

Draft Resolution for Human Rights Council Urgent Debate on Venezuela

Situation of human rights in the Bolivarian Republic of Venezuela

The Human Rights Council,

Guided by the Charter of the United Nations and the Universal Declaration of Human Rights, and recalling the International Covenants on Human Rights and other relevant human rights instruments,

Reaffirming that all Member States have an obligation to promote and protect human rights and fundamental freedoms and the duty to fulfill the obligations they have undertaken under the various international instruments in this field,

Recalling the 28 February 2014 statement of the High Commissioner for Human Rights on the escalating grave human rights violations and the deteriorating situation in Venezuela, in which she called for an impartial, full and independent investigation into every case of death and injury, and for those responsible to be brought to justice;

Stressing the High Commissioner's call on the Government of Venezuela to ensure respect for freedom of expression and peaceful assembly, her expression of deep concern at the reported excessive use of force by the authorities in response to protests, in which she emphasized the very large number of people who have been arrested, and reports indicating that some of them are being held *incommunicado*;

Recalling the High Commissioner's call on the Government of Venezuela to ensure that people are not penalized for exercising their rights to peaceful assembly and to freedom of expression, and that those who are being detained merely for exercising these rights must be promptly released, with all cases handled according to international standards of due process;

Recalling the joint statement on 6 March 2014 regarding human rights violations in Venezuela issued by the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression, the Special Rapporteur on the rights to freedom of peaceful assembly and of association, the Chair of the Working Group on arbitrary detention, the Special Rapporteur on torture, the Special Rapporteur on extrajudicial executions, and the Special Rapporteur on the situation of human rights defenders, calling on Venezuela to provide prompt clarification of allegations of arbitrary detention and excessive use of force and violence against protesters, journalists and media workers during the recent wave of protests in the country;

Recalling further the call by the independent experts for the above allegations to be urgently and thoroughly investigated, and for perpetrators to be held accountable,

Condemning the Government of Venezuela's longstanding refusal to cooperate with the Special Procedures of this Council, including its refusal to heed the rulings of the

Working Group on Arbitrary Detention, and the appeals of independent experts to respect fundamental human rights,

Deeply regretting the decision in 2012 by the United Nations General Assembly to elect Venezuela to the Human Rights Council,

Recalling its resolution 60/251 of 15 March 2006, particularly paragraph 8, which states that the General Assembly may suspend the rights of membership in the Human Rights Council of a member of the Council that commits gross and systematic violations of human rights,

1. *Calls upon* the General Assembly to suspend the rights of membership in the Human Rights Council of the Government of Venezuela;
2. *Expresses grave concern* at the ongoing, gross and systematic violations of human rights by the Government of Venezuela;
3. *Calls upon* the Government of Venezuela to release all political prisoners and peaceful student protesters with immediate effect;
4. *Requests* the United Nations High Commissioner for Human Rights to report on the violations of human rights by the Government of Venezuela, and to submit periodic reports to the Council on the implementation of the present resolution;
5. *Requests* all relevant special procedures mandate-holders to urgently seek and gather information on violations of human rights by the Government of Venezuela and submit their reports to the Council at its next session;
6. *Decides* to dispatch an urgent, independent international Commission of Inquiry, to be appointed by the President of the Council, to investigate all violations of international human rights law by the Government of Venezuela in connection with the recent peaceful protests by students and other citizens;
7. *Requests* the Secretary-General and the High Commissioner to provide all administrative, technical and logistical assistance required to enable the above-mentioned special procedures mandate-holders and the Commission of Inquiry to fulfil their mandates promptly and efficiently;
8. *Requests* the Secretary-General to investigate the latest violations of human rights by the Government of Venezuela, and to submit a report to the General Assembly thereon;
9. *Decides* to follow up on the implementation of the present resolution at its next session.