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LADB Staff

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Congress Accuses President Toledo of False Campaign Signatures

by LADB Staff  
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A congressional committee has called for the censure of Peru's President Alejandro Toledo over what it said was a criminal conspiracy to manufacture a large number of signatures during his campaign drive in 2001. This means that Latin America's least popular president, in terms of popularity surveys, is facing his greatest political challenge to date. With one year left in his term, Toledo, his family members, and associates will have to overcome many corruption accusations if he wants to leave office without being impeached.

Toledo's refusal to testify infuriates Congress members

Three Peruvian congressmen issued a May 3 report accusing President Toledo of taking part in a criminal scheme to forge signatures to register his political party, Peru Posible (PP). Congressman Edgar Villanueva, president of the five-member investigative commission, told reporters that Toledo and his sister oversaw the systematic forging of names in 1997 and 1998 to make PP eligible for the 2000 elections. He said the report accused Toledo of being "co-author" of illicit association to violate the law and "plotting against the public faith." The report, which was presented at a news conference, will not be official until the full Congress accepts it.

In Congress a dispute emerged as to whether on whether approval by at least four members was necessary to present the document to the legislature. As president, Toledo has general immunity from prosecution. Congress may remove a president, however, on constitutional grounds of "moral incapacity" with at least 81 votes in the 120-seat legislature.

The report did not recommend impeachment, Villanueva said, leaving it to Congress to determine what action, if any, should be taken. But two members of the commission, aligned with Toledo's government, challenged the report's validity, saying they were shut out of the final vote approving the document.

"Despite the fact that the rules establish that a session requires four for a quorum, they insist on a report that has no legal value," said Congressman Heriberto Benitez of the Frente Independiente Moralizador (FIM), PP's partner in the governing coalition. "The full Congress is going to reject this report. It will be returned to the group and this is going to do more harm to the legislature, to democracy and to the nation." Villanueva has said that a police analysis showed that 77% of 1.2 million signatures presented were false.

PP officials have begun their own investigation into the Villanueva Commission's activities. Toledo, who began his five-year term in July 2001, infuriated the commission in March after he agreed to answer its questions, but then refused to do so under oath, or allow the meeting to be recorded
electronically. Toledo also refused to sign a transcript of the encounter compiled by congressional
stenographers, which differed from a version taken down by stenographers from the government
palace, where the meeting took place. This is the worst scandal to hit Toledo, who has just over a
year left in office and the support of less than 10% of the population, according to polls.

President Toledo says he is being targeted by a "conspiracy against democracy" designed to bring
down his government. He won a landslide election victory in 2001 after campaigning on an anti-
corruption ticket. Since taking office, at least 18 members of his family and inner circle have faced
charges for corruption.

One more year if Congress wants him

Analysts have long suggested that the steady economic growth rate in Peru is the only thing keeping
Toledo afloat, but that growth has nonetheless left an angered one-half of the population below the

Other analysts suggest that there is not the political will in Peru to remove Toledo, especially after
the country’s immediate neighbor Ecuador removed its seventh president in nine years.

Lucio Gutierrez fell to popular revolt in April, locking the debt-ridden Andean nation in a further
downward economic spiral and debilitating the federal government (see NotiSur, 2005-04-22).
Analyst Mirko Lauer, for example, says that "It has cost a lot to return to an institutional scheme and
what the vacancy (of the presidency) would really do is affect that scheme in a dramatic manner.
The political parties are clear that a vacancy could produce an interruption in the constitutional
order and this would open the door to any type of electoral surprise and even a coup from Antauro
Humala or ex-President Alberto Fujimori (1990-2000)."

Humala conducted a paramilitary takeover of a police station in southern Peru in January and is
currently under detention (see NotiSur, 2005-01-14). The most prominent potential candidates to
replace Toledo are not likely to succeed. Fujimori, who polls well, is exiled in Japan while multiple
extradition requests for corruption and human rights crimes pile up in the offices of Japanese
authorities.

Ex-President Alan Garcia (1985-1990) of the opposition party Alianza Popular Revolucionaria
Americana (APRA) is himself accused of corruption; ex-President Valentin Paniagua (2000-2001),
who maintained the interim post between Fujimori and Toledo, has kept himself absent from
Peruvian politics during the current crisis; and the popular mayor of Lima, Luis Castaneda, has
announced that he will not run in the presidential race.

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