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Context Paper: **REVOLUTIONIZING DEMOCRACY IN VENEZUELA**

Venezuela has always been considered the ‘exceptional case’ in Latin America.¹ While its neighbouring countries were struggling with revolutionary uprisings, “guerrilla warfare” and violent conflicts throughout much of the last century, Venezuela was blessed with regular elections and a stable government. The world was shocked in 1989 when violence afflicted the country; people in masses took to the streets and demanded democracy in their country.¹ What had happened to Latin America’s “model democracy”? The truth is there was no democracy in Venezuela. It was a “masquerade democracy”; a “democracy” for the wealthy elite; a “democracy” that left millions of poor Venezuelans outside the democratic process and thrust to the back.

When Hugo Chavez took office in 1999 he made it a priority to establish a democracy for *all* Venezuelans, not just for a select group of privileged ones. Reforms were carried out to deepen democratic processes, to assure that elections were free and fair and to enable the active participation of all citizens in the building of *their* democracy. In fact, the key word in Venezuela today is ‘participatory democracy’, a democracy where all citizens participate, no matter if they be rich or poor. Within the last ten years, Venezuela saw voting centres extended into poor areas, saw indigenous peoples and women become political protagonists and establish their own Ministry of People’s Power, saw medical centres and educational institutions expand into marginalized neighbourhoods, saw extreme poverty fall from more than 20 to 9.5 percent, and much more. In fact, President Lula da Silva of Brazil said about the Chavez government is that **‘you can invent anything you want in order to criticise Chavez, but you can’t accuse him of suppressing democracy’².**

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Historical Glimpse

Those who looked beneath the surface of Venezuela’s long lasting ‘model democracy’ were quick to discover that the situation on the ground left much to be desired in terms of a real democracy. After the fall of the dictator Marcos Perez-Jimenez in 1958 the country’s two major political parties, Democratic Action (AD) and the Social Christian Party (COPEI) entered into an agreement to share cabinet positions and the control of state institutions no matter who won the elections. This pact, which became known as “Punto Fijo”, took away the opportunity for any other party to run candidates for office against AD and COPEI. This situation lasted until 1998. Third parties were marginalised and in some cases even banned.³

¹ For more information on this particular event compare “The Caracazo: The revolutionary turning point”
<http://www.embavenez-us.org/factsheet/The_Caracazo_Fact_Sheet.pdf>



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The voting system of this period was based on hand counts of paper ballots - a system that was easy to manipulate. “AD and COPEI officials would lead the vote count, and blatantly divide up third party votes between themselves before adding them to the official tally. The two parties were so powerful that they made no effort to hide this process, which was commonly referred to as ‘acta mata voto’ or ‘the tally trumps the vote’”⁴ Furthermore, the National Elections Authority, with the responsibility of overseeing elections, belonged to the executive branch and was committed to the party in power. Independent audits of the elections were never carried out and it is no wonder that Venezuelans believed their vote would be a useless gesture. Apart from that, many Venezuelan citizens, and especially the poor ones, were excluded from voting, as they did not possess national IDs as a means of voter identification. They were further disadvantaged through the poor distribution of voting centres in the countryside, as these centres were installed predominantly in rich, urban middle class neighbourhoods.

In 1989 “it turned out that Venezuela was not the “exception” scholars in the Western world thought it to be”.⁵ Heavy street fighting broke out everywhere in Caracas, resulting in the deaths of thousands of innocent civilians. Frustrations over neo-liberal reforms and the exclusionary political system led people to march onto the streets. As a result, AD and COPEI undertook some reform measures, including a new Elections Board less committed to the Punto Fijo and an electronic voting system. The two parties were convinced that this would suffice to win back the loyalty of the people in the upcoming elections, which were just a few months ahead. However, the results confounded their predictions. Hugo Chavez won 56 % of the vote and, as one of his priorities, made it a priority to extend the democratic process in Venezuela, beginning with a constitutional assembly, electoral reform, the strengthening of previous reforms and the initiation of new ones in order to safeguard voter access and minimise the possibility of fraudulent practices.

Some Important Reforms in the Chávez Era

A New Constitution

It was the establishment of the 1999 Constitution that laid the basis for the transformation of Venezuela’s political landscape. It redefined the country’s political system by prioritising participatory over representative democracy; “recognising the importance of economic, social and cultural rights in a democratic society; and establishing social justice as a constitutional mandate.”⁶ In fact, as Ambassador Bernardo Alvarez put it: “**The 1999 Constitution seeks as much representative democracy as is needed and as much participatory democracy as is possible.**”⁷ What is meant by participatory democracy could already be observed in the way the constitutional assembly was set up. All sectors of society participated in the drafting of the new document, including women’s groups, housewives, professionals, indigenous peoples and members of various civil society organizations. This was to ensure that the interests of the diverse spectrum of Venezuelan society were truly represented in the new constitution.



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Mission Identity

Another important step was the provision of national identification for a huge number of Venezuelans who lacked ID cards, in order to enable them to fully exercise their rights as Venezuelan citizens, including the right to vote. The mission initiated in 2003, provided millions of Venezuelans with ID cards for the first time in their lives or updated old ones. For example, by July 2006 over 430,000 qualified immigrants had been granted naturalization and almost 274,000 indigenous people, for the first time, were issued ID cards, guaranteeing them their rights as equal members of society.⁸

In the elections of the year 2000, 11 million Venezuelans were registered to vote, By September 2006, it was 16 million, and at present it is 16.8 million in a country of 27 million people.⁹

A New and Independent Electoral Board

As foreseen in the 1999 Constitution, another important reform initiated by the Chavez government was the creation of an independent, non-partisan body to oversee elections. In that sense, the National Electoral Council (CNE) became a separate branch of government, a body enshrined in the Organic Law of Electoral Power Civil society organizations and university chancellors were to participate in the process to nominate the Council's directors. This was to ensure that the Council maintained its political neutrality.¹⁰

Assuring Voter Security and Transparency through e-voting

Recognising that serious fraud was one of the major problems in previous Venezuelan elections, the 1998 Organic Law of Suffrage and Political Participation, issued before President Chavez came to power, foresaw that all elections be carried out using electronic voting machines. Since then, the Electoral Council has worked continuously to guarantee standardised machine voting throughout the country. While in 1998, only 58% of the Venezuela's voting system was electronic, today 99.5% of voting centres are fully computerised.¹¹ The act of voting using the machine is simple; however the security system to ensure the exclusion of any kind of fraud is highly complex. The voting machines function using a touch-screen system. The voter selects her/his preferred candidate by touching the box with the candidate's name and party logo. After confirming her/his selection, a paper confirmation is printed which can be checked by the voter before they put it in a locked ballot box. "The CNE invested in an outstanding technology to ensure that nobody was able to manipulate the machines in order to affect the outcome. The source code needed to access the machines is split into four equal parts, which are then divided among various stakeholders, including a representative from the CNE, opposition parties, pro-government coalitions and international observers."¹² For any change to the coding of the computers to take place, each

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*EU Election
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of these parties must be present to access the machines at the same time. In fact, referring to the most recent parliamentary elections, the European Union Election Observation Mission stated that “The Venezuelan voting system possesses a number of features that are in line with the most advanced international standards of e-voting. In certain aspects, such as the paper trail audit, **the system developed in Venezuela is probably the most advanced system in the world to date.**”¹³ To further exclude fraud in terms of double voting, separate computers record the thumbprints of the voters as they enter the voting centres. This data is stored in a central database and officials are notified automatically if a case arises in which a citizen has previously voted at another polling station.¹⁴

Voter security is important, however, the most secure electoral system is of little use if there are not enough voting centres in which people can actually cast their ballots. According to the Carter Centre, there were 8,271¹⁵ voting centres in Venezuela in 1998, while in 2008 the number of voting centres was 11,455¹⁶. This represents an increase of more than 30 %. New voting centres have been established predominantly in low income areas and rural communities, places where access to voting has been difficult in the past, as voting centres had been often located in distant urban and middle-class neighbourhoods.

Assuring Gender Equality in Elections

A new regulation introduced by the National Electoral Council in last November’s regional elections assures gender equality in the candidature for positions as state legislative counsellors². This new regulation, which is based on the Organic Law for Gender Equality (still awaiting its final approval by the National Assembly) and on Article 57 of the Bolivarian Constitution, dictates that fifty percent of the candidates need to be women. The election results speak for themselves: **In 2008’s regional elections, 50 % of all political positions went to women, while in 2004 this number was only 10 %.**¹⁷ The Electoral Council is discussing the possibility of applying this regulation to the upcoming regional elections in the autumn of this year. (Municipal Councils, “Juntas Parroquiales”).¹⁸

Elections in the Chávez Era

Hugo Chavez Frías came to power through presidential elections in December 1998. With 57 % he achieved the largest percentage of the popular vote for any president in four decades. The popularity of his course of action was reconfirmed in subsequent elections. The first elections under the new constitution took place in the year 2000, where all political positions in the country were re-legitimated by new elections. In these elections President Chavez increased his vote from 57 % to nearly 60 %. After a failed coup-attempt and the sabotaging of the national oil industry in 2002, opposition leaders tried to oust President Chavez by means of a recall referendum in 2004. The results spoke for themselves.

² The State Legislative Councils (also called “Regional Legislative Councils”) represent the Legislative Branch on the Federal State level. The 23 councils are one-chamber organs conformed of a certain number of deputies (between 7 and 15), depending on the population size of the respective state. Elections of representatives take place every four years.



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Much to the disappointment of the opposition, President Chavez won a landslide victory with more than 59 % of the electoral vote. He surpassed the 5 million votes he had predicted he would get, attracting a record 5.6 million. This meant that 6 out of every 10 Venezuelans voted in favor of President Chavez.¹⁹ In 2006, with 75 % voter turnout, the incumbent president was re-elected with nearly 63 % of the vote. “After 7 years in power, President Chavez achieved what can only be considered a remarkable political victory: he obtained 1.7 million more votes than when he was first elected in 1998.”²⁰

What becomes clear from this is that President Chavez’s policies have been endorsed by Venezuelan citizens over and over again since he first became president in 1998. After he was ousted by the coup leaders in 2002, people took to the streets in their millions to demand the return of their democratically elected president. It was thanks to the activism of the Venezuelan people that the coup leadership, headed by Pedro Carmona, lasted for only 47 hours.

All in all, Venezuelans have made their clear choice in 28 regional and national elections as well as in 6 referenda, all within the last 10 years. In order to do so, they went to the ballot box 12 times since 1999, an average of more than once per year. Furthermore, beyond the major national and regional elections, there were also numerous smaller regional referenda and elections. Analysts conclude that **“Social progress [in Venezuela] has been accompanied by a dramatic expansion in democracy with more national electoral contests than virtually any other country in the world as well as respect for the outcomes ...”**²¹

The last time Venezuelans cast their ballots was in February 2009, where they were asked in a referendum if they approved of a number of amendments to the current constitution. While they had rejected the changes to the constitution proposed in 2007, they did approve of the amendments proposed in February 2009. President Chavez immediately recognized the narrow defeat in 2007 (51 % were against the amendments and 49 % in favour) and congratulated his adversaries. It was apparent that the majority of the Venezuelan people were not in agreement with the changes proposed. Therefore, the whole project was reconsidered and again presented to the Venezuelan people in a modified version in 2009. This time nearly 55 % of the population agreed with the proposed changes. As becomes clear from this example, changes in Venezuela take place through democratic elections and election outcomes are respected. **President Sarkozy** noted about the referendum in 2009 that it was **“characterized by strong participation that demonstrated, yet again, the vitality of democracy in Venezuela.”**²²

“[the 2009 referendum was] characterized by strong participation that demonstrates, yet again, the vitality of democracy in Venezuela.”
President Nicolas Sarkozy



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It is worth noting that the last two referenda were an important indication of the maturity of the electorate in Venezuela. Voters are very careful in deciding what is meaningful and worthy of support. In this regard, election observers noted that **“we would like to ... highlight the civic comportment of all of the citizenry on a day that was full of expectations and tensions, which speaks of the democratic mood of Venezuelan society.”**²³

From “representative” to “participatory” democracy

Free and fair elections represent the main pillar of any democracy. However, democracy as understood in Venezuela goes far beyond the simple act of voting representatives on to local or national governments. In fact, an important aspect of Venezuela’s democracy is the creation of necessary spaces for “the people” to participate in improving their world as they consider best for them. Therefore, Venezuelans talk rather of “participatory” than “representative” democracy. Various new institutions were created in this context, first and foremost the Communal Councils.

Communal Councils

Communal Councils are elected neighbourhood-based assemblies endowed with political and financial powers. The councils are made up of about 20 individuals, elected by around 200 to 400 families in a particular neighbourhood. These councils are considered a “cornerstone of the new political strategy to deepen democratic participation in Venezuela.”²⁴ As foreseen in the *Laws Relating to Communal Councils* they plan and execute developmental projects as needed in their community. For example, the councils decide on the setting up of recreational areas or on improving street and sidewalk infrastructures, etc. Communal Councils allow “society to directly manage public policy and projects that respond to the needs and aspirations of communities”.²⁵ The councils receive funds “directly from the national, state, or city governments, from their own fundraising, or from donations.”²⁶ According to the Ministry of People’s Power for Participation and Social Development, there were 19,500 Community Councils in Venezuela by March 2007. These Councils have so far carried out thousands of initiatives such as improving street paving, sports fields, medical centres and sewage and water systems.²⁷

What is extraordinary about Communal Councils is their capacity to *make* public policy that is based on the decisions of the community itself and therefore deeply rooted in the social framework of the neighbourhood. The Councils provide a basis for direct political participation. Analysts also noted that “The Communal Councils diverge from typical representative democracy in one other significant way: all decisions made by the Communal Council can be reversed by popular vote.”²⁸ On the national level, the ‘recall referendum’ is a similar tool to curtail terms of elected officials or to reject laws.²⁹



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Guaranteeing Civil Rights

Apart from assuring political participation, the central government has put in place measures to safeguard people's civil rights and freedoms.

Equality and Non-Discrimination: New legislation has been ratified to ensure the equal treatment of minorities and women in every aspect of society. In January 2007, the People's Ministry for Indigenous Peoples was created and only one year later the State Ministry for Women's Affairs (now the "Ministry of People's Power for Women and Gender Equality"). Today, four out of five branches of government are headed by women, and Venezuela has South America's narrowest gender-based wage gap and the third smallest in the Western Hemisphere.

Freedom of the Press: Despite constant and unwarranted attacks by the international media asserting that freedom of the press in Venezuela is endangered, the country's media **do** enjoy the liberty to report, analyse and freely express opinions on all issues without government interference. In fact, **the Inter-American Court of Human Rights ruled on March 3rd 2009 that Venezuela does not violate "the right to find, receive and disseminate information".**³⁰

"In Venezuela the media and communication sector is very critical of Chávez. I think the level of freedom of expression is satisfactory".

*Miguel Angel Moratinos,
Foreign Minister
of Spain*

There are currently 876 TV and radio-stations operating in full compliance with the law in Venezuela and the overwhelming majority of them, which is to say about 65 %, is in private hands.³¹ Most, in fact, vibrantly and stridently express their opposition to the government, and do so without any threats or consequences. Even a cursory glance on the websites of the major newspapers and television stations shows the freedom with which journalists can express themselves. To date, no newspaper or television station or radio broadcaster has been shut down based on its political views or opposition to President Chávez. Similarly, no journalists have been imprisoned or punished for doing their work. As Bart Jones, a longtime correspondent for the Associated Press wrote in an op-ed published in the *Los Angeles Times* on May 30, 2007, "Radio, TV and newspapers remain uncensored, unfettered and unthreatened by the government. Most Venezuelan media are still controlled by the old oligarchy and are staunchly anti-Chávez.""³² In fact, the Spanish Foreigner Minister, **Miguel Angel Moratinos, stated after his recent visit to Caracas last month that "In Venezuela the**

media and communication sector is very critical of Chávez. I think the level of freedom of expression is satisfactory".³³



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Guaranteeing Social Rights

Citizens can only effectively participate in democratic governance if their social rights, such as access to health-care, education or work are secured. Much of this has been achieved through so called “Social Missions” and an innovative economic model.

Social Missions are state-sponsored grassroots-oriented developmental programmes, addressing pressing needs in various fields of human development such as education, health, culture, food security, job training and housing. Started in 2003, the missions have placed doctors, teachers, and social workers in thousands of poor Venezuelan communities, offering much-needed services free of charge. For example, Mission Barrio Adentro has placed 20,000 doctors in poor communities and Mission Robinson taught 1.6 million Venezuelans to read and write.

The Economy in Venezuela is seen as a vehicle for creating an inclusive and equal society based on the redistribution of wealth, the principles of solidarity, community participation and development from within. National oil revenues are channelled towards the creation of social equality, and the growth of cooperatives is encouraged in order to foster the national production of goods; strong support is also given to a huge variety of new and innovative forms of socio-economic organisation, including “Social Production Enterprises”. In fact the State is obliged by constitutional mandate to “promote and protect these associations destined to improve popular economic alternatives.” (Article 118).

What Venezuelans think about their democracy

The renowned Chilean polling agency “Latinobarometro” found in 2008 that Venezuela has the region’s highest rate of support for democracy as the best system of government and the second highest rate of satisfaction with the functioning of democracy. One of the most important findings of the survey, however, is that Venezuela heads the region in the belief that democracy has helped to diminish social inequalities and has narrowed the gap between rich and poor. Consequently, fewer people in Venezuela than in any other country in South America think that inequalities have remained the same under democratic governance.

As is apparent from this paper, Venezuela’s democracy has undergone profound political shifts within the last decade. While twenty years ago people were marching in the streets as they were dissatisfied with a so-called democracy that favoured the elites, today, Venezuela is proud to point to its citizens’ high levels of satisfaction with democracy as a system of government. This however, is not a coincidence but the result of much hard work by both, the current government and Venezuelan citizens themselves. President Chavez has embarked on a path that has again inspired confidence in democratic governance. The fact that inequalities have decreased, that extreme poverty fell from over 20 to 9.5 percent and that unemployment decreased from nearly 15 % to 7.9 % since the Chavez government took power is probably another powerful reason why Venezuelans think that their present democracy really works.



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