



DECLARATION OF PANAMA ABOUT VENEZUELA

FROM THE FORMER HEADS OF GOVERNMENT AND STATE

We who sign this document, former Ibero-American heads of Government and State, invited by the Democratic Initiative of Spain and the Americas (IDEA, by its Spanish acronym) and concerned by the course that the serious institutional, political, economic and social alteration affecting our Venezuelan brothers and sisters without distinction is taking, declare the following:

Democracy and its effective exercise, the foundation of solidarity among all States, consists of respecting and guaranteeing human rights, exercising power according to the Rule of Law, separating and making the public authorities independent, political pluralism, free and fair elections, freedom of expression and of the media, the integrity and the transparency of the government, among other standards, according to what is stated at the Declaration of Santiago de Chile adopted by the Organization of American States in 1959, later expanded and developed by the Interamerican Democratic Charter of 2001.

Notwithstanding that, the government of Venezuela denounces the American Human Rights Convention and sustains a policy of neither acknowledging of, nor compliance with the decisions and pronouncements dictated by the international and Inter-American organizations watching over human rights, seriously affecting the right to international protection established by the Constitution of the above mentioned State for the benefit of all individuals.

In particular, there is an obvious absence of independent justice, there is harassment and prosecution of those who demonstrate and express dissent about the above mentioned government, there is repeated acts of torture by State officials, the existence of armed and pro-government groups controlled by the government, and a total environment of impunity. Because of these actions, we demand the immediate release of all of the political prisoners, among them the democratic leader Leopoldo Lopez and mayors Antonio Ledezma and Daniel Ceballos.

Consecutively, Antonio Ledezma, the Metropolitan Mayor of Caracas, who is the second most important civil authority elected by popular vote in the capital of Venezuela, was seized by force by officials belonging to the political police, with no visible faces, without a court order or a previous

investigative procedure, and today he is kept incarcerated altogether with other political prisoners, in a military prison; a fact that while being totally against the exercise of power compliant with the Rule of Law, is announced and celebrated by the President of Venezuela in a national radio and television broadcast – previously imposing an information *black out* upon the arbitrary and illegitimate action of his officials – then, accusing Ledezma of undersigning altogether with the political prisoner Leopoldo López and deputy María Corina Machado a political opinion in which they state the anti-democratic character of the government of Nicolás Maduro and they highlight the constitutional ways which, in their judgment, would allow to overcome altogether the Venezuelan crisis.

Furthermore, in Venezuela there is a State imposed communicational hegemony, which was decided by the very government since November, 2004, in their document *La Nueva Etapa, El Nuevo Mapa Estratégico de la Revolución Bolivariana* (The New Stage, The New Strategic Map of the Bolivarian Revolution). With this purpose, laws have been dictated to control the contents of information and to increase the criminal penalties for offenses of contempt, promoting censorship and self-censorship of the press. Violence against journalists, reporters and twitterers has a systematic character, and they are incriminated. Independent social communication media have been closed, either by official or personal decision, due to the lack of supplies or newsprint which is a State-controlled import, or the foreign media broadcasts have been suspended as well, or their journalists have been expelled from the national territory.

The OAS Rapporteur for Freedom of Expression, in their 2013 report informed that, on the one side “in Venezuela, a process of structural reforms of the legal framework and enforcement of public policies has occurred, which has debilitated the guarantees of the right to freedom of expression in the country” and, on the other side, there is “persisting use of stigmatizing declarations made by public officials to discredit journalists, media, and members of the opposition who express ideas, opinions, or broadcast ideas against the interests of the Venezuelan government”.

Since 2009, the same Inter-American Human Rights Commission “considers that the lack of independence and autonomy of judicial authority against the political power is one of the weakest points of Venezuelan democracy, a situation that seriously conspires against the free exercise of human rights in Venezuela”.

Within such context, amidst the already mentioned acute Venezuelan crisis, marked by persecution and incrimination of the democratic opposition, the government has now elaborated an “enabling act” with the purpose of ruling by means of executive decrees on all the subjects of

constitutional order and in order to establish penalties, including criminal ones, with the pretext of an imminent international and domestic conflict, and making omission of the required declaratory - just in case - of a state of emergency which would force them to submit to judicial control and observation by international human right organizations.

Therefore, we must notice that without the effective enforcement of a system of separation and independence of the public authorities, which allows control over them, none of the essential components of democracy referred by the very Inter-American Democratic Charter can truly get to be applied in Venezuela; that is, there cannot be a true possibility to demand and control the transparency and integrity of the government activities, and the accountability of the governments in public administration; there is no way to guarantee the effective respect for the social rights or freedom of expression and the press; there is no assurance of the subordination of all of the State authorities, including the military one, to the civil institutions of the State; definitively, there is no way to assure the respect to the Rule of Law.

The constitutional and democratic alteration suffered by Venezuela deepens, as well, in economic and social terms, due to, on one side, the remarks and evidence given by the international governments and financial institutions on deeds of serious corruption and money laundering which would compromise Venezuelan high officials and military hierarchy and, on the other side, upon the evident collapse of the Venezuelan economy, in which, although there is influence of an international fall of the oil prices, its dimension is explained by the absence of adequate public policies for a healthy modern economy, all of which has contributed to an identified climate of corruption and dilapidation of the national wealth by the government.

All of it has generated a series of problems and imbalance in the Venezuelan economy, going beyond the international fall of oil prices and they have notoriously deepened during the latest years. These and those show up in the tax, currency, financial, exchange, oil and actual areas, resulting in a very deep recession in the country, and a rampant inflation undermining purchasing power and family income, stressing poverty, generating unemployment and deteriorating the population's quality of life, particularly that of the underprivileged ones.

An unbridled and unrestrained government expense, increasingly growing away from government income, has generated enormous and growing deficits, reaching today levels equivalent to nearly 20% of the GDP. This has not only notoriously increased public debt, particularly

the domestic one, but it also has made the government force the Central Bank of Venezuela (BCV) to finance a good part of that breach through the issuing of fiat currency which, at the same time, has resulted in a distorted growth of the currency offering.

Under these circumstances, when consumers go to markets or pharmacies, they do not find the products that they are looking for, because the offer is increasingly restricted, due to:

- the government's hostility against the few private businesses subsisting, after expropriation or confiscation, pursuant of a State economy;
- the imposition on producers and retailers of all kind of restrictions, among which there is excessive price control regardless of cost behavior, forcing most people to work at a loss;
- the very limited access to foreign currency within an economy that produces little and imports almost everything, accumulating debt with the external providers;
- the growing inefficiency of public enterprises, many of which have been expropriated or dispossessed from the private sector, and when going into State management, produce much less than before.

Consequently, concerned by the immediate future of the Venezuelans and compelled to contribute with our word to the affirmation of a climate of peace and negotiations that may open paths to a non-violent solution to the aforementioned crisis, we allow ourselves to alert all of the governments of our countries and the Summit of the Americas on it, as well as to express our opinion in the following terms:

- a) The severe democratic and institutional, economic and social crisis affecting Venezuela and all of the Venezuelans does not admit but negotiated solutions and it would be irresponsible and even criminal to reduce it or disfigure it, in its origin and effects, to a sort of confrontation between the government of Nicolas Maduro and the American government, or to attribute it to the mere fall of the oil based income.
- b) Venezuela, in a short term and within the complex environment affecting it, marked by the political persecution of the opposition and the absence of a separation of powers as well as an institutional balance, will go through an electoral process for the renewal of the representatives of popular sovereignty in the National Assembly; in consequence, only an authorized, impartial international observation, technically qualified, accepting Electoral

Power under true control of government activists, will be able to contribute to the existence of guarantees for the free political debate and the fair, equalitarian and transparent character of the stated elections.

- c) The correction of the multiple existing macroeconomic imbalances in Venezuela will be achieved through the implementation of a wide and complex plan of adjustment, including multiple components such as the rationalization of government expense, the elimination of the financing of the deficit in public expense by the Central Bank of Venezuela, the expansion and diversification of internal production; the encouragement and promotion of productive investment; the deregulation of the economy. But its implementation, difficult as such and oriented towards the correction of the multiple existing macroeconomic imbalances, can generate immediate effects that would impact the whole population, especially the segment with the lowest income. And this will claim for the existence of a leadership capable of producing democratic consensus, mobilize and insure a wide political support from the population, for which it will be essential to apply a series of effective compensating social plans, which would mitigate adversities.

- d) The correction of the severe imbalances suffered today in Venezuela demands a radical change in the management of economic issues, a shift in its political and economic model, which has to be done within a very wide context. At the same time, it has to respond to an effort that helps creating the conditions insuring the success in the further implementation of a sustainable long term development plan; pursuing not only sustained economic progress, but also attaining the goals of permanent development in political, institutional, social, environmental, technological, scientific, cultural and ethical renovation subjects. This is the only way in which Venezuela will be able to come out of the impasse that grips it, and it will be able to achieve the sustainable development and progress to which it is entitled and that all Venezuelans should aim for, with distinctions of no sorts.

Summarizing and as desiderata, we must conclude that the only possibility to restore democracy in Venezuela and to effectively guarantee political, economic and social rights of the Venezuelans, goes through the rescue of the principle and the system of the separation of powers, through the designation of its principals bearing respect for the representative and participating democratic guarantees established in

the Constitution, in a way that insures its independence and autonomy, starting by the Electoral Power and with the purpose of insuring, in an impartial way, the development of free and fair elections.

So we endorse, today, on the thirty first day of the month of March, of the year two thousand and fifteen.

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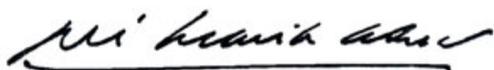
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