



EUROPEAN PARLIAMENT

2014 - 2019

Plenary sitting

16.12.2014

B8-0375/2014

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 135 of the Rules of Procedure

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

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on behalf of the PPE Group

B8-0375/2014

**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, 23 October 2008 on political disqualifications in Venezuela, 7 May 2009 on the case of Manuel Rosales, 11 February 2010 on Venezuela, 8 July 2010 on Venezuela, in particular the case of Maria Lourdes Afiuni, 24 May 2012 on the withdrawal of Venezuela from the Inter-American Commission on Human Rights, and 27 February 2014 on the political situation in the country in 2014,
- 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 Rule 135(xxx) of its Rules of Procedure,
- A. whereas the seriousness of the political situation in Venezuela, where political division and polarisation, violence and systematic persecution of members of the democratic opposition, and daily shortages owing to the lack of staple products generated a wave of protests in February 2014 that were harshly suppressed by government forces, as a result of which dozens of people died and several thousand were injured and arrested, among them some EU citizens;
- B. whereas more than 1 800 people who were charged with offences following the protests are still awaiting trial, 80 remain in prison and none of the 40 assassinations has been successfully investigated or those responsible charged, leading to a situation of practical and total impunity;
- C. whereas the Office of the United Nations High Commissioner for Human Rights has received documented reports of more than 150 cases of torture or degrading treatment during periods of detention, and whereas opposition supporters and family members of detainees are still being targeted, harassed and intimidated;
- D. whereas freedom of expression and the right to take part in peaceful demonstrations are fundamental to democracy; whereas the Venezuelan Constitution guarantees the peaceful right of assembly and of association and the right to demonstrate peacefully; whereas the state authorities have a duty to safeguard the fundamental rights of Venezuelan citizens and to guarantee their safety and protect their lives without curtailing those rights;
- E. whereas the key opposition leader Leopoldo López has been held in arbitrary detention for

more than nine months, during which he has been subjected to ill-treatment, unjustified isolation and all types of psychological torture, on charges of conspiracy, instigating violence, incitement and association for the purposes of committing crimes and causing damage to various properties;

- F. whereas the opposition mayors Daniel Ceballos and Vicencio Scarano as well as commissioner Salvatore Lucchesi were detained in their respective municipalities, on charges of failing to cooperate to end the protests and have been given heavy prison sentences;
- G. whereas student leaders such as Sairam Rivas, President of the Students' Centre of the School of Social Work at the Central University of Venezuela, Christian Gil and Manuel Cotiz have been unjustly held in buildings 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;
- H. whereas the United Nations High Commissioner for Human Rights, Zeid Ra'ad Al Hussein, expressed his concern at the detention of Venezuelan opposition leaders and called for their immediate release, as well as the immediate release of all those detained in Venezuela for exercising their right to peaceful protest;
- I. whereas the United Nations working group on arbitrary detention has classed the detention and imprisonment of Leopoldo López as illegal, arbitrary and motivated solely by his political opinions and called for his immediate release; whereas this working group has also called for the release of the remaining leaders imprisoned for political reasons;
- J. whereas the remarks set out in the recent report of the United Nations Committee against Torture on the Bolivarian Republic of Venezuela, expressed concern at 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, and 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 also expressed concern at the attacks on journalists and human rights activists, extrajudicial executions and the complete lack of an independent judiciary;
- K. 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 elected a non-permanent member of the United Nations Security Council since 16 October 2014;
- L. whereas the Secretary-General of the Organisation of American States, José Miguel Insulza, has also spoken in favour of releasing those imprisoned for participating in the protests;
- M. whereas, in March 2014, Maria 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, Diosado 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 Organisation of American States;

- N. whereas, in the course of her political and parliamentary activity, Maria 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 the President of the Republic, Nicolás Maduro; and for this offences she might be facing up till 16 years in prison.
- O. whereas in Venezuela there is a total state concentration of the media, a high level of repression, targeting and severe harassment suffered by media critical of the government; whereas the Venezuelan Government has secured absolute control over all of the audiovisual media across the country, without exception;
- P. whereas the 70th General Assembly of the Inter-American Press Association held in Chile expressed concern at media persecution in Venezuela and urged the Venezuelan authorities to respect the freedom of expression and of opinion, voicing concern at restrictions on democratic freedoms;
- Q. whereas Venezuela withdrew from the American Human Rights Convention on 10 September 2013, even though it still falls within the jurisdiction of the Inter-American Commission on Human Rights and is still bound by the obligations laid down in the OAS Charter and the Inter-American Declaration on the Rights and Duties of Man;
- R. whereas the alarming situation of public insecurity is spreading fear among the Venezuelan population; whereas the severe economic crisis is affecting the country, with runaway inflation, a currency that is dealt at different exchange rates on the black market and a clear shortage of a large number of staple products, in a country with the world's largest reserves of crude oil, all against a background of internationally low oil prices;
1. Expresses its concern at the political and social situation in Venezuela;
 2. Condemns the imprisonment and political and arbitrary persecution of student leaders and opposition politicians and calls for their immediate release in keeping with the petitions and appeals made by United Nations bodies;
 3. Condemns the use of violence and intimidation of leaders and members of the opposition by government forces;
 4. Rejects the use of power, exercise of force and government action aimed at intimidating, silencing and persecuting the political opposition;
 5. Takes the view that, in order to comply with the rule of law and the rules of democracy, the principle of the separation of powers is the guarantee for the exercise and enjoyment of fundamental political rights, and deeply regrets that the executive in Venezuela commands, steers and has absolute control over the remaining powers of the state; takes the view that

complying with the rules of democracy demands respect for the principle of separation of powers, the right to a fair trial and the fundamental right to present a defence;

6. Encourages all parties, in particular the Venezuelan authorities, to pursue peaceful dialogue, reaching out to all segments of Venezuelan society in order to define points of convergence and to allow political actors to discuss the most serious problems facing the country;
7. Calls on the Venezuelan authorities to immediately disarm and dissolve the uncontrolled armed pro-government associations and groups, putting an end to their impunity; asks the authorities to show their willingness to investigate the crimes committed so that their perpetrators can be brought to justice, with no possibility of impunity;
8. Urges the Venezuelan Government to respect freedom of expression, the right of association, the free exercise of political activity and the right to peaceful civic protest; stresses that respect for freedom of the press, information and opinion and political pluralism are fundamental to democracy;
9. Urges the High Representative for Foreign Policy to speak out about the arbitrary detention of members of the opposition in Venezuela;
10. Reiterates its call for an ad hoc European Parliament delegation to be sent to assess the situation in Venezuela and hold a dialogue with all the sectors involved in the conflict as soon as possible;
11. 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.