Study Mission

UCAB – INTERNATIONAL IDEA

Preliminary study concerning conditions for the 2015 elections
Under what conditions are these elections being held in Venezuela?

• The Venezuelan parliamentary elections on December 6, 2015 are being held in a context of serious confrontation between political forces.

• This context of conflict, in turn, comes in the midst of a situation of widespread social discontent regarding the public and economic policies the government is implementing in the country.

• This is also happening in the aftermath of recent manifestations of political violence, accusations of human rights violations, imprisonment of opposition leaders and the enactment of states of emergency decrees in municipalities in several states on the Colombian border.
How important are the elections on December 6?

• Under any circumstances, a National Assembly election is fundamental for any democratic system to work properly.

• In the case of Venezuela, the upcoming parliamentary elections are of fundamental strategic value as they will legitimize a national representation that is more in line with the current political diversity in the country.

• A new National Assembly with this makeup can play a key role in expressing the diversity of the tensions present in the country’s life and become the forum where institutional debate and the democratic give-and-take must necessarily occur.

• This election could contribute to the achievement of a peaceful political way out of the country’s current complex economic, social and political situation.

• Although a majority of the Venezuelan people harbor doubts concerning the impartiality of the electoral referee and there is a justified discontent regarding unfair practices by the government, the truth is that over 65% of the population is willing to vote.
¿Why have a UCAB – International IDEA Study Mission?

• In a situation such as the one in Venezuela, international electoral observation can be especially important because it helps build confidence in the electoral process and the results. We regret that the CNE has failed to invite highly-regarded international organizations to send electoral observation missions to Venezuela.

• In this context it is especially important to count on the presence of an international intergovernmental organization such as International IDEA, in a strategic alliance with UCAB, provide reliable and detailed information for Venezuela and the world concerning the conditions surrounding the electoral process.

• The report of a study mission of this kind is able to present recommendations for solving problems detected during the diagnosis.

• The recommendations for overcoming weaknesses in the short term are the result of fieldwork done by the Study Mission, and their purpose is to guarantee the integrity and credibility of the elections on December 6th.
What is International IDEA?

It is an intergovernmental organization, with 28 member states and headquarters in Stockholm, Sweden, whose mission is to support sustainable democracy worldwide.

www.idea.int
What is the UCAB Center for Political Studies?

The Center for Political Studies (CEP) is a research, training and advocacy center, part of the Faculty of Law at Universidad Católica Andrés Bello, assigned the mission of contributing, from academia, to the construction, strengthening and progress of citizenship and democratic governance.

www.polikaucab.net
Who are the members of the Study Mission?

**Miembros internacionales:**
- Sergio Bitar (Chile)
- Horacio Boneo (Argentina)
- Rodolfo González (Uruguay)
- Torquato Jardim (Brasil)
- Percy Medina (Perú)
- Jacqueline Peschard (México)
- Daniel Zovatto (Argentina)

**Miembros nacionales:**
- Benigno Alarcón
- Juan Alberto Berríos
- José María Cadenas
- Daniel Fermín
- Pedro González Caro
- Eugenio Martínez
- Luis Salamanca
- Juan Manuel Trak
¿What kind of mission is the UCAB – International IDEA Study Mission?

What is it?
It is a study mission made up of researchers, analysts and experienced former electoral authorities who analyze the conditions in which the electoral campaign takes place and period just before it from the standpoint of electoral integrity.

What is it not?
It is not an electoral observation mission because it does not carry out its activities throughout the different stages of the election process.
What is the purpose of the Study Mission?

• To prepare a diagnosis of the conditions in which the electoral campaign is taking place and the period just before it, looking at both strengths and weaknesses to draw up a set of recommendations to help improve the quality of the upcoming parliamentary elections on December 6th.

• The Study Mission’s report is not limited to simply pointing out the distortions and weakness affecting the election process; it goes even further, proposing a set of recommendations for the short term (before December 6th), as well as others of a more structural nature that call for changes to be made in the near future (after December 6th).
What is the methodology used by the Study Mission?

• Interviews with major actors from the country and the region
• Consulting reports by specialized local groups.
• Visits by some members of the Study Mission to several electoral districts, including some where a state of emergency has been declared.
• Information from local electoral observation groups.
• Consulting bibliography and newspaper articles dealing with the subject.
• Drawing up a report with a diagnosis and recommendations for implementation, both immediately and in the medium term.

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The Global Commission on Elections, Democracy and Security (2012) defines it as “any election that is based on the democratic principles of universal suffrage and political equality as reflected in international standards and agreements, and is professional, impartial, and transparent in its preparation and administration throughout the electoral cycle.”
What conditions are needed to guarantee the integrity of an election?

Five major challenges must be overcome to conduct elections with integrity:
• Building the rule of law to substantiate claims to human rights and electoral justice;
• Building professional, competent electoral management bodies (EMBs) with full independence of action to administer elections that are transparent and merit public confidence;
• Creating institutions and norms of multiparty competition and division of power that bolster democracy as a mutual security system among political contenders;
• Removing barriers—legal, administrative, political, economic, and social—to universal and equal political participation; and
• Regulating uncontrolled, undisclosed, and opaque political finance.

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If the strength of the Venezuelan electoral process lies in the automated voting and vote-counting system, its greatest weakness lies in the lack of fairness of the conditions surrounding the electoral contest.
What are the main weaknesses and distortions the Mission found?

1. Questions concerning the procedure for appointing the electoral authorities and limited impartiality of the CNE.
2. An electoral roll with no independent audit since 2005.
3. Doubts concerning voting secrecy; misuse of assisted voting; and confusion regarding placement of choices on the ballot.
4. Obvious unfairness of the electoral contest: use of government resources to favor parties and political projects; unfair access to media; and lack of proper regulation of party and campaign financing.
5. Refusal to register parties and disqualification of candidates.
What are the main weaknesses and distortions the Mission found?

6. Inappropriate interference by the Supreme Tribunal of Justice in the internal dynamics of political organizations.

7. Unclear procedures for settlement of electoral disputes.

8. Belated and inequitable regulations regarding gender equality for nomination.

9. Lack of proportionality of the electoral system.

Set of urgent recommendations for before and after December 6th

1. Having the CNE conduct a vigorous campaign publicizing the secrecy of the vote.
2. Preventing unfair advantages, guaranteeing fair conditions for all political organizations. Guaranteeing equitable access to the media.
3. Strengthening and expanding international electoral observation.
4. Revoking or suspending the state of emergency imposed in municipalities in border states.
5. Launching a campaign aimed at helping avoid voter confusion regarding the choices on the ballot.
Set of urgent recommendations before December 6th

6. Reinforcing training of personnel at the polling station.
7. Strict enforcement of the rules concerning how polling centers work and closing times.
8. Demanding strict compliance with the rules governing the activities of the Plan República and polling station coordinators.
9. Preventing misuse of voter assistance.
10. Having the CNE draw up, before election day, a clear-cut procedure for dealing with electoral disputes.
Priority Measures (1)

• The top priority is to recommend that the CNE launch a more vigorous campaign regarding secrecy of the vote.

• Although this is something that is guaranteed, there is a widespread impression among the people that this is not the case. That is why a public campaign to bolster certainty that votes are secret is so important.
Priority Measures (2)

• The second priority has to do with preventing an unfair advantage, guaranteeing fair conditions

• Under the Electoral Processes Act and the Anti-Corruption Act, during the campaign the CNE, the Office of the Comptroller General and the Office of the Prosecutor General are supposed to take firm, coordinated and timely action to penalize those who use government property to favor political organizations.

• The Mission asks the CNE not to turn a blind eye or show a passive attitude when electoral laws on this issue are broken, recommending that it promptly take the necessary measures to prevent government events from being used for election purposes.
• The third priority involves strengthening and expanding international electoral observation.

• The Mission regrets that the CNE has failed to invite highly-regarded international organizations with proven, professional and impartial experience in electoral observation, such as the OAS and the EU.

• Their presence in the country could help endow the process and its results with greater credibility.
• The fourth priority, in line with the UN High Commissioner for Human Rights, is to ask the government to revoke or suspend the state of emergency in the municipalities of the border states.

• This would allow the political organizations to have full freedom to carry out their campaign and election-day activities, and the people to fully exercise their civil and political rights.
Closing Comments

If these elections are held under conditions considered trustworthy by all, there will be less apprehension, paving the way for an environment that favors credibility of the process and acceptance of the results, all of which will foster conditions for reinstating dialogue and favoring reconciliation.
A Call to the CNE

The Mission urges the CNE, in its capacity as the agency in charge of elections, to implement these recommendations as soon as possible in order to guarantee the integrity, transparency and fairness of this electoral process.

*If there is a will, there is time.*