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Further repression against the democratic forces in Venezuela: attacks on presidential candidate Maria Corina Machado

European Parliament resolution of 8 February 2024 on further repression against the democratic forces in Venezuela: attacks on presidential candidate María Corina Machado (2024/2549(RSP))

(C/2024/6344)

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 statement by the spokesperson of the High Representative of the Union for Foreign Affairs and Security Policy of 29 January 2024,

— having regard to the statement of the General Secretariat of the Organization of American States of 28 January 2024 on recent events in Venezuela,

— having regard to the Partial Agreement on the Promotion of Political Rights and Electoral Guarantees for All, signed by the Maduro government and the Venezuelan opposition alliance, the Unitary Platform, in October 2023 (Barbados Agreement),

— having regard to the first report of the UN Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela, published on 16 September 2020,

— having regard to the Venezuelan Constitution,

— 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, Jordi Cañas, of 23 November 2021 on the regional and local elections in Venezuela in 2021,

— having regard to Rule 132(2) and (4) of its Rules of Procedure,

A. whereas Venezuela's 2024 elections could represent a turning point from a corrupt autocracy towards a return to democracy if all the points of the Barbados Agreement are respected; whereas civil and political rights continue to be violated in Venezuela, which has engendered years of instability and violence; whereas around eight million people have been forced to leave the country;

B. 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;

C. whereas on 17 October 2023 in Venezuela, the Maduro regime and the Unitary Platform opposition alliance signed two agreements, known as the Barbados Agreements, which covered matters including the promotion of political rights and electoral guarantees for all, 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;

D. whereas on 22 October 2023, María Corina Machado was selected as the presidential candidate of the democratic opposition to the regime, winning with 92,35 % of the votes in the primary elections;

E. whereas for several months, María Corina Machado, members of her campaign team – including Juan Freites, Luis Camacaro and Guillermo López, who were unlawfully detained and have since been reported missing – civil society organisations, lawyers, non-governmental organisations (NGOs) and other political players in the democratic opposition to the regime have been targeted by arbitrary and politically motivated attempts to disqualify them from holding public office; whereas among those targeted is Henrique Capriles, who has run for president twice in the past and whose disqualification was also confirmed in the same statement of 26 January 2024;

F. whereas the process to reinstate María Corina Machado lacked basic elements, as she neither received a copy of the allegations against her nor was afforded the opportunity to respond to the allegations; whereas the regime's Supreme Tribunal of Justice (TSJ) published a summary of its decision, which has no legal basis, on its webpage; whereas the Venezuelan Constitution stipulates that individuals cannot have their political rights restricted by administrative decisions, nor be barred from holding public office by such decisions; whereas the regime's TJS was therefore unable to pass a constitutionally sound judgment in this matter;

G. whereas on 6 December 2023, Roberto Abdul, a member of the commission that planned the primary elections for the opposition to the regime, was arrested for alleged treason; whereas at the same time, arrest warrants were issued for Henry Alviarez, Claudia Macero and Pedro Urruchurtu, members of the Vente Venezuela party, for alleged crimes including treason, conspiracy and money laundering;

H. whereas these arbitrary decisions are inconsistent with the commitment by Nicolás Maduro's representatives to hold a competitive Venezuelan presidential election in 2024 and go against the recommendations of the EU EOM; whereas the administrative authorities' ongoing arbitrary disqualification of opposition electoral candidates severely restricts the right of Venezuelans to choose their representatives;

I. whereas in its resolution of 13 July 2023 on the political disqualifications in Venezuela ([1]), Parliament already strongly condemned the political disqualifications of candidates by the Venezuelan regime; whereas this resolution specifically condemned the arbitrary and unconstitutional 15-year disqualification of María Corina Machado and other prominent political figures and deplored the fact that the recommendations of the last EU EOM had been completely ignored;

J. whereas the Maduro regime denied the Chief Observer of the EU EOM entry to Venezuela to present the final report for the regional and municipal elections that took place in 2021, because the EU EOM had been expelled from the country;

K. whereas on 22 January, the regime, through the attorney general, issued fourteen arrest warrants on trumped up charges against individuals including human rights defender Tamara Sujú, journalist Sebastiana Barráez, former mayor of Caracas Antonio Ledezma, political leader Leopoldo López, former interim President of Venezuela Juan Guaidó and former mayor David Smolansky, for treason, magnicide and for simply exercising their freedom to express their opposition to the regime;

L. whereas the Venezuelan Parliament, which is controlled by the Maduro regime, has been preparing a new law on the financing and performance of NGOs in order to limit civil society's ability to get organised and defend its rights;

M. whereas on 31 January, Maduro backed a call from the regime-controlled National Assembly to develop a proposal, starting from 5 February and in dialogue with various sectors, for an electoral schedule for the presidential elections, expected in the second half of 2024, but still without a definite date;

N. whereas the electoral roadmap contained in the Barbados Agreement remains an opportunity to resolve Venezuela's long-standing political, economic and humanitarian crises and to conduct competitive, free and inclusive elections in Venezuela; whereas the persecution of the candidates of the opposition to the regime severely breaches the political rights and electoral guarantees signed in the Barbados Agreement;

O. whereas the regime has also been making changes to the National Electoral Council (CNE) to hamper the electoral process and quash any prospect of a return to democracy; whereas in June 2023, three principal rectors of the National Electoral Council stepped down, forcing the resignation of two remaining rectors; whereas the regime's National Assembly appointed a special commission composed of representatives of the regime, including the wife of Nicolás Maduro, to elect new rectors from among individuals of the regime;

([1]) Texts adopted, P9_TA(2023)0288.

1. Strongly condemns the attempts to disqualify the presidential candidate of the democratic opposition to the regime, María Corina Machado, and others, such as Henrique Capriles, from holding public office; recalls that the process to reinstate her lacked basic elements, as she neither received a copy of the allegations against her nor was afforded the opportunity to respond to the allegations;

2. Strongly condemns the attacks against, alleged forced disappearances and arrests of and arrest warrants issued for members of Maria Corina Machado's team and other representatives of the opposition and civil society, as well as human rights defenders and journalists; strongly condemns the Maduro regime's interference in the electoral process;

3. Calls for the immediate and unconditional release of all the arbitrarily arrested political and social leaders, including three campaign staffers of the presidential candidate of the opposition to the regime María Corina Machado, namely Juan Freites, Luis Camacaro and Guillermo Lopez;

4. Reiterates that actions by Nicolás Maduro and his representatives, including the persecution of members of the democratic opposition to the regime and attempts to impede candidates from competing in this year's presidential election, are a clear breach of the agreements signed in Barbados by representatives of Nicolás Maduro and the Unitary Platform with a view to holding a competitive Venezuelan presidential election in 2024;

5. Underlines that the statement by the regime's TSJ is unconstitutional and illegal, since it stems from arbitrary and politically motivated allegations, and that the procedure that was followed did not comply with the law; considers, therefore, that the decision by the TSJ, appointed by the regime, has no legal grounds and that María Corina Machado remains eligible to run for the elections;

6. Believes that these actions constitute a clear attempt at dictatorial political persecution, which violates the civil and political rights of the Venezuelan people, and that these predictable actions, particularly given the regime's track record, once more shatter any prospect of free and fair elections;

7. Recognises the efforts of the opposition to the regime to organise primary elections as a democratic solution for Venezuelans domestically and abroad; urges the Venezuelan authorities to provide the conditions to ensure fair, free, inclusive and transparent elections;

8. Urges the Venezuelan regime to immediately stop the persecution of the primary winner and thus fully legitimate candidate of the opposition to the regime, María Corina Machado, and other opposition politicians, and start implementing the Barbados Agreement, including by upholding the electoral roadmap's principles and paragraph one of the agreement, under which the parties are bound to 'recognise and respect the right of each political actor to choose their candidate for the presidential elections freely', which would entail ensuring that the leader of the opposition to the regime, María Corina Machado, can participate freely in a competitive and truly democratic presidential election in 2024;

9. Recalls the appalling social, economic and humanitarian conditions that have prevailed in Venezuela for years, which Venezuelans have been enduring for too long; condemns, in the strongest possible terms, the killing, constant repression, systematic torture and violations of human, civil and political rights of the Venezuelan people and human rights defenders; urges the Venezuelan regime to immediately stop persecuting, repressing and violating the civil and political rights of its political opponents and the Venezuelan people, as well as to revoke the arrest warrants for political opponents and to free political prisoners;

10. Condemns the abuse of the legal framework to restrict the defence of human rights and freedom of association, and is particularly concerned about the draft law on the control, regularisation, operations and financing of non-governmental and related organisations;

11. Notes the importance of allowing all Venezuelans, both in Venezuela and abroad, to participate in the elections by updating the permanent electoral registry and the electoral registry abroad, as provided for in paragraph 3(2)(e) of the Barbados Agreement;

12. Strongly condemns the interference in the designation of the members of the CNE and calls for an independent nomination procedure for new CNE appointments;

13. 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;

14. Remains strongly committed to supporting dialogue between the parties and to the Venezuelan people's aspirations for a democratic future; calls for the EU to work with the international community and all peaceful democratic stakeholders across the political spectrum in Venezuela and to leverage all mechanisms at its disposal to encourage a return to the principles in the Barbados Agreement;

15. Urges the Member States to maintain the sanctions imposed on the Maduro regime; insists that sanctions should be stepped up until there is a clear and permanent commitment, in line with the Barbados Agreement, to uphold basic democratic standards, the rule of law and human rights; calls for further targeted sanctions through the EU global human rights sanctions regime (EU Magnitsky Act) against the judges of the Supreme Court of Venezuela who were involved in attempts to ban María Corina Machado from holding public office and against the members of the Venezuelan security forces involved in the systematic abuses perpetrated against government opponents;

16. Calls on the European External Action Service, the EU Delegation in Venezuela, the Member States and the international community to continue monitoring the situation in the country and to play a more assertive and visible role;

17. Insists that the EU must not consider sending any electoral observation mission to Venezuela until there are clear and credible guarantees that the Barbados Agreement and the electoral roadmap are being respected in their entirety, until opposition politicians who have been disqualified from holding public office are reinstated, until María Corina Machado is allowed to participate in the elections, and until the EU EOM's 2021 recommendations are properly implemented;

18. Stresses that the elections and the election results will not be recognised if these conditions are not met;

19. 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.