are aimed at compensating the Ecuadorian society as a whole and undertaking institutional reforms that prevent cases from repeating. The bill suggests an institutional structure for the implementation of reparations and the prosecution of the perpetrators of human rights violations, creates a procedure to grant individual administrative reparation measures to overcome the main regulatory obstacles for the prosecution of human rights violations investigated by the CV, and guarantees the protection of the human rights of victims during the procedure.

Nevertheless, not everything is positive and there are shared deficiencies that emerged during the activities of both commissions and that are reflected in the final reports. The two commissions had to overcome an obstacle also faced with other truth and transitional processes: the under-registration of cases of sexual violence, including rape. This under-registration is due not only to the fear of women to file a complaint, but also to the prioritization of complaints regarding others: husbands, children, and relatives. Moreover, in both cases, there were small specific teams that, from a feminist approach, worked on this issue, and meant a significant progress regarding other experiences. Furthermore, there were difficulties to make up these groups within a more general approach of the commissions. Anyway, both reports pointed out some relevant cases in the respective chapters on sexual violence and the gender approach. In this sense, due to its uniqueness, I should mention the case of sexual slavery included in Chapter VI about gender differences and the impact of violence on women in volume V, related to the consequences of violations, of the Final Report of Paraguay, and the cases of homophobia and transphobia against the LGBTI population that are included in the fourth section of Volume I of the Final Report of Ecuador.

The rights of indigenous peoples were not analyzed as a key issue by each commission, when the presence of indigenous peoples in both countries is relevant and, above all, when they are historically

unknown and violated. Even though Paraguay tried to close this gap with a public hearing and the inclusion of a chapter on this topic in the Final Report, it is a pity that, for example, there has not been a thorough investigation to determine the possible configuration of genocide against indigenous peoples, as suggested by one of the conclusions of the Final Report, i.e., conclusion number 167 regarding the Aché group. The gap is more evident in the report of Ecuador because there is not any specific section on this topic, not even at an early stage there was any interest in investigating cases against these indigenous peoples. One of the scarce documented cases is that of the Kichwa group in August 2005, case number 106.

Some of the issues and facts that are included in Volume VII of the Final Report of the CVJ of Paraguay regarding paradigmatic cases deserved a more thorough investigation. The violations of the rights to freedom of speech, opinion and expression in the media, the Condor Operation, and the repression of the communist party, just to mention three topics, deserved a more detailed analysis. Undoubtedly, the truth commissions throw a huge snowball that along its path should start disclosing hidden realities and realities that have not been entirely revealed. As properly suggested by Michael Ignatieff, the truth commission started reducing the accumulation of public lies of society⁸ and, more than a finishing point, they are a starting point to deal with the atrocities of the past.

Some of the most daring conclusions of both reports, from a political point of view, are the characterizations of the Stroessner and Febres Cordero regimes; and from a legal point of view, human rights violations are classified as crimes against humanity. The Stroessner political regime was not characterized as a simple military dictatorship but a totalitarian regime that practiced terrorism of the State. The political regime of León Febres Cordero was not characterized as a democratic government that criminalized and repressed the political opposition, thus degrading human dignity. Both reports classified some human rights violations as crimes against humanity, that is, there were attacks against the civil population in a general and systematic manner, and they were not isolated or sporadic cases of violence. The classification of these violations regarding the crimes perpetrated during the Stroessner regime against the civil population and political opponents and, at least for the Alfaro Vive Carajo cases Taura commando groups during the Febres Cordero regime, had a unique significance in view of international law.

Both commissions produced documentaries that were later shown to the public after submitting their final reports. The CVJ of Paraguay produced a 45-minute long documentary video that presented the context and main conclusions of the Final Report. The CV of Ecuador produced a 107-minute long documentary titled “Archives of the Truth Commission,” images, and testimonies about historical events that should not be repeated and disclosed the most significant findings and conclusions of the CV.

During the presentation of both final reports on August 28, 2008 in Asunción and June 7, 2010 in Quito, the presidents of both countries, Fernando Lugo of Paraguay and Rafael Correa of Ecuador, publicly asked to be forgiven for the human rights violations, a symbolic gesture that can be deemed an acknowledgement of the accountability of the State for such regrettable events.

Impacts of the Final Reports of Both Commissions on the International Human Rights Protection Systems

The impacts of the final reports and their follow-up in some international scenarios are different. The case of Paraguay has generated a major mobilization of organizations closer to the Common Market of the

8 “A Truth Commission can only seek to reduce the number of lies that are circulated and that are not denied by anybody and to change the public framework of speech and memory, but nobody can blame them for failing to change behaviors and institutions. This was not its mission. The past is always a topic of debate, and the duty of these Commissions is to refine it in order to reduce the percentage of permissible lies.” In: Ignatieff, M. (1999). *El Honor del guerrero*. Barcelona: Taurus. pp. 165.

South (MERCOSUR) than to the Inter-American system. The Common Market of the South is seeking the integration of the States of Argentina, Brazil, Paraguay, and Uruguay, and since 2009 it has had an Institute of Public Policy on Human Rights. There are regular meetings of higher authorities related to human rights, among them, the General Directorate of Truth, Justice and Reparation of the Ombudsman Office of (DGVJR-DP), which has been participating in the discussion of a Protocol on the Basic Principles to encourage an observatory on crimes against humanity and the development of a Report on Never Again about the Condor Operation in the region.

The Ecuadorian case, even though it aroused interest in the Inter-American Commission on Human Rights because its report was submitted during a hearing held on October 29, 2010, has not mobilized the Inter-American system regarding the use of a report about its decisions and a follow-up of its recommendations. Some UN mechanisms, in recent reports, have mentioned the work of the CV of Ecuador.

The Committee Against Torture, in its final observations for the Government of Ecuador corresponding to the examination of regular reports to be submitted in accordance with the Convention Against Torture, and approved during session held on November 2010, has requested the State to provide thorough information about:

... The response to the [sic] 115 recommendations made in the final report ... The outcome of the examination by the National Assembly's Commission on Justice and Structure of the State and the subsequent proceedings for the adoption of the bill for reparation of victims proposed by the Truth Commission; the outcome of any investigations and criminal trials, including the sentences handed down, that may result from the information submitted by the Truth Commission to the Office of the Public Prosecutor⁹.

On the other hand, the report of the Rapporteur of Extrajudicial, Summary, or Arbitrary Executions about the mission to Ecuador and distributed on May 9, 2011, points out that: "The Truth Commission of the Government, which examined the violations perpetrated between 1984 and 2008, is an important attack against impunity. Even though its composition and independence have been questioned, the Commission gathered invaluable information on perpetrated violations. It is now of crucial importance to adopt the corresponding measures."¹⁰ The body of the Rapporteur's Report states the following, among others:

89. Those who have criticized the Commission raise important concerns, and highlight the need for inquiries to be – and to be seen to be – independent and objective. I also have due process and security concerns about the manner in which alleged perpetrators were named in the final report. However, the detailed and extensive information recorded constitutes an enormous accomplishment, especially because of the large amount of official material declassified and the hundreds of witness and victim statements taken.

90. The challenge now is ensuring that this information is securely archived and followed up with criminal prosecutions in appropriate cases. [...] Government will need to ensure that families are assisted during this process, that victim outreach occurs and protection provided when needed¹¹.

The universal and Inter-American systems are likely to conduct a true monitoring of the final reports of both commissions. To prevent these efforts from becoming just paper battles, inter-governmental human rights bodies must be committed to the Paraguayan and Ecuadorian causes.

9 United Nations. Committee against Torture (2010). *Consideration of reports submitted by States parties under article 19 of the Convention, Concluding observations of the Committee against Torture, Ecuador, CAT/C/ECU/CO/4-6*. 45th session period, November 1-5, 2010. (Unedited version).

10 United Nations. Human Rights Council (2011). *Report of the Special Rapporteur on extrajudicial, summary, or arbitrary executions, Mission to Ecuador, A/HRC/17/28/Add.2, 9 de mayo de 2011*. 17th session period.

11 Ibid, par. 89 and 90.

Paraguay after the Submission of the Final Report of the CVJ

The General Directorate of Truth, Justice and Reparation of the Ombudsman Office of Paraguay (DGVJR-DP)¹², created on January 13, 2009, is the body that has provided an ongoing follow-up to the work of the CVJ. Even though the initial intention of the commissioners of the CVJ of Paraguay was, based on the Argentine model, to create a National Human Rights Secretariat, assigned to the President's Office in order to encourage the implementation and follow-up to the recommendations set forth in the final report, and the Ombudsman Office, as the State control body, took on this task. Even though the implementation of the recommendations has been slow and modest¹³, there are some improvements that are worth mentioning.

Since 2006, during the mandate of the CVJ, there has been a search for human bone remains of the disappeared or executed victims, and there have been five excavation procedures which found and exhumed three sets of human skeletal remains. Since the creation of the DGVJR-DP in 2009, seven sets of human skeletal remains have been found in the excavations made in the current seat of the so-called Specialized Group of the National Police in Asunción (in the past, the Headquarters of the Police and the 40 Battalion), and five sets of human skeletal remains in the district of Carlos A. López, Department of Itapúa.

An excavation work team was composed of officials from the DGVJR-DP, the Criminal Investigation Unit of the National Police and the Office of the Public Prosecutor, with the advice of the Argentine Forensic Anthropology Team. The DGVJR-DP evaluated the possibility of conducting other excavations in Asunción and the interior of the country. The human skeleton remains found have been taken to the Forensic Laboratory of the Office of the Public Prosecutor and, they are most definitely the remains of the disappeared victims. The identification of the exhumed remains is a complex and expensive process that also involves the participation and cooperation of governmental bodies, and the Directorate is seeking both technical and economic cooperation.

The DGVJR-DP has been giving follow-up to the compliance of the recommendations of the Final Report of the CVJ and, for this purpose, there was an "International Seminar on Reparation Policies: Truth, Justice, and Memory" in Asunción on June 1-4, 2010, which sought to conduct a first assessment of the current and future situation of the implementation of recommendations of the CVJ. While the balance, as it is described, is modest, what is important is that pressure is being exerted by victims, human rights organizations, and the DGVJR-DP to implement such recommendations.

Moreover, the DGVJR-DP has followed up to the lawsuits filed by the CVJ in court and has filed new complaints. As stated before, there have not been any sentences regarding the complaints filed by the CVJ or the DGVJR-DP; the perception is that even three years after the submission of the final reports, the Office of the Public Prosecutor is just recently showing a real interest in the recommendations. We will have to wait and see if such an attitude is translated into court decisions because this is the best method to verify if the Paraguayan justice system wants and can punish the perpetrators of human rights violations.

New forms of victimization for the violations of human rights have been frequent; particularly in court scenarios, a situation that is taking place in Ecuador. Guillermo Weyer, a Paraguayan living in Argentina for 35 years, went back to Paraguay in April 2011 to ratify with his testimony a complaint regarding violations he was victim of during the Stroessner dictatorship, a statement made before a prosecuting agent of the Specialized Human Rights Unit of the Office of the Public Prosecutor. It seems that the proceedings caused

12 I appreciate the information provided by this Directorate to present its activities, both to its Director Yudith Rolón and the team of collaborators.

13 See ABC Digital: <http://www.abc.com.py/2011/06/13/nota/estado-incumple-recomendacion-de-la-comision-de-verdad-y-justicia/>.

him a lot of stress and there was no accompaniment or a careful attitude, and this led to his heart attack. At the end, Weyer died on April 27, 2011. This case shows a lack of a psycho-social perspective to file any legal proceedings and requires immediate corrective actions.

The DGVJR-DP has promoted the creation -and coordinated - of the Network historical and awareness sites of Paraguay, established by Executive Decree 5619 in December 2010. Among others, the historical and awareness sites include the former Department of Police Investigations of Asunción and the Paraguayan House in the Argentine city of Corrientes. This network, composed of victim organizations and human rights governmental and non governmental organizations, is assessing other sites that were detention and torture centers in the past, so that they can be declared as historical and awareness sites.

The production of memory events, such as marches and concerts, coincided with other activities to promote and disseminate the Final Report, including the declaration of this report as a report of national interest by the President of the Republic through Decree 1875 of April 23, 2009. Additionally to these dissemination activities, the DGVJR-DP has published other supplementary documents, particularly a book titled “La situación de derechos humanos en el Paraguay entre 1978 y 1990: el procedimiento confidencial 1503 de las Naciones Unidas.” This book describes the procedure based on the Paraguayan case and the internal activities of the UN Human Rights Commission between 1978 and 1990 and, above all, some important documents that were part of this book were gathered. These documents truly reflect the human rights situation during the Stroessner dictatorship and, in many aspects, they throw light on specific cases and facts. The DGVJR-DP has also entered into some inter-institutional cooperation agreements with governmental and international bodies in order to carry out some of these activities¹⁴.

On July 25, 2011, the virtual museum called MEVES, “Memory and Truth about Stroessnerism” was added to the network¹⁵, and this museum seeks to promote democratic values through the dissemination of the Final Report of the CVJ by using an Internet multimedia platform. The virtual museum has three main areas: theme tours that illustrate the Stroessner dictatorship; human rights news, and a virtual human rights classroom especially aimed at teachers and students. The project was implemented by the Information and Resource Center for Development (CIRD), with the cooperation of the European Union and the support of the DGVJR-DP.

For these activities, there has been an important participation of the victims and human rights organizations. The leaders of the work at the DGVJR-DP are victims of the Stroessner dictatorship; this situation also takes place in many other organizations. Women participate in all these organizations; they even play major leadership roles in these processes. The commitment by these people, the NGOs, and the victims has been essential to implement these proposals.

The indemnifications of the victims of human rights violations during the Stroessner dictatorship have been granted since 2001 in accordance with Law 836 of 1996 and its corresponding amendments. The indemnified violations include enforced disappearance, extrajudicial executions, torture, and unlawful deprivation of liberty. Law 3603 of 2008 expands the spectrum of people who are entitled to claim an indemnification, including first-degree consanguinity relatives and “the children of victims who, at the time of their parents’ deprivation of liberty, were minors and suffered physical and/or psychological human rights violations by State agents.”¹⁶

14 A research that presents some public policies about truth and memory, before the CVJ, during its mandate and some of the DVJR-DP is the research conducted by Garretón, Francisca; González, Marianne; and Lauzán, Silvana. *Estudio de Políticas Públicas de Verdad y Memoria en 7 países de América Latina*. Centro de Derechos Humanos, Facultad de Derecho, Universidad de Chile, Santiago de Chile, 2011. [Online resource at <http://www.democraciadh.uchile.cl/>].

15 See: www.meves.org.py.

16 Law 3603, article 2.

According to data provided by the governmental Duty Coordination Unit from the General Directorate of Administration and Finance of the Finance Ministry of Paraguay, the following single-payment indemnifications have been granted to the victims of the dictatorship: in 2010 payments were made to 195 people, in 2009 to 490, in 2008 to 442, in 2007 to 355, in 2006 to 338, in 2005 to 457, and in 2004 to 197. In total, indemnifications were paid to 2,474 people. According to this directorate, the budget until 2010 was 4,939,068,5054 guaraníes (approximately US\$ 12,737,857), and the payments amounted to 49,311,650,912 guaraníes (approximately US\$ 12,717,474). The outstanding balance from recipients who did not show up was 79,034,142 guaraníes (US\$ 20,382.90). About 99.84% has been granted and the balance is 0.16%¹⁷.

The efforts of the DGVJR-DP and the civil society, as well as the victims, to position the Final Report and especially to implement the recommendations, can be contrasted with the attitude of the Government. The Fernando Lugo Administration, to the extent that it broke the chain of the governments of the Colorado Party, generated a lot of expectations among the Paraguayan historically underprivileged social sectors, among them the victims of the Stroessner dictatorship. There were demands for an authentic transition, in which the topic of human rights played the main role. Even though it is impossible to say that the Government has not supported these demands, the dissemination and implementation of the Final Report of the CVJ have not had the foreseen commitment. Slowly and gradually, as other political issues in Paraguay, the Lugo Administration has shown interest in the implementation of the recommendations of the CVJ, particularly the support for the activities of the DGVJR-DP.

Ecuador after the Submission of the Final Report of the CV¹⁸

One of the recommendations of the CV of Ecuador was the creation of an institutional structure in the Ministry of Justice and Human Rights to lead the implementation of recommendations. A year after submitting the Final Report, the CV still is encouraging the implementation of such recommendations and has prevented the rights to truth, justice, and reparation from being just a simple catalogue of good intentions. That is, the CV did not end its mandate with the submission of its Final Report, but on three occasions its mandate has been extended to take follow-up actions; the last extension is until September 2011.

The main reason for the continuation of the CV is explained by the continuous political changes, particularly in the Ministry of Justice. From the creation of the CV to August 2011, four ministers of justice and human rights have been appointed, and the same number of human rights undersecretaries of that ministry have been appointed, and these were initially appointed as the formal liaison between the Government and the CV and the bodies in charge of leading the implementation of its recommendations. This permanent change of officials has led to a minimal staff of the CV because they are experts in the topic so that the Commission implements some of its activities to prevent the Final Report from falling into oblivion. Particularly, its work after the submission of the Final Report has focused on its dissemination and promotion -both the written and documentary versions- across the country, the promotion of the prosecution of the cases at the recently created Specialized Unit of the Truth Commission of the Office of the Public Prosecutor, the promotion of the victim bill, and the close contact with the victims.

The CV has continued implementing activities to disseminate and promote the Final Report. Some of them are twenty thirty-minute radio programs during the first half of 2011, which were broadcasted by more than 175 radio stations in the country. The commission also translated the documentary titled “Archives

17 Information provided by the Duty Coordination Unit from the General Directorate of Administration and Finance of the Finance Ministry of Paraguay to the DVJR-DP. I express my gratitude to the director of the DVJR-DP for providing this information.

18 I appreciate the information provided by Christian Bahamonde, Executive Secretary of the CV of Ecuador, about the current activities of the Commission.

of the Truth Commission” into English, and it is producing a new documentary on reparations. The first submission of the Final Report had wide media coverage, both from the press and the television stations. The archives of the CV were delivered to the National Archive of Ecuador, through the Ministry of Culture, and at present there are efforts to make the Heritage Coordinating Ministry to declare the Final Report as cultural Heritage of Ecuador. During the first extension of its mandate, from August to December 2010, the CV was authorized to receive and document new cases of human rights violations that occurred between 1984 and 2008. For five months, the CV received 22 new cases; some of the León Febres Cordero years and others were more recent.

The Specialized Unit of the Truth Commission from the Office of the Public Prosecutor, created in November 2010, with six prosecutors and support investigation staff, received documentation about 118 cases submitted by the CV. Its members were trained by the CV by taking courses in Quito in December 2010, January 2011, and some in May 2011. They visited Buenos Aires and Corrientes, to hear first-hand experiences about the investigation and charges of crimes against humanity.

Until mid-July 2011, this unit started the previous investigation of about 88 cases. Some of the procedures conducted during the investigations include visiting the places where the cases took place, seizing of some police files containing case documentation, and hearing the statements made by the victims and the alleged perpetrators. The proceedings have not been formally open in any of the cases. It is now time to press charges against the alleged perpetrators so that proceedings can start. The change of management of this unit in May 2011 and the appointment and assumption of office of the new Attorney General in 2011, have not provided trust or promptness to the Specialized Unit. As of August 2011, the CV decided to provide assistance to the victims during the criminal proceedings, so that they can attend their testimony sessions.

Until 2011, there is just one case that was heard by the CV and which is being investigated by the Office of the Public Prosecutor. This case is about an extrajudicial execution of a high-school sixteen-year old student, Damián Peña, in Cuenca on January 11, 2002, by members of the National Police. On July 1, 2011, a prosecutor from Cuenca, but not from the Specialized Unit -because it is not within its jurisdiction- formally started the proceedings.

A situation that has been taking place during previous inquiries is that most victims have felt under pressure because the interviews by the Specialized Unit do not take into account their painful experiences. In other words, there has been a secondary victimization situation. There is concern, such as the aforementioned Paraguayan case, because there is no accompaniment or psychological care provided by the Office of the Public Prosecutor. As indicated above, the lack of a psychological program for the victims of human rights violations is a serious weakness of the Ecuadorian cases that must be immediately corrected.

A group of passive members of the National Police, under the name of the Institutional-Legal Defense Commission of the National Police, submitted two publications in response to the Final Report of the CV. One is titled “*Terrorismo y subversión, la verdad que no se ha dicho,*” and the other is titled “*Réplica al informe de la Comisión de la Verdad.*” Both are seeking to declassify those who were commissioners and members of the support committee, and assessments of some cases perpetrated by Alfaro Vive Carajo are being conducted. This reaction is just trying to discredit the work and the Final Report of the CV using biased and ideologized arguments, and the CV has categorically held the Police accountable for the perpetration of gross human rights violations during the León Febres Cordero Administration.

The proposal to pass the victim bill recommended by the CV at the National Assembly was hindered in 2010 by different political avatars. The Assembly changed the legislative agenda during the second half of 2010, particularly due to the police rebellion and the retention of President Rafael Correa on September 30,

2010. This event practically buried the initiative in 2010. In the first months of 2011, the Ministry of Justice submitted a new proposal, not for a law, but a presidential decree that was discussed at the Attorney General's Office, a body that is in charge of implementing the decisions of the Inter-American Human Rights System. After some visits by officials from the Deputy Secretariat of Human Rights of the Ministry of Justice to Argentina, Chile, and Peru in May 2011 to become aware of the experiences of the reparation programs in those countries, the Ministry has reviewed its position and has been insisting on the need to create, through an organic law, a comprehensive victim reparation program. This important initiative of the CV is likely to be seriously taken, both by Ecuadorian governmental organizations and the National Assembly.

The Ecuadorian political agenda in 2011, regarding justice and human rights, has focused on the promotion of a significant justice reform, so there was a referendum on May 7, 2011, which was won by the Government by a small margin, but it has generated a significant opposition. The referendum created new crimes, toughened up the sentences, restricted the expiration of preventive prison, and changed the judge selection mechanism, among others. The justice reform has practically monopolized the governmental efforts and has prevented the promotion of the proposals included in the Final Report of the CV.

On the other hand, victim and human rights organization have not adopted the Final Report of the CV enough, and they have not become a lobbying group to encourage the implementation of the recommendations. The apparent apathy or weakness of non governmental human rights organizations is a negative factor in this scenario. Moreover, in Ecuador there is a lack of strong victim organizations and of a dynamics of collective collaboration. The CV has become a bridge between the victims and the Office of the Public Prosecutor for a better articulation of its work. This is one of the current justice challenges.

As a Epilogue

Paying off old scores from a violent past is not an easy task. If societies are more democratic, and if there is a social Rule of Law, countries will be better prepared to face the challenges of a transitional justice. If societies are more unequal and human rights are not properly respected and guaranteed, there will be less favorable conditions to face impunity and less victim reparation.

In the cases of Paraguay and Ecuador, democracy is still being built amid efforts to improve the standard of living of their citizens. The creation of truth commissions in Paraguay and Ecuador, and particularly their final reports and the initiatives that are encouraged to promote their recommendations are a starting point to pay off those scores of a past characterized by gross human rights violations and to improve the standard of living of their democracy. Following Avishai Margalit¹⁹, Paraguayans and Ecuadorians are just starting to have their own personalities and to make ethical sense because they have started to remember.

Even though the demands for justice can decrease over time²⁰, this does not mean that the victims of human rights violations in Paraguay and Ecuador do not have the right to demand truth, justice, and reparation. As properly stated by Tzvetan Todorov, the more serious the offense was in the past, the more rights there will be in the present²¹. One of the best reparations to be given to victims is the right to know and the right to justice. "Remembering to prevent history from repeating is not the same as remembering to do justice: in the former, we think of ourselves, in the latter we think of the victims."²²

19 Avisahi, M. (2000). *Ética del Recuerdo*. Barcelona: Herder.

20 Filippi, A. (2007). *Damnatio memoriae y humanitas del derecho*. In P., Eiroa, J., Otero. In *Memoria y derecho penal. Colección Más derecho*. (3). Buenos Aires: Fabián J. Di Plácido Editor.

21 Todorov, T. (2002). *Memoria del mal, tentación del bien, indagación sobre el siglo XX*. Barcelona: Península.

22 Reyes, M. (2003). *Memoria de Auschwitz, actualidad moral y política*. Madrid: Editorial Trotta.

As stated in *Las políticas hacia el pasado*: “As Hannah Arent stated, the first act of totalitarianism is to kill the legal drive of citizens, and part of the duty of transition institutions such as the truth commissions is to revive that drive .”²³ Hopefully, the truth commissions of Paraguay and Ecuador were able to revive the drive of many citizens, and hopefully that drive will not weaken or disappear, quite on the contrary, it will be strengthened and will remain, so that an authentic reconciliation based on the rights to truth, justice, and reparation can be achieved.

23 Barahona de Brito, A.; Aguilar Hernández, P.; González Enríquez, C. (Editors). (2002). *Las políticas hacia el pasado*. Madrid: Istmo.

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