

*Venezuelan constitutional expert
and legislator Hermann Escarra
says Supreme Court ruling is a
milestone*



Venezuelan constitutional expert and legislator Hermann Escarra (File photo)

Caracas, August 24 (RHC)-- On Friday, legislator and constitutional expert Hermann Escarra highlighted that Venezuelan Supreme Court made history on August 22nd, when it issued a ruling on the contentious appeal filed by President Nicolas Maduro, confirming the Bolivarian leader's victory in the presidential elections held on July 28th.

"It was an historic day. The process is unprecedented. For the first time, the electoral contentious appeal has been exercised," said Escarra, who noted that Maduro had several options to handle the situation of conflict and violence unleashed by the extreme right after the elections.

“He could have declared a state of emergency, established an extraordinary protection for violation of rights, or filed an electoral contentious appeal,” said the legislator, adding that the Electoral Chamber accepted the contentious appeal and informed the candidates about the procedure to be followed.

Nevertheless, during the hearings before the Supreme Court, the parties supporting former presidential candidate Edmundo Gonzalez said they did not have the electoral records to support their claims of victory. Escarra emphasized then that the Supreme Court’s decision implies “res judicata, as it is final, binding, and not subject to appeal.”

Given that the Supreme Court ruling cannot be overturned, Escarra mentioned that the Constitution only provides for an extraordinary review to verify if there was any serious unconstitutional act. This review, however, is neither an appeal, nor a procedural challenge, nor another instance. In light of the above, he explained that the ruling is in line with the Constitution, the Supreme Court law and the Electoral law.

“No one has the right to disturb the peace of Venezuelan families. We cannot allow impunity in a context of respect within the framework of law and guarantees,” Escarra said, referring to the need to follow the rules of the Penal Code and the Constitution.

Previously, Gonzalez signed a communiqué as electoral president, which constitutes an attempt to usurp a branch of the State. By acting in contempt, the former candidate must be sanctioned for not attending the audiences at the Supreme Court and for the issue of the coup d’état, Escarra pointed out.

“Gonzalez participated in serious matters such as the coup d’état, cyber aggression, and the spread of falsehoods to destabilize Venezuelan institutions. These are crimes, and he should be imprisoned,” the Venezuelan constitutional expert added, stressing that due process must be followed.

“We must never forget that any punishable act of a political and constitutional nature is surrounded by guarantees. There is no dictatorship here, nor any violation of rights. No one will be persecuted arbitrarily. Democracy imposes limits on us. We must adhere to the rule of law, even if the opposition does not recognize it. We cannot disregard it,” Escarra said, emphasizing that human rights are not violated in Venezuela.

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