



Plenary sitting

RC10-00/2024

17.09.2024

JOINT MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy

pursuant to Rule 136 of the Rules of Procedure

on the situation in Venezuela

Dolors Montserrat, Esteban Gonzalez Pons, Gabriel Mato, Sebastiao Bugalho, Antonio Lopez-Isturiz

on behalf of the EPP Group

on behalf of the ECR Group

on behalf of the Patriots for Europe

European Parliament resolution on the situation in Venezuela

The European Parliament,

- having regard to its previous resolutions on Venezuela,
- having regard to the Universal Declaration of Human Rights and to other UN human rights treaties and instruments,
- having regard to the International Covenant on Civil and Political Rights,
- having regard to the Vienna Convention on Diplomatic Relations, the Vienna Convention on Consular Relations and the Caracas Convention on Diplomatic Asylum,
- having regard to the Rome Statute of the International Criminal Court (ICC),
- having regard to the Venezuelan Constitution,
- having regard to the statements of the UN Fact-Finding Mission to Venezuela of 31 July and 12 August 2024,
- having regard to the statement of the UN human rights office of 3 September 2024,
- having regard to the Interim report of the United Nations UN Panel of Experts – Venezuelan Presidential Elections 28 July 2022, issued on 9 August,
- having regard to the statement by the High Representative of the Union for Foreign Affairs and Security Policy of 29 July 2024,
- having regard to the statement of 4 and 24 August 2024 by the High Representative on behalf of the EU on post-election developments in Venezuela
- having regard to the Partial Agreement on the Promotion of Political Rights and Electoral Guarantees for All, signed by the Maduro regime and the Venezuelan opposition alliance, the Unitary Platform, in October 2023 (Barbados Agreement),
- having regard to the report of the Department of Electoral Cooperation and Observation (DECO) of the Secretariat for Strengthening Democracy of the OAS on the presidential elections in Venezuela of 30 July 2024,
- having regard to the Resolution on the situation in Venezuela, adopted by the Organisation of American States (OAS) on 16 August 2024,
- having regard to the statement of the Carter Center on the Venezuela Election of 30 July 2024,
- having regard to the final report of the EU Election Observation Mission (EOM) to Venezuela of 22 February 2022 entitled ‘Regional and municipal elections 21 November 2021’ and the statement by the President of the Electoral Observation Delegation of the European Parliament, of 23 November 2021 on the regional and local elections in Venezuela in 2021,
- having regard to Rule 136 of its Rules of Procedure,

- A. whereas on 28 July 2024 the presidential elections were held in Venezuela to choose a president for a six-year term beginning on 10 January 2025; whereas these elections represented a unique opportunity to move from a corrupt autocracy towards a return to democracy if all the items of the Barbados Agreement had been respected;
- B. Whereas Nicolás Maduro's regime has continually harassed, persecuted and censored activists, journalists, and civil society organizations in the midst of the ongoing socioeconomic, political and humanitarian crisis marked by hyperinflation, escalating starvation, disease, huge levels of corruption, crime and impunity, flagrant violation of human rights and mortality rates, which resulted in the massive emigration of more than 7.7 million Venezuelans seeking to escape the tyranny; whereas there are significant shortages in public services and it is increasingly difficult for Venezuelans to access food and medicines; whereas this crisis is one of the largest displacement crises in the world;
- C. whereas the use of politically motivated arbitrary detentions have been for years part of a policy of repression implemented by the Maduro regime and part of a widespread and systematic attack against the population of Venezuela; whereas there have been systematic restrictions on public information, freedom of opinion and expression and the right to peaceful assembly, particularly for dissidents of the regime, trade unionists, human rights defenders and the most vulnerable members of society;
- D. whereas on 17 October 2023 in Venezuela, the representatives of the Maduro regime and the Unitary Platform opposition alliance signed two agreements, known as the Barbados Agreements, which cover matters including the promotion of political rights, electoral guarantees for all, the respect for the free election of candidates for presidential elections of all political actors, and the release of political prisoners; whereas this agreement covered important topics such as allowing international observers to participate in the electoral process; whereas the agreement was signed to serve as a first step to ensure free and fair elections in Venezuela; whereas political prisoners were not released despite it being explicitly stated in the Barbados Agreement
- E. whereas María Corina Machado was elected as the candidate of the opposition to the regime at the primaries of the Unitary Platform in 2023 by 92.35% of votes; whereas the regime disqualified her on arbitrary and politically motivated grounds, in a flagrant breach of the Barbados Agreements, from running in the elections; whereas such disqualifications from the exercise of any public office have been used by the Maduro regime against several other opposition politicians for years to prevent political change; whereas upon her disqualification, María Corina Machado maintained the democratic opposition to the regime united under a new candidate, Corina Yoris, who in turn was not authorised to register; whereas Edmundo González Urrutia was the final candidate of the democratic opposition to the regime;
- F. whereas in the lead-up to the elections, the regime has been tirelessly persecuting, abducting, arresting and imprisoning activists of the opposition and the campaign team of the opposition leader María Corina Machado and presidential candidate Edmundo González, as well as criminalising the work of lawyers, human rights defenders and civil society actors; whereas numerous electoral irregularities and violations were reported, including the disqualification of around 16 political parties, barriers to register

presidential candidates, short deadlines and few places of registration, minimal public information, obstruction for overseas voters; whereas according to the figures provided by the regime, only 69,211 Venezuelans living abroad were able to register to vote, although it is estimated that half of the 7.7 million Venezuelans living abroad are of voting age;

- G. whereas since 20 March 2024 six close collaborators of *Vente Venezuela* have sought refuge in the Argentinean Embassy in Caracas where they continue to face increasing pressure and harassment by the Venezuelan security forces;
- H. whereas on 28 May 2024, the regime-controlled National Electoral Council (CNE) revoked the invitation sent to the EU to observe the elections; whereas numerous international delegations that were invited by the democratic opposition to the regime '*Comando Nacional de Campaña Con VZLA*' were denied entry into the country and expelled, including a delegation of Members of a political group of the European Parliament and five Latin American ex-presidents;
- I. whereas the elections on 28 July 2024 took place in a largely peaceful environment and the Venezuelan people showed up in high numbers to vote demonstrating outstanding civic and democratic behaviour despite the constant efforts by the regime to thwart the electoral process; whereas numerous reports of restrictions on access to many polling stations for domestic observers and opposition party witnesses were recorded; whereas pressure on voters through check-points set up by the regime were also reported in numerous polling stations; whereas major irregularities were revealed during the election night and the transmission of official vote count results from the polling stations to the CNE was interrupted when about 30 percent of the electoral records (*actas*) were available;
- J. whereas the few credible and independent observation missions on the ground - a UN team and the Carter Center - have reported that "Venezuela's 2024 presidential election did not meet international standards of electoral integrity and cannot be considered democratic [...] cannot verify or corroborate the results of the election declared by the regime-controlled CNE, and the electoral authority's failure to announce disaggregated results by polling station constitutes a serious breach of electoral principles"; whereas the report of the UN panel of experts stated that the premature declaration of a winner "had no precedent in contemporary democratic elections", and that the election process lacked "basic transparency and integrity"; whereas the elections were neither free nor fair;
- K. whereas at the end of the elections, the regime-controlled CNE refused to publish the official record of tally sheets and falsified the result of the elections announcing the false victory of Maduro, which constitutes a serious breach of electoral principles; whereas the international community could not therefore verify or corroborate the results declared by CNE; whereas therefore, the results management process of the CNE did not meet basic transparency and integrity measures that are essential for holding credible elections; ;
- L. whereas the democratic opposition to the regime has managed to obtain 83.5% of the official tally sheets and credibly demonstrated that the winner of the elections is Edmundo González Urrutia with 67.08% of votes; whereas the latest UN report confirms the authenticity of the documents published by the opposition;

- M. whereas the EU and other democratic countries and regional and international organisations have not recognised the elections, their outcome or the authorities put in place by the illegitimate process; whereas the United States and several Latin American countries have recognized Gonzalez as the election winner;
- N. whereas in the aftermath of the elections, peaceful protests took place across the country to contest the fraudulent display by the Maduro regime; whereas these protests were met with extreme violence and repression resulting in over 23 deaths and over 2400 arrests and enforced disappearances, of which approximatively 120 were children;
- O. whereas María Corina Machado has been forced to go into hiding for fear of reprisal from the Maduro regime and Edmundo González Urrutia was forced into exile after an arrest warrant was issued against him and serious threats were made on his life and that of his relatives; whereas the mandate of the Prosecutor General Tarek William Saab has in the meantime expired; whereas already on 5 August 2024, a criminal investigation has been launched in Venezuela against Gonzalez and Machado for announcing an election winner other than Maduro and allegedly instigating disobedience and insurrection;
- P. whereas on 14 September 2024, the Venezuelan government announced it has detained six foreign nationals, including three EU citizens (one Czech and two Spaniards), on groundless "destabilisation" basis; whereas government officials have formulated extremely serious and manifestly fictitious accusations of Spanish "interference" through its state intelligence agency;
- Q. Whereas in mid-August the Venezuelan regime expelled the diplomatic missions of seven Latin American nations that expressed concerns over the results announced, namely Argentina, Chile, Costa Rica, Perú, Panamá, the Dominican Republic and Uruguay;
1. Recognises Edmundo González Urrutia as the legitimate and democratically elected president of Venezuela; recognises as well María Corina Machado as the leader of the democratic forces in Venezuela since she was elected at the at the primaries of the Unitary Platform in 2023 by 92.35% of votes;
 2. Urges all EU Member States to recognise Edmundo González Urrutia as the legitimate and democratically elected president of Venezuela;
 3. Calls on the EU and its Member States to do their utmost to ensure that the legitimate and democratically elected president can take office on 10 January 2025, in accordance with the Venezuelan constitution;
 4. Strongly condemns and fully rejects the electoral fraud orchestrated by the regime-controlled CNE that refused to make public the official result through the tally sheet of each polling station despite the repeated calls from the international community; highlights that the Venezuelan regime's failed to the respect the Barbados Agreements in

relation to the presidential elections, making impossible the holding of free and fair elections;

5. Notes that reports from international election observation missions clearly state that the presidential elections of 28 July did not meet international standards of electoral integrity; Reiterates that the regime-controlled CNE has failed to publish complete and independently verifiable electoral records (actas) from all the polling stations;
6. Stresses in particular, that the interim report of the UN Panel of Experts, invited by Venezuela's regime-controlled CNE to assess the overall conduct of the elections within the framework of the Barbados Agreement, underscored the lack of substantiation for the results announced; recalls that the UN Panel of Experts confirmed that a sample of the reviewed electoral records (actas) published by the opposition exhibit all the security features of the original result protocols, thereby confirming their reliability;
7. Reiterates that respecting the will of the Venezuelan people expressed in the elections remains the only way for Venezuela to restore democracy, allow for a peaceful and genuine transition and to solve the current humanitarian and socio-economic crisis;
8. Condemns in the strongest possible terms the murders, harassments, violations and arrests, against the democratic opposition to the regime and the Venezuelan people to and civil society, and to end systematic pattern of human rights violations; demands the immediate and unconditional release of all politically and arbitrarily detained persons, including foreign and EU nationals, as well as compensation to them and their families, while restoring their full civil and political rights; exhorts the Maduro's regime to cease its policy of repression and attacks on civil society and the opposition;
9. Fully supports the International Criminal Court and UN Independent Fact-Finding Mission investigations into the Venezuelan regime's extensive crimes and acts of repression and calls for the EU to support the investigations, currently being considered under the Rome Statute, into the alleged crimes against humanity, in order to hold those responsible to account;
10. Calls on the UN Human Rights Council to adopt a resolution at its 57th session (9 September – 9 October 2024) for the renewal of the Fact-Finding Mission on Venezuela (FFM) and of the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Venezuela; calls for the immediate return of the OHCHR to Venezuela and urges Venezuela to ensure the necessary conditions for it to fully carry out its mandate;
11. Calls on the EU and its Member States to request an international arrest warrant against Nicolas Maduro for crimes against humanity for all the grave violations of human rights he committed;
12. recalls that in May 2024, the EU lifted the sanctions, as a gesture of goodwill, against members of the CNE; underlines that this action did not produce any positive effect; calls on the VP/HR and the Council to reinstate these sanctions against the members of the CNE; further calls to prolong the sanctions on the regime and extend their scope, applying targeted sanctions through the EU Global Human Rights Sanctions Regime against

Nicolas Maduro and his inner circle, including Jorge Rodriguez, their families, and all those responsible for violations of human rights in the country;

13. Deplores that none of the key recommendations from the 2021 European Union Electoral Observation Mission Final Report have been implemented; Condemns the fact that the CNE revoked the invitation to the EU to deploy an EU observation mission; further condemns the decision of the regime to impede access and expel international observers invited by the democratic opposition to the regime '*Comando Nacional de Campaña Con VZLA*' for election day;
14. Urges the regional players and the international community to put all the pressure they can on the Maduro regime and his inner circle to accept democratic will of the Venezuelan people, recognising Edmundo González Urrutia as the legitimate and democratically elected president of Venezuela; is convinced that if a peaceful transfer of power and the re-establishment of democracy does not occur on 10 January 2025, a renewed migratory exodus to the other countries of the region will follow, similar to that which has led close to 8 million Venezuelans to flee the country in recent years;
15. 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 EU-Community of Latin American and Caribbean States summit participants, the Euro-Latin American Parliamentary Assembly, the Organization of American States, the Secretary-General of the United Nations and the Venezuelan regime authorities.