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Peru: Presidential Vacancy Declared by Congress and New Transitional Government

On October 9, the Peruvian Congress declared the vacancy of then-President Dina Ercilia Boluarte Zegarra due to "permanent moral incapacity." On October 10, the Presidency of the Republic was assumed by the President of Congress, José Enrique Jerí Oré, in accordance with the provisions of the Political Constitution of Peru.

2. Legal Basis for the Vacancy and Succession: According to Article 113 of the Peruvian Constitution, Congress can remove a president for "permanent moral or physical incapacity." This requires 87 votes (qualified majority). The vacancy was approved with 122 votes in favor and none against, with no abstentions (Congress has 130 members).

Consequently, the Legislature applied the presidential succession regime provided in Article 115 of the Constitution: since there was no Vice President, the President of Congress, José Enrique Jerí Oré, assumed office as the new President of Peru, to complete the predecessor's term.¹

3. Main Congressional Argument for the Vacancy: The main argument by Congress members to promote the vacancy of Dina Boluarte was the escalation of violence and the growing insecurity caused by transnational organized crime.

Ms. Boluarte, who did not have a party represented in Congress, was vacated from the Presidency after nearly three years in office.

4. Transitional Government and New Elections: In his first speech after assuming office, President Jerí declared: "I assume office according to the Political Constitution of Peru, from this moment on until July 28, 2026." He described his government as "transitional" and emphasized that he will prioritize citizen security, underscoring his desire to work towards the country's "reconciliation."

The next general elections will be held on Sunday, April 12, 2026, to elect the President of the Republic, Vice Presidents, and members of Congress for the 2026-2031 period, as convened by former President Boluarte on March 25, 2025, in compliance with the electoral calendar established by Peruvian law.

5. Prospects for Relations with the United States: With security as a key priority for the new Peruvian administration and as the main concern of its citizens, Peru expects to continue working with the United States in the determined fight against organized crime affecting hemispheric security and stability. Likewise, Peru wishes to strengthen ties with the United States in trade and investment in strategic infrastructure projects and critical minerals, looking ahead to the celebration of 200 years of diplomatic relations in 2026.

¹In this case, the office of Vice President was also vacant, given that Ms. Boluarte took office as Presidente following the presidential succession regime, leaving her former role as Vice President of former President Pedro Castillo.