



Inter-Parliamentary Union
For democracy. For everyone.

137th IPU Assembly

St. Petersburg, Russian Federation
14–18 October 2017



Assembly
Item 2

A/137/2-P.2
12 September 2017

Consideration of requests for the inclusion of an emergency item in the Assembly agenda

Request for the inclusion of an emergency item in the agenda of the 137th Assembly of the Inter-Parliamentary Union submitted by the delegation of the Bolivarian Republic of Venezuela

On 11 September 2017, the Secretary General received from the Secretary of the Inter-Parliamentary Group of the Bolivarian Republic of Venezuela a request and accompanying documents for the inclusion in the agenda of the 137th Assembly of an emergency item entitled:

"The role of the Inter-Parliamentary Union in addressing the breakdown of the constitutional order and the disregard for the National Assembly in Venezuela".

Delegates to the 137th Assembly will find attached the text of the communication submitting the request (Annex I), as well as an explanatory memorandum (Annex II) and a draft resolution (Annex III) in support thereof.

The 137th Assembly will be required to take a decision on the request of the Inter-Parliamentary Group of the Bolivarian Republic of Venezuela on Sunday, 15 October 2017.

Under the terms of Assembly Rule 11.1, any Member of the IPU may request the inclusion of an emergency item in the Assembly agenda. Such a request must be accompanied by a brief explanatory memorandum and a draft resolution which clearly define the scope of the subject covered by the request. The IPU Secretariat shall communicate the request and any such documents immediately to all Members.

Furthermore, Assembly Rule 11.2 stipulates that:

- (a) A request for the inclusion of an emergency item must relate to a recent major situation of international concern on which urgent action by the international community is required and on which it is appropriate for the IPU to express its opinion and mobilize a parliamentary response. Such a request must receive a two-thirds majority of the votes cast in order to be accepted;
- (b) The Assembly may place only one emergency item on its agenda. Should several requests obtain the requisite majority, the one having received the largest number of positive votes shall be accepted;
- (c) The authors of two or more requests for the inclusion of an emergency item may combine their proposals to present a joint one, provided that each of the original proposals relates to the same subject;
- (d) The subject of a proposal that has been withdrawn by its authors or rejected by the Assembly cannot be included in the draft resolution submitted on the emergency item, unless it is clearly referred to in the request and title of the subject adopted by the Assembly.

#IPU137

**COMMUNICATION ADDRESSED TO THE SECRETARY GENERAL BY THE SECRETARY OF THE
INTER-PARLIAMENTARY GROUP OF THE BOLIVARIAN REPUBLIC OF VENEZUELA**

Caracas, 11 September 2017

Dear Mr. Secretary General

In accordance with the relevant rules of the IPU, the National Assembly of the Bolivarian Republic of Venezuela wishes to submit a request for the inclusion of an emergency item in the agenda of the 137th IPU Assembly, which will take place in St-Petersburg from 14 to 18 October 2017, entitled:

"The role of the Inter-Parliamentary Union in addressing the breakdown of the constitutional order and the disregard for the National Assembly in Venezuela".

Please find attached an explanatory memorandum and a draft resolution in support of this request.

Yours sincerely,

(Signed)

Alejandro MARTINEZ UBIEDA
Secretary
Inter-Parliamentary Group of the Bolivarian
Republic of Venezuela

**THE ROLE OF THE INTER-PARLIAMENTARY UNION IN ADDRESSING THE BREAKDOWN
OF THE CONSTITUTIONAL ORDER AND THE DISREGARD FOR
THE NATIONAL ASSEMBLY IN VENEZUELA**

***Explanatory memorandum submitted by the Inter-Parliamentary Group of
the Bolivarian Republic of Venezuela***

The Bolivarian Republic of Venezuela is experiencing a social, economic and political crisis of huge proportions. This is illustrated by unprecedented shortages of basic foodstuffs and the highest inflation rate in the world, standing at close to 800 per cent.

In Venezuela, the constitutional order has broken down. Disregard for the constitutional powers of the National Assembly, the persecution and imprisonment of opposition parliamentarians and leaders, the unlawful election of a Constituent Assembly that claims to control all constituted power and the subordination of the Judiciary, the electoral body and people's power in the Executive, blocking any possibility for the people to express themselves through elections, are some of the issues that have resulted in social unrest and anarchy.

The breakdown of the constitutional order was condemned by the President of the National Assembly, Mr. Julio Borges, MP, by the Attorney General, the Organization of American States, the Governments that signed the Lima Declaration and by the President of the European Parliament, among other relevant stakeholders.

The IPU Committee on the Human Rights of Parliamentarians and the Executive Committee have expressed concern over the grave crisis the country is experiencing, in a show of solidarity with Venezuelan parliamentarians and with the National Assembly of Venezuela. As the main global organization dedicated to defending and promoting the institution of parliament, urgent consideration is required by the IPU of the situation to which a Member Parliament is subjected and in which its constitutional powers are being disregarded.

**THE ROLE OF THE INTER-PARLIAMENTARY UNION IN ADDRESSING THE BREAKDOWN
OF THE CONSTITUTIONAL ORDER AND THE DISREGARD FOR
THE NATIONAL ASSEMBLY IN VENEZUELA**

***Draft resolution submitted by the Inter-Parliamentary Group of
THE BOLIVARIAN REPUBLIC OF VENEZUELA***

The 137th Assembly of the Inter-Parliamentary Union,

- (1) *Considering* the breakdown of the constitutional order in the Bolivarian Republic of Venezuela, compounded by the disregard for the prerogatives of the National Assembly,
- (2) *Considering* the deepening of the crisis brought about by the election of a Constituent Assembly outside the constitutional framework, without any regard for the sovereign will of the people and usurping all the powers of the State institutions, including the National Assembly, through the unlawful self-proclamation of this Constituent Assembly as possessing unique powers, above and beyond any constituted power,
- (3) *Considering* the prevailing Constitution of the Bolivarian Republic of Venezuela, adopted in 1999 by the sovereign power,
- (4) *Considering* the illegal, unlawful and unconstitutional establishment of a “truth commission”, which claims to have usurped the functions of the National Assembly and the Judiciary, and which has the sole objective of stifling and snuffing out any political dissent by involving the judiciary in politics and imprisoning opposition leaders,
- (5) *Considering* the unconstitutional actions of the Constituent Assembly, violating the parliamentary immunity of deputies, removing it unlawfully without the due authorization of the National Assembly,
- (6) *Considering* the Lima Declaration, in which the Foreign Ministers of the continent express deep concern over the situation in the Bolivarian Republic of Venezuela and refuse to recognize the unconstitutional Constituent Assembly, while underscoring their recognition of the National Assembly that was elected by the Venezuelan people,
- (7) *Considering* the grave socioeconomic crisis that Venezuela is experiencing, which is worsening in the face of the national Government’s refusal to allow the implementation of mechanisms to channel humanitarian aid,
- (8) *Considering* the report of the Office of the UN High Commissioner for Human Rights (OHCHR), which documents multiple cases of human rights abuses and violations committed in Venezuela, and which point to a government policy that represses political dissent and instils fear among people in order to stop anti-government demonstrations,
- (9) *Considering* the concerns expressed by the High Representative of the European Union for External Relations and Security during the informal meeting of Foreign Ministers of the European Union on the need to seek a political solution to the grave crisis facing Venezuela,¹
- (10) *Considering* the central role of parliament as the institution that represents the will of the people and a pillar of democracy,

¹ See: <http://ec.europa.eu/avservices/video/player.cfm?sitelang=en&ref=1142854>

- (11) *Considering* that Article 1 of the IPU Statutes provides that this body is the international organization of the parliaments of sovereign States,
- (12) *Considering* the resolution adopted by the IPU Governing Council at its 194th session (March 2014), which stipulates that this body “*Believes*, all the more so in light of the latest developments in this case, that a visit to Venezuela would offer a useful and direct opportunity to gain a better understanding of the complex issues at hand”,
- (13) *Considering* the decision adopted by the Committee on the Human Rights of Parliamentarians at its 146th session (January 2015) in which it “*Requests* the Secretary General to use the opportunity of his planned visit to Latin America in February/March 2015 to meet with the Venezuelan parliamentary authorities in Caracas to discuss the organization of the Committee’s visit; *expresses the hope*, therefore, that its visit can take place in the near future”,
- (14) *Considering* the decision adopted unanimously by the IPU Governing Council at its 199th session (October 2016) in which it “*Requests* the Secretary General to liaise with the parliamentary authorities with a view to the swift organization of the mission, which would have as its mandate to address the current concerns and questions in the aforesaid cases”,
- (15) *Considering* the decision adopted by the Committee on the Human Rights of Parliamentarians at its 153rd session and by the Governing Council at its 200th session (April 2017) in which it “*Deeply regrets* that, despite the agreement of the Speaker of the National Assembly, the governing party did not welcome the mission at this point in time and that the visa was refused to one of its members”,
- (16) *Considering* the lack of goodwill displayed by the government authorities in Venezuela in respect of facilitating entry visas for a mission led by the IPU President, Saber Chowdhury,
- (17) *Considering* the statement made by the IPU Executive Committee on the situation in Venezuela (April 2017) in which it reiterates “its commitment to defend parliamentary institutions wherever and whenever they come under assault. It calls on the executive, judicial and legislative authorities to remain within the limits of their respective purviews and thus respect the fundamental principle of the separation of powers. Any effort to usurp or replace the powers of one branch of the State from another undermines this well-established principle”,
1. *Underscores* that the Constitution of the Bolivarian Republic of Venezuela is fully in force as approved by the sovereign power in 1999;
 2. *Reiterates* its full recognition of the National Assembly of the Bolivarian Republic of Venezuela, elected by popular vote in December 2015;
 3. *Urges* the Government of Venezuela to immediately stop undermining the decisions, resolutions and legal instruments passed by the National Assembly;
 4. *Condemns* the unconstitutional nature of the Constituent National Assembly convened by the Government of Venezuela and *does not recognize* any decision taken by it;
 5. *Calls on* all sectors of Venezuela, in particular the national Government, to restore the constitutional order;
 6. *Reaffirms* its strong conviction that the principle of the separation of powers is an essential element of democracy while *stressing* that this principle must be respected in Venezuela;
 7. *Demands* that the Government of the Bolivarian Republic of Venezuela show utmost respect for Venezuelan parliamentarians and in particular, for parliamentary immunity;
 8. *Requests* the Committee on the Human Rights of Parliamentarians to give consideration to this grave situation and the implementation of measures that can bring an end to the violation of the parliamentary immunity of the members of the National Assembly of the Bolivarian Republic of Venezuela.