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DELEGATION FOR THE OBSERVATION OF ELECTIONS IN VENEZUELA

(3 December 2006)

**Report by Mr Manuel MEDINA ORTEGA,
Chairman of the Delegation, for the Committees on Foreign Affairs
and on Development**

Annexes: List of participants
Programme of the visit
Preliminary report of the EU EOM

Brussels, 6 December 2006
LMG/nal

Introduction:

At its meeting of 26 October 2006, the Conference of Presidents decided to send an electoral observation mission to Venezuela, comprising seven Members selected under the d'Hondt system.

At the delegation's constituent meeting on 16 November 2006, Manuel MEDINA ORTEGA (PSE) was elected chair; a preparatory meeting was held on 29 November.

It was agreed that the delegation would arrive in Venezuela on 30 November and would operate in groups on election day.

Domestic situation:

Following the dictatorship of General Marcos PÉREZ JIMÉNEZ and the end of a period of *caudillismo* and internal struggles, President Rómulo BETANCOURT, elected in 1958, established democracy and adopted a new constitution in 1961. He sought to reform and modernise agriculture and industry, creating a climate of political stability, partly by means of the 'Punto Fijo' Accord, which provided for the alternation in power of the two main political parties. Thanks to the economic growth fuelled by Venezuela's oil resources, modernisation was swift, although it was not accompanied by an equitable distribution of wealth.

The weakness of this economic model, hand in hand with a major population increase, led to widespread impoverishment of the population in the 1980s, fuelling widespread protests and discontent.

In 1992 there were two failed coups, led by Hugo CHÁVEZ FRÍAS and Francisco ARIAS CÁRDENAS.

In 1993, Rafael CALDERA was elected President and constitutional principles took a back seat in the search for an end to the crisis and upheavals. Price controls were abolished, and a period of privatisation commenced.

The rise in oil prices created a degree of economic growth but the population continued to get poorer.

In the December 1998 elections, former Lieutenant-Colonel Hugo CHÁVEZ, the 'hero of the less-favoured', won 56.20% of the votes as leader of the coalition of left-wing and nationalist parties.

From the beginning of his mandate, CHÁVEZ stressed his intention of putting an end to uncontrolled neoliberalism and corruption, and announced that a Constituent Assembly would be elected to inaugurate the V Republic.

The new constitution was approved by 70% of the population in December 1999, and institutionalised the 'Bolivarian revolution', whose name pays tribute to the ideals of Simón BOLÍVAR, as does the designation Bolivarian Republic of Venezuela.

In July 2000, CHÁVEZ was re-elected President and thus pressed ahead with his promise to return power to the people, and improvements were enacted at constitutional level with regard to human rights (protection of indigenous languages and peoples on the basis of ILO standards), and gender equality.

On 12 April 2002, businessmen and military leaders, angry at losing their privileges thanks to the government's social measures, provoked a coup which brought together 300 000 demonstrators in front of the presidential palace. The confrontation resulted in 17 deaths.

Pedro CARMONA led the coup, dissolved the National Assembly, the Supreme Court of Justice and revoked 49 legal decrees issued by the CHÁVEZ Government, and also the 1999 Constitution. Behind these measures was the head of the army, General Efraín VÁZQUEZ.

The next day, thousands of demonstrators supporting CHÁVEZ and the established regime took to the streets of Caracas and gathered in front of the Miraflores presidential palace, protesting against the arbitrary arrests ordered by the new government.

The generals who had supported the coup changed their position, and criticised the abuses perpetrated by the coup; this led to CARMONA's resignation and CHÁVEZ returned to his presidential duties the following morning.

Under the CHÁVEZ Government, and with the adoption of the new Constitution, a series of institutional changes took place which gave a greater role to the President. The 'Republican Moral Council' was established, a body representing citizens' interests within the government, and the concept of participative democracy was extended.

In 1999, an emergency legal commission was appointed to tackle corruption, and suspended half of the judiciary; the *Consejo de Magistratura* was abolished and was replaced, along with the Supreme Court, by the Supreme Court of Justice, whose rules of procedure were approved by the National Assembly in 2004.

An EP electoral mission observed the elections of December 2005. The mission comprised six Members and was chaired by Mr Arunas DEGUTIS (ALDE); the democratic credentials of the elections was confirmed. The opposition boycotted them. Problems with the electronic voting, a significant abstention of 75%, the excessive use of the media and the omnipresence of the army in the polling stations were all denounced.

Since the 1970s, the Venezuelan economy has been experiencing crises and economic decline. Per capita GDP, at \$ 5 649 is higher than that of neighbouring countries, but unequally distributed. Between 1998 and 2003 it fell by 27%, a fact which enormously weakened the social situation; 70% of the population lives in poverty, and 33% in destitution, according to the traditional structure of Venezuelan society.

Venezuela is rich in mineral resources, especially oil; fluctuations in the oil prices are the causes of the country's instability and dependency on the outside world.

Political instability and domestic conflicts have led to a reduction in foreign investment. The President has been obliged to compensate for this deficit with the profits of oil sales; the price of oil has increased enormously on the international markets.

Fixed prices have been established for certain goods and services, particularly food. At the same time, CHÁVEZ has sought to reform agriculture, increase production and repopulate the countryside.

The mining industry has been nationalised; the aluminium, coal, iron and gold reserves are state-owned.

Inflation has been cut from 103.2% in 1996 to 16% in 2005, thanks to the price control programme for basic foodstuffs.

CHÁVEZ's strategy of channelling oil profits towards the least-favoured sectors of the population has succeeded in reducing illiteracy levels and poverty. However, these programmes do not in themselves guarantee progress towards lasting development, which would require profound structural changes.

Following CHÁVEZ's return to power following the coup, the opposition parties and the upper and middle classes demanded that he be dismissed. However, he enjoys considerable popular support, has allowed complete freedom of expression and has used part of the oil profits to subsidise social programmes in education and health. He has set in motion a plan to expropriate non-productive land and to redistribute illegally occupied land belonging to the State.

On 15 August 2004, in the midst of the crisis, CHÁVEZ finally submitted to a revocatory referendum, as provided for by the Constitution, whereby the population would decide whether his mandate should be suspended or continued. The internationally-recognised results confirmed CHÁVEZ's mandate by 59.75% to 40.25%, thus confirming his popularity and democratic legitimacy.

For the presidential elections of 3 December, the opposition parties, which had previously been extremely divided and completely uncoordinated, united to present a single candidate, the Social-Democrat Manuel ROSALES, whose electoral programme was based on economic and social aid to the least-favoured, and cuts in foreign aid (including the sale of oil at very low prices) and military spending.

CHÁVEZ's election promises focussed on the need to achieve a profound social transformation, and, to this end, the holding of a referendum to enable him to amend the Constitution to remove the limitation on the length of the presidential mandate.

Opinion polls in September gave CHÁVEZ 50% of the vote against 37% for ROSALES.

Meetings with members of the government

The delegation met the Deputy Minister for Relations with Europe, Mr Rodrigo CHÁVEZ, who welcomed the fact that the opposition had decided to contest the elections with a candidate and an alternative project for the country.

With regard to relations with the EU, he said that the government wished to deepen them, and not restrict them merely to trade issues but also development cooperation. He drew attention to the fact that there were two Venezuelas, particularly in Caracas, where residential districts were to be found cheek by jowl with pockets of poverty and people living in ‘ranchitos’.

Meetings of political parties

The delegation met representatives of the parties grouped around **President CHÁVEZ** and his party MVR, PODEMOS, PPT, Partido comunista, Movimiento Revolucionario Tupamaro, Unión popular de Venezuela. The meeting was attended by the Information Minister, Mr William LARA. The decision by Mr ROSALES and the opposition to withdraw from the parliamentary elections was heavily criticised. With regard to the presidential elections, they felt that a good result would allow Mr Rosales to consolidate his role as leader of the opposition, vis-à-vis possible candidates from other parties.

When the delegation asked whether there was a democratic deficit in Venezuela, given that the Assembly contained no opposition members, they said that the electoral system was open and democratic. The lack of an opposition in the Assembly was due to the opposition’s decision to withdraw from the elections.

With the **opposition parties**, MAS, COPEI, Primero Justicia, Causa R y Bandera Roja, we discussed the origins of the unity of the 34-odd opposition parties around a single candidate.

The opposition’s withdrawal from the parliamentary elections had been a mistake, and was now being corrected; it had been due to the lack of confidence inspired by the previous CNE. With regard to the future, they said that they intended to remain united, even if their candidate were not elected President.

Finally, they complained about the ‘excessive zeal’ of the municipal cleansing department’s workers in removing the opposition candidate’s campaign publicity before the campaign was over.

President CHÁVEZ did not meet the delegation, although he did meet the head of the EU EOM, Mrs Monica FRASSONI. The delegation met Mr Manuel ROSALES, who said that the election campaign had been marked by a lack of respect for democracy, and particularly the abuse of the media by the government candidate, since there were no rules governing the use of the public media during the campaign. He also accused the CNE of failing to react to the electoral activities of the government party even after the election campaign had closed.

With regard to the use of ‘finger printing’, he pointed out that it was useless, since in previous elections it had enabled only some 50 instances of double voting to be identified.

He also said that the electoral register still contained anomalies.

They described the presidential election as atypical, because it was going to be an election between two different political systems.

Other meetings

The delegation held a meeting with members of the quasi-official '**Periodistas por la verdad**' (Journalists for Truth), whose representative, José MARTÍNEZ NATERA, described the elections as the most heavily-observed in history. With regard to the activities of the media before and during the campaign, he pointed out that in Venezuela freedom of action had led to the abuse of that freedom and the total politicisation of the news. The only legal restriction that existed was the so-called 'ley resorte' which merely limited content in terms of timetabling.

The President of the **Supreme Court of Justice**, Mr Omar MORA, thanked the delegation for accepting his invitation to observe the elections, which he said would demonstrate that Venezuela was not a one-party state.

We also met General QUERALES, head of the **Unified Command of the National Armed Forces**, the CUFAN, at the headquarters of the CNE; he would duly carry out the duties incumbent on him under the Sixth 'Republic' Plan. These duties were to be carried out under the orders and the responsibility of the CNE, and involved guaranteeing the transport and protection of electoral material throughout election day, guaranteeing security of the voters and members of the police stations. The Plan would involve 120 000 soldiers and 18 000 reservists.

The delegation also met representatives of election-related organisations from civil society:

The representatives of '**Ojo electoral**' (Electoral Eye) explained their role of helping people to vote and encouraging voters to do so, while expressing their fear that some sectors might not accept the results in the polarised atmosphere obtaining in Venezuela, with both candidates sure of winning. They criticised the CNE's decision to limit to a maximum of 400 the number of permits issued to associations to observe the elections.

Likewise, even accepting that faults might exist in the register, they said these were minor and would not influence the results in presidential elections, though they could have consequences in municipal or governmental elections. With regard to the future, they said that it would be necessary for the winner to engage in dialogue with the loser so as to re-establish institutional normality.

The NGO '**SÚMATE**' (Get Involved), which was close to the opposition, had been created in 2002 with the purpose of collecting signatures for the revocatory referendum; we were told that it faced a similar problem in that it had received far fewer election observation permits than had been requested for individuals who had received the requisite training. The organisation had opened a call centre for complaints about the election process. News about inadequate electoral material, or material with damaged seals, had already come in.

Representing '**PROVEA**', María Elena RODRÍGUEZ informed us of the situation of human rights in Venezuela.

She explained the different plans and 'missions' which the government had launched to implement its various social policies. She made a particular mention of the SUCRE, ROBINSON, RIVAS or 'Barrio adentro' missions which concentrated on basic medical, food, or

educational provision. The results definitely indicated improvement, particularly for sectors of the population which hitherto had received no such provision.

However, they denounced the ever-increasing public presence of military personnel thanks to the different 'Plans', or the appointment of military judges and magistrates, and the lack of confidence in the courts felt by the man in the street. A task still pending was putting an end to corruption.

The new government would have to tackle these problems and improve access to housing and running water. Out of a scheduled 150 000 new houses, only 35 000 had been completed; 43% of the 'ranchitos' had no running water, and 85% had no septic tank.

Finally, they described the promulgation in 2006 of the law on the rights of the indigenous peoples as extremely positive. It would encourage the fight against the malnutrition and diseases like tuberculosis which this minority suffered from.

The election campaign

The Presidential elections appear to indicate the beginnings of national reconciliation and a return to democratic normality insofar as the opposition parties were taking part, with some dozen candidates, mainly the governor of Zulia, Mr Manuel ROSALES.

The atmosphere during the campaign was far less tense than during the parliamentary elections. The political parties grouped themselves around the two main candidates. This also led to a far lower rate of abstention.

In the face of President CHÁVEZ's platform of continuing with domestic social policy and a major international presence, ROSALES claimed that he would put an end to subsidised sales of oil abroad, particularly to Cuba, and that the savings thus made would enable the government to offer Venezuelans a monthly credit card, called 'mi Negra', for some EUR 200. He also committed himself to returning to the CAN.

The President offered to convoke a Constituent assembly to reform the Constitution, so as to allow unlimited presidential re-election.

The National Electoral Council, the CNE, the fifth 'power' according to the Bolivarian Constitution, comprising five members, is elected by the National Assembly. Given the absence of the opposition from the Assembly, the make-up of the CNE was not balanced. However, it is likely that the personal charisma of its President, Mrs Tibusay LUCENA, who strove at all times to demonstrate her impartiality, meant that its role was viewed positively. She was consistently at the delegation's disposal to provide information and comments. The EU ambassadors, at their meeting with the delegation, spoke of the professionalism of the CNE.

The opposition presented a list of six absolutely essential points which had to be met, otherwise they would withdraw from the election. These concerned the appointment and training of the members of the police stations, authorisation of witnesses, the number of polling stations to be audited, which had to exceed 54.1% (circa 17500), the fact that the electoral colleges should

close at 4 p.m. and that the soldiers and reservists should be under the orders of the CNE and not of the Head of State.

The media rarely displayed any objectivity, reflecting the fact that the country was split into two camps. The official media supported the President and the private media the opposition. While CHÁVEZ's media accused ROSALES of abusing the resources and funds of the State of Zulia, the opposition media accused CHÁVEZ of doing the same with the State. We noted that the institutional campaign was highly partisan; this should be regulated by the CNE in future.

Some of those we met said that in order to put an end to the existing tension, the media needed to change their behaviour and start providing truthful and objective information.

Also criticised was the pressure brought to bear on public officials and the beneficiaries of the various government aid programmes. Particular attention was drawn to the message sent out to the employees of the national oil company PEDEVESA by the Minister of Energy and Oil, Mr Rafael RAMÍREZ, who told them to vote for President CHÁVEZ. Here, the CNE ought to ensure the independence of civil servants in the public sector at election times.

A recurrent issued during the campaign concerned the use of the 'finger-printing' machines, designed to prevent double voting. The opposition assured us that indelible ink already fulfils this role, and that nonetheless, the use of 'finger-printing' put people off voting for an opposition candidate, since they believe that the votes can be traced. The opposition candidate reminded us that the list of signatories to the petition for a revocatory referendum against President CHÁVEZ had been used to carry out reprisals against some of those signatories. Finally, the opposition accepted the use of the machines, although it criticised the fact that they were not used throughout the country. The 'Ojo electoral' representatives said that using these machines was a pointless waste of money. Despite the fact that the EU technical services guaranteed the confidentiality of 'finger-printed' voting, there continued to be political doubts about their use.

In the days leading up to election day, a rumour spread that public meetings would be held on election day, particularly in the electoral colleges. The authorities explained this was not true, and invited citizens to attend the counts, the only limitation being the capacity of the premises, and the need not to hinder the work of the polling stations.

The number of voters was slightly over 16 million, voting in 32331 polling stations located in 11118 electoral colleges. Apart from 671 which used the traditional voting system, voting was electronic everywhere.

The candidates announced that they would accept the results.

Election day:

On 3 December, the EP delegation, in coordination with the EU EOM divided into four groups to cover as many electoral colleges as possible within Caracas. During the day, observers attended the opening of the electoral colleges, the voting process, the closing of the ballot box and the counting of the votes. They also visited the campaign headquarters of the candidate, Mr CHÁVEZ's headquarters at Miranda and those of Mr ROSALES. Observers also took part in the various press conferences organised by the head of the EU EOM, Mrs Mónica FRASSONI.

At both campaign headquarters we received confirmation that the election process was proceeding normally, with only a few localised incidents. It was also confirmed that both candidates would accept the outcome. The main incident worth mentioning was the state television's announcement that President CHÁVEZ had won, while the electoral colleges were still open. With regard to the commitment that no media would announce any election result before the first announcement by the CNE via CNN, the government's Telesur channel failed to respect the rules.

The day of the election was perfectly normal. Some colleges were late in opening, which meant that in the morning there were 3-hour long queues. The use of the 'finger-printing' machines slowed the process down.

The list of candidates was fairly confusing and difficult to read, especially for older people. In some instances the *justificante voto* (voting voucher) which was subsequently to be put in the ballot box came out blank, due to the manual error by the voter; nonetheless, this led to rumours about manipulation.

During the vote, various 'finger-printing' machines were damaged or destroyed, which led to the arrest of those responsible.

Once the provisional results had been announced by the CNE, the candidates accepted them, which was particularly reassuring in the case of the main opposition candidate.

On the morning of 4 December, the delegation chair, Mr MEDINA, made a statement to the media at the CNE headquarters, congratulating the candidates and the Venezuelan people for the way in which the election day had passed off.

The final results (with 95.24% of the votes counted) showed Mr Hugo CHÁVEZ FRÍAS as winner with 62.89% (7.161,637) against the 36.85% (4.196,329) for Mr Manuel ROSALES. There was a 25.12% abstention rate.

Conclusion:

The elections in Venezuela were satisfactory, largely thanks both to the professionalism displayed by the CNE and particularly its Chair, Mrs Tibusay LUCENA, and the defeated candidate's acceptance of the result. The examples set by the most recent elections in Mexico and Ecuador could have had serious consequences, had the opposition candidate not recognised his defeat, given the tension and polarisation that prevailed throughout the election campaign.

The participation in the elections of an opposition united around a single candidate allowed the opposition to make its return to the public sphere, and represents a great step towards normalising political life in a democratic country where there are no opposition parties in the National Assembly. The time has now come to work out ways of enabling the opposition to occupy its proper place. It is also important that the unity which emerged around the candidacy of Mr ROSALES be a lasting unity, and not merely an ad hoc coming together of dozens of political parties for the purposes of fighting one set of elections. The results obtained by Mr ROSALES should enable him to play the role of leader of the opposition.

With regard to the future, the CNE still has important tasks for the future, despite the progress achieved between the parliamentary elections and the presidential election. The 'finger-printing' machine system needs to be improved, now that it has succeeded to a larger extent in overcoming voters' fears. The electoral register needs to be purged of errors.

Given that the election process took place positively and normally, and given the result of the election, Venezuela is now entering a phase of democratic normalisation, in which the EU should help future developments by encouraging political dialogue with civil society.

PARLAMENTO EUROPEO

<http://www.europarl.europa.eu>

DELEGACIÓN AD-HOC PARA LA OBSERVACIÓN DE LAS ELECCIONES EN VENEZUELA

Domingo, 03 de diciembre de 2006

Lista de Participantes

Miembros de la Delegación

Nombre	Apellido	Grupo político	País
Sr. Manuel	MEDINA ORTEGA, Presidente ● <i>Comisión de Mercado Interior y Protección del Consumidor</i> <i>Miembro</i>	PSE	España

Sr. André	BRIE ● <i>Comisión de Asuntos Exteriores, Miembro</i>	GUE/NGL	Alemania
Sr. Emanuel	FERNANDES JARDIM ● <i>Comisión de Transportes y Turismo, Miembro</i>	PSE	Portugal
Sr. Nathalie	GRIESBECK ● <i>Comisión de Presupuestos, Miembro</i>	ALDE	Francia
Sr. Carlos José	ITURGAIZ ANGULO ● <i>Comisión de Desarrollo Regional, Miembro</i>	PPE-DE	España
Sr. Sergio	MARQUES ● <i>Comisión de Desarrollo Regional, Miembro</i>	PPE-DE	Portugal
Sr. Willy	MEYER PLEITE ● <i>Comisión de Asuntos Exteriores, Miembro</i>	GUE/NGL	España

Grupos Políticos de los Miembros de la Delegación

PPE-DE: Grupo del Partido Popular Europeo (Demócrata-Cristianos) y de los Demócratas Europeos
PSE: Grupo Socialista en el Parlamento Europeo
ALDE: Grupo de la Alianza de los Demócratas y Liberales por Europa
GUE/NGL: Grupo Confederal de la Izquierda Unitaria Europea/Izquierda Verde Nórdica

Secretaría de la Delegación

Sr.	Luis	MARTINEZ GUILLEN	Administrador Principal
Sra.	Armelle	DOUAUD	Administrador

Secretaría de los Grupos Políticos

Sr.	Juan	SALAFRANCA	Consejero grupo PPE-DE
Sr.	José Antonio	GIL DE MURO	Consejero grupo PSE

Intérpretes

Sra.	Beate	BREHM (TEAM LEADER)	DE/ES/FR
Sra.	Iciar	ALLENDESALAZAR	ES/DE/FR
Sr	Jorge	FERRER DEGLMANN	ES/DE/FR
Sr	Laurent	D'AUMALE	FR/ES/DE

Otro Participante

Sr.	Igor	ALONSO	Asistente del Sr. ITURGAIZ
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UNION EUROPEA
Misión de Observación Electoral
VENEZUELA 2006



Agenda de actividades
Europarlamentarios
30/11/06 hasta 04/12/06

Jueves, 30/11/06

Llegada a Venezuela, Aeropuerto Simón Bolívar, Maiquetía.
Traslado a Caracas. Alojamiento Hotel Tamanaco.

Viernes, 01/12/06

- 09:00 Briefing con MOE de la UE. Eurodiputada Monica Frassoni y Equipo Central
Lugar: Hotel Caracas Palace
- Pendiente de confirmar hora de Audiencia con Presidenta y Rectores Principales del CNE.(POR CONFIRMAR)
- 13:00 Almuerzo con Representante de la Delegación de la CE en Venezuela, Embajador, Antonio García-Velásquez, Embajador de Finlandia y de Alemania.
- 15:00 Reunión con factores políticos de oficialismo: PODEMOS, PPT, Partido Comunista, Movimiento Revolucionario Tupamaro, Unión Popular de Venezuela.
- 16:30 Reunión con factores políticos de oposición: MAS, COPEI, Primero Justicia, Causa R, Bandera Roja.
- 18:00 Reunión con Candidato Manuel Rosales y miembros del Comando de Campaña Rosales.
- Las reuniones de la tarde se efectuaran en el Hotel Caracas Palace.

Sábado, 02/12/06

- 09:00 Reunión con Presidente del Tribunal Supremo de Justicia, Dr. Ivan Mora. Lugar: Sede del T.S.J.
- 10:30 Reunión con Jefe del Comando Unificado de las Fuerzas Armadas-CUFAN
- 14:30 Reunión con representantes de OJO ELECTORAL.
- 16:00 Reunión con representantes de SUMATE.
- 18:00 Reunión con Ong. PROVEA

Domingo, 03/12/06

Observación Electoral
Procedimiento de constitución de Mesas y apertura del proceso.
Observación de la jornada electoral.
Cierre de las Mesas Electorales.
Auditoria de Conteos.

Lunes, 04/12/06

Regreso a Europa.