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FORMER PERUVIAN PRESIDENT ALBERTO FUJIMORI'S EXTRADITION PROCESS

Patricio Noboa*

I. INTRODUCTION

*“¿Alguna duda, ingeniero?
¿Me van a enmarrocar? . . .
No, eso no ocurrirá”¹*

SATURDAY, September 22 of 2007, 5:12 p.m., Peruvian time. After seven years of exile, Alberto Fujimori, Peru's strongman president from 1990 to 2000, returns to Peru.² This historical event takes place one day after the Chilean Supreme Court's long-anticipated decision granting the Peruvian government's request to extradite Mr. Fujimori so that he can be prosecuted in Peru for claims of crimes against humanity and corruption, which allegedly took place during his time in office.³

Former President Fujimori's controversial career is an issue that has divided the Peruvian opinion. To his supporters, Mr. Fujimori is the man who saved Peru “from the twin evils of terrorism and economic collapse.”⁴ Thus, he is remembered with gratitude by some of the Peruvian population for “crush[ing] the Shining Path guerrillas, stabili[zing] the economy”⁵ by overcoming hyperinflation, and “buil[d]ing schools and

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1. *Registro Exclusivo: El Retorno y sus Efectos*, CARETAS, Sept. 27, 2007, at 13, available at <http://www.caretas.com.pe/Main.asp?T=3082&id=12&idE=744&idSTo=251&idA=28891>. Former Peruvian President Alberto Fujimori's question asking if he was going to be handcuffed was answered in negative by the Director of the Peruvian Police, General David Rodriguez, as Mr. Fujimori was boarding the plane that would take him back to Peru. *Id.*

2. *Id.*

3. *Fugitive Returned*, ECONOMIST, Sept. 27, 2007, available at http://www.economist.com/research/articlesBySubject/displaystory.cfm?subjectid=549237&story_id=9867439.

4. *Fujimori's Controversial Career*, BBC NEWS, June 25, 2001, <http://news.bbc.co.uk/2/hi/americas/705482.stm>.

5. *Peru's Fujimori Plans a Comeback*, ECONOMIST, Oct. 13, 2005, available at http://www.economist.com/research/articlesBySubject/displaystory.cfm?subjectid=549237&story_id=E1_VDENVJNJ.

clinics in remote Andean towns.”⁶ “To his opponents, he is an authoritarian strongman who has ridden roughshod over the country’s democratic institutions in order to preserve his hold on power.”⁷ He is being accused, among other things, of autocratic rule, destruction of democratic institutions, media manipulation, and the corrupt racketeering of Vladimiro Montesinos, his closest aide.⁸

The following article will examine former Peruvian President Alberto Fujimori’s controversial career, his exile in Japan and subsequent arrest in Chile, his extradition process and subsequent return to Peru, and the consequences of extradition for both Mr. Fujimori and the Peruvian people.

II. FORMER PERUVIAN PRESIDENT ALBERTO FUJIMORI’S GOVERNMENTS

It was the year 1990, and general elections were taking place in Peru; the country was “on the verge of economic collapse and racked by political violence” left by the first government of current Peruvian President, Alan Garcia Perez.⁹ An agricultural engineer born to Japanese parents,¹⁰ “Mr. Fujimori was a political unknown until weeks before the vote, in which he surprisingly defeated the centre-right coalition candidate, the author Mario Vargas Llosa.”¹¹

Within weeks after his election, Fujimori began “implementing a radical programme of free-market economic reforms,” such as “removing subsidies, privatizing state-owned companies,” and also “reducing the role of the state in almost all spheres of the economy.”¹² These reforms helped end “rampant hyperinflation” and “paved the way for sustained economic growth in the second half of the nineties.”¹³ “Mr. Fujimori also moved quickly to tackle the left-wing rebels whose 10-year insurgency had caused thousands of deaths and brought the country to the brink of chaos.”¹⁴ Both accomplishments—victory over left-wing insurgents and curbing hyperinflation—gave Mr. Fujimori great acceptance within the Peruvian population.¹⁵ As a result, when he stood for re-election in

6. *Id.*

7. *Fujimori's Controversial Career*, *supra* note 4.

8. *Peru's Fujimori Plans a Comeback*, *supra* note 5.

9. *Fujimori's Controversial Career*, *supra* note 4.

10. As a point of interest, Mr. Fujimori’s career started creating controversy when he decided to run for office the first time. Although it was not publicly discussed until years later, there were allegations among opposition members that Mr. Fujimori could not have run for office at all because he was not even Peruvian, but Japanese, and the Peruvian Constitution requires the President to have been born in Peru: “In order to be elected as President it is required that the candidate be *born in Peru*. . .” CONST. PERU 1993 Article 110, available at <http://www.tc.gob.pe/legconperu/constitucion.html> (emphasis added).

11. *Fujimori's Controversial Career*, *supra* note 4.

12. *Id.*

13. *Id.*

14. *Id.*

15. *Id.*

1995,¹⁶ he had an overwhelming victory over the opposing candidates.¹⁷

But there was always a dark side to Mr. Fujimori. Some parts of the Peruvian population started to see Mr. Fujimori as an authoritarian who was keen to abuse his executive power. For example, on April 5, 1992, with support of the military, Mr. Fujimori "dissolved the Peruvian congress and courts and seized dictatorial powers."¹⁸ This measure gave him ample opportunity to rule freely without any or much opposition.¹⁹ However, acts such as these were minimized by the media and the population due to the accomplishments made by the government at the time, such as the capture of the leader of the Shining Path, Abimael Guzman Reinoso, which took place only a couple of months later.²⁰ Additionally, Mr. Fujimori's critics accused him of using authoritarian methods against his democratic opponents. Critics specifically accused him of using the Peruvian Intelligence Service—led by his shadowy security adviser, Vladimiro Montesinos²¹—"to intimidate and spy on political opponents."²²

As the election process for what would be a third period in office for Mr. Fujimori approached, allegations that Mr. Fujimori, together with Vladimiro Montesinos, was using dirty tricks to ensure his continuance in power, increased. He was able to overcome "domestic and international criticism of his election victory"²³ in the 2000 election process.²⁴ However, everything began to unravel shortly after the elections "with the

16. "The Presidential mandate lasts for five years. . ." CONST. PERU 1993 Article 112, available at <http://www.tc.gob.pe/legconperu/constitucion.html>.

17. *Fujimori's Controversial Career*, *supra* note 4.

18. *Id.*

19. Thanks to this measure, Mr. Fujimori was able to trade a Peruvian Congress in which he had a marked opposition for a new congress in which his political group Cambio 90 was a majority. This political move allowed him to enact a new Constitution in 1993 that permits presidential re-election, which the previous Constitution of 1979 did not permit, and pass legislation with almost no opposition. For example, in terrorism matters, he was able to pass legislation which ignored due process warranties, such as unlimited detention, military procedures, etc.

20. On September 12, 1992, Peruvian police forces accomplished what was later defined by the media as "*la captura del siglo*" (the capture of the century): arresting Abimael Guzman Reinoso, founder and most important person of the Shining Path organization, with three other members of high influence within the organization. This capture represented, in principle, the beginning of the end for the Shining Path.

21. To know more about Vladimiro Montesinos see *Montesinos: The End of the Road*, BBC News, June 24, 2001, <http://news.bbc.co.uk/2/hi/americas/1405548.stm>; Javier Farje, *The Charges Against Montesinos*, BBC News, June 25, 2001, <http://newsvote.bbc.co.uk/2/hi/americas/1407621.stm>.

22. *Fujimori's Controversial Career*, *supra* note 4.

23. *Fujimori: Decline and Fall*, BBC News, Sept. 18, 2000, <http://newsvote.bbc.co.uk/2/hi/americas/1031752.stm>.

24. For example, the opposition alleged that the Peruvian Constitution of 1993, enacted when Mr. Fujimori was in office, only allowed one re-election process, so Mr. Fujimori was forbidden from running for a third period (Mr. Fujimori, at the time of the presidential elections in 2000, has been president for two periods already: 1990-1995 and 1995-2000). However, Mr. Fujimori argued that because the Constitution of 1993 was enacted after he was elected President of Peru for the first time in 1990, the first election process under said Constitution took place in 1995, and the 2000 election would be his first and only re-election process under the 1993 constitution.

broadcast of one short video tape."²⁵ The tape, obtained by the opposition, showed powerful intelligence chief, Vladimiro Montesinos, "apparently bribing an opposition member of congress."²⁶ The video shocked Peru.²⁷ It not only represented the first piece of "evidence of potential criminal activity"²⁸ against Mr. Fujimori and his closest aid Mr. Montesinos, but also represented the decline of the regime of Mr. Fujimori. After the video was published, Mr. Montesinos was forced to evade the authorities, but he was later imprisoned and is now serving a twenty year jail sentence in a Peruvian jail.²⁹ On the other hand, after the scandal, Mr. Fujimori called new elections and abstained from participating, and fled to Japan. From there, he submitted his formal resignation, via fax, to the Peruvian Presidency.³⁰ Mr. Fujimori was exiled in Japan for five years, protected from extradition by the Japanese government because of his dual citizenship: Peruvian and Japanese.³¹

III. THE CHARGES: CRIMES AGAINST HUMANITY AND CORRUPTION

Mr. Fujimori's governments were marked with several human rights violations as well as cases of corruption. The Peruvian government based its extradition request on a number of charges of criminal activity, such as embezzlement, fraud, kidnapping, murder, and organized crime.³² The most severe charges included violations of human rights in two particular cases: the *Barrios Altos* massacre and the *La Cantuta* killing.³³ The *Barrios Altos* massacre took place in November 1991 in the neighborhood of Barrios Altos, Lima, Peru. At a neighborhood barbeque, which the intelligence service believed was to raise funds for the Shining Path, several men later identified as members of *Grupo Colina* (Colina Group), a death squad group made up of members of the Peruvian armed forces, killed fifteen people, including an eight year old.³⁴ The *La Cantuta* kill-

25. *Fujimori: Decline and Fall*, *supra* note 23.

26. *Id.* In the video Vladimiro Montesinos is shown giving a packet, apparently U.S. \$15,000.00, to opposition congressman Luis Alberto Kouri to "switch sides and thereby give the government a majority in parliament". See *The Video that Shocked Peru*, BBC NEWS, Nov. 22, 2000, <http://news.bbc.co.uk/2/hi/americas/930613.stm>.

27. *The Video that Shocked Peru*, *supra* note 26.

28. See *Id.* See also *Montesinos: The End of the Road*, *supra* note 21 (stating that Mr. Montesinos left behind some 700 *Vladi Videos*); *Fujimori: Decline and Fall*, *supra* note 23.

29. *Fugitive Returned*, *supra* note 3.

30. *Fujimori: Decline and Fall*, *supra* note 23.

31. *Fugitive Returned*, *supra* note 3. It is important to notice that it is a recognized rule in international law that extradition is denied when the accused is a national of the requested State. See Marjorie M. Whiteman, 6 DIG. INT'L L. 728 (1968).

32. *Fugitive Returned*, *supra* note 3.

33. Patricia Caycho, *Sí lo Extraditan . . . Ésta es la Llave, ¿Y Si No?*, CARETAS, Sept. 13, 2007, at 13 available at <http://www.caretas.com.pe/Main.asp?T=3082&id=12&idE=742&idSto=287&idA=28653>.

34. COMISION DE LA VERDAD Y RECONCILIACION, HATUN WILLAKUY: *Versión Abreviada Del Informe Final De La Comisión De La Verdad y Reconciliación*,

ing took place in July 1992 and involved the kidnapping and subsequent murder of nine students and a professor from the University Enrique Guzman y Valle, *La Cantuta*, a group that was also accused of terrorism³⁵. The study by the Peruvian Truth and Reconciliation Commission found that due to the authoritarian methods used by Mr. Fujimori, such crimes could not have been committed without the full knowledge and approval of Mr. Fujimori and Mr. Montesinos.³⁶

Additionally, there are several allegations of corruption practices that took place during Mr. Fujimori's governments. For example, Peruvian prosecutors have discovered at least seventy bank accounts in Panama and Switzerland to which Mr. Fujimori and Mr. Montesinos have allegedly moved millions of dollars³⁷. Another example is the existence of "Vladi Videos," such as the one previously mentioned, in which Mr. Montesinos appears to be bribing different members of opposition parties in congress,³⁸ television stations executives, and newspaper executives to ensure their support of the government.³⁹

IV. EXTRADITION PROCESS

When Former President Alberto Fujimori left his exile in Japan where he was protected against extradition due to his double nationality and flew to Chile, he took a gamble.⁴⁰ Mr. Fujimori was hoping that the sour relationship that exists between Peru and Chile would stop the Chilean authorities from cooperating with the Peruvian authorities to bring him to justice.⁴¹ However, time would prove him wrong: he was arrested only seventy hours after his arrival in Chile and the Chilean's Supreme Court rejected his bail a day later.⁴²

Mr. Fujimori's arrest by the Chilean authorities frustrated a comeback strategy that started during his exile in Japan. There, he had created a "virtual candidacy" through which he communicated with his supporters in Peru via a radio program as well as through his web page.⁴³ He also "launched a new political party called *Si Cumple* ('Yes, he delivers') and

Peru [Great Story: Abbreviated Version of the Peruvian Truth and Reconciliation Commission Final Report], 321 (Navarrete S.A. Ed. 2004) (2004).

35. *Id.* at 320.

36. *Id.* at 321.

37. *Fujimori: Decline and Fall*, *supra* note 23.

38. *Montesinos: The End of the Road*, *supra* note 21.

39. *Fujimori: Decline and Fall*, *supra* note 23.

40. *Will Chile Send Fujimori to Peru?*, *ECONOMIST*, Jan. 5, 2006, available at http://www.economist.com/research/articlesBySubject/displaystory.cfm?subjectid=549237&story_id=E1_VPVJJDJ.

41. *Peru and Chile*, *ECONOMIST*, Nov. 10, 2005, available at http://www.economist.com/research/articlesBySubject/displaystory.cfm?subjectid=549237&story_id=E1_VTQJPNN.

42. *Id.*

43. *A Fugitive Former President Plans a Return to Peru*, *ECONOMIST*, Jul. 28, 2005, available at http://www.economist.com/research/articlesBySubject/displaystory.cfm?subjectid=549237&story_id=E1_QNPNNPPR.

"renewed his Peruvian voter-identification card."⁴⁴ The plan: try to secure his followers as many spots as possible in the Peruvian Congress during the 2006 elections so that he could then "offer their votes to the next government in return for a clear run in 2011."⁴⁵ It is important to mention that after Mr. Fujimori fled from Peru and submitted his resignation from Japan, the Peruvian Congress banned him from holding office until the year 2011.⁴⁶

Chile hosted additional advantages that caused Mr. Fujimori to assume the risk of being detained. It had a geographic advantage over Japan; he was closer to his followers. Also, regarding the extradition risk, Chile had proven to be a safe haven for other former Latin American former presidents who sought exile there.⁴⁷ For example, former Argentine President Carlos Menem's extradition request by Argentina was denied by the Chilean Supreme Court.⁴⁸ However, he was only charged with corruption claims and not with any human right violations.⁴⁹ Although Peru and Chile signed an extradition treaty in 1932,⁵⁰ to secure his extradition, Peruvian's prosecutors would have to "offer evidence against Mr. Fujimori sufficient to justify his indictment under Chilean law for a serious crime that was not political."⁵¹ For example, in the case of Fernando Calmell Del Solar, a Peruvian newspaper owner accused of taking bribes from Vladimiro Montesinos, the Chilean Supreme Court held that the charges submitted by the Peruvian government for his extradition "did not amount to a crime under Chilean law."⁵² It is important to notice that under the principle of double criminality in international law, acts that are extraditable are solely those "which are offenses under the laws of both States and punishable by a certain minimum term of imprisonment" in both States.⁵³

But Mr. Fujimori's case was weightier, it included claims of violations against human rights as well as corruption claims, and the Peruvian prosecutors did a better job. Additionally, the Chilean Supreme Court was under pressure due to recent decisions in which it applied international

44. *Id.*

45. *Peru's Fujimori Plans a Comeback*, *ECONOMIST*, Oct. 13, 2005, available at http://www.economist.com/research/articlesBySubject/displaystory.cfm?subjectid=549237&story_id=E1_VDNVJNJ.

46. *Id.*

47. *Will Chile Send Fujimori to Peru?*, *supra* note 40.

48. *Id.*

49. *Id.*

50. Ratifica el Tratado de Extradición entre Chile y el Perú, Firmado en Lima el 5 de Noviembre de 1932 [Ratification of Extradition Treaty between Chile and Peru, signed in Lima on November 5, 1932], available at http://www.oas.org/juridico/MLA/sp/traites/sp_traites-ext-chl-per.pdf.

51. *Will Chile Send Fujimori to Peru?*, *supra* note 40. A political exception is a recognized principle in international law that forbids extradition where the requested party can prove that the requesting party's only purpose for extradition is based on political prosecution. Whiteman, *supra* note 31, at 728.

52. *Will Chile Send Fujimori to Peru?*, *supra* note 40.

53. Whiteman, *supra* note 31, at 728.

law over domestic Chilean law.⁵⁴ A clear example is the Chilean Supreme Court's decision in the prosecution of three Chilean police officers accused of killing two members of the Revolutionary Movement in 1973.⁵⁵ In that case the Chilean Supreme Court reversed a finding from the lower court that held that those accusations of murder originated under Chilean law.⁵⁶ The Chilean Supreme Court held that the case was one of crimes against humanity under international law.⁵⁷ Additionally, the Chilean Supreme Court was trying to clean up the bad reputation it gained under the dictatorship era of former Chilean President Augusto Pinochet. Thus, the Peruvian government was sure that the Chilean Supreme Court was going to extradite Mr. Fujimori; otherwise, the Court would throw away its reputation for applying international law over domestic law in cases of crimes against humanity.⁵⁸

Chile also had another reason to grant Peru's extradition request: to mend its damaged relationship with its neighbor to the north. Mr. Fujimori's arrival to Chile came at a time when the relations between Peru and Chile were not at their best. Trade relationships between both parties had been thriving: Chilean firms had invested in several areas of the Peruvian economy, such as department stores and chemical production, and Peruvian chefs ran some of the best restaurants in Santiago, Chile's capital.⁵⁹ However, the past continues to haunt both countries. In the Pacific War in the late nineteenth century, Chile defeated Bolivia and its ally, Peru. As a consequence, Bolivia lost its outlet to the sea and Peru lost what is now Chile's copper-rich territory.⁶⁰ Bolivia continues to negotiate with Chile for access to the sea, which has become more feasible due to the recent discovery of large natural gas reserves in Bolivia, and the lack of natural resources in the Chilean territory.⁶¹ Peru, on the other hand, disputes its southern maritime border.⁶² Chile alleges that the maritime border between the two countries is due west deep into Peruvian territory, whereas Peru argues that it lies southwest more into Chilean territory; the dispute is significant because fish-rich triangle is in the middle.⁶³ Peru has responded by threatening to take the case to the International Court of Justice of The Hague, a move that has not been

54. Patricia Caycho, *El Que Pestaña Pierde*, CARETAS, Aug. 20, 2007, at 33, available at <http://www.caretas.com.pe/Main.asp?T=3082&S=&id=12&idE=740&idTo=0&idA=28343>.

55. *Id.*

56. *Id.*

57. *Id.*

58. *Id.*

59. *Neighbors But Not Yet Friends*, ECONOMIST, Jun. 18, 2007, available at http://www.economist.com/research/articlesBySubject/displaystory.cfm?subjectid=549237&story_id=9409276.

60. *Id.*

61. *Id.*

62. *Id.*

63. *Id.*

welcomed by the Chilean government.⁶⁴ Thus, although relations between Mr. Garcia, Peru's President, and Ms. Bachelet, Chile's President, have been ostentatiously friendly, such "[r]elations could be upset if Chile's Supreme Court thr[ew] out Peru's request to extradite Alberto Fujimori."⁶⁵ It is important to remember that in the 1970s when both countries were ruled by military governments, they came close to war.⁶⁶

Regardless of all the reasons why the Peruvian government thought the extradition of Mr. Fujimori was imminent, things did not start well for them. Chilean Trial Court Judge Orlando Álvarez denied the extradition request arguing that the Peruvian government had not submitted enough evidence to prove Mr. Fujimori's culpability in the alleged crimes.⁶⁷ On appeal, Peruvian prosecutors argued that under international criminal law the superior is responsible for crimes committed by his agents if it is proved that he knew of such crimes, or was in a position where it was reasonable to infer that he knew of such crimes and did not take the necessary measures to prevent them and to sanction those responsible.⁶⁸ Additionally, the Peruvian prosecutors cited article 365 of the *Bustamante* Treaty, signed by both parties in 1928, which established that the requesting party only has to show *indicios racionales de culpabilidad* (reasonable signs of culpability).⁶⁹ Thus, under the *Bustamante* Treaty, the level of evidence required does not need to be absolute.

Before the Chilean Supreme Court decision was issued however, Mr. Fujimori played his last card to try to avoid extradition: a bid to win a seat in the upper house of Japan's parliament to gain political immunity from extradition.⁷⁰ He called himself "the last Samurai" in a campaign video and pledged to use his "experience gained during 10 years in office in Peru to help Japan solve its problems."⁷¹ However, he failed to reach a bid on the elections, a result welcomed by human right groups in Peru who were pleased "Japanese people had not treated Mr. Fujimori with impunity."⁷²

V. FINAL VERDICT

The Chilean Supreme Court granted the Peruvian government's extradition request of former Peruvian President Alberto Fujimori "based on

64. According to the Peruvian government, the complaint will be submitted by the end of this year. See *El Canciller Garcia Belaunde Afirma que la Demanda del Peru ante la Corte de la Haya "Sera Impecable"*, El Comercio, http://www.elcomercio.com.pe/ediciononline/HTML/2007-10_25/el_canciller_garcia_belaunde_a.html.

65. *Neighbors But Not Yet Friends*, *supra* note 59.

66. *Id.*

67. Caycho, *supra* note 54, at 34.

68. *Id.*

69. *Id.*

70. *Fujimori Loses Japan Election Bid*, BBC News, July 29, 2007, <http://news.bbc.co.uk/2/hi/americas/6921527.stm>.

71. *Id.*

72. *Id.*

two charges of human right violations and five of corruption.”⁷³ The two human right charges included the death of fifteen people in the *Barrios Altos* massacre and of ten people in the *La Cantuta* killing, both committed by a death squad group allegedly promoted by Mr. Fujimori.⁷⁴ The corruption charges included embezzling about fifteen million U.S. dollars, payoffs to members of congress, and illegal wiretapping.⁷⁵ The Peruvian government has assured that it will try Mr. Fujimori with all the warranties of due process, including established principles in international law such as the doctrine of specialty through which an “accused will not be tried or punished for any offense previously committed other than that for which his extradition is granted.”⁷⁶

VI. THE FUTURE

The Peruvian Supreme Court’s division specializing in criminal procedures⁷⁷ will be in charge of Mr. Fujimori’s trial for the two human right violation charges and five corruption charges. The first step according to Peruvian prosecutors will be to formally notify Mr. Fujimori of the charges of which he is accused.⁷⁸ Peruvian prosecutors estimate that a final decision on Mr. Fujimori’s case will be in 2008, but they recognize that it will be a complicated trial, especially regarding the two charges of human right violations.⁷⁹ Mr. Fujimori claims that he did not know the doings of his spy chief, but Mr. Montesinos, who has been already found guilty, will be a key figure in his trials.⁸⁰ Prosecutors have also stated that there are some other charges that remain pending that will be requested of the Chilean authorities to be included under the extradition request so that they can be used at trial, such as the killing in 1992 of about forty two prisoners on a military operation in the Peruvian prison of *Castro Castro*.⁸¹ Mr. Fujimori’s case is the first in which a former president has been extradited to his country for charges of human right violations; according to experts, Mr. Fujimori may be condemned up to thirty years in prison.⁸²

Mr. Fujimori’s detention in Lima is a risk that the Peruvian government was prepared to assume. However, this situation may create some

73. *Extradited Fujimori Back in Peru*, BBC NEWS, Sept. 22, 2007, <http://news.bbc.co.uk/2/hi/americas/7008302.stm>.

74. *Id.*

75. *Id.*

76. Whiteman, *supra* note 31, at 728.

77. As a former head of state, Mr. Fujimori has to be tried by the Supreme Court.

78. *La Sala Penal Especial de la Corte Suprema Procesará a Fujimori por Cinco Delitos*, El Comercio, Sep. 22, 2007, <http://www.elcomercio.com.pe/ediciononline/HTML/olecportada/2007-0922/olecportada0425403.html>.

79. *La Procuraría Confía en que la Sentencia Contra Fujimori se Emita el 2008*, El Comercio, Sep. 22, 2007, <http://www.elcomercio.com.pe/ediciononline/HTML/olecultimas/2007-09-22/olecultimas0425351.html>.

80. *Id.*

81. *Id.*

82. *Fujimori Estará Bajo un Régimen de Carcelería Residencial en la DINOES*, El Comercio, Sep. 23, 2007, <http://www.elcomercio.com.pe/ediciononline/HTML/olecportada/2007-09-23/olecportada0425404.html>.

complications for the current Peruvian President, Alan Garcia, who "has relied for a legislative majority on the backing of Mr. Fujimori's supporters" led by Mr. Fujimori's daughter, Keiko Sofia Fujimori.⁸³ For example, Mr. Fujimori's followers have already attempted to frustrate the passing of legislation proposed by the executive branch, showing that they still have enough power in congress to be considered an opposition.⁸⁴ Mr. Fujimori's followers allege that their strategy will be to try to victimize Mr. Fujimori, whereas the government will try the opposite.⁸⁵ This situation may cause a division in several areas of the political environment in Peru. Also, Mr. Fujimori's followers are pressuring congress to impeach Peruvian Minister of Internal Affairs, Luis Alva Castro, designated by the executive, for alleged irregularities in the acquisition process of 698 police patrols, and are therefore trying to cause political instability among different sectors of the executive.⁸⁶

In conclusion, Mr. Fujimori's extradition is a big accomplishment for the Peruvian government that now has the opportunity to try him under its own laws for crimes he allegedly committed during his time in office. However, the Peruvian Government has to treat this issue very carefully because Mr. Fujimori still has many followers and people who owe him favors in Peru. Only time will tell if the extradition process was the consequence of a mistake made by a man whose custom was not to make mistakes and who deceived a whole country for over a decade, or just part of Mr. Fujimori's strategy to regain power in the next Peruvian election by virtue of his renewed connection with his followers.

83. In an irony of history, in 1992 Mr. Garcia himself sought asylum in Colombia, fearing corruption charges from Mr. Fujimori, which were later dropped. *Fugitive Returned*, *supra* note 3.

84. *Registro Exclusivo: El Retorno y sus Efectos*, *supra* note 1, at 13.

85. *Id.*

86. *Las Bancadas Parlamentarias no Deben Prestarse al Juego del Fujimorismo en la Interpelación a Alva Castro*, *El Comercio*, Sep. 25, 2007, <http://www.elcomercio.com.pe/ediciononline/HTML/olecportada/2007-09-25/olecportada0425773.html>.