



Inter-Parliamentary Union

For democracy. For everyone.

# Venezuela

*Decision adopted unanimously by the IPU Governing Council at its 206<sup>th</sup> session  
(Extraordinary virtual session, 3 November 2020)*



Venezuelan National Police members stand guard outside the National Assembly on 7 January 2020 in Caracas - Cristian HERNANDEZ/AFP

- |                                   |  |
|-----------------------------------|--|
| VEN-10 – Biagio Pilieri           | VEN-85 – Franco Casella                    |
| VEN-11 – José Sánchez Montiel     | VEN-86 – Edgar Zambrano                    |
| VEN-12 – Hernán Claret Alemán     | VEN-87 – Juan Pablo García                 |
| VEN-13 – Richard Blanco           | VEN-88 – Cesar Cadenas                     |
| VEN-16 – Julio Borges             | VEN-89 – Ramón Flores Carrillo             |
| VEN-19 – Nora Bracho (Ms.)        | VEN-91 – María Beatriz Martínez (Ms.)      |
| VEN-20 – Ismael García            | VEN-92 – María C. Mulino de Saavedra (Ms.) |
| VEN-22 – Williams Dávila          | VEN-93 – José Trujillo                     |
| VEN-24 – Nirma Guarulla (Ms.)     | VEN-94 – Marianela Fernández (Ms.)         |
| VEN-25 – Julio Ygarza             | VEN-95 – Juan Pablo Guanipa                |
| VEN-26 – Romel Guzman             | VEN-96 – Luis Silva                        |
| VEN-27 – Rosmit Mantilla          | VEN-97 – Eliezer Sirit                     |
| VEN-28 – Renzo Prieto             | VEN-98 – Rosa Petit (Ms.)                  |
| VEN-29 – Gilberto Sojo            | VEN-99 – Alfonso Marquina                  |
| VEN-30 – Gilber Caro              | VEN-100 – Rachid Yasbek                    |
| VEN-31 – Luis Florido             | VEN-101 – Oneida Guaípe (Ms.)              |
| VEN-32 – Eudoro González          | VEN-102 – Jony Rahal                       |
| VEN-33 – Jorge Millán             | VEN-103 – Ylidio Abreu                     |
| VEN-34 – Armando Armas            | VEN-104 – Emilio Fajardo                   |
| VEN-35 – Américo De Grazia        | VEN-106 – Angel Alvarez                    |
| VEN-36 – Luis Padilla             | VEN-108 – Gilmar Marquez                   |
| VEN-37 – José Regnault            | VEN-109 – José Simón Calzadilla            |
| VEN-38 – Dennis Fernández (Ms.)   | VEN-110 – José Gregorio Graterol           |
| VEN-39 – Olivia Lozano (Ms.)      | VEN-111 – José Gregorio Hernández          |
| VEN-40 – Delsa Solórzano (Ms.)    | VEN-112 – Mauligmer Baloa (Ms.)            |
| VEN-41 – Robert Alcalá            | VEN-113 – Arnoldo Benítez                  |
| VEN-42 – Gaby Arellano (Ms.)      | VEN-114 – Alexis Paparoni                  |
| VEN-43 – Carlos Bastardo          | VEN-115 – Adriana Pichardo (Ms.)           |
| VEN-44 – Marialbert Barrios (Ms.) | VEN-116 – Teodoro Campos                   |
| VEN-45 – Amelia Belisario (Ms.)   | VEN-117 – Milagros Sánchez Eulate (Ms.)    |
| VEN-46 – Marco Bozo               | VEN-118 – Denncis Pazos                    |
| VEN-48 – Yanet Fermin (Ms.)       | VEN-119 – Karim Vera (Ms.)                 |
| VEN-49 – Dinorah Figuera (Ms.)    | VEN-120 – Ramón López                      |
| VEN-50 – Winston Flores           | VEN-121 – Freddy Superlano                 |

VEN-51 – Omar González	VEN-122 – Sandra Flores-Garzón (Ms.)
VEN-52 – Stalin González	VEN-123 – Armando López
VEN-53 – Juan Guaidó	VEN-124 – Elimar Díaz (Ms.)
VEN-54 – Tomás Guanipa	VEN-125 – Yajaira Forero (Ms.)
VEN-55 – José Guerra	VEN-126 – Maribel Guedez (Ms.)
VEN-56 – Freddy Guevara	VEN-127 – Karin Salanova (Ms.)
VEN-57 – Rafael Guzmán	VEN-128 – Antonio Geara
VEN-58 – María G. Hernández (Ms.)	VEN-129 – Joaquín Aguilar
VEN-59 – Piero Maroun	VEN-130 – Juan Carlos Velasco
VEN-60 – Juan A. Mejía	VEN-131 – Carmen María Sivoli (Ms.)
VEN-61 – Julio Montoya	VEN-132 – Milagros Paz (Ms.)
VEN-62 – José M. Olivares	VEN-133 – Jesus Yanez
VEN-63 – Carlos Paparoni	VEN-134 – Desiree Barboza (Ms.)
VEN-64 – Miguel Pizarro	VEN-135 – Sonia A. Medina G. (Ms.)
VEN-65 – Henry Ramos Allup	VEN-136 – Héctor Vargas
VEN-66 – Juan Requesens	VEN-137 – Carlos A. Lozano Parra
VEN-67 – Luis E. Rondón	VEN-138 – Luis Stefanelli
VEN-68 – Bolivia Suárez (Ms.)	VEN-139 – William Barrientos
VEN-69 – Carlos Valero	VEN-140 – Antonio Aranguren
VEN-70 – Milagro Valero (Ms.)	VEN-141 – Ana Salas (Ms.)
VEN-71 – German Ferrer	VEN-142 – Ismael León
VEN-72 – Adriana d'Elia (Ms.)	VEN-143 – Julio César Reyes
VEN-73 – Luis Lippa	VEN-144 – Ángel Torres
VEN-74 – Carlos Berrizbeitia	VEN-145 – Tamara Adrián (Ms.)
VEN-75 – Manuela Bolívar (Ms.)	VEN-146 – Deyalitza Aray (Ms.)
VEN-76 – Sergio Vergara	VEN-147 – Yolanda Tortolero (Ms.)
VEN-78 – Oscar Ronderos	VEN-148 – Carlos Proserpi
VEN-79 – Mariela Magallanes (Ms.)	VEN-149 – Addy Valero (Ms.)
VEN-80 – Héctor Cordero	VEN-150 – Zandra Castillo (Ms)
VEN-81 – José Mendoza	VEN-151 – Marco Aurelio Quiñones
VEN-82 – Angel Caridad	VEN-152 – Carlos Andrés González
VEN-83 – Larissa González (Ms.)	VEN-153 – Carlos Michelangeli
VEN-84 – Fernando Orozco	VEN-154 – César Alonso

### Alleged human rights violations

- ✓ Torture, ill-treatment and other acts of violence
- ✓ Threats, acts of intimidation
- ✓ Arbitrary arrest and detention
- ✓ Lack of due process at the investigation stage
- ✓ Excessive delays
- ✓ Violation of the right to freedom of opinion and expression
- ✓ Violation of freedom of assembly and association
- ✓ Violation of freedom of movement
- ✓ Abusive revocation or suspension of the parliamentary mandate
- ✓ Failure to respect parliamentary immunity
- ✓ Other acts obstructing the exercise of the parliamentary mandate
- ✓ Impunity
- ✓ Other violations: Right to privacy

### A. Summary of the case

The case concerns credible and serious allegations of human rights violations affecting 134 parliamentarians from the coalition of the *Mesa de la Unidad Democrática* (Democratic Unity Roundtable – MUD), against the backdrop of continuous efforts by Venezuela's executive and judicial authorities to undermine the functioning of the National Assembly and to usurp its powers. The MUD is opposed to President Maduro's government and obtained a majority of seats in the National Assembly in the parliamentary elections of 6 December 2015.

### Case VEN-COLL-06

**Venezuela:** Parliament affiliated to the IPU

**Victims:** 134 opposition members of parliament (93 men and 41 women)

**Qualified complainant:** Section I.(1)(c) of the [Committee Procedure](#) (Annex I)

**Submission of initial complaint:** March 2017

**Recent IPU decision(s):** May 2020

**Recent IPU mission(s):** - - -

**Recent Committee hearing(s):** Hearings with members of the governing and opposition parties at the 141<sup>st</sup> IPU Assembly (October 2019)

### Recent follow-up:

- Communication from the authorities: Letter from the Speaker of the National Assembly (February 2019)
- Communication from the complainant: September 2020
- Communications addressed to the authorities: Letters to the President of Venezuela (February and August 2020)
- Communication addressed to the complainant: September 2020

On 30 December 2015, the Supreme Court ordered the suspension of four members of parliament, three of them from the MUD, following allegations of fraud. The National Assembly decided to disregard the ruling, considering the allegations to be baseless, which led the Supreme Court to declare all of the Assembly's decisions null and void.

Almost all parliamentarians listed in the present case have been attacked or otherwise intimidated with impunity by law enforcement officers and/or pro-government officials and supporters during demonstrations, inside parliament and/or at their homes. Protests intensified in Venezuela after President Maduro announced the convening of a national constituent assembly – which was subsequently established on 30 July 2017 – to rewrite the Constitution, but which instead has since appropriated and exercised many of the constitutional functions assigned to the National Assembly, which has not received any government funding since August 2016.

At least 11 National Assembly members were arrested and released later, reportedly due to politically motivated legal proceedings. In all these cases, the members were detained without due respect for the constitutional provisions on parliamentary immunity. There are also serious concerns regarding respect for due process and their treatment in detention. People associated with opposition parliamentarians have also been detained and harassed.

At least 17 parliamentarians have gone into exile, sought the protection of foreign embassies in Caracas or gone into hiding due to continued harassment. Six have been barred from holding public office and the passports of at least 13 members of parliament have been confiscated, not been renewed, or cancelled by the authorities, reportedly as a means of pressure and to prevent them from travelling abroad to denounce what is happening in Venezuela.

On 31 August 2020, President Maduro pardoned 110 members of the political opposition, who had been accused of committing criminal acts. The decision implied the closure of ongoing criminal proceedings against 23 parliamentarians listed in the present case and the release of four of them. Nevertheless, according to the complainant, the political persecution of opposition members of parliament continues. In his programme *Con el Mazo Dando*, Mr. Diosdado Cabello, President of the National Constituent Assembly, referring to the presidential pardon decree, warned that "if these people start tomorrow to invent again there will always be the judiciary to act". The Attorney General has also publicly threatened to bring the beneficiaries of the presidential pardon to justice again if they "re-offend" in an alleged crime similar to the one that led to their prosecution.

In its resolution 42/25 of 27 September 2019, the United Nations Human Rights Council established an independent fact-finding mission on Venezuela, the final report of which was published in September 2020. Among other findings, the report states that there were reasonable grounds to believe that the following crimes against humanity were committed in Venezuela: murder, imprisonment and other severe deprivations of physical liberty, torture, rape and other forms of sexual violence, enforced disappearance of persons, and other inhumane acts of a similar nature intentionally causing great suffering or serious injury to body or to mental or physical health. Some of the same conduct may also constitute the crime against humanity of persecution, as defined by the Rome Statute. The mission also had reasonable grounds to believe that the President, the Minister of People's Power for Interior Relations, Justice and Peace and the Minister for Defence ordered or contributed to the commission of the crimes documented in the report and, having the effective ability to do so, failed to take preventive and repressive measures. According to the mission report, opposition parliamentarians became a focus of repression after the opposition won a majority of seats in the National Assembly.

Parliamentary elections are scheduled to take place on 6 December 2020. According to the complainant, in the lead-up to the elections, the Supreme Court has adopted a number of decisions that remove minimum guarantees for a free and fair parliamentary election, including by appointing new leaders subordinate to Mr. Maduro on the main opposition political parties, appointing the board of directors of the National Electoral Council which, according to the Constitution, is the exclusive responsibility of the National Assembly, and granting powers to the National Electoral Council to legislate on electoral matters, which also violates the Venezuelan Constitution. For its part, the National Electoral Council has increased the number of members of parliament to be elected, disregarding the constitutional provisions on the matter, and imposed extremely complex processes for validation of political parties, after which very few parties have been able to register for the elections. It should also be noted that the complainant has repeatedly pointed out that the composition of the current National Electoral Council and the Supreme Court, which both have important powers regarding electoral matters, is severely flawed and totally subject to executive control.

Long-standing efforts since 2013 to send a delegation of the Committee on the Human Rights of Parliamentarians to Venezuela have failed in the absence of clear and decisive cooperation from the Government to welcome and work with the delegation. In October 2018, the IPU governing bodies decided that the mission would be of a joint nature, comprising members of the IPU Executive Committee and the Committee on the Human Rights of Parliamentarians, and focusing on both the larger political matters at stake in the Venezuelan crisis and the specific concerns expressed by the Committee on the Human Rights of Parliamentarians.

## B. Decision

The Governing Council of the Inter-Parliamentary Union

1. *Denounces* the extensive repression to which the authorities and their supporters have resorted over the last five years against parliamentarians because of their political opinions, as attested by the continuous extremely serious incidents of ill-treatment, harassment, threats and stigmatization carried out by state agents, paramilitary groups and violent groups of government supporters in a climate of impunity; *also denounces* the multiple steps taken by the executive and judicial authorities over the course of the current legislature to undermine the integrity and independence of the National Assembly; *considers* that this situation taken as a whole amounts to a clear attempt to thwart the effective exercise of the will of the people as expressed in the election results of December 2015; *recalls* that members of parliament must be free to seek, receive and impart information and ideas without fear of reprisal, and that parliament can fulfil its democratic role only if its members enjoy the right to freedom of expression and are able to speak on behalf of the people they represent;
2. *Urges once again*, the authorities to put an immediate end to all forms of harassment against members of the National Assembly, to ensure that all relevant state authorities respect their human rights and parliamentary immunity, to fully investigate and establish accountability for reported violations of their rights, and to allow the National Assembly and all its members to carry out their constitutional functions in full;
3. *Takes note with deep concern* of the findings and recommendations contained in the recently published mission report of the United Nations Human Rights Council independent international fact-finding mission on Venezuela, which gives further weight to the accusations of political repression and the responsibility of the State at the highest level; *expresses its firm hope*, in this regard, that the State of Venezuela, with the support of the international community, will be able to address the extremely serious violations and crimes documented in the report;
4. *Deeply regrets* that the Government of Venezuela has still failed to offer any assurances in writing that the long-proposed IPU mission to Venezuela can finally take place; *remains convinced* that such a mission could help address the concerns at hand; *requests, once again*, therefore, the Secretary General to work with the parliamentary and executive authorities of Venezuela with a view to the mission taking place as soon as the COVID-19 pandemic-related travel restrictions are lifted, on the basis of a written official communication on their part guaranteeing that such a mission can take place under the conditions required for it to be effective;
5. *Reaffirms, once again*, its view that the issues in the cases at hand are part of the larger political crisis in Venezuela, which can only be solved through political dialogue and by the Venezuelans themselves; *reaffirms* the IPU's readiness to assist in any efforts aimed at strengthening democracy in Venezuela; and *requests* the relevant authorities to provide further official information on how this assistance can best be provided;
6. *Solemnly affirms*, in keeping with the letter and spirit of the IPU [Universal Declaration on Democracy](#), that the key element in the exercise of democracy is the holding of free and fair elections enabling the people's will to be expressed, on the basis of universal, equal and secret suffrage so that all voters can choose their representatives in conditions of equality, openness and transparency; *expresses its deep concern*, therefore, that the restrictions in place and the institutional framework governing the legislative elections scheduled for December 2020 appear to seriously undermine the level playing field required for opposition members and their supporters to exercise their basic human right to take part in the conduct of public affairs on a

par with the ruling party and its supporters; *urges*, in this regard, the relevant authorities to take all necessary measures to address these matters without delay;

7. *Urges* all sides to refrain from violence and also the relevant authorities to take all necessary measures to protect human life, to respect people's rights to peaceful assembly, to freedom of expression, to take part in the conduct of public affairs, to vote and be elected, and to have equal access to elective office in view of the parliamentary elections to take place in December 2020 in Venezuela; *urges*, in this regard, the relevant authorities to refrain from acts that could in any way undermine the rights of all current members of the National Assembly;
8. *Calls on* all IPU Member Parliaments, IPU permanent observers, parliamentary assemblies and relevant human rights organizations to take concrete actions in support of the urgent resolution of the individual cases at hand and the political crisis in Venezuela in a manner consistent with democratic and human rights values; and *hopes* to be able to rely on the assistance of all relevant regional and international organizations;
9. *Requests* the Secretary General to convey this decision to the relevant authorities, the complainant and any third party likely to be in a position to supply relevant information;
10. *Requests* the Committee to continue examining this case and to report back to it in due course.