

Calendar No. 201

113TH CONGRESS
1ST SESSION

S. RES. 213

Expressing support for the free and peaceful exercise of representative democracy in Venezuela and condemning violence and intimidation against the country's political opposition.

IN THE SENATE OF THE UNITED STATES

AUGUST 1, 2013

Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. NELSON, Mr. KAINE, Mr. UDALL of New Mexico, Mr. MCCAIN, Mr. KIRK, Mr. GRAHAM, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Foreign Relations

SEPTEMBER 30, 2013

Reported by Mr. MENENDEZ, with an amendment and an amendment to the preamble and an amendment to the title

[Strike out all after the resolving clause and insert the part printed in *italic*]

[Strike the preamble and insert the part printed in *italic*]

RESOLUTION

Expressing support for the free and peaceful exercise of representative democracy in Venezuela and condemning violence and intimidation against the country's political opposition.

Whereas the National Electoral Council (CNE) of Venezuela declared Nicolás Maduro to be the winner of Venezuela's

April 14, 2013, presidential election, after crediting him with receiving 50.6 percent of votes cast;

Whereas Venezuela's political opposition has highlighted widespread incidents of potential electoral irregularities, voter intimidation, and other abuses perpetrated by the Government of Venezuela in favor of the candidacy of Nicolás Maduro;

Whereas the Organization of American States and other multilateral institutions called for a full recount and audit that addresses all claims by participants in the electoral process in Venezuela;

Whereas the Senate of the Republic of Chile, the Christian Democratic Organization of the Americas, the Socialist International, the Union of Latin American parties, and other political organizations in the region have issued declarations recognizing the alleged irregularities documented by the opposition in Venezuela and urged a complete audit of the election results;

Whereas the CNE has denied the political opposition's request for a full and comprehensive audit of the election results that includes the review and comparison of voter registry log books, vote tallies produced by electronic voting machines, and the paper receipts printed by electronic voting machines;

Whereas the Preamble of the Charter of the Organization of American States affirms that "representative democracy is an indispensable condition for the stability, peace and development of the region," and Article 1 of the Inter-American Democratic Charter recognizes that "the people of the Americas have a right to democracy and their

governments have an obligation to promote and defend it”;

Whereas the republican form of government prescribed in the Constitution of the Bolivarian Republic of Venezuela has its legislative branch in the National Assembly, where the free participation and deliberation of its democratically elected representatives is essential to legislate and check the powers of the executive branch;

Whereas the President of the National Assembly denied opposition parties the right to speak in the legislature from April 16 to May 21, 2013, and removed them from key committees in response to their refusal to recognize Nicolás Maduro as president;

Whereas members of the ruling United Socialist Party of Venezuela (PSUV) violently assaulted opposition legislators on April 16 and April 30, 2013, in the National Assembly, causing lacerations, broken bones, and other injuries to members of the political opposition;

Whereas the Department of State responded to the violence against opposition legislators in Venezuela by declaring that “violence has no place in a representative and democratic system, and is particularly inappropriate in the National Assembly”;

Whereas the Secretary General of the Organization of American States (OAS) has repudiated the incident by stating that it “reflects, in a dramatic manner, the absence of a political dialogue that can bring tranquility to the citizens and to the members of the different public powers to resolve in a peaceful climate and with everybody’s participation the pending matters of the country”;

Whereas the Congress of the Republic of Peru passed a resolution rejecting the use of violence against opposition parties in the Venezuelan National Assembly and expressing solidarity with those injured by the events of April 2013; and

Whereas, as a member of the Organization of American States and signatory to the Inter-American Democratic Charter, the Bolivarian Government of Venezuela has agreed to abide by the principles of constitutional, representative democracy, which include free and fair elections and adherence to its own constitution: Now, therefore, be it

Whereas the Constitution of the Bolivarian Republic of Venezuela guarantees its citizens full political rights, including the right to freely associate for democratic political purposes, and the right to a secret ballot through regular free, universal, direct elections and referenda;

Whereas the Preamble of the Charter of the Organization of American States affirms that “representative democracy is an indispensable condition for the stability, peace and development of the region,” and Article 1 of the Inter-American Democratic Charter recognizes that “the people of the Americas have a right to democracy and their governments have an obligation to promote and defend it”;

Whereas the National Electoral Council (CNE) of Venezuela declared Nicolas Maduro to have been elected in Venezuela’s April 14, 2013, presidential election, with 50.6 percent of votes cast;

Whereas the Senate of the Republic of Chile, the Christian Democratic Organization of the Americas, the Socialist International, the Union of Latin American parties, and

other political organizations in the region issued declarations recognizing the alleged irregularities documented by the opposition in Venezuela and urged a complete audit of the election results;

Whereas the Supreme Court of Venezuela refused to hear legal cases presented by the political opposition regarding alleged violations of electoral law, and the CNE denied the opposition's request for a full and comprehensive audit of the election results that includes the review and comparison of voter registry log books, vote tallies produced by electronic voting machines, and the paper receipts printed by electronic voting machines;

Whereas Venezuela's Unified Democratic Platform (MUD) has formally requested the Inter-American Commission on Human Rights to conduct an impartial review of alleged violations of Venezuelans' civic rights through electoral irregularities, voter intimidation, and other abuses in the April 2013 elections, and the Government of Venezuela subsequently announced its withdrawal from the Inter-American Court on Human Rights;

Whereas, in response to the political opposition's decision not to recognize Nicolas Maduro as President, legislators from opposition parties in Venezuela were denied the right to speak and removed from key committees by the President of the National Assembly, were violently assaulted by members of the ruling United Socialist Party of Venezuela (PSUV), and increasingly face the prospect of politically-motivated criminal charges;

Whereas the Congress of the Republic of Peru passed a resolution rejecting the use of violence against opposition parties in the Venezuelan National Assembly and expressing solidarity with those injured by the events of April 2013, and

the Department of State responded to the violence against opposition legislators in Venezuela by declaring that “violence has no place in a representative and democratic system, and is particularly inappropriate in the National Assembly”;

Whereas the Secretary General of the Organization of American States (OAS) repudiated the incident by stating that it “reflects, in a dramatic manner, the absence of a political dialogue that can bring tranquility to the citizens and to the members of the different public powers to resolve in a peaceful climate and with everybody’s participation the pending matters of the country”; and

Whereas, as a member of the Organization of American States and signatory to the Inter-American Democratic Charter, the Bolivarian Government of Venezuela has agreed to abide by the principles of constitutional, representative democracy, which include free and fair elections and adherence to its own constitution: Now, therefore, be it

1 *Resolved, That the Senate—*

2 (1) supports the people of Venezuela in their
3 pursuit of the free exercise of representative democ-
4 racy in Venezuela;

5 (2) calls for greater dialogue between all polit-
6 ical actors in Venezuela and strongly deploras the
7 undemocratic denial of legitimate parliamentary
8 rights to members of opposition parties in the Na-
9 tional Assembly and the inexcusable violence per-
10 petrated against opposition legislators inside the leg-
11 islative chambers of Venezuela;

1 (3) commends legislators from other nations in
2 the Americas who have declared their opposition to
3 political irregularities and the use of violence against
4 opposition parliamentarians in Venezuela;

5 (4) urges the Organization of American States
6 to issue a detailed report on any and all irregular-
7 ities resulting from the April 14, 2013, presidential
8 election in Venezuela;

9 (5) urges the United States Ambassador to the
10 Organization of American States to work in concert
11 with other member states to use the full power of
12 the organization in support of meaningful steps to
13 ensure full parliamentary democracy and the rule of
14 law in Venezuela in accordance with the Inter-Amer-
15 ican Democratic Charter, including invoking articles
16 related to unconstitutional interruptions of the
17 democratic order in a member state; and

18 (6) urges the United States Ambassador to the
19 Organization of American States to work in concert
20 with other member states to strengthen the ability
21 of the Organization to protect democratic institu-
22 tions and to respond to the erosion of democracy in
23 member states.

24 (1) *supports the people of Venezuela in their pur-*
25 *suit of the free exercise of representative democracy as*

1 *guaranteed by the Constitution of the Bolivarian Re-*
2 *public of Venezuela;*

3 *(2) deplores the undemocratic denial of the legiti-*
4 *mate rights of opposition parliamentarians in Ven-*
5 *ezeuela, the inexcusable violence perpetrated against*
6 *opposition legislators inside chambers of the National*
7 *Assembly, and the growing efforts to use politically-*
8 *motivated criminal charges to intimidate the coun-*
9 *try's political opposition;*

10 *(3) commends legislators from other countries in*
11 *the Americas who have declared their opposition to*
12 *alleged electoral irregularities and condemned the use*
13 *of violence against opposition parliamentarians in*
14 *Venezuela;*

15 *(4) urges the Department of State to work in*
16 *concert with other countries in the Americas to take*
17 *meaningful steps to ensure the rule of law in Ven-*
18 *ezeuela in accordance with the Inter-American Demo-*
19 *cratic Charter and to strengthen the ability of the Or-*
20 *ganization of American States to respond to the ero-*
21 *sion of democratic norms and institutions in member*
22 *states; and*

23 *(5) calls for the United States to work with other*
24 *countries in the hemisphere to actively encourage a*
25 *process of dialogue between the Government of Ven-*

1 *ezuela and the political opposition through the good*
2 *offices of the Organization of American States so that*
3 *the voices of all Venezuelans can be taken into account*
4 *through their country's constitutional institutions*
5 *and free and fair elections.*

Amend the title so as to read: “A resolution expressing support for the free and peaceful exercise of representative democracy in Venezuela, condemning violence and intimidation against the country’s political opposition, and calling for dialogue between all political actors in the country.”.

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