

THE
CARTER CENTER



**EXECUTIVE SUMMARY
OF COMPREHENSIVE REPORT¹**

Sept. 30, 2004

INTRODUCTION

In May 2003 representatives of the Venezuelan government and opposition groups signed an agreement at the *Mesa de Negociación y Acuerdos* that paved the way for a recall referendum on President Hugo Chavez to occur halfway through his term in office or after Aug. 19, 2003, should the requisite signatures be gathered. The recall referendum for elected officials is one of the measures established in the 1999 Venezuelan Constitution. The accord suggested the use of this constitutional provision could help resolve the bitter political dispute between the government and opposition that had gripped the nation the previous two years. The opposition, consisting of multiple political parties and civil society associations, was organized and led by the *Coordinadora Democrática* during this period.

After working in Venezuela since June 2002 helping to facilitate dialogue between the two conflicting parties, The Carter Center, in an effort to support realization of the commitments made in the May accord, accepted an invitation in November 2003 from the National Electoral Council (CNE) to observe the presidential recall process. As each step of the process unfolded, the CNE granted observer status to The Carter Center, the Organization of American States, and ultimately to additional international observer groups and individuals. The Carter Center deployed an international observation team for each stage of the recall process, namely the signature collection, the verification of signatures, the reparos (or repair of signatures) and the recall referendum. In total (and including the concurrent deputy recall process) the Center observed six electoral events in less than nine months, and in five of those deployed short-term observer missions, an effort of commitment unprecedented in the Center's history.

The process for the presidential recall formally began with signature collection Nov. 28-Dec. 1, 2003². The law required that 20 percent of registered voters (or 2,436,083 valid

¹ A full comprehensive report, covering the entirety of the recall process in detail, will be released at a later date.

signatures) must be collected to trigger a recall referendum. Some 3.4 million collected signatures were presented Dec. 19 to the CNE for verification after being organized and photocopied by the opposition political parties. The CNE began signature verification Jan. 13, 2004. After a very controversial decision about more than 900,000 signatures considered as invalid because of “similar hand-writing,” the CNE released preliminary results March 28, indicating that the opposition had not yet gathered sufficient valid signatures to trigger a presidential recall but that a reparos period would be held in which many signers could reaffirm their signatures. Discussions on the procedures for the reparos produced much better communication between the CNE and the political parties, and the reaffirmation was held May 28–31, 2004. The opposition recovered enough signatures to surpass the required threshold. On June 3, the CNE announced there would be a recall vote on the president’s mandate on Aug. 15, 2004, more than eight months after the signatures had been collected.

During the recall referendum, government opponents had to successfully fulfill two conditions to recall President Chavez: a) gather at least one more “Yes” vote than the absolute number of votes by which he was elected in the first place, 3,757,773 + 1 votes (“Yes” votes indicated support for the removal of President Chavez); and b) “Yes” votes had to be more than the “No” votes cast in the recall (“No” votes indicated support for President Chavez remaining in office).

The final results were 5,800,629 (59.0958 percent) “No” votes and 3,989,008 (40.6393 percent) “Yes” votes, thus defeating the petition to recall the president of the Republic.

This is the executive summary of the comprehensive report of the Carter Center’s observation of the signature collection, verification, reparos, and the recall referendum. As the formal appeals and dispute adjudication process is still ongoing, we will issue an addendum to this report if needed at the conclusion of these formal appeals.

KEY FINDINGS AND RECOMMENDATIONS: THE PRESIDENTIAL RECALL PROCESS

The presidential recall process was a novel electoral event for Venezuela. The process suffered from some irregularities, delays, politicization, and intimidation, as described below and in the comprehensive report. Nevertheless, we note it is important to

²It is of note that concurrent with the presidential recall referendum effort, efforts to recall multiple deputies in the National Assembly occurred. Signatures initially were collected with the aim of recalling 37 opposition deputies and 33 pro-government deputies. Although the deputy recall efforts continued through the reparo period, and it was confirmed that signatures had been collected to provoke a recall for nine opposition deputies and none of the pro-government deputies, as of the writing of this report there has been no recall referenda held to determine the fate of these elected officials. While The Carter Center also observed these recall processes through the reparos, for the purposes of this report we have focused on the presidential recall referendum. We will included a short summary report of our observation of the deputy recall referenda in the forthcoming comprehensive report.

distinguish between irregularities and fraudulent acts that could change the outcome of a process. **It is the Center's finding that the official results reflect the will of the Venezuelan electorate as expressed on Aug. 15, 2004.**

With respect to distinct parts of the process, the Center found the **signature collection** was conducted in an atmosphere mostly free of violence, with citizens who so wished having the opportunity to sign, though with some confusion on the exact procedures and limited instances of intimidation. The **verification process** was complex, conducted by the CNE for the first time with multiple levels of review, unclear rules inconsistently applied, multiple delays, and with a concern for detecting fraud given priority over a concern to recognize the good faith of signers.

The **reparo period**, despite the call made by the pro-government parties for the removal of signatures (known as the “arrepentidos” act), was conducted in an atmosphere mostly free of violence, with citizens who so wished having the opportunity to confirm their signatures or remove their names, and with clear and transparent procedures that had been negotiated between the CNE and the political parties. Nevertheless, allegations of intimidation that had surfaced earlier in the process re-emerged prior to the reparo process, involving threats of loss of government jobs or benefits.

The Aug. 15 **balloting day** was conducted in an environment virtually absent of any violence or intimidation. Yet the voting procedure required several additional hours because of high voter turnout and insufficient voting stations (47 percent of the tables, or *mesas*, had more than 1,700 registered voters). Voting station capacity was stressed further by incorporating new electronic voting and fingerprint machines while maintaining the usual written administrative procedures.

The presidential recall referendum was introduced into the 1999 constitution. This was the first attempt in the country to exercise the citizens' right to recall a president. The absence of a referendum law meant rules and regulations had to be developed to administer the process, and a newly appointed CNE had to learn and adapt as the process unfolded in a very volatile and highly politicized context.

The political nature of the process itself impacted almost every decision taken in the process. The unique recall referendum electoral option was invoked with the expectation it might help solve a political crisis fomenting in the country. The stakes were high for all sides. The president and his supporters wanted him to remain in office. The opposition, with its supporters, had been trying for at least two years to remove the president from office by calling for his resignation, organizing protest marches, and supporting a national oil strike. The CNE itself reflected a political compromise, with representation from the opposition and the government, and with every decision taken as a result of negotiation (often with no consensus reached.)

Following is a summary of key findings by event, with recommendations.

The signature collection: Part of the political compromise reached over the procedures was the hybrid nature of the initial phase, the signature collection. While the political parties maintained some responsibility for collection and delivery of the signatures, the CNE created the materials to be used and defined the controls to guard against possible fraud. The decision to include “itinerant” collection of signatures created a complex process with no surveillance and room for allegations of many irregularities. This hybrid nature led to subsequent confusion and controversy during the verification period. Subsequently the CNE decided to take complete control of the process from the verification onward.

The distrust between the parties and the desire to prevent fraudulent signatures led to complicated procedures designed to protect against fraud, including use of specific CNE-generated petition forms, the tracking movement of petitions over the four-day collection through filling out *actas* (tally sheets) each day, and the requirement of thumbprints during the collection period. The presidential allegation of a “megafraud” during the collection period further complicated the situation, putting extra pressure on the CNE during the verification period. Ultimately, the CNE did not have the capacity to effectively use such controls. For example, no digitized database of thumbprints existed to compare the newly collected prints, nor was a database created during the signature collection. Nonetheless, the inclusion of such onerous controls left wide room for discretionary decisions by CNE directors and personnel at every level when scrutinizing signatures during the verification process.

Recommendation: The CNE should decide on a system of either party control of signature collection (necessitating stricter controls during the post-signing verification stage to assess the identity and will of the signer), or CNE control of signature collection (necessitating stricter controls during collection of signatures and eliminating the need for lengthy post-signing verifications.)

The verification: The verification of signatures proved to be one of the more contentious parts of the recall process. During verification, multiple procedural issues arose and many changes were introduced. One significant and highly controversial decision came after the CNE discovered multiple signature lines on some petition sheets (or *planillas*) appeared to have the same handwriting for all of the signer data and in some cases even for the signatures themselves. This discovery produced new verification criteria regarding similar handwriting in the middle of the verification process, putting into “observation” all of those signature lines identified in this new category. This required a second round of verification of the names that already had been reviewed and ultimately resulted in more than 900,000 names being questioned under the “similar handwriting” criterion. The Carter Center and OAS publicly disagreed with the CNE on this criterion. This group became the bulk of the names that would go to the correction period in late May, for signers to confirm that in fact they had signed the petitions and their signature was not fraudulent.

The verification process was plagued by incomplete and vague instructions, slow decision-making, insufficient training, and insufficient resources. The CNE board at

points took a long time to make decisions and issue instructions for verification, and many of those instructions were vague or incomplete, requiring further instructions. The CNE did try to address some of the delays by adding additional personnel to carry out the reviews, but often training was insufficient, and mistakes were compounded. Ultimately the verification phase took more than 100 days, when by law it was to have been completed in 30 days.

Recommendation: *The CNE should do an internal evaluation of the administration of the recall referendum process, making recommendations to the National Assembly for legislation to ensure a transparent and swift process for future recalls, respecting the intent of the citizen petitioners as well as the rights of the potentially recalled elected official. Any system that produces a public list of all citizens who have signed against the president and/or government/opposition representatives in Congress allows for potential pressure or intimidation of those individuals. Privacy of individuals should be protected during the verification of the identity of the signer and as much as possible during the collection of the required number of signatures. Venezuelan legal and electoral scholars as well as domestic observer organizations could advise the CNE in this effort.*

Recommendation: *All relevant rules, regulations, and instructional criteria should be complete and available to the public prior to an electoral event and should not be created, changed, or adjusted in the middle of the electoral process.*

The repara process. The regulations for the correction (*reparo*) process had yet to be written at the closure of the verification period. At the urging of international observers, the CNE entered into discussions with political parties in an attempt to devise mutually satisfactory rules for the *reparo* period. The negotiations took several weeks, but ultimately, clearer and more satisfactory rules were indeed produced for this phase. The *Coordinadora Democrática* agreed to participate, even though they disagreed with the CNE decision about the similar-handwriting cases and were frustrated that the mandated five-day *reparo* period was in fact only three days, as the 1st and 5th days were dedicated to opening and closing the *reparo* period. On the *reparo* days, most problems centered around national identification cards (*cedulas*), with some signers turned away because the *cedulas* issued after 1999 had the heading “*República de Venezuela*” and not “*República Bolivariana de Venezuela*,” and because of discrepancies between the name printed in the *Reparo Notebook* and that on the signer’s *cédula*. Observers also noted some administrative problems on the first day as CNE personnel appeared poorly trained. Nevertheless, performance improved in the subsequent days.

A new controversy arose when government officials encouraged voters to “repent” and withdraw their signatures, in addition to the approved provision for signers to withdraw their names if they had been wrongly or fraudulently included. The Carter Center and OAS publicly commented that “repenting” and withdrawing one’s signature would not conform to international voting standards. Partial results, so to speak, were known at that stage, and individual preferences were public. This could create an environment in which undue influence on a petition-signer could occur. Ultimately, more than 90,000 signers did choose to withdraw their signatures. Nonetheless, the opposition succeeded in

reaffirming the needed signatures, and the CNE recognized that result and announced the August recall referendum.

The recall referendum. Leading into the recall referendum, Carter Center observers saw an overwhelming campaign for the No vote, in contrast to a much less visible campaign for the Yes vote, reflecting a significant asymmetry of resources. Opposition representatives confirmed the opposition was organizing a less visible, door-to-door get-out-the-vote campaign. In the months prior to the recall vote, the economy had begun to recover from the national strike in early 2003. In addition, the government was funneling more resources into state-supported missions (literacy, adult education, medical clinics, food markets). Polls showed support for President Chávez was increasing and suggested a high voter turnout would be to the president's favor. Each side was convinced, however, it would prevail. The opposition's leadership denounced numerous unfair conditions and the inexistence of a level playing field. Nevertheless, in the weeks preceding the Aug. 15 recall, they did not seriously consider publicly or privately in talks with Carter Center personnel withdrawing from the process. They seemed confident about their chances for winning the referendum.

Concerns expressed by the opposition included first that the newly incorporated fingerprint machines, introduced to prevent double voting and to begin developing a national fingerprint database, would create significant delays in the voting process. Second was the concern about the replacement of municipal level electoral board members and poll workers in the days immediately before the recall, though opposition CNE directors assured the OAS and The Carter Center the day before the election that this problem was resolved.

Third, the Electoral Registry (REP) had been an issue in prior months due to concerns that the number of eligible voters had grown too large too fast, and there were still too many deceased persons in the REP. The CNE worked to clean up the REP. The primary concern expressed by the opposition on the REP prior to the recall, however, focused on the involuntary change of location (migration) in voting stations for some voters, with some voters even moved to voting tables in another state.

Fourth, prior to the recall, concerns also were voiced about the automated voting machines. Nonetheless, in the days immediately prior to the recall and after simulations of the machines, neither the government, international observers, nor the opposition expressed any significant reservations about the voting machines. The only significant dispute was whether the voting machines should first print the results and then transmit (electronically) the results to CNE headquarters or first transmit and then print. The CNE decided, with the consent of the members representing the opposition, the machines would be ordered to print and transmit simultaneously, which in effect would mean the printing would conclude after the electronic transmission had occurred.

As with all of the phases of the recall, the late promulgation of key regulations led to confusion and exacerbated suspicions on and around balloting day. These included the norms for the voting day audit to count a sample of paper receipts from the machines

immediately after the polls closed, procedures to tabulate votes, use of fingerprint machines, and the voting of military.

While the CNE did perform internal quality control tests of the REP, the electoral notebooks, and the voting machines, the opposition and international observers were not allowed to fully observe these processes nor were they allowed to observe the internal review processes. In addition, certification of the voting machine software was not observed by political party representatives or international observers.

Recommendation: *An external, third party audit should be performed on the REP. This should be done prior to the next election, and an analysis of the alleged voter “migration” should be implemented.*

Recommendation: *The voting process, whether or not it includes automated voting machines, must be streamlined and procedures put into place to allow voters to vote more expeditiously.*

Recommendation: *To increase confidence in automated voting machines, a successful election day audit after closing (a count of paper receipts immediately after the close of the polls) must be performed during the next election. The size and procedures of this audit should be decided by the CNE in consultation with the political parties well before the regional elections. The tally sheets (actas) should be printed before transmission to avoid suspicion or possibility of central computers giving instructions to the machines. All software and other related certifications should be observed by political parties and should receive independent, third party certification.*

Recommendation: *A larger pool of trained election/poll workers now exists in Venezuela. The CNE should capitalize on this new resource and create additional and timely training programs.*

The role of Plan República. Historically the military, through the Plan República, has been the custodian of electoral material—a role most Venezuelans accept and with which they have no complaint. However, during the evolution of the recall process The Carter Center observed the Plan República in some locations engaged in the administration of the process outside and inside signing and/or voting centers. In most instances the behavior did not seem intimidating and often was helpful since the process was confusing, but in some cases this active role was intimidating to voters or simply added new delays to an already burdensome process.

Recommendation: *The active participation of Plan República troops in the administration of the electoral process, such as checking national identity cards, should be reviewed with the aim of removing the military from any allegations of intimidation or impeding the election process.*

The role of the CNE. Although some of the CNE directors had electoral experience, the CNE board was a new collective body facing the arduous task of devising regulations to

govern the recall process, then administering them. Given the deep polarization of the country and anticipation the recall would dissipate much of it, the point of contact between the opposing sides was centered within the five-person CNE board. The board spent considerable time struggling to negotiate acceptable compromises on the procedures of the process under intense pressure from all sides. As the process evolved, the CNE often lacked transparency in decision-making and never sought to remedy this problem. This issue led to suspicion of and doubt about individual directors and the body as a whole.

CNE directors did not communicate amongst themselves effectively and sometimes not at all. Many of the more controversial decisions, especially those favoring the government, were made by a vote of 3-2. In fact, The Carter Center has not found any evidence of a single split vote (3 votes to 2) of the CNE directorate favoring the opposition. And often with the more controversial decisions, individual directors would debate each other and speak to their clientele through the press, as opposed to regular, formal CNE communication to the public. This method served to foment speculation in the media and the public, rather than provide for reporting based on available facts.

***Recommendation:** The internal divisions, lack of transparency, and ad hoc decision-making practices of the CNE led to unnecessary suspicion and lack of confidence in the referendum process and the CNE as an institution. The CNE directorate needs to review its internal communication and coordination, communicate with and consult much more regularly with the political parties, and put in place much greater mechanisms of transparency to restore confidence in the electoral process.*

The CNE and election observers. As the recall process evolved, the Carter Center's relationship with the CNE directorate became more contentious. We made regular private reports and recommendations to the CNE based on our observations. As impartial observers, it also was our role to make periodic public comments on our observation findings, which we did in joint statements with the OAS mission. While we fully respected the role and authority of the CNE and were aware of the very difficult tasks facing this CNE, in some instances we made public our disagreement with CNE decisions.

In the earlier phases of the recall process (signature collection and verification), OAS and Carter Center requests for access were granted in many cases due to our intense lobbying. In the lead up to the Aug. 15 recall referendum, the newly created Commission on International Observation of the CNE attempted to place new restrictions on international observation, including limiting the number of observers, controlling the movement of observers, restricting access to technical reports and locations, restricting public speech of observer missions, and restricting the time period of the observation to the days around the vote itself. This attitude led the European Union to decline the invitation to observe the recall referendum for lack of minimum conditions. The Carter Center, though, had been continuously present in Venezuela since before the recall effort, had election experts back in the country a full six weeks prior to the vote and had already an in-depth knowledge of the situation. The Carter Center signed an agreement with the Junta

Nacional Electoral (subcommittee of the CNE) designating all of the access we required, which formed the basis for the subsequent agreements negotiated by the OAS and The Carter Center with the CNE on international observation. For all of these reasons, we decided to accept the invitation.

In the end, many of the threatened restrictions on the OAS and Carter Center observer missions did not materialize, and the CNE granted both organizations authorization for all of the observers requested, complete freedom of movement on election day, and access to all technical locations of the process, with the exception of the central totalization room.

The CNE restricted national observers, waiting until the last moment to approve a national observer group and then restricting their credentials to two-thirds the number requested.

***Recommendation:** The CNE should be much more open to national and international observation by credible and experienced groups. Such observation will enhance confidence in the process and help ensure transparency, integrity, and legitimacy of the process, which only helps to enhance respect and confidence in the CNE.*

Media Monitoring. During the campaign for the recall referendum, The Carter Center facilitated a consensus-building procedure that would be acceptable to all parties, regulating the role of both state-owned and private media. A consensual document was developed under the guidance of William Ury and Francisco Diez, with the active participation of the owners of private television networks, the CNE, the government, and after consultation with the opposition. The document led to the passing of CNE Resolution No. 04701-1069 of July 1, 2004.

In addition, a monitoring mechanism was established with the collaboration of the Norwegian government to track the activities of TV channels and major newspapers and provide assistance to the media, the government, and the CNE. The initiative helped to set bounds for a media election campaign acceptable to the parties involved and to the authorities, and even more importantly, to a general public oversaturated with confrontational political messages.

This consensus-generating mechanism stayed in force throughout the campaign period and addressed many specific issues, with continuous assistance offered by the Carter Center. The most relevant modification took place in the last week of the campaign, when the time slots allotted for campaign advertising were doubled, and the requirement to have campaign spots previewed by a committee created by the CNE (which could be construed as prior censorship), was lifted.

Post referendum assertions of fraud. After the CNE announced the results of the Aug. 15th referendum, many claims that fraud had occurred began to emerge. Most of these claims centered on the voting machines themselves, asserting that either they had been pre-programmed to alter the results or communication from the central computer to the machines during the voting day altered the electronic result of individual machines. The transmission of the voting results from the machines to the CNE and the tabulation of the national results in the CNE were tested through various statistical samples (“quick

counts”) performed by the campaign for the “Yes” and by the international observers. These tests showed the transmission and tabulation processes performed accurately.

The concerns about the accuracy of the electronic results produced by individual voting machines were based on the finding of allegedly improbable mathematical patterns. These patterns included a number of machines within the same voting station (*mesa*) or the same voting center having identical results, an alleged “cap” on the “Yes” votes, and similar percentages of votes for the “Yes” or the “No” within centers.

Carter Center technical experts (in consultation with OAS technical experts) investigated the allegations presented to the mission in writing by the Coordinadora Democrática. The Center also consulted the conclusions of other independent statisticians who investigated additional reports from Venezuelan academics about similar mathematical patterns. These patterns were not found to provide a basis to assert fraud.

In light of concerns raised after the vote and the failure to complete the planned audit (recount of the paper receipts on a sample of the voting machines) the night of the vote, the international observers proposed to the CNE that a second audit be conducted. This audit was conducted by the CNE under the observation of the OAS, Carter Center, other international observers, and Comando Maisanta. The Coordinadora Democrática declined to participate. A report on this audit is available at www.cartercenter.org. The audit concluded the voting machines did accurately reflect the intent of the voters, as evidenced by a recount of the paper ballots in a sample of machines.

A study commissioned by Súmate on this second audit claimed that the sample of machines audited was not random and that centers chosen for the audit showed a 10 percent higher relationship between the number of “Yes” votes and the number of people who signed for the recall petition than in centers not chosen for the audit. The study asserted that the sample was restricted to reflect only voting machines that had not been manipulated, and thus the sample would be unable to detect the fraud.

The Carter Center conducted additional statistical analyses to test the assertions. The Center conducted the necessary tests on the sample-generating program to ensure it did indeed generate a random sample from the universe of all voting tables with automated voting machines. Statistics from the sample boxes accurately coincide with statistics from the entire universe of boxes containing automated ballots. The total percentage of votes for “Yes” or “No” from the sample boxes coincides with the national average of votes. In the sample boxes, 41.6 percent of votes were for “Yes” and 58.4 percent were for “No,” while in the universe of automated voting centers, 42.2 percent of the votes were for “Yes” and 57.8 percent were for “No.” The analysis also found there was indeed a high correlation between the number of “Yes” votes per voting center and the number of people who signed the recall petitions. The centers with more signers also were the centers with more “Yes” votes. Finally, the distribution of the differences between the “Yes” votes and the signers per voting center showed very similar behavior. The Center found no evidence of fraud.

Dispute Adjudication. As of this writing, the CNE faced pending formal appeals from the Coordinadora Democrática on the Aug. 15 recall. It is important for the CNE and the Tribunal Supremo de Justicia, when appropriate, to investigate these appeals and complaints fully and explain clearly to the public its conclusions. We will produce an addendum to our comprehensive report if needed once the dispute adjudication process is complete and all of the evidence has been weighed and evaluated.

CONCLUSION

On Aug. 15, 2004, Venezuelans came out in record numbers to participate in the first popularly mandated presidential recall referendum ever to be held. In doing so, the Venezuelan people voted not to recall President Chavez from office, with 59 percent of the population voting for Chavez, and 41 percent voting against him. It is the opinion of The Carter Center that the Aug. 15th vote clearly expressed the will of the Venezuelan electorate.

Nonetheless, the recall referendum process suffered from numerous irregularities throughout the entire process, most centering around the lack of transparency of the CNE in its decision-making and its ad hoc implementation of the recall referendum process. Regulations were issued late, were incomplete, and/or unclear. The divisions that existed in the CNE body itself were extremely problematic, but they reflected the divisions in the country. In the highly charged political environment it was difficult, and arguably impossible, for CNE directors to stand separate from the political divisions and discourse. With the CNE directors not communicating effectively with one another, yet still making individual statements to the press about the process, the electorate received confusing and contradictory information.

Such inconsistencies and irregularities contributed to low voter confidence in the electoral system and, in some sectors of the population, in the results of the referendum itself. The Carter Center urges the National Electoral Council to learn from this recall experience and take steps to remedy the problems and difficulties that were encountered.

The recall referendum was an opportunity for citizens to express their opinion about the continued mandate of President Hugo Chávez. It alone could not solve the underlying differences within the society. Attenuating the divisions will take strong efforts by the government, the opposition, supporters of both sides, and independent citizens. It will require mutual assurances among opponents for minimal levels of respect, tolerance, safety, and avenues for political participation, as well as an intentional reinforcement of democratic institutions by all the political forces.

The first task will be to restore confidence in the electoral process for those citizens who are uncertain or who came to distrust the electoral process. The electoral process is a fundamental basis of democracy. It provides for the contingent consent of democracy: those who lose in one competition accept their loss based on the assurance they will have a fair chance to compete again in regularly scheduled elections. Elections also provide one of the principal means for citizens to hold accountable those they have chosen to

government, for citizens have the ability not only to elect but also to remove their leaders from office.

The government, the CNE, and all political parties have a heavy responsibility to ensure citizens' trust in the electoral process. For this reason, we urge much greater transparency, a complete pre-electoral and post-electoral audit of the voting machines, regular communication and consultation with the political parties, and unrestricted access for experienced and organized international and national observers who have made the proper application for credentials.

The second task will be to ensure electoral competition is conducted on as equitable a basis as possible. Every democracy in the world struggles with this challenge. It includes issues of campaign finance, access to the media for advertising, balanced news coverage of campaigns, non-abuse of state resources, and the right to campaign without fear of harassment or intimidation. Venezuela is one of the few countries in the hemisphere without some provision for public financing to contribute to the equitable opportunity for citizens and parties to compete for public office. Nevertheless, during the recall referendum the CNE devised an innovative method of providing for public financing of television ads. We urge the National Assembly and the CNE to consider provisions to regulate political income and expenditures and to provide for equitable opportunity for competition in the future.

During the recall campaign the agreement on media advertising, coverage of the campaign and monitoring of media showed promise for the future. The systematic monitoring of public and private television and radio carried out by a Norwegian team, in association with The Carter Center, found some improvement during the campaign in terms of balance of coverage and invitations to both sides to participate in talk or opinion programs. We urge continued attention to this matter.

Intimidation and harassment of voters, whether real or perceived, and from any actor, are not acceptable. Loss of jobs or benefits must never be a consequence of the free choice of the electorate.

A third task will be for the government to assure all Venezuelans that it governs on the behalf of all citizens, not just partisan supporters. The government's responsibility is to lead, to reach out to its opponents, and to consult broadly on significant national policy changes through democratic institutions, such as the national legislature and other consultative mechanisms that may be established. We urge the government to engage political and social sectors in meaningful dialogue toward a new national vision that can articulate the dreams and goals for all Venezuelans. More detailed plans of action would be up to specific actors, including perhaps sectoral dialogues, in addition to the National Assembly and national government. The national government in partnership with regional and local governments must implement them.

A fourth task is for opposition political actors, as well as opposing social actors, to serve as a constructive opposition through the National Assembly and any other

meaningful consultative mechanisms established. The political opposition has the responsibility to express its complaints about electoral processes through the proper electoral and legal channels and when those complaints are satisfactorily answered, to recognize the legitimate victors of an electoral process. Any actor who opposes a government also has the responsibility to express differences through peaceful and constitutional means.

A fifth task will be to strengthen Venezuelan institutions to ensure the checks and balances vital to democracy and to enhance the capacity of the state at all of its levels to address the needs of the country and deliver required services. In the conclusion to our report on the 2000 Venezuelan elections, we said, “A strong democracy requires institutions that can serve as intermediaries between government and citizens. Otherwise, a political system may not weather the inevitable fall in popularity of a political party or an individual leader. If political institutions such as the courts, Citizen’s Power, and the electoral branch become dominated by the president’s partisans or fail to serve as a balance to executive power, Venezuela risks repeating the mistakes of the pre-Chávez years,” such as the centralism of Punto Fijo and the unilateralism of the Trienio.

Along these lines, we urge members of the National Assembly to engage in serious dialogue and negotiations for the naming of such important positions as Supreme Court magistrates, a permanent CNE and the Citizen’s Power, with strong multi-partisan support. We urge the government to engage civil society organizations and private sector organizations to seek ways to strengthen the capacity of the state to deliver the needed social services and infrastructure to improve the lives of all Venezuelans. We urge the national government to work directly with the new sub-national governments to be elected Oct. 31 and to provide the obligated resources to those governments as determined by national legislation.

Finally, a sixth task is social reconciliation and the renewal of mutual respect, interpersonal trust, and tolerance. One of the most distressing developments of Venezuela in recent years is the division of the country, of cities, of neighborhoods, and even families. The absence of a minimum level of personal respect characterizes public discourse through the mass media and personal confrontations among neighbors who may hold a different political opinion. Physical safety is threatened when public discourse rises to the extreme of falsely singling out individuals as culpable for a country’s ills and when armed gangs intimidate and even harm unarmed citizens.

The media culture of Venezuela exacerbates, rather than defuses, divisions and conflict in the country. It encourages opponents to communicate through the press rather than negotiate directly. The practice of both public and private media reporting any statement by any protagonist without investigation or fact checking encourages the spread of misinformation, inflammatory rhetoric, and the perpetuation of two opposing virtual realities.

We applaud community groups, human rights organizations, and networks of civil organizations such as Paz en Movimiento, Fortalecer la Paz en Venezuela, and many

others who are striving to overcome this extreme breakdown in interpersonal trust and tolerance. We view this breakdown as the most serious threat for the future of Venezuela as a country. We urge these groups to continue their work. We urge all Venezuelans to acknowledge that the country requires the contributions of all of its citizens to advance and that no group or sector can be eliminated or excluded.

We offer these conclusions and our recommendations above in the spirit of continued cooperation with, support of and respect for the sovereign country of Venezuela.