



DIRECTORIO
LEGISLATIVO

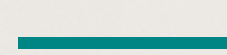
FORTALECEMOS
LAS DEMOCRACIAS
DE AMÉRICA LATINA

STRENGTHENING
DEMOCRACIES
IN LATIN AMERICA

JANUARY 2022

Venezuela

State and municipal elections 2021-2022



Introduction

On November 21, 2021, Venezuelan men and women went to the polls to simultaneously elect 3,082 executive and legislative positions in the 23 governorships and 335 municipalities that make up the national territory. The electoral cycle culminated on January 9, 2022 with the election of the governor of the emblematic state of Barinas, after the counting of votes was suspended in November by the Supreme Court of Justice under the argument that the winning candidate was ineligible to compete.

In total, **the national ruling party won with the ticket of Gran Polo Patriótico (GPP-PSUV) in 19 governorships and 212 municipalities** (including the Capital District). **The opposition, on the other hand, won 4 and 123, respectively.** This means for the latter a setback at the state level with the defeats in Táchira, Mérida and Anzoátegui, but a significant advance at the municipal level, where it previously only controlled 29 out of 335 districts.

In spite of the results being within expectations, the recent victory of Mesa de la Unidad Democrática in the homeland of Hugo Chavez has contributed to restore the illusion of an electoral solution that before seemed to be overshadowed by the tensions within the opposition and the lack of a uniform strategy.

These elections were unique for at least four reasons.

First, they were **the first simultaneous state and municipal elections** after the repeal of the 2010 Law for the Regularization of the Constitutional and Legal Periods of the Public Powers.

Second, they marked **the return of the parties that make up the Unitary Platform of the Opposition** (Plataforma Unitaria) to the electoral arena and, with it, the suspension of the strategy of electoral abstention that they had been sustaining since 2017. However, the way back was more arduous than expected due to the disagreements that confronted the members of the Platform, the tensions within Mesa de Unidad Democrática regarding the management of sovereign assets abroad and, even, the arguments in favor of not participating that some referents of the opposition maintained. All this ultimately affected the ability to draw a common roadmap for the sectors located in the center-right and right, giving rise instead to alliances that varied from one district to another.

Third, these were **the first elections in 15 years to have international observation.** Among the missions, the one of the European Union stood out, whose participation was

conceived within the framework of the dialogues between the ruling party and the opposition in Mexico City and was finally sealed with the signing of an [agreement](#) between the CNE and the authorities of the Electoral Observation Mission. It should be recalled that in 2010 a [Regulation on National Electoral Observation and International Electoral Accompaniment](#) was issued, which replaced the practice of international observation, a right that was reserved only to Venezuelans and legally constituted national electoral observation organizations, with that of international accompaniment with limited attributions.

Fourth, for the first time in years, **two of the five main rectors of the National Electoral Council** (CNE in Spanish) **belong to organizations not aligned to the government**. The authorities were renewed by the National Assembly on May 4, 2021 for the period 2021-2028, in response to an

opposition demand for a more solid and transparent electoral institutionalality. The presidency was in charge of Pedro Calzadilla, linked to the ruling party.

Despite the expectations surrounding these elections, it should be noted that these elections failed to reverse the steep decline in voter turnout that has been registered in the last five years. The rate of only 42.2% according to official data can be interpreted as a symptom of the crisis of confidence in the political leadership and institutions that is affecting Venezuelan society.

This report was prepared by the research area of Directorio Legislativo with the collaboration of Mauro Conti (UdelaR-UNSAM).

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Electoral Highlights

- On November 21, a total of **3,082 executive and legislative positions were elected in all the governorates and municipalities** that make up the national territory: at the state level, 23 governors and 253 legislators (152 by list vote, 93 by nominal vote and 8 by indigenous representation) and, at the municipal level, 335 mayors and 2,471 municipal councilors (1,420 by list vote, 982 by nominal vote and 69 by indigenous representation). Executive offices are elected by simple majority.
- Until now, **state and municipal elections were not held simultaneously**. However, on March 2 the National Assembly [repealed the 2010 Law for the Regularization of the Constitutional and Legal Periods of the State and Municipal Public Powers](#), thus enabling the National Electoral Council (CNE in Spanish) to call them jointly.
- The **term of office** of governors, mayors and state legislators is four years, and in all cases they may be reelected (articles 160, 162 and 174 of the Constitution). It will run from 2021 to 2025.
- In Venezuela, **voting is not compulsory**. In addition, since 2004 the voting system is automated. The provider of the electoral technology is the company Smartmatic. In these elections 14,262 voting centers were set up.
- Although [article 163](#) of the Constitution recognizes that the vote is a right to be exercised directly and secretly, the **positions of indigenous representation** are elected indirectly as established by the [Organic Law of Electoral Processes](#), through delegates appointed in popular assemblies.
- **Venezuelan citizens residing abroad may only participate in national elections**, but not in regional and municipal elections. It should be noted that the [audit](#) of the electoral registry carried out by the CNE on August 3, only counted a little more than 108,000 persons residing abroad and qualified to vote.

Electoral Highlights

- Before the December 2020 elections, the Supreme Court of Justice ordered the **disqualification of different political parties**, their intervention and designation of ad hoc directives, or the arbitrary authorization of use of the electoral card to specific leaders. Among them are Acción Democrática (06/15/20), Primero Justicia (06/16/20), Voluntad Popular (07/07/20), Bandera Roja (08/13/20), Tupamaro (08/18/20), Compromiso País (08/25/20), Patria para Todos (08/21/20), Movimiento de Integridad Nacional-Unidad (08/06/15 and 08/26/20) and others. Some were later reinstated, others participated with their original and ad hoc directives.
- On August 31, 2021, the **parties of the Unitary Platform of the Opposition** announced that they would run again for elections.
- At the end of June 2021 the **National Electoral Council reinstated the card of Mesa de Unidad Democrático** that had been disqualified by the Supreme Court of Justice in January 2018. It had last been used in the 2015 elections.

Candidatures

These elections faced four central coalitions and other parties that competed as a unit or in alliance with the previous ones.

On the one hand, **the ruling party participated with the ticket of Gran Polo Patriótico** which gathers the PSUV and other parties, after the internal elections held on August 8 in which some incipient internal differences were settled. Signed by a very low participation and several irregularities in the electoral process, the primaries ended up favoring the candidates close to Maduro over those who respond to the deputy and president of the PSUV, Diosdado Cabello.

The opposition, on the other hand, was organized in three major coalitions: Mesa de Unidad Democrática which brings together the four main opposition parties (Voluntad Popular, Primero Justicia, Acción Democrática and Un Nuevo Tiempo) and other minor allies; Alianza Democrática ampliada which, among others, congregates moderate opposition spaces that participated in the December 6 elections and have legislative representation, as well as the ad-hoc directives of some of the parties intervened by the Superior Court of Justice; and Alternativa Popular Revolucionaria, a dissidence of chavism integrated by the Communist Party of Venezuela and others.

To these were added several parties such as Alianza Lápiz and Puente, which are part of the Unitary Platform of the Opposition but which distanced themselves from the strategy proposed by the G4; Fuerza Vecinal, founded in 2021 by a group of mayors; and Movimiento al Socialismo, among others. In Caracas, these parties were, in fact, grouped under the Independent Coalition.

The number of candidacies for governor was 8.4 per state, registering variations from 5 in Nueva Esparta to 10 in Amazonas, Apure, Aragua, Bolívar and Lara. The analysis of the candidacies allows observing that the alliances established by the MUD and the AD were not consistent from one governorate to another, which in the opinion of some of its leaders resulted in a dispersion of the vote that ended up favoring the pro-government position. The cases of Táchira and Mérida, where the candidates of the ruling party for governor won with margins of 1.02% and 6.11% respectively, will be analyzed below.

Electoral Participation

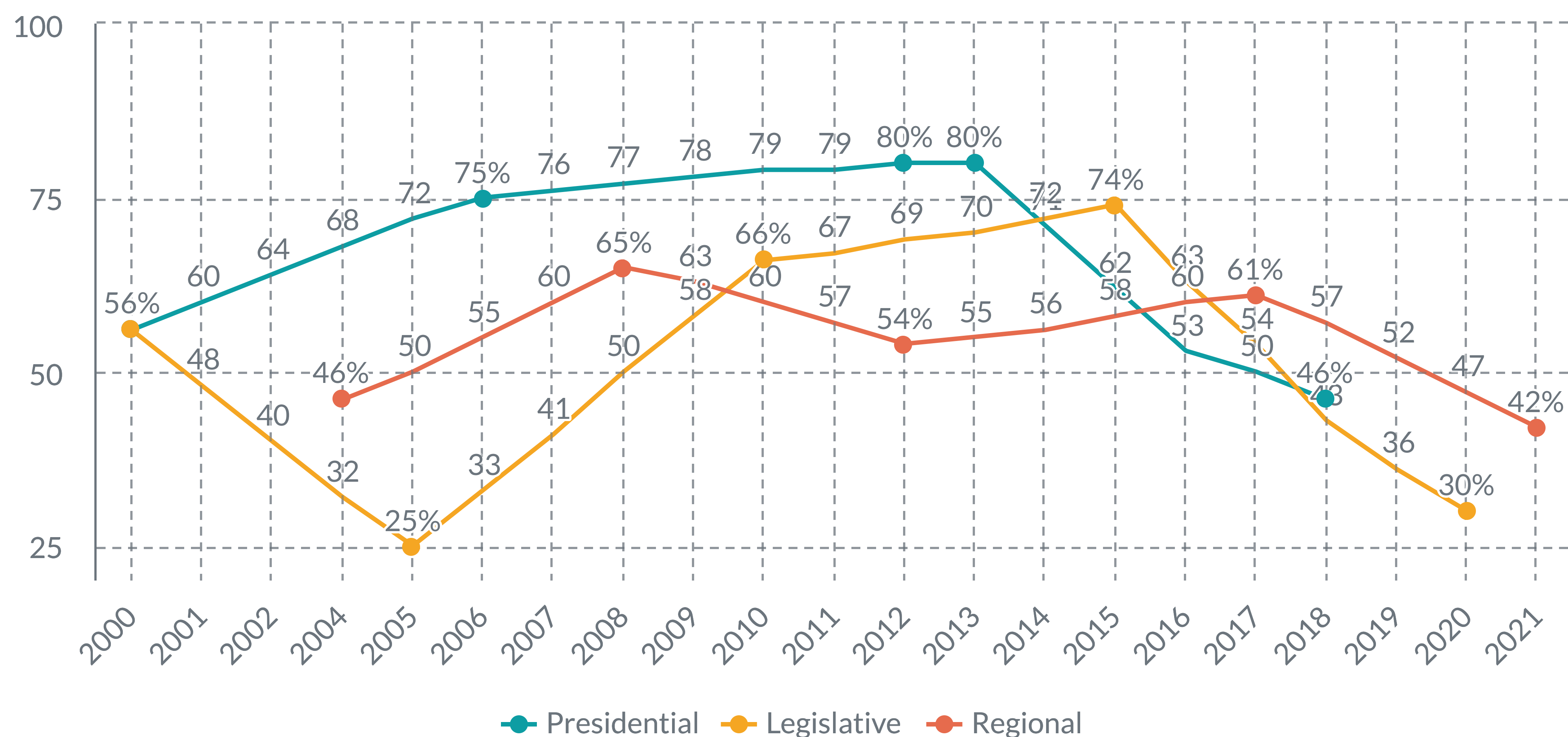
In these elections, 8,938,875 voters voted out of a total of 21,159,846 registered in the Electoral Registry, i.e., a **42.26% turnout**. Although these regional elections recorded **the highest abstention rate since 2000 at the subnational level**, a pronounced decline in the number of registered voters who went to the polls had already been noticed in the last 5 years.

The turning point was the 2015 legislative elections, when the opposition got its last major victory. Shortly after, the declaration in contempt of the elected National Assembly marked the beginning of the disqualification and persecution of the main opposition leaders and parties, which was followed by their withdrawal from the electoral arena due to lack of guarantees.

As can be seen in **Figure 1**, the 2018 presidential elections recorded a turnout of 45.74%, while in the December 2020 legislative elections, it was 30.09%. In turn, the average of the last five regional state elections was 53.68%.

The abstention rate tends to be higher in states with more registered voters. In districts with up to 500,000, it averaged 50.97%; between 500,000 and 1 million, 54.16%; and in those with more than 1 million, 60.51%. It is worth mentioning that in Barinas, abstention decreased between the elections of November 21 and those of January 9, 2022, from 54% to 48%.

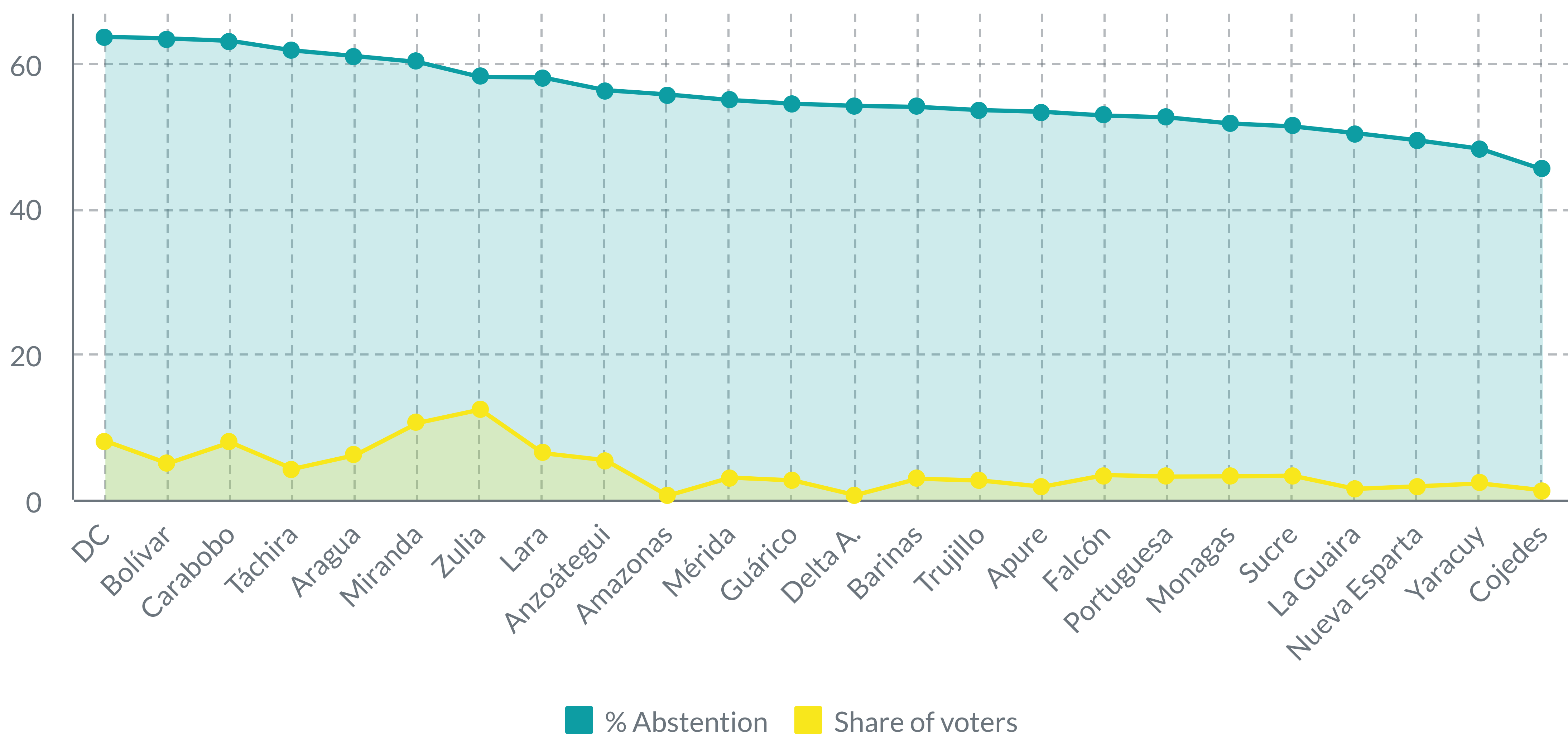
Figure 1: Electoral participation in elections, 2000-2021



Source: IDEA Internacional & Wikipedia.

Electoral Participation

Figure 2: Electoral abstention vs. share of registered voters. Regional and municipal elections 2021



Source: CNE

What did public opinion polls suggest about the social climate prior to the elections?

The latest Latinobarometro [survey](#) on perceptions of democracy - conducted at the end of 2020 - shows that the majority of people surveyed had little or no confidence in the government (79.2%), political parties (83.3%) and the electoral authority (77%). 70% did not feel affinity for any political party and 36% considered that the elections do not offer a real opportunity to choose between parties and candidates.

In addition, 74.4% expressed little or no interest in politics and 70% said that they rarely or never talked about politics with friends.

It should be noted that the data were collected in the context of the general legislative elections.

Between July and August, Datincorp, Delphos-UCAB, Datanálisis and More Consulting published four national and local public opinion polls which outlined a picture marked by uncertainty and lack of confidence in political leadership.

On the one hand, more than 50% of the people surveyed declared that they were determined to vote in the November regional elections (Datincorp, Delphos, Datanálisis) and more than 80% considered that the opposition should participate in the

Electoral Participation

November elections, regardless of their party self-identification (Delphos).

However, only 14% were confident in the political leadership to solve the crisis (Datincorp). Between 40 and 65% did not identify themselves as either pro-government or opposition (Delphos, Datanálisis) and a third still did not know who they were going to vote for (Delphos, More).

A more recent [study](#) conducted by ORC Consultores between September 20 and 28, showed that there was a greater willingness to vote among people who self-identified as pro-government (76.8%), than among those closer to the opposition (56.9%) or not aligned (28.2%). Interest was lower among young people between 18 and 24 years of age, and grew with increasing age.

It should be recalled that at the time these measurements were taken, the dialogue rounds between delegations of the Maduro government and the opposition were beginning in Mexico City.

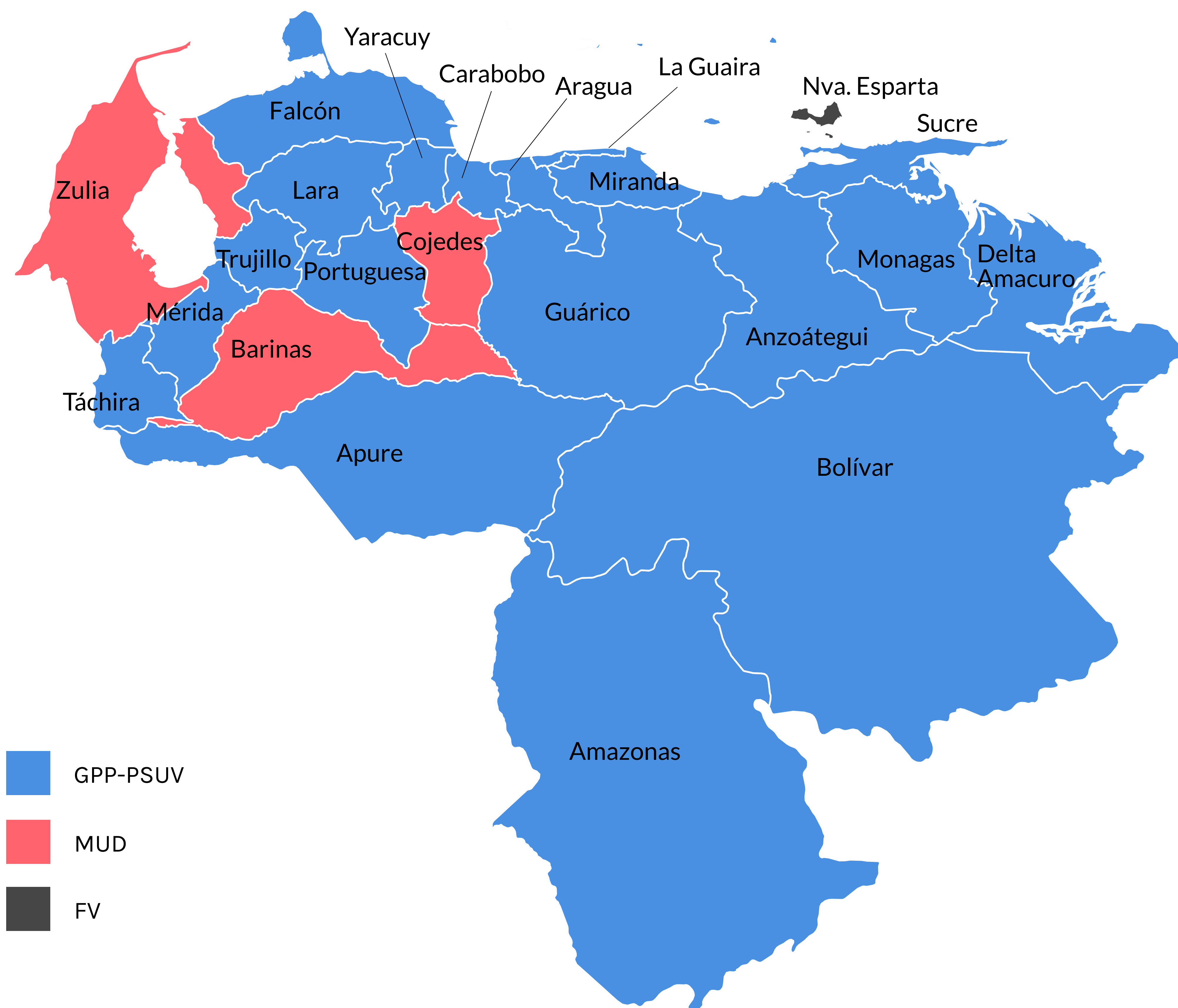
Although initially the parties had managed to reach some limited agreements, towards the end of September the talks stalled and, thus, the most critical points of the agenda were postponed indefinitely.

Election results: Governorships

The pro-government front (Gran Polo Patriótico) won in 19 of the 23 governorships, MUD won in three and Frente Vecinal -in a coalition with Alianza Democrática- in one (Map 1). In the 2017 elections, the ruling party had won 18 governorships and the opposition won 5.

Five governorships changed political sign: the opposition lost Anzoátegui, Mérida and Táchira, won Barinas and retained Zulia and Nueva Esparta; while the ruling party retained 16 and lost Cojedes.

Map 1. Map of the Gubernatorial Elections 2021-2022



Source: CNE

Election results: Governorships

What political-electoral map do these elections leave us with?

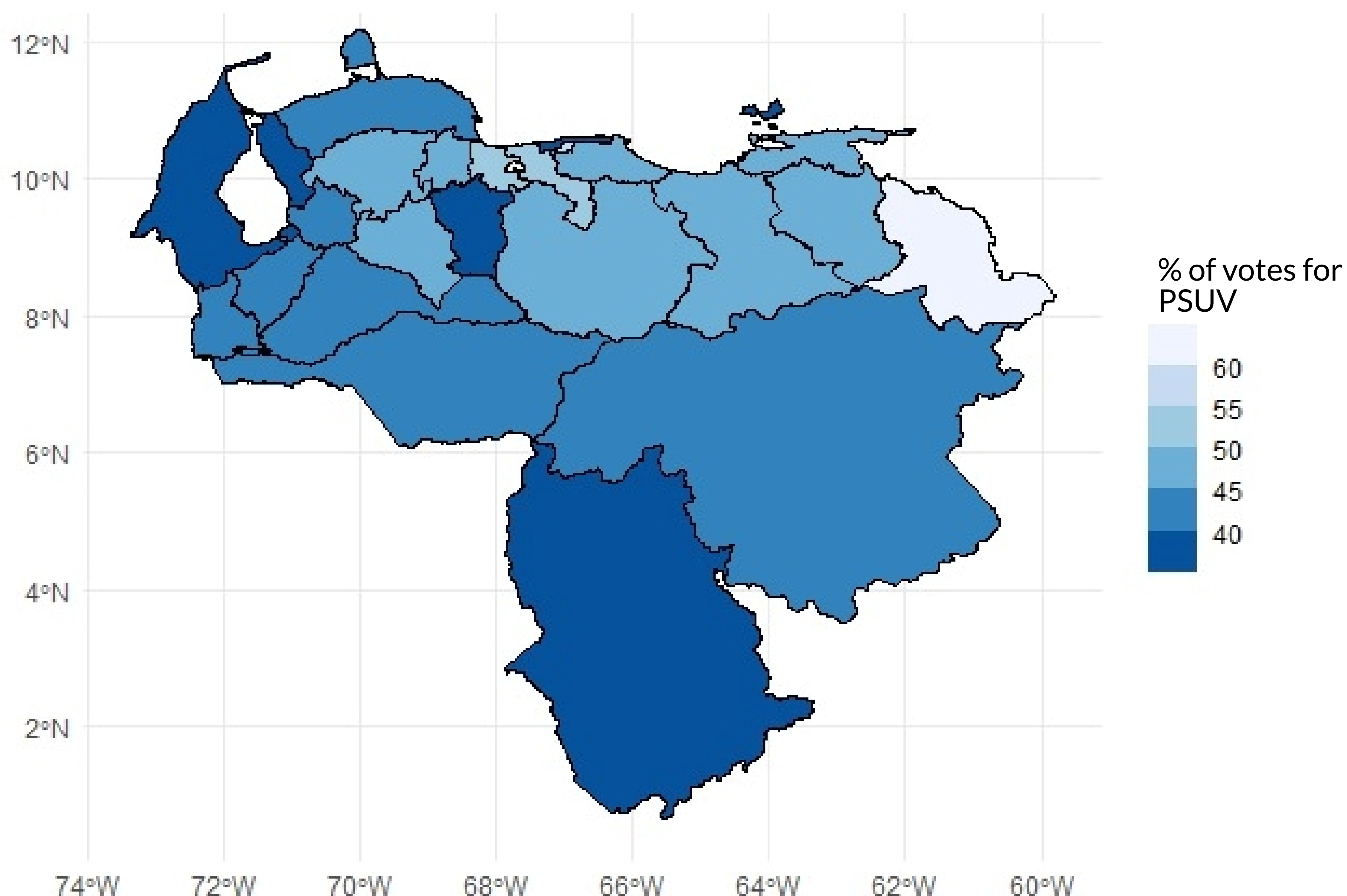
1) When analyzing the electoral flow of the GPP-PSUV by state for the position of governor, as well as the percentage difference between the first and the second electoral force in the districts where the ruling party won, **the map is broadly configured in an east-west axis (Map 2).**

In the east, the ruling party won with more pronounced differences. More precisely, in the states of the Atlantic coast, the average distance was 20%; in the northern states, 18%.

Above these averages, Delta Amacuro, Bolivar, Carabobo and Aragua stand out.

In the west, the opposition tends to be stronger, although not necessarily enough to win. In fact, it lost control of the eastern states of Táchira and Mérida by a narrow margin of 1% and 6.5%, respectively, while in Apure and Lara it lagged behind by a difference of 2% and 5.5%, respectively.

Map 2. Share of votes for the PSUV in each state. Gubernatorial elections 2021-2022



Election results: Governorships

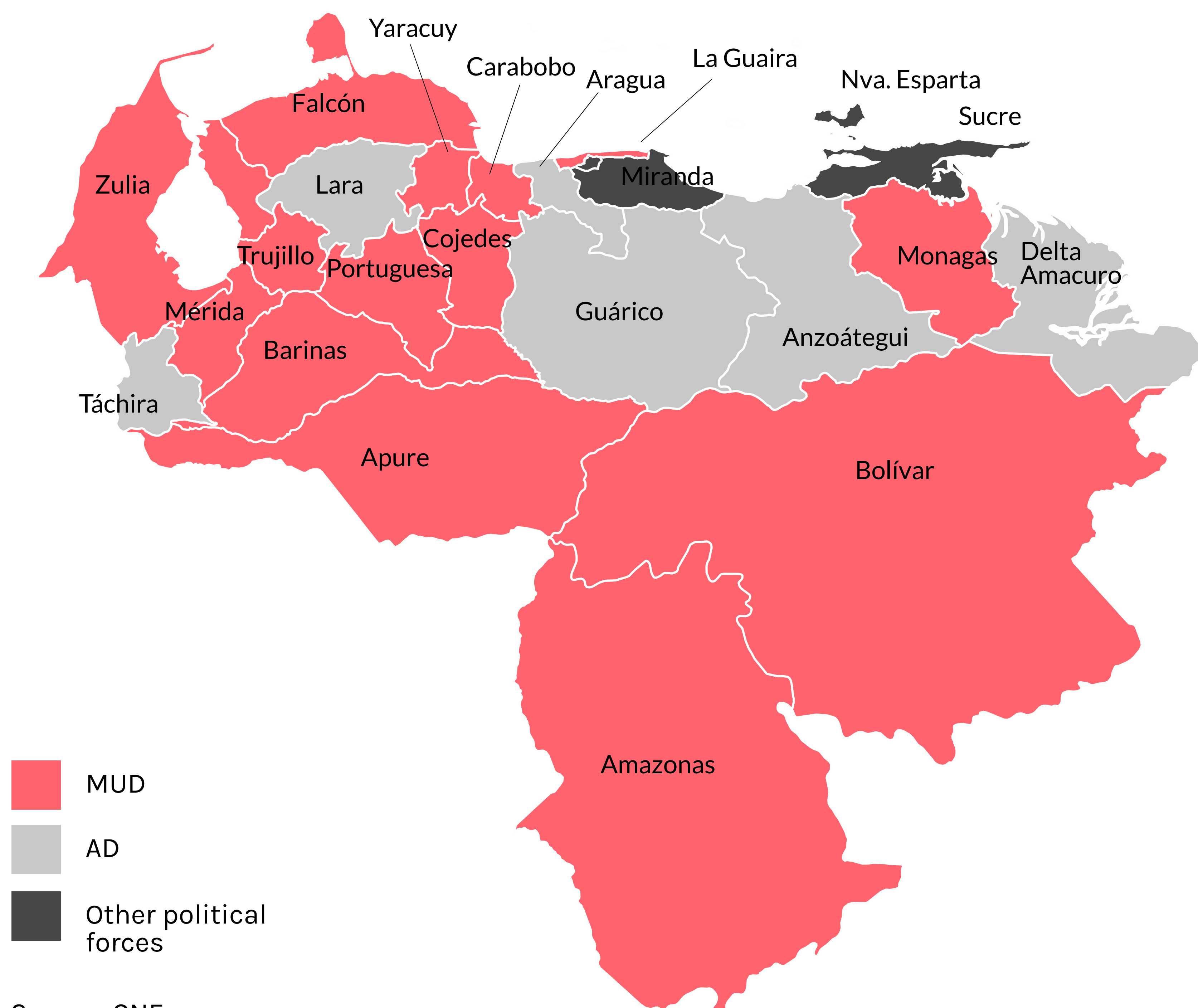
2) The analysis of the main political force of the opposition by state, measured by percentage of votes obtained, suggests a north-south axis in which MUD and allies and Alianza Democrática and allies predominate, but in which the more territorially focused growth of other political spaces such as Fuerza Vecinal, created in 2021, also stands out.

MUD is the electoral force with the highest presence at national level. The only states in which it did not manage to gain a foothold are Delta Amacuro, Lara, Miranda and Sucre (Figure 3).

The expanded Alianza Democrática is stronger in the northern states of the country. In addition to those highlighted with gray on the map, it achieved a good electoral performance in Falcón, Mérida, Yaracuy and Monagas. Among the states where it had a worse electoral performance are 3 of the 4 where the opposition won.

In **Miranda**, one of the base states of the local party Fuerza Vecinal, neither MUD nor AD made a good election. Neither in **Sucre**, where MAS stood out as the first political force of the opposition.

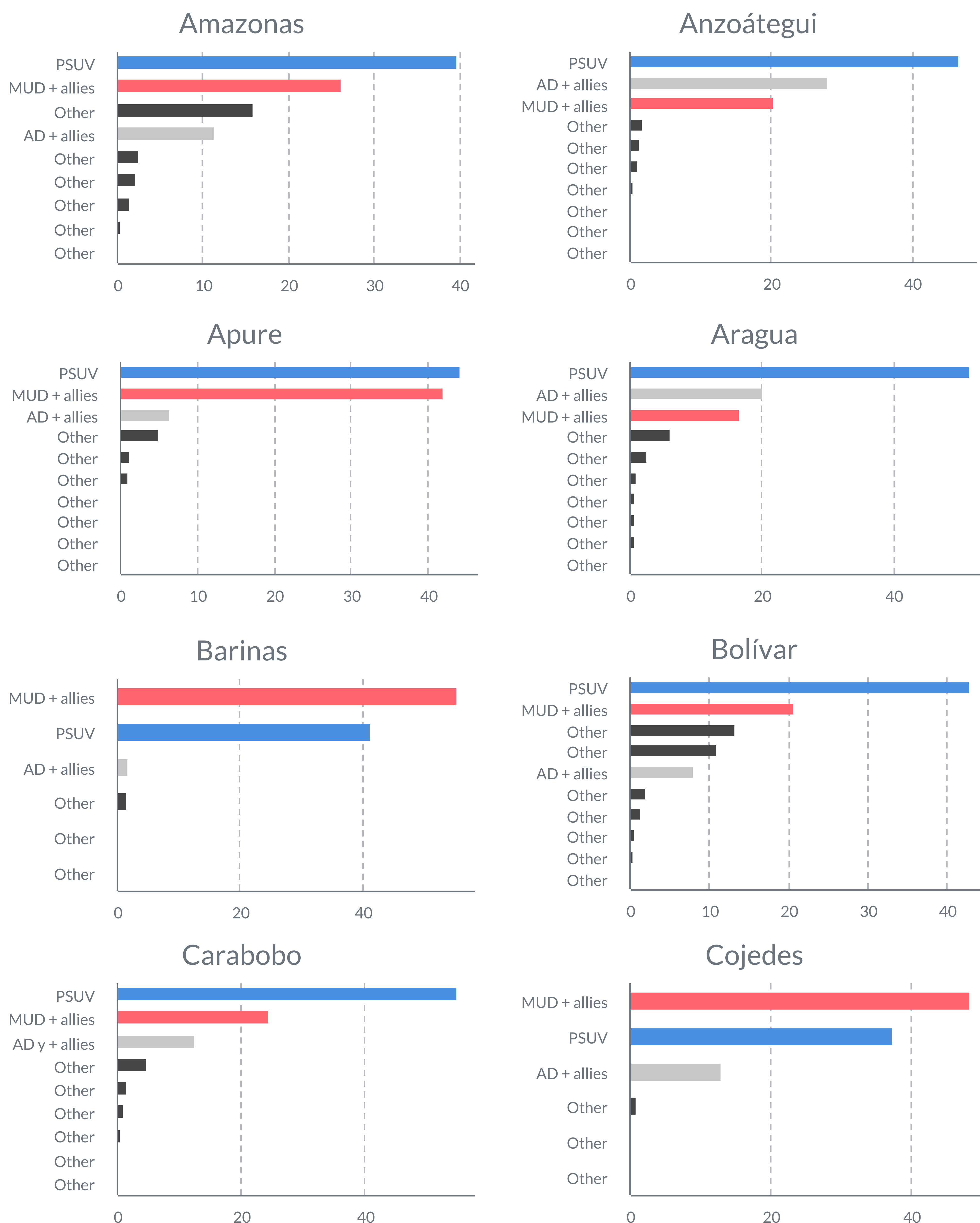
Map 3. Opposition main political force per state. Gubernatorial elections 2021-2022



Source: CNE

Election results: Governorships

Figure 3: Vote distribution by electoral force. Gubernatorial elections 2021-2022



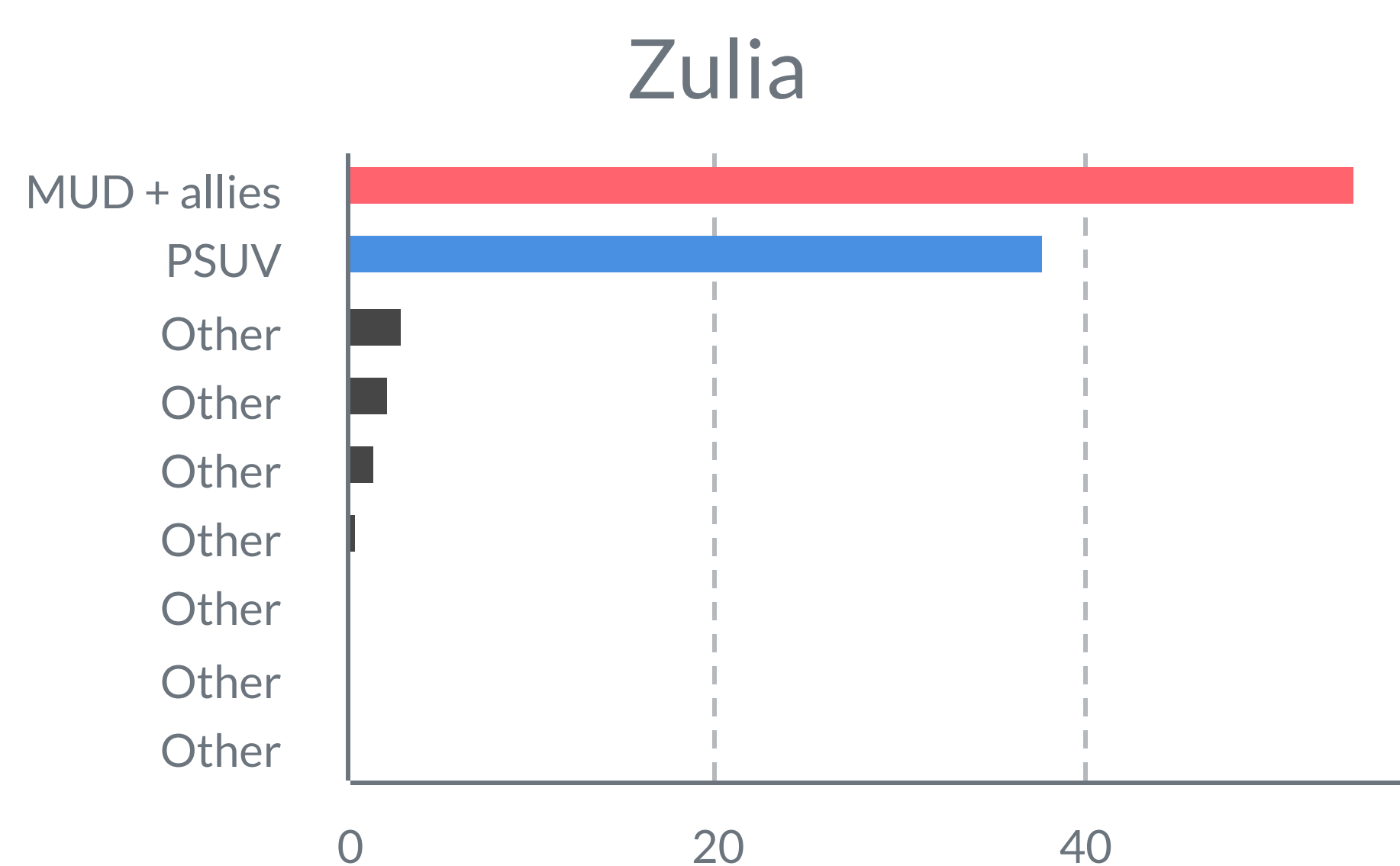
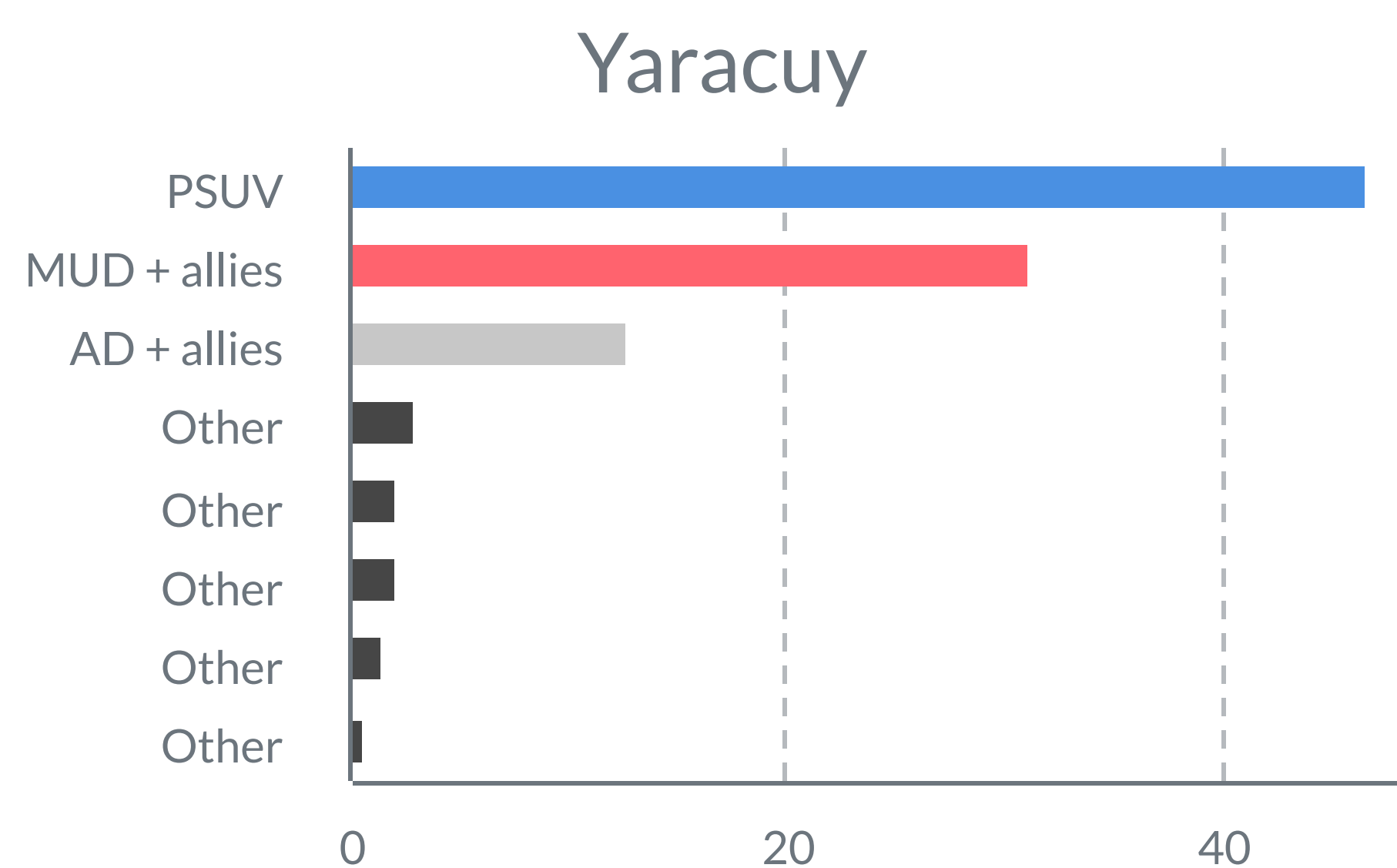
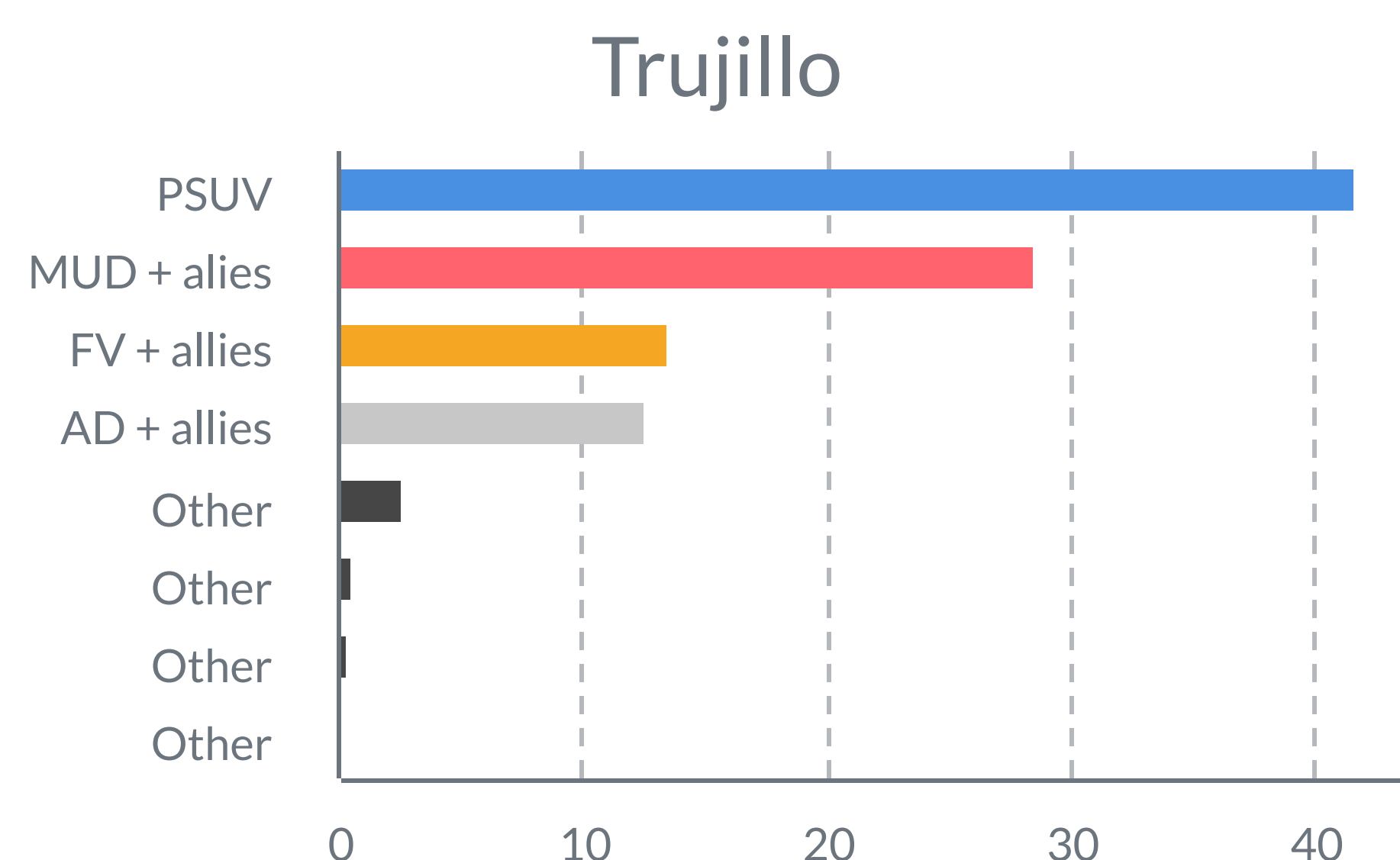
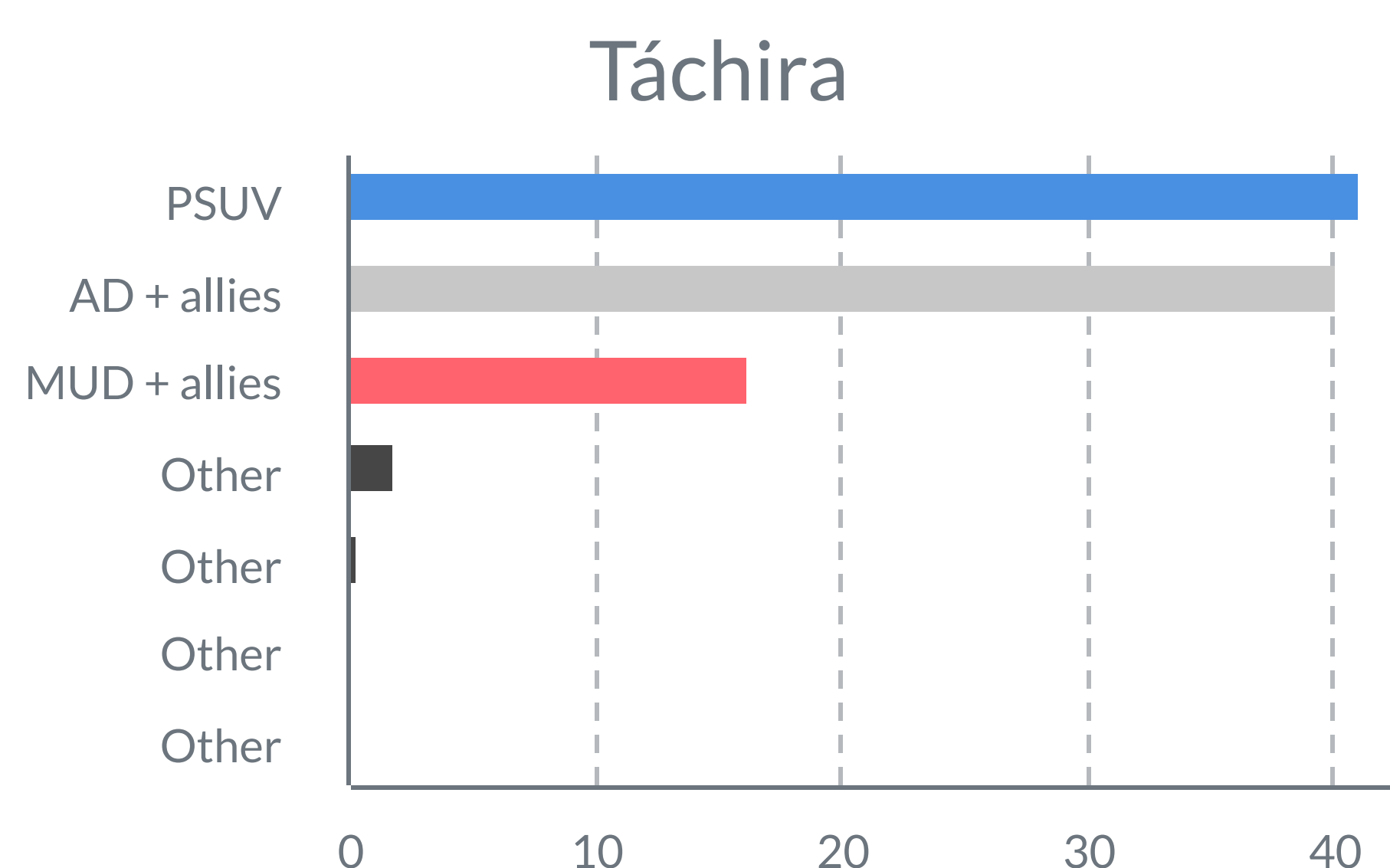
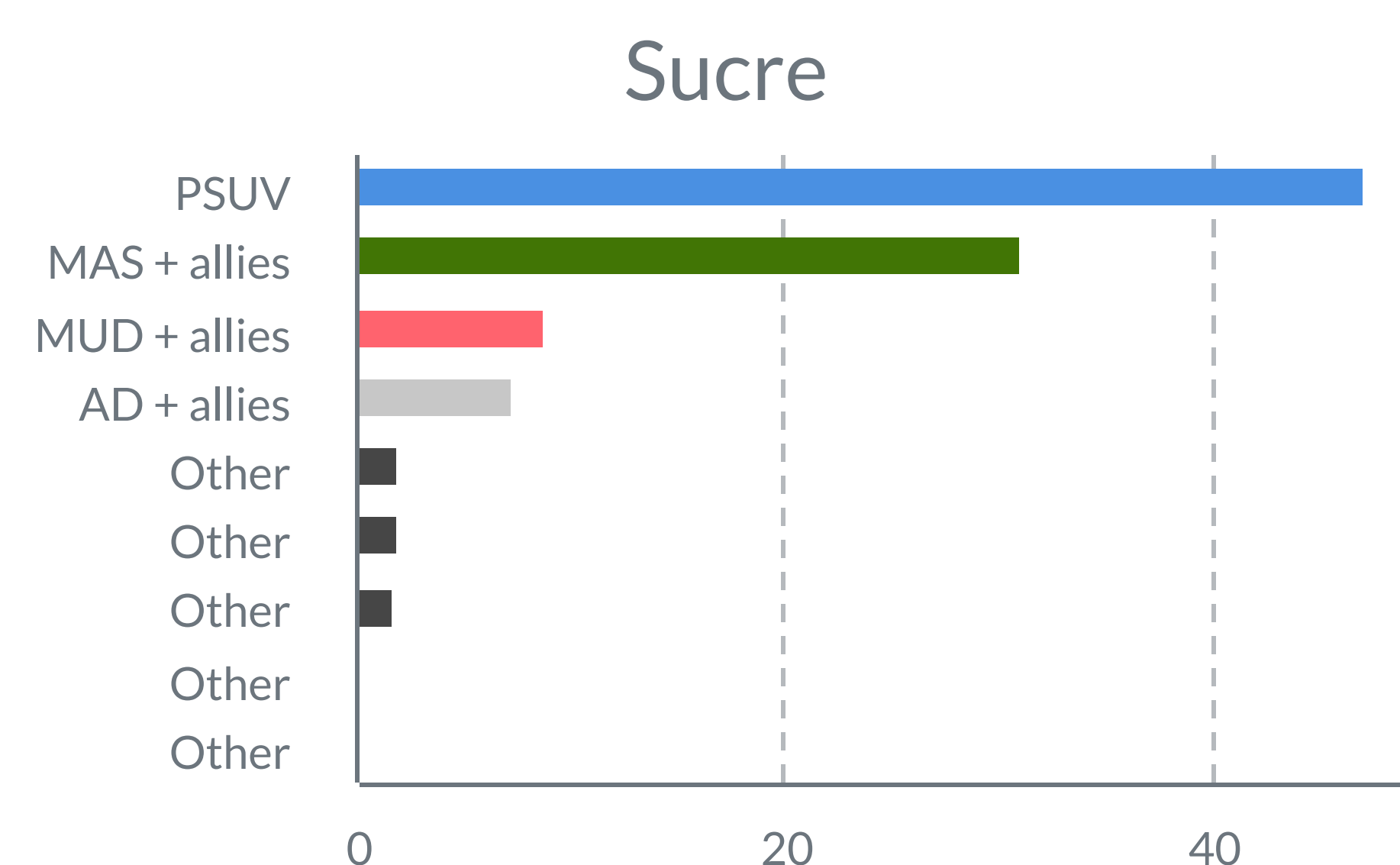
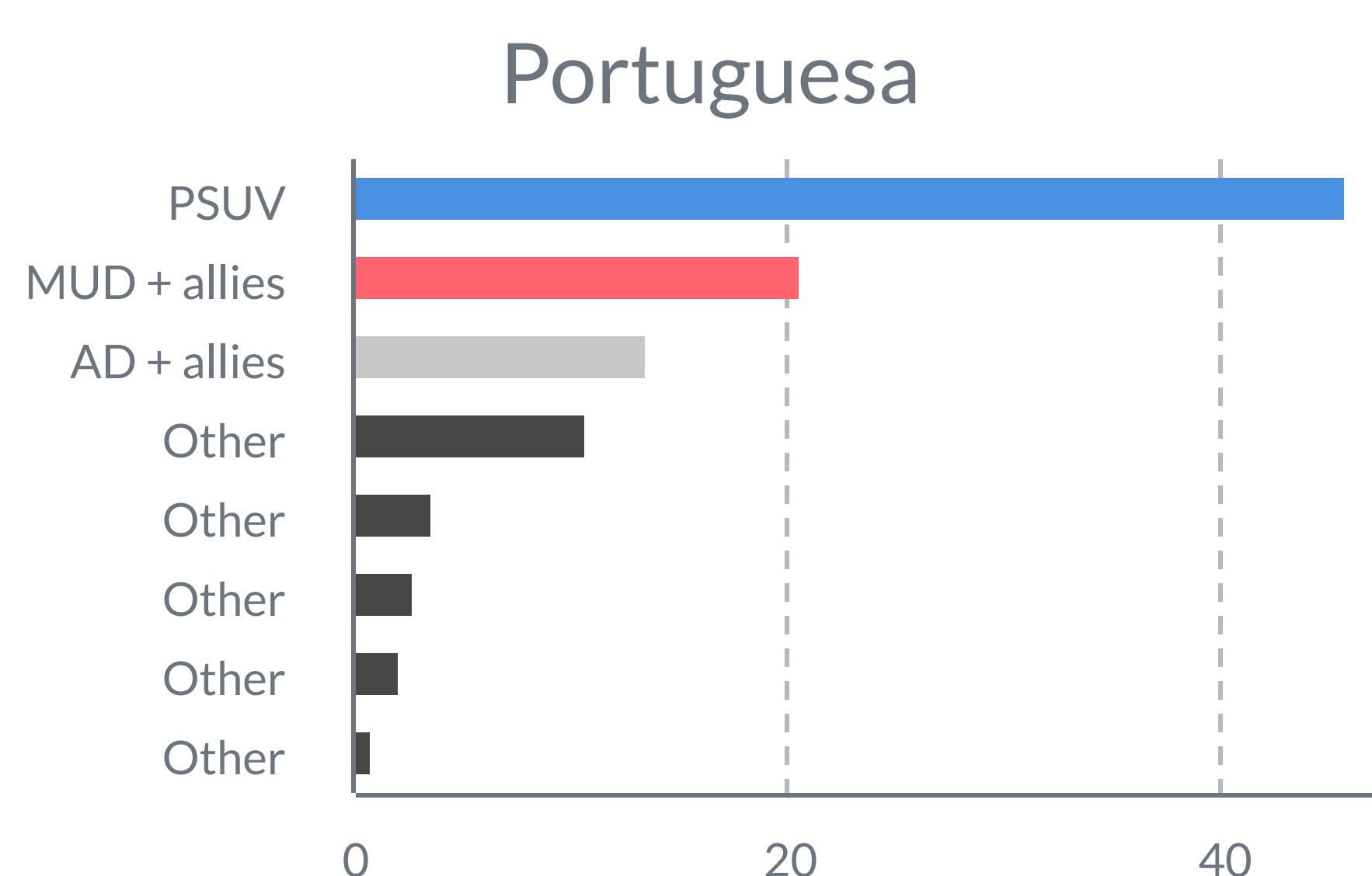
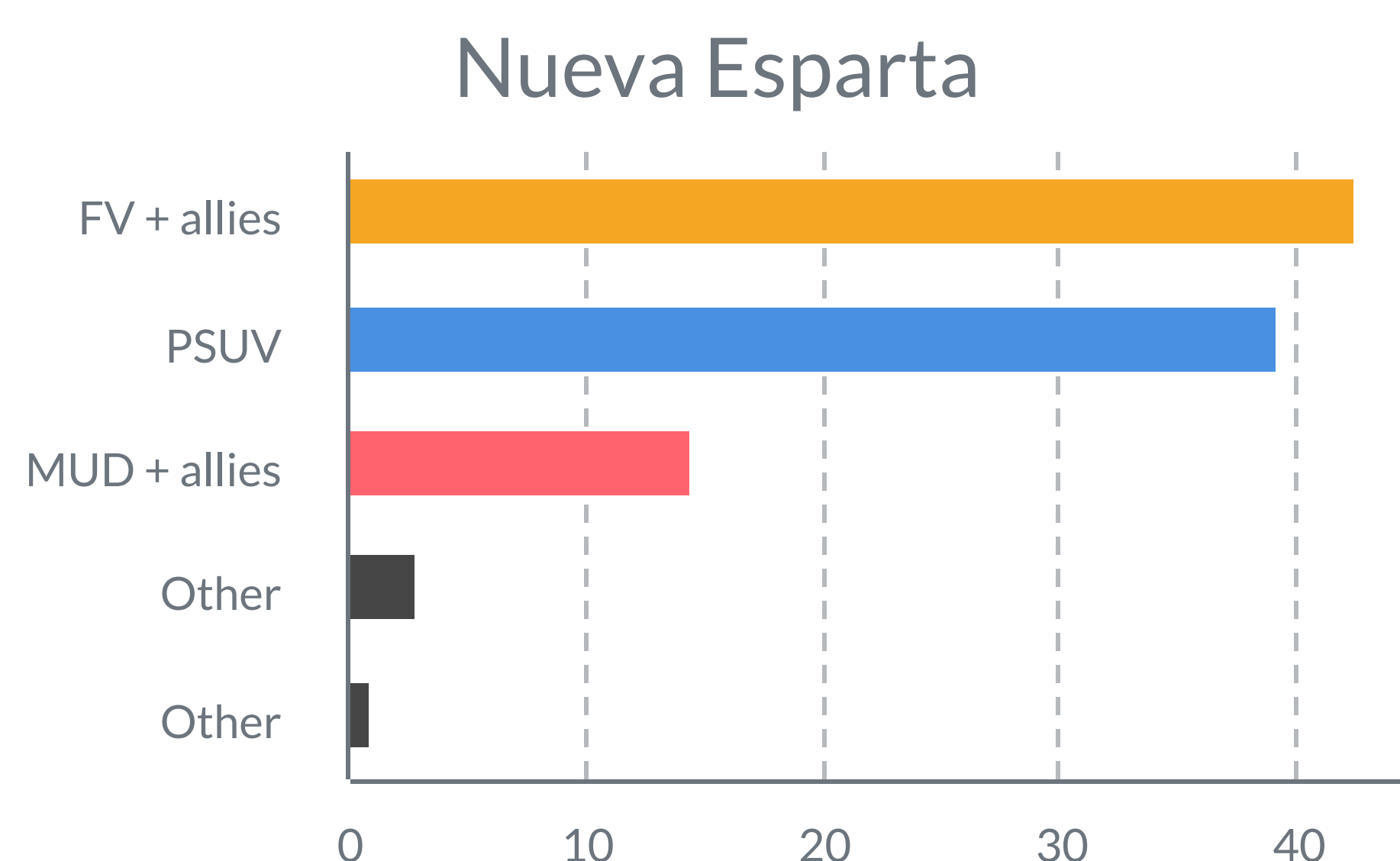
Source: own elaboration based on data provided by the CNE. In the case of the state of Barinas, the data corresponds to the elections held on January 9 2022.

Election results: Governorships



Source: own elaboration based on data provided by the CNE. In the case of the state of Barinas, the data corresponds to the elections held on January 9 2022.

Election results: Governorships



Source: own elaboration based on data provided by the CNE. In the case of the state of Barinas, the data corresponds to the elections held on January 9 2022.

Election results: Governorships

3) As indicated above, the number of gubernatorial candidacies averaged 8.4 per state, with the ruling party presenting only one list per state. However, the analysis of the electoral results shows that **the effective number of parties** - or number of parties weighted by the number of votes obtained - **averaged 2.8**.

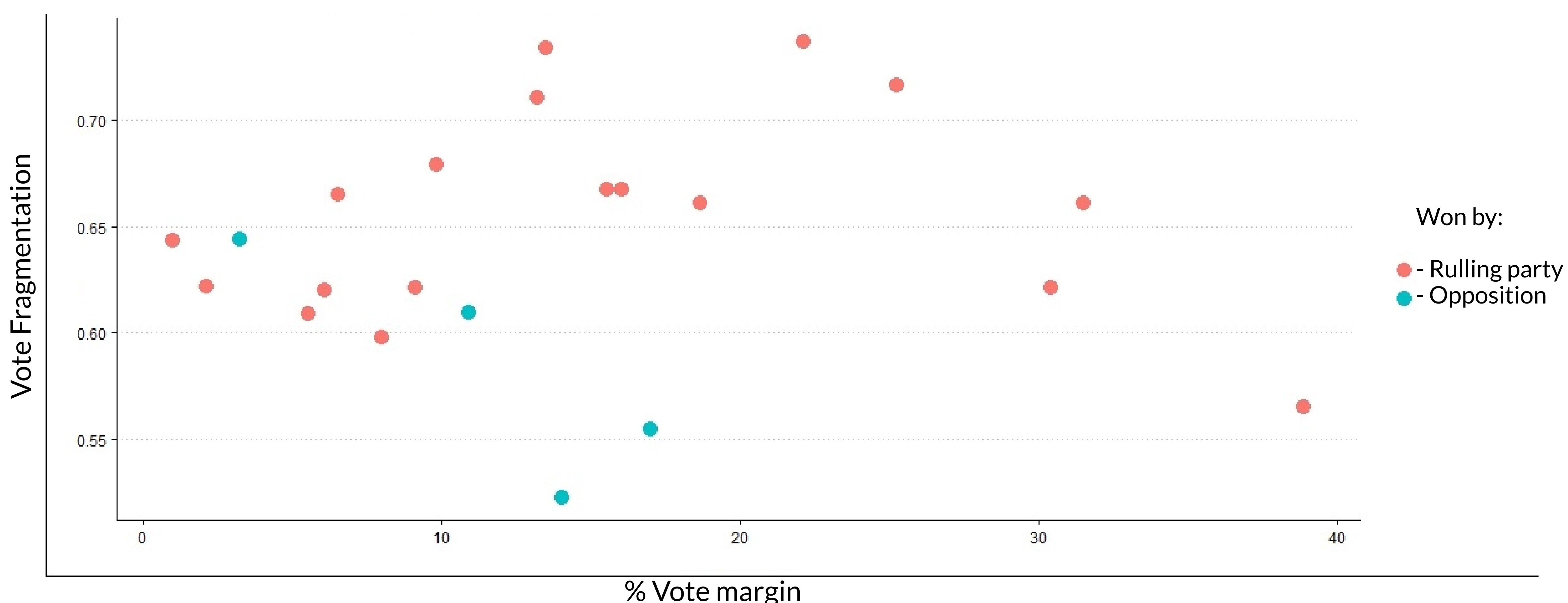
Above the average are Bolivar (3.8), Amazonas (3.7), Portuguesa (3.5), Trujillo (3.4), Falcon (3.1), Sucre, Yaracuy, Merida (3), Aragua and Anzoategui (2.9). In all of them, the ruling party won with an average difference of 17%. Below the average of 2.8 are all the states in which the opposition won and those in which it managed to shorten the difference by 6 points or less, with the exception of Mérida.

Even though there does not seem to be a clear

correlation between electoral fragmentation and electoral competitiveness measured in terms of the percentage difference between the first and the second force (**Figure 3**), the data suggest that **the ruling party was favored by the dispersion of the opposition vote**, with the exception of the cases of Nueva Esparta and Cojedes where the opposition triumphed despite the fact that the fragmentation index was high.

Although the opposition did not win in all districts with high competitiveness (less than 20%) and concentrated vote (less than 0.65), it is worth noting that this is the scenario in which it obtained its best results, including the four victories at the state level. In other words, these **two conditions** are not enough to win but increase the possibility of winning or reducing the margin.

Figure 4. Vote fragmentation vs. % vote margin between the first and second political forces per state. Gubernatorial elections 2021-2022



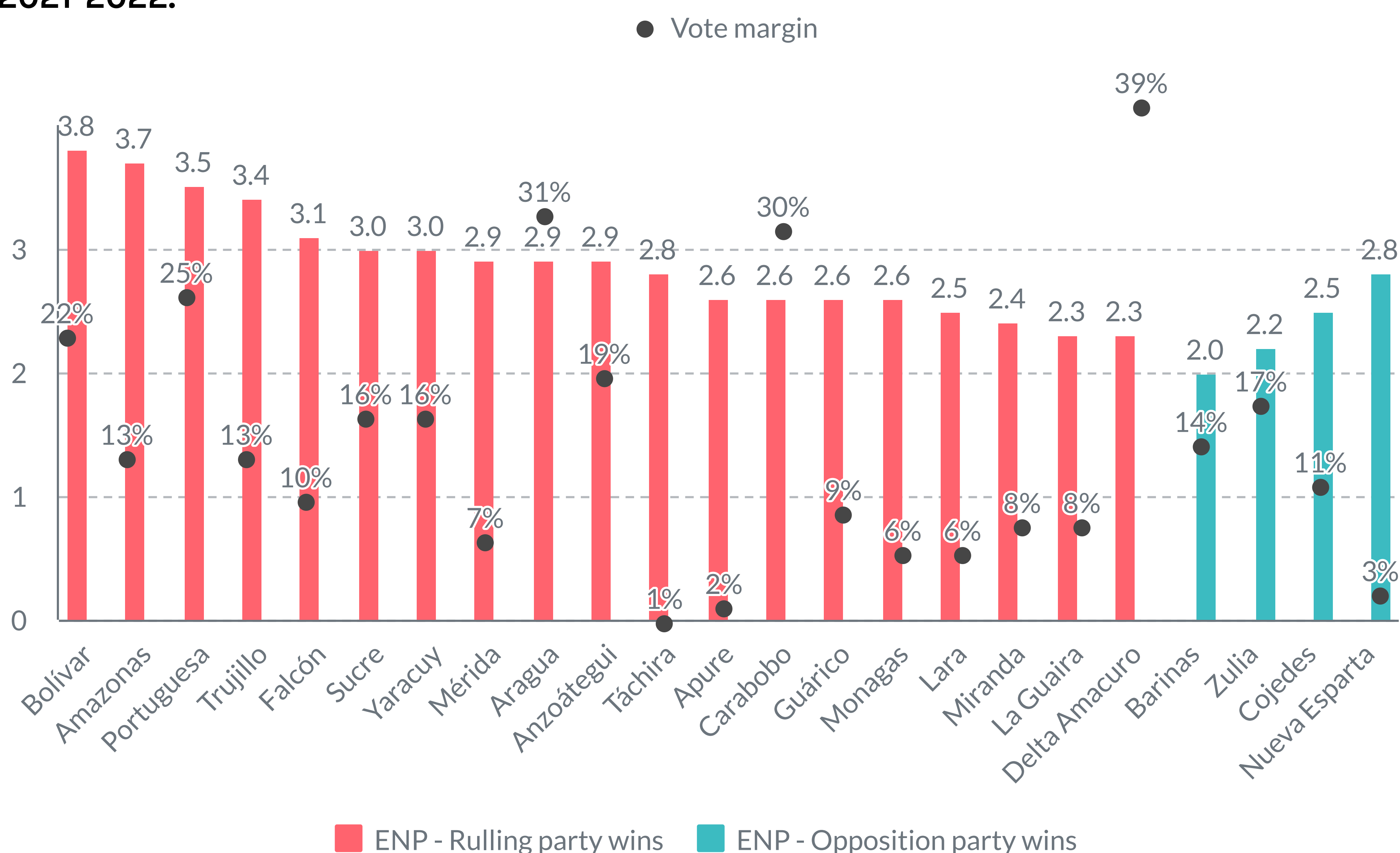
Source: own elaboration based on data provided by the CNE. In the case of the state of Barinas, the data corresponds to the elections held on January 9 2022.

Election results: Governorships

Where the opposition is second force, the smallest differences are registered in states with a lower effective number of parties (2.8 or less), with the exception of Mérida (**Figure 4**).

As the electoral concentration decreases, measured as the sum of the percentages obtained by the first and second forces, the difference between them tends to be greater (**Figure 5**).

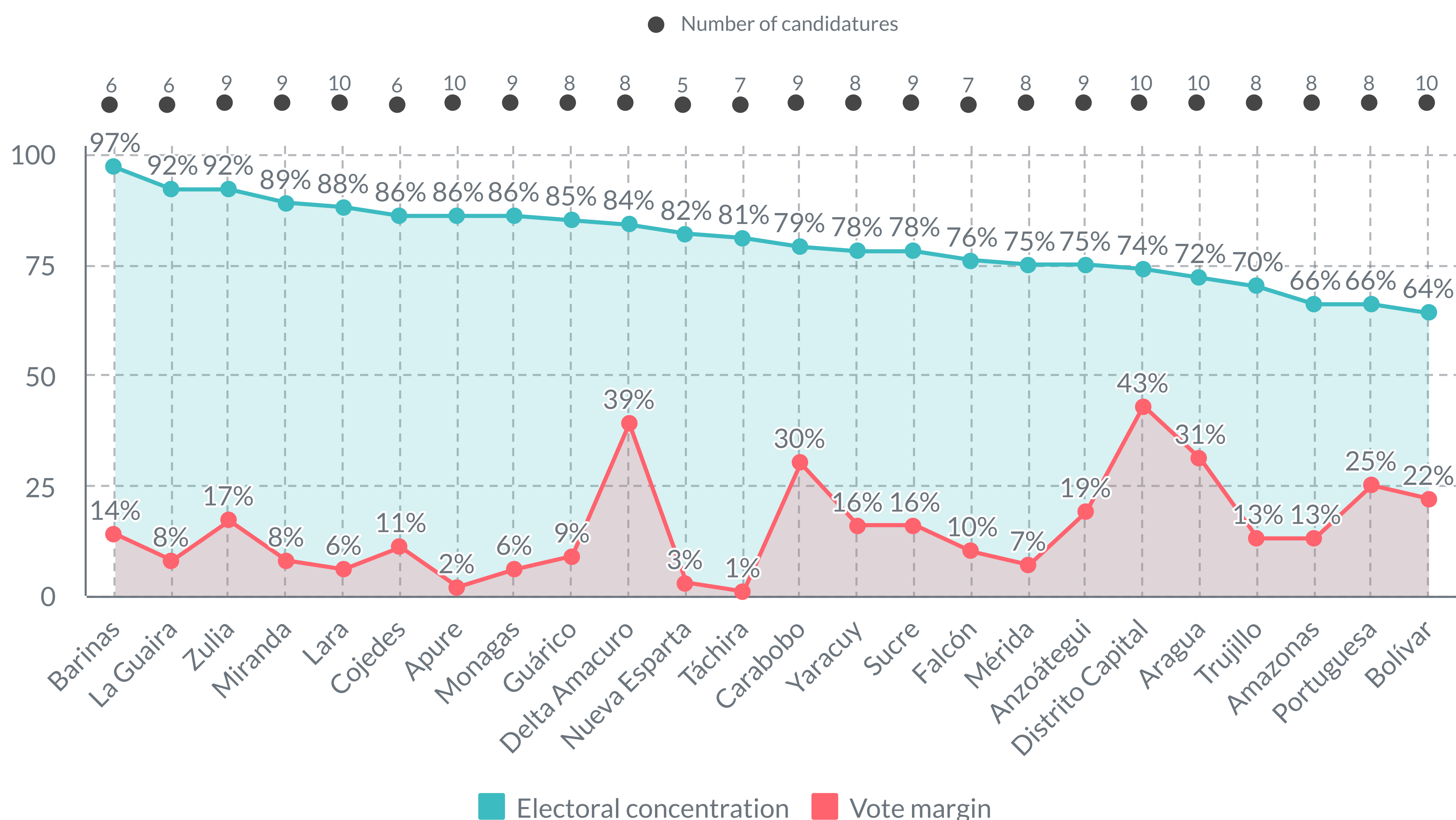
Figure 5. Effective number of parties (ENP) vs. vote margin between the first and second political forces, by state and winning political force. Gubernatorial elections 2021-2022.



Source: own elaboration based on data provided by the CNE. In the case of the state of Barinas, the data corresponds to the elections held on January 9 2022.

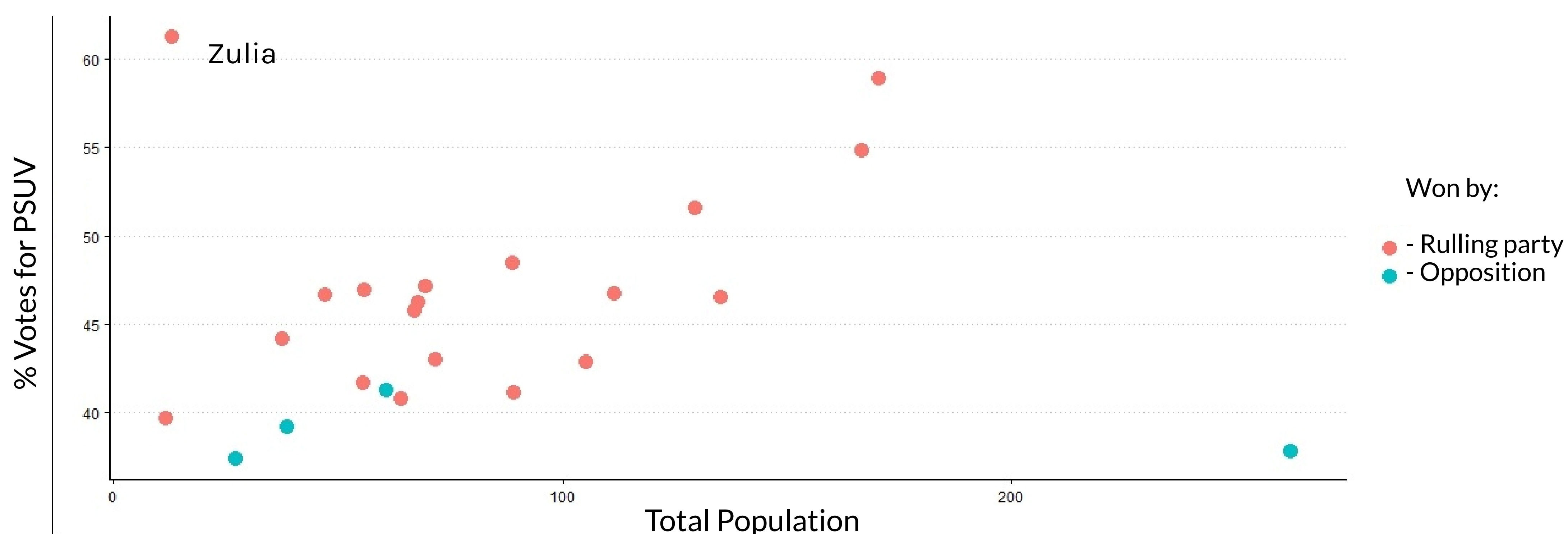
Election results: Governorships

Figure 6. Electoral concentration vs vote margin between the two main political forces, by state and number of candidatures. Gubernatorial elections 2021-2022.



4) With the exception of the state of Zulia - in the hands of the opposition since 2017 - **GPP-PSUV** managed to impose itself in the states with the largest population (Figure 7).

Figure 7. % of votes for PSUV according to the population of the state and the winning political force. Gubernatorial elections 2021-2022



Source: own elaboration based on data provided by the CNE. In the case of the state of Barinas, the data corresponds to the elections held on January 9 2022.

Election results: Governorships

New elections and winds of change in Barinas

The state of Barinas, Hugo Chávez's homeland which had been ruled uninterruptedly by the PSUV since 1998, finally changed hands after opposition candidate Sergio Garrido managed to prevail in the election held on January 9, 2022. This took place after the controversial suspension of the vote count of the elections held on November 21 by [order](#) of the Supreme Court of Justice (TSJ in Spanish), in which Freddy Superlano (the MUD candidate) was projected as winner by a narrow margin (37.60% to 37.21%) against Argenis Chávez, brother of the former president. The basis for the order was that Superlano was disqualified from holding public office since August. It should be recalled that in 2019, he had been stripped of his parliamentary immunity after being accused of treason and incitement to civil rebellion.

Both Aurora Silva, Superlano's wife, and the former president of the National Assembly, Julio César Reyes, were proposed as candidates but both ended up being disqualified by the CNE. Finally, the candidacy of Sergio Garrido with the MUD card was accepted. **Garrido**, a long-time referent of Acción Democrática, **won with 53.36% against former Chavez's son-in-law and former foreign minister, Jorge Arreaza, who in turn obtained 41.27%.**

It is worth noting that between the elections of November 21, 2021 and those of January 9, 2022, **there was an increase in electoral participation from 45.9% to 51.9%.**

Election results: Municipalities

The ruling front (Gran Polo Patriótico) won in 212 of the 335 municipalities (including the Capital District), which accounts for the 63% of the districts under dispute. On the other side, the opposition won the other 123 municipalities (MUD in 63; Alianza Democrática in 38; and other parties in 22). This represents a **substantial advance** with respect to the 29 mayoralties it dominated until now, after the questioned elections of 2017.

The only states where it failed to gain a foothold are Delta Amacuro and Yaracuy, in addition to the Capital District and La Guaira, where only one mayoralty was disputed.

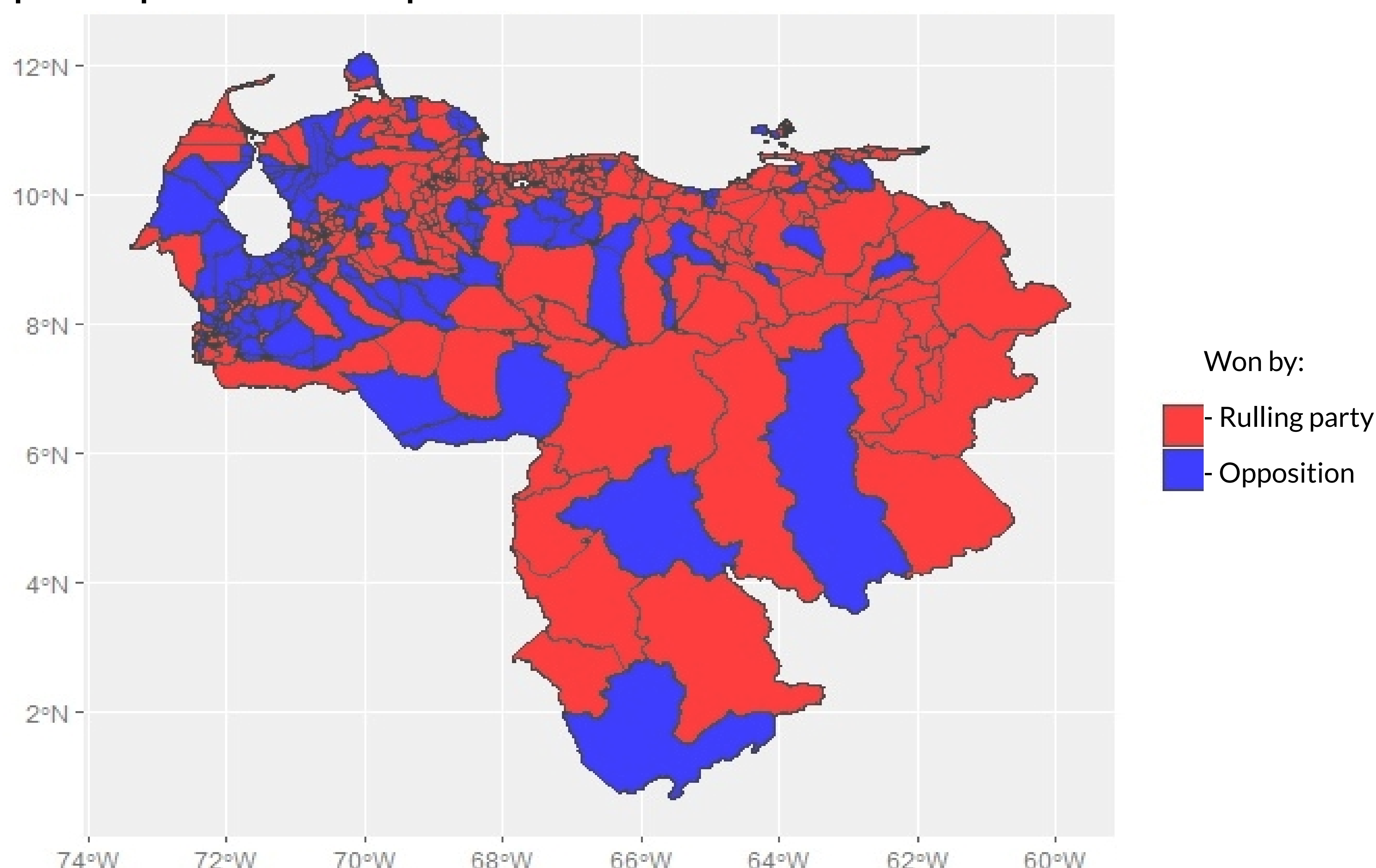
The opposition managed to gain control of more than 50% of the municipalities in the

states of **Zulia, Nueva Esparta, Cojedes and Barinas** - where it also won the governorship - as well as in **Mérida, Táchira and Barinas**.

The MUD and its allies had a good performance in Falcón, where they managed to win in 7 of the 25 municipalities, and so did the extended AD in Guarico where they won 7 out of the 15 local districts. Also Fuerza Vecinal and its allies gained control of 6 of the 21 municipalities of Miranda.

As observed in the section on results by governorate, the map suggests the **configuration of an east** (with a predominance of the ruling party) - **west axis** (where the opposition gains strength and representation).

Map 4. Map of the Municipal elections 2021.



Election results: Municipalities

The cases of Mérida and Táchira

Even though **the opposition** lost the states of Mérida and Táchira that it had governed since 2017, it **did manage to position itself at the local level** by winning 60% and 55% of the municipalities, respectively. How can these results be explained?

In **Mérida**, the GPP won at the state level by a margin of 6.5% but only obtained 9 out of 23 municipalities. The incumbent governor, Ramon Guevara, ran for reelection with the MUD ticket. Although he was the opposition candidate with the highest number of votes in 19 municipalities, in the remaining 4 municipalities he was surpassed by Edgar Ramírez of Alianza Democrática. The wide differences in the amount of votes obtained by category in 3 municipalities, suggest in the same line that there could have been ballot cutting or dispersion of the opposition vote.

In **Táchira**, the gubernatorial election was even tighter. GPP candidate Freddy Bernal won by a margin of barely 1%, over Laidy Gómez (Alianza Democrática) who is also the incumbent governor since 2017. All in all, the opposition took control of 16 of the 29 municipalities. Gómez was the most voted opposition candidate in 23 of them, even surpassing 55% in 7. However, the effects of the dispersion of the opposition vote, particularly between Alianza Democrática and MUD, are also noticeable here. MUD's man, Fernando Andrade, surpassed Gómez in votes in 6 municipalities, and notably undermined his performance in 4 others where he obtained an average of 20%.

Indigenous representation positions

Indigenous peoples constitute about 2.5% of the total population. The national parliament, regional legislative assemblies and municipal councils have reserved seats for their representatives in the 8 districts with indigenous populations.

The election of these representatives is not direct but by second degree vote. The communities designate their spokespersons in the framework of popular assemblies and these elect the state and municipal councilmen who will act on their behalf. The procedure was regulated by the CNE on May 27 by means of a regulation, which replicates the system implemented in the 2020 legislative elections.

In this opportunity, a total of 4,334 spokespersons elected on behalf of their communities 8 regional councilors (1 per state) and 69 municipal councilors (7 for the state of Amazonas, 12 for Anzoátegui, 7 for Apure, 8 for Bolívar, 4 for Delta Amacuro, 8 for Monagas, 3 for Sucre and 20 for Zulia). The election took place on November 26.

The binomial formed by Conive and Cátedra Guaicaipuro, two organizations aligned with the government of Nicolás Maduro, achieved a wide victory by winning seven of the eight legislators of the state and 59 of the 65 councilmen awarded.

Denouncements

- Indigenous groups and associations, as well as other organizations, object that the rules established by the CNE are illegal since they are **contrary to the principles of universal, direct and secret vote** enshrined in Article 63 of the Constitution.
- Several political groups denounced that the CNE did not hold community assemblies for the election of spokespersons, but that these were imposed.
- The report of the Carter Center Observer Mission adds that the secrecy of the vote was not guaranteed and that there is no electoral registry of the indigenous population.
- In Amazonas, one of the voting centers for the elections was a barracks of the Bolivarian National Armed Forces (FANB in Spanish).

Map 5. Districts with indigenous population



The results read from a gender perspective

[Regulation No1](#) of the 2010 [Organic Law of Electoral Processes](#) establishes a 50% gender quota for nominations, and requires that the lists have a **parity and alternate composition**. Only in cases where it is not possible to apply parity, the lists of candidates may be registered with a minimum of 40% for each sex and a maximum of 60%. This formula applies only to collegiate bodies and includes principal and alternate candidates, under the nominal or list modality. In addition, the regulations provide for a process of verification of compliance with the quota and sanctions in case of non-compliance with the regulations.

Reports from international observers show that **these conditions were not met**. The [Carter Center](#) reported, on the one hand, that the CNE allowed the registration of candidacies that did not comply with the gender alternation requirement. This meant that in some cases women candidates were relegated to the last places, with little or no chance of being elected. The change in the conditions for the registration of lists was not made official by the CNE.

The European Union Mission documented, on the other hand, that the provision establishing a female quota (minimum) of between 40% and 60% in the lists was not complied with in all cases and that the parties did not take sufficient measures to address the problem.

According to Carter Center data, out of the total of 183 registered candidacies for governor in all jurisdictions, **only 20 of them were women**. Only 2 were elected: Lizeta Fernandez for Delta Amacuro and Karina Carpio for Aragua, both candidates of the ruling party. At the municipal level, of the total of 2,730 candidacies, 496 corresponded to women (**18%**). Only 60 were elected.

A report of the [Venezuelan Electoral Observatory](#) with data extracted between October 1 and 15, indicates that as of that date, the GPP-PSUV had registered three female candidates for the position of Governor; MUD, 3 and Alianza Democrática, 2. For the position of Mayor, GPP-PSUV registered 94 and MUD, 44.

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For the first time in 15 years, these elections were monitored by international observers, among others the **EU and the Carter Center** - both with long experience in Venezuela- and the Democracy Observatory of PARLASUR.

The participation of the EU Election Observation Mission (EU-EOM) was conceived within the framework of the dialogues between the ruling party and the opposition in Mexico City and was finally sealed with the signing of an [agreement](#) between the CNE and the authorities of the European Union Election Observation Mission. Around 100 observers were deployed throughout the Venezuelan territory. See their November 23 [report](#) here.

The Carter Center and the Observatory of Democracy (ODPM) of PARLASUR joined the mission at the request of the CNE. The mission of the former was focused on the legal framework, the correct development of the elections, the use of state media by the ruling party, the respect for the fundamental rights of candidates and citizens, the use of social networks (and in particular disinformation) and the transparency of the electronic electoral system. See their [report](#) here.

The ODPM team was composed of 5 parliamentarians and 2 officials who arrived in the country on November 17. See their [preliminary report](#) here.

Some of the main observations made are summarized below.

On the legal framework:

- There are still laws that affect a level playing field, the transparency of the process, the independence of the Judiciary and the rule of law. Among them, the [law](#) that allows the Comptroller General to disqualify candidacies by means of an administrative procedure stands out. On this occasion, this law was used to affect mainly the Communist Party of Venezuela (PCV in Spanish) and the Chavista dissidence, although it also affected other opposition referents such as Henrique Capriles, Juan Guaidó, Freddy Guevara, Antonio Ledezma, Leopoldo López, María Corina Machado, Richard Mardo and Freddy Superlano. Secondly, the regulatory regulations on communication matters such as the [Social Responsibility in Radio and Television \(RESORTE in Spanish\)](#) and the [Law against Hate and for Peaceful Coexistence](#), which have been used to limit the freedom of expression of dissident actors (EU-EOM).

On the role of the judicial system in electoral matters:

- Some decisions of the Supreme Court of Justice and the Comptroller General's Office

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seriously affected the competition between parties, among them the intervention of parties, the intervention of the directive committees of some political parties and the disqualification of prominent members of the opposition and dissident Chavism. All this, added to the extensive use of state resources in the campaign and unequal access of candidates to the media, limited the political plurality of the electoral process (EU-EOM, CC).

- The decision of the Superior Court of Justice to suspend the totalization of votes for the governorship of Barinas was a worrying sign that confirms the pattern of intervention of this body in electoral matters to the detriment of free political participation (CC).

About the electoral authority:

- The composition of the CNE is among the most balanced of the last two decades. In spite of the fact that 3 of the 5 judges that compose it are considered to be close to the government, the body was able to operate efficiently in the electoral preparations stage, updating the electoral registry and carrying out audits in the different phases of the process. Most of the decisions were taken by consensus, while dissent could be expressed publicly (EU-EOM).

On campaigning and electoral communication:

- GA large part of the electoral campaigns started before the established date,

which is prohibited by law, but they were nevertheless carried out in a calm environment, except for some isolated incidents. On the other hand, it was detected that state goods and resources (such as, for example, fuel, food, vehicles, gas bottles, among others) were used to favor the pro-government lists (EU-EOM).

- The media (especially the public media) gave disproportionately more coverage to the government coalition. To this must be added the constant media presence of Diosdado Cabello, who was responsible for attacks against opposition leaders and a CNE rector. On the other hand, institutions and officials made public their support to PSUV candidates and used clientelist techniques -such as the delivery of goods or the inauguration of public services- publicized through their institutional accounts in social networks (EU-EOM).

On the political rights of women and indigenous persons:

- The CNE's instruction on parity of candidacies guaranteed the required proportion of between 40 and 50 percent women for state and municipal legislative councils. However, some of the registered lists did not comply with the requirement of alternation between genders and left women behind to the detriment of their chances of being elected (EU-EOM, CC).

- The participation rights of indigenous people have been violated in several points: the secrecy of the vote was not guaranteed, the

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indirect voting system contradicts the principles of universal and direct voting enshrined in Article 63 of the Constitution and there is no electoral registry of the indigenous population (EU-EOM, CC).

On Election Day:

- During Election Day, delays were observed in the opening and closing of certain polling stations and there were reports of coercion of voters, such as the installation of Red Points (PSUV control tents near voting centers, which may have intimidated and influenced the behavior of the electorate) in the 23 states and the capital district, despite the explicit prohibition of this practice by the CNE. Except in the state of Amazonas, an abuse of assisted voting was observed in the rest of the country (EU-EOM, ODPM).

- Most of the establishments visited were not equipped for the entrance of persons with disabilities, especially motor disabilities (EU-EOM, ODPM).

- In the municipality of San Francisco (Zulia), one voter was killed and two others were injured in a shooting in front of a polling station. In the days following November 21, incidents were reported in 5 mayoralties in the states of Zulia, Bolivar, Monagas and Miranda, and the arrest of the elected mayor and several members of his team in the state of Merida. Also in Guárico an attempt was made to arrest the elected mayor of the municipality of Juan Germán Roscio and the judge who was acting at her swearing in. (EU EOM, CC)

Despite the structural deficiencies that the electoral process still exhibits, the conclusion of the EU-EOM, is that the elections complied with most of the basic international electoral standards and that conditions improved with respect to the national elections of 2017, 2018 and 2020.

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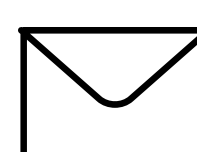
BUENOS AIRES

Av. Entre Ríos 258 3o E
(1079), CABA. Argentina
+ (5411) 5218-4647



WASHINGTON D.C.

1110 Vermont Ave, NW, Suite 500
Washington DC 20005, USA
+1 (786) 828-0675



info@directoriolegislativo.org



www.directoriolegislativo.com