

OCCASIONAL REPORT ON VENEZUELA'S POLITICAL ELECTORAL
CONTEXT



CARTER CENTER VENEZUELA

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**ACTIVITIES ON THE PRE-ELECTORAL CALENDAR BEGIN AMID
ESCALATING POLITICAL POLARIZATION**

Executive Summary

Allegations made by the National Government regarding a failed coup attempt, the arrest of the Mayor of Caracas and the murder of a young student during anti-government demonstrations in the city of San Cristobal by a security agent have triggered an upsurge in political conflict during this reporting period, thereby relegating electoral issues to the back burner.¹

At the time this report was issued, the electoral authority had yet to announce the date for parliamentary elections to be held in 2015, giving rise to numerous speculations that even involved UNASUR and the Brazilian Foreign Ministry. Yet, the CNE has continued its work on organizing activities leading up to elections, including preparation of the primaries for the country's two major political forces. According to the announcement issued by the electoral body, the primary elections of the *Mesa de la Unidad Democrática* (Democratic Unity Table-MUD) will be held May 17 and the respective primaries of the United Socialist Party of Venezuela (PSUV) will take place June 28.

The process of renewing authorities in the Electoral Branch also concluded during this reporting period, with the two rulings handed down by the Constitutional Chamber of the Supreme Court (TSJ): deeming baseless the appeal for clarification filed by the *Un Nuevo Tiempo* party Deputy Stalin González regarding the provisional nature of the appointment of new rectors, and deeming inadmissible the request for clarification regarding the procedure and appointment of new electoral rectors by the Supreme Court, lodged by former National Constituent Assembly Deputy Pablo Medina.

¹ Because this newsletter's deadline predates the US government's executive order declaring Venezuela an "unusual and extraordinary threat to the national security and foreign policy," it is not mentioned, nor are the internal and external reactions to this decree.

I. CONTEXT OF THE COUNTRY

In a speech broadcast on TV February 12, President Nicolás Maduro announced that the Venezuelan government had succeeded in thwarting a coup attempt, allegedly organized by a group of air force officials linked to political opposition figures.

According to Maduro, the coup plan was to attack Miraflores Palace with military aircraft, together with other targets, such as the Ministry of Defense and Telesur headquarters in Caracas, while other sectors sought to kill individuals in demonstrations rallied by the opposition in Caracas and in the interior ([see note](#)). The “cue” for initiating the coup, according to ruling party allegations, was the publication on February 11 of a press release in which the Mayor of the Metropolitan District of Caracas, Antonio Ledezma, and opposition political leaders Leopoldo López and María Corina Machado, called on the people to launch a “national agreement for transition” to address the current crisis ([see press release](#)).

Then, another important member of the ruling party implicated *Primero Justicia* (PJ) party leader and National Assembly Deputy Julio Borges in the alleged coup attempt. According to this new accusation, Borges was to have been responsible for choosing the strategic points to be bombed that day ([see note](#)). PSUV deputies rushed to declare that actions would be initiated to strip Borges of parliamentary immunity ([see note](#)) so that he could be prosecuted. Although a group of ruling party deputies filed a formal request with the Attorney General’s Office to launch an investigation against the PJ Deputy. At the time this report was issued, there hadn’t been any new developments regarding this matter ([see note](#)). Deputy Borges rejected the allegations, attributing them to a government attempt to divert attention away from the economic crisis and “demoralize the country” ([see note](#)).

Arrest of the Mayor of the Metropolitan District of Caracas

The arrest of Caracas Mayor Antonio Ledezma as part of an extraordinary police operation, one week following a presidential announcement on the dismantling of the alleged coup precipitated a public stir. Live on national television as the operation unfolded, President Maduro announced that Ledezma had been arrested “by order of the District Attorney” for “crimes against the peace and the constitution” ([see video](#)). Spokesmen for the mayor, however, described the arrest as an “abduction,” noting that the arrest had been carried out without filing a court order or formal charges ([see video](#)).

The Attorney General’s official statement on the arrest, released the following day on its official website, exacerbated the confusion by linking the mayor to events unrelated to the alleged coup. According to the prosecution, Ledezma had been arrested in connection with an ongoing lawsuit filed the year before against political activist Lorent Gómez Saleh who, along with four other Venezuelan citizens, currently stands accused by the prosecution of conspiracy and rebellion (according to the investigation, Saleh and the other defendants appear in several videos expressing their intentions to

"endanger public and private buildings, for the purpose of inciting alarm and chaos nationwide"² - [see note](#)).

The mayor's arrest, however, served as a rallying point among opposition sectors. The Executive Secretary of the MUD, Jesús Torrealba, likened Mayor Ledezma's arrest to "a coup d'état perpetrated by the government." When politics is criminalized, he said, and "the cost of engaging in politics is repression or death," what you are witnessing is "a dictatorship" ([see note](#)).

The climate of escalating conflict was aggravated further on February 24 following news reporting the murder of a 14-year-old by a contingent of Bolivarian National Police (PNB) during an anti-government demonstration taking place in the city of San Cristóbal in Táchira state ([see note](#)). The news shook Venezuelan society and, despite ruling party efforts to distance itself from the incident and to portray the student's death as an "isolated incident," it rekindled discussion over the recently adopted Resolution 8610, allowing the use of firearms to put down demonstrations.³

Reactions of the international community

Aside from a few specific expressions of support, international organizations, governments and international dignitaries unanimously condemned Mayor Ledezma's arrest. According to Venezuelan opposition spokespersons, they identified 75 reactions from abroad in one week alone ([see pronouncements](#)).

In a public statement, Colombian President Juan Manuel Santos conveyed his hope that the opposition in Venezuela would respect the Mayor's rights, while also expressing his hope that Ledezma will be availed "all the legal guarantees for a fair trial" ([see note](#)). Colombia, he said, had already made an appeal for Leopoldo López to be set free. Meanwhile, the United States expressed its concern "over what appears to be an escalating intimidation of the opposition by the Venezuelan government" ([see note](#)). Other countries in the region also expressed their "concern" over the situation. The government of Brazil indicated that it was following developments in Venezuela "with a great deal of concern," urging the stakeholders involved to "strive for peace and uphold democracy," stressing the need for "comprehensive, constructive political dialogue" ([see note](#)). The government of Peru stated that it was following the situation in Venezuela "with concern," in reference to the arrest of Mayor Ledezma. In this context, the statement read, the government of Peru "reaffirms its observance of and commitment to democratic values and the respect of human freedoms and rights," while also stressing the need for dialogue ([see press release](#)).

² Gómez Saleh and Valle had already been accused by the District Attorney of allegedly engaging in the crimes of incitement and posing a threat to public order, endangering public safety and disseminating misinformation during the wave of protests that took place in Venezuela in 2010.

³ Resolution 8610 introduced by the Ministry of Defense, published in the January 27, 2015 Official Gazette, allows "the use of potentially lethal force, using firearms or any other potentially deadly weapon," as a last resort "to prevent disturbances, uphold legitimately formed authority and to repel any aggression, addressing it immediately by all necessary means."

The situation created in the country following Ledezma's arrest also raised concerns among multilateral organizations. The Union of South American Nations (UNASUR) announced that it would be sending the foreign ministers of three countries (Brazil, Colombia, and Ecuador), who had participated in the dialogue process in Venezuela the year before, in order to establish a "direct relationship with the Venezuelan government,"⁴ a visit that eventually materialized on March 6. The organization's Secretary General, Ernesto Samper, also stated that he would call for an extraordinary meeting of foreign ministers to discuss "possible solutions and forums for communication" ([see note](#)). Meanwhile, the Organization of American States (OAS), through its Secretary General José Miguel Insulza, pointed out the need to put an end to events that were leading Venezuelan society into "a downward spiral of polarization" because the situation was making "the pursuit of agreements that bring the will of all sectors together" impossible ([see note](#)).

The governments of Cuba and Ecuador, meanwhile, expressed their support for the government of President Maduro. In a statement released on February 21, the Cuban Foreign Ministry expressed its "unwavering solidarity and support to the people and the government of the Bolivarian Republic of Venezuela" in the face of the "recent coup attempt, assassination plots and subsequently reported conspiracies." On February 19, President Rafael Correa warned that a "soft coup" had been unleashed in Venezuela through a series of "increasingly destabilizing actions" against the government of President Maduro. Even though President Correa later said in statements that it would be an act of "reductionism" to comment without the benefit of detailed knowledge of the case, he stressed that "it's not as if opposition party members can do whatever they please: they have to respect each country's sovereignty and institutions" ([see note](#)).

While mourning the death of the young man killed in Táchira state on one hand, Pope Francis said that Venezuela was undergoing "moments of acute stress," so he called for reopening opportunities for "getting together and engaging in sincere, constructive dialogue" ([see note](#)).

The visit made by UNASUR

According to UNASUR Secretary General Ernesto Samper himself, the visit of that organization's delegation to Venezuela "opened up pathways to political dialogue" which, according to the former Colombian president, "had been closed for over a year" ([see note](#)).

⁴ Finally on March 6, UNASUR sent a delegation spearheaded by the organization's Secretary General, Ernesto Samper, and the foreign ministers of Brazil, Colombia and Ecuador.

In Venezuela, however, the delegation's visit was assessed in diametrically opposing ways, depending on the political leanings of the various different political spokesmen. According to Foreign Minister Delcy Rodríguez, the visit was "positive," since it afforded members of the delegation the opportunity to obtain "evidence for the coup attempt that took place in the country last February" directly from President Maduro, ([see note](#)).

According to opposition sectors, the visit was largely perceived as a sign of political support for the government of Nicolás Maduro. What made the visit not "completely useless," said *Un Nuevo Tiempo* (UNT) Latin American Parliament (Parlatino) Deputy Delsa Solórzano, was that opposition representatives had the opportunity to provide members of the delegation with "a report on each of the court proceedings against all 103 political prisoners" and to discuss the circumstances surrounding the arrest of mayors Antonio Ledezma and Daniel Ceballos and of opposition leader Leopoldo López ([see note](#)). In the opinion of MUD Executive Secretary Jesús "Chúo" Torrealba, the visit was actually "a provocation"⁵ ([see note](#)).

Opposition leader Ramón Guillermo Aveledo, meanwhile, pointed out that for it to play a role in the country, UNASUR must go about its duties in a way that is above suspicion ([see note](#)).

II. MAJOR ELECTORAL DEVELOPMENTS

The events triggered following the arrest of Mayor Ledezma relegated debate on issues dealing with this year's parliamentary elections to the back burner. As of this report's deadline, the CNE had not officially announced the election date or the respective electoral timetable.⁶

CNE silence on the issue sparked a series of speculations, concerning both the potential election date and the underlying reasons for this silence. The President of Venezuela himself, in a national blanket broadcast aired on February 19, inadvertently intimated to public opinion that parliamentary elections might be held in July 2015, as PSUV Organization and Electoral Affairs Vice President Francisco Ameliach had suggested earlier on. Meanwhile, UNASUR Secretary General Ernesto Samper, following the visit made to Venezuela by this organization's mission, suggested in a statement that elections would be held in September ([see note](#)). A few days later, the Brazilian Foreign

⁵ Apparently, Mr. Samper came here to stage a provocation," Torrealba said in statements to EFE in reference to the exclusion of the MUD as an organization representing the opposition at the foreign ministers' meeting held with some of the opposition leaders. "If they want to talk to the Venezuelan opposition, they need to know that Antonio Ledezma and Leopoldo López will be at the negotiating table, along with our political prisoners representing the voice of our democratic country," he said.

⁶ The electoral timetable includes procedures related to election convocation, the electoral campaign, installation and formation of the polling stations and holding elections. Judging by the 2010 parliamentary elections, this would include 103 steps dealing with this matter. See timetable at: http://www.cne.gob.ve/web/normativa_electoral/elecciones/2010/parlamentarias/documentos/CRONOGRAMA.pdf

Ministry estimated that they might be held sometime between November and December ([see note](#)).⁷

According to some opposition sectors, the CNE's silence on the election date has led to concerns over possible cancellation or postponement of elections. Miranda state Governor Henrique Capriles said he believes events transpiring during the first months of the year reveal the national government's intent to "impose its own agenda and destabilize the country," thereby precluding the possibility of holding elections ([see note](#)). He then said that the importance of parliamentary elections should not be downplayed because, despite current circumstances, they will be the factor to "tip the balance of power in Venezuela" ([see note](#)). According to Baruta Mayor Gerardo Blyde, the CNE had not yet called for elections because the decision figures into the government's political calculations. "It would seem that no elections will be held if the government doesn't want to hold them," he said, noting that the ruling party was actually "weighing" how well it could rally its forces while simultaneously discouraging opposition voters, and thereby determine whether or not to call for elections ([see note](#)).

In an interview, CNE Principal Rector Luis Emilio Rondón said that the CNE should be announcing the date for parliamentary elections "soon" because this would help "avoid uncertainty or doubt as to the electoral path we will be going down in 2015." Therefore, he said, it would be very opportune for the EMB to announce this date as a "safety valve" to relieve pressure from political and social actors who "don't consider the vote a means for resolving differences in the country" ([see interview](#)). Various civil society organizations spoke along the same lines. The NGO *Ciudadanía Activa* (Active Citizenship) submitted a petition to the CNE demanding a timely setting of the election date to send a "reassuring message to Venezuelans" ([see petition](#)).

The atmosphere created from the CNE's silence forced President Nicolás Maduro to announce on March 4 that elections were going to be held "rain or shine" ([see note](#)).

Start of pre-electoral activities

While the CNE sidestepped ruling on the date for holding elections during this reporting period, it did begin the cycle of pre-organization for election activities. In early February, CNE Vice President Sandra Oblitas announced the addition of over one thousand new polling centers in the country, with the aim of "bringing the polls closer to all voters, and making it much more accessible and much quicker to vote" while she also announced a period of registration and updating of voters on the Electoral Roll. To expedite this last undertaking, the EMB's Vice President announced that the CNE had made it possible for 1,568 points to operate in various public places distributed throughout Caracas and the rest of the country ([see note](#)).

⁷ Samper, explained later on at a press conference in Quito, that the date for parliamentary elections in Venezuela would be determined by the country's electoral authorities. "We must apologize for any statement issued by UNASUR portraying us as believing that elections should be held in September," he said, according to EFE

On February 11, SÚMATE asked the CNE to publish the “addresses and hours of operation for the 1,568 registration centers activated to register and update the Electoral Roll” with the understanding that ignorance of the exact location of these centers and their hours of operation would mean “a clear limitation” to the registration of new voters over 18 ([see request](#)). In the same vein, the Executive Secretary of the MUD announced on February 20 that the opposition would ask the CNE for clarification on issues announced by Rector Oblitas, specifically regarding placement of the new voting centers at locations that had operated previously as government propaganda centers, social mission headquarters or locations of the Great Venezuela Housing Mission (*Gran Misión Vivienda Venezuela*). Moreover, Torrealba announced that they would be asking the CNE to standardize registration centers because, in their opinion, ignorance of their location and operation could constitute an obstacle to young people looking to register in the Electoral Roll ([see video](#)).

Although the CNE announced the addresses and hours of operation of the 1,568 centers activated to register voters and update the Electoral Roll, most of the centers reported were itinerant, so complaints on this matter persisted ([see note](#)).

On February 25, during the EMB’s first official press conference after renewal of its members, its president Tibisay Lucena ratified the launch of pre-election cycle activities, pointing out that the CNE has all the means necessary to guarantee that the 2015 elections will be held. Along with other topics, Lucena announced that the CNE had requested official projections on population movements from the National Statistics Institute (INE) in order to perform a review of districts, so that the electoral body can provide this information to political parties to prepare for the primaries. Regarding the electoral timetable, the CNE President said the Electoral Roll database is to be published on March 4, and the selection of the voters to serve at subordinate agencies will be conducted on March 19. She also announced that the CNE would soon call on political organizations to audit the Electoral Roll and activities associated with the public draw to randomly choose the citizens who are to render compulsory service as election officials at subordinate CNE agencies (regional, municipal, metropolitan and parish boards or polling stations)⁸ ([see note](#)).

MUD and PSUV Primary Elections

At a press conference held on February 19, Torrealba announced that primary elections for opposition party parliamentary candidates would be held on May 3, i.e., five weeks before the date originally set for the PSUV primary election (June 7). Torrealba also underscored forming a national electoral commission within the MUD, which would be responsible for monitoring both primary and parliamentary elections ([see note](#)). On February 25, however, the CNE announced in a newsletter that the MUD primaries were

⁸ Concerning the selection of citizens to render “compulsory electoral service” (LOPE, Article 96), the CNE page indicates that the draw is “public and automated” and is to be performed every year during the first quarter with political parties in attendance, using the names appearing in the most recently published version of the Electoral Roll. The rules stipulate that the top five members of each subordinate electoral body, and their alternates, are to be chosen in the draw. “The system automatically selects citizens to serve as president and secretary” ([see note](#)).

actually to be held on May 17, and that PSUV primaries would be held on the 28th of the following month. In the note, the CNE asked the PSUV to “be flexible” regarding the date originally requested by this group, so that the electoral body could guarantee logistical support to both political groups ([see note](#)).

On March 3, the MUD reported that the parties allied in this group will be selecting their candidates by primary elections in 38 of the 87 districts, while list-type candidates would be selected by consensus among the parties (52 candidates) ([see note](#)).

Renewal of the Electoral Power

The chapter on appointment of new officials to the Electoral Branch by the Supreme Court was closed during this reporting period with the court’s Constitutional Chamber declaring as inadmissible the request for clarification made by opposition *Un Nuevo Tiempo* Deputy Stalin González on December 29, 2014.⁹ González had asked the Supreme Court to clarify whether the Supreme Court’s appointment of principal rectors and respective alternates on December 26 was provisional or not. The Constitutional Court deemed the request “inappropriate” since it challenged the ruling by arguing that it should have decided differently. Therefore, the Constitutional Court made no reference as to the provisional/permanent nature of the appointment of new rectors ([see decision](#)).

Likewise, the Constitutional Court also declared as inadmissible the request for clarification filed on January 5, 2014 by former National Constituent Assembly Deputy Pablo Medina. According to Medina, the ruling should have set a deadline along with some guidelines for the subsequent appointment of new rectors by the National Assembly, as done in 2003. The Constitutional Court ruled that the clarification request (which, according to the court, should have been submitted to the court on the same day of the ruling, or the following day, as stipulated in Article 252 of the Code of Civil Procedure) was lodged extemporaneously; consequently, it was deemed inadmissible.

⁹ The TSJ has yet to replace Alternate Rector Pablo Duran, who declined the appointment.

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