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Problems Continue to Mount for Hobbled Peruvian President Ollanta Humala

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Pummeled by major setbacks in Congress, defections by a growing number of government-coalition lawmakers, a corruption scandal involving the first lady, and a sharp decline in public support, Peruvian President Ollanta Humala finds himself on ever shakier ground as he limps toward the July 2016 finish line of his presidency.

On Oct. 22, Congress voted by a clear majority—with backing from the governing Gana Perú bloc—to approve legislation giving control of Peru’s largest oil block, Lote 192, to the state oil company Petroperú. In doing so, the legislature ignored formal objections presented Sept. 25 by the president’s office, which opted earlier in the year to award Lote 192, in the Amazonian department of Loreto, to a Canadian company.

The legislation (Dictamen 4749), set to become law in the coming days, exempts Petroperú from Article 6 of the two-year-old Ley 30130, which prohibited the state company from participating in new hydrocarbon investment projects until it finished upgrading the Talara oil refinery in the department of Piurna, in northwestern Peru (NotiSur, Sept. 18, 2015). Only one of the president’s parliamentary allies, Santiago Gatañaduí, voted against the legislation, a fact lawmaker Maurico Mulder of Alianza Popular Revolucionaria Americana (APRA) cited as "further proof of [Gana Perú’s] enormous political weakness."

The same day it approved Dictamen 4749, Congress challenged the president a second time by overturning a legislative decree that sought to modify the Ley General del Patrimonio Cultural (cultural heritage law) by giving public and private companies authority to administer certain heritage sites. The measure had drawn fierce objections from the regional president of Cusco, Edwin Licona, and many citizens there who thought it would lead to the privatization of archeological sites. Prior to the vote, the Federación Departamental de Trabajadores del Cusco (FDTC), a major labor union, organized a two-day strike (Oct. 21-22) to demand that the "anti-heritage" decree be struck down. Thousands of Cusco residents took to the streets and, echoing an announcement made by Wilfredo Álvarez, the FDTC's secretary general, threatened to extend the strike indefinitely if Congress failed to answer their call.

The strike took place even though Culture Minster Diana Álvarez Calderón made it clear that week that the decree allows the state to "optionally" promote private participation in the management only of archeological sites that do not have world or national heritage designations. As such, the decree does not apply, she explained, to Cusco archeological sites such as Machu Picchu, which is a World Heritage site.

"This is a victory of the people. We applaud the decision of Congress, which opted to protect our heritage," FDTC leader Álvarez told the press.
Deputy Verónica Mendoza, who supported overturning the decree because, in her opinion, it opened up the possibility of cultural heritage being treated as a commodity, said it was now time to debate the Ley de Patrimonio Cultural as a whole.

The impetus behind both congressional votes came from the streets, where citizens gathered en masse to protest laws that do not favor them and that, in the case of the "anti-heritage" decree, was imposed without prior consultation. The success of those movements offers further evidence of just how weak the Humala administration has become.

"Turncoats and rats"

The two historic decisions in Congress were made with support from the majority of the 27 lawmakers representing Gana Perú, which ties together the Partido Nacionalista Peruano (PNP)—headed by first lady Nadine Heredia—and various left-wing parties.

In the past three years, no fewer than 20 legislators have defected from the Gana Perú bloc. The first to withdraw, in June 2012, were leftists Rosa Mavila, Verónica Mendoza, and the late Javier Diez Canseco, who joined the Acción Popular–Frente Amplio out of frustration with Humala’s failure to implement deep structural reforms, as he originally promised. They also accuse the president of strengthening the neoliberal economic model and mishandling social conflicts.

One of the most recent to part ways with the coalition was Vice President Marisol Espinoza, who announced her "irrevocable resignation" on Sept. 8 from the PNP. In her resignation letter, published by the weekly magazine Hildebrandt en sus trece, Espinoza said she made the decision in adherence with the PNP’s founding ideological principles. Espinoza, who doubles as a congresswoman, officially distanced herself from the Gana Perú congressional bloc on Oct. 19. The coalition bloc responded by removing her from the six congressional committees in which she had participated, including the Agrarian and Justice committees, which she headed.

On Oct. 29, in an event marking the 10th anniversary of the PNP’s founding, President Humala openly criticized the party dissidents. "Who are the first to abandon ship?" he asked supporters gathered in Plaza San Martín, in the center of Lima. "The turncoats. The rats."

Political analyst Sinesio López responded in statements to Ideeleradio that Humala was, in fact, the first to jump ship by abandoning his original nationalist platform. "I think the president has lost his sense of political reality, because he came and won with one political agenda but has governed with a different one," said López. "Obviously, as a result, different groups that originally supported him have turned away, starting with the left and later members of his own Partido Nacionalista."

"The real tragedy for Humala is that he handed all the power to neoliberal sectors, which, now that they’ve used him for their own benefit, despise him," the analyst went on to say. "They hate him. From a political perspective, this is just incomprehensible. [Humala] ought to be a bit embarrassed by the situation."

All eyes on Heredia

The approval ratings of the president and first lady stand at just 14.1% and 13.7%, respectively, according to a survey published Nov. 10 by the polling firm CPI. The poll also suggests that 66% of people think Heredia (rather than Humala) is the administration’s main decision maker.
Omar Chehade, an invited member of Congress who was elected (but later resigned) as second vice president, told reporters last month that Humala "has been psychologically abducted by his wife." Chehade made the statements Oct. 2, when he left the Gana Perú congressional bloc because of differences with the PNP and a poor attendance record in coalition meetings.

Heredia is under investigation for official misconduct (usurpación de funciones públicas). Chehade, because of his statements, was recently questioned as part of the inquiry. Prosecutors have been looking into PNP finances since 2011, focusing originally on "phantom donations" it received (supposedly from Venezuela) for the 2006 and 2011 elections. The investigation took a new turn following August news reports regarding four notebooks that supposedly belong to the first lady and contain detailed information about monetary contributions received by the PNP.

"It all comes down to the charge of official misconduct," Chehade told members of the press. "It’s the mother crime that leads to everything else: the money laundering, the case of the notebooks, and six or seven other things she’s been accused of. If they can get her on official misconduct, then afterward they can get her all the other things."

On Nov. 11, the Comisión de Fiscalización (congressional oversight committee), which has been looking into the notebook case and had called Heredia as a witness, opted, because of her refusal to testify, to make the president’s wife a direct subject of its investigation. Heredia originally denied ownership of the ledgers, but on Nov. 12, in a written statement, said they do belong to her. The committee’s inquiry is also focusing on her mother, along with six other people linked to the first lady.

Heredia has responded to the various accusations and investigations with contradictory declarations, suggesting among other things that this is all a political maneuver by APRA and the Fujimorista forces to knock her out of the political game. Regardless, the damage to her reputation is such that Heredia will not be in a position to run even for a congressional seat in the April 2016 general elections. At this point, it is unclear whether anyone from the PNP will win representation in the legislature.

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