

## VENEZUELA

- **VEN-COLL-06:** 134 parliamentarians
- **VEN-COLL-02:** 6 parliamentarians



Inter-Parliamentary Union

For democracy. For everyone.

# Venezuela

*Decision adopted unanimously by the IPU Governing Council at its 210<sup>th</sup> session (Kigali, 15 October 2022)*



Venezuelan opposition deputy Juan Requesens, elected in 2015, argues with National Guard personnel during a protest in front of the Supreme Court in Caracas on 30 March 2017. JUAN BARRETO/AFP

VEN-10 – Biagio Pilieri  
VEN-11 – José Sánchez Montiel  
VEN-12 – Hernán Claret Alemán  
VEN-13 – Richard Blanco  
VEN-16 – Julio Borges  
VEN-19 – Nora Bracho (Ms.)  
VEN-20 – Ismael García  
VEN-22 – Williams Dávila  
VEN-24 – Nirma Guarulla (Ms.)  
VEN-25 – Julio Ygarza  
VEN-26 – Romel Guzamana  
VEN-27 – Rosmit Mantilla  
VEN-28 – Renzo Prieto  
VEN-29 – Gilberto Sojo  
VEN-30 – Gilber Caro  
VEN-31 – Luis Florido  
VEN-32 – Eudoro González  
VEN-33 – Jorge Millán  
VEN-34 – Armando Armas  
VEN-35 – Américo De Grazia  
VEN-36 – Luis Padilla  
VEN-37 – José Regnault  
VEN-38 – Dennis Fernández (Ms.)  
VEN-39 – Olivia Lozano (Ms.)  
VEN-40 – Delsa Solórzano (Ms.)  
VEN-41 – Robert Alcalá  
VEN-42 – Gaby Arellano (Ms.)  
VEN-43 – Carlos Bastardo  
VEN-44 – Marialbert Barrios (Ms.)  
VEN-45 – Amelia Belisario (Ms.)

VEN-85 – Franco Casella  
VEN-86 – Edgar Zambrano  
VEN-87 – Juan Pablo García  
VEN-88 – Cesar Cadenas  
VEN-89 – Ramón Flores Carrillo  
VEN-91 – María Beatriz Martínez (Ms.)  
VEN-92 – María C. Mulino de Saavedra (Ms.)  
VEN-93 – José Trujillo  
VEN-94 – Marianela Fernández (Ms.)  
VEN-95 – Juan Pablo Guanipa  
VEN-96 – Luis Silva  
VEN-97 – Eliezer Sirit  
VEN-98 – Rosa Petit (Ms.)  
VEN-99 – Alfonso Marquina  
VEN-100 – Rachid Yasbek  
VEN-101 – Oneida Guaípe (Ms.)  
VEN-102 – Jony Rahal  
VEN-103 – Ylidio Abreu  
VEN-104 – Emilio Fajardo  
VEN-106 – Ángel Álvarez  
VEN-108 – Gilmar Marquez  
VEN-109 – José Simón Calzadilla  
VEN-110 – José Gregorio Graterol  
VEN-111 – José Gregorio Hernández  
VEN-112 – Mauligmer Baloa (Ms.)  
VEN-113 – Arnoldo Benítez  
VEN-114 – Alexis Paparoni  
VEN-115 – Adriana Pichardo (Ms.)  
VEN-116 – Teodoro Campos  
VEN-117 – Milagros Sánchez Eulate (Ms.)

VEN-46 – Marco Bozo  
VEN-48 – Yanet Fermin (Ms.)  
VEN-49 – Dinorah Figuera (Ms.)  
VEN-50 – Winston Flores  
VEN-51 – Omar González  
VEN-52 – Stalin González  
VEN-53 – Juan Guaidó  
VEN-54 – Tomás Guanipa  
VEN-55 – José Guerra  
VEN-56 – Freddy Guevara  
VEN-57 – Rafael Guzmán  
VEN-58 – María G. Hernández (Ms.)  
VEN-59 – Piero Maroun  
VEN-60 – Juan A. Mejía  
VEN-61 – Julio Montoya  
VEN-62 – José M. Olivares  
VEN-63 – Carlos Paparoni  
VEN-64 – Miguel Pizarro  
VEN-65 – Henry Ramos Allup  
VEN-66 – Juan Requesens  
VEN-67 – Luis E. Rondón  
VEN-68 – Bolivia Suárez (Ms.)  
VEN-69 – Carlos Valero  
VEN-70 – Milagro Valero (Ms.)  
VEN-71 – German Ferrer  
VEN-72 – Adriana d'Elia (Ms.)  
VEN-73 – Luis Lippa  
VEN-74 – Carlos Berrizbeitia  
VEN-75 – Manuela Bolívar (Ms.)  
VEN-76 – Sergio Vergara  
VEN-78 – Oscar Ronderos  
VEN-79 – Mariela Magallanes (Ms.)  
VEN-80 – Héctor Cordero  
VEN-81 – José Mendoza  
VEN-82 – Angel Caridad  
VEN-83 – Larissa González (Ms.)  
VEN-84 – Fernando Orozco  
VEN-118 – Denncis Pazos  
VEN-119 – Karim Vera (Ms.)  
VEN-120 – Ramón López  
VEN-121 – Freddy Superlano  
VEN-122 – Sandra Flores-Garzón (Ms.)  
VEN-123 – Armando López  
VEN-124 – Elimar Díaz (Ms.)  
VEN-125 – Yajaira Forero (Ms.)  
VEN-126 – Maribel Guedez (Ms.)  
VEN-127 – Karin Salanova (Ms.)  
VEN-128 – Antonio Geara  
VEN-129 – Joaquín Aguilar  
VEN-130 – Juan Carlos Velasco  
VEN-131 – Carmen María Sivoli (Ms.)  
VEN-132 – Milagros Paz (Ms.)  
VEN-133 – Jesus Yanez  
VEN-134 – Desiree Barboza (Ms.)  
VEN-135 – Sonia A. Medina G. (Ms.)  
VEN-136 – Héctor Vargas  
VEN-137 – Carlos A. Lozano Parra  
VEN-138 – Luis Stefanelli  
VEN-139 – William Barrientos  
VEN-140 – Antonio Aranguren  
VEN-141 – Ana Salas (Ms.)  
VEN-142 – Ismael León  
VEN-143 – Julio César Reyes  
VEN-144 – Ángel Torres  
VEN-145 – Tamara Adrián (Ms.)  
VEN-146 – Deyalitzza Aray (Ms.)  
VEN-147 – Yolanda Tortolero (Ms.)  
VEN-148 – Carlos Proserpi  
VEN-149 – Addy Valero (Ms.)  
VEN-150 – Zandra Castillo (Ms.)  
VEN-151 – Marco Aurelio Quiñones  
VEN-152 – Carlos Andrés González  
VEN-153 – Carlos Michelangeli  
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 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<sup>1</sup>

The case concerns allegations of human rights violations affecting 134 parliamentarians<sup>2</sup> 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 elected in 2015. At the time, the MUD coalition was opposed to President Nicolas Maduro’s government and obtained a majority of seats in the National Assembly in the parliamentary elections of 6 December 2015.

According to the complainant, 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. At least 11 National Assembly members were arrested and subsequently released, reportedly due to politically motivated legal proceedings against them. All 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 36 parliamentarians are in exile, six have recently returned to Venezuela, 23 are engaged in court proceedings, and many of them have been barred from holding public office. The passports of at least 13 parliamentarians have been confiscated, not been renewed, or cancelled by the authorities, reportedly as a way to exert pressure and to prevent them from travelling abroad to report what is happening in Venezuela.

On 31 August 2020, President Nicolas Maduro pardoned 110 members of the political opposition who had been accused of committing criminal acts. The decision meant the closure of ongoing criminal proceedings against 26 parliamentarians listed in the present case and the release of four of them.

A joint mission, composed of members of both the IPU Committee on the Human Rights of Parliamentarians (CHRP) and the IPU Executive Committee, went to Venezuela from 23 to 27 August 2021. The delegation was able to meet with a large variety of state authorities and stakeholders as well as with more than 60 of the 134 parliamentarians elected in 2015 with cases under examination by the CHRP, thereby obtaining first-hand information on their individual situations.

At the beginning of 2022, the complainant stated that acts of persecution, harassment and intimidation against opposition parliamentarians elected in 2015 have increased, and that these parliamentarians all fear for their freedom and physical integrity. In August 2022, the complainant informed the Committee that, on 4 August 2022, Mr. Juan Requesens, a parliamentarian elected in 2015, was sentenced to eight years in prison for his alleged involvement in what the Venezuelan authorities define as a failed assassination attempt involving drones carrying explosives against President Maduro in Caracas in 2018. During the same proceedings, the judge issued an arrest warrant and an extradition request against Mr. Julio Borges, former Speaker of the National Assembly, who is currently living abroad.

### Case VEN-COLL-06

**Venezuela:** Parliament affiliated to the IPU

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

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

**Submission of complaint:** March 2017

**Recent IPU decision:** March 2022

**IPU mission:** August 2021

**Recent Committee hearings:** 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 National Assembly 2020 (November 2021)
- Communication from the complainant: August 2022
- Communications to the authorities: Letters to the Speakers of the National Assembly of 2015 and 2020 (February 2022); letter to the executive authorities: August 2022
- Communication to the complainant: September 2022

<sup>1</sup> For the purposes of this decision, the term “opposition” relates to members of parliament from political groups or parties that have limited decision-making power and are opposed to the ruling power.

<sup>2</sup> In this decision, the use of the term “parliamentarian” should be construed as referring to both women and men elected in 2015 as members of the National Assembly.

## B. Decision

### The Governing Council of the Inter-Parliamentary Union

1. *Is deeply concerned* that Mr. Juan Requesens has been sentenced to eight years in prison in a trial that, according to the complainant, failed to meet national and international standards of due process, an allegation that seems credible if considered in the light of information received during the IPU mission to Venezuela in August 2021 about recurrent obstructions faced by defence lawyers in performing their role in criminal proceedings; *is also concerned* that, during the same proceedings, the judge reportedly issued an arrest warrant and an extradition request against Mr. Julio Borges; *considers* that Mr. Requesens' continued deprivation of liberty since August 2018, first in "El Helicoide", a detention centre operated by the Bolivarian National Intelligence Service and then under house arrest since August 2020, as well as the prosecution of both opposition parliamentarians elected in 2015, not only run counter to their basic human rights, but should also be seen as reprisals for their political activities and positions as members of the National Assembly elected in 2015; *considers* also that the above-mentioned court decisions, if executed, may put both parliamentarians in a serious situation presenting a risk of irreparable harm to their rights; *wishes* to receive official and detailed information on the facts justifying each of the charges brought against them as well as copies of the relevant court decisions; and *urges* the national authorities to take all necessary steps to ensure that the rights of Mr. Requesens and Mr. Borges are fully respected;
2. *Reaffirms* its long-standing position that the harassment of opposition parliamentarians elected in 2015 is a direct consequence of the prominent role they played as outspoken opponents of President Maduro's government and as members of the opposition-led National Assembly elected in 2015; *urges* the authorities, once again, to put an immediate end to all forms of persecution against the opposition parliamentarians elected in 2015, to ensure that all relevant state authorities respect their human rights, and to thoroughly investigate and establish accountability for reported violations of their rights; and *calls on* the Venezuelan authorities to provide official information on any steps taken to this end;
3. *Reiterates* that the issues involved in the present case are part of the broader complex situation in Venezuela, which can only be resolved through inclusive political dialogue and by the Venezuelans themselves; *firmly hopes* that the talks between government and opposition representatives will be resumed soon and will allow the various national stakeholders to work together to bring about a new social pact through participatory and non-violent means, without foreign interference and in compliance with the State's international human rights commitments, as well as to create the necessary conditions to conduct future elections accepted by all parties; *reaffirms* the IPU's readiness to provide support for any effort to strengthen democracy in Venezuela; and *calls on* the relevant authorities to provide further information on how best to provide such assistance;
4. *Remains deeply concerned* about the findings of the successive mission reports of the United Nations Human Rights Council Independent International Fact-Finding mission on Venezuela, in particular relating to the detailed information contained in its report issued in September 2022 illustrating how real and perceived dissidents and government opponents have been targeted for detention and reprisals by state intelligence services in recent years, which give further weight to the accusations of political repression and the responsibility of the State at the highest level; and *expresses the firm hope*, once again, that the State of Venezuela, with the support of the international community, will be able to address the violations and crimes documented in these reports;
5. *Renews* its call on all IPU Member Parliaments, IPU permanent observers and relevant human rights organizations to take concrete actions, within their respective mandates, in support of the urgent resolution of the individual cases at hand in a manner consistent with democratic and human rights values;
6. *Requests* the Secretary General to convey this decision to the relevant Venezuelan institutions, the complainant and any third party likely to be in a position to supply relevant information;
7. *Requests* the Committee to continue examining this case and to report back to it in due course.



Inter-Parliamentary Union

For democracy. For everyone.

## Venezuela

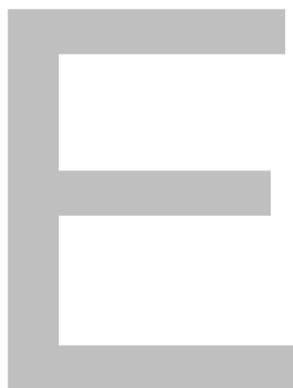
VEN/10 - Biagio Pilieri  
VEN/11 - José Sánchez Montiel  
VEN/12 - Hernán Claret Alemán  
VEN/13 - Richard Blanco Cabrera  
  
VEN/14 - Richard Mardo  
VEN/15 - Gustavo Marcano  
VEN/16 - Julio Borges  
VEN/17 - Juan Carlos Caldera  
VEN/18 - María Corina Machado (Ms.)  
VEN/19 - Nora Bracho (Ms.)  
VEN/20 - Ismael García  
VEN/21 - Eduardo Gómez Sigala  
VEN/22 - William Dávila  
VEN/23 - María Mercedes Aranguren (Ms.)  
  
VEN/24 - Nirma Guarulla (Ms.)  
VEN/25 - Julio Ygarza  
VEN/26 - Romel Guzamana  
  
VEN/27 - Rosmit Mantilla  
VEN/28 - Enzo Prieto  
VEN/29 - Gilberto Sojo  
  
VEN/30 - Gilber Caro  
  
VEN/31 - Luis Florido  
VEN/32 - Eudoro González

***Decision adopted unanimously by the IPU Governing Council at its 200<sup>th</sup> session (Dhaka, 5 April 2017)***

The Governing Council of the Inter-Parliamentary Union,

*Referring* to the existing cases under file name VEN/10-23, which concern allegations of human rights violations affecting members from the coalition of the former opposition, the Democratic Unity Round Table (MUD), in the previous Venezuelan legislature, and the decision adopted on their cases by the Governing Council at its 199<sup>th</sup> session (October 2016); *noting* that of these members, Mr. Pilieri, Mr. Sánchez, Mr. Alemán, Mr. Blanco, Mr. Borges, Ms. Bracho, Mr. García and Mr. Dávila were re-elected in the parliamentary elections of 6 December 2015, in which the MUD obtained a majority of seats; *referring also* to the existing cases under file name VEN/24-29, which concern parliamentarians from the MUD who were elected for the first time in 2015,

*Having before it* the new cases of Mr. Gilber Caro, Mr. Eudoro Gonzalez and Mr. Luis Florido, who were elected in 2015, which have been examined by the Committee on the Human Rights of Parliamentarians pursuant to the Procedure for the examination and treatment of complaints (Annex I of the Revised Rules and Practices),



*Considering* the information regularly provided by the complainant and by parliamentarians belonging to the MUD and during the hearing with the Committee on 3 April 2017,

*Considering* the letter of 12 March 2017 from Mr. Darío Vivas Velazco, member of the Venezuelan National Assembly and Coordinator of the Venezuelan parliamentary group *Bloque de la Patria* in the Latin American Parliament, and the information he provided at the hearing with the Committee on 3 April 2017; *also considering* the multiple contacts with the IPU Secretary General and the IPU Secretariat have had with the Venezuelan Permanent Mission to the United Nations in Geneva,

*Recalling* the following information on file with regard to the previous cases:

- **Mr. Pilieri, Mr. Sánchez, Mr. Alemán and Mr. Blanco**
  - The four men have been exercising their parliamentary mandate, but remain subject to criminal proceedings. According to the complainant, the proceedings are baseless, which the authorities deny. They were instigated before their election to the National Assembly in September 2010, at which time Mr. Pilieri and Mr. Sánchez were detained. They were released in February and December 2011, respectively;
- **Mr. Richard Mardo**
  - On 5 February 2013, Mr. Diosdado Cabello, then Speaker of the National Assembly, reportedly displayed, in the course of an ordinary session, public documents and cheques to support the hypothesis that Mr. Mardo had benefited from third-party donations, arguing that this amounted to illicit enrichment. The complainant affirms that what the Speaker displayed were falsified cheques and forged receipts;
  - On 12 March 2013, the Prosecutor General's Office formally requested the Supreme Court to authorize proceedings against Mr. Mardo on charges of tax fraud and money laundering, following accusations that were levelled against him by the then Speaker of the National Assembly which, according to the complainant, were based on falsified cheques and forged receipts. According to the authorities, Mr. Mardo was officially charged on 25 June 2014;
  - There is no information on file to show that the authorities have advanced with the criminal proceedings;
- **Ms. María Mercedes Aranguren**
  - On 12 November 2013, the National Assembly lifted Ms. Aranguren's parliamentary immunity so as to allow charges of corruption and criminal association to be filed in court. The complainant affirms that the case against Ms. Aranguren is not only baseless, but had been dormant since 2008 and was only reactivated in 2013 in order to pass the enabling legislation. The authorities stated that, on 10 December 2014, the court in charge of the case ordered her arrest;
  - There is no information on file to show that the authorities have advanced with the criminal proceedings;
- **Ms. María Corina Machado**
  - On 24 March 2014, the Speaker of the National Assembly announced, without any discussion in plenary, that Ms. Machado had been stripped of her mandate after the Government of Panama had accredited her as an alternate representative at the March 2014 meeting of the Permanent Council of the Organization of American States (OAS) in Washington, DC, so as to allow her to present her account of the situation in Venezuela;
  - Two criminal investigations were subsequently initiated against her. The complainant states that the investigations relate to allegations that she was accused of involvement in an alleged plot to carry out a coup d'état and assassinations and of incitement to violence. Ms. Machado has denied the accusations and charges against her. On 3 December 2014, formal charges were reportedly brought by the Prosecutor's Office. No information is on file with regard to the current status of proceedings;

- On 14 July 2015, the Comptroller General of the Republic fined Ms. Machado and suspended her from her duties for 12 months, thereby blocking her intention to stand in the parliamentary elections of December 2015 for a further term as a member of the National Assembly. According to the complainant, the suspension was totally disproportionate and unconstitutional and a violation of human rights;
- **Mr. Juan Carlos Caldera**
  - On 26 November 2014, the Supreme Court authorized Mr. Caldera's prosecution, referring to article 380 of the Code of Criminal Procedure. The complainant claims that, contrary to the Court's ruling, the acts for which Mr. Caldera is to be investigated are not crimes. The complainant states that an illegal audio recording emerged showing several persons plotting to frame Mr. Caldera by making a lawful act – the receipt of private funds for a mayoral election campaign – appear criminal in the eyes of the public. The complainant points out that, in Venezuela, public funding of political parties and election campaigns is prohibited;
- **Mr. Ismael García**
  - In November 2014, the Supreme Court upheld a request for pretrial proceedings in the case brought against Mr. García by General Carvajal, who claims to have been defamed and is currently being held in Aruba at the request of the United States Government on accusations of drug trafficking. The complainant points out that Mr. García had formally requested the Prosecutor General's Office to investigate General Carvajal for his alleged role in criminal activity. According to the complainant, none of these facts was considered by the Supreme Court before upholding the request;
- **Ms. Nirma Guarulla, Mr. Julio Ygarza and Mr. Romel Guzamana**
  - On 30 December 2015, the Electoral Chamber of the Supreme Court ordered the suspension of a number of acts of proclamation issued by the Electoral Council for the State of Amazonas. The judgement related to allegations of fraud during the election of Ms. Guarulla, Mr. Ygarza and Mr. Guzamana (all from the coalition of the former opposition, the MUD) and Mr. Miguel Tadeo (from the PSUV). The suspension has the effect of reducing the two-thirds majority that the "opposition", now majority, would have had in the National Assembly to take certain important decisions, and is therefore of particular significance;
  - On 5 January 2016, the National Assembly decided to disregard this judgement and that the deputies from Amazonas should take their seats, although Mr. Tadeo from the PSUV chose to respect the court order. On 11 January 2016, the Supreme Court determined that any decision taken by the National Assembly would be invalid as long as the members of parliament whom the Court had suspended remained in their seats. The MUD coalition parties in parliament first decided to continue legislating in defiance of the court ruling but, on 13 January 2016, the suspended members requested to leave the legislature "without losing their status of members of parliament and in expectation of more favourable conditions in resuming their seats";
  - On 21 July 2016, the suspended members of parliament from the State of Amazonas decided to retake their seats at the National Assembly, despite the Supreme Court's earlier decision to suspend their election;
  - On 1 August 2016, the Supreme Court declared again that any decision taken by the National Assembly would be invalid as long as the members of parliament remained in their seats, and declared that the suspended members of parliament and the opposition (new majority) members of parliament were in contempt of court, and therefore could be liable to criminal prosecution;
  - As a result of this continued contempt, since August 2016 the President of Venezuela has deprived the National Assembly of its funds to function, including salaries for its members and monies needed to cover its running costs;
  - The complainant has repeatedly reiterated concerns about the lack of independence of the Supreme Court. In particular, 13 of its judges and 21 substitute judges of the Court, some of whom had close affinity with, if not direct ties to, the governing party, were

elected hastily by the outgoing National Assembly within one month after the 6 December 2015 elections had eliminated the governing party's majority in the newly elected National Assembly, which would take office on 5 January 2016;

- **Mr. Rosmit Mantilla, Mr. Enzo Prieto and Mr. Gilberto Sojo**
  - Mr. Mantilla, Mr. Prieto and Mr. Sojo, elected as alternate members of parliament in the parliamentary elections of 6 December 2015, have been deprived of their liberty since 2014 in connection with ongoing legal proceedings, according to the complainant for political reasons, and have therefore been unable to exercise their parliamentary mandate;
  - Mr. Mantilla was released on 17 November 2016 and took office as a parliamentarian on 22 November 2016. The legal case against him, however, continues and has reached the trial stage and Mr. Mantilla has to report regularly to the authorities. Mr. Sojo was released on 13 December 2016 and subsequently sworn in as a member of parliament. The legal case against him is, however, still pending;
- **The new case of Mr. Gilbert Caro**
  - The complainant states that, on 11 January 2017, officers from the Bolivarian Intelligence Service (SEBIN) arbitrarily arrested and detained Mr. Caro, who is still being held at the detention centre "26 de julio" in San Juan de los Moros in Guárico State. The complainant claims that Mr. Caro is to be tried by a military court, which contravenes articles 28, 49 and 261 of the Venezuelan Constitution, and that he has not been presented in due time before a judge;
- **The new cases of Mr. Luis Florido and Mr. Eudoro González and new developments concerning Mr. William Dávila**
  - Mr. Florido, President of the National Assembly's Committee on Foreign Relations, Sovereignty and Integration, returned to Venezuela on 27 January 2017 after carrying out parliamentary duties abroad. Upon his return, immigration officers confiscated his passport, informing him that the document had been cancelled owing to a reported official complaint of theft of the said document. On 6 February 2017, Mr. Florido was ready to travel abroad, using this time his ID card, which suffices for travel between Mercosur Member States, when he was told that he was subject to an order prohibiting him from leaving the country. On 7 February 2017, Mr. Dávila who was about to travel abroad, was likewise informed by immigration officers that his passport had been reported as stolen and therefore cancelled. Similarly, on 21 March 2017, Mr. González returned to Venezuela when immigration officers told him that his passport had been cancelled owing to a reported official complaint of theft of the said document;
  - In all three cases, the complainant affirms that no official complaint about the theft of the passports was ever made. It considers that the measures against the three parliamentarians are arbitrary and have no basis in law, being merely meant to harass and silence parliamentarians wishing to participate in international forums to voice their criticism of the political situation in Venezuela,

*Recalling* that a delegation of the Committee on the Human Rights of Parliamentarians was due to travel to Venezuela in June 2013 to address, among other things, the issues that had by then arisen in the cases, but that the mission was postponed at the last minute in order to allow the parliamentary authorities more time to organize the meetings requested,

*Taking into account* the numerous letters from the current Speaker of the National Assembly and his immediate predecessor, including his letter of 17 October 2016, in which he expressed full support for the mission by the Committee and underscored the need for it to take place as soon as possible, all the more so in light of his concerns about increased encroachment by the executive and judicial authorities on the powers of the National Assembly,

*Considering* that the mission, which was due to travel to Venezuela from 20 to 22 March 2017, was cancelled at the last minute after receiving the letter addressed to the IPU Secretary General by Mr. Darío Vivas Velazco, member of the Venezuelan National Assembly and Coordinator of the Venezuelan parliamentary group *Bloque de la Patria* in the Latin American Parliament, and the

refusal to provide a visa to the one member of the mission requiring it; *considering also* that in his letter, Mr. Darío Vivas states that “the Inter-Parliamentary Union has been welcomed in our country on previous occasions, including during His Excellency’s successful visit in 2016. However, the National Assembly is currently acting outside the bounds of its constitutional functions; thus, it is not authorized to represent the Legislative Power before international organizations such as the Inter-Parliamentary Union” and that for the *Bloque de la Patria* therefore “the legal, political and practical conditions required for the proper conduct of a visit by the IPU Committee on the Human Rights of Parliamentarians cannot be met as they might have been in different circumstances”,

*Recalling* the official visit to Venezuela by the Secretary General in late July 2016, during which he met, amongst others, with the President of Venezuela, the Speaker of the National Assembly, the Ombudsman and parliamentarians from majority and opposition parties, and that his visit laid the groundwork for the organization of the planned mission by the Committee; *further recalling* the report by the Secretary General on his mission to the Committee in October 2016; and *considering* his report to the Committee at its current session,

*Recalling* that from May 2016 to February 2017 efforts were made, with mediation by the Secretary General of UNASUR, the former Prime Minister of Spain and the former Presidents of the Dominican Republic and Panama, and later the Vatican, to bring the two political sides together, which led to official plenary meetings on 30 October 2016 and 11 and 12 November 2016 to decide on the issues for the political dialogue. However, the dialogue stalled subsequently, in light of disagreements about what had been concluded thus far and how to proceed,

*Considering* that, on 29 March 2017, the Supreme Court decided to assume the powers of the National Assembly temporarily, considering that the latter remained in contempt of its rulings. According to Mr. Darío Vivas, following an urgent meeting of the National Council of Defence, the Supreme Court swiftly reversed its decision. The text of this decision appears to be unavailable as of yet,

1. *Deeply* regrets that, despite the agreement of the Speaker of the National Assembly, the governing party did not welcome the mission at this point in time and that the visa was refused to one of its members, all the more so as it remains convinced that in the cases at hand, against the backdrop of the current political crisis, such a mission could help address the concerns and questions that have arisen thus far; *hopes therefore* that the mission can still take place soon;
2. *Is deeply concerned* about the continued suspension of four members of the National Assembly; *reaffirms* that this situation not only directly affects their individual political rights, but also deprives their constituencies of representation in parliament; *fails to understand* why these parliamentarians should not be allowed to exercise their parliamentary mandate, in particular to attend parliamentary sessions, as this would be in line with the fundamental principle of presumption of innocence; *fails to understand also* how, on a matter of such importance, it is possible that the Supreme Court has not yet issued a ruling, sixteen months after the elections; *calls on* the Supreme Court to do so as a matter of urgency, with due consideration of all the facts and with full respect for the right to defence of those concerned;
3. *Considers* that the subsequent rulings by the Supreme Court declaring all decisions by the National Assembly to be null and void for as long as the parliamentarians remain involved in the work of parliament to be grossly excessive;
4. *Is deeply concerned* that, as a result of this situation, the National Assembly as a whole and its members have been deprived of the financial means to which they are entitled to carry out their work, thereby seriously undermining the effectiveness of parliament; *urges* the relevant authorities to remedy this situation speedily; *stresses* at the same time the need for the various branches of State to act within their constitutionally prescribed mandate and prerogatives;

5. *Recognizes* that the issue relating to the suspension of the four members of the National Assembly is part of a larger political crisis in Venezuela, which can only be solved through political dialogue; *calls on* both sides to act in good faith and to commit fully to restarting the political dialogue with the assistance of the official mediators; *reaffirms* that the IPU stands ready to assist with these mediation efforts; and *wishes* to receive further official information about how this assistance can best be provided;
6. *Is pleased* that Mr. Mantilla and Mr. Sojo were released; *wishes to know* more about the prospect of Mr. Prieto being released soon and thus being allowed to carry out his parliamentary mandate; *wishes* to have full details of the legal grounds and facts that underpin the accusations against him and the stage reached in the legal proceedings;
7. *Recalls* its previous questions, as well as earlier preliminary concerns, regarding the cases of the other current and former parliamentarians whose cases were already under examination by the Committee before the elections of December 2015, and which relate primarily to the legal and factual justifications for the legal proceedings brought against them individually and for the lifting of their parliamentary immunity;
8. *Is deeply concerned* that the passports of Mr. González, Mr. Flores and Mr. Dávila were cancelled, apparently without any serious justification; *cannot but conclude* that this supports the allegations that the cancellation is in fact a reprisal for their political and parliamentary work, and is meant to prevent them from speaking about the situation in Venezuela in international forums; *urges* the relevant authorities to return the passports as a matter of urgency and to prevent these incidents from recurring;
9. *Notes* the allegations regarding Mr. Caro, in particular the alleged lack of respect for his parliamentary immunity and the possibility that he will be tried by a military court; *wishes* to receive official information on these points and on the exact accusations against him and the facts underpinning them;
10. *Requests* the Secretary General to convey this decision to the competent authorities, the complainants and any third party likely to be in a position to supply relevant information;
11. *Requests* the Committee to continue examining this case and to report back to it in due course.