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Peru: Former President Alberto Fujimori Arrested In Chile

by Patricia Hynds

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Fugitive Peruvian ex-President Alberto Fujimori (1990-2000) left his five-year exile in Tokyo on Nov. 6, flying into Santiago, Chile. He appeared to believe he could stage a run for the Peruvian presidency from the Chilean capital, but, within hours of his arrival, Chilean police arrested him, and Peru's government scrambled to file extradition proceedings against him in Chile's courts. His subsequent requests for bail and release have twice met rejection from the court. From private jet to luxury suite to jail cell Fujimori's arrival in Santiago was a surprise to the authorities of Chile, Peru, Japan, and Mexico, where his flight from Tokyo made a brief stopover in Tijuana. News outlets reported that the ex-president, wanted for a long list of human rights and corruption crimes, traveled under a false name and informed almost no one of his intended return to South America after living five years as a protected exile in Japan. The 67-year-old former leader flew to Chile even though he was the target of an international arrest warrant. Lima daily newspaper El Comercio ran a front-page reproduction of the Interpol warrant with the crimes he is wanted for circled. An editorial in the paper demanded to know what good Interpol was if it could not arrest one of the world's most-famous and recognizable criminal fugitives as he flew from country to country. To travel from Tokyo, Fujimori rented a private jet from the company Global Aviation for hundreds of thousands of dollars, according to a report in the staunchly anti-Fujimori Lima newspaper La Republica. He brought along a camera crew, which later released photos and video of the leader flying over South America. He passed through immigration controls at the Santiago airport and took a room at the Mariott where he announced plans to work on his presidential campaign and to travel soon to Peru. Fujimori was arrested at his hotel hours after his surprise arrival and taken to the investigative police academy in a western Santiago suburb. He was transferred the afternoon of Nov. 7 to a training academy for corrections officers. He smiled at reporters, responding to their shouted questions by waving his hand and giving a thumbs-up sign. The arrest was ordered by Corte Suprema de Justicia (CSJ) Justice Orlando Alvarez at the request of the Peruvian government, which told Chile it would make a formal request for Fujimori's extradition shortly afterward. Fujimori requested on Nov. 7 that he be granted provisional freedom while the extradition proceeding took place, but that was denied. Peruvian President Alejandro Toledo thanked Chile for "taking this first step" in arresting Fujimori. Fujimori fled to Japan in November 2000 as his 10-year authoritarian government crumbled amid corruption scandals (see NotiSur, 2000-10-06). He faces 21 charges ranging from abuse of power and corruption to sanctioning a paramilitary death squad known as Colina, accused of two massacres of suspected rebel collaborators in which 25 people were killed, including an 8-year-old boy. Peruvian prosecutors are seeking a 30-year sentence and a US$28.6 million fine for Fujimori's alleged role in the paramilitary death-squad massacres in the early 1990s, the most serious charge he faces. Peruvian authorities have 60 days to make the extradition request and they are moving fast. On the same day as the arrest, President Toledo sent a high-level delegation led by Interior Minister Romulo Pizarro to Chile to try to expedite the procedure. The group included a top anti-corruption prosecutor. Fujimori had been preparing for another run at Peru's presidency in elections set for April 2006, although the country's electoral authority has banned him from holding public office until February, 2011 (see NotiSur, 2005-10-14). On Nov. 2, Fujimori signed a document at the Peruvian consulate in Tokyo that showed he was creating an
alliance between his political party, Si Cumple, and two others Cambio 90 and Nueva Mayoria, according to Hector Matallana, Peruvian consul general in Japan. The move was aimed at allowing the three groups to present candidates on one list, but Peruvian officials in Tokyo said the ban would stop Fujimori from taking a leadership position in the alliance. Leading candidates for next year's elections include Lourdes Flores of the party Unidad Nacional, ex-President Valentín Paniagua (2000-2001) with the Frente de Centro, and Fujimori's predecessor, Alan Garcia (1985-1990) of the Alianza Popular Revolucionaria Americana (APRA). Also gaining attention in the race is ultranationalist Ollanta Humala, whose brother Antauro is imprisoned for leading the armed seizure of a police headquarters that killed six (see NotiSur, 2005-01-14). In opinion polls, Fujimori regularly enjoys about as much support as the other leading candidates who are running legally approved campaigns. Small protests of pro-Fujimori individuals took place in Peru and Chile, while a large-scale march for his extradition and prosecution occurred in the streets of Lima on Nov. 15. Chile has prohibited Fujimori from attempting to stage a campaign for Peru's presidency from Chile. Will Chile extradite? The extradition case against Fujimori has the potential to aggravate relations between Peru and Chile, which were already poor because of a conflict regarding rights to a large swath of ocean territory (see other story in this issue of NotiSur). Should nationalists within the Peruvian political scene perceive that Chile is trying to shield the wanted politician from prosecution, the perennially rocky bilateral relations could deteriorate further. The main question on the minds of many Peruvians and international observers was, "What was Fujimori thinking?" Some believe he simply miscalculated the situation. Others think he was confident that Chile's CSJ would block his extradition and release him, as it has done for other former leaders who have sought refuge in Chile. Speculation has revolved around the reasons Fujimori the son of Japanese immigrants to Peru left the safety of Japan, where he was granted citizenship after his arrival and reportedly enjoyed a luxurious lifestyle. Japan has repeatedly said its citizens cannot be extradited under Japanese law. Ricardo Israel, a Chilean political scientist, believes Fujimori knew well what he was doing. "He knows Chile's CSJ almost certainly wouldn't authorize the extradition of a person with political prominence," Israel said. He noted that the court last year rejected an Argentine request for the extradition of former Argentine President Carlos Menem (1989-1999) [see NotiSur, 2004-04-30 and 2005-01-14]. He said the court also refused to extradite an Argentine publicist accused of running smear campaigns against Fujimori's opponents and a Peruvian newspaper publisher accused of taking bribes to support him. "Fujimori's bet was to be close to Peru to continue to prepare his return to run for president," Israel told the Associated Press. Some analysts believe Fujimori's proximity to Peru will help his allies' electoral races for legislative and other seats. La Republica columnist Mirko Lauer made a similar argument, writing, "It seems the Chilean authorities don't have the slightest interest in extraditing" the two men linked to the Fujimori regime who today live in Chile. Others in Peru felt Fujimori made a big mistake. "He miscalculated," said former Peruvian foreign minister Diego Garcia. "I don't think he made such a long trip only to be arrested in Chile. I don't think he considered that possibility." Newspapers noted that his characteristic smile for the cameras was distinctly absent as Chilean police drove him away from the Mariott to imprisonment. Radio Programas del Peru (RPP) reported that Fujimori told a Japanese journalist before he left Tokyo that he didn't expect to be arrested because Chile and Peru have tense relations these days as a result of the dispute over maritime limits. "It was a very imprudent, irresponsible decision to come here at this time," said Chilean Foreign Minister Ignacio Walker. Walker dismissed suggestions that Fujimori be expelled from Chile instead of allowing for his extradition to Peru. "That's impossible now. An administrative decision is out of the question. The situation is in the hands of the courts." In Chile, even President Ricardo Lagos'
party is urging that Fujimori be expelled, though not necessarily to Peru. "He must be expelled. He is a blight on the history of Latin America," said party president Ricardo Nunez. Lagos said he does not expect Fujimori's arrival to "affect the normal process of our relations" with Peru, including the way the two countries resolve their dispute over sea boundaries. Low-level officials sanctioned in Chile, Mexico Chile removed two police officers, one a supervisor, from their posts on Nov. 9 for letting Fujimori enter the country. Police removed two immigration officers who were on duty when Fujimori entered Chile. One officer will serve a five-day detention. In Mexico, four low-ranking officials were removed for negligence in the case. Fujimori's plane touched down for 50 minutes to refuel in Tijuana on Nov. 6. The immigration officials were removed for "negligence in their official duties and for supplying incorrect information in an untimely manner to their superiors," according to a release from the Secretaria de Gobernacion (Interior Ministry). The government of Mexico made it clear, however, that it only could have detained Fujimori with an arrest order from a Mexican judge. Peru's Justice Minister Alejandro Tudela assured reporters that, "as in Mexico and Chile, here in Peru heads will also roll, if that is what is appropriate." He said investigations were underway into how the plane from Tokyo to Santiago was allowed to fly over Peruvian airspace. Peru-Japan relations crumble As Japanese officials have demanded that Fujimori be treated fairly and as a Japanese citizen, Peru has withdrawn its ambassador from Tokyo. Peru's Foreign Relations Minister Oscar Maurytua said that the removal of the Peruvian ambassador in Japan was "an act of protest." Peru's Foreign Ministry on Nov. 10 said in a terse statement that it was withdrawing its ambassador from Japan in an apparent protest of that country's response to Peruvian attempts to extradite Fujimori. The statement, emailed to the Associated Press, said Peru was "terminating the functions of Peru's Ambassador to Japan Luis Macchiavello." A Peruvian Foreign Ministry official told the Associated Press, on condition of anonymity, that Macchiavello's withdrawal represented "Peru's strong protest," just short of breaking diplomatic relations, over Japan's attitude toward Peru's effort to extradite Fujimori before his arrest in Chile. Japan and Chile, by contrast, have denied that there are tensions between their governments regarding the Fujimori extradition trial, and on Nov. 10 they announced advances in a free-trade agreement (FTA) that they have been negotiating. Chile's government denied that the incident was putting any strain on Japan-Chile relations. Tokyo has sent consular officials to ensure that Fujimori is getting fair treatment as a Japanese citizen, but authorities say it is putting no roadblocks in the way of bilateral projects like the FTA the two nations are negotiating. "Japan will take measures it deems necessary and feasible for any Japanese citizen detained overseas," said Japanese Foreign Ministry spokesman Yoshinori Katori. But President Lagos pointed out that "Mr. Fujimori entered Chile with a Peruvian passport and called himself a Peruvian in the immigration form he filled in" at the airport. The government has suggested that Japanese diplomats had no automatic right to visit him in detention. Alleged crimes include massacres, theft There are 21 charges and possible prison terms facing Fujimori. Under Peruvian law, prison sentences are served concurrently, not consecutively, and the maximum term he could face would be 30 years. The Associated Press gives the following as some of the charges against him: * Homicide, assault, forced disappearance. Allegedly sanctioned paramilitary death-squad strikes in Barrios Altos and Cantuta massacres (25-30 years). * Homicide. Allegedly sanctioned December 1992 death-squad murder of labor leader Pedro Huilca (25-30 years). * Rebellion, kidnapping. Ordered April 1992 "self-coup," sending tanks to shut down Congress and Peru's judiciary. * Usurpation. Made Vladimiro Montesinos de facto chief of Servicio Nacional de Inteligencia (SNI) without formal appointment (2-15 years). * Wiretapping. Allegedly authorized telephone surveillance of journalists and political adversaries (3-5 years). * Embezzlement, illicit association. Allegedly provided state funds to Montesinos to buy Channel 10 television (2-8
years). * Embezzlement, illicit association. Allegedly misappropriated state funds to make US$15 million payoff to Montesinos in September 2000 (2-8 years). * Corruption of officials. Allegedly bribed legislators to support government (2-20 years). * Torture. Allegedly sanctioned intelligence agents who sawed arm of newspaper columnist to retrieve incriminating videos (5-10 years). * Kidnapping. Allegedly sanctioned SIN agents to abduct various people, including Fujimori's ex-wife Congresswoman Susana Higuchi (20-25 years). * Abuse of authority, malfeasance. Allegedly siphoned funds from military-police pension fund to finance 2000 re-election campaign (2-15 years). * Abandonment of office. Fled to Japan in November 2000 (2 years). In all, 42 people have been convicted of crimes involving the Fujimori government, special anti-corruption prosecutor Antonio Maldonado said two months ago. He added that the Toledo government has collected US$162 million illegally stashed abroad by Fujimori's cronies. In October, Peru's CSJ dismissed nearly two dozen other criminal charges that were pending against Fujimori, mainly dealing with the inappropriate purchase of military equipment. The court ruled there was insufficient evidence to link Fujimori to the irregular purchase of truck and helicopter parts by Peru's Defense Ministry in the 1990s. [Sources: El Tiempo (Colombia), 10/18/05, 11/03/05; Bloomberg, Clarin (Argentina), La Segunda (Chile), Radio Cooperativa (Chile), 11/07/05; Inter Press Service, 10/17/05, 11/07/05, 11/08/05; Los Tiempos (Bolivia), 10/19/05, 11/08/05; El Universal (Venezuela), 11/08/05; El Comercio (Ecuador), 10/06/05, 11/07/05, 11/11/05; BBC News, 11/07/05, 11/09-11/05; Japan Times, 04/21/05, 09/15/05, 10/17/05, 11/09/05, 11/11/05, 11/14/05; The Miami Herald, 10/19/05, 11/07-10/05, 11/14/05; El Nuevo Herald (Miami), 10/25/05, 10/27/05, 11/02/05, 11/03/05, 11/07-10/05, 11/14/05; Mainichi (Japan), 11/02/05, 11/07-12/05, 11/14/05; Associated Press, 11/02/05, 11/07-09/05, 11/12/05, 11/15/05; La Republica (Peru), 10/27/05, 11/01/05, 11/04/05, 11/07-11/05, 11/14-16/05; El Comercio (Peru), 10/27/05, 11/02/05, 11/07-11/05, 11/14-16/05; El Mercurio (Chile), 11/06-11/05, 11/14-16/05]