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Chavez and Opposition Sign Agreement on Referendum

by LADB Staff

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The administration of Venezuelan President Hugo Chavez signed an agreement with the opposition umbrella group Coordinadora Democratica (CD) that could lead to a revocatory referendum on Chavez continuing as president. The agreement, reached after an arduous seven-month process led by Organization of American States (OAS) secretary general Cesar Gaviria, was finally signed on May 29.

Despite the document, rancor and tensions continue. The announcement calls for creating a special committee, which would include representatives from the OAS, the Atlanta-based Carter Center, and the UN, to ensure that the terms of the accord are respected. At the signing ceremony, the government delegation was headed by Vice President Jose Vicente Rangel and Foreign Minister Roy Chaderton, while seven delegates of the CD represented the opposition.

"The government is not going to say we've won with this agreement, and I hope the opposition won't either," said Chavez, who did not attend the signing ceremony. "Let's say the country won." The president said the agreement was reached thanks "to the patience that we have had with this opposition, many times irresponsible, coup-plotting, and fascist." He added, "The important thing is that they accept, as they seem to have accepted, that if they want me to go...they will have to follow the Constitution instead of going crazy and desperately seeking coups."

Gaviria said he was confident that the agreement would bring a better political climate. "I hope that the agreement helps answer the question we have dealt with during these months how to find an electoral, peaceful, democratic, and constitutional solution." However, in the days following the agreement, pro-Chavez and anti-Chavez demonstrators clashed on several occasions.

At least 16 people were injured on June 13 as police fired tear gas at pro-Chavez demonstrators near an anti-Chavez rally in the poor Petare sector of Caracas.

Most analysts say that the main points in the agreement favor the president's position, with few concessions to the opposition, and it is seen as a victory for Chavez.

The opposition pushed for, but failed to get, early general elections, or at least a firm date for a recall vote. The opposition had also wanted a stipulation in the agreement that foreign elections observers monitor any vote, but the document only said that such monitoring had been offered by the OAS, the Carter Center, and the UN.

Constitution provides for revocatory referendum

Under Venezuela's Constitution, a referendum can be called to remove an elected official halfway through the term, but only with the signatures of 20% of the registered voters in the district. The

official's mandate would be revoked if the number of votes in the referendum were greater than the official received when elected and if more than 25% of eligible voters participated.

The agreement could usher in a prolonged period of revocatory referendums on other elected officials deputies, mayors, governors that could change the political map of the nation. Under that provision, the opposition can call a referendum on Chavez's mandate after Aug. 19 halfway through his term if they can collect 2.5 million signatures.

If the required number of valid signatures were obtained and a referendum held, the opposition would need to receive more than 3.4 million votes, the number Chavez received in July 2000. In that election, Chavez received almost 60% of the votes; recent polls indicate his approval ratings range from 30% to 40%.

The agreement between the government and the opposition does not specifically provide for a referendum instead, it obliges both sides to follow the Constitution's procedures for calling such a vote. It also prohibits any amendments to election laws while authorities prepare for balloting, and it urges the Asamblea Nacional (AN) to swiftly name new election authorities to the Consejo Nacional Electoral (CNE), who would validate the signatures and set a date for any referendum. The need for a new CNE has become a major obstacle in the process. The five-member CNE has not been appointed because lawmakers are deadlocked.

On June 6, the pro-Chavez delegates blamed the opposition for the delay in setting up a new CNE. Deputy William Lara said that the opposition had blocked the naming of the five members and 10 alternates and said the pro-Chavez delegates were agreed on their choices for the CNE.

The matter may have to be decided by the Tribunal Supremo de Justicia (TSJ). The TSJ also must rule on whether the signatures already collected can be used the position of the opposition or whether, to be valid, signatures can only be collected after Aug. 19 the position of the Chavez administration. Some government officials are also saying the CNE should have six months to "reorganize" after it is finally named. That would delay any referendum considerably.

On June 3, the present CNE banned the dissemination of publicity in favor of a referendum. Ads were already appearing in the press, on radio, and TV, sponsored by opposition party Proyecto Venezuela (PV) and the Referendum Si organization. The CNE said that, since a referendum has not been convoked, publicity about it cannot be disseminated. Opposition signs agreement because it has few options Many groups within the CD were not in favor of signing the agreement with the Chavez government.

Deputy Alejandro Armas, an opposition representative on the Mesa de Negociacion y Acuerdos, said that the agreement "is not all that the opposition wanted, but it is a step in the right direction because it makes a revocatory referendum possible." The opposition representatives signed the agreement reluctantly because they said it did little more than restate provisions of the 1999 Constitution and failed to set a date for the referendum on the president's mandate, which was left up to the CNE.

Accion Democratica (AD) president Jesus Mendez said that the agreement was a "risk" for the country because it puts in the hands of the as-yet-unnamed CNE the definitive decision regarding an electoral solution to the Venezuelan crisis. "For us, the role of the CNE is fundamentally to verify the fulfillment of the formalities. The CNE does not have to approve any revocatory referendum," said Mendez in an interview in the Caracas daily El Universal.

"Fortunately, good sense prevailed in the Democratic Coordinator," said analyst Teodoro Petkoff, director of the daily newspaper Tal Cual and a strong critic of Chavez. "Those who tried to sow chaos and have not stopped hoping for a military coup don't want an agreement; they want Chavez to resign."

Leaders of several opposition parties and business groups complained that the agreement would allow the Chavez administration to hold referendums on the mandates of municipal and regional officials prior to a referendum on cutting the president's term short. Rangel said that other elected officials, whose terms have already reached the midpoint, could face revocatory referendums before Chavez.

Aristobulo Isturiz, minister of education and a government representative at the talks, said more than 50 petitions for revocatory referendums had been filed. "The government is going to muddle and delay the process," said Carlos Fernandez, head of Fedecamaras, the business association that is staunchly opposed to the government.

Another Fedecamaras officer, Albis Munoz, said that the group had only agreed to sign the document because Gaviria warned them that, if they refused, they would lose international backing.

Edgar Paredes, head of Gente del Petroleo the group of managers of the state-owned oil company Petroleos de Venezuela (PDVSA) who helped lead the failed two-month business shutdown against Chavez in December and January said he was opposed to the accord "because it ends the talks before solutions to other problems have been negotiated, like the dismissal of 18,000 oil company workers."

Opposition still in disarray

Since the failure of the strike to achieve its goal of forcing Chavez to resign or call early elections, Venezuela's opposition has been floundering and unable to unite around a leader who might have significant appeal to voters in a future election. The strike succeeded only in devastating the economy, which shrank 29% in the first quarter of 2003, costing Venezuela US\$6 billion. Now, with few other options, even if the opposition succeeds in having a referendum called, it faces an uphill battle to actually oust Chavez.

Analyst Alberto Garrido, a Chavez opponent, said, "The Coordinator signed the agreement from a position of weakness. A year ago, it had rivers of people in the streets, the managers of the oil company, and dissident military officers. Now it has none of that." But, "the situation is not predictable," he added, mentioning "the appalling economic crisis, high unemployment, and unrest in the countryside."

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