



EUROPEAN PARLIAMENT

2014 - 2019

*Plenary sitting*

17.12.2014

B8-0375/2014 }  
B8-0376/2014 }  
B8-0377/2014 }  
B8-0379/2014 } RC1

## JOINT MOTION FOR A RESOLUTION

pursuant to Rules 135(5) and 123(4), of the Rules of Procedure

replacing the motions by the following groups:

PPE (B8-0375/2014)  
S&D (B8-0376/2014)  
ECR (B8-0377/2014)  
ALDE (B8-0379/2014)

on the persecution of the democratic opposition in Venezuela  
(2014/2998(RSP))

**Cristian Dan Preda, Jaromír Štětina, Luis de Grandes Pascual, Elmar Brok, Davor Ivo Stier, Bogdan Brunon Wenta, Francisco José Millán Mon, Lorenzo Cesa, Tunne Kelam, Monica Macovei, Franck Proust, Andrej Plenković, Jarosław Wałęsa, Giovanni La Via, Dubravka Šuica, Jeroen Lenaers, Lara Comi, Tomáš Zdechovský, Seán Kelly, Csaba Sógor, Andrzej Grzyb, Eduard Kukan, Pál Csáky, Pavel Svoboda, Michaela Šojdová, David McAllister, Marijana Petir, Elisabetta Gardini, Gabrielius Landsbergis**  
on behalf of the PPE Group

**Josef Weidenholzer, Francisco Assis, Pier Antonio Panzeri, Elena Valenciano, Ramón Jáuregui Atondo, Enrico Gasbarra, Krystyna Łybacka, Alessia Maria Mosca, Nicola Danti, Michela Giuffrida, Javi López, Nicola Caputo, Liisa Jaakonsaari, Lidia Joanna Geringer de Oedenberg, Andi Cristea, Marc Tarabella, Marlene Mizzi, Miriam Dalli, Kashetu Kyenge, Doru-Claudian Frunzulică, Juan Fernando López Aguilar, Vilija**

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**Blinkevičiūtė, Carlos Zorrinho, Ana Gomes, Miroslav Poche, Neena Gill**  
on behalf of the S&D Group

**Charles Tannock, Mark Demesmaeker, Ryszard Czarnecki, Arne Gericke**  
on behalf of the ECR Group

**Fernando Maura Barandiarán, Dita Charanzová, Beatriz Becerra  
Basterrechea, Frédérique Ries, Louis Michel, Ramon Tremosa i Balcells,  
Marielle de Sarnez, Pavel Telička, Izaskun Bilbao Barandica, Ivo Vajgl, Juan  
Carlos Girauta Vidal, Renate Weber, Johannes Cornelis van Baalen, Gérard  
Deprez, Ivan Jakovčić, Antanas Guoga, Martina Dlabajová, Petras  
Auštrevičius, Javier Nart, Jozo Radoš, Marietje Schaake**  
on behalf of the ALDE Group

**European Parliament resolution on the persecution of the democratic opposition in Venezuela  
(2014/2998(RSP))**

*The European Parliament,*

- having regard to its previous resolutions on the situation in Venezuela, including those of 24 May 2007 on the Radio Caracas TV channel case in Venezuela<sup>1</sup>, 23 October 2008 on political disqualifications in Venezuela<sup>2</sup>, 7 May 2009 on the case of Manuel Rosales<sup>3</sup>, 11 February 2010 on Venezuela<sup>4</sup>, 8 July 2010 on Venezuela, in particular the case of Maria Lourdes Afiuni<sup>5</sup>, 24 May 2012 on the withdrawal of Venezuela from the Inter-American Commission on Human Rights<sup>6</sup>, and 27 February 2014 on the political situation in Venezuela<sup>7</sup>,
  - having regard to the press statements by the spokesperson of EU High Representative / Vice-President Catherine Ashton of 28 March 2014 and 15 April 2014 on the situation in Venezuela,
  - having regard the opinion of the Working Group on Arbitrary Detentions of the Commission on Human Rights of the UN General Assembly of 26 August 2014,
  - having regard to the Statement by the UN High Commissioner for Human Rights of 20 October 2014 on the detention of protesters and politicians in Venezuela,
  - having regard to the International Covenant on Civil and Political Rights, to which Venezuela is a party,
  - having regard to the Universal Declaration of Human Rights of 1948,
  - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the economic crisis, high rates of corruption, the chronic shortage of basic goods, the violence and political divisions have triggered peaceful protests against the government of President Nicolás Maduro since February 2014, which are still ongoing; whereas the protestors have been met with disproportionate use of force and violence by the police, members of the National Guard and violent and uncontrolled armed pro-government groups; whereas according to local and international organisations over 1700 protesters are awaiting trial and more than 69 remain jailed, and at least 40 people have been killed in the protests, while their murderers remain unaccountable; whereas the Office of the UN High Commissioner for Human Rights confirms that it has received reports of more than 150 cases of ill-treatment during detention, including torture; whereas, according to several sources,

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<sup>1</sup> OJ C 120E, 24.4.2008, p. 484

<sup>2</sup> OJ C 15E, 21.1.2010, p. 85

<sup>3</sup> OJ C 212E, 5.8.2010, p. 113

<sup>4</sup> OJ C 341E, 11.2.2010, p. 69

<sup>5</sup> OJ C 351E, 2.12.2011, p. 130

<sup>6</sup> OJ C 264E, 13.9.2013, p. 88

<sup>7</sup> Texts adopted, P7\_TA(2014)0176

persecution of the democratic opposition by the security forces is still continuing;

- B. whereas freedom of expression and the right to take part in peaceful demonstrations are cornerstones of democracy and are recognised in the Venezuelan Constitution; whereas equality and justice for all are impossible without respect for the fundamental freedoms and rights of every citizen; whereas there are numerous reports confirming that the media are being subjected to increasing censorship and intimidation; whereas during the 70th General Assembly of the American Press Association (IAPA) in Santiago (Chile), that organisation declared that Venezuela is putting independent media under greater pressure and has urged Venezuela to respect freedom of expression and warned of the further loss of democratic freedom;
- C. whereas opposition leader Leopoldo López was arbitrarily detained on 18 February 2014 on charges of conspiracy, instigating violent demonstrations, arson and damage to property; whereas since his detention he has suffered physical and psychological torture and undergone solitary confinement; whereas opposition mayors Daniel Ceballos and Vicencio Scarano, as well as police officer Salvatore Lucchese, have been arrested for failing to end protests and civil rebellion in their cities, and have been sentenced to several years in prison; whereas opposition congressmen Juan Carlos Caldera, Ismael García and Richard Mardo are facing investigations and trial proceedings aimed at their suspension and disqualification from Congress;
- D. whereas student leaders such as Sairam Rivas, President of the Students' Centre of the School of Social Work at the Central University of Venezuela, Cristian Gil and Manuel Cotiz have been unjustly held on premises belonging to the Bolivarian Intelligence Service for more than 120 days and have been subjected to torture and ill-treatment in connection with the protests that took place between February and May 2014, having been accused of the offences of instigating crimes and using minors to commit crimes;
- E. whereas on 20 October 2014, the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, voiced concern at the detention of protesters and called for the release of all those detained for exercising their right to peaceful protest; whereas on 8 October 2014 the UN Working Group on Arbitrary Detention described the detention of Leopoldo López as illegal, arbitrary and politically motivated, and called for the release of López and all those who remain arbitrarily detained;
- F. whereas the Venezuelan Government has a particular responsibility to comply with the rule of law and international law, bearing in mind that it has been a non-permanent member of the UN Security Council since 16 October 2014;
- G. whereas the remarks in the recent report of the UN Committee against Torture on the Bolivarian Republic of Venezuela explicitly expressed concern at the prevailing impunity, torture and ill-treatment of political prisoners, excessive use of force, acquiescence and complicity with the actions of pro-government armed groups, arbitrary detention and the absence of fundamental procedural guarantees; whereas this report called for the immediate release of all those held in arbitrary detention, including Leopoldo López and Daniel Ceballos, who were arrested for exercising their right to express themselves and protest

peacefully, and furthermore expressed concern at the attacks on journalists and human rights activists, extrajudicial executions and the complete lack of an independent judiciary;

- H. whereas José Miguel Insulza, Secretary-General of the Organisation of American States (OAS), has called for the release of those imprisoned for their participation in the protests; whereas the Inter-American Commission on Human Rights has expressed deep concern over the situation with respect to freedom of association and freedom of expression in Venezuela;
- I. whereas the decision of Venezuela to withdraw from the American Convention on Human Rights took effect on 10 September 2013; whereas as a result of this action citizens and residents of Venezuela cannot bring any complaint before the Inter-American Court of Human Rights;
- J. whereas in March 2014 María Corina Machado, the Member of the National Assembly who had obtained the largest popular vote in Venezuela, was unlawfully and arbitrarily removed from office, deprived of her mandate and expelled from Parliament by the President of the National Assembly, Diosdado Cabello, who accused her of treason because she had spoken out against the massive and systematic violation of human rights in Venezuela before the Permanent Council of the OAS;
- K. whereas in the course of her political and parliamentary activity María Corina Machado was subjected to a series of criminal proceedings, political persecution, threats, intimidation, harassment and even physical violence from government supporters inside the Chamber of the National Assembly; whereas she was recently charged with attempting to assassinate President Maduro and may face up to 16 years in prison;
- L. whereas the judiciary has failed to function as an independent branch of government; whereas this judicial system cannot be expected to carry out impartial investigations or to pass fair judgments on allegations against the opposition ;
- M. whereas only respect for fundamental rights and freedoms and constructive and respectful dialogue conducted in a spirit of tolerance can help the country emerge from this serious crisis and overcome future difficulties;
- N. whereas a negotiation about the protests between the government and the opposition, called ‘Mesa de Diálogo’, was initiated in April 2014 but was unfortunately interrupted a month later without having achieved any success;
- O. whereas Venezuela is the country with the largest energy reserves in Latin America; whereas the people of Venezuela are suffering from a grave shortage of basic commodities, food prices have doubled and food rationing has started; whereas oil prices continue to drop significantly, deepening the economic downturn and threatening the country’s fragile oil-dependent economy;
- P. whereas the state’s failure to maintain law and order has led to Venezuela becoming one of the most violent countries in the world; whereas the ongoing political and economic crisis in Venezuela has contributed to a surging murder rate and citizen insecurity, according to the UN Office on Drugs and Crime;

1. Is deeply concerned at the worsening situation in Venezuela and condemns the imprisonment of peaceful protesters, students and opposition leaders; urges the immediate release of those arbitrarily detained prisoners, in line with the demands made by several UN bodies and international organisations;
2. Strongly condemns the political persecution and repression of the democratic opposition, the violations of freedom of expression and of demonstration, and the existence of media and web censorship;
3. Strongly condemns the use of violence against protesters; expresses its sincere condolences to the families of the victims; calls on the Venezuelan authorities to investigate these crimes and to hold those responsible fully accountable with no margin of impunity;
4. Encourages all parties to pursue peaceful dialogue reaching out to all segments of Venezuelan society, in order to define points of convergence and allow political actors to discuss the most serious problems facing the country; calls on all parties concerned to avoid further escalation of violence, and reminds the Government of Venezuela that a constructive dialogue is impossible as long as opposition leaders are still arbitrarily held in jail;
5. Calls on the Venezuelan authorities to immediately disarm and dissolve the uncontrolled armed pro-government associations and groups, putting an end to their impunity;
6. Reminds the Government of Venezuela of its responsibility to ensure that all trials conform to international standards; recalls that respect for the principle of separation of powers is fundamental in a democracy and that the justice system cannot be used by the authorities as a means of political persecution and repression of the democratic opposition; calls on the Venezuelan authorities to withdraw the unfounded charges and arrest warrants against opposition politicians and to ensure the security of all citizens in the country, regardless of their political views or affiliations;
7. Calls on the Government of Venezuela to comply with its own constitution and its international obligations with respect to the independence of the judiciary, the rights of freedom of expression, association and peaceful assembly and political pluralism, since these are cornerstones of democracy, and to ensure that people are not penalised for exercising their rights of peaceful assembly and freedom of expression;
8. Calls on the Government of Venezuela to respect human rights, to conduct effective investigations into alleged human rights violations, and to enable an environment in which human rights defenders and independent non-governmental organisations can carry out their legitimate work of promoting human rights and democracy;
9. Asks the EEAS and the EU Delegation, as well as the Member States' delegations, to continue to observe the investigations and the trial hearings of opposition leaders;
10. Calls on the Government of Venezuela to enter into a strong and open dialogue on human rights with the European Union;
11. Calls on the EU, its Member States, and High Representative / Vice-President Federica

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Mogherini to call for the immediate release of the protesters who have been arbitrarily arrested since the start of the protests;

12. Recalls its demand for an ad hoc European Parliament delegation to be sent to assess the situation in Venezuela and hold a dialogue with all sectors involved in the conflict, as soon as possible;
13. Instructs its President to forward this resolution to the Council, the Commission, the High Representative for Foreign Affairs and Security Policy, the Government and National Assembly of the Bolivarian Republic of Venezuela, the Euro-Latin American Parliamentary Assembly and the Secretary-General of the Organisation of American States.