Observing the Elections in Venezuela

The Role of Election Observation Missions With Respect to the Violation of Political and Civil Rights

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Electoral Observation Missions (EOM) are vital to democracies worldwide. They extend social oversight beyond national borders to monitor and uphold democratic standards. The case of Venezuela demonstrates their crucial importance: In the last presidential elections, the work of EOMs was able to confirm irregularities, which today keeps Venezuela under political pressure and added grounds for civil protest. Despite the severe repression that followed, the demand for electoral transparency remains, and sustains its validity in part thanks to the irreplaceable work of the EOMs. Thus, EOMs emerge not only as democratic watchdogs, but also as allies in the defense of human rights.

Electoral Observation Missions

EOMs are grounded in the principle that every electoral process must comply with international human rights standards. The goal of these missions is to ensure crucial democratic standards are met, such as: elections must be periodic and authentic, conducted under universal suffrage with equal conditions and by secret ballot, with basic guarantees for civil and political rights.

The Declaration of Principles for International Election Observation emphasizes the need for genuine democratic elections and sets up interdependent criteria. According to the Declaration, EOMs can enhance the integrity of electoral processes by preventing and detecting irregularities and fraud, and by offering procedural recommendations. They can promote public trust, which in turn can foster electoral participation and mitigate the risk of conflicts. For this to succeed, however, host countries must provide EOMs with the autonomy, access, and logistical support necessary for impartial and comprehensive monitoring, at least several weeks before the elections.

The legal framework in Venezuela

In Venezuela, legislative changes have increasingly restricted EOMs' activities. In 2010, the term "Observation" was replaced with "Accompaniment," and in 2020, it was changed again to "Monitoring" ("*Veeduría*" in Spanish). These modifications limit the scope of Missions strictly, as their work plan must be pre-approved by the National Electoral Council (CNE) under current Venezuelan law.

Despite these constraints, EOMs have the potential to make democratic elections more resilient, especially in nations where the system is in crisis. This was the case with the European Union Electoral Observation Mission (EU-EOM) during the 2021 regional and municipal elections in Venezuela. The EU-EOM identified structural deficiencies such as legal uncertainty, the prohibition of the use of symbols and electoral cards to opposition parties, being reassigned to internal minority factions that do not represent competitive opposition to the government party, misuse of state resources, and unequal media access for candidates. These findings led to the EU-EOM's expulsion, underscoring the Venezuelan government's resistance to scrutiny on human rights and democratic practices. To date, the problems identified by the EU Mission persist, as governance remains opaque and arbitrary, without transparency and accountability.

The expulsion of the EU-EOM by the Venezuelan government in 2021 was a political response consistent with the intolerance and even criminalization of scrutiny on human rights issues. Similarly, the revocation of the EU-EOM's invitation for the July 28th elec-

tions was a politically motivated response to the ongoing personal sanctions against officials allegedly responsible for human rights violations.

In both cases, arbitrary decisions based solely on political criteria directly impacted human rights of all Venezuelans. By restricting EOM activities, the government evaded its democratic accountability and concealed potential irregularities to limit reputational costs.

Post-electoral crisis and international observation

In the most recent Venezuelan presidential election, there was only one effective public EOM: the Carter Center. Since June 29, the U.S. organization deployed 17 experts and observers with teams in Caracas, Barinas, Maracaibo, and Valencia. In its preliminary report, the Center indicated that the electoral process did not comply with international standards of electoral integrity and cannot be considered democratic. Although the United Nations Panel of Experts was also present, it initially intending to draft an internal report. However, the severity of observed irregularities prompted the UN to make its finding public – a testament to how grave the irregularities were. The Panel pointed out that the way in which the Venezuelan National Electoral Council processed the votes did not meet basic criteria of transparency and democratic integrity. The preliminary reports of both the Carter Center and the UN Panel of Experts were published after the teams had left the country. This demonstrates the risks of local monitoring and underscores the importance of international observation.

According to local organizations, the levels of persecution in pre-electoral contexts were the highest recorded in presidential elections since 2006. The lack of transparency by the National Electoral Council generated widespread protest met with violent repression, with at least 20 people killed and over a thousand detained. The work of the few independent international electoral observers played a crucial role in confirming irregularities and bolstering calls for transparency and legitimacy. By mid-August, 22 countries had requested the immediate publication of all original electoral records as well as an impartial and independent verification of the results in a declaration signed in Santo Domingo, Dominican Republic.

Today, Venezuela continues to demand the support of the international community. Effective and transparent human rights enforcement by both international institutions and regional governments remains necessary to maintain public order, demand transparency, respect the people's will and end repression.

The Inter-American Commission on Human Rights (IACHR) has documented the escalating persecution in the context of the presidential election and has labeled post-electoral repression as state terrorism. The IACHR warns that the persistence of attacks on political actors and civil society, alongside the absence of independent and impartial institutions, forms part of a government pattern to remain in power through arbitrariness, human rights violations, and a lack of accountability.

The IACHR is right in reiterating the importance of persistent monitoring of the post-electoral crisis by the regional and international community, and in insisting that the government guarantees the exercise of civil and political rights. How the Venezuelan state reacts to international pressure will be critical in determining the country's fate – whether toward entrenched authoritarianism or peaceful recovery of democratic institutions.

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