To direct the United States Government to support extending the mandate of the Independent International Fact-Finding Mission on Venezuela which is set to expire in September 2022.

IN THE HOUSE OF REPRESENTATIVES

Mr. SIRES introduced the following bill; which was referred to the Committee on ______________________

A BILL

To direct the United States Government to support extending the mandate of the Independent International Fact-Finding Mission on Venezuela which is set to expire in September 2022.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the “Assuring that the Fact-Finding Examination Continues to Track Human Rights in Venezuela Act” or the “AFFECT Human Rights in Venezuela Act”.

(Original Signature of Member)
SEC. 2. FINDINGS.

Congress makes the following findings:

(1) In its Resolution 42/25 adopted on September 27, 2019, the United Nations Human Rights Council established an independent fact-finding mission, the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela (in this section referred to as the “Fact-Finding Mission”) “to investigate extrajudicial executions, enforced disappearances, arbitrary detentions and torture and other cruel, inhuman or degrading treatment since 2014 with a view to ensuring full accountability for perpetrators and justice for victims”. The mandate of the Fact-Finding Mission was extended by the United Nations Human Rights Council on October 6, 2020, for an additional two years, until September 2022, through its Resolution 45/20.

(2) The Fact-Finding Mission has identified specific incidents and patterns establishing reasonable grounds to conclude that violations of international human rights and criminal law have been committed in Venezuela, according to its September 2020 report.

(3) The Fact-Finding Mission has faced several constraints, including lack of access to work in-coun-
try, travel limitations due to the COVID-19 pandemic, disrupted interviews due to electricity and internet failures, and limited ability to secure witness statements and key documents. Despite these challenges, the Fact-Finding Mission was able to carry out its investigative and analytical work and generate reports that serve as an invaluable resource for victims, civil society organizations, and international accountability mechanisms.

(4) The United States has historically used its voice, vote, and influence at the United Nations to address human rights abuses around the world and to seek to hold perpetrators accountable.

(5) Marta Valiñas, Chair of the Fact-Finding Mission, reported at the 49th session of the Human Rights Council that the Venezuelan people “have endured a decade of deepening economic, humanitarian and human rights crises, as well as the breaking down of State institutions, all of this exacerbated, most recently, by the impact of COVID-19. The clearest showing of this are the more than six million people who have had to leave the country.”.
 SECTION 3. ACTIONS RELATING TO THE INDEPENDENT INTERNATIONAL FACT-FINDING MISSION ON THE BOLIVARIAN REPUBLIC OF VENEZUELA.

(a) SUPPORT TO EXTEND MANDATE.—The Secretary of State shall take such actions as may be necessary to use the voice, vote, and influence of the United States in the United Nations Human Rights Council (UNHRC) and the United Nations General Assembly (UNGA) to seek to—

(1) extend the mandate of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela (in this section referred to as the “Fact-Finding Mission”) by two years beyond September 2022, as previously outlined and determined by UNHRC Resolutions 42/25 (September 27, 2019) and 45/20 (October 6, 2020), to conclude in October 2024;

(2) encourage international support among member states of UNHRC to empower the Fact-Finding Mission to thoroughly conduct its stated purpose of investigating gross violations of human rights perpetrated in Venezuela since 2014; and

(3) provide investigative and technical assistance to the Fact-Finding Mission as requested and 26
(b) **Support for Further Action.**—The President is authorized to direct the United States Permanent Representative to the United Nations to use the voice, vote, and influence of the United States to urge the United Nations to provide greater action with respect to human rights violations in Venezuela by—

(1) urging the UNGA to consider a resolution condemning the Venezuelan regime’s use of political prisoners and wrongfully detained foreign nationals, including Americans, as leverage to extract concessions from its adversaries consistent with UNHRC Resolution 42/25;

(2) assisting efforts by the relevant United Nations Special Envoys and Special Rapporteurs to secure the release of all political prisoners and wrongfully detained foreign nationals in Venezuela, promote respect for human rights, and encourage dialogue towards a peaceful and democratic transfer of power;

(3) urging the United Nations and specialized agencies to address the humanitarian needs of the people of Venezuela, including vulnerable Venezuelan refugees and migrants in third countries through direct assistance; and
(4) supporting access for humanitarian actors, independent media, and credible international legal and judicial entities, including future United Nations Fact-Finding Missions and similar investigatory mechanisms, to people residing in Venezuela and to the growing Venezuelan diaspora.

(e) DUE CONSIDERATION OF FACT-FINDING MISSION REPORTS.—The President and Secretary of State shall—

(1) appropriately review all past and future reports presented by the Fact-Finding Mission to the UNHRC, including the Detailed Findings published on September 25, 2020 (A/HRC/45/33) and September 16, 2021 (A/HRC/48/69); and

(2) give due consideration to the Fact-Finding Mission’s reported conclusions in developing and executing the foreign policy of the United States with respect to Venezuela.

(d) REPORT.—Not later than 90 days after the date of the enactment of this Act, and annually thereafter until the expiration of the official mandate of the Fact-Finding Mission, the Secretary of State shall submit to the appropriate congressional committees a report on the implementation of the actions described in subsections (a), (b), and (c).
(e) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations and the Committee on Appropriations of the Senate.