

115TH CONGRESS
2D SESSION

S. RES. 414

Condemning the continued undemocratic measures by the Government of Venezuela to undermine the independence of democratic institutions and calling for a free and fair electoral process.

IN THE SENATE OF THE UNITED STATES

FEBRUARY 27, 2018

Mr. DURBIN (for himself, Mr. MENENDEZ, Mr. CARDIN, Mr. VAN HOLLEN, Mr. LEAHY, Mr. NELSON, Mr. BENNET, Mr. COONS, Mr. REED, Mr. KAINE, and Mr. SANDERS) submitted the following resolution; which was referred to the Committee on Foreign Relations

RESOLUTION

Condemning the continued undemocratic measures by the Government of Venezuela to undermine the independence of democratic institutions and calling for a free and fair electoral process.

Whereas Venezuelan President Nicolás Maduro continues to take measures to consolidate an authoritarian government and undermine the independence of democratic institutions in the country;

Whereas the Government of Peru, as host of the upcoming Summit of the Americas, has indicated that President Nicolás Maduro is not welcome to attend because of his failure to uphold the region's shared commitment to

strengthening democracy and improving citizens' well-being;

Whereas Venezuela's National Electoral Council (CNE) unilaterally called for a presidential election on April 22, 2018, despite the absence of an agreement between the Government of Venezuela and the political opposition on the conditions necessary for the electoral process;

Whereas, on February 13, 2018, the Ministers of Foreign Affairs of Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Guyana, Honduras, Mexico, Panama, Paraguay, Peru, and Saint Lucia, rejected the decision of the Government of Venezuela to hold elections on April 22;

Whereas these 14 Foreign Ministers stated that elections would not be considered legitimate if the elections do not—

- (1) permit the participation of all Venezuelan citizens and political parties;
- (2) include observation by credible international organizations; and
- (3) meet recognized international standards;

Whereas despite these denunciations, on February 21, 2018, President Maduro stated that he wanted to hold elections for the National Assembly, state legislative councils, and municipal councils in conjunction with the presidential election scheduled for April 22;

Whereas, in January 2018, Venezuelan authorities banned the Democratic Unity Roundtable (MUD), the principal coalition of opposition parties, and leading opposition political parties Voluntad Popular and Primero Justicia, from participating in the presidential election;

Whereas Venezuela’s December 2017 municipal elections and October 2017 gubernatorial elections failed to meet recognized international standards;

Whereas, in July 2017, Venezuela held fraudulent elections to install a National Constituent Assembly, a parallel legislature that undemocratically usurped the constitutional authorities vested in the country’s democratically elected National Assembly;

Whereas Smartmatic, the company that manufactured the electronic voting technology, confirmed that—

(1) the result of the July 2017 National Constituent Assembly election was manipulated; and

(2) a change of more than 1,000,000 votes occurred in the final tabulation;

Whereas a global coalition of more than 40 countries have rejected the installation of Venezuela’s National Constituent Assembly and refused to recognize it as a legitimate institution;

Whereas the collapse of democratic governance and the proliferation of political corruption, criminal violence, failed economic policies, and hyperinflation have created a devastating humanitarian crisis in Venezuela;

Whereas the majority of Venezuela’s citizens lack access to essential medicines and basic food supplies;

Whereas the precarious humanitarian conditions in Venezuela have prompted hundreds of thousands of Venezuelan citizens to emigrate, which is fueling a migration and refugee crisis in neighboring countries;

Whereas, the Chief Prosecutor of the International Criminal Court has stated that the Office of the Prosecutor will open a preliminary examination of the Venezuelan Gov-

ernment's use of torture and excessive force against demonstrators and the arbitrary detention of thousands of anti-government protesters; and

Whereas, despite the presence of international mediators, the Government of Venezuela failed to credibly participate in negotiations with the country's political opposition in order to reach an agreement that would—

- (1) restore democracy;
- (2) free political prisoners;
- (3) facilitate the delivery of humanitarian aid; and
- (4) establish conditions for legitimate democratic elections: Now, therefore, be it

1 *Resolved*, That the Senate—

2 (1) calls on the Government of Venezuela to
 3 postpone the presidential election and any concurrent National Assembly, state legislative council, or
 4 municipal council elections scheduled for April 22,
 5 2018, until—

7 (A) international and local election observers from credible organizations are allowed to
 8 observe the electoral process, including the pre-election period, and determine a legitimate
 9 process;
 10 process;

12 (B) the National Electoral Council is led
 13 and staffed by nonpartisan members that have
 14 the confidence of contesting parties;

15 (C) opposition parties and candidates are
 16 free to peacefully compete in the election with-

1 out threat of arrest, harassment, or retribution,
2 including access to government controlled
3 media;

4 (D) arrangements are made for all Ven-
5 ezuelan voters, including those residing outside
6 of Venezuela, to be able to participate in the
7 election; and

8 (E) there is no implied or direct link be-
9 tween an individual's vote and the government
10 food rations to which the individual is eligible
11 and no record is retained of a voter's choice for
12 any reason related to government benefits, in-
13 cluding retaliation;

14 (2) denounces as illegitimate any presidential
15 election in Venezuela that fails to meet the stand-
16 ards described in paragraph (1);

17 (3) condemns the steps taken by President
18 Maduro—

19 (A) to consolidate an authoritarian govern-
20 ment in Venezuela; and

21 (B) to undermine the independence of
22 democratic institutions such as the National As-
23 sembly of Venezuela, the Supreme Tribunal of
24 Justice of Venezuela, and the National Elec-
25 toral Council of Venezuela;

1 (4) rejects the Venezuelan Government’s efforts
2 to blame the country’s economic, humanitarian, and
3 political crisis on other actors instead of recognizing
4 that the crisis was caused by its own malfeasance
5 and criminality;

6 (5) urges the Government of Venezuela—

7 (A) to permit the unobstructed delivery of
8 humanitarian assistance to the people of Ven-
9 ezuela; and

10 (B) to stop using food as a tool of political
11 coercion;

12 (6) condemns the Government of Venezuela for
13 failing to credibly participate in internationally me-
14 diated negotiations—

15 (A) to restore democracy;

16 (B) to free political prisoners; and

17 (C) to permit the delivery of humanitarian
18 assistance;

19 (7) supports the decision of the Government of
20 Peru, as host of the Eighth Summit of the Amer-
21 icas, to not invite President Maduro; and

22 (8) supports the efforts of the Office of the
23 Prosecutor of the International Criminal Court to
24 examine the Venezuelan Government’s use of tor-

- 1 ture, excessive force, and arbitrary detentions
- 2 against Venezuelan citizens.

