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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To direct the United States Government to support extending the mandate of the Independent International Fact-Finding Mission on Venezuela until a resolution of the Venezuelan crisis is achieved.

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IN THE HOUSE OF REPRESENTATIVES

Ms. WASSERMAN SCHULTZ 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 until a resolution of the Venezuelan crisis is achieved.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

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

1 **SEC. 2. FINDINGS.**

2 Congress makes the following findings:

3 (1) The United Nations Human Rights Council  
4 Resolution adopted Resolution 42/25 on September  
5 27, 2019, establishing an independent fact-finding  
6 mission (referred to in this Act as the “Fact-Finding  
7 Mission”) on the Bolivarian Republic of Venezuela  
8 “to investigate extrajudicial executions, enforced dis-  
9 appearances, arbitrary detentions and torture and  
10 other cruel, inhuman or degrading treatment since  
11 2014 with a view to ensuring full accountability for  
12 perpetrators and justice for victims”.

13 (2) The mandate of the Fact-Finding Mission  
14 was extended by the United Nations Human Rights  
15 Council in 2020 for two years, and on October 7,  
16 2022, for an additional two years, with a view to  
17 combating impunity and ensuring full accountability  
18 for perpetrators and justice for victims.

19 (3) The Fact-Finding Mission has faced several  
20 constraints, including lack of access to work in-coun-  
21 try, travel limitations due to the COVID–19 pan-  
22 demic, disrupted interviews due to electricity and  
23 internet failures, and limited ability to secure wit-  
24 ness statements and key documents. Despite these  
25 challenges, the Fact-Finding Mission has been able  
26 to carry out its investigative and analytical work,

1 and generate reports that serve as an invaluable re-  
2 source for victims, civil society organizations, and  
3 international accountability mechanisms.

4 (4) The Fact-Finding Mission has identified  
5 specific incidents and patterns establishing reason-  
6 able grounds to conclude that violations of inter-  
7 national human rights and criminal law have been  
8 committed in Venezuela, according to its October  
9 2022 report.

10 (5) The Fact-Finding Mission's October 2022  
11 report concludes "that crimes and violations,  
12 amounting to crimes against humanity, including ex-  
13 tremely grave acts of torture, were committed by in-  
14 dividuals holding various positions within the hierar-  
15 chies of [the Venezuelan General Directorate of Mili-  
16 tary Counterintelligence] and [the Bolivarian Na-  
17 tional Intelligence Service] as part of a plan de-  
18 signed by high-level authorities to repress opponents  
19 of the Government".

20 (6) Marta Valinas, Chair of the Fact-Finding  
21 Mission, stated in January 2023 that the Maduro  
22 regime's proposed law restricting the activities of  
23 nongovernmental organizations "could represent a  
24 point of no return in the closure of the civic and  
25 democratic space" and noted that organizations

1 working in the areas of human rights in Venezuela  
2 are facing increased legal and operational hurdles,  
3 including surveillance by Venezuelan intelligence  
4 services and diminished access to funding.

5 (7) Women and girls fleeing Venezuela face  
6 grave threats of sexual violence, exploitation, and  
7 trafficking by armed groups operating in border re-  
8 gions, such as the Ejercito de Liberacion Nacional  
9 (ELN).

10 (8) The Fact-Finding Mission continues to urge  
11 members of the United Nations Human Rights  
12 Council to “continue to pay close attention to devel-  
13 opments in the Bolivarian Republic of Venezuela and  
14 to monitor whether credible progress is being made  
15 in advancing justice, accountability and respect for  
16 human rights”.

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

21 **SEC. 3. ACTIONS RELATING TO THE FACT-FINDING MISSION**  
22 **ON VENEZUELA.**

23 (a) SUPPORT TO EXTEND MANDATE.—The Secretary  
24 of State shall take such actions as may be necessary to  
25 use the voice, vote, and influence of the United States in

1 the United Nations Human Rights Council (UNHRC) and  
2 the United Nations General Assembly (UNGA) to seek  
3 to—

4 (1) extend the mandate of the Independent  
5 International Fact-Finding Mission on the  
6 Bolivarian Republic of Venezuela to continue until a  
7 resolution of the crisis in Venezuelan that includes—

8 (A) holding a new presidential election that  
9 complies with international standards for a free,  
10 fair, and transparent electoral process;

11 (B) ending Nicolas Maduro's usurpation of  
12 presidential authorities;

13 (C) restoring democracy and the rule of  
14 law;

15 (D) freeing political prisoners; and

16 (E) facilitating the consistent delivery of  
17 humanitarian aid;

18 (2) encourage international support to empower  
19 the Fact-Finding Mission to thoroughly conduct its  
20 stated purpose of investigating gross violations of  
21 human rights perpetrated in Venezuela since 2014;

22 (3) urge the Fact-Finding Mission to raise early  
23 warnings of further deterioration of the human  
24 rights situation in Venezuela, particularly ahead of

1 the country's elections expected in the country for  
2 2024 and 2025; and

3 (4) provide investigative and technical assist-  
4 ance to the Fact-Finding Mission as requested and  
5 as permitted within the United Nations Rules and  
6 Regulations and within United States law.

7 (b) SUPPORT FOR FURTHER ACTION.—The Presi-  
8 dent is authorized to direct the United States Permanent  
9 Representative to the United Nations to use the voice,  
10 vote, and influence of the United States to urge the United  
11 Nations to provide greater action with respect to human  
12 rights violations in Venezuela by—

13 (1) urging the UNGA to consider a resolution  
14 condemning the Venezuelan regime's use of political  
15 prisoners and wrongfully detained foreign nationals  
16 as leverage to extract concessions from its adver-  
17 saries consistent with prior United Nations resolu-  
18 tions;

19 (2) assisting efforts by the relevant United Na-  
20 tions Special Envoys and Special Rapporteurs to se-  
21 cure the release of all political prisoners and wrong-  
22 fully detained foreign nationals in Venezuela, includ-  
23 ing Americans, promote respect for human rights,  
24 and encourage dialogue towards a peaceful and  
25 democratic transfer of power;

1           (3) urging the United Nations and its special-  
2           ized agencies to address the humanitarian needs of  
3           the people of Venezuela, including—

4                   (A) enhancing the reach of existing United  
5           Nations programs that fund nongovernmental  
6           organizations that provide critical services to  
7           residents of Venezuela and who may be subject  
8           to restrictive policies by the regime of Nicolás  
9           Maduro; and

10                   (B) providing direct assistance to vulner-  
11           able Venezuelan refugees and migrants in third  
12           countries;

13           (4) urging United Nations member states and  
14           other donors to support present and future United  
15           Nations funding appeals with the purpose of improv-  
16           ing humanitarian conditions in Venezuela; and

17           (5) supporting access for humanitarian actors,  
18           independent media, and credible international legal  
19           and judicial entities, including future United Na-  
20           tions fact-finding missions and similar investigatory  
21           mechanisms, to people residing in Venezuela and to  
22           the growing Venezuelan diaspora.

23           (c) DUE CONSIDERATION OF FACT-FINDING MISSION  
24           REPORTS.—The President and the Secretary of State  
25           shall—

1           (1) appropriately review all past and future re-  
2           ports presented by the Fact-Finding Mission to  
3           United Nations bodies; and

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

8           (d) REPORT.—Not later than 90 days after the date  
9           of the enactment of this Act, and annually thereafter until  
10          the expiration of the official mandate of the Fact-Finding  
11          Mission, the Secretary of State shall submit to the appro-  
12          priate congressional committees a report on the implemen-  
13          tation of the actions described in subsections (a), (b), and  
14          (c).

15          (e) APPROPRIATE CONGRESSIONAL COMMITTEES DE-  
16          FINED.—In this section, the term “appropriate congres-  
17          sional committees” means—

18               (1) the Committee on Foreign Relations and  
19               the Committee on Appropriations of the Senate; and

20               (2) the Committee on Foreign Affairs and the  
21               Committee on Appropriations of the House of Rep-  
22               resentatives.