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14 October 2010

A fair trial for the Venezuelan judge, María Lourdes Afiuni

Motion for a resolution

tabled by Mr Jordi XUCLÀ and other members of the Assembly

This motion has not been discussed in the Assembly and commits only those who have signed it

The situation of the Venezuelan judge, María Lourdes Afiuni, who has been held in prison since 10 December 2009, has triggered a series of calls for her release on the part of bodies and institutions such as the United Nations, the Organisation of American States, the European Parliament, the Spanish Senate, government bodies, judges' and lawyers' associations and NGOs.

Judge María Lourdes Afiuni was imprisoned without prior charges on 10 December 2009, an hour after ordering the conditional release of a prisoner in compliance with Venezuelan legislation and the opinion of the United Nations Working Group on Arbitrary Detention. The statements made by President Chavez on radio and television on 11 December, calling Ms Afiuni a "bandit" and demanding that she be sentenced to the longest term of imprisonment possible under Venezuelan law, further aggravate the circumstances of her detention.

Following her arrest and the statements by President Chavez, she was accused of abuse of power, corruption, conspiracy and being an accessory to an escape and, even though the prosecutor showed that she had not received any money or any promises thereof and that she could not therefore be accused of corruption, she remains in prison.

The Assembly therefore calls on the Venezuelan authorities to release judge María Lourdes Afiuni at the earliest possible opportunity and grant her a fair trial with all legal safeguards. Moreover, given that her physical and psychological integrity is under constant threat from her conditions of detention, the Assembly also calls on the prison authorities to apply immediately and strictly the measures and recommendations set out by the Inter-American Commission on Human Rights on 11 January 2010 concerning Ms Afiuni's conditions of detention.

Signed (see overleaf)



*Signed*¹:

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1. ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democrat Group
EPP/CD: Group of the European People's Party
SOC: Socialist Group