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|  Republic of Peru | PERU | Ministry of Agriculture and Irrigation | Office of the General Secretary | General Administration Office |
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**“Decade for People with Disabilities in Peru”
“Year of Diversifying Production and Strengthening Education”**

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| | MEMORANDUM No. 1379-2015-MINAGRI-OGA | SG-MINAGRI |
| To: ERMELINDA GARCES PINTADO Director Office of Citizen Service and Document Management [OACID] | | OACID/Transparency |
| RE: Submission of requested information according to Law No. 27806 “Law on Transparency of Access to Public Information.” | | DATE: <i>Sept 17, 2015</i> |
| Ref.: a) Official Letter No. 0524-2015-MINAGRI-SG-OACID/TRANSP. b) Unnumbered Request of September 10. | | TIME: <i>11:40 AM</i> |
| Date: [stamp:] SEP. 17, 2015 | | SIGNATURE: [signature] |

I am writing to you in relation to document a) mentioned above to submit, within the period stipulated by law, the information requested pursuant to the request made by Mr. Rafael Ortiz Encalada in document b), as follows:


1. In relation to point one of document b) mentioned above, attached hereto is Table. No. 2 of Court Judgments having *res judicata* status - Group 5 (Law No. 30137 - Supreme Decree No. 001-2014-JUS), containing all of the Land Debts that, to date, have been paid over the course of 2015, showing outstanding balances in the column titled “balance payable,” as approved by the Committee responsible for preparing and approving the Prioritized List of Obligations Derived from Judgments having *res judicata* status pursuant to Law No. 30137.
2. With respect to point two of document b) mentioned above, the response to the request is detailed in the aforementioned table attached hereto, which contains all of the court proceedings filed against the Ministry of Agriculture and Irrigation involving Land Debt. We do not have information regarding the list of court proceedings involving Land Debt filed by claimants against the Ministry of Economy and Finance.
3. Likewise, we specify that the information in the aforementioned table contains all court cases that, with regard to land debt, have ended with a judgment of *res judicata* and with expert testimony approved for a final decision, also showing the names of the claimants.

[stamp:] MINISTRY OF AGRICULTURE AND IRRIGATION, General Administration Office, Director General, JAVIER ERASMO CARMELO RAMOS [signature]

It is important to bear in mind that it is the will and decision of the current ministerial leadership to proceed to deal with all court obligations within the constraints and fiscal balance established by law and that, in the present year 2015, as in the 2014 fiscal year, no specific budget item was allocated to the Ministry of Agriculture and Irrigation to meet court obligations derived from Land Reform. Therefore, the legal authority to allocate up to three percent (3%) of the Preliminary Institutional Budget (PIA) was exercised to satisfy the debts derived from court judgments having the force of *res judicata* to deal with this financial obligation, an internal budgetary effort made possible after rationalizing budgetary requirements and expenses from its different areas and units, thereby revealing its intention to meet said obligations within its budgetary constraints, showing that for the outstanding balances it has made and continues to requisition budgetary allocations from the Ministry of Economy and Finance, for the approval of a supplemental loan to make it possible to pay off unpaid court debts not incurred by the Ministry of Agriculture and Irrigation *per se*, but rather by the Government as a whole, prior to the Land Reform. To this end it could gain

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approval of the necessary budget items from the Ministry of Economy and Finance or by providing them to the Ministry of Agriculture and Irrigation; this latter mechanism, unfortunately, was not accepted, either in the mode of additional budgetary funds or as supplemental loans, which is why **the only budget item available to the Ministry of Agriculture and Irrigation is that created pursuant to Art. 70 of Law 28411, as amended by the Fifth Supplemental Amending Provision of Law 29626, the amount of which clearly does not suffice to cover payment in full of the obligations generated by Land Reform Act No. 17716.**

It should be said that, in view of the new regime for prioritizing debts, during the 2014 fiscal year, the budget item generated by the 3% of the Ministry of Agriculture and Irrigation’s Preliminary Institutional Budget (PIA) was fully spent in the labor and benefits categories, with the same prioritization stipulated by Law No. 30137 given this fiscal year, that being 2015.

Thus, one must bear in mind that the Ministry of Agriculture and Irrigation intends to pay in all court proceedings, considering the limited budgetary resources that, by law, it may use for this purpose, rationalizing its ordinary resources, since, as indicated above, no specific budget item has been approved to cover the land debt. Therefore, as one can see in Table No. 2 attached hereto, judgments having *res judicata* status have been paid according to the order of priority made by the Standing Committee responsible for preparing and approving the prioritized list of payment for court judgments referred to in Law No. 30137 and its corresponding Regulations, it being necessary to consider that, with respect to outstanding balances, it will continue to insist that it be allocated budgetary resources to meet these obligations even when, in relation to previous requisitions made, the Ministry of Economy and Finance has indicated that they cannot be met, with the recommendation that payment proceed with the 3% of the Ministry’s PIA, a response that may change in the event that the judicial request for payment of outstanding balances is sent to the government body that legally has the authority to administer the Public Treasury, authority that clearly does not reside with the Ministry of Agriculture and Irrigation.

Sincerely,

[signature]

JAVIER ERASMO CARMELO RAMOS
Director General
General Administration Office

[stamp:] MINISTRY
OF AGRICULTURE
AND IRRIGATION,
REPUBLIC OF
PERU, General
Administration Office

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TABLE No. 2
 COURT JUDGMENTS HAVING RES JUDICATA STATUS – GROUP 5 (LAW No. 30137 – SUPREME DECREE No. 001-2014-JUS)

LAND DEBT

| No. | CLAIMANTS | JUDGMENT AMOUNTS WITH NOTICE SERVED 2009 – 2014 in \$/ Budget (PIA) | BALANCE PAYABLE in \$/ | AMOUNT PAYABLE IN 2015 (3% TO 5% OF THE Preliminary Institutional Budget (PIA)) | COURT PROCEEDINGS – FINAL AND BINDING JUDGMENTS – RES JUDICATA | | | | STATUS OF PAYMENT PERIOD | |
|------------------|--|---|------------------------|---|---|-----------------------------------|-------------------------------|--|---|---|
| | | | | | COURTS | CASE NO. | DECISION – DEMAND FOR PAYMENT | GROUNDS | | OFFICIAL LETTERS W/ MINAGRI PAYMENT COMMITMENTS |
| 1 | Negociación Azucarera Laredo Ltda. | 71,170,219.94 | 60,038,580.02 | 244,111.41 | 5th Specialized Court of Trujillo | Case No. 1972-303 | Decision No. 103 | Expropriation | Official Letter No. 158-2008-AG-OGA | Starts 2009 – Ends 2013 |
| 2 | Francisco Pinillos Montero (D) | 33,640,566.40 | 28,057,586.40 | 114,079.84 | Specialized Civil Court of Lima | Case No. 102-2004 | Decision No. 108 | Expropriation | Official Letter No. 741-2008-AG-OGA | Starts 2009 – Ends 2013 |
| 3 | Alfonso Poblete Vidal (A) | 27,465,158.64 | 19,414,027.27 | 78,935.67 | 23rd Specialized Civil Court of Lima | Case No. 13433-1997 | Decision No. 05-11 | Indemnification | Official Letter No. 972-2012-AG-OGA | Starts 2011 – Ends 2013 |
| 4 | Alfonso Poblete Vidal (A) | 1,491,052.70 | 1,467,804.31 | 5,957.96 | 23rd Specialized Civil Court of Lima | Case No. 13433-1997 | Decision No. 227 | Indemnification | Official Letter No. 14122012-AG-OGA | Starts 2011 – Ends 2013 |
| 5 | ROXIMA S.A. (\$ 1,694,658.56 at Exchange rate S/ 2.931) | 4,967,044.24 | 4,084,303.20 | 16,606.41 | 4th Specialized Civil Court of Lima | Case No. 15495-1997 | Decision No. 86 | Indemnification | Official Letter No. 670-2008-AG-OGA | Starts 2010 – Ends 2014 |
| 6 | Enrique Macedo Tupayashi | 1,028,367.24 | 460,658.39 | 1,873.00 | 16th Civil Court, Commercial Subspecialty (Supreme Court) Lima | Case No. 12196-2009 | Decision No. 140 | Land Bonds | Official Letter No. 1075-2008-AG-OGA | Starts 2010 – Ends 2014 |
| 7 | San Fernando Pachacamac Reusche SCRL | 44,670,837.60 | 37,426,873.74 | 152,174.27 | 2nd Permanent Administrative Court of Lima | Case No. 2001-239 | Decision No. 25 | Motion to Vacate Admin. Act of Expropriation | Official Letter No. 965-2008-AG-OGA | Starts 2010 – Ends 2014 |
| 8 | Manuel Tello Manucci (S) | 6,515,031.84 | 2,251,413.00 | 9,154.04 | 2nd Specialized Civil Court of Huacho – Huaura | Case No. 2001-00200 | Decision No. 333 | Expropriation – Principal | Official Letter No. 1199-2011-AG-OGA | Starts 2010 – Ends 2014 |
| 9 | A López de Romana Widow of Tuss (C) | 13,390,943.56 | 0.00 | 0.00 | 37th Specialized Civil Court of Lima | Case No. 28191-97 | Decision No. 309 | Interest accrued for property value | Official Letter No. 764-2009-AG-OGA | Starts 2011 – Ends 2015 |
| 10 | A López de Romana Widow of Tuss (C) | | | | 37th Specialized Civil Court of Lima | Case No. 26191-97 | Decision No. 309 | Interest accrued for value of fruit | Official Letter No. 764 –2009-AG-OGA | Starts 2011 – Ends 2015 |
| 11 | José Asunción Quintana Sánchez | 13,199,929.00 | 12,147,136.74 | 49,389.15 | Trial Court of General Jurisdiction – Utcubamba | Case No. 1999-0334-010107X01C | Decision No. 74 | Appraised Indemnification | Official Letter No. 1024-2009-AG-OGA | Starts 2011 – Ends 2015 |
| 12 | Estuardo Saavedra Olivarría | 9,815,625.94 | 9,032,433.30 | 36,725.05 | Civil Court of Pacasmayo | Case No. 163-1973 | Decision No. 62 | Land Bonds and Legal Interest | Official Letter No. 367-2010-AG-OGA | Starts 2011 – Ends 2015 |
| 13 | Elsa Saavedra Olivarría | 12,343,563.24 | 11,359,157.49 | 46,185.30 | Civil Court of Pacasmayo | Case No. 162-1973 | Decision No. 31 | Land Bonds and Legal Interest | Official Letter No. 366-2010-AG-OGA | Starts 2011 – Ends 2015 |
| 14 | Fernando Luna Victoria | 435,809.88 | 401,536.58 | 1,632.62 | 7th Civil Court of La Libertad | Case No. 1974-050 | Decision No. 116 | Land Bonds | Official Letter No. 053-2010-AG-OGA | Starts 2011 – Ends 2015 |
| 15 | José Ricardo Seminario Córdova | 3,289,307.41 | 3,027,716.45 | 12,310.42 | 3rd Civil Court of Piura | Case No. 006-1976-0-2201-JR-CI-03 | Decision No. 44 | Indemnification – Property Value | Official Letter No. 445-2010-AG-OGA | Starts 2011 – Ends 2015 |
| 16 | San Fernando Pachacamac Reusche SCRL | 4,916,396.57 | 4,524,283.99 | 18,395.33 | 11th Civil Court of Lima | Case No. 50119-2002 | Decision No. 128 | Payment of Legal Interest | Official Letter No. 985-2010-AG-OGA | Starts 2011 – Ends 2015 |
| 17 | José Valentín De La Borda Elías | 4,739,647.47 | 4,528,074.85 | 18,410.74 | 39th Civil Court of Lima | Case No. 58659-1997 | Decision No. 69 | Restated Indemnification Value | Official Letter No. 722-2010-AG-OGA | Starts 2012 – Ends 2016 |
| 18 | Ganadería Perú Brasileira | 3,331,538.65 | 3,183,222.88 | 12,942.70 | 1st Perm. Administrative Court Perm. | Case No. 009-1998 | Decision No. [no number] | Appraised Indemnification for Property | Official Letter No. 1051-2010-AG-OGA | Starts 2012 – Ends 2016 |
| 19 | Sociedad Agrícola Pícala | 691,248.93 | 660,585.02 | 2,663.88 | 7th Specialized Court of Lambayeque | Case No. 4431-2001 | Decision No. 338 | Legal Interest – Appraised Imp. | Official Letter No. 1100-2010-AG-OGA | Starts 2012 – Ends 2016 |
| 20 | Olga Pinillas Masquina | 1,526,690.85 | 1,267,762.85 | 5,154.61 | Trial Court of General Jurisdiction of Otuzco | Case No. 1977-048 | Decision No. 40 | Expropriation | Official Letter No. 336-2011-AG-OGA | Starts 2012 – Ends 2016 |
| 21 | Estate of Juan José Olivari Cabezas | 15,475,486.47 | 14,785,228.88 | 60,115.40 | Civil Court of Pacasmayo | Case No. 01014-1977 | Decision No. 28 | Expropriation | Official Letter No. 377-2011-AG-OGA | Starts 2012 – Ends 2016 |
| 22 | Ana Hercilla Yépez Riquelme | 12,650,115.23 | 12,086,515.03 | 49,142.67 | 1st Trial Court of General Jurisdiction of San Román Julica | Case No. 0226-1979-0-20111 | Decision No. 116-2009 | Expropriation | Official Letter No. 834-2011-AG-OGA | Starts 2012 – Ends 2016 |
| 23 | José Luis Llerena Morán | 1,385,202.60 | 1,363,604.61 | 5,544.29 | Trial Court of General Jurisdiction of Aplo | Case No. 2488-1976 | Decision No. 48 | Expropriation | Official Letter No. 1053-2011-AG-OGA | Starts 2013 – Ends 2017 |
| 24 | Segundo Wenceslao Arascue | 28,121,393.71 | 27,682,926.84 | 112,556.27 | Specialized Civil Court of Chota | Case No. 1995-001 | Decision No. 285 | Legal Interest | Official Letter No. 1531-2011-AG-OGA | Starts 2013 – Ends 2017 |
| 25 | Isaac Bricofío Sánchez | 9,463,295.43 | 9,315,744.37 | 37,876.97 | 2nd Specialized Administrative Court of Lima | Case No. 0218-2001 | Decision No. 49 | Legal Interest | Official Letter No. 847-2012-AG-OGA | Starts 2013 – Ends 2017 |
| 26 | Estate of Augusto Durand Dyer | 11,455,312.58 | 11,276,702.12 | 45,850.05 | First Trial Court of General Jurisdiction of Huánuco | Case No. 1751-2000 | Decision No. 316 | Expropriation | Official Letter No. 1120-2012-AG-OGA | Starts 2013 – Ends 2017 |
| 27 | Rómulo Carrasca Paredes | 9,961,690.68 | 9,806,438.67 | 39,871.80 | Civil Court - San Pedro de Lloc | Case No. 415-1973 | Decision No. 62 | Expropriation | Official Letter No. 1124-2012-AG-OGA | Starts 2013 – Ends 2017 |
| 28 | Judo Saavedra Olivarría | 17,238,445.93 | 16,969,665.25 | 68,997.12 | Civil Court - San Pedro de Lloc | Case No. 611-1973 | Decision No. 96 | Expropriation | Official Letter No. 1125-2012-AG-OGA | Starts 2013 – Ends 2017 |
| 29 | Roberto Luna Salcedo | 1,013,433.38 | 490,915.31 | 1,996.02 | 14th Civil Court of Lima | Case No. 31548-2001 | Decision No. 62 | Land Bonds | Official Letter No. 268-2012-AG-OGA | Starts 2013 – Ends 2017 |
| 30 | Zoila Ventocilla Ace | 503,247.69 | 0.00 | 0.00 | 27th Specialized Civil Court of Lima | Case No. 025364-1997 | Decision No. 73 | Land Bonds – Restatement | Official Letter No. 492-2012-AG-OGA | Starts 2013 – Ends 2017 |
| 31 | Maria Margarita Margot Picasso Peralta | 1,455,162.70 | 1,465,162.70 | 5,897.22 | 6th Civil Court of Lima | Case No. 221538-2002 | Decision No. 62 | Land Bonds | Official Letter No. 0565-2013-AG-OGA | Starts 2014 – Ends 2018 |
| 32 | Nicolás Mestas Ariari | 154,942.03 | 154,942.03 | 629.98 | 1st Trial Court of General Jurisdiction of San Román Julica | Case No. 00093-1979 | Decision No. 164 | Expropriation | Official Letter No. 482-2013-AG-OGA | Starts 2014 – Ends 2018 |
| 33 | Horacio Alva Tirado | 8,021,779.86 | 8,021,779.86 | 3,615.83 | 1st Civil Court of San Pedro de Lloc | Case No. 00049-1973 | Decision No. 38 | Expropriation | Memorandum No. 0192-2013-AG-OGA | Starts 2014 – Ends 2018 |
| 34 | Estate of Pastor Carlos Santisteban | 284,853.75 | 284,853.75 | 1,158.19 | 7th Specialized Civil Court of Chiclayo | Case No.04642-2001 | Decision No. 33 | Expropriation – Restatement of Debt | Official Letter No. 0506-2013-AG-OGA | Starts 2015 – Ends 2019 |
| 35 | Rosa María De Los Heros Wallieghen | 1,245,662.95 | 1,245,662.95 | 5,064.75 | First Specialized Trial Court of General Jurisdiction of Calate | Case No. 329-1975 | Decision No. 132 | Expropriation | Official Letter No. 0953-2013-AG-OGA | Starts 2015 – Ends 2019 |
| 36 | José Emilio Cordier Velazco / Luis Velazco Aragón | 3,873,261.17 | 3,873,261.17 | 15,748.33 | Third Civil Superior Court of Cusco | Case No. 183-1974 | Decision No. 46 | Expropriation | Official Letter No. 1621-2014-MINAGRI-OGA | Starts 2015 – Ends 2019 |
| 37 | Estate of Felipe Ojeda Vásquez | 10,865,084.07 | 10,865,084.07 | 44,176.44 | Specialized Civil Court of Pacasmayo | Case No. 341-1974 | Decision No. 14 | Expropriation | Official Letter No. 0101-2014-MINAGRI-OGA | Starts 2015 – Ends 2019 |
| 38 | Alfredo Elías (illegible, possibly Yarg**) | 3,973,904.03 | 3,973,904.03 | 16,157.53 | Second Specialized Civil Court of Ica | Case No. 22-1992 | Decision No. 261 | Expropriation | Official Letter No. 023-2014-MINAGRI-OGA | Starts 2015 – Ends 2019 |
| 39 | Estate of Carlos and Rómulo (illegible) Paredes | 7,439,609.84 | 7,439,609.84 | 30,248.78 | Civil Court of the Province of Pacasmayo - San Pedro de Lloc | Case No. 00199-1973 | Decision No. 37 | Expropriation | Official Letter No. 0374-2015-MINAGRI-OGA | Starts 2015 – Ends 2019 |
| 40 | Estate of Victor Fernando Noe (illegible, probably Yapaspas) | | | | Civil Court of the Province of Pacasmayo - San Pedro de Lloc | Case No. 00250-1978 | Decision No. 10 | Expropriation | Official Letter No. 0373-2015-MINAGRI-OGA | Starts 2015 – Ends 2019 |
| 41 | Estate of Augusta Luna de la Fuente de Conroy | 6,485,633.41 | 6,485,633.41 | 26,370.00 | Civil Court of the Province of Pacasmayo - San Pedro de Lloc | Case No. 0085-1973 | Decision No. 16 | Expropriation | Official Letter No. 0372-2015-MINAGRI-OGA | Starts 2015 – Ends 2019 |
| 42 | Estate of Temístocles Rocha Rebatta | 332,636.31 | 302,636.21 | 1,230.49 | Second Specialized Civil Court of Ica | Case No. 00081-1998 | Decision No. 141 | Expropriation | Official Letter No. 1195-2014-MINAGRI-OGA | Starts 2015 – Ends 2019 |
| SUB TOTAL | | 413,338,871.73 | 354,813,312.90 | 1,442,638.70 | | | | | | |

2 OTHER OBLIGATIONS

| | | | | | | | | | | |
|------------------|---|-----------------------|-----------------------|---------------------|---|------------------------------|--------------------------|---|-------------------------------------|-------------------------|
| 1 | Inmobiliaria Luna Méjico S.A. | 10,613,235.54 | 9,675,493.52 | 39,339.68 | 2nd Civil Court of Lima | Case No. 46757-2002 | Decision No. 106 | Legal Interest – Payment of [illegible] | Official Letter No. 457-2009-AG-OGA | Starts 2011 – Ends 2015 |
| 2 | Compañía de Vigilancia y Seguridad S.R.L. | 173,440.87 | 170,820.20 | 694.54 | | | | | | Starts 2014 – Ends 2018 |
| 3 | GX DATA Tecnologías de la Información | 128,295.87 | 128,295.87 | 521.48 | 11th Civil Court of Lima, Commercial Subspecialty | Case No. 00829-20[illegible] | Decision No. [illegible] | Enforcement of [illegible] | Official Letter No. 267-2012-AG-OGA | Starts 2013 – Ends 2017 |
| SUB TOTAL | | 10,686,676.41 | 9,974,569.59 | 40,555.69 | | | | | | |
| TOTAL | | 442,329,992.42 | 364,787,882.49 | 1,483,194.39 | | | | | | |

[stamp:] MINISTRY OF AGRICULTURE AND IRRIGATION, General Administration Office, Director General, JAVIER ERASMO [illegible] [signature]

[stamp:] MINISTRY OF [illegible], ADVISOR, OFFICE OF THE GENERAL SECRETARY, [illegible] [signature]

[stamp:] General Planning [illegible] Office, APPROVED, DIRECTOR GENERAL, [illegible] [signature]

[stamp:] MINISTRY OF AGRICULTURE AND IRRIGATION, APPROVED, [illegible] Legal Office [signature]

[stamp:] PUBLIC PURCHASING DEPARTMENT, REPUBLIC OF PERU, Ministry of Agriculture [signature]