

## **Why I will vote for Humala\***

May 9, 2011

by Ernesto de la Jara  
Executive Director, *Instituto de Defensa Legal* (IDL)  
Statement Endorsed by IDL

I am one of the citizens of this country that has made the personal decision to vote for Humala, to say so openly, and to call on all those that fought to bring down the Fujimori dictatorship in 2000 to do the same.

I know that this decision sets me at odds once again with that Fujimorismo that retaliates against its critics and is now eager for vengeance, as was expressed in the threats made by Martha Chávez against the president of the Judiciary, César San Martín, who presided the tribunal that condemned Alberto Fujimori to 25 years in prison for human rights abuses. No doubt those threats were made at the bidding of Keiko Fujimori. This decision also means confronting the Lima establishment, which is aggressively, even unscrupulously, in favor of Fujimorismo.

I will also be criticized by those who believe that at this time, the ethical decision is to keep both candidates at equal distance and therefore refuse to vote for either one by casting a spoiled ballot. I do not take this position, because I believe that ten years of dictatorship cannot compare with the concerns regarding Humala. It would also mean assuming responsibility for the result (which, if Keiko wins, would mean a return to Fujimorismo). Finally, I reject this position because it is advocated by those who in the previous election voted under this same logic of the lesser of two evils.

In 2006, they voted for Alan García, holding their noses, but without concern that he was responsible not only for one of the worst administrations in Peruvian history (he left us with unprecedented hyperinflation), but was also accused of massive corruption and a long list of human rights violations, including his paramilitary group (the Rodrigo Franco Command).

I base my decision on the convictions that I have always defended: democratic values and principles and human rights in a broad sense. My decision is absolutely disinterested, since in the hypothetical case that I were to be offered an official post I would not accept any role whatsoever in an

---

\* Translated from Spanish by WOLA Research Assistant Ana Goerdt.

Humala administration. Rather, if he wins on June 5, I will be among those who will labor to hold him accountable from the beginning to the end of his term.

If we were to follow a perverse logic, I would say that it would be preferable for the Fujimoristas to win. Then the institution to which I belong (IDL), which is dedicated to advocating for democratic public policies and respect for human rights (the opposite of what the Fujimoristas have done and would do), would have much more work, projects, and funds.

I believe that this position is consistent with the basic challenge of defending human rights: taking risks without being afraid to confront power (no matter how dark it may be) and defending causes that are not always the most popular.

It also means putting what one believes is best for the country before personal convenience, since it means defending a candidate who was severely criticized five years ago as well as his administration if he were to be elected. We recognize that Humala appears to be on the correct path but also that he might fail us tomorrow, a responsibility we must assume for our support of him today.

The first reason that I will vote for Humala has to do with what many have already said: I am absolutely certain that a return to Fujimorismo – and this is what the candidacy of Alberto Fujimori's daughter represents, no matter how much she tries to pretend otherwise – is the worst thing that could happen to Peru.

If Keiko Fujimori wins on June 5, the message we as a country will be sending is this: if my interests (large or small) are at stake, it is of little or no importance that people were assassinated, that the country was sacked, or that the government had close ties to drug and arms trafficking and took over the media and state institutions. These are only a few of the misdeeds that occurred under the regime of that perverse alliance between Fujimori and Montesinos, which lasted until the regime collapsed in 2000 and could be revived, either by mutual agreement, or imposed by one party on another in exchange for keeping uncomfortable secrets under wraps.

Humala is distrusted for a number of things that he could do, but Fujimori has already done them all: remain in power for longer than the Constitution permits; threaten freedom of expression and institutional independence; govern with the support of the military; approve a new, hand-tailored Constitution; have ties to Chavez; and be a populist, having the state's

resources at his disposal (and let us not forget that he left us an economy in ruins).

It seems to me (although I admit that for now it is merely speculation) that Humala may have truly changed in the last five years, in the sense that he is no longer thinking about the country as a member of the military but rather as a civilian. This may be due to the fact that he is no longer as close to his family, as well as to the fact that he has brought into his campaign well-trained professionals who have a vision for a democratic and modern country. If people change, for better or for worse, why would we not consider it a possibility in the case of Humala?

One manifestation of this change is the important commitments that he has made publicly in favor of democracy. And in the remaining weeks, we expect even more convincing assurances that we are facing a new Humala and not that of five years ago.

And if he does not fulfill what he has clearly and specifically promised, any number of actions against him would be justified. The Constitution provides a number of mechanisms to end a presidential term early.

Besides these mechanisms, we are all aware (especially Humala himself) of the powerful economic sectors and a great number of media outlets (almost all of them, in fact) that have been making life impossible for him during the campaign; these sectors will attack Humala at the first sign of veering from this course. Perhaps they will do so even before then.

Likewise, there will be very strict oversight by those of us that have decided to vote for this new Humala, and not the old Humala. On numerous occasions we have said publicly that far from being a blank check, ours is a vote that is conditioned upon the fulfillment of what has been offered.

I agree that economic growth must be preserved and that we must avoid a return to the 1970s, which was characterized by nationalizations of private companies and confiscation of property. However, I also believe that we must make important changes in order to achieve a better distribution of resources in general and of the benefits of the current economic growth in particular.

And this is the central message of Humala, not of Fujimorismo, which at most will hand out money and food, build schools for the sake of building and, in the best-case scenario, build some highways.

What Humala is offering is not, in principle, opposed to private property, investment, and the use of natural resources. Rather, he is in favor of

dialogue and consensus-building around key policies, always through legal channels, to achieve these goals. We see such policies being adopted in many other countries. And in the first round of voting, all of the candidates – even Pedro Pablo Kuczynski – offered to implement such policies. In this area as well we will have to demand that Humala fulfill his promises.

Not wanting any type of change on this issue seems to me to be not only a lack of social sensitivity that borders on immortality, but also a lack of perceptiveness. A policy along these lines would mean a reduction in social conflicts, many of which are the result of the adoption of unilateral policies that do not take into account the interests or demands of the populations that live in resource-rich regions. Greater social peace would be for the benefit of all.

There are a good number of people close to Humala that I know personally and are capable, honest, and democratic. On the other hand, I look at those surrounding the Fujimorista candidate, and I think that we are back in the 90s, and the Vladi-videos cross my mind. The only ones missing from the previous era are those that are in the San Jorge prison. It is very telling that the one relatively new face in the group is that of Rafael Rey, whose passion is amnesty laws.

If we were to compare the actions of the Humalistas and the Fujimoristas in Congress, what conclusions would I draw? First and foremost, the Humalistas have not proposed any projects of a Chavista mold, nor any that infringe upon rights or freedoms. Rather, they have always challenged the alliance between the ruling APRA party and Fujimorismo that sought to insulate the central government against any oversight or monitoring, and passing only laws meant to benefit specific individuals as well as laws that are contrary to human rights.

It cannot be denied that there are aspects of Humala's career that are concerning. But it is not as if there were no answers to these worries. The question of the Locumba uprising and whether it was meant to distract attention while Montesinos fled the country has not been put to rest. On the Andahuaylas uprising, Humala's brother, Antauro, who organized the uprising has been sentenced [and is currently in prison for the murder of several police officers]. While some believe Ollanta Humala was involved, why then was he not prosecuted?

And in relation to the accusations of his participation in human rights violations in Madre Mía (which is the most serious issue from my perspective), it should be noted that it was Supreme Court Judge César San Martín [the same judge who condemned Fujimori] who closed the case,

rather than ordering a fuller investigation. Moreover, on the part of Fujimorismo, the record is abundantly clear: under the Fujimori regime there were systematic and massive human rights violations, as documented by the Peruvian Truth and Reconciliation Commission, including the massacres carried out by the Colina Group, a death squad created and protected by Fujimori and Montesinos, and for which they both received 25-year prison sentences.

In addition, investigations continue on human rights violations committed during the armed conflict, including those that Humala could have committed. In this day and age, no one who has violated human rights can escape scrutiny.

Another point in favor of Humala is that he has caused many people to be concerned about human rights. Marta Meir of the Fujimorista newspaper *El Comercio* recently wrote an article about Humala and the Madre Mía human rights violations. Yes, Marta Meir, who was a Fujimorista candidate for Congress in 2000 and pushed for an unconstitutional and fraudulent reelection of Fujimorismo. We challenge her to show us a single word that she has ever said before in favor of human rights.

If Fujimorismo wins it is said that Fujimori will be released. His daughter has said that she will not pardon him, but García could do so in exchange for assurances that he will not be prosecuted for human rights abuses and/or corruption. Or it could also occur irregularly through the Constitutional Tribunal. There are already rumors that the Tribunal will declare null the verdict that upheld the original sentence against Fujimori, and from there, anything could happen. It would be irregular because the sentence was the product of a process that all have characterized as impeccable. Any type of nullification would be the result of behind-the-scenes negotiations.

We are already experiencing Fujimorismo again: half-truths and open lies (for example, Keiko says she is different from her father, but she also says he was "Peru's best president"); the majority of the media taking sides once again, with geisha journalists doing the bidding of the Fujimorista camp; threats and revenge (the dismissal of journalists); manipulation of institutions as seen in the case of the Constitutional Tribunal, if it does act in her father's favor as Keiko has been virtually announcing for months now; clientilism (Keiko's handouts during the campaign were such that they have been described as a massive buying of votes); the policy of "I am for you and you are for me" with large companies; and fear-mongering campaigns ("Humala will take your children away"); and the alliance with Archbishop

Luis Cipriani, a faithful Fujimori supporter who has come out openly in favor of Keiko in recent weeks.

There is one last reason that I will vote for Humala: if Fujimorismo wins, the arrogance of money and the power of the media will have won; the two go hand-in-hand. One part of the country voted for Humala and the other for Fujimorismo. But now the elites are trying to impose a result upon the true will of the people through a millionaire's campaign in favor of Fujimorismo (without remembering at all what happened in the 1990s) and a dirty war against Humala (the attacks go far beyond valid critiques of his candidacy and platform). The resources that the Fujimoristas robbed from us in the 1990s and the purses of certain businessmen are permitting a pro-Fujimorismo campaign that is openly racist and even expresses fascist tendencies.

It is also very similar to what occurred in 2000, when similar methods were used to attempt to impose Fujimori's illegal third reelection. Let's not forget that it was such methods that prompted the OAS representative to leave the country because he considered such methods are another way of committing electoral fraud.