

Peru's 2000 Presidential Election: Undermining Confidence in Democracy?

EXECUTIVE SUMMARY

On April 9, 2000, Peruvian voters will cast their ballots in presidential and congressional elections. Nine political groups have registered, and four candidates are generally regarded as front-runners. Incumbent president Alberto Fujimori is seeking a controversial second re-election. His strongest opponent is Alejandro Toledo, a second-time candidate for Possible Peru (*Perú Posible*) followed by Alberto Andrade, the mayor of the capital city of Lima and leader of We are Peru (*Somos Perú*), and Luis Castañeda Lossio, the leader of the National Solidarity Party (*Partido Solidaridad Nacional*). Although much is at stake in these elections, differences in political programs have taken second place to the clash of individual personalities.

From the outset, serious allegations have been made with regard to the rules of the electoral process and the unfair advantages of incumbency. Non-partisan election organizations, such as *Transparencia*, *Foro Democrático* and *La Defensoría del Pueblo* (the Ombudsman's Office), along with international election observation missions, will play a crucial role in ensuring a clean process and educating the electorate about voting procedures. President Fujimori may represent a disturbing new trend – a movement away from democratic consolidation and toward the dismantling of the institutional underpinnings of representative democracy.

RÉSUMÉ

Le 9 avril 2000, les Péruviens devront se présenter aux urnes afin d'y élire les membres du Congrès ainsi que le président. Au total, neuf groupes politiques sont enregistrés et on peut discerner quatre candidats de premier plan. L'actuel président Alberto Fujimori alimente la controverse en tentant de se faire réélire pour une deuxième fois. Son principal adversaire est Alejandro Toledo, candidat pour une deuxième fois du *Perú Posible* (Le Pérou Possible), suivi par Alberto Andrade, actuel maire de Lima, capitale du pays, et leader du *Somos Perú* (Nous sommes le Pérou), et Luis Castañeda Lossio, leader du *Partido Solidaridad Nacional* (Parti de la solidarité nationale). Même si plusieurs questions sont en jeu dans cette élection, les différences au niveau des programmes politiques ont été marginalisées au profit d'une lutte de personnalité entre les candidats.

Dès le début, de sérieuses allégations ont été faites en ce qui concerne les règles du processus électoral lui-même et des avantages injustes que possède le président pendant l'exercice de ses fonctions. Quelques organisations électorales non partisans telles que *Transparencia*, *Foro Democrático* et *La Defensoría del Pueblo* (le bureau de l'ombudsman), ainsi que les missions internationales d'observation électorale, joueront un rôle crucial afin d'assurer un processus transparent et d'éduquer la population concernant le processus électoral lui-même. La réélection du président Fujimori laisse entrevoir une tendance inquiétante – une qui s'éloigne de la consolidation démocratique et qui suggère le démantèlement des institutions sous-tendant la démocratie représentative.

RESUMEN

El próximo 9 de abril del 2000, los peruanos asistirán a las urnas electorales para depositar sus boletas durante las elecciones presidenciales y congresionales que se celebrarán en esa nación. Para la contienda se han inscrito nueve grupos políticos dentro de las cuales hay cuatro candidatos que parecen tomar la avanzada. La decisión del actual

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presidente, Alberto Fujimori, de ir en busca de una segunda reelección ha sido bastante polémica. El contendiente más fuerte de Fujimori es Alejandro Toledo, quien por segunda vez representa al grupo Perú Posible; seguido de Alberto Andrade, Alcalde de Lima y líder de la agrupación Somos Perú; y por último, Luis Castañeda Lossio, líder del Partido Solidaridad Nacional. A pesar de que hay mucho en juego en estas elecciones, los diferentes programas políticos ocupan un segundo plano en medio de un enfrentamiento de personalidades entre los candidatos.

Desde el inicio comienzo del proceso electoral se han suscitado denuncias sobre la reglamentación del propio proceso y las injustas ventajas que este ofrece al actual Presidente. Varias organizaciones electorales no partidistas como Transparencia, Foro Democrático y la Defensoría del Pueblo, junto a observadores internacionales, jugaran un papel primordial en pos de asegurar unas elecciones limpias, así como en educar al electorado sobre el propio proceso de votación propiamente. El intento de reelegirse por segunda vez del presidente Fujimori parece ser el embrión de una nueva tendencia perturbadora que se aparta de los fundamentos esenciales de la democracia representativa.

PERU IN THE 1990S: FUJIMORI'S AMBIGUOUS LEGACY

Peru has changed dramatically since President Fujimori won his first presidential election in 1990. His success in fighting terrorism, restoring economic stability, and reinserting the country's economy into the international financial system has made Peru an attractive location for foreign investment and has ensured sustained and high levels of domestic popularity. The economic prospects for Peru are better now than they have been since the 1970s. At the end of 1999, Peru achieved one of the highest growth rates in Latin America (approximately 3.8%, although some experts question the adequacies of official GDP data) and one of the lowest rates of inflation (4.3%). Public external debt has been reduced from 56% to 28% of the GDP and is now at US\$ 19.5 billion.

In 1995, Alberto Fujimori gained a major vote of confidence by winning close to 65% of the vote in his bid for re-election to a second term in office. His political movement, *Cambio 90-Nueva Mayoría (C90-NM)*, won an absolute majority in the 120-seat unicameral legislature.

However, Fujimori's achievements in restoring economic stability and battling the counter-insurgency came at a cost. Most Peru experts agree that power has been centralized in the hands of the presidency; legal mechanisms of accountability have been dismantled; a powerful and politicized military and intelligence service

has asserted itself in wider arenas of civilian life; the autonomy of the congress, judiciary and media have been sharply limited; and the political party system, a critical institution for any democracy, has virtually collapsed. This, along with economic stability, is part of Fujimori's legacy.

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PERU'S 2000 PRESIDENTIAL ELECTION Re-election Controversy

President Fujimori announced his candidacy in December 1999. He argued that seeking a third term was inevitable since the opposition was unqualified to offer a convincing political alternative and incapable of consolidating the reforms implemented during his two administrations.

Presidential re-election has emerged as the most controversial issue for the 2000 presidential election. Opposition

groups filed 18 separate legal motions with the National Election Board, hoping it would bar Fujimori from the April election. The opposition argued that Fujimori's bid for a third re-election is unconstitutional and violates Peruvian electoral law. The National Election Board ruled unanimously in rejecting, without appeal, all the opposition's legal motions. A variety of public opinion surveys indicate that approximately two thirds of the Peruvian public opposes the idea of a third term for the incumbent president, yet many still support Alberto Fujimori.

A new constitution enacted in 1993 lifted the ban on immediate presidential re-election and allowed the

president to run for a second consecutive term in office. Supporters of President Fujimori argue that the 1993 Constitution was not in effect at the time of his first election in 1990, and therefore his first term in office under the new rules is the period 1995-2000. According to this view, President Fujimori is eligible to seek re-election in 2000. The pro-government majority in Peru's Congress acted vigorously to establish a legal framework to support its position and disabled the Constitutional Tribunal backed up by the Supreme Court, despite opposition arguments that these actions were illegal and self-serving on the part of the government.

Fair and Transparent Elections?

Political Harassment of Candidates and Pro-democracy Institutions?

International and local observers have pointed to persistent personal defamation campaigns against opposition candidates and leaders of institutions that promote democracy in Peru such as *Transparencia* and *La Defensoría del Pueblo* (Ombudsman's Office). Due to the lack of independence of the Peruvian judiciary system, criminal investigations into the past activities of opposition candidates and disruption of campaign activities are common. Presidential candidates have protested about political harassment, and the government has been ineffective in investigating such allegations. The candidates have taken their claims to the courts, where they blame their lack of success on government manipulation of the judicial system and a "dirty tricks" campaign led by the National Intelligence Service.

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Unequal and Negative Media Coverage?

Since the government arbitrarily stripped Baruch Ivcher of his citizenship in 1997, there has been an almost complete absence of critical television reporting on the election. Ivcher was the owner of a television network that aired stories exposing human rights abuses by the army and intelligence service.

Negative coverage in the media of leading opposition candidates and institutions critical of the administration is a serious issue in the upcoming election. Opposition candidates blame the tabloids for their dramatic decline in popularity and have even challenged tabloid allegations in the courts.

In addition, opposition candidates have had restricted access to paid advertising and political broadcasts on state-owned media and privately owned television channels. Peruvian electoral legislation stipulates that the

government cannot use state-owned media outlets to distribute information in favour of or against individual candidates and parties. Media monitoring reports released by *Transparencia* showed that state-owned media outlets provided virtually no coverage of the formal announcements of opposition presidential candidates, and the main open-signal television channels offered only limited information. Privately owned television channels have refused to broadcast electoral propaganda and have shelved political programs so as not to run afoul of government countermeasures. Presidential candidates have had to broadcast their messages on cable television, to which only a tiny proportion of Peruvians have access.

Given continuous criticism concerning the unequal coverage of candidates, the government announced measures to guarantee clean elections, to welcome international observers and to provide 45 days of free broadcasting time for all candidates before election day. To avoid accusations of impropriety, the government also reduced its own advertising expenditures in the months leading up to election day. It also set up a special 801-telephone number for citizens to report violations of election law during the campaign and election.

However, the government order does not affect privately owned media stations because Peruvian election law does not regulate the conduct of these outlets during election campaigns. After heated arguments from the opposition and international observers, the privately owned channels did open their airwaves to campaign advertising just six weeks before voting day.

Profiting from State Resources?

That an incumbent should have advantages over his or her opponents is not unusual, and would not be a problem were the electoral rules and procedures widely accepted and free from political interference. In Peru, however, some human rights organizations and electoral observers suggest that the state has been placed at the service of presidential re-election. They claim that the Ministry of the Presidency is using its social programs to influence the election, and that the armed forces are playing the role of campaign organizers. According to Peruvian electoral law, no public office can be used for such activities. However, Peruvian local press has compiled evidence that members of the armed forces are promoting Fujimori's campaign by painting political propaganda on areas under military control. In addition, some national newspapers have linked the National Intelligence Service to President Fujimori's Peru 2000 campaign organization.

Potential Electoral Fraud?

There is a general lack of confidence in the impartiality of electoral institutions in Peru. Observers doubt the effectiveness of authorities to guarantee clean elections, especially after the decision of the National Election Board to approve without appeal Fujimori's third candidacy. In January 2000, a *Transparencia* Report questioned the voter registration list, pointing out substantial errors in the voter registration rolls.

Transparencia noted that such errors raise suspicions about the integrity of the list and the possibility of voting-day abuses.

On February 29, a local newspaper reported that President Fujimori's Peru 2000 electoral alliance counterfeited one million signatures on its petition for legal registration. The report alleged that at least 400 people were involved in the forgery scheme. Peru's National Election Board appears to have acquiesced to a request by external observers (including *La Defensoría del Pueblo*, *Transparencia*, the Carter Center and the National Democratic Institute) that a full investigation be conducted into the matter.

According to political observers, one of the government's strategies for winning the election in the first round is to challenge the validity of a great number of ballots as they are being counted. According to Peruvian electoral law, blank and null votes are not included in the official calculation of the percentage of valid ballots. Therefore, there is a direct relationship between non-valid votes and winning in the first round for the frontrunner: the higher the percentage of discounted ballots, the more likely it is that the frontrunner will obtain 50% of the total number of valid votes in the first round.

THE CANDIDATES

In 1995, 14 political groups had presidential candidates, only two of whom had any real chance of winning. In the current election, some opposition leaders have attempted to unify their efforts behind a single candidate. However, intense negotiations have failed to bring about a united opposition. With 10 political organizations (one of which is not running a presidential slate) registered with the National Election Board, there are a total of 1,200 candidates for the 120-person Congress. Although much is at stake in these elections, differences in political programs have taken second place to the clash of individual personalities.

Although Peruvian polls are notoriously inaccurate, in the last three months most of them have placed Alberto Fujimori clearly in the lead. Some observers suggest there is a ceiling to Fujimori's support, at least in his electoral base in Metropolitan Lima. According to political scientist Julio Carrión, Fujimori's appeal rests on

voter awareness of his achievements. When asked, most voters can readily identify the government's accomplishments: defeating terrorism, assisting the poor, and achieving economic recovery. There is less agreement on Fujimori's liabilities, with no single error or problem being cited by more than half of the respondents.

At the same time, the opposition has failed to provide voters with a single and widely accepted reason not to support Fujimori. Moreover, the frontrunners' campaigns have had a limited effect on the opinions of the electorate. So far, voters do not appear to be able to distinguish significant differences between the opposition candidates. If no presidential candidate receives more than 50% of the valid votes in the first round, there will be a second round probably in May or June between the two most successful candidates from the first round. The winner will take the presidential sash on July 28, 2000.

The Frontrunners

Peru 2000

Alberto Fujimori has won multi-class support through populist appeals that bypass traditional parties. At the same time, he has failed to create a lasting party vehicle of his own. The Peru 2000 electoral alliance includes *C90-NM*, *Vamos Vecino*, and *Frente Independiente Perú 2000*, all of which are electoral fronts set up in previous campaigns to attract votes for the government.

Francisco Tudela, a candidate for the first vice-presidency, is a former Minister of Foreign Relations and Peruvian Ambassador to the United Nations. The highest-ranking government official held hostage in the guerrilla assault on the Japanese ambassador's residence, Tudela was wounded in the rescue by government troops in April 1997. He resigned in protest as Minister of Foreign Relations when Baruch Ivcher's Peruvian nationality was revoked.

Ricardo Márquez, the current first vice-president of Peru, who was elected on the *C90-NM* ticket in 1995, is a former president of the National Manufacturers Association. He is the candidate for the second vice-presidency.

Peru Posible

Alejandro Toledo, a professor from a business administration school, enjoys a well-defined image among voters and has steadily increased his popularity in the polls since November 1999. He has cultivated the image of the self-made man who worked his way up through a discriminatory society to achieve academic and professional success.

Carlos Ferrero Costa, a former *C90-NM* legislator, is the candidate for the first vice-presidency. He is well known for breaking ranks with his former political group on human rights and constitutional issues. Ferrero left *C90-NM* after Fujimori announced he was running for a third term. David Waisman, a renowned entrepreneur and advocate for small business, accompanies Toledo as second vice-president.

Somos Peru

Alberto Andrade, the mayor of Lima and twice re-elected mayor of the middle-class suburb of Miraflores, is a pragmatist who has cultivated a "tough guy" image. He has successfully built a national network of supporters at the local level and has promoted the cause of regional decentralization. However, polls show that his popularity has declined since April 1999. Andrade has fought hard to present himself as the strongest opposition candidate and to position himself in any run-off elections, potentially building an "anybody-but-Fujimori" coalition.

Luis Guerrero, elected twice as mayor of the city of Cajamarca, and former president of the National

Municipalities Association accompanies Andrade as first vice-president. Beatriz Merino, an opposition legislator dedicated to environmental, consumer and women's issues, is running as the second vice-president.

Partido Solidaridad Nacional

Luis Castañeda Lossio, former director of the Peruvian Social Security Institute, has established a reputation as an effective manager who wants to eliminate poverty. During the last half of 1999, he profited from Andrade's declining popularity. However, he has lost appeal due to his limited assertiveness. In the February polls, he placed fourth in the electoral preferences.

The candidate for the first vice-presidency, Eduardo Farah, is a former president of the National Manufactures Association and a harsh critic of Fujimori's economic policies. Graciela Fernández Baca, a well-known Congresswoman who ran as vice-presidential candidate for *Unión por el Perú (UPP)* led by Javier Pérez de Cuéllar in 1995, is running as second vice-president for PSN.

Main Political Parties, Presidential and Vice-Presidential Candidates

Peru 2000 (incumbent)	Avancemos
President: Alberto Fujimori First Vice-President: Francisco Tudela Second Vice-President: Ricardo Márquez	President: Federico Salas Guevara First Vice-President: Rafael Rey Rey Second Vice-President: Guillermo Castañeda
Peru Posible	Accion Popular (AP)
President: Alejandro Toledo First Vice-President: Carlos Ferrero Costa Second Vice-President: David Waisman	President: Víctor A. García Belaunde First Vice-President: Valentín Paniagua Second Vice-President: Pedro Morales
Somos Peru	Frente Popular Agrícola del Peru (FREPA)
President: Alberto Andrade First Vice-President: Luis Guerrero Second Vice-President: Beatriz Merino Lucero	President: Ezequiel Ataucusi Gamonal First Vice-President: Héctor Jhon Caro Second Vice-President: Mario Cabanillas Chávarry
Partido Solidaridad Nacional (PSN)	American Popular Revolutionary Alliance (APRA)
President: Luis Castañeda Lossio First Vice-President: Eduardo Farah Second Vice-President: Graciela Fernández Baca	President: Abel Salinas Eyzaguirre First Vice-President: Jorge Del Castillo Second Vice-President: Elvira de la Fuente
Union Por el Peru (UPP)	Frente Independiente Moralizador (FIM)
President: Máximo San Román First Vice-President: Henry Pease García Second Vice-President: Maximiliano Cardenas	(presenting only Congressional Slate)

Congressional Elections and Slates

If Alberto Fujimori wins the presidential election on April 9 in the first round, he may not have the congressional majority as in 1995. A fragmented Congress may pose a challenge for a third administration. Congressional slates are heterogeneous and ideologically diverse. Distinguished members of the business community, most of them critics of Fujimori's economic policy, academics, actors, grassroots activists and retired military officers, are all represented in most congressional lists. Retired army officials are unusually active in this electoral campaign. This engagement may be due to the increasing politicization of the armed forces and the growing power of the President's security advisor, the shadowy Vladimiro Montesinos, both of which have been sources of continued discontent over the last 10 years. Dissatisfaction has been especially palpable among middle-ranking officers who see their path to higher ranks blocked by a semi-permanent cadre of politically connected officers.

SOME SCENARIOS

A Winner in the First Round

Should Fujimori win a narrow victory in the presidential election, it would not be surprising to see his opponents dispute the legitimacy of the final results. They have questioned the legitimacy of the entire process from the beginning, all the more so as a result of the current allegations of electoral fraud.

Going for a Second Round

If Fujimori fails to win outright on April 9, 2000, his chances of winning in the second round may diminish, although he could still enter the race as the favourite. While a consolidated opposition vote could exceed Fujimori's support base, the opposition has failed to unite in the past and may not rally behind a runner-up. The opposition vote could consolidate depending on identity of the candidate for the second round. According to January polls, Luis Castañeda appears to be the second best candidate for most voters, and he may be able to unite the opposition vote. However, Alejandro Toledo's rising popularity may be more attractive for the undecided voter and even encroach upon some of Fujimori's electoral base.

SIGNIFICANCE OF THE PERUVIAN ELECTION TO CANADA

The Peruvian elections are very important to Canada's agenda of strengthening democratic institutions in the

Western Hemisphere. Since the 1992 coup, Canada has normalized relations with Peru and played a positive role in promoting human rights and democracy in the South American country. It has awarded:

- Cdn \$200,000 to assist an ad hoc Commission that reviews cases of people wrongly convicted of terrorism over the past three years;
- Cdn \$2.3 million in multi-year funding for the defence and promotion of human rights through the National Ombudsman's Office;
- Cdn \$100,000 for election monitoring, including Cdn \$25,000 for the Organization of American States (OAS) to plan an election monitoring mission and Cdn \$75,000 for the "Elections Supervision 2000" project of the National Ombudsman's Office;
- Cdn \$90,000 to the non-governmental organization *Transparencia* for election monitoring and voter education.

President Fujimori may represent a disturbing new trend – a movement away from democratic consolidation and toward the dismantling of the institutional underpinnings of representative democracy.

Concerns remain among Canadians interested in Peru that Fujimori's last two administrations have weakened democratic institutions, and that limited checks and balances exist to counter the incumbent's autocratic style. By further increasing presidential powers at the expense of the legislature, the 1992 *autogolpe* (self-coup) and the 1993 Constitution

challenged the predominant patterns of civil-military relations in Latin America during the 1990s. Today, the concentration of power in the hands of the executive branch of the government shields senior civilian officials and military officers from public scrutiny. Elections remain the sole mechanism of accountability available to Peruvians, but increasingly, they too are being questioned. The OAS official electoral observation mission to Peru, which arrived in Lima on March 1, is expected to be a strong voice for fair electoral conditions. However, should the OAS fail to carry out its mandate in an objective manner, it would, in effect, legitimize a seriously flawed election.

In addition, Canada should be alarmed by Peru's withdrawal from the jurisdiction of the Inter-American Court of Human Rights in 1999, as it represents Peru's lack of commitment to the regional multilateral political system. This withdrawal is all the more significant for Canada as host and chair of the two significant hemispheric political processes – the General Assembly of the Organization of American States and the Summit of the Americas. In the context of its hemispheric human

security agenda, Canada will be promoting initiatives with all Latin American and Caribbean countries to strengthen the inter-American human rights system, not weaken it. While members of the opposition and neighbouring countries criticized Fujimori's decision to withdraw from the Court, the President's popularity in Peru remained high. President Fujimori may represent a disturbing new trend – a movement away from democratic consolidation and toward the dismantling of the institutional underpinnings of representative democracy.

CONCLUSION

Peru's elections point to a worrying trend in Latin America. In the last two decades, elections have become the accepted means of presidential succession, and, for the most part, they have been fair and free. Undemocratic practices by elected leaders still persist, but this is not surprising. What is significant is the loss of confidence in the electoral process itself.

There are serious doubts that the Peruvian election in April will be a fair one. President Fujimori has virtually monopolized television broadcasting and the networks have refused to air paid commercials for opposition candidates. Opposition candidates claim that they have

been harassed and that their campaign events have been sabotaged. Institutions linked to electoral observation have been attacked by media outlets that support President Fujimori.

It is significant that popular leaders like Fujimori can undermine fair and institutionalized elections and still be widely supported and repeatedly elected. If Peruvian voters are willing to grant autocratic powers to President Fujimori, clearly they do not believe that they are well served by existing institutional arrangements. As part of

a broader trend, Venezuelans, Ecuadorians and Peruvians have turned against traditional political parties because they see them as representative of a privileged elite.

This trend will have to be scrutinized carefully by Canada and the international community. Ways to improve

Peruvian political and electoral systems – increased civilian control of the armed forces, strengthened legal mechanisms of accountability, increased autonomy of the Congress, judiciary and media, strengthened political party system, improved democratic institutions' representation for the average citizen – will have to be promoted and pursued in order to restore Peru's credibility as a democracy.

If Peruvian voters are willing to grant autocratic powers to President Fujimori, clearly they do not believe that they are well served by existing institutional arrangements.

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