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# The Geopolitics of Election Approval: The US Response to Honduras and Venezuela

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By Lauren Carasik, Susan Scott and Azadeh Shahshahani, Truthout | News Analysis



Supporters of Juan Orlando Hernandez, candidate for the ruling National Party, at a rally in Tegucigalpa, Honduras, November 12, 2013. (Photo: Rodrigo Cruz-Perez / The New York Times)

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The authors, members of the US National Lawyers Guild, compare and contrast procedures in this year's presidential elections in Honduras and Venezuela, as well as the quick embrace by the United States of results of the more problematic of the two.

Credible concerns about electoral fraud in Honduras remain, yet Secretary of State John Kerry sanctioned the results just 17 days after the election, before challenges to its legitimacy had been fully resolved. Kerry's official statement, which came quickly on the heels of the Organization of American States' (OAS) similar congratulations to Juan Orlando Hernandez on December 11, lauded the election's record turnout, commended a process that he characterized as "generally transparent, peaceful, and reflect[ing] the will of the Honduran people" and praised the Honduran government's commitment to "promoting fiscal stability and economic growth, combating poverty, and guaranteeing security, justice, and human rights for all Hondurans."

The Obama administration's prompt recognition of ruling National Party candidate Juan Orlando Hernandez, who is expected to continue his predecessor's friendliness toward US geopolitical and business interests, stands in stark contrast to its steadfast and unfounded refusal to give its imprimatur to the election of Venezuelan President Nicolas Maduro. Maduro's April victory was quickly recognized by most governments in the region, the British and Spanish governments and others. Maduro's challenge to US hegemony in the region and the neoliberal agenda it promotes has prompted US intransigence on Maduro's election, even though it was declared clean, free and fair by election monitors from the Union of South American Nations, the National Lawyers Guild in the United States and others.

Although complaints of electoral malfeasance in Honduras surfaced before the polls closed, US Ambassador to Honduras Lisa Kubiske took to the airwaves within hours of the close of polls to announce her own cheerful conclusion - that the elections had been transparent and peaceful - and she continued to congratulate the Honduran people for days afterwards. Both Kerry's and Kubiske's statements completely ignore the fact that the majority of Honduran voters voted against the notorious right-wing president of the "coup" Congress and winner, Juan Orlando Hernandez, and that many of the 36.8 percent of the ballots which the Electoral Tribunal (the TSE - controlled by Hernandez's National Party) claims he won are contested by two of the opposition parties. Shortly after the close of the polls, LIBRE party officials denounced discrepancies between the official results and the actual tallies ("actas") provided to LIBRE representatives at the voting stations. LIBRE claims that a review of 80 percent of the actas in their possession indicates a 1.8 percent margin of victory for their candidate, Xiomara Castro de Zelaya.

Although the TSE initially agreed to recalculate the transmitted actas, it subsequently refused challenges filed by LIBRE and the Anti-Corruption Party, asking for a paper ballot recount to resolve discrepancies. The TSE president David Matamoros announced that Hernandez was the winner well before the December 24 deadline for the official declaration, and that was good enough for John Kerry.

As members of the officially-credentialed delegation from the National Lawyers Guild, we observed elections at several different polling centers in Tegucigalpa - including the largest voting center in the country at the Simon Bolivar Elementary school in the neighborhood of Las Mercedes. Twelve thousand voters were assigned to vote in a school with 36 voting stations in underlit dilapidated classrooms. The scene got progressively more chaotic as the day wore on, with large groups of men regularly chanting "Juan Orlando" in the courtyard, while soldiers and police stood idly by. The turnout at this center was low - less than 50 percent - and the presence of National Party-controlled soldiers and the ambience made clear why LIBRE supporters in this poor neighborhood might have felt intimidated. Smaller centers we observed in well-maintained private schools, and middle-class neighborhoods were much more orderly, with a turnout of 65-75 percent.

In Honduras, unlike in most countries in Latin America, voting tables are staffed solely by representatives from the parties, with no trained and unbiased election officials around - a system that Jennifer McCoy of the Carter Center told us she considered seriously flawed. Indeed, we saw the system's shortcomings when we confirmed rumors of the pervasive sale of voting table credentials by some of the smaller parties to the National Party, creating a disproportionate National Party presence at the voting stations. The OAS had previously identified concerns about the security of the software used by the TSE and made a number of recommendations, only some of which were remediated in advance of election day.

Compounding concerns about the integrity of the voting process was the climate of fear in which the election took place. Brutal repression since the coup has created a human rights crisis in Honduras, with 18 LIBRE activists killed in the year-and-a-half preceding the election, and three more murdered on the eve of the elections, along with targeted killings of human rights defenders, land rights and indigenous activists, members of the LGBT community, journalists and lawyers. Bribery and threats also compromised free elections. During the campaign, and even on election day, cards offering retail discounts were distributed to voters by National Party representatives. People reported being threatened with loss of their jobs and cessation of cash payouts (the World Bank-funded Bono 10 Mil program) if Hernandez lost the election.

But because widely-reported instances of bribery, violence, intimidation and the consolidation of power in the National Party of all branches of government do not constitute "fraud" under the election rules, LIBRE's legal challenge to the election was limited to the fraud evidenced by the discrepancies in the official documentation.

As members of the National Lawyers Guild, we observed some incorrect tallying of votes occasioned by National Party dominance at voting stations, but it was the chaotic circumstances at the large centers like the Las Mercedes center that made the voting there so conducive to fraud. The totaling and drafting of the actas

was done after dark in badly lit rooms, and then taken several hundred meters to a small room with several scanners by two (out of 16) voting table representatives. A large group of representatives was massed outside the scanning room, in the rain and dark, waiting to pass their actas over the heads of others to be scanned by student TSE "custodians." There was no oversight of the scanning process by party representatives or domestic or international observers, and some credentialed observers were asked to leave some centers during the counting process and locked out of others. None of these irregularities was investigated by the TSE.

The Honduran election process and the US response stand in vivid contrast to the presidential elections in Venezuela eight months ago. With a high-tech electoral system that Jimmy Carter called the "best in the world" and which even the Venezuelan opposition called "blindado" (armored against fraud), Nicolas Maduro was declared president with 50.61 percent of the vote on April 14, 2013. The US government has yet to recognize the results of that election and has promoted a baseless challenge by the opposition that continues to this day in the Inter-American Commission on Human Rights (IACHR). It is no secret that the United States would have preferred the victory of conservative candidate Henrique Capriles in the hopes of demobilizing the coalition of left-leaning governments in the hemisphere inspired by Hugo Chavez.

The Venezuelan elections provide an interesting comparison with Honduras in many respects.

Venezuela's electronic system uses open source software, accessible and audited by all parties. Voters receive paper ballot receipts to confirm their vote was correctly recorded in the digital system, and poll workers perform an instant "People's Verification" in the presence of party representatives and domestic and international observers at a randomly selected 54 percent of voting stations, which compares the paper receipts with the digital report. An equally important indicator of voter expression is turnout. Ambassador Kubiske and Secretary Kerry congratulated Hondurans for their 61 percent turnout - definitely an improvement over the "coup" elections in 2009, when members of the resistance boycotted en masse, as did official election observers. But over 79 percent of the Venezuelan electorate voted in the April 2013 elections, and thanks to the efforts of the CNE and the late Hugo Chavez, close to 100 percent of eligible voters are registered.

In Venezuela, elections - whether presidential or local - are a national project and a source of pride. They are preceded by months of CNE training of randomly selected poll officials, representatives from all parties, and observers from domestic and international civil society. Unlike Honduras, the Venezuelan Constitution provides for an independent electoral power, administered by the CNE, and provides for judicial review of CNE decisions in the Electoral Chamber of the Supreme Court (TSJ). National Lawyers Guild delegations have found the staff and leadership of the CNE to be extremely professional and nonpartisan in their promotion of free and truly transparent elections.

Last April, the margin of victory in the Venezuelan presidential elections was close, and the losing coalition (MUD) challenged the loss of their candidate, Henrique Capriles. An audit of paper receipts from the remaining 46 percent of the voting stations verified the election results. Undeterred, the losing party proceeded to file a challenge with the TSJ. The appeal, reviewed by NLG delegation members, consisted of unsubstantiated claims of intimidation and irregularities, more appropriate for Venezuela's notorious rightwing TV than a court of law (see "Report of the National Lawyers Guild Delegation on the April 14, 2013 Presidential Elections and Expanded May-June Audit").

The US government continued to question the April results and declared its support for the opposition challenge, despite the CNE's audit and an independent statistical analysis conducted by the Center for Economic and Policy Research that concluded that fraud was all but impossible. The TSJ determined in August that the challenges were insufficient and lacking in evidence and that the election results should stand. Meanwhile, Maduro's party, the PSUV, just won the popular vote in the December 8 municipal elections.

As the Obama administration conveniently ignores credible evidence of fraud in Honduras to warmly congratulate its new right-wing ally Juan Orlando Hernandez, John Kerry has yet to extend even tepid congratulations to Venezuelan President Nicolas Maduro for his victory on April 14, 2013. The motivation for the US diplomatic double standard is crystal clear.

The authors participated in the National Lawyers Guild delegation to Honduras, serving as credentialed observers for the November 2013 election. The delegation will issue a comprehensive report on its findings in the coming months. Check nlg.org for updates.

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