Peru Support Group Communiqué

24 June 2021

The Peru Support Group (PSG) is deeply concerned by current threats to democratic governance in Peru. Democratic values and institutions have been severely shaken following an extremely close finish to the second round of presidential elections held on 6 June. The election campaigns heightened polarisation in Peruvian society and now the institutions which act as the guardians of democratic electoral processes in the country are facing a multi-pronged attack by those who refuse to accept the narrow victory of Pedro Castillo by around 44,000 votes. A group of former military officers have said they will not recognise Castillo if he is proclaimed the winner by the electoral authorities. Pedro Castillo presents a radical challenge to the status quo, winning support from parts of society that have not been well served by mainstream politics. Meanwhile, Keiko Fujimori's supporters are pushing forward multiple initiatives to discredit not only the electoral process and the results, but also the institutions that sustain democracy in Peru, and are refusing to accept the defeat of Keiko Fujimori in the second round of presidential elections on 6 June. Despite there being no evidence of any electoral mistakes or malpractice her supporters are impugning the role played by the country's electoral organisations, threatening the current Congressional leadership, and even placing in question the (interim) Presidency of Francisco Sagasti. The threat by former military officers that they will not recognize Pedro Castillo, the winner of the second round, if the electoral authorities proclaim him as president-elect, amounts to a potential constitutional coup. Democracy in Peru is in danger.

The counting of votes in the Peruvian presidential elections is now complete and the National Elections Tribunal (JNE) has resolved almost all the objections raised by the losing candidate, Keiko Fujimori, who is now appealing the rulings. Pedro Castillo is ahead by some 44,000 votes and by law the Tribunal is the final authority. Once any remaining appeals have been resolved the Tribunal, which is autonomous and has the final word, will officially declare the winner who will assume office on July 28. However, the losing candidate, Keiko Fujimori, has so far refused to accept the result of the voting process.

Fujimori has managed to galvanise some elements in Peru, particularly in Lima, who are threatened by the radicalism of Perú Libre, Castillo's party. Perú Libre's initial campaigning posture proffered a strident challenge to the status quo. But the need to build a wider coalition has led Castillo to modify its programme and try to distance himself from the party's more radical leaders. Fujimori continues to portray Perú Libre's victory as portending a 'communist' take-over in the country.

The electoral process has been well organised and transparent, and all the international observers have endorsed this view, including those from the Organization of American States (OAS). The electoral institutions, the JNE and the National Organization of Electoral Processes (ONPE) have so far resisted all attempts to intimidate them. The government of Sagasti is weak

but is attempting to lead an impartial and peaceful transition process. Since the second round, Castillo has respected the electoral rules, and instead of reacting to provocations he seems to be attempting to negotiate support from other political parties and regional and local authorities.

President Sagasti has appeared on national television to reprimand retired military officers for a communiqué calling for the elections to be annulled and for the armed forces not to recognise Castillo if declared the winner of the election. He asked the Public Prosecutor's Office (Ministerio Público) to investigate the supposed signatories of the communiqué with a view to legal proceedings.

A motion to censor the leadership of the Congress was presented on Friday and will be debated this week. Since Sagasti, in his role as President of the Congress, assumed the national Presidency on the resignation of President Merino last November, the strategy of Fujimori and her allies in the Congress has been to argue that Sagasti, as head of the transitional government, must also resign and be replaced by a new President of the Congress. The expectation is that the new President of the Congress elected in this way would annul the elections and appoint new members of the Electoral Tribunal more sympathetic towards Fujimori. It is also expected that in its current extraordinary session Congress will elect members of the Constitutional Tribunal favourable to Fujimori.

Parallel to this, the former head of the judiciary, Javier Villa Stein, has initiated legal proceedings against the JNE and ONPE with a view to having the elections annulled.

These measures would undermine the authority and autonomy of key democratic institutions and procedures and would likely lead supporters of Pedro Castillo to lose faith in the integrity of democratic processes as being capable of bringing political change in general. It is a multi-pronged assault on democracy by a candidate and political party who have repeatedly lost elections and have a history of electoral malpractice. Fujimori has previously been jailed for over a year, accused of receiving illegal election funding from the Brazilian construction firm Odebrecht in the 2011 and 2016 presidential elections.

It is important that the remaining institutions, not least the Congress which has previously shown the capacity to hold Presidents of the country to account, stand against all attempts to undermine the democratic process, either by those who wish to set aside elections when they are defeated, or by those who wish to use a victory to dismantle the checks and balances of the country's constitution.

The PSG welcomes the US State Department recently published press release commending Peruvian authorities for carrying out free, fair, accessible, and peaceful elections. In a country which is deeply divided and politically polarised, there is a need for the international community, including the Peru Support Group and its civil society allies, the UK Government, Her Majesty's Opposition and others to persuade *all* sectors of Peruvian society to respect democratic institutions and procedures.

London, 24 June 2021