

**Written Submission**  
Of Stakeholders' Information on the  
**Bolivarian Republic of Venezuela** for the  
Universal Periodic Review of the  
UN Human Rights Council

Submitted by: **Venezuela Analysis, Inc.**

1. Venezuela Analysis, Inc. (VA) is a tax-exempt non-profit organization that was founded in 2009 in New York, USA to promote a better understanding of Venezuelan society, politics, and economics.
2. VA employs a small part-time staff and volunteers in Venezuela to research and write articles in English, both on Venezuelan current events and on issues of more general concern. Due to these activities, its staff and volunteers have extensive knowledge of the Venezuelan situation. Some of its contributors have been writing about Venezuelan politics and society since early 2002. All articles written for VA are published on its website, [Venezuelanalysis.com](http://Venezuelanalysis.com), and are accessible for free and are available for re-posting and re-publication under a creative commons license.
3. Venezuela Analysis, Inc. takes this opportunity of the Universal Periodic Review process to present its observations with regard to the Venezuelan government's advances and shortcomings in the human right to political participation (article 21 of the UDHR). Specifically, this submission will examine Venezuela's electoral system and the different forms of citizen participation in government.
4. Venezuela's electoral system has evolved quite substantially over the past 20 years. Prior to the new constitution of 1999, Venezuela's electoral system was based on a national electoral commission that was not independent of the legislature and in which political campaigns were publicly funded in accordance with their access to the state. Many

elections, particularly the presidential election of 1993, were marred by fraud and a lack of transparency in the counting of ballots.

5. The Venezuelan electoral system was significantly improved following the passage of the 1999 constitution, which instituted a National Electoral Council (CNE) that is completely independent of the other branches of the state. However, the opposition to the current government of President Chávez often accuses the CNE of being partial in favor of the President. To the limited extent that this is true, it is the result of the opposition's boycott of the 2005 National Assembly election, which brought about a 90% majority for parties that support the president and which were thus able to appoint the new members of the CNE without the acquiescence of the opposition.
6. Between 1999 and 2004 the CNE proceeded to completely automate the voting process so that votes are cast both in the form of a paper and an electronic ballot, which allows for the verification of the number of votes cast by comparing the two types of ballots against each other, whereby the electronic ballots are counted centrally in the CNE headquarters and the paper ballots decentrally at the different voting centers. Also, there is an extensive public auditing process, which encompasses 16 separate audits, which include audits of the electoral registry, the voting machine software and hardware, the centralized system of counting electronic ballots, the indelible ink that indicates who has voted, and the counting of a random sample of over 50% of the paper ballots cast. Each of these audits is carried out in the presence of election observers from all participating political parties and for every single electoral process. Due to the wide variety of audits, the dual paper and electronic ballots, and the independence of the CNE, we believe that Venezuela's voting system is one of the securest in the world.

7. The main shortcoming in the Venezuelan electoral system has to do with the apparently undeserved lack of trust Venezuelan opposition parties and politicians display towards this system. Several international observer missions (such as those of the Carter Center and of the European Union) have also identified this as being the greatest problem within this system. However, given the large number of audits and the overall transparency of the system, we believe that this lack of trust in the system is the result of a concerted campaign to cast doubt on the CNE than the result of anything that the CNE has done to deserve this reputation.
8. Venezuela held 15 electoral processes in the 12 years between President Chávez's first election in December 1998 and December 2010, ranging from local mayoral elections, state governors, referenda, to presidential. Forces supporting the current government won most of these, but the opposition won some as well. All of the principal electoral contests were internationally observed and declared to be free and fair by these observers.
9. Aside from the representative democratic electoral processes, the government of President Chávez has declared that it is constructing a "participatory democracy" in Venezuela. To the extent that this attempt has been successful, this effort expands democratic participation and self-governance for the Venezuelan people. This expansion has taken the form of citizen-initiated referenda (such as the 2004 presidential recall referendum), the institution of direct democratic communal councils, the creation of hundreds of community media outlets, and citizen participation in the implementation of social programs known as "missions," among other initiatives.
10. Referenda are a completely new process for Venezuelan democracy, which have been implemented on a national level six times in the 12 years since President Chávez's

election (three having to do with the constitution in 1999, one recall referendum in 2004, one constitutional reform referendum in 2007, and one constitutional amendment referendum in 2009). Four types of referenda are possible: for the approval of laws and constitutional amendments or reforms, for the repeal of laws, for the consultation of the population on important issues, and for the recall of elected officials. The initiation of referenda by citizens, such as occurred in 2004, is somewhat difficult, however, as it can require signatures by up to 20% of registered voters.

11. The second measure for increasing political participation is the creation of communal councils, which began to be promoted and were given an important legal standing for the self-governance of communities beginning in 2006. Since then over 30,000 communal councils, encompassing 150-400 families each, have been formed throughout the country, representing approximately 60% of the population, which receive central government funds for neighborhood improvement projects.
12. Similarly, citizen participation has expanded in the area of broadcast media, mostly via community radio stations, of which over 450 have been created and given legal standing in the past few years, according to Venezuela's communications commission CONATEL.
13. Finally, citizen participation in governance has also increased via the social programs, where citizens are actively involved in the implementation of the programs known as "missions." For example, community health centers ("Barrio Adentro"), educational programs ("Robinson," "Ribas," and "Sucre"), and support for single mothers ("Madres del Barrio") are all implemented in cooperation with local communal councils.
14. One shortcoming we observe in the right to political participation is the lack of public funding for political campaigns. While it is understandable that public campaign funding

was abolished in Venezuela in light of the system's abuse prior to the 1999 constitution, this change means that campaigns with wealthy supporters have an automatic advantage over those which do not have wealthy supporters.

15. A second shortcoming in the right to political participation in Venezuela is the gradual development of clientelism. We have observed that people involved in communal councils and other forms of grassroots organizations sometimes feel discriminated against by some state officials if they do not display support for the government. Such discrimination was typical of Venezuelan politics prior to Chavez's election and seemed to have been wiped out when the new constitution took effect in 1999. However, 11 years later the practice of clientelism could be returning to Venezuelan political culture.
16. Despite these two shortcomings in the area of the right to political participation, we believe that the government has made tremendous advances in the past 12 years in increasing citizen involvement in all levels of government, from the most local to the national, particularly due to the government's efforts to create a democracy that promotes not just representation but especially participation.