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AP foreign, Thursday April 18 2013

### VIVIAN SEQUERA

Associated Press= CARACAS, Venezuela (AP) — Venezuela's opposition watched its options dwindle Wednesday after the head of the Supreme Court said there could be no recount of the razor-thin presidential election victory by Hugo Chavez's heir, leaving many government foes feeling the only chance at power is to wait for the ruling socialists to stumble.

Opposition activists and independent observers called the judge's declaration blatant and legally unfounded favoritism from a purportedly independent body that is packed with confederates of President-elect Nicolas Maduro, Chavez's hand-picked successor.

The recount issue isn't before the court, but its president, Luisa Morales, appeared on television at midday to declare that the opposition call for an examination of each and every paper vote receipt had "angered many Venezuelans."

It was an unsubtle reminder that virtually every lever of power in Venezuela sits in the hands of a ruling party unafraid to use almost all means at its disposal to marginalize its opponents.

"In Venezuela the system is absolutely automatic, in such a way that manual recounts don't exist," Morales said.

Opposition candidate Henrique Capriles kept silent, shying away from what experts called his only remaining option: public protest. By late afternoon, the normally vociferous state governor had simply called on Twitter for his followers to remain calm and resist provocations to violence from the government.

A day earlier, Capriles canceled a march in the capital planned for Wednesday, saying the government planned to react with violence. That decision came after Maduro urged his own supporters to take to the streets Wednesday. With the Capriles march called off, only a small crowd of Chavistas rallied outside the electoral council's offices. Maduro hectored the opposition during a 45-minute live appearance on state television Wednesday, calling his opponents "fascists" who are plotting to overthrow the government.

"Superman could not win an election here," Diego Arria, a former U.N. ambassador and conservative member of the opposition coalition, said resignedly.

"We're left with the option of calling the United Nations, the Organization of American States and the Inter-American Human Rights Commission, but that won't have any impact here," Arria told The Associated Press. "If the population stands down, we lose."

Political scientist Jorge Restrepo of the CERAC think tank in Bogota, Colombia, said Maduro's problem isn't institutional power but "the fragility that will come from the economic side."

The government's strength is in its absolute control of the world's largest oil reserves, Restrepo said. Yet Chavez's diversion of tens of billions of dollars in oil revenues to finance one of the world's most generous welfares states has not brought prosperity.

The PDVSA state oil company is saddled with mounting debt and declining profits while price and currency controls imposed under Chavez have failed to stem inflation or the flight of dollars and are strangling private firms and contributing to shortages of food and medicines.

Venezuela is also afflicted with one of the world's highest homicide and kidnapping rates and chronic power outages that have worsened since Maduro took over from Chavez.

For the short term, however, the government appears politically strong and even the United States appeared to soften its insistence on a recount, with U.S. Secretary of State John Kerry leaving open the possibility of recognizing Maduro as president even the votes aren't reviewed.

The Obama administration has stood almost alone, along with Paraguay and Panama, in insisting on a recount as other governments congratulated Maduro, who is scheduled to be formally sworn in Friday. Maduro's government said 15 countries had confirmed they were sending high-level delegations, among them Bolivia, Ecuador, Nicaragua, Iran, China, Saudi Arabia, Qatar, Haiti, Uruguay and Argentina.

Kerry said there was no plan to send a U.S. diplomat, but when asked about whether the U.S. would recognize Maduro as legitimate, he said, "I can't give you a yes-or-no answer on that."

"If there are huge irregularities, we're going to have serious questions about the viability of that government. But that evaluation has to be made, and I haven't made it yet," Kerry told the House Foreign Affairs Committee.

Capriles has not formally filed a request for a recount with the National Electoral Council, which on Monday ratified Maduro as the winner with 50.8 percent of the vote to Capriles' 49 percent.

Capriles has, however, presented a series of allegations of vote fraud and other irregularities that he contends easily add up to more than Maduro's 262,000-vote winning margin out of about 14.9 million votes cast. In addition, the electoral council says about 100,000 votes from abroad had not been counted by Wednesday, and Capriles got about 90 percent of such overseas ballots in the October presidential election won by Chavez.

The list of alleged problems includes:

— Government backers forced pro-Capriles observers out of 283 polling places at which 722,983 votes were cast, and the lack of witnesses raises the possibility of fraud, including double voting.

 Menacing bands of government supporters turned pro-Capriles voters away from the polls.

- There were 3,535 damaged voting machines, representing 189,982



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votes.

Voting rolls included 600,000 dead people.

Morales, the Supreme Court chief, said Venezuela's voting system is so automated that a manual count doesn't exist. Technically, however, a recount is possible as paper receipts are issued for every vote cast and can be checked against tallies done by each voting machine, voter registries and centralized records.

The non-partisan Academy of Political and Social Sciences at the Central University of Venezuela said paper ballots are explicitly described in Venezuela's election law as a tool for investigating vote irregularities. "Recounting votes, along with protests and peaceful demonstrations, is one of the legitimate means of democratic co-existence," it said.

Maduro and his ruling circle have accused Capriles of inciting postelection violence by "neo-Nazi gangs" that the government said claimed seven lives and injured 61.

Maduro has further charged that the violence was being bankrolled and directed by the United States.

On Wednesday, he took another dig at the United States, which he last month accused of somehow being responsible for Chavez's cancer.

"Enough interventionism!" he boomed. "Take your eyes off Venezuela, John Kerry! Get out of here!

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Associated Press writers E. Eduardo Castillo, Frank Bajak, Fabiola Sanchez and Michael Weissenstein contributed to this report.

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