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House International Relations Committee

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Executive Committee
Sumate

I would like to start by saying that I should not be here. Alejandro Plaz and Maria Corina Machado, the president and the vice-president of SUMATE should be addressing this prestigious audience instead of me. But unfortunately for SUMATE and shamefully for Venezuela, both of them have been accused of "conspiracy to destroy the Venezuelan Republican system". Their trial is set to start on December 6th, 2005.

Last week, when they were preparing their trip to attend your invitation, the judge in charge of their case issued them a prohibition to leave the country. ?The proof held by the prosecutors to initiate this political trial against my colleagues?: thirty one thousand and four hundred dollar donation from the National Endowment for Democracy to SUMATE to develop and teach courses on democratic principles and citizen rights. Alejandro and Maria Corina are just another example of the political persecution suffered by hundreds of Venezuelans.

There are more than 200 political prisoners in Venezuela and today, as we speak there is also political discrimination: Political discrimination in internet, political discrimination from the 21 century. Listen carefully. More than 3.4 million citizens are politically segregated for having signed a petition for a Presidential Recall Referendum in 2003 and have become second class citizens. Why? Because The list of those who signed together with their identity numbers, was delivered by the CNE – the electoral council – to a member of the National Assembly: Congressman Luis Tascón, from the President's political party and then Tascón proceeded to post the easy-to-search database in his own web site.

In April of this year, President Chavez was forced to acknowledge its existence and declare on national TV that it was time to "bury the Tascón List!". On that occasion he went as far as to admit that, and I quote: "the famous list perhaps played a significant role at a specific moment, but that is over". But the Tascón list – and the intent to intimidate - has not been buried at all. As a matter of fact, the list has been enriched with additional data on electoral behavior and participation in government-sponsored programs. **Now the regime has the Maisanta list and with it, in Big Brother fashion, is perpetuating an environment of fear and intimidation that undermines independent political expression.**

In Venezuela today, political discrimination is the State policy. President Chavez said a year ago in November 2004 in the country's main military garrison, President Chávez said the following: "In this new phase, he who is with me, is with me; and he who is not with me, is against me... Today I announce the offensive to impede that [the opposition] reorganize. Speaking in military terms, if they try to reorganize we shall attack and harass them without rest."

...And the powers of the General Public Prosecutor have been very effectively used for that purpose.

Since his appointment on December 2000 General Public Prosecutor, Isaías Rodríguez, former Vice President of Venezuela appointed by President Chavez, has initiated more than 400 legal proceedings against political opposition leaders while very few have been initiated by him against any supporter or member of the government. His office has shielded the administration from multiples well documented accusations of human rights violations, abuse of power and corruption.

Instead, the General Public Prosecutor has been busy building arbitrary cases against perceived political threats. Among others the charges for "conspiracy" against Carlos Ayala-Corao, former president of the Inter-American Human Rights Commission or more recently against a well know and vocal journalist Ibeyise Pacheco, who is standing as a candidate for the National Assembly.

Venezuela has become a country with less freedom and also fewer checks and balances.

In Venezuela, the National Assembly has made it a habit to change by simple majority, rules that according to the Constitution require a 2/3 majority. It has thus reformed the Supreme Court Law, increasing the number of justices and unconstitutionally packing it with government supporters.

It has changed the Penal Code, making it a crime to criticize the President and other public officials even in private. It has changed the Law that regulates the use of the airwaves, limiting freedom of expression. **It has ignored Human Rights decisions taken by supranational authorities, thus preparing the ground for non-recognition of decisions by international tribunals or organizations.**

In Venezuela today freedom of expression has been terribly suppressed by new legislation which was approved by a simple majority vote and introduced rules internationally known as "contempt laws". General Uson, President Chavez's own Finance Minister, was accused of contempt of the Armed Forces and sentenced to a 6-year prison term for condemning on TV the use of a

flamethrower in an incident in which a number of soldiers lost their lives in a military prison.

The combination of changes to the legal expression of opinion with those made to the Penal Code has been severely criticized by organizations such as the Inter American Commission of Human Rights who has expressed its concern plus granting many journalists precautionary protection measures.

In Venezuela today the voice of political dissent has few possibilities to express itself while the President has been overflowing airwaves with his message. During the January-October period the President was able to transmit 20.944.000 minutes while the democratic minorities transmitted only 825 minutes: a ratio of about 25.000 to 1. In Venezuela today your telephone conversations can be taped and aired in the state-owned TV stations.

Citizen's right to vote secretly can no longer be guaranteed In Venezuela because of the use of a system which combines electronic voting machines with an electronic fingerprinting system **which identifies the voter *in situ* right before voting**. The system allows the Government to check in real time who has not yet voted on an election-day so as to pressure them to do so, as happened in the last municipal elections held on August 7, 2005. According to SUMATE, during that election, the Electoral Council violated electoral laws more than 20 times. (*State of Democracy in Venezuela: only the facts* at www.SUMATE.org)

Venezuela has used its immense oil windfall to put in place the most sophisticated electronic voting and identification system in the world. But I can state categorically that this has not translated into greater transparency, more efficiency or increased trust. As a matter of fact, recent polls indicate that more than 60 % of the population does not trust the electoral council or the electoral system. Venezuelans remember that during the Recall Referendum it was demonstrated that Colombia guerillas were able to obtain citizenship and register to vote in record time.

The fact that my vote against President Chavez was trumped by the vote of Rodrigo Granda, the so called "Foreign Minister" of the FARC is a violation of all of our legitimate citizens' right to elect our own authorities without any unfair advantage.

We at SUMATE continue to insist that some of this electronic wizardry have to be replaced by traditional methods. Technology must come in to enhance democracy not to increase distrust.

I could go on for hours but my time has run out.

I did not come to speak to this prestigious audience to ask for help, nor did I come to persuade the US Congress of the need to interfere in our destiny.

Venezuela has a long history of self determination and we will continue to stand for it. But I did come today to make you reflect about our current challenges and opportunities. Fish don't know they are in water. They take water for granted. Venezuelans used to take freedom for granted, not knowing what the institutional underpinnings of their freedom were. Today those institutional foundations have been taken away. History is full of lessons about countries where governments are not constrained by laws. Venezuela is becoming one more exhibit in that gruesome old lesson.