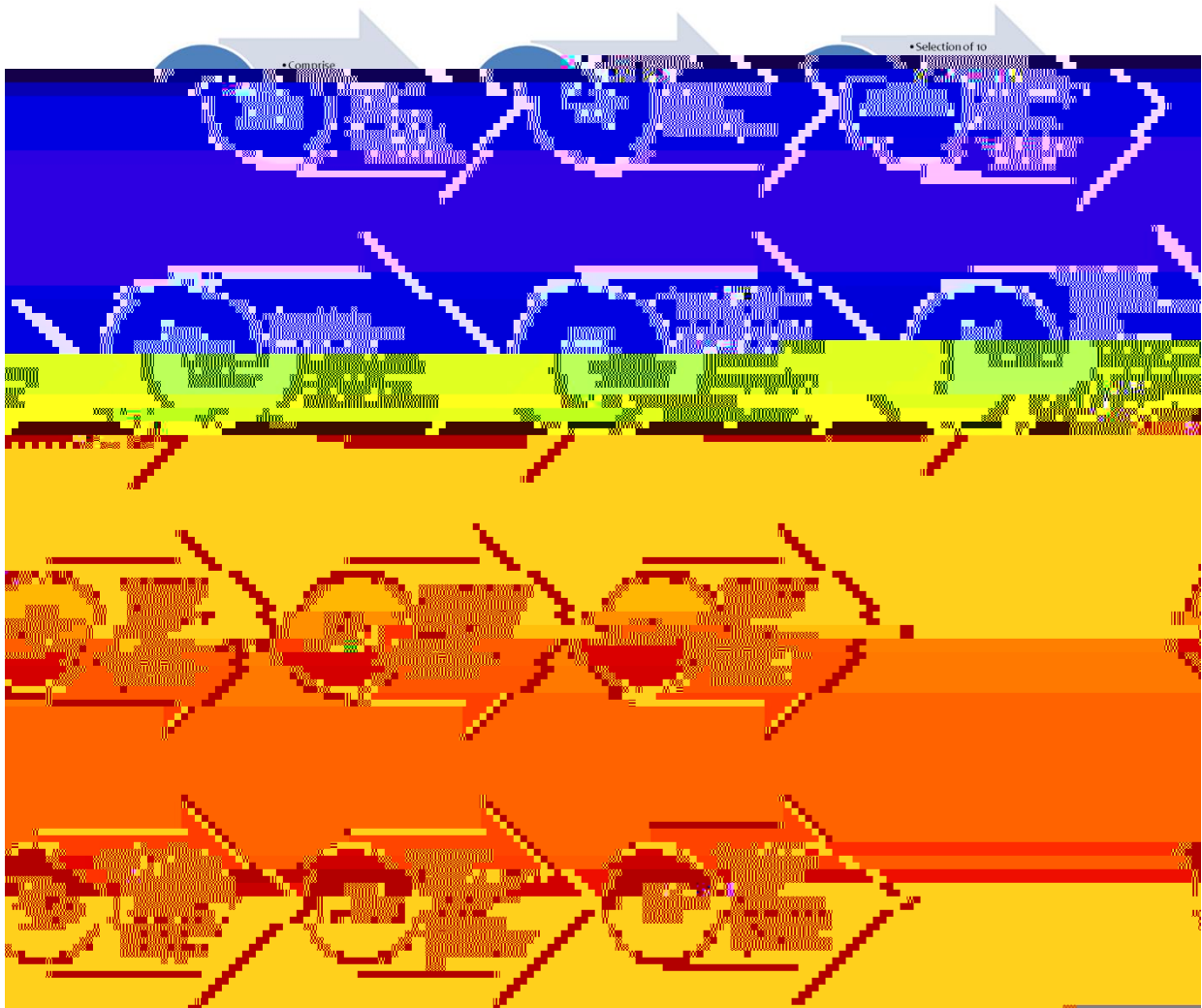


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Executive Summary

The Electoral Nominations Committee (CPE), the authority responsible for pre-selection of candidates to the UNCIL



Flowchart of the electoral authority renewal process

Approval of the rules of procedure

Committee members devised their rules of procedure based on those approved in 2009 by the commission responsible for selecting previous CNE director candidates. Ruling party committee members, however, promoted modifications to Articles 4 and 5 of these regulations, which had stipulated that the committee's decisions were to be made by a qualified majority. According to the proposed amendment, if no consensus can be reached among committee members, decisions must be made by a simple majority vote.² Ruling

² Ruling

party sectors also proposed the same procedure for so-called validations, whereby decisions made by the committee could be considered valid as long as there were a minimum of eleven members present.³ Since there was a ruling party majority (12 of the 21 members), the committee approved both proposals on October 27 despite the dissenting votes of non-ruling party members ([see note](#)).

Opposition and ruling party committee members alike fiercely criticized the change in the rules that had governed the committee's decision making until that time, characterizing the initiative's approval as extremely serious. AN Deputy and Electoral Nominations Committee member Bernardo Guerra asserted that the reason for the clause requiring a qualified majority was the need for CPE decisions to be made by consensus. This is why rules for appointing CPE members and CNE directors require a two-thirds vote in the AN, he added. In a similar vein, four civil society CPE members led by José María Cadenas⁴ issued a statement on November 25 rejecting the amendment, stressing that when the constituent assembly established the qualified majority requirement on decisions it did so to yield the broadest level of consensus possible and thereby obviate the potential bias entailed in decisions made by simple majority vote.

NGOs following the nomination process for new CNE members, such as *Ciudadanía Activa* (Active Citizenship), *Comunidades* (Communities), *Grupo La Colina* (La Colina Group), *Compromiso Ciudadano* (Citizen Commitment) and *Súmate* (Join Up), held a similar line of criticism, requesting that committee members make decisions by consensus or unanimous vote as a demonstration of democratic governance and an effort toward peace ([see note](#)).

Meanwhile, PSUV Deputy/CPE member Orlando Zambrano argued on behalf of ruling party sectors that casting doubt on decisions made by a committee majority was part of a strategy by the extreme right to obstruct the renewal of public authorities ([see note](#)). Other ruling party committee members pointed out that the decision was made to expedite the decision making process. PSUV Deputy Earle Herrera also reminded legislators

candidates to abide by regulation provisions, particularly with respect to requirements on their independence ([see note](#)).

Candidate nomination process

Once the rules of procedure were approved, the committee began the convocation process, calling on civil society organizations to nominate their candidates to form the CNE.⁵

Convocation began on October 30 and, though scheduled to end on November 13, it was extended one week by unanimous CPE decision, as stipulated in LOPE Article 26, to facilitate the participation of the greatest number of citizens ([see note](#)). This extension effectively facilitated a substantial boost in the number of candidates, though some NGOs considered this extension unwarranted ([see note](#)). From the 161 candidates registered by the initial closing date (November 13) ([see note](#)), the number of applicants jumped to 245 by the end of the extension period (November 20) ([see note](#)).

Candidates were put forward by a wide spectrum of civil society organizations.⁶ According to the statement released by the group spearheaded by Cadenas, 35.9 percent of these candidates were submitted by communal councils (88), the highest percentage among all nominating organizations (see note). In addition to candidates proposed by the communal councils, nominees were submitted by 67 civil associations or foundations (27.3 percent), 30 trade union organizations (12.2 percent), nine professional associations (3.7 percent), nine unions (3.7 per percent), six neighborhood associations (2.5 percent) and an educational institute (0.4 percent).⁷ The remainder (35 candidates) were distributed among other groups (14.3 percent).

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on state agencies, such as the communal and municipal councils, among others, cannot represent civil society by nominating candidates for the office of CNE director.

Candidates and political reactions

Prominent among the candidates nominated to positions at the CNE are former Electoral Power Vice President Janeth Hernández, Alternate Director Levy Arron Alter Valero and current Director of the CNE's Office of Political Participation Luis Emilio Rondón González. Other distinguished candidates are Cristóbal Fernández, who recently served as temporary Secretary of the *Mesa de la Unidad Democrática* (Democratic Unity Table-MUD) coalition. The most controversial nominations, however, were of those to replace two ruling party officials whose terms have expired, i.e., current CNE President Tibusay Lucena, and Head Director Sandra Oblitas.⁹

According to Article 8 of the Electoral Power Organic Law (LOPE), directors whose terms have expired may be re-elected for a maximum of two additional terms ([see note](#)), upon assessment of their administration by the National Assembly ([see note](#)). Along these lines, the statement released by the civil society committee members led by Cadenas reiterated that according to the provisions of this article it is not within the powers of the committee to evaluate the potential competence of current directors. This power, they stressed, is wielded by the National Assembly, which must decide accordingly, taking into account the performance of their duties for over eight years, beginning in April 2006. According to this interpretation, the two directors contending for reelection will not be required to undergo personal interviews with committee members, a mandatory requirement for the other 243 candidates. Committee members reiterated, however, that these two directors would indeed be answerable to any objections brought forward by Venezuelan citizens (see herein below).

Some major opposition sector spokespersons flatly rejected the possible reappointment of the two departing directors by the Assembly. The former candidate for President and current Governor of Miranda state, Henrique Capriles Radonski, characterized these nominations on his Twitter account as shameless and unacceptable ([see note](#)). On behalf of the ruling party, CPE President and PSUV Deputy Blanca Eekhout, however, defended the legal basis for registering the directors as candidates and underscored their merits as the organizers of prior elections ([see note](#)).

Some observers, meanwhile, expressed fears that the controversies surrounding the nomination of these two directors could adversely affect the climate of debate within the AN, and thereby hinder the possibility of reaching the agreements or the consensus needed to facilitate the two thirds vote. Consequently, the decision over who the next directors

could fall into the hands of the Supreme Court, which is what a majority of civil society tried to prevent at the outset of the process with the formation of the CPE.

Methodology for shortlisting presidential candidates

During their first sessions, and in tandem with discussion over the rules of procedure, the committee approved the methodology it will use to assess director position nominees. According to the eligibility requirements set forth in LOPE Article 9, candidates must meet the following requirements:

College degree (university degree issued no later than 2004);

Steps pending on the timetable

If the timetable is adhered to as planned and the respective agreements are reached in the AN, swearing in of new electoral authorities should take place within the first ten days of January 2015, since the legislature will be in recess between December 15 and January 5. The interview period could be shortened, however, which might move the process forward overall, culminating in the appointment of directors before the new year.

