



# Peru

Assessment: Fair

Trend: ↑

Capital: Lima

Type of Government: Constitutional Republic

Head of Government: President Alejandro

Toledo (since 28 July 2001)

Minister of Foreign Affairs: Allan Wagner

Tizon

Population: 27,483,864

Human Development Index Ranking 2002: 82

## EXECUTIVE SUMMARY

From 1992 to 2000, Peru demonstrated a **poor** record of support for democracy abroad. This was mainly due to the fact that the country was under the authoritarian rule of President Alberto Fujimori whose domestic policies repeatedly violated commonly accepted democratic norms. Peru's record in this area began to change abruptly in November of 2000 with the fall of the Fujimori regime followed by free and fair elections in 2001. Since then, the Andean country's record of support for democracy abroad has improved significantly, and can be considered **good**.

The interim administration of President Valentín Paniagua (2000-2001), and the democratically-elected government of President Alejandro Toledo (2001-present), have made numerous efforts to restore the image of Peru in the international community as an advocate for democracy at home and abroad. For example, Peru played a leading role in the hemisphere's adoption of the Inter-American Democratic Charter in September 2001. Given the myriad economic, political, and social problems at home, it remains to be seen how much political capital the Toledo government will invest in continuing to promote democracy in the region and beyond.

## FOREIGN RELATIONS BACKGROUND

Given the history of Peruvian politics from 1992 to 2002, it is not surprising that efforts to promote democracy abroad differ significantly before and after the fall of Peruvian President Fujimori in 2000. In April of 1992, President Fujimori led his infamous *autogolpe* (self-coup), closing Congress, suspending the constitution, and taking control of the courts. From then on, while seeking to stabilize a suffering economy and combating the Shining Path insurgency, Fujimori continued to undermine democratic institutions at home -- violating press freedoms, manipulating the judicial system, and concentrating power in the hands of the executive. Abroad, Peru's foreign policy focused on resolving a long-standing border conflict with Ecuador, cooperating with the United States on support to counternarcotics efforts, and attracting foreign investment.

It was in Fujimori's self-interest to undermine international efforts to promote democracy in other countries as a way to discredit the international community's concern about his own regime. Peru was widely criticized for the government's disregard for democratic governance, human rights and fair electoral processes. In 2000, Fujimori ran for a third term, a decision viewed by the majority of the country's opposition (as well as many in the international community) as unconstitutional. When the Constitutional Court ruled against his re-election bid, Fujimori dismissed the three judges who ruled against him, reflecting his unabashed manipulation of the rule of law, judicial procedures, and the electoral system. The subsequent presidential elections were plagued by allegations of fraud and mishandling from the beginning. International electoral missions led by such institutions as the Organization of American States (OAS) and The Carter Center were unable to give their seal of approval to the elections, pointing to the fact that the Fujimori regime controlled not only the electoral offices, but also much of the printed and broadcast media. His challenger, Alejandro Toledo, withdrew from the second round of the elections in protest, and Fujimori took office in July of 2000 in a climate of political illegitimacy.

In November of 2000, among mounting charges of corruption, and thanks to a vital pro-democracy opposition movement largely backed by the hemispheric community, Fujimori fled to Japan and resigned. An interim government led by the highly respected legislator, Valentín Paniagua, quickly organized new elections and began to restore the trampled democratic institutions that had been undermined during a decade of authoritarian rule. On 28 July 2001, opposition leader Alejandro Toledo was sworn in as president after what were widely seen as free and fair elections. The new government assumed power in an intense and politically charged climate marked by high expectations for democratic renewal. One of the many challenges that Peru now faced was undoing the Fujimori foreign policy legacy and reinserting itself in the international democratic community.

#### **RESPONSE TO OVERTHROWS OF DEMOCRATICALLY-ELECTED GOVERNMENTS**

Despite the Fujimori government's strong bias against outside intervention in internal affairs, Peru did endorse a growing number of inter-American mechanisms to protect and defend democracy in the region. These included Resolution 1080 adopted in Santiago in 1991, the Washington Protocol (1992) and the Managua Declaration (1993).<sup>1</sup> A closer look, however, reveals that the Peruvian government, in defiance of OAS principles his government had earlier endorsed, condoned and even supported the interruption of democracy in Guatemala in 1993 and, other than the OAS censure, was silent in the cases of Haiti and Paraguay.

On 25 May 1993, the democratically-elected president of Guatemala, Jorge Elías Serrano, faced with growing criticism of his economic austerity policies, dissolved Congress and the Supreme Court and declared that he would rule the country by decree. His actions came only 13 months after Fujimori's own self-coup. Not surprisingly, the Peruvian government was eager to endorse Serrano's power grab. While the OAS governments immediately expressed concern about the Guatemalan situation at an emergency meeting called pursuant to Resolution 1080, President Fujimori stated that Serrano's actions were "a good thing if the objectives are to eradicate corruption."<sup>2</sup>

Peru did not play an important role during the 1994 political crisis in Haiti. During the intense hemispheric debates that took place on the prospect

of military intervention in the name of restoration of democracy, the OAS was deeply divided. Peru, along with Brazil, Mexico, Ecuador, and Uruguay, "rejected the use of force under any circumstances."<sup>3</sup> Peru's position was, as earlier noted, best explained by Fujimori's desire to defend the principle of national sovereignty and to avoid setting any precedent that could compromise his own undemocratic rule.

In the case of Paraguay in 1996, once again Peru was a silent spectator within the OAS. In contrast, Brazil, the rest of the Mercosur countries, and the United States joined with Paraguay's own democratic forces to press the military to restore constitutional rule. OAS member states invoked Resolution 1080 and Peru, as a member country, joined the rest of Latin America in this hemispheric response. However, outside of this action, the Fujimori government issued no specific statements expressing concern about the interruption of the democratic order or condemning the coup.

Peru's reaction to the attempted coup in Ecuador in 2000 was, not surprisingly, similarly passive. It joined the OAS consensus condemning the attempt to overthrow the government and expressing full support for President Jamil Mahuad. South American leaders also lined up in support of Mahuad, issuing statements condemning attempts to oust him.<sup>4</sup> Fujimori, however, was preparing to run for his unconstitutional third term and made no official statements, despite the fact that Peru and Ecuador had resolved their border conflict in 1998, and that Fujimori and Mahuad were good personal friends.

Peru's response to the coup in Venezuela in April of 2002, however, reveals a marked shift in its foreign policy. Most members of the hemispheric community did not share President Chávez's particular views on democracy and they questioned many of his policies. Yet the South American heads of state, meeting as the Rio Group in Costa Rica, quickly condemned the interruption of the constitutional order in Venezuela and called for a meeting of the OAS permanent council. President Toledo's reaction was particularly significant since he had made several public statements criticizing Chavez's lack of democratic principles.<sup>5</sup> Yet he and his counterparts strongly encouraged the hemispheric community to consider whether to invoke the Inter-American Democratic Charter. This was the first time that the Toledo administration had faced the overthrow of a democratically-elected government in the region.



In this case, and for the first time in a decade, Peru led a strong response against the interruption of democracy in Venezuela, setting a positive precedent for future foreign policy decisions.

### RESPONSE TO FLAWED ELECTIONS

Peru's biggest contribution to improving electoral standards was in holding free and fair elections at home in 2001. The Peruvian people, supported by the international community and the OAS in particular, joined together to denounce Fujimori's systematic electoral fraud and recovered their long besieged democratic order. The energetic pro-democracy mobilization of diverse sectors of Peruvian society during that time united around a common agenda of holding free and fair elections monitored by international observers. The successful process set the groundwork for, and in a way inspired, the future government's commitment to advance and strengthen constitutional rule.

### PROMOTION OF INTERNATIONAL DEMOCRACY

In 1999, the Fujimori government withdrew Peru from the inter-American human rights system, no longer recognizing the jurisdiction of the Inter-American Court of Human Rights. As Carlos Ayala, then president of the Inter-American Commission of Human Rights, rightfully points out, "a country that removes itself from a system of human rights is a country that decides to isolate itself from the international community."<sup>6</sup> Fujimori's decision in this respect, as in many others, demonstrated his government's complete disregard for democratic rules. It is not surprising, therefore, that, for much of the 1990s, the Peruvian government did little to promote international democracy.

Peru post-Fujimori has made significant progress in this regard. According to many Peruvian government officials, since the end of 2000 democracy promotion has become one of the most important principles of Peruvian foreign policy. The country has actively promoted democratic values in regional and international fora.

Peru's leadership in the drafting and adoption of the Inter-American Democratic Charter of the Organization of American States during the transitional government of Valentín Paniagua was particularly noteworthy. The charter subsumed and codified previous democracy-related resolutions, declarations, and protocols, including Resolution 1080, calling for strong and concrete hemispheric

responses to breakdowns of constitutional rule in the region. By all accounts, Peru played a critical role, not only by vigorously calling for and pushing forward the rapid establishment of the charter, but also by hosting the actual signing and passing of the resolution that took place on 11 September 2001 in Lima. Indeed, in the past two years, under the leadership of former Prime Minister Javier Perez de Cuellar and former Foreign Minister Diego Garcia Sayan, Peru has become one of the most active and visible defenders of democracy in the inter-American system.<sup>7</sup>

The Toledo government has pursued a pro-democracy agenda in other ways as well. President Toledo has spoken about the connection between promoting democracy and fighting world poverty. Towards this end, at various hemispheric fora, he has proposed lowering defense spending and increasing social investment. He has expressed particular concern about a possible arms race in Latin America, and has suggested that the region's governments should freeze all arms sales and reduce military spending.<sup>8</sup>

Peru also took a leadership role in proposing the most recent UN Human Rights Commission resolution that establishes new mechanisms for promoting and consolidating democracy in trouble spots throughout the world. The declaration --opposed by such countries as Cuba, China, Algeria, Syria, and Sudan-- seeks to define the fundamental elements that constitute a democracy, including rule of law, free and fair elections, separation of powers, independent judiciaries, transparency and accountability, pluralistic political parties, and a free and independent press. The resolution also welcomes the so-called "democracy clauses" now contained in different regional organizations, such as the OAS.

In the search for democracy funds from abroad, the return to constitutional rule in Peru has resulted, and will likely continue to result, in a steady increase of foreign aid devoted to democratic development.<sup>9</sup> An increase in such assistance from 1997 to 2000 was more directly linked to the country's *crisis* in democracy than to its *commitment* to constitutional rule. In 2002 and 2003, USAID assistance to Peru, for example, is expected to increase substantially, a reflection of the Toledo administration's decision to make democracy a priority at home as well as abroad.

## **POLICY TOWARDS ENTRENCHED DICTATORSHIPS**

Peru's policy towards Cuba also seems to reveal a changing trend toward condemning regimes that do not respect fundamental human rights.

Peru served on the United Nations Human Rights Commission throughout much of the Fujimori era, holding terms from 1985 to 1996 and from 1998 to 2003. During the Fujimori government, Peru was the only Latin American country besides Venezuela and Mexico that voted against declarations condemning Cuba's human rights record and calling for Cuba's opening to the democratic world.<sup>10</sup> Yet a year after Fujimori left office, in April of 2001, Peru abstained –along with Brazil, Colombia, Ecuador, and Mexico- when the Commission adopted a resolution that urged the Cuban government to guarantee the rule of law through democratic institutions<sup>11</sup>. This marked the first, if subtle, shift in Peru's actions towards Cuba.

More recently, Peru voted in favor of the 19 April 2002 UN resolution urging the Cuban government to protect “human, civil, and political

rights, in accordance with the provision of the Universal Declaration of Human Rights and the principles and standards of the rule of law.” On this occasion, Peruvian representative Jorge Voto-Bernales expressed that “his delegation considered a no-action motion inappropriate” and said that the resolution “was a Latin American initiative reflecting the democratic visions of the continent.”<sup>12</sup> The President of the Peruvian Congress, Carlos Ferrero, defended the government's vote against Cuba. He claimed that it was “necessary to break the traditional scenario in which Latin America was always on the sidelines of the issue. That attitude has been going on for 50 years and it is too much. It is time that we speak clearly: Cuba is not a democratic regime.”<sup>13</sup> Many analysts, however, view Peru's harsher criticisms of the Cuban government as a sign of its closer relationship to Washington, which regularly pressures its Latin American allies to sponsor and support anti-Cuba resolutions at the United Nations

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<sup>1</sup> Resolution 1080 was adopted at the fifth plenary session of the Organization of American States, 5 June 1991. The Protocol of Washington allowed the General Assembly to suspend, by a two-thirds vote, the membership of any government that came to power by overthrowing a previous regime. The Managua Declaration, approved in June 1993, encouraged member states not only to react when faced with concrete threats to democracy, but also to advance efforts to “prevent and anticipate the very causes of the problems that work against democratic rule.” For more, see Burrell, Jennifer and Michael Shifter, “Estados Unidos, la OEA y la Promoción de la Democracia en las Américas.” in Tickner, Arlene B., ed. Sistema Interamericano y Democracia: Antecedentes Históricos y Tendencias Futuras. Ediciones Uniandes, 2000.

<sup>2</sup> The Toronto Star 26 May 1993; The Guardian 27 May 1993.

<sup>3</sup> New York Times 13 May 1994.

<sup>4</sup> Newsday Associated Press 22 January 2000.

<sup>5</sup> BBC News 13 April 2002. During the meeting of the Rio Group, President Toledo made the following statements: “we are not defending the democratic characteristics of a particular government, we are defending the principle of the rule of law” and “I was, and continue to be, a strong critic of many of the characteristics of the Chávez government. People have the right to remove their government, but they have to do so through democratic channels.”

<sup>6</sup> Interview with Carlos Ayala published in Idee, August 1999. “País que se sale de un sistema de derechos humanos se aísla de la comunidad internacional.”

<sup>7</sup> For statements expressing support for the creation of the Inter-American Democratic Charter, see statements by Peruvian Minister of Foreign Affairs Diego García-Sayan: “El Papel del Multilateralismo en la Defensa y Promoción de la Democracia,” speech presented at the Asamblea General Extraordinaria de la OEA para la Aprobación de la Carta Democrática Interamericana, 2001; Speech at the Inaugural Ceremony of the 28<sup>th</sup> Extraordinary Session of the General Assembly of the Organization of American States, Lima, 10 September 2001; Plenary Intervention by U.S. Secretary of State Colin L. Powell at the Special General Assembly of the Organization of American States, Lima, 11 September 2001, underscoring Peru's leadership role in the establishment of the Democratic Charter.



<sup>8</sup> Inter Press Service 29 November 2001. At the August 2001 summit of the Rio Group in Santiago, President Toledo proposed a 10-year freeze on weapons acquisitions.

<sup>9</sup> For most of the 1990s, the United States was one of the major donors of democracy and development assistance to Peru, through the U.S. Agency for International Development. For a more detailed description of USAID programs and specific aid amounts, see Peru Activity Data Sheet USAID. <[www.usaid.gov/country/lac/pe/527-001.html](http://www.usaid.gov/country/lac/pe/527-001.html)>.

<sup>10</sup> “Commission on Human Rights Adopts Resolutions on Cuba, Afghanistan, Burundi and Occupied Arab Territories.” HR/CN/99/54, 23 April 1999; “Commission on Human Rights Adopts Resolutions on the Situation of Human Rights in Myanmar, Sierra Leone, Cuba, the Former Yugoslavia, Sudan and Iran.” HR/CN/00/52, 18 April 2000; “Commission on Human Rights Adopts Resolutions on Situations in South-Eastern Europe, Afghanistan, Iraq, Myanmar and Cuba.” Commission on Human Rights, 57<sup>th</sup> Session. 18 April 2001.

<sup>11</sup> Member countries have an option to vote against, abstain from signing, or vote in favor of specific declarations.

<sup>12</sup> “Resolutions on Situations in Iraq, Sudan and Cuba Adopted by the Commission on Human Rights.” Commission on Human Rights, 58<sup>th</sup> Session. 19 April 2002.

<sup>13</sup> “Ferrero pone puntos en las íes sobre Cuba.” El Comercio 25 April 2002.