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CAPEL AUDIT SUGGEST VOTER ROLLS UNTRUSTWORTHY

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Classified By: POLITICAL COUNSELOR ROBERT R. DOWNES FOR 1.4 (D)

Summary

1. (C) In a meeting with poloff October 11, Ricardo Valverde, the Program Director for the umbrella organization for the Center for Electoral Assistance and Promotion (CAPEL), said CAPEL's audit would likely conclude that the electoral registry is too unreliable to hold meaningful elections. The Venezuelan National Identification Office's poor record keeping and National Electoral Council (CNE) foot-dragging have delayed the audit, however, making a report unlikely to be delivered before December. Controversy still surrounds CAPEL's work, as questions have surfaced about the organization's methodology. Despite these doubts, it is encouraging that CAPEL appears willing to denounce CNE irregularities, but CAPEL representatives have made strong statements about holding the CNE accountable before, only to walk away from them when tested. End summary.

Background

2. (C) The Center for Electoral Assistance and Promotion (CAPEL) is a Costa Rica-based organization that provides technical assistance to electoral bodies in the hemisphere. In late June 2005, CAPEL signed what was described as a "multimillion dollar contract" with the National Electoral Council (CNE) (ref a) to conduct an audit of the electoral register. CAPEL has refused to discuss the terms of the audit with anyone not participating, citing its contractual obligations to the CNE. It appears, however, that CAPEL is relying heavily on CNE access, expertise, and officials to conduct what had been billed as an independent study. As a result, the opposition, which had been invited to observe the audit under restricted conditions, has withheld its participation until CAPEL explains its methodology. Meanwhile, domestic observation group Ojo Electoral is observing the audit and had considered performing a special study to complement CAPEL's work.

CAPEL Finds Registry in Bad Shape

3. (C) On October 11, poloff met with Ricardo Valverde, the Program Director of the Interamerican Institute of Human Rights (IIDH), the umbrella organization for CAPEL. Valverde said the study would likely conclude the electoral registry was fundamentally flawed, but that the errors spanned decades and did not occur during President Chavez's presidency alone. He noted, for example, that the National Identification Office's (Onidex) birth records were so incomplete that the existence of 80 percent of the voters in CAPEL's sample could not be verified. When CAPEL warned the CNE of this problem the CNE directors at first tried to blame CAPEL's methodology, then tried to persuade auditors to examine only the voters whose records could be found. CAPEL agreed to the CNE's suggestion and found that, in some cases, the birth records consisted only of the person's name on a piece of paper with an Onidex official's stamp. The auditors also continued to examine the list of voters with missing birth records to determine any patterns and have found that most problems lay in rural areas.

But Will Anyone Else Find Out?

4. (C) Contrary to what IIDH Executive Director Roberto Cuellar told PolCouns September 26, Valverde said Onidex's inadequate records and CNE foot dragging in handing over material would delay CAPEL's report for several weeks. In fact, auditors did not receive all the material they needed until October 9 and technicians will probably not finish processing the information until October 15. He speculated that a preliminary report, if rushed, could be completed some time in November, but he did not favor hurrying the project.

5. (C) During last week's meeting between Cuellar and CNE leaders to iron out the auditors' problems in getting access to material, Valverde said Cuellar warned the CNE about mishandling the report. (Note: Cuellar told PolCouns September 26 that CAPEL was concerned that the CNE would publish only the favorable sections of the report.) Cuellar said the CNE had three options: publish the report in its entirety, not distribute it at all, or publish parts of it. Cuellar encouraged the CNE to publish the report, which would be the best solution, and noted that not publishing it would be unwise but within the organization's discretion. However, Cuellar warned that CAPEL would consider the third option a breach of good faith and would distribute the report itself. After that warning, Valverde said the CNE agreed to publish the full final report.

Doubts About Audit Grow

6. (C) Emboffs have met with representatives from several organizations in the past few weeks that have expressed concerns about CAPEL's audit. On October 14, Sumate Director Maria Corina Machado told the Ambassador and PolCouns that CAPEL appeared to be relying on CNE selected staff to carry out field work, raising questions about the audit's autonomy. In addition, Sumate reviewed CAPEL's original proposal and has found several potential methodological problems, including the possible exclusion of new voters from the audit and uncorrected biases in its random sampling method. NDI Program Officer Carlos Claramount, a liaison to the only third-party audit observer Ojo Electoral, told emboffs a visiting NDI technical advisor told Ojo that he had found similar errors in CAPEL's methodology, which he said would make it impossible to define the study's margin of error.

7. (C) On September 30 Robert Ansuini, a former CNE official who worked on the electoral registry, told poloff that he found several defects that could potentially allow the CNE to pad the voter rolls undetected. According to Ansuini, the CNE used to issue each state new voter identification ("cedula") numbers based on their projections of new registrants for the year. The cedula numbers that were not used were dropped from the system and the new numbers would start where the last series ended. Ansuini alleges that older citizens who have registered to vote in the past two years are receiving the previously discarded cedula numbers from their birth year instead of a number from the year they actually registered. Ansuini said he had raised this issue with the CAPEL team, but they did not seem interested.

8. (C) Opposition political parties continue to criticize CAPEL's unwillingness to explain its methodology and on September 13 sent a letter to CAPEL requesting a suspension of the audit until the opposition is included. As in poloff's previous meeting (ref b), Valverde defended CAPEL's decision to deal only with the CNE as complying with a contract with a member organization and denied that such a relationship meant CAPEL was biased toward the Venezuelan electoral board. Valverde was highly critical of the opposition and qualified their choice not to observe the audit as a grave strategic error and a huge waste of an opportunity. Valverde acknowledged the opposition's observers would have been participating under severe restrictions, but thought the rules still allowed for sufficient insight into the quality of the government's records. Valverde said the opposition's complaints about not knowing the audit's parameters were untrue as CAPEL had called a meeting September 8 to explain its plans, but the opposition's sole representative walked out before the meeting began because CNE officials were not present.

Comment

9. (C) Despite suspected flaws and biases in CAPEL's methodology, its auditors are finding significant problems with the electoral registry that suggest meaningful elections using the current voter rolls are doubtful. However, CAPEL and IIDH representatives have made strong statements about holding the CNE accountable before, only to walk away from them when tested. Therefore, the final report may not

contain as strong a rejection of the registry's unreliability as Valverde implies it will. Valverde's and the opposition's criticism of each other have some merit. Both sides have forfeited a golden opportunity to ensure a more balanced election by outing CNE misconduct and ineptitude, but lack of communication and CNE manipulation will keep the audit shrouded in unnecessary mystery and likely undermine any potential utility of the report.

Brownfield

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