

**BOLIVARIAN REPUBLIC OF VENEZUELA
NATIONAL ASSEMBLY**

**OFFICE OF THE SPEAKER
CARACAS – VENEZUELA**

Caracas, May 16, 2016


Mr. Luis Almagro
Secretary General
Organization of American States (OAS)

We are writing to you to provide elements to support the actions of the Organization of American States in connection with the serious undermining of democracy and the rule of law in Venezuela.

As acknowledged by the preamble to the Inter-American Democratic Charter, democracy is *indispensable for the stability, peace, and development of the region*, and the currency, promotion, and protection of human rights *is a basic prerequisite for the existence of a democratic society*.

Specifically, Article 3 of the Charter states the essential elements of representative democracy include, among other things, *respect for human rights and fundamental freedoms, access to power and its exercise in accordance with the rule of law, the holding of regular, free, and fair elections, based on secret balloting and universal suffrage as an expression of the sovereignty of the people, the pluralistic system of political parties and organizations, and the separation and independence of the branches of government*. Article 1 of the Inter-American Democratic Charter (IADC) also proclaims that “the peoples of America have a right to democracy and their governments have an obligation to promote and defend it.”

As we explain below, those essential elements for the existence of true democracy are not currently present in Venezuela: in addition to a progressive deterioration of the institutional framework — which reached a significant landmark between 2003 and 2005, with the consummation, through different channels, of the political occupation of the judiciary and with the concentration of powers in the office of the President of the Republic — the current situation in Venezuela is one of unprecedented deterioration and is of such gravity that over recent months the possibilities for the exclusively internal institutional resolution of the serious situation that we face have been surpassed.



Without the support of the competent agencies the Organization of American States, those problems cannot be addressed; instead, the alteration of the constitutional order that is gravely affecting the democratic order is certain to lead to a clearly irreversible dismantling of the democratic institutional structure. Because of that, concerted and collective action is needed to respond to the growing crisis of democracy in Venezuela. Even without the consent of the government of Venezuela, the Inter-American Democratic Charter (IADC) must be invoked, pursuant to Article 20, since the government of Venezuela has acted in such an unconstitutional and antidemocratic fashion that the country’s democratic order has been undermined and severely impaired.

In addition, the country is experiencing a serious and unprecedented health and food crisis that requires the involvement of the international community to alleviate the curtailed access to medicine, health services, and basic foodstuffs; this has been described in resolutions adopted by the National Assembly, such as the agreement on the humanitarian emergency in the health sector that the National Assembly adopted on January 26, 2016.

Within the National Assembly — a plural, deliberative, and representative body that, according to the Constitution of the Bolivarian Republic of Venezuela, represents the Venezuelan people and the states that together constitute it (Art. 201) — we have sought to adopt, since its installation on January 5, 2016, measures aimed at halting the accelerated dismantling of democracy and the rule of law being carried out by the national government and by other agencies of public power that are supposedly responsible for oversight but that, on account of the absence of any separation of powers, are completely at its service. However, and as will be seen below, even before the Assembly was installed, the Supreme Court of Justice began to adopt decisions that amount to disregarding the popular will expressed in the parliamentary elections of December 6, 2015, and that prevent this representative body from performing the tasks with which it is charged and for which it was elected, in particular its legislative function and its duty of governmental oversight and investigation.

This obstruction of the National Assembly, imposed by the network of unlimited power woven by the government, is only one recent manifestation of a general situation that predates it and that is characterized by the weakening and subsequent dismantling of the country's democratic institutional framework, as we will see below.

Hence, there exists a grave crisis of democracy, of the rule of law, and of human rights: in other words, a clear impairment of the essential elements of representative democracy identified in Article 3 of the Inter-American Democratic Charter.

For all the reasons given in this document, we urge that you act in accordance with Article 20 of the Inter-American Democratic Charter before it is too late, in consideration of the ongoing dismantling of the democratic institutional framework and in order to prevent a worsening of the health- and food-related humanitarian crisis and an exponential increase in the violence and high levels of conflict that our country is experiencing.

Please find enclosed the report containing the grounds for the activation of the Inter-American Democratic Charter.

Sincerely,

Deputy Henry Ramos Allup, Speaker of the National Assembly

Deputy Enrique Márquez, First Deputy Speaker

Deputy José Simón Calzadilla, Second Deputy Speaker

