Peruvian Government Faces Political Crisis

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Complaints that the Dirección Nacional de Inteligencia (DINI) spied on parliamentarians, opposition politicians, business people, and journalists ended poorly for the government of President Ollanta Humala when the full Congress censured Prime Minister Ana Jara. Humala, for the seventh time, had to designate a person to fill the post of prime minister.

The scandal caused by the allegations had led opposition members of Congress to consider censuring the Cabinet headed by Jara in February. But the temporary closure and subsequent reorganization of the DINI announced by the government and replacing four ministers questioned by the opposition stopped it from censuring the prime minister. (NotiSur, Feb. 27, 2015).

The first allegations by the weekly magazine Correo Semanal indicated that the DINI—charged with overseeing the country’s security from threats posed by terrorism, drug dealing, and illegal economic activity—had targeted Humala’s opponents. However, on March 19, a new report from the same magazine revealed that, thanks to an agreement with the Superintendencia Nacional de Registros Públicos (Sunarp), the agency had tracked real estate and vehicles of 61 congressional representatives, including those in the ruling party, members of the government, the six prime ministers the government had until then, opposition political leaders, business people, and journalists, including spouses, offspring, parents, and siblings of everyone investigated. Thousands of citizens had been tracked.

Jara, spied on when she was minister of women and vulnerable populations from 2011-2014), spoke to a full session of Congress and said that the day she learned of the new accusation she sent a letter of complaint to Attorney General Pablo Sánchez asking for an investigation as to why information was gathered on people who pose no threat to national security.

"Why do you require this information?" she asked. "Who is it for? We should see if this information was used for third parties doing some kind of intimidation," she told Congress on March 19 when she was called before the full body to explain to what extent the DINI was connected to her office.

Nevertheless, opposition groups (mainly Apristas and Fujimoristas) presented a motion to censure her "for not having investigated, denounced, and/or sanctioned, to the level that corresponded to her, those who had committed illegal acts inside the DINI."

Jara announced that top officials in the DINI would be fired, and she did that two days later. The executive approved two resolutions relieving DINI director Javier Briceño Carpio and executive director Iván Kamisaki Sotomayor of their posts. It also terminated Mauro Castañeda Prada’s appointment as head of DINI’s counterintelligence unit.

Neither Jara’s explanations nor the actions of the executive were successful, and finally on March 30 Congress censured the prime minister and the entire Cabinet with 72 votes in favor, 42 against, and two abstentions. Jara resigned and all the ministers also offered their resignations.
Government cornered

President Humala called Congress irresponsible for having censured Jara, whom he thanked for her service to the country, and described her as the best prime minister of his government. "These acts, which I consider irresponsible by Congress, destabilize the country and create political noise that affects investments," Humala said.

The president said that the members of Congress who voted in favor of the censure—including Fujimoristas and Apristas—"lack the moral authority" to accuse Jara for things that happened in the DINI.

During a press conference the ruling bloc held after the censure vote was passed, Deputy Teofilo Gamarra said, "It's regrettable that the APRA-Fujimorista alliance's doubletalk that promoted the censure has been approved even though in previous administrations adjustments were made with business people and journalists and even though during the administration of [former President Alan] García (1985-1990, 2006-2011) agreements with the Registros Públicos were signed."

Gamarra had previously said, "How is it that the APRA and Fujimorista party has changed its discourse so that what they did in their time was correct and that which this Dirección de Inteligencia did is incorrect."

Alianza Popular Revolucionaria Americana (APRA) Deputy Mauricio Mulder said that, since President Humala can't be sanctioned, the prime minister is the one who must face political sanction.

"The censure of the head of the Cabinet several months before the elections [general elections set for April 2016] leaves the government weaker than ever and unable to operate," historian Antonio Zapata told La República newspaper.

On April 2, President Humala presented a new Cabinet. Pedro Cateriano, who had been defense minister, was named prime minister, and the Cabinet was approved with just three changes. Cateriano was replaced as defense minister by Jakke Valakiki, former vice minister of defense resources, and he forms part of the DINI reorganizing committee. Freddy Otárola was replaced as minister of justice by Gustavo Adrianzén, who was a vice minister of that ministry. Diplomat Ana María Sánchez replaced Gonzalo Gutiérrez as foreign relations minister, thus becoming the first woman to head that ministry.

Vote of confidence

Cateriano—known for his strong confrontational attitude with Aprismo and Fujimorismo—became the seventh prime minister of the Humala administration and said, after his swearing in, that he would seek rapprochement with the opposition. "My dialogue is not going to be confined to politicians. I want to speak with unions and regional governments," Cateriano said in an interview with the paper El Comercio.

"The censuring of Ana Jara by a large majority of the Congress had as one of its main objectives to seek negotiation with the government. For Apristas and Fujimoristas, it was about impunity for their leaders. For other sectors, in particular the progressive opposition, it was about the government correcting course following its famous Pulpín law [youth labor law], and the repression of social..."

On April 6, the new prime minister started a round of dialogues with the opposition. He has met with the founder of the Partido Popular Cristiano (PPC) Luis Bedoya Reyes, with the Acción Popular bloc, with Pedro Pablo Kuczynski, leader of Perú Más, with former presidents Alejandro Toledo (2001-2006) and Alan García, with the leader of Fuerza Popular (FP) Keiko Fujimori, and also with leaders from the Confederación General de Trabajadores del Perú (CGTP).

While Cateriano has received backing from the political leaders he has met up with until now, they have asked him to prioritize the economic issue to boost investor confidence. The CGTP has demanded he support a new increase in the minimum wage and respect workers rights, the environment, and indigenous communities.

Cateriano's appointment is pending a vote of confidence from Congress, and he must present himself before that body by May 2. However, it is expected he will do so a few days before that since the date coincides with the long May 1 Labor Day holiday.

Article 134 of the Constitution says that, if the Cabinet does not receive the vote of confidence or is censured a second time, the president faces a situation in which governability is impossible and he is thus authorized to dissolve Congress and call new elections within four months. Congress cannot be dissolved during the final year of an administration. That means, in this case, it is not possible to dissolve Congress after July this year but it can be done before that.

"Shutting down the parliament would clearly benefit opposition parties and therefore hurt the ruling party. In general, I believe that shutting down the parliament would greatly weaken democracy and would be a death certificate for the current government," Deputy Víctor García Belaúnde of the Acción Popular-Frente Amplio bloc told the daily Uno.

Dissolving Congress isn't good for any political party and having put the government in this position of absolute weakness would respond to the need for space to negotiate its own interests as this government's term comes to an end.

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