

**VENEZUELA:
RECALL REFERENDUM
15 AUGUST 2004**

Report
by
Mette Eriksen

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NORDEM Report is a series of reports documenting NORDEM activities and is published jointly by NORDEM and the Norwegian Centre for Human Rights.

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The opinions expressed in this report are those of the author(s) and do not necessarily reflect those of the publisher(s).

ISSN: 1503–1330

ISBN: 82–90851–81-2

NORDEM Report is available online at:

<http://www.humanrights.uio.no/forskning/publ/publikasjonsliste.html>

Preface

A Recall Referendum to determine whether Hugo Chávez, the President of Venezuela, should be recalled from office was held in Venezuela 15 August 2004. International observers were present to observe the proceedings. The national election authorities Consejo Nacional Electoral (CNE) extended an invitation to the Secretary-General, of the Organization of American States (OAS), Mr. Cesar Gaviria, to establish an election observation mission (EOM) in Venezuela on 19 July. Following negotiations between OAS and the CNE to ensure satisfactory conditions for electoral observations, the OAS and the Carter Center decided to observe the Recall Referendum between 9 and 16 August 2004.

The Brazilian ambassador Valter Pecly Moreira was Head of the OAS observation mission. Second in command was Edgardo Reis from the UPD section of the OAS. The EOM counted 54 short-term observers from 15 countries: Argentina, Bolivia, Brasil, Canada, Chile, Colombia, Costa Rica, Ecuador, the United States, Guatemala, Nicaragua, Panama, Paraguay, Peru and Uruguay. In addition, 4 observers participated from Spain, 2 from Japan and 2 from Norway. In addition, 12 specialists and 5 Brazilian diplomats worked on the EOM. The Carter Center had a team of similar size. OAS Secretary-General Cesar Gaviria and ex-president Jimmy Carter were both in Venezuela during the referendum.

In its preliminary statement (see appendix) the EOM found that the citizens who participated in the poll did so freely without restrictions on their freedom or will, and that the majority of voters had chosen not to recall the president. The final report from the observation of the referendum (Misión de observación electoral de la Organización de los Estados Americanos al referendo revocatorio presidencial en Venezuela del 15 de Agosto de 2004: Informe Final); and the Report from the Secretary-General "...on the facilitation work in Venezuela" (Informe del Secretario General sobre la labor de facilitación en Venezuela) can be found in the appendices.¹

NORDEM seconded two short-term observers for the Venezuelan Recall Referendum. The Norwegian observers Mr. Sigurd Gramstad and Ms. Mette Eriksen were integrated as members in the Electoral Observation Mission (EOM) of the OAS. Mette Eriksen was deployed to the state Bolívar, in the Gran Sabana national park. She observed in the border town Santa Elena de Uairén and in the surrounding villages, while Sigurd Gramstad observed the Referendum in the state of Aragua, in the municipality of José Félix Ribas.

There were 23873 polling stations in Venezuela for the Referendum. The OAS had observers in 22 of the 24 Venezuelan states. The observers from the Carter Center were deployed across the country so that the two organizations complemented each other, covering as much ground as possible. The OAS observers worked one by one, while the Carter Center observers worked in teams. There were no other observers in the area of

¹ By September 2004, the OAS published these two reports on the Venezuelan referendum, and posted them on the OAS webpage: www.oas.org, but neither no longer appears. This is probably due to the sensitivity surrounding the disagreements between the Head of the Election Observation Mission, Mr. Valter Pecly and the Head of OAS; the Secretary-General Mr. Gaviria. Mr. Pecly reportedly disagreed with the Secretary-General's conclusions and recommendations concerning the legislative framework of the Referendum, and which were put forward in the final report.

the country where Eriksen observed the elections. Eriksen visited 10 polling stations; Sigurd Gramstad visited nine polling centres during polling day.

The Norwegian Centre for Human Rights / NORDEM
University of Oslo
October 2004

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Introduction

The Recall Referendum was held in Venezuela 15 August 2004 to determine whether President Hugo Chavez should be revoked from office.

Venezuela is the only country in Latin America where the head of state is subject to possible resignation by having his mandate revoked by the people. The Venezuelan Recall Referendum was the first time in the world a democratically elected head of state faced a recall vote. The Referendum, and the process leading up to it, was followed with great interest worldwide.

President Hugo Chavez won the Referendum with 59 % to 41 % of the votes and a turnout of 69, 92 %.² The OAS and the Carter Center stated that the majority of the Venezuelan voters opted not to revoke the President's mandate. The Venezuelan opposition was quick to call the elections a massive fraud and demanded a second audit of the results. The official results were confirmed by the findings of the OAS.

The general international consensus was that the Recall Referendum in Venezuela reflected the will of the Venezuelan voters. Problems and difficulties presented themselves in many phases of the process, including technical problems with an automated system that was used for the Referendum, but also political problems due to the fact that the Referendum was held in a politically polarized context. The opposition called for a second audit of the results. OAS and the Carter Center observed the audit which in the end confirmed the official results of the referendum.

The final OAS report on the Referendum presented to the permanent Council of the OAS concluded that the proceedings had been marred by lack of sufficient time for the national election organization CNE to prepare for the Referendum.³ Moreover, it was stated that lack of time and problems with the automated system, caused a range of organizational and logistical problems in the proceedings. However, it was stated, these problems did not compromise the will of the voters.

The Norwegian observers did not observe anything that would suggest that the result of the Recall Referendum did not reflect the will of the majority of the voters in their respective areas. Gramstad and Eriksen did not observe any fraud or attempts to compromise the proceedings.

The Norwegian team and the rest of the observers had a limited amount of time in Venezuela. The agreement with the CNE called for observations between 6 and 16 of

² http://200.109.120.13/referendum_presidencial2004/. The voter turnout was on an average 60 % in the 1990s. See also <http://www.cne.gov.ve/> and <http://www.cne.gov.ve/estadisticas/e009.pdf>

³ For press releases, statements and reports issued by the EOM, OAS and the Carter Center, see <http://www.oas.org/main/main.asp?sLang=E&sLink=.../documents/eng/oasissues.asp> and at <http://www.cartercenter.org/activities/showdoc.asp?countryID=87&submenu=activities>

August. Given the limited time frame, this report aims to present the findings of the observers on the Election Day and the days leading up to it.

Political background

The Bolivarian Republic of Venezuela is situated in the North of South America, bordering the Caribbean, Colombia, Brazil, Guyana and the Atlantic. It is a country of geographical contrasts, cultural diversity and social differences. Venezuela is an oil nation, rendering Venezuelan politics interesting beyond its borders, unlike many countries in the region. There are over 23 million inhabitants, with the capital Caracas as its major city. Venezuela is predominantly Catholic. Its surface is 916445 square kilometres.

Hugo Chávez was elected president in 1998 with 56% of the votes, as part of a new political party, the Movement for the Fifth Republic. Chavez' platform called for the signing of a new constitution. This was written by a Constituent Assembly and approved by referendum in 1999. Chávez was re-elected in 2000 under the new constitution. In November 2000, the National Assembly granted Chávez the right to rule by decree for one year, and by November 2001, Chávez had made a set of 49 decrees, affecting the oil and agrarian policy. Chávez has since faced considerable opposition and a polarised country, with the nation's largest business and labour union organizations attempting to organize a general strike in December 2001, and in 2002, Chavez experienced a coup d'état. However, Chavez was restored to power in less than 48 hours.

The recall referendum was announced on 8 June 2004 by the National Electoral Council after Chávez opponents had succeeded in collecting the number of signatures required by the Venezuelan Constitution to force a vote. It was the first such recall vote ever faced by any democratically elected Head of State in the world. Venezuela is the only country in Latin America where a sitting president can be forced to resign in this way.

Political parties

The role of political parties in Venezuelan politics has diminished in recent years, and the traditionally dominant political parties, the social democratic AD and the Christian Democratic COPEI have failed to recover from electoral humiliation in 1998. New political constellations have taken place.

The ruling MVR was formed in 1994 and was rooted in the MBR-200, a military movement established in the early 1980s by Chavez and other junior army officers. The party was founded on the belief that the established political system was corrupt and unrepresentative. The MBR-200 staged a failed coup in 1992 and Chavez was imprisoned. When released from prison in 1994, Chavez formed the MVR.

Analysts characterize the MVR as a young and fragile organisation. Its popularity is based on Chavez as a person. Chavez' political rhetoric is based on defending the underprivileged. The message is that there is a struggle between the 'Haves' and the

'Have-nots' of Venezuela. The message resonates well with many of the poor people in Venezuela.

In simplified terms, the political debate can be seen as a confrontation between the "Haves" vs. the "Have-nots." The opposition is not a united front with a clear and unifying political platform. It is an unlikely coalition between businessmen, political parties and media moguls. The only common cause they share is the opposition to Hugo Chavez. The opposition has five prominent figures that commentators have named "Big Five".

Governor Enrique Mendoza from the state of Miranda and part of the "Big Five" has reinvented himself as a spearhead of the opposition and is a prominent figure in the media. Julio Borges, another opposition figure and part of the "Big Five", is a TV lawyer and popular character because of his TV-show "Justice for All". A third member of the opposition is Juan Fernandez, a former business executive from the important oil sector in Venezuela. He was the first dissident executive to be fired from the state oil-company PDVSA during the oil strike in 2002. A fourth person is Enrique Salas Romer, the leader of the Project Venezuela party, and who has openly expressed his presidential aspirations. The fifth person is Henry Ramos Allup, a leader of the Democratic Action Party, and not a key player in the process.

While Hugo Chavez is perceived by the opposition as dividing the country, his followers see him as a social liberator and commend him for having improved the lives of millions of poor through social programs. Some of his programs include free medical aid in poor communities provided by thousands of Cuban doctors, and other programs have provided food. The programs are funded by increased oil revenues and are seen to have alleviated suffering and bolstered support for the President. Just as important as the social programs, is the sense of pride and self-respect that Chavez is seen to have instilled in the unprivileged in Venezuela.

The opposition consider the social programs a way for Chavez to buy popularity with state funds. Moreover, the opposition fear Chavez' leftist rhetoric and friendship with Cuba and Fidel Castro and often refer to him as 'the Monkey', due to his looks and perceived lack of class. They also resent him strongly for the deep economical crisis that has strongly affected the affluent. Many consider Chavez' supporters as thugs, and there have been cases of Chavez supporters being violent, being present at opposition demonstrations, instilling fear with their face covered by bandannas.

The Legislative Framework

The Bolivarian Republic of Venezuela is a Federal Republic. The government structure comprises 23 states, one federal district and one federal dependency.⁴ Each state is divided in municipalities.

It was the re-drafting of the Constitution in 1999 that paved the way for the Recall Referendum. The legislative basis for the Recall Referendum can be found in article 72 and article 233 of the Constitution of 1999. Article 72 of the Constitution stipulates that all offices filled by popular vote can be subject to revocation. Registered voters may petition for a Referendum to revoke the mandate of an elected official, once one-half of the official's term has elapsed. At least 20 percent of the registered voters must sign the petition in order for the call for Referendum to be valid. In other words, the opposition needed 20 percent of the voters to sign in favour of a recall in order for the Referendum to take place. This means 2.4 million voters in Venezuela.

When a number of voters equal to or greater than the number of those who voted for the incumbent in the Presidential Elections, vote in favour of a recall, the incumbent's mandate will be revoked and immediate action taken to fill the vacancy (as provided for by the Constitution and by law).⁵ In the Recall Referendum, Hugo Chavez needed the same amount of votes, as he got in the presidential election, plus one, in order to stay in power.

The Venezuelan Constitution of 1999 formed a new Electoral Power. The other powers are the executive (the president), the legislative (the national assembly), judicial (the Supreme Court) and the civic powers. Article 292 stipulates The National Electoral Council, or CNE (Consejo Nacional Electoral) is the institution in charge of all electoral processes that take place in Venezuela.

The CNE and other electoral administration organizations are regulated by the Law of electoral power (Ley orgánica del poder electoral). Voting and political participation in Elections is regulated by the Organic Law on Suffrage and Political Participation. In addition CNE issued resolutions (norms) indicating procedures.

The "Norms to regulate Recall Referendum processes" in CNE resolution 030925-465 of 25 September 2003, were drafted in consensus with the electoral authorities and both parties of the political debate, according to the CNE.

⁴ The federal district comprises: The federal dependency consists of 11 federally controlled island groups with a total of 72 individual islands

⁵ This is provided that a number of voters equal to or greater than 25% of the total number of registered voters vote in the Recall Referendum.

The Electoral Administration

CNE consists of five principal members who are elected for seven years by a majority of the National Assembly members, and can be re-elected twice. CNE decisions require simple majority consent (from three out of five of these principal members).

Subordinated to the CNE is the National Election Board, the Junta Nacional Electoral (JNE), which is divided into subdivisions at regional level, municipal level, and finally at polling station level. Other organizations concerned with electoral matters are the Commission for the National Civil and Electoral Register and the Commission for Political Participation and Financing, also subordinated CNE.

The CNE was the subject of an intense political debate. Naming the five principal members proved a painstaking task that reflected the intense political polarization in Venezuela. It was nearly impossible to agree on the members of CNE. The CNE remains highly disputed also after the Referendum. One of the leading officials resigned in protest in September 2004, stating that he considered the CNE to “have done a bad job” in the Referendum and to be inclined towards the Chavez side.

During Eriksen’s limited time in the field before the Referendum, when visiting the regional office in Ciudad Bolívar, state capital of Bolivar, she did on one occasion observe that in a meeting with a delegation of observers, a Chavez supporter took active part in the meeting together with the electoral administrator. It was only after half an hour that he mentioned in passing that he wasn’t actually working there officially. Meanwhile, members of the opposition cited political bias in the regional electoral administration.

Voter and Civic Education

The OAS EOM final report points to lack of proper training for election officials, polling station members, technicians and the voters in how to use the new electronic elections system, which in turn slowed down the process.

However, when observing in a far away rural corner of the country, Santa Elena, Eriksen observed no problems in the process due to lack of technical skills or lack of voter education. The members of the polling station and the technicians seemed to know their tasks and seemingly performed them without difficulties. The voters were duly instructed and no voter was unable to vote due to lack of information. The fact that the polling ran smoothly according to Eriksen’s observations can be a result of sufficient training or sufficient experience as Venezuela has had a series of elections in the past decade. It was Eriksen’s belief that the members of the polling stations and technicians were very conscientious and well prepared in their work, expressing the importance of performing their civic duty as best they could.

Voter Registration

Venezuelans that wished to vote had to be registered. Lists of registered voters were checked with the National Civil and Electoral Registry when voters presented themselves at the polling stations. If a voter was not listed in the registry, they were not allowed to vote.

In the OAS EOM final report more transparency in the voter registration process was called for.

Candidate registration

The Norwegian team of observers were not present for the collection of signatures and will therefore not comment on this process.

The Election campaign

The election campaign leading up to the Recall Referendum was heated. The media, particularly television, was a tool for mutual accusations, antagonism and outright propaganda. In the period running up to the Referendum, the streets of Caracas were dominated at times by the marches and protests from both Hugo Chavez' supporters and the opposition, to the extent that various offices and embassies closed down, and people who did not demonstrate chose to stay at home.

The Norwegian observers witnessed several marches. The marchers supporting Chavez comprised masses of people on foot, typically from the lower social strata, waving banners with political slogans and dressed in red campaign gear including a red beret, which became a symbol of Chavez. Chavez is believed to draw support from the lower social strata.

Meanwhile, the opposition demonstrated in the affluent parts of Caracas, often in caravans of expensive-looking cars, honking their horns in protest. The popular belief was that the opposition typically represented the higher social strata, a mix of business interests, intellectuals and large parts of the media.

The Media

The role of the media was one of the most controversial aspects of the Recall Referendum. The OAS noted in their report the lack of norms regulating this area. The report mentioned the benefit of regulating the use of media for electoral propaganda.

The media plays an important role in Venezuelan politics. President Chavez used media actively to communicate his political messages; he even had his own TV-show where people could call in and ask questions, a televised presidential hotline.

The Norwegian team observed the Venezuelan media leading up to the Referendum. Both political sides used in particular the television as a medium for actively slandering the other side.

Observation on the Polling Day

The EOM final report stated that the polling day progressed normally and without incidents jeopardizing the transparency or integrity of the process. This coincided with the findings made by the Norwegian observers Gramstad and Eriksen, in their respective regions.

State of Aragua

Sigurd Gramstad was deployed to the State of Aragua. The state is located in the north-central region of the country, about two hours drive by car from Caracas. It covers a total surface area of 7,014 km² and, at the time of elections had a population of 1.609.592. The total numbers of polling centres were 311, out of which 277 were automatically operated and 62 were manually operated. The polling centres covered 573 polling stations and 1.261 voting machines. The official results of the Referendum in Aragua state showed a clear victory for President Hugo Chavez.

Four international observers were deployed in the state of Aragua. Three of the STO's arrived two days before the Referendum, on Sunday 15 August, while the fourth, the coordinator, started the observations five days earlier. The four observers cover in total 6 out of the 18 municipalities in the state.

This electoral district had 74.324 registered voters that were assigned to 23 polling centres with 47 polling stations. The result from the municipality of José Félix Ribas was more or less similar to the average voting results for the entire state. It is worth mentioning in this context that the reports from the four observers posted in various municipalities gave a very similar picture of the electoral process observed.

Santa Elena

Eriksen observed the polling in the town Santa Elena de Uairén and several surrounding villages which were Indian: Mapauri, Yuruni, Uairen, Maurak, Manakri and Waromasen. Santa Elena is at the border of Brazil, in a remote region (Gyuana), in the state of Bolivar. The region is so remote that some polling stations can only be reached by river boat for several hours up the Orinoco River, after additional several hours in small airplanes. The area has diamond and gold mines.

The number of polling stations visited by Eriksen was limited due to huge distances. However, the polling stations were diverse enough to give an impression of the situation in the region. Eriksen observed no breaches of the electoral legislation and no incidents.

Observation of the opening

According to the norms, a polling station should have five members. In addition, witnesses from both political camps should be present, but not mandatory. A polling machine operator had to be present at every automated polling station. In order for the polling station to be opened, all principal members had to be present.

According to the norms, the polling station should be made ready the day before the polling, i.e. 14 August in this case. All the members of the polling station, the witnesses from the different political camps and the operator of the polling machines should be present. They were to inspect the premises, receive the electoral material and verify that everything had arrived and was not damaged. Moreover, they had to verify that the machines worked.

Before polling could start on the polling day, all members of the station had to be present. The president of the Polling Station had to instruct the machine operator to verify that the machine worked, including its printing system. The machine operator printed a verification that the machine was in zero, and contained no pre-programmed votes, upon which the secretary of the polling station filled out the necessary forms. Finally, the Polling Station President showed the members and witnesses who were present that the ballot box containing the polling receipts was empty, and polling could begin.

Santa Elena

Opening was done without incidents at Eriksen's polling station. Eriksen observed the opening at the polling station 16055 Casa de la Cultura Lucas Fernandez Peña in Santa Elena. The opening occurred without any incidents. All members of the polling station were present. The machine operator verified that the machine worked, by also printing out receipts to verify that the machine was in zero as regulations required. It was also observed that all the electoral material arrived intact. The polling began at 5:30 AM. People had been queuing since 3:00 AM to vote, and waited patiently for hours for their turn.

José Félix Ribas

Sigurd Gramstad visited nine polling centres in the municipality of José Félix Ribas during polling day, many of them several times. When Gramstad arrived at the first polling centre at 5:30 AM, there were already long queues of voters outside the centre. None of the three polling stations in this particular centre opened according to schedule. The reasons for the delays were due to the fact that some of the members of the polling

stations did not show up in time. In one of the polling stations they had to find a person to replace the missing president.

Since the three different polling stations in the centre opened at different times, Gramstad was able to observe the opening procedure in all of them. No difficulties or deviation from the norms were observed.

The OAS reported that almost all the polling stations visited opened at the 5:30 as regulated by electoral norms.

Observation of the polling.

According to polling procedures, the voter had to present him/herself by having his/hers identity papers verified. Members of the polling station verified that the voter was registered. There were isolated incidents when people were not registered and could not vote, but there were only few cases and did not represent a trend. Once the identity and registration is verified, the voter was directed to the voting machine. When the voter was ready, a member of the polling stations opened the machine for voting, and the voter made his/hers choice by pressing either 'yes' or 'no', then 'vote' on a touch screen. The voter had 60 seconds to make his/hers choice. If a voter was too slow, he/she would get another chance. This happened a few times when Eriksen was observing, but everyone was allowed to cast his or her vote. The members of the polling station instructed the voters regarding the procedures, so that no one had any trouble understanding how to vote. The machine printed a receipt that the voter verified, before putting it in the ballot box.

Santa Elena

The polling in Santa Elena de Uairén and Mapauri, Yuruni, Uairen, Maurak, Manakri and Waromasen took place without any incidents. Everything observed by Eriksen was according to regulations. While Santa Elena had automated systems, the small Indian villages had manual systems.

José Félix Ribas

As polling took place in Gramstad's area, it became clear on a very early stage that the polling went far too slow. The main reason for this situation was simply that the polling procedures were too complicated and time-consuming in proportion to the numbers of voters assigned to each polling station.

All the polling centres Gramstad visited had long queues. Two of the centres, which had relative few registered voters, were able to finish the polling before twilight. The others kept open for polling to about midnight.

Allegations of election fraud

The day before Election Day, Saturday 14 August, the four observers in the state of Aragua were invited to a meeting with representatives for the Coordinadora Democrática (in opposition to President Chavez). The observers were told that unlawful actions had been taken by the "group in power" to manipulate the Referendum and its results. These

illegal actions consisted, according to representatives for the Coordinadora Democrática of the following:

- Last minute replacement of election officers who had earlier signed the demand for a Referendum against President Chavez.
- Copies of voter identity papers belonging to persons from the opposition had been printed and given to supporters of the President.
- Last minute changes of assigned polling stations for a considerable number of supporters of the YES vote.

During the day of election, the STO registered three cases where voters found that someone had been voting in their names. Many changes had been made concerning the personal composition of the polling staff. The STO also found that a number of registered voters could not find their names in the voter register at the polling station where they have voted in earlier elections. In one polling centre, the STO could register about 50-55 persons who were denied to cast their vote because their names were not found in the register. These persons waited within the polling centre for a solution to the problem at the time when the STO visited the centre.

A further investigation of these cases revealed that amongst the group of persons who could not find their names in the voters register, and thus were not allowed to vote, were more or less comprised of an equal amount of YES and NO supporters.

The role of the military at the Polling Stations

The military played a crucial role in the carrying out of the Referendum. Without their strong presence, inside as well as outside the polling centres, it would be very difficult to control the large queues of voters. Voters waited between four and six hours in queues before being given the right to cast their votes.

On the other hand, the STO did also observe, as well as receiving complaints from voters, that military personnel interfered with the work exclusively reserved for the election officers. The reason for their interference could simply be that the military officers generally have long experience with elections in Venezuela (the military had been participating in the organization of elections during the last twenty years or so) and thus in some cases could be more familiar with the problems that might arise during an election exercise, than the election staff themselves would be.

Military personnel did also “watch the STO to out of sight” when the STO visited the polling centres. In all the centres the STO were met by friendly and helpful military officers who offered to accompany the STO in the polling centre. It is clear that to some extent this situation prevented voters to address their complaints to the STO.

Observation of the closing and counting

Santa Elena

The closing and counting took place without incidents at the polling station in Santa Elena observed by Eriksen. In accordance with the electoral norms, the president of the station instructed the machine operator to transmit the results from the machines, then print out an original receipt, plus five copies, that were given to the members of the table and the witnesses. The receipts stated the number of voters that have voted, which was checked against the books. The members of the polling station signed the results.

The law stipulated that polling ends at 4:00 PM or when there is no one in line to vote. Given the massive amounts of voters queuing in front of polling stations across Venezuela, instructions were given that the polling would end at 8:00 PM, then at 00:00. This created some exasperation in polling stations with no voters from 8:00 PM until Midnight.

The closing of the polling station observed by Gramstad took place without incidents and according to the prescribed norms. It was unusual (and also deceptive) to be witness to a closing of the poll without the counting of ballots cast. With the introduction of the voting machines, the observers, as well as the party agents and election officers, have been deprived of the possibility to check the counting procedures.

Observation of the tabulation

The EOM OAS final report stated that the electronic system for the transmission and tabulation of the results was audited and found to meet the required conditions for ensuring secrecy and accuracy of the vote, as well as providing transparency of the process. The second audit confirmed this.

Eriksen observed the machine operator and the president of the polling station print out receipts stating the number of votes and the number of voters respectively. Moreover Eriksen observed as the results were transmitted by the machine operator without problems, and a receipt of the transmission was given to the President of the station. Eriksen was allowed to observe and report the number of voters and the amount of votes for YES and NO. However, as the machine did the tabulation, it was impossible for the observer to observe the tabulation in a traditional sense. The polling receipts in the ballot box were not counted, nor does law require this. The ballot box was sealed and given to the military present, in line with the procedures.

The review of Complaints Process

The opposition's main accusations of fraud were based on three main factors: The official results did not coincide with an exit poll conducted by volunteers from the opposition organization Súmate. The exit poll indicated that the opposition won by 18 points. Secondly, several voting machines returned identical results, which raised some suspicion. Finally, there were places where the votes for YES to recalling the President were fewer than the amount of signatures for the Recall Referendum. It seemed suspicious that people would make the effort to sign for the recall, then not bother to vote, or even change their mind to vote in favour of the President. In a highly polarized political climate, people changing sides were not considered common.

The Carter Center issued a report from the audit, confirming the electoral results of August 15th. The sample drawing program used for the audit generated a random sample from the universe of all the automated voting stations. They found the correlation to be high between the YES votes per voting centre and the number of signers of the presidential recall request per voting centre. The report issued by the Carter Center regarding the audit concluded that the audit showed a discrepancy of less than 0.1 percent in the automated voting machines. In other words, it concluded that the accuracy of the voting machines was very high.

Conclusions and recommendations

August 15 saw masses of Venezuelans queuing for several hours to exercise their democratic rights in the Recall Referendum on the Presidency of Hugo Chavez. The country drew a sigh of relief as an intense build-up period containing aggression and tension was replaced by millions of voters taking to the polling stations in a peaceful manner.

In his final report to the OAS, the Secretary General Cesar Gaviria stated that the OAS should continue probing into charges of fraud during the August 15 presidential Recall Referendum, as presented by Venezuela's opposition, while also reiterating his confidence in the results of the election, which reaffirmed Hugo Chavez as President of Venezuela.⁶

The OAS EOM final report concludes that the Recall Referendum was a success despite the many difficulties along the way. It states that CNE could have offered more

⁶ Despite this, the opposition newspaper, El Universal, reported on one occasion that "new overwhelming evidence" of fraud would be presented later in October 2004.

transparency. Moreover, the EOM questioned the choice of an automated system for the polling in such a polarized political climate where confidence in the system is low.

The Norwegian observers did not observe any breaches of electoral rules and regulations (norms). Some observers pointed to organizational and logistical issues to explain the massive queues all over Venezuela on the polling day. However, it seemed that the queues were mainly a result of the political awareness on the part of the voters and an interest to vote. There seemed to be an unexpected high voter turnout (70 %) on 15 August.

The OAS EOM stated that in a climate of distrust, choosing an automated system that leaves room for questions is a risk. Following to the Referendum there were a lot of rumours about the machines. Some of these rumours ran counter to observations made by the Norwegian team, and some of these rumours were also later discredited by the audit. However, the climate of distrust and the opposition's cries of massive fraud left large parts of the electorate feeling cheated.

Chavez sowed the seeds of his potential downfall when he changed the constitution to include the Recall Referendum, as it could target his own presidency. In 1999, when the changes were made Chavez enjoyed popularity, but, by 19 August 2003, halfway into his term, his popularity had plummeted, and the opposition started to call for a recall.

In his report OAS Secretary General Gavia also stated that by not accepting the Referendum result, the Venezuelan opposition had placed itself in a difficult political situation.

Comments on the election observation mission

OAS been involved in Venezuela for some time prior to the Referendum. The OAS observed the signature collection for the Recall Referendum and the verification process leading up to the Referendum. The Carter Center has also been involved in projects in Venezuela for some time.

A common briefing before deployment is necessary in order to ensure that all observers have the same understanding and sufficient information about the task ahead. Equally, it is desirable with a common debriefing upon return from the field, in order for the Head of Mission to get additional information from the observers and for observers to get a broader picture of the findings of the mission. Neither a briefing prior to deployment, nor a debriefing upon return from the field was organised by the EOM. This is highly unusual and not desirable from a methodological point of view. However, the EOM used new methods of reporting; observers transmitted results via text messages and Internet, and this worked well.

The time spent in field was very short. The technical and logistic work done by the mission was satisfactory.

Appendices

(Not published in the Web edition)