

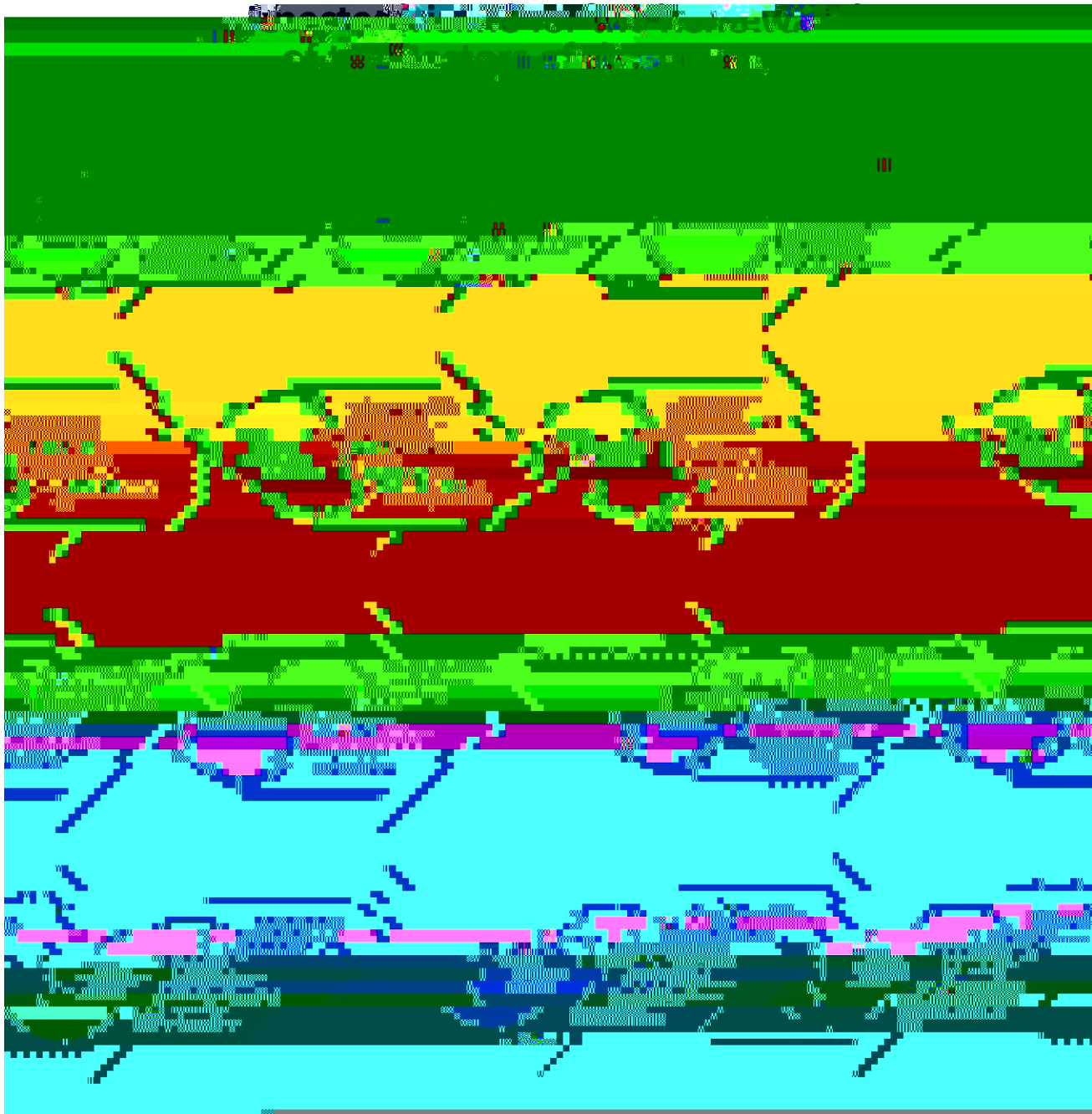
OCCASIONAL REPORT ON VENEZUELA'S POLITICAL ELECTORAL CONTEXT



E by its initials in Spanish) is comprised of five officials: three are proposed by the civil society, one by the colleges of law of universities, and one by the Citizen Power¹. The terms of three of the five officials expired on April 28, 2013². Specifically, these officials include the current president of the Council, Tibusay Lucena, and principal officials Vicente Díaz and Sandra Oblitas, all of whom were originally nominated in 2006 by civil society³.

Pursuant to Article 295 of the Constitution and the Electoral Power Organic Law (LOPE)⁴ regarding the designation of replacements for Lucena, Díaz and Oblitas, the National Assembly shall create a Nominations Committee. According to Articles 17 and 18 of LOPE, the Committee is responsible for announcing, receiving, selecting and presenting before the plenary session of the National Assembly the lists of candidates the committee deems qualified to comprise the governing entity of the Electoral Authority. Therefore, functions are: a) receiving nominations for the positions of principal and alternate electoral officials; b) verifying compliance with the constitutional and legal requirements

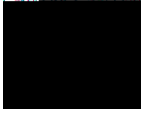
Nominations Committee is responsible for the first ten actions (and as of the date of this report, they had not yet completed Step 3).



Procedure to designate officials

On April 9, 2014, almost one year after the expiration of the _____ terms, the National Assembly designated the eleven deputies that would form part of the Electoral Nominations Committee. This Committee was comprised of six members of parliament belonging to *Partido Socialista Unido de Venezuela* (United Socialist Party of Venezuela PSUV) and five belonging to the opposition party *Mesa de la Unidad Democrática* (Democratic Unity Table MUD). The deputies designated by PSUV were Blanca Eekhout, Earle Herrera, Tito Oviedo, Rosa del Valle León, Hugbel Roa and Edgar Orlando Zambrano, while those designated by MUD were Nirma Guarulla (*Avanzada Progresista* Progressive Advancement), Morel Rodríguez (*COPEI* Social Christian Party), Bernardo Guerra (*Acción Democrática* Democratic Action), Juan Carlos Caldera (*Primero Justicia* Justice First), Elías Matta (*Un Nuevo Tiempo* A New Time) and Julio Reyes (alternate).

The initial task of the Electoral Nominations Committee formally constituted on April 21st was to begin the selection process of the civil society members slated to



There was a debate inside the Preliminary Commission regarding the determination of an evaluative criterion to be used to pre-select the nominees since there are no specific regulations on this topic. According to Deputy Eekhout (PSUV), the no with an emphasis on women, young adults, the elderly, people of African country. The goal of using these criteria, the Deputy indicated, was the creation of a group that is very diverse, same as the Venezuelan people. (See note) According to statements given by Deputy Caldera, the criteria that were finally established included the following: citizens who do not have a criminal record, who do not perform high-profile political functions and who are representative of the different sectors in the country (See note). The application of these criteria, according to the information provided by Caldera, made it possible to reduce the number of nominees from 130 to 47.

Although one of the deputies of the Commission indicated that the list of pre-selected political and party affiliation of nominees is a topic that generated controversy. Venezuelan NGOs have expressed that of the 21 chosen nominees, 11 had some kind of political affiliation: five belonging to organizations that clearly support the government party, and six who participate in PSUV (See note). The ten remaining nominees do not have a proven political affiliation; therefore it can be presumed that they come from independent political organizations.

Final creation of the Commission (who do not belong to any of the political parties)

for making a decision on the selection of the ten civil society representatives. This charge is provided by Article 266, Number 4 of the Constitution, which assigns to administrative controversies that arise in the Republic, a State, Municipality or another public entity, when the other as well as Article 297, which sets forth that the Electoral Chamber of the TSJ will have jurisdiction over electoral appeals.

Article 22 of LOPE also articulates that the civil society the ten calendar days following the expiration of the term provided for the call to form the Electoral -day period began on the 23rd of this past May and ended on June 2nd. As was previously mentioned, the lack of congruence between the timing of legally established terms and the dynamics within the National Assembly has been institutionally recognized by the Supreme Court of Justice through its decision to extend the terms of the three officials at issue.

Nomination of the candidates for officials

Once it is created with a total of 21 members, the Electoral Nominations Committee will proceed to designate a president, vice president and secretary (the latter must be someone who is not s core). Starting at that time, and within the subsequent six days, Committee members will discuss and approve a regulation for the establishment of criteria and terms for the nomination process of candidates to serve as officials of the CNE.

The term provided by the law for receiving nominations for official candidates is fourteen calendar days, starting on the date of publication of the call for candidates in a national newspaper. These nominations must be presented in writing before the Committee and should include the resumes of prospective candidates.

Articles 26, 27, 28 and 29 of LOPE also provide that within twenty calendar days after the nomination period has closed, the Committee shall: verify that the candidates comply with the established requirements, evaluate the professional profile of each candidate, prepare a list of the eligible candidates, verify that at least half plus one of the pre-selected candidates are Venezuelan by birth⁸ and publish in two national newspapers the names of the nominated candidates and the origin of their nomination.



Upon expiration of this period, the objected nominees have six calendar days to present their defenses or arguments against the objections made against them. Upon expiration of the term to present defenses, the Electoral Nominations Committee shall create, within the next two days, a single file per nominee, which should include all the requirements for nomination, the profile and selection criteria used, as well as any objections and defenses, if any. After compliance with the aforementioned, the Committee will send the list of eligible candidates and their corresponding files to the plenary session of the National Assembly.

Once this has occurred, the National Assembly has a period of ten calendar days to select the main and alternate electoral officials, pursuant to Article 30 of LOPE ([See Article](#)). According to statements given by Deputy Juan Carlos Caldera ([See note](#)), the selection process for CNE officials could be finished within three months at the latest. For this reason, if the terms provided by the law are followed, the process will culminate in October 2014, at the latest. Given that the first legislative session of the National Assembly ended on August 15th and that deputies will not resume their functions until September 15th, the creation of the Nominations Committee may remain pending until mid-September. Other sources have indicated the month of December as a possible date for the renewal of el Tm[, the N)4(aETBT1 0 0 5wo4 444.6eTJETBT1 0 0 1 72.024 444.67)5(sume the)34(aETehs)]TJ