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TEXTS ADOPTED

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**P8\_TA(2017)0200**

**Situation in Venezuela**

**European Parliament resolution of 27 April 2017 on the situation in Venezuela (2017/2651(RSP))**

*The European Parliament,*

- having regard to its numerous previous resolutions on the situation in Venezuela, in particular those of 27 February 2014 on the situation in Venezuela<sup>1</sup>, of 18 December 2014 on the persecution of the democratic opposition in Venezuela<sup>2</sup>, of 12 March 2015 on the situation in Venezuela<sup>3</sup>, and of 8 June 2016 on the situation in Venezuela<sup>4</sup>,
- having regard to the Universal Declaration of Human Rights of 1948,
- having regard to the International Covenant on Civil and Political Rights, to which Venezuela is a party,
- having regard to the Inter-American Democratic Charter, adopted on 11 September 2001,
- having regard to the Constitution of Venezuela, and in particular Articles 72 and 233 thereof,
- having regard to the letter of 16 May 2016 from Human Rights Watch to the Secretary-General of the Organisation of American States, Luis Almagro Lemes, about Venezuela<sup>5</sup>,
- having regard to the statement of 31 March 2017 by the UN High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, on the Venezuelan Supreme Court's decision to take over the legislative powers of the National Assembly,
- having regard to the warnings outlined in the OAS' reports of 30 May 2016 and 14 March 2017 on Venezuela and its Secretary-General's call for the urgent convocation of the Permanent Council, under Article 20 of the Democratic Charter, to

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<sup>1</sup> Texts adopted, P7\_TA(2014)0176.

<sup>2</sup> OJ C 294, 12.8.2016, p. 21.

<sup>3</sup> OJ C 316, 30.8.2016, p. 190.

<sup>4</sup> Texts adopted, P8\_TA(2016)0269.

<sup>5</sup> <https://www.hrw.org/news/2016/05/16/letter-human-rights-watch-secretary-general-almagro-about-venezuela>

discuss Venezuela's political crisis,

- having regard to the letter of 27 March 2017 from the Vice-President of the Commission/High Representative of the Union for Foreign Affairs and Security Policy (VP/HR), Federica Mogherini, on the worsening and severe political, economic and humanitarian crises in Venezuela,
  - having regard to the OAS declaration signed by 14 of its member states on 13 March 2017 demanding that Venezuela promptly schedule elections, release political prisoners and recognise its constitution's separation of powers, among other measures,
  - having regard to the OAS Permanent Council's resolution of 3 April 2017 on the recent events in Venezuela,
  - having regard to Rule 123(2) and (4) of its Rules of Procedure,
- A. whereas on 27 March 2017 the Venezuelan Supreme Court issued a decision declaring all legislation passed by the National Assembly unconstitutional; whereas on 29 March 2017 the Venezuelan Supreme Court issued a decision declaring the National Assembly to be in contempt, nullifying all legislative action and providing for the Supreme Court to assume the legislative function;
  - B. whereas the decisions issued by the Venezuelan Supreme Court violate both the separation of powers guaranteed by the constitution and the obligation on all judges to respect and ensure the integrity of the Venezuelan constitution (Article 334);
  - C. whereas the decisions were issued without any constitutional basis – either the powers granted to the National Assembly (Article 187 of the Constitution) or those enjoyed by the Constitutional Chamber of the Supreme Court (Article 336 of the constitution);
  - D. whereas the State Attorney General, Luisa Ortega Díaz, appointed by the Venezuelan Government, condemned the decision issued by the Supreme Court, considering it a breach of constitutional order; whereas, as a result of international reactions and numerous pleas, President Nicolás Maduro asked the Supreme Court to review the ruling fully disempowering the National Assembly, and whereas on 1 April 2017 the Supreme Court issued new rulings revoking the previous one;
  - E. whereas the Supreme Court has previously declared the National Assembly in contempt and nullified its actions on 1 August 2016 and on 5 September 2016, through Ruling No 808;
  - F. whereas Venezuela's opposition coalition, the Mesa de la Unidad Democrática, won 112 seats in the 167-member unicameral National Assembly, a two-thirds majority, compared with 55 seats for the PSUV; whereas the Supreme Court blocked four National Assembly representatives (three of whom opposition members) from taking office, thereby depriving the opposition of its two-thirds majority;
  - G. whereas the latest arbitrary arrests have raised the number of political prisoners to more than a hundred, including major political leaders such as Leopoldo López, Antonio Ledezma, Daniel Ceballos and Yon Goicoechea;
  - H. whereas Venezuelan opposition leader and twice presidential candidate Henrique

Capriles has been banned from holding political office for 15 years; whereas this decision was based on alleged accusations of ‘administrative irregularities’ in his role as Governor of Miranda State;

- I. whereas the Venezuelan security forces, including the national guard and the national police, as well as irregular armed groups, have from the beginning of the protests repeatedly used brutal force against peaceful protesters, including Members of Congress, opposing the decision nullifying the National Assembly’s competences, and whereas this has resulted in more than 20 deaths, while a large number of people have been wounded and there have been many arrests;
  - J. whereas on 3 April 2017, 17 out of 21 countries on the Permanent Council of the OAS stated their grave concern regarding the unconstitutional alteration of the democratic order in Venezuela; whereas some countries in the region have recently expressed their will to facilitate a mediation process in Venezuela, thereby creating the possibility of a breakthrough;
  - K. whereas the government suspended the local and regional elections scheduled for December 2016, and has prevented a recall referendum from taking place – a constitutional provision that allows 20 % of the electorate to request the removal of an unpopular President – despite all the constitutional requirements having been fulfilled;
1. Condemns the continued unconstitutional violation of the democratic order in Venezuela, after the ruling issued by the Venezuelan Supreme Court with the aim of taking over the legislative powers of the National Assembly, and the lack of separation of powers and independence of the branches of government;
  2. Strongly rejects the decisions of the Supreme Court of Venezuela to suspend the powers of the National Assembly and considers it a fundamentally undemocratic action that is in direct violation of the Venezuelan constitution; considers it essential, notwithstanding the recent revision of some elements of these decisions, that the Government of Venezuela ensure the full restoration of the democratic order;
  3. Expresses grave concern at the seriously deteriorating situation as regards democracy, human rights and the socio-economic situation in Venezuela, in a growing climate of political and social instability;
  4. Calls on the Government and the Supreme Court of Venezuela to respect the constitution, in particular the powers conferred on all duly elected members of the parliament;
  5. Calls on the Venezuelan Government to safeguard the separation and independence of branches and to restore full constitutional authority to the National Assembly; recalls that separation and non-interference between branches is an essential principle of democratic states guided by the rule of law;
  6. Calls on the Venezuelan Government to ensure the immediate and unconditional release of all political prisoners; recalls that the freeing of political prisoners was approved by the National Assembly through the Law of National Reconciliation, vetoed by decision of the executive power; stresses that there can be no durable peaceful solution for Venezuela in the long term if there are political prisoners;

7. Calls on the Government of Venezuela to comply with the constitution and to present as soon as possible an electoral calendar that will allow free and transparent electoral processes to take place, as the only way to bring the current political impasse to an end; strongly condemns the Venezuelan national *contraloría*'s decision to ban the opposition leader Henrique Capriles from holding political office for 15 years; calls on the Venezuelan Government to put an end to the practice of sidelining opposition leaders by depriving them of their political rights;
8. Welcomes the resolution adopted by the Permanent Council of the OAS on 3 April 2017 and calls on the VP/HR to support it and the will expressed by many countries in the region to facilitate a mediation process to reach a national agreement; calls on the VP/HR, furthermore, to actively explore with international and regional organisations other measures that would enable the EU to restore full democracy to Venezuela;
9. Strongly condemns the brutal repression exercised by the Venezuelan security forces, as well as irregular armed groups, against the peaceful protests, as a result of which more than 20 people have died, a large number have been wounded and there have been many arrests; calls on the Venezuelan Government to investigate all deaths and to respect and guarantee the constitutional right to freedom of peaceful assembly; calls on the Venezuelan authorities to guarantee security and free exercise of rights for all citizens, in particular human rights defenders, journalists, political activists and members of independent non-governmental organisations who are at greater risk of attacks and arbitrary detention;
10. Calls on the Venezuelan authorities to allow humanitarian aid into the country as a matter of urgency and to grant access to the international organisations that wish to assist the worst affected sectors of society; calls on the international community, and in particular on neighbouring and EU countries, to take into consideration the humanitarian crisis that may arise as a result of the large numbers of Venezuelans leaving their country;
11. Reiterates its urgent request for a European Parliament delegation to be sent to Venezuela and for a dialogue to be held with all sectors involved in the conflict as soon as possible;
12. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission/High Representative of the Union 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.