

THE CONSTITUENT NATIONAL ASSEMBLY

Executive summary

On May 1st 2017, President Nicolás Maduro surprisingly announced, in the middle of an unprecedented political, social and economic crisis in the modern history of Venezuela, the call for elections to vote a new Constituent Assembly. Even though his announcement rose general rejection in wide groups of Venezuelan society as well as the international community, the elections took place on July 30th, with the exclusive participation on pro government voters and candidates, facing a wave of massive protests all over the country, which resulted in twelve people dead on the very election day.

In this paper, we will point the characteristics and incidents of this process, based on two big areas: the analysis of topics related to the constitutionality of the call and topics related to the observance of electoral guarantees by the government during the execution of different stages of the electoral process. According to the observance of specialists of OGCD, both the call for elections and the execution of the different stages of the electoral process are characterized by the systematic and generalized violation of basic principles established in the Constitution of the Bolivarian Republic of Venezuela as well as in the norms related to the integrity of electoral processes. The report concludes that, even if the call had not been viced of absolute nullity, the serious violations to the normative and electoral procedures linked to the protection of the cleanness and transparency of the elections would have turned the process itself into a fraudulent and illegitimate one.

In a context of over 130 consecutive days of protests, with over a hundred Venezuelans dead, a similar number of activists and protesters imprisoned and a generalized environment of systematic violation of human rights, the vote for the Constituent Assembly was far from contributing with elements for the strengthening of Harmony and national understanding. On the contrary, the call for the election and the election itself led not only to the irregular and illegitimate conformation of a new constituent organ, but also to the fraudulent imposition of a superior power with huge faculties to legislate and create norms over an immense variety of critical areas for the life of Venezuelans. This organ is formed exclusively by pro government representatives at the service of the interest of the executive. In this context, the election for the Constituent Assembly comes up as an element to make the political, economic and social crisis in Venezuela even more serious.