

117TH CONGRESS  
2D SESSION

# H. R. 8813

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.

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## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 13, 2022

Mr. SIRES (for himself, Mr. CASTRO of Texas, Mr. GREEN of Tennessee, Mr. CONNOLLY, Mr. FITZPATRICK, Ms. WASSERMAN SCHULTZ, Ms. SALAZAR, Mr. VARGAS, Ms. BARRAGÁN, Mr. VICENTE GONZALEZ of Texas, Ms. TITUS, and Mr. CICILLINE) introduced the following bill; which was referred to the Committee on Foreign Affairs

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## 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.

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) In its Resolution 42/25 adopted on Sep-  
4 tember 27, 2019, the United Nations Human Rights  
5 Council established an independent fact-finding mis-  
6 sion, the Independent International Fact-Finding  
7 Mission on the Bolivarian Republic of Venezuela (in  
8 this section referred to as the “Fact-Finding Mis-  
9 sion”) “to investigate extrajudicial executions, en-  
10 forced disappearances, arbitrary detentions and tor-  
11 ture and other cruel, inhuman or degrading treat-  
12 ment since 2014 with a view to ensuring full ac-  
13 countability for perpetrators and justice for vic-  
14 tims”. The mandate of the Fact-Finding Mission  
15 was extended by the United Nations Human Rights  
16 Council on October 6, 2020, for an additional two  
17 years, until September 2022, through its Resolution  
18 45/20.

19 (2) The Fact-Finding Mission has identified  
20 specific incidents and patterns establishing reason-  
21 able grounds to conclude that violations of inter-  
22 national human rights and criminal law have been  
23 committed in Venezuela, according to its September  
24 2020 report.

25 (3) The Fact-Finding Mission has faced several  
26 constraints, including lack of access to work in-coun-

1 try, travel limitations due to the COVID–19 pan-  
2 demic, disrupted interviews due to electricity and  
3 internet failures, and limited ability to secure wit-  
4 ness statements and key documents. Despite these  
5 challenges, the Fact-Finding Mission was able to  
6 carry out its investigative and analytical work and  
7 generate reports that serve as an invaluable resource  
8 for victims, civil society organizations, and inter-  
9 national accountability mechanisms.

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

14 (5) Marta Valiñas, Chair of the Fact-Finding  
15 Mission, reported at the 49th session of the Human  
16 Rights Council that the Venezuelan people “have en-  
17 dured a decade of deepening economic, humanitarian  
18 and human rights crises, as well as the breaking  
19 down of State institutions, all of this exacerbated,  
20 most recently, by the impact of COVID–19. The  
21 clearest showing of this are the more than six mil-  
22 lion people who have had to leave the country.”.

1 **SEC. 3. ACTIONS RELATING TO THE INDEPENDENT INTER-**  
2 **NATIONAL FACT-FINDING MISSION ON THE**  
3 **BOLIVARIAN REPUBLIC OF VENEZUELA.**

4 (a) **SUPPORT TO EXTEND MANDATE.**—The Sec-  
5 retary of State shall take such actions as may be necessary  
6 to use the voice, vote, and influence of the United States  
7 in the United Nations Human Rights Council (UNHRC)  
8 and the United Nations General Assembly (UNGA) to  
9 seek to—

10 (1) extend the mandate of the Independent  
11 International Fact-Finding Mission on the  
12 Bolivarian Republic of Venezuela (in this section re-  
13 ferred to as the “Fact-Finding Mission”) by two  
14 years beyond September 2022, as previously outlined  
15 and determined by UNHRC Resolutions 42/25 (Sep-  
16 tember 27, 2019) and 45/20 (October 6, 2020), to  
17 conclude in October 2024;

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

23 (3) provide investigative and technical assist-  
24 ance to the Fact-Finding Mission as requested and  
25 as permitted within United Nations rules and regu-  
26 lations and within United States law.

1       (b) SUPPORT FOR FURTHER ACTION.—The Presi-  
2 dent is authorized to direct the United States Permanent  
3 Representative to the United Nations to use the voice,  
4 vote, and influence of the United States to urge the United  
5 Nations to provide greater action with respect to human  
6 rights violations in Venezuela by—

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

13          (2) assisting efforts by the relevant United Na-  
14      tions Special Envoys and Special Rapporteurs to se-  
15      cure the release of all political prisoners and wrong-  
16      fully detained foreign nationals in Venezuela, pro-  
17      mote respect for human rights, and encourage dia-  
18      logue towards a peaceful and democratic transfer of  
19      power;

20          (3) urging the United Nations and specialized  
21      agencies to address the humanitarian needs of the  
22      people of Venezuela, including vulnerable Venezuelan  
23      refugees and migrants in third countries through di-  
24      rect assistance; and

1           (4) supporting access for humanitarian actors,  
2       independent media, and credible international legal  
3       and judicial entities, including future United Na-  
4       tions Fact-Finding Missions and similar investiga-  
5       tory mechanisms, to people residing in Venezuela  
6       and to the growing Venezuelan diaspora.

7       (c) DUE CONSIDERATION OF FACT-FINDING MIS-  
8       SION REPORTS.—The President and Secretary of State  
9       shall—

10           (1) appropriately review all past and future re-  
11       ports presented by the Fact-Finding Mission to the  
12       UNHRC, including the Detailed Findings published  
13       on September 25, 2020 (A/HRC/45/33) and Sep-  
14       tember 16, 2021 (A/HRC/48/69); and

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

19       (d) REPORT.—Not later than 90 days after the date  
20       of the enactment of this Act, and annually thereafter until  
21       the expiration of the official mandate of the Fact-Finding  
22       Mission, the Secretary of State shall submit to the appro-  
23       priate congressional committees a report on the implemen-  
24       tation of the actions described in subsections (a), (b), and  
25       (c).

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

4           (1) the Committee on Foreign Affairs and the  
5       Committee on Appropriations of the House of Rep-  
6       resentatives; and

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

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