



General Assembly

Distr.: General
21 October 2021

Original: English

Human Rights Council

Forty-eighth session

13 September–1 October 2021

Agenda item 2

**Annual report of the United Nations High Commissioner
for Human Rights and reports of the Office of the
High Commissioner and the Secretary-General**

Situation of human rights and technical assistance in the Bolivarian Republic of Venezuela

Report of the United Nations High Commissioner for Human Rights^{*}, ^{}**

Summary

Pursuant to Human Rights Council resolution 45/2, in the present report the United Nations High Commissioner for Human Rights details recent developments in the situation of human rights, with a particular focus on economic, social, cultural and environmental rights, and on technical assistance, in the Bolivarian Republic of Venezuela.

* The present report was submitted after the deadline in order to reflect the most recent developments.
** The annex to the present report is circulated as received, in the language of submission only.



I. Introduction

1. The present report is submitted pursuant to Human Rights Council resolution 45/2, in which the Council requested the United Nations High Commissioner for Human Rights to prepare a comprehensive written report on the situation of human rights in the Bolivarian Republic of Venezuela and to present it to the Council at its forty-eighth session.
2. The present report covers the period from 1 June 2020 to 30 June 2021¹ and provides an overview of the cooperation between the Government of the Bolivarian Republic of Venezuela and the Office of the United Nations High Commissioner for Human Rights (OHCHR). The report is also focused on the latest developments during the reporting period relating to economic, social, cultural and environmental rights and the level of implementation of the corresponding recommendations made in previous reports, and identifies areas for further cooperation.
3. The report is based on information gathered and analysed by OHCHR, including on interviews with victims and witnesses as well as on meetings with government officials and civil society organizations. It takes into account official information and data provided by the Government, including through a series of questions transmitted by OHCHR to the Government for the purposes of the present report.
4. The findings set out in the present report have been documented and corroborated in compliance with standard OHCHR methodology. OHCHR exercised due diligence to assess the credibility and reliability of all sources and cross-checked the information gathered to verify its validity. It sought informed consent from the sources that it interviewed and took all appropriate measures to protect their identities and to ensure confidentiality. OHCHR assessed the information that it collected in the light of international human rights standards and relevant domestic legislation.

II. Economic, social, cultural and environmental rights

5. People in the Bolivarian Republic of Venezuela continue to face significant challenges relating to the enjoyment of their economic and social rights, due to pre-existing multifactorial social and economic crises. The Government has promoted social policies through economic and social programmes aimed at fighting poverty and decreasing the gender equality gap, and yet challenges persist in these areas reportedly due – in part – to misallocation of resources, lack of maintenance of public infrastructure and severe underinvestment in essential services. Sectoral sanctions and the impact of the coronavirus disease (COVID-19) pandemic have further increased the scarcity of available resources.
6. While identifying possible areas for further technical assistance, the present report examines steps taken by the Bolivarian Republic of Venezuela towards meeting its human rights obligations, including with regard to the progressive realization of economic and social rights, the core obligation to ensure their enjoyment at minimum essential levels, and the obligations of non-discrimination, non-retrogression and use of the maximum available resources, which also encompasses international assistance and cooperation. The report also assesses overarching challenges regarding the lack of public information on economic, social, cultural and environmental rights, which is key for their effective realization.
7. Sectoral unilateral coercive measures exacerbated pre-existing adverse economic and complex humanitarian conditions, also affecting the available resources to guarantee and protect human rights, particularly of the most vulnerable.² Despite humanitarian exceptions in place, overcompliance with sectoral unilateral coercive measures reportedly has worsened shortages of medicines and has limited food imports, while placing additional burdens on civil society organizations, whose donors and financial institutions require detailed additional

¹ Reference is made to data beyond this period where no more recent information was available to OHCHR.

² Office of the United Nations High Commissioner for Human Rights (OHCHR), “UN human rights expert urges to lift unilateral sanctions against Venezuela”, 12 February 2021, available at <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=26749&LangID=E>.

financial information, thus diverting capacities away from the effective carrying out of work, particularly in rural and remote areas. Fuel shortages negatively affected food production and distribution, public transport, public services, education and the health sector. OHCHR reiterates its previous calls to lift sectoral unilateral coercive measures, in view of their disproportionate impact on the wider population; these calls are also echoed by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights.

8. OHCHR is concerned by the low levels of income, savings and pensions of public officials and workers in sectors dependent on public funding, particularly the education and health sectors. For example, in August 2020, the Venezuelan Medical Federation estimated that around 50 per cent of medical doctors had left the country, mainly due to rapidly declining real income. In 2020, the monthly salary of nurses reportedly averaged between two and five United States dollars.³ The loss of medical professionals had a direct impact on the country's ability to respond effectively to the COVID-19 pandemic.

9. In 2019, the income of 80 per cent of households depended on government cash transfers, according to official figures.⁴ As regards the total value of those transfers, 22 per cent was for electricity, 21 per cent for education, 16 per cent for the local committees for food supply and production,⁵ 15 per cent for water, 12 per cent for other "Patria" cash transfers⁶ and 11 per cent for the school food programme.⁷ Cash transfers are indexed to the official minimum wage, and are therefore similarly affected by high rates of inflation. Reliance on cash transfers from the Government has reportedly increased during the COVID-19 pandemic, although detailed verifiable public information on the programmes' finances and impact is unavailable.

10. According to official figures, in 2020, 56.1 per cent of persons working were in formal employment. Of those, expert analysis⁸ indicated that two thirds worked in the public sector, where the average monthly income oscillated between two and five dollars.⁹ To address these challenges, the Government has in recent years increased social spending, particularly through direct cash transfers. Reports indicated that wage policy was not inclusive, particularly, at times, excluding members of trade unions perceived as critical of the Government. Additionally, on 1 May 2021, the Government announced a 289 per cent increase to the minimum wage, from Bs 1.8 million to Bs 7 million, bringing it to the equivalent of \$2.40 at the time, without indexing the official monthly minimum wage to inflation,¹⁰ nor to the basic consumer basket.¹¹ In 2021, the Government reported that it continued to offer pensions to more than 4.5 million recipients. However, monthly pensions also fluctuated between two and five dollars, and were not indexed to inflation.¹²

11. OHCHR acknowledges steps taken to expand access to social assistance programmes through the digitalization of services. The number of active users of the "carnet de la patria"¹³ had reportedly grown to 21 million by June 2021. However, reduced Internet coverage and power outages posed challenges to efforts to guarantee equal access to digital tools, particularly in rural areas and for low-income persons. OHCHR continued to receive reports

³ Information provided by other United Nations entities.

⁴ Ministerio del Poder Popular de Planificación, *Venezuela en Cifras* (Caracas, 2021), p. 108.

⁵ Known in Spanish as the Comités Locales de Abastecimiento y Producción. These committees were set up in 2016 for the distribution of food assistance at the local level.

⁶ The "Patria" system is a digital platform with an ID card ("carnet de la patria") through which Venezuelans receive social assistance, including food assistance and cash subsidies.

⁷ Ministerio del Poder Popular de Planificación, *Venezuela en Cifras* (2021), p. 107.

⁸ Information provided by other United Nations entities.

⁹ The monthly price of the basic consumer basket was estimated at \$299.46 in June 2021. See http://cenda.org.ve/fotos_not/pdf/CENDA.%20RESUMEN%20EJECUTIVO.%20CAT%20JUNIO%202021%20WEB.pdf.

¹⁰ At an annual accumulated rate of 2,719 per cent at the end of May 2021. See <http://www.bcv.org.ve/estadisticas/consumidor>.

¹¹ Article 91 of the Constitution of the Bolivarian Republic of Venezuela stipulates that the minimum salary must be adjusted annually, using the price of the basic consumer basket as one of the references.

¹² Information provided by other United Nations entities.

of some persons allegedly being denied food assistance on political grounds, for criticism of the Government. Access to social benefits must not be conditioned on actual or perceived political affiliation, and transparency regarding the criteria used to determine eligibility for social protection programmes is essential in order to avoid any discrimination in practice.

12. Protests related to economic, social, cultural and environmental rights continued, demanding – in particular – access to adequate basic services, labour rights, housing, fuel, adequate health services, and food.¹³ During the reporting period, OHCHR documented eight cases of protests during which human rights violations were committed by security forces or pro-government armed civilian groups called *colectivos*, which included at least one extrajudicial killing, three cases of ill-treatment and three cases of excessive use of force. Of these, OHCHR takes note of investigations opened in at least two cases of ill-treatment, and reiterates the obligation to independently investigate all these incidents and prevent them from reoccurring. OHCHR also documented the illegal or arbitrary arrest and detention of at least 45 persons in relation to these protests.

13. OHCHR acknowledges the establishment of dialogue forums with trade unions in May 2021, and recalls unions' right to function freely without burdensome limitations as well as members' rights to join the association of their own choice. However, OHCHR documented disregard for collective agreements covering public servants, particularly since the promulgation of Memorandum 2792 of the Ministry of Labour in 2018, which effectively allows for such agreements to be unilaterally revised by a special organ of the Ministry, including as regards salaries, benefits and working conditions. OHCHR is concerned by the reported lack of inclusive consultations with all affected parties on labour issues, which raises concerns related to trade unions' independence and full enjoyment of their members' rights.

A. Right to health

14. Following the detection of the first cases of COVID-19 in March 2020, the Bolivarian Republic of Venezuela declared a national "state of alarm", enforced preventive health measures, and redirected the national health system towards treatment of COVID-19 patients. In January 2021, the number of hospital beds reportedly increased by 58 per cent,¹⁴ and the number of beds in intensive care units increased by 44 per cent. According to the Government, all treatments for COVID-19 were free of charge. However, the COVID-19 pandemic compounded pre-existing structural challenges which had already been exacerbated by sectoral unilateral coercive measures; these included lack of equipment, material and medicines, insufficient maintenance of infrastructure, the loss abroad of qualified health personnel, and a reduction in the State's financial abilities to invest in health services.

15. The Government publicly and regularly reported on official figures and preventive health measures regarding COVID-19. However, no information was publicly available on the methodology and data sources with regard to the epidemiological situation in the country. As in other countries around the world, some reports estimated that the real figures were likely higher, with health-care workers reportedly being among the worst affected. Health professionals publicly denounced the lack of equipment, unpaid salaries and unsanitary conditions. On 6 April 2021, *colectivos* intervened violently and intimidated students at the University Hospital of Caracas, part of the Central University of Venezuela, while they were protesting against the lack of personal protective equipment for health-care workers in Venezuelan hospitals. The Bolivarian National Guard was reportedly present and did not intervene to protect the students. OHCHR documented criminal proceedings against six persons and threats against journalists and scientists, for investigating or publishing information inconsistent with the official governmental data.

16. In early June 2021, the Government announced that 2.7 million Sputnik V and Sinopharm vaccine doses had been received since February 2021. The Government also resorted to the COVID-19 Vaccine Global Access (COVAX) Facility, yet the purchase

¹³ The Venezuelan Observatory of Social Conflict reported 10,224 protests related to economic, social, cultural and environmental rights between 1 June 2020 and 30 June 2021.

¹⁴ Ministerio del Poder Popular de Planificación, *Venezuela en Cifras* (2021), p. 238.

process was lengthy, and the funds to purchase the vaccine would have been frozen for several weeks by banking institutions, reportedly due to complications linked to unilateral coercive measures. At the time of writing of the present report, the official number of available doses and vaccination materials remained dramatically below the numbers needed to combat COVID-19 effectively and inoculate about 22.8 million people, as per the national vaccination plan. OHCHR recalls that vaccines should be considered a global public good. As such, the international community has the obligation to take concrete measures to ensure an equitable and timely distribution of vaccines globally.

17. Some civil society and health actors, opposition political entities and international organizations provided technical cooperation in the development of the vaccination plan. Although the plan was not released publicly, it was shared with those stakeholders when it was adopted. The Government reports publicly on the advancement of the vaccination programme, but did not report detailed information on beneficiaries, or the use of public funds, nor on post-vaccination monitoring, despite allegations of the existence of parallel markets and corruption, and requests from civil society organizations for information.

18. The Government designated the “carnet de la patria” as the main tool to access the vaccination system and determine eligibility, but also opened an additional vaccine registration platform through the Ministry of Health, in May 2021. Nevertheless, registration on both platforms is made via the Internet and vaccine appointments via SMS, which largely excludes those without Internet access or mobile phones, mainly the most marginalized and those living in rural and remote areas. OHCHR encourages the Government of the Bolivarian Republic of Venezuela to take all measures necessary to ensure equal access to the vaccine, particularly for marginalized groups, paying specific attention to this digital divide.

19. Redirecting existing resources to the fight against the COVID-19 pandemic hampered the already diminished ability of the State to ensure access to health services for other diseases and conditions, such as malaria, dengue, chikungunya, Zika and tuberculosis. Vaccination programmes for preventable diseases, and access to services for sexual and reproductive health, mental health care, and the treatment of HIV/AIDS, diabetes and cancer, and to transplants, have also been affected. The national programme for seeking organs for transplant has been suspended since 2017, reportedly due to the effect of unilateral coercive measures. According to the National Transplant Organization, since 2017, 960 persons with kidney diseases have allegedly died due to lack of transplants, including 150 children.¹⁵

20. OHCHR welcomes joint actions taken by the Ministry of Health and United Nations entities to enhance access to health care for victims of sexual violence, including the adoption in June 2021 of a National Protocol for Clinical Management of Sexual Violence. However, the situation regarding gender-based violence reportedly worsened in 2020, as did access to sexual and reproductive health services. There were reports of an increase in maternal mortality.¹⁶ Civil society organizations reported limited access to contraception, allegedly contributing to higher rates of teenage pregnancy and insufficient prenatal and neonatal care. Furthermore, there was reportedly a severe shortage of medicines and treatments, including for sexually transmitted infections and HIV, as well as of medical equipment and of medical supplies and hygiene products.¹⁷

21. OHCHR is concerned by the situation as regards the right to health of indigenous peoples. Civil society monitoring indicated that, in 2019, diseases such as malaria, tuberculosis, pneumonia, measles and HIV were increasing among indigenous peoples, and reported 457 cases of COVID-19 and 14 deaths among the indigenous population in

¹⁵ See the communiqué by 92 civil society organizations, issued on 1 June 2021, available at <https://cecodap.org/suspension-del-programa-de-trasplantes-perjudica-a-150-ninos-en-los-ultimos-cuatro-anos-estima-ontv-comunicado/>.

¹⁶ See the United Nations Population Fund (UNFPA) news item at <https://venezuela.unfpa.org/es/news/mientras-la-crisis-que-enfrentan-las-mujeres-en-venezuela-se-profundiza-el-unfpa-requiere-0>.

¹⁷ UNFPA, “Humanitarian response in Venezuela 2021”, available at https://venezuela.unfpa.org/sites/default/files/pub-pdf/2021_unfpa_humanitarian_plan_in_venezuela_2.pdf.

Amazonas, Bolívar and Delta Amacuro States in 2020.¹⁸ However, there is no official disaggregated information on COVID-19 among indigenous peoples. The Ministry of Health issued a Containment Plan for COVID-19 among Indigenous Peoples and Communities, but reportedly without conducting prior consultation on the formulation and implementation of the plan or releasing public information on the epidemiological situation in indigenous communities or on health measures taken by the Government. The pandemic, combined with fuel shortages, reportedly also exacerbated malnutrition among indigenous peoples, and their ability to seek medical attention from often distant medical stations for preventable diseases.

B. Right to food

22. Some improvements in access to food were reported in the two years before the pandemic. Official figures¹⁹ pointed to reduced undernourishment in 2018 and 2019, as was also observed by civil society organizations,²⁰ which documented significant improvements regarding child malnutrition in the period before the pandemic. However, these reported improvements have yet to be consolidated, considering the volatile levels of national food production. The lack of investment, fuel shortages, and reduced availability of seeds, fertilizers and agrochemical imports have reportedly resulted in a reduction in Venezuelan food production, diminishing agricultural profitability, particularly for small-scale farmers and other vulnerable rural persons, and reducing rural households' income.²¹

23. OHCHR notes efforts made by the Government to maintain local food distribution chains and food assistance during the pandemic. In 2020, around 74 per cent of the country's households reportedly received food assistance via the local committees for supply and production.²² Most notably, in 2019, 92 per cent of powdered milk consumed by households came from the committees, as well as 72 per cent of grains. Specific food assistance programmes for children, pregnant women, elderly people, indigenous communities and other vulnerable groups have been set up in recent years, adding up to 15 food assistance programmes. In 2019, the Government reportedly invested \$4.3 billion in all these programmes. In 2021, civil society organizations estimated that monthly regular and pandemic-related food transfers amounted to around \$21 per household, vastly insufficient to cover basic necessities at real prices. The monthly price of the basic consumer basket was estimated at \$299.46 per household in June 2021.²³ Additionally, there is no detailed information available on these programmes' budget, participation and oversight.

24. While the mandatory closure of schools due to the COVID-19 pandemic prevented children from receiving food at school, the school food programme was adjusted to enable some delivery through distribution points, despite reported limitations in its coverage. Detailed verifiable public information on the impact of the programme is limited. OHCHR welcomes the April 2021 agreement between the Government of the Bolivarian Republic of Venezuela and the World Food Programme to provide food assistance to 185,000 children in schools in 2021 and reach 1.5 million children by 2023, in line with previous OHCHR recommendations. OHCHR encourages the Government to create conditions conducive for non-governmental organizations to take an active part in providing humanitarian assistance, including by ensuring access for them to all relevant public information and protecting their legitimate work.

¹⁸ See <https://kape-kape.org/wp-content/uploads/pdf/Impactos.de.la.pandemia.por.Covid-19.en.comunidades.indigenas.pdf>.

¹⁹ Ministerio del Poder Popular de Planificación, *Venezuela en Cifras* (2021), p. 19.

²⁰ Communication between OHCHR and civil society organizations.

²¹ Information provided by other United Nations entities.

²² Ministerio del Poder Popular de Planificación, *Venezuela en Cifras* (2021), p. 10.

²³ See http://cenda.org.ve/fotos_not/pdf/CENDA.%20RESUMEN%20EJECUTIVO.%20CAT%20JUNIO%202021%20WEB.pdf.

C. Right to education

25. The Government reported having taken action to increase the availability of basic and higher education in recent years. However, pre-existing challenges related to the right to education were further exacerbated by sectorial sanctions and by the pandemic.²⁴ Official figures indicated that 8.77 million primary and secondary school students and 3.1 million tertiary-level students registered for the 2020/21 school year, and that 83 per cent of schools were public and free of charge in 2021.²⁵ However, some civil society organizations indicated a high rate of dropout from basic education during the 2020/21 school year, which some suggested was as high as 50 per cent, mainly because of an increased need to earn family income amid the pandemic.²⁶

26. OHCHR welcomes the efforts by the Government to transition to e-learning for basic and post-primary education during the pandemic, reportedly for some 8 million children. The Ministry of Education developed, in March 2020, the “Each Family a School” plan, designed to guarantee schooling via television, radio, and digital and printed means. The plan originally targeted general primary and secondary education programmes, but later included dedicated programmes for adults, persons with disabilities and indigenous peoples. Nevertheless, structural challenges, notably the severe lack of mobile and Internet coverage, electricity shortages, and the lack of adequate food and safe drinking water both at home and in schools, hindered the impact of such measures. Furthermore, teachers’ unions were reportedly not consulted on the alternative education measures and their implementation. Public information on the plan is scarce.

27. The primary, secondary and higher education infrastructure reportedly suffers from a lack of maintenance and of access to basic services such as electricity and water. Universities reported a reduction of over 20 per cent in their overall budget, as well as repeated attacks on their facilities and the robbery of equipment by private actors, as reported to the relevant authorities. For example, in 2021, the Central University of Venezuela reportedly only received 2.27 per cent of its programmed annual budgets, which was mainly used to pay salaries. The lack of financial means and security for education institutions has severely affected their capacity to provide accessible and quality education.

28. According to civil society,²⁷ in January 2021 over 50 per cent of teachers were absent or had abandoned their posts. At least 40 schoolteachers in four different schools were allegedly threatened with disciplinary procedures in 2020 for absenteeism, which was due to inability to afford transportation or food on their salaries.²⁸

29. OHCHR encourages the Venezuelan authorities and autonomous universities to continue dialogue in order to hold free and fair elections for autonomous universities’ authorities, and to ensure a broad participation of communities in these elections and in the universities’ budgetary matters. The request for eligibility to vote in these elections to be limited to members of faculty, students and alumni, jointly presented by autonomous universities on 3 March 2020 against Supreme Court of Justice decision No. 0047-2020, which was filed on 27 February 2020, reportedly remains unanswered. The State must ensure freedom of association of workers at universities and promote certification of freely negotiated collective agreements to improve labour conditions in autonomous universities.

D. Access to essential services

30. Some improvements have been reported in the past two years with regard to access to water and electricity in schools, universities and health centres, which were affected by

²⁴ Ministerio del Poder Popular de Planificación, *Venezuela en Cifras* (2021), p. 78.

²⁵ *Ibid.*, p. 10.

²⁶ See <https://www.elnacional.com/venezuela/afirman-que-la-desercion-escolar-en-venezuela-supero-el-50/>.

²⁷ Interview with Griselda Sánchez, spokesperson of the Venezuelan Teachers’ Union of the Capital District, available at <https://talcualdigital.com/vocacion-de-los-maestros-sostiene-sistema-educativo-en-crisis/>.

²⁸ Alliance for the Defence of Labour Rights of Venezuela, report published in 2020.

shortages in recent years which had a direct impact on the rights to education and health. According to studies by the Venezuelan Observatory of Public Services, the proportion of households with a connection to the water supply remained at around 90 per cent, and although irregularities persisted, there were overall improvements in the supply.²⁹

31. Reduced production of natural gas and challenges in the distribution of cooking gas cylinders in recent years³⁰ have led to a reduction in the use of cooking gas, from 93 per cent of households in June 2019 to 83 per cent in January 2021.³¹ Firewood is increasingly being used instead, with concomitant adverse health impacts. The supply of gas cylinders also remained irregular.³² Reports indicate that between January 2017 and May 2021, there were at least 81 explosions of cooking gas cylinders.³³ OHCHR documented that, on 28 December 2020, 152 cylinders exploded in Los Caños de los Beceros, in Monagas State, killing four adults and three children who were queuing to receive cylinders, and injuring 46 persons, including at least nine children and seven elderly persons. OHCHR documented two other explosions in Monagas State which killed a 4-year-old child and three adults, on 13 and 19 January 2021.

32. The National Telecommunications Commission reported that, in March 2021, 47.1 per cent of the population had Internet access, and 65.3 per cent had access to mobile phone services, albeit unevenly across the country. For example, 94.7 per cent of the population of the Capital District had Internet access, as did 12.6 per cent in Amazonas State and 19.9 per cent in Apure State.

E. Environmental rights

33. OHCHR acknowledges the legal framework of the Bolivarian Republic of Venezuela, which recognizes environmental rights as constitutional rights, establishes specific State obligations regarding environmental protection as well as transparency, participation, oversight and reparations, and includes specific forms of criminal liability for environmental damage. However, reports by civil society indicate a lack of implementation of environmental regulations, of public accountability, and of reparations for environmental damage, particularly in the oil and mining industries. OHCHR encourages the Government to sign and ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, which entered into force on 22 April 2021.

34. OHCHR remains concerned with the human rights situation in the Arco Minero del Orinoco region,³⁴ notably with respect to the implementation of previous OHCHR recommendations, including regarding the transparency of public companies in their operations, participation and consultation processes, environmental and sociocultural impact studies, and public action to curb illegal mining and activities by the non-State armed groups or “*sindicatos*” operating in mining areas.

35. Furthermore, since 2014, the amount of oil spilled into the environment has allegedly increased, and during the reporting period, OHCHR received allegations of oil spills in rivers, lakes and coastal areas, many of them protected, such as Morrocoy National Park and the Cuare Wildlife Refuge. Public entities reportedly took some action to contain the impacts and repair damage, within available resources.³⁵ It is imperative that the Government

²⁹ Information provided to OHCHR by the Venezuelan Observatory of Public Services.

³⁰ Government response to an OHCHR questionnaire.

³¹ Information provided to OHCHR by the Venezuelan Observatory of Public Services.

³² See <https://talcualdigital.com/falta-de-gas-domestico-obliga-a-272-de-los-venezolanos-a-cocinar-con-lena/>.

³³ See <https://www.elimpulso.com/2021/05/11/mal-estado-de-las-bombonas-de-gas-pone-en-riesgo-a-los-venezolanos/>.

³⁴ See A/HRC/44/54.

³⁵ See <https://www.ecopoliticavenezuela.org/2020/08/17/por-que-ocurren-cada-vez-mas-derrames-en-pdvsa-entrevista-al-experto-petrolero-einstein-millan/>.

effectively implement its environmental regulatory framework applicable to the oil industry, and publicly report on its implementation.

F. Rights of indigenous peoples

36. Regarding indigenous peoples' rights, OHCHR reiterates that the establishment of the Arco Minero del Orinoco region³⁶ and the expansion of mining had a negative impact on the right to self-determination of indigenous peoples, their rights to their land, territories and resources, their environmental rights, their right to live in peace and security, and their economic, social and cultural rights. OHCHR recalls the obligation to obtain the free, prior and informed consent of indigenous peoples, in good faith and through their own legitimate representative institutions and representatives, for the adoption or implementation of any decision, activity or measure that may affect them.

37. OHCHR continued to receive allegations of killings of indigenous persons and threats against indigenous leaders in mining areas by "*sindicatos*", particularly in mining areas and areas controlled by non-State armed groups. On 5 April 2021, for example, in Mine 49 in Yapacana, Bolívar State, an indigenous Jivi man was allegedly killed by non-State groups operating the mine. There are allegations of State agents being involved in operating illegal mining activities with "*sindicatos*". Killings and allegations of threats must be independently investigated, and the perpetrators brought to justice.

38. The 1999 Constitution of the Bolivarian Republic of Venezuela established a two-year deadline for the demarcation of all indigenous land, and national law establishes the possibility of recognition of self-demarcation initiatives. By 2021, only around 15 per cent of indigenous land had been demarcated, and the Government had issued 102 land and habitat titles corresponding to 3.22 per cent of the national territory. OHCHR is concerned at approved demarcation processes that are still pending action by the Office of the Procurator General for issuance of the corresponding titles. In one case, a request sent to the Office of the Procurator General over 15 years ago remains unanswered, whereas the applicable legal deadline for responding is 30 days.³⁷ Fair and effective demarcation of indigenous territories is a right, as well as a requisite for the full enjoyment of other human rights by indigenous peoples. It must be implemented without delay, in a transparent and participatory manner, with the legitimate indigenous authorities.

G. Rights of migrants

39. The lack of access to economic, social, cultural and environmental rights in recent years has been a root cause of migration out of the country. The Office of the United Nations High Commissioner for Refugees (UNHCR) currently reports 5.4 million Venezuelan migrants and refugees worldwide.³⁸ An increasing number of Venezuelans have been crossing into neighbouring countries through irregular routes since the easing of quarantine measures in the region,³⁹ where they have been facing challenges in accessing food and water, and have been put at risk of violence, sexual and labour exploitation and abuse, and human trafficking, particularly in the case of women and children.

40. OHCHR is concerned by the number of migrant ships sinking, as well as the numbers of persons going missing, between the Venezuelan coast and the neighbouring island countries, which sources indicate may be linked to human trafficking. Since April 2019, OHCHR has recorded eight ships sinking and 129 persons going missing, and has shared with the Office of the Attorney General information on embarkations, disappeared persons and deaths, for appropriate judicial action. OHCHR calls on the Venezuelan authorities to duly investigate these cases and calls on all host countries to collaborate in the investigations

³⁶ See A/HRC/44/54.

³⁷ Art. 47 of the Organic Law of Indigenous Peoples and Communities, of 2005.

³⁸ UNHCR, "Venezuela situation", available at <https://www.unhcr.org/venezuela-emergency.html>.

³⁹ See <https://gho.unocha.org/es/venezuela>.

and take the necessary measures to ensure that all persons in the Bolivarian Republic of Venezuela can fully enjoy their human rights.

41. With assistance from the United Nations system, the Government took significant short-term measures to assist approximately 151,000 returnees, who had left their host countries because of the impact of the pandemic in particular. Some attention was given to the specific needs of women, children and the elderly, but challenges remained, particularly regarding housing, transport, discrimination, trafficking and COVID-19 prevention measures. OHCHR encourages the Venezuelan authorities to continue working in partnership with the United Nations system to sustainably ensure the human rights of persons on the move within its territory, including of Venezuelan migrants and returnees.

H. Access to information related to economic, social, cultural and environmental rights

42. The right to access public information is enshrined in the Constitution of the Bolivarian Republic of Venezuela. However, detailed public information has become increasingly scarce on the regulatory framework of public entities and policies, on their organizational structure, assigned budget and spending, procurements and contracting, public participation and accountability mechanisms, and audits, and on legal and administrative proceedings initiated by State entities. The lack of access to public information has directly affected the capacity of the public to participate in the formulation, implementation and oversight of public policies. Public information is indispensable for the effective participation of rights holders in public affairs and for effective public policies that meet standards of equality and non-discrimination, that are gender-responsive and that take into account the needs and perspectives of the most marginalized groups. This would also contribute to better identifying means to address existing humanitarian challenges.

43. Information produced by public institutions that is related to economic, social, cultural and environmental rights, including the Sustainable Development Goals indicators, is disseminated on an ad hoc basis, and information on the methodologies and sources used to produce the information is rarely made available. For example, key tools for monitoring public health in the country, such as the epidemiological bulletin and the mortality yearbook, have not been published since 2016 and 2014 respectively. The national budget has not been published since 2018, and the reports and accounts of the different ministries,⁴⁰ which include information on the implementation of the national budget, have not been made public since 2017. The national budget and information on its execution are essential to the monitoring, protection and fulfilment of human rights, and should be publicly available.

44. OHCHR registered 60 requests for public information in 2020 and 2021 by civil society organizations on matters related to economic, social, cultural and environmental rights. Most requests remained unanswered at the time of the writing of the present report. Some requests were rejected because applicants had omitted non-essential formalities, which may unduly impact the right to access public information. Furthermore, civil society organizations indicated that the COVID-19 pandemic had affected their ability to make formal requests, since the public administration did not have online platforms for such proceedings. These challenges could be addressed by enacting and implementing specific legislation to regulate access to public information, such as an organic law on transparency that establishes mechanisms for effective enjoyment of the right of access to public information recognized in the Constitution.

45. In the current complex economic and humanitarian context, the low number of qualified professionals and lack of resources have reportedly affected the State's capacities in these areas. Nonetheless, OHCHR recalls the State's obligation to monitor the extent of their realization to the maximum of its capabilities, and to publicly and regularly report its findings.

⁴⁰ The report and accounts are to be publicly presented to the National Assembly in the first two months of each year, in accordance with art. 244 of the Constitution of the Bolivarian Republic of Venezuela.

I. Defence of economic, social, cultural and environmental rights

46. During the reporting period, OHCHR documented 17 cases of human rights violations related to the defence of economic, social, cultural and environmental rights, which included four cases of threats and intimidation (including of two women), and 12 cases of arbitrary detention. Many of the documented cases were accompanied by acts of violence, and involved the criminalization of legitimate activities. In accordance with its methodology, OHCHR conveyed concerns about nine of these cases to the relevant authorities. Action had been taken in at least three cases at the time of drafting of the present report. OHCHR notes limited progress made in protecting human rights defenders, investigating human rights violations committed against them, and ensuring the right to participate in public affairs – matters that have been the subject of previous recommendations.

47. OHCHR also documented eight cases of criminalization, harassment or detention of students, or threats against them, due to their participation in student movements or their documentation of human rights violations. Three cases involved attacks and harassment against four members of the Venezuelan Student Confederation during preparations for the Route Across Venezuela.⁴¹ Its president was detained by the National Bolivarian Armed Forces at an assembly outside the building of an opposition party in Maturín, Monagas State, on 16 April 2021, and two student leaders were attacked by members of security forces, at four different checkpoints, between Mérida and Portuguesa States, in May 2021.

48. OHCHR documented the prosecution of seven union leaders and six workers because of their defence of labour rights or for having reported irregularities – on charges of terrorism, criminal association, disclosure of State secrets, or incitement to hatred, some of them after being reported to the authorities by their supervisors or after having made social media posts critical of the Government. Eight remain in detention at the time of writing of the present report. Two union leaders were allegedly dismissed from their positions for their defence of workers' rights.

49. In 2019, a commission of inquiry of the International Labour Organization (ILO)⁴² concluded that acts of persecution, detention and defamation against trade union leaders, many carried out by the State, constituted an obstacle to basic labour liberties, and contributed to creating a climate of stigmatization and intimidation highly dissuasive to the exercise of freedom of association. ILO continues to assess the implementation of measures to redress these concerns.⁴³ Although the Government rejected these findings, it sought technical assistance in 2021 to improve compliance with relevant labour conventions.

50. OHCHR notes the dismissal on 22 July 2021 of the criminal case against a human rights defender working to promote women's rights to health, which included raising awareness and disseminating information about sexual and reproductive health rights, who had been arrested on 12 October 2020 by members of the Bureau for Scientific, Criminal and Forensic Investigations and criminally charged for assisting rape victims who sought abortions. United Nations human rights bodies have recommended that the Government decriminalize abortion and ensure the provision of appropriate sexual and reproductive health services.⁴⁴ OHCHR encourages the Government to implement these recommendations and to take all necessary measures to ensure that no person is criminalized for defending women's rights, including the rights to sexual and reproductive health.

51. OHCHR recorded 12 formal complaints by civil society organizations to administrative and justice authorities and to the Ombudsperson relating to access to public services. All complaints remained officially unanswered at the time of writing of the present report. Members of civil society informed OHCHR that few formal complaints are raised

⁴¹ An initiative by the Confederation to document violations of economic, social, cultural and environmental rights in remote areas.

⁴² See https://www.ilo.org/gb/GBSessions/GB337/WCMS_722037/lang--en/index.htm.

⁴³ ILO Governing Body, report of the Director-General, 18 June 2021, available at https://www.ilo.org/wcmsp5/groups/public/---ed_norm/---relconf/documents/meetingdocument/wcms_804314.pdf.

⁴⁴ CEDAW/C/VEN/CO/7-8, para. 31; and CCPR/CO/71/VEN, para. 19.

with the competent authorities on account of lack of trust in the administrative and justice systems and fear of reprisals.

III. Cooperation and technical assistance

52. Throughout the period under review, OHCHR strengthened its presence in the Bolivarian Republic of Venezuela further to a Letter of Understanding with the country's Government, signed on 20 September 2019 and extended for a further year in September 2020, which set out overall parameters of cooperation and tripled the number of human rights officers in the country. An information exchange mechanism was also formalized. OHCHR welcomes increased cooperation with the authorities, including in the context of discussion towards the establishment of a country office in 2021.

53. The joint workplan to develop nine areas of technical cooperation was also updated, which included additional activities such as technical assistance for the upcoming universal periodic review cycle. The Inter-Institutional Coordination Committee, established in 2019 and made up of representatives of 10 institutions, continued to meet regularly to follow up on the implementation of the workplan, holding substantive discussions around key areas of cooperation and human rights concerns, and increasing constructive engagement with the authorities.

54. The formalization of a mechanism to raise concerns about individual cases and human rights situations has facilitated exchanges of information between OHCHR and Venezuelan authorities on individual cases and the transmittal of early warnings to authorities. These included specific cases of harassment and detention of journalists, human rights defenders, union leaders and other civil society actors. OHCHR also shared with the relevant authorities four technical notes on systemic human rights concerns, with specific recommendations, including on the right to health, restrictions to civic space and conditions of detention.

55. OHCHR has referred to the authorities documented individual cases of detention, including of women, which required urgent solutions because of health reasons, judicial delays, non-execution of judicial release orders, and continued detention despite the completion of sentences. From among these cases, 152 persons had been released at the time of writing of the present report. The Inter-Institutional Coordination Committee provided information on the judicial status of cases and on measures taken to address humanitarian, penitentiary and judicial concerns on over 100 cases. OHCHR welcomes new channels of discussions with both ordinary and military judicial authorities on these cases, as well as the decision of the President of the Bolivarian Republic of Venezuela to pardon 110 persons (including six women), most of them Venezuelan politicians who had been detained or were in exile or had been subjected to precautionary measures.

56. OHCHR continued its regular dialogue with the Office of the Attorney General, and notes some progress in judicial action for cases of serious human rights violations, including in the investigation of 79 documented cases of alleged extrajudicial executions by security forces and in 18 cases of deaths in the context of protests. OHCHR welcomes actions taken to advance these cases, but notes that so far, the majority of these cases remain at the prosecutorial stage, with no final judgment having been issued.

57. OHCHR continued activities with a view to strengthening the justice system. OHCHR carried out a diagnosis to identify factors impacting the situation in preventive detention centres. Preliminary findings were presented and discussed with the authorities at the end of 2020 and are guiding technical assistance activities for 2021, targeting, in particular, overcrowding and judicial delays.

58. OHCHR also assessed the compliance of the justice system with the standards of the Minnesota Protocol on the Investigation of Potentially Unlawful Death, and of the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol), and drafted protocols for investigating allegations of violations of the right to life and of the right to personal integrity in order to guide – in a practical way – actions to be taken by each institution holding responsibility in the process. This work was presented and discussed during a workshop held

in February 2021. OHCHR also presented to the authorities a draft protocol for the observation by OHCHR of hearings, to inform the issuance of tailored and specific recommendations to improve compliance with applicable international standards.

59. In January 2021, OHCHR shared comments on a draft methodology for the development of the second National Human Rights Plan prepared by the Government, in which OHCHR promoted the adoption of an inclusive and participatory approach. In September 2020, OHCHR facilitated a training session for the establishment of national mechanisms for reporting and follow-up, to complement prior training sessions, that would be relevant for the third universal periodic review cycle scheduled for 2022. OHCHR also presented a training plan on key human rights concepts, which is expected to be implemented at the end of 2021.

60. Despite the impact of the COVID-19 pandemic and the “state of alarm” declared on 13 March 2020, visits to detention centres and field missions resumed in September 2020, in accordance with the applicable health requirements. In total, OHCHR conducted field missions in eight States – Anzoátegui, Barinas, Bolívar, Cojedes, Lara, Mérida, Táchira and Zulia – to assess needs in terms of technical assistance activities and to collect first-hand information on the human rights situation.

61. OHCHR carried out 24 visits to detention centres, including during field missions, confidentially interviewing 308 detainees, including 54 women and 60 children, in accordance with the protocol agreed with the Government. Two visits were made to military centres and 22 to centres managed by the Ministry of Penitentiary Services, including to women’s and children’s facilities. OHCHR visited the main detention centres of the Bolivarian National Intelligence Service and the Directorate General of Military Counter-Intelligence, in Caracas, and conducted 49 confidential individual interviews. In March 2021, OHCHR visited, for the first time, a pretrial detention centre managed by the Bolivarian National Police in Caracas, and a calendar for visits was agreed upon with the authorities.

62. Following each of these visits, OHCHR presented confidential reports to the authorities containing recommendations for building stronger compliance with international detention standards as well as specific recommendations on urgent individual cases. OHCHR discussed findings and recommendations with authorities on several occasions. OHCHR advocated for compliance with the guidelines on COVID-19 and their human rights dimensions, particularly in relation to conditions of detention, visits by relatives and lawyers, and the release of detainees facing particular risks. In November 2020, OHCHR collaborated with the Ministry of Penitentiary Services on the organization of a virtual symposium on applicable human rights standards.

63. OHCHR continued to work closely with the Office of the Ombudsperson, providing training and also initiating an assessment of the National Commission for the Prevention of Torture to enhance its capacities to take effective steps to prevent torture and ill-treatment. OHCHR also provided virtual training sessions to the Office of the Ombudsperson, on selected topics such as indigenous peoples’ rights and cooperation with human rights defenders, and provided assistance to the Office of the Ombudsperson in its implementation of its new data-collection system.

64. OHCHR facilitated a workshop early in August 2020 with the Ministry of the Interior, Justice and Peace on police standards and the use of force at demonstrations and in complex security operations, and also shared comments on four police force protocols on the use of the force, which were under review. A calendar of activities to provide technical support to the Victims’ Unit of the Ministry, as well as in the area of police reform, was set.

65. OHCHR welcomes efforts by the Government to increase engagement with international human rights mechanisms, particularly the special procedures system. The Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights carried out an official mission to the Bolivarian Republic of Venezuela from 1 to 12 February 2021. The Government committed to inviting a second mandate holder in the course of 2021. In September 2020, OHCHR organized a workshop with Venezuelan authorities, and with the participation of representatives of the Committee on the Rights of the Child, to review reservations to international human rights treaties entered by the Government.

IV. Conclusions and recommendations

66. OHCHR welcomes cooperation by the Government of the Bolivarian Republic of Venezuela in implementing previous recommendations and remains committed to providing technical assistance. OHCHR welcomes measures taken by the Government to address pre-existing shortcomings in the enjoyment of economic, social, cultural and environmental rights, despite additional challenges posed by the COVID-19 pandemic and sectoral unilateral coercive measures, which have further reduced available resources. However, many urgent measures directly affecting these rights are yet to be implemented, including guaranteeing sufficient income levels, investigating allegations of discrimination in access to food and health care, and ensuring the inclusive participation of civil society representatives in policymaking. The lack of publicly available information relating to the enjoyment of those rights risks jeopardizing many of the efforts and achievements reported by the Government. OHCHR is concerned by the criminalization of defenders of economic, social, cultural and environmental rights, particularly union and student leaders. The effective exercise of economic, social, cultural and environmental rights remains of concern in the Bolivarian Republic of Venezuela, most notably for vulnerable groups and persons, and OHCHR remains ready to assist the Government in implementing such urgent measures.

67. In addition to previously issued recommendations relevant to economic, social, cultural and environmental rights, many of which remain valid (see the annex below), OHCHR makes the following further recommendations to the Government of the Bolivarian Republic of Venezuela:

Enjoyment of economic, social and cultural rights

(a) Continue efforts to improve access to essential services, and food, and report publicly and regularly on those efforts, paying particular attention to equality of access and non-discrimination, and to ensuring transparency, participation and public oversight;

(b) Take all measures necessary to guarantee sufficient income to public servants and workers in sectors dependent on public funding, particularly in the health and education sectors, in a transparent and participatory manner, including by adjusting salaries and cash transfers to the basic consumer basket, and take concrete measures to promote the enjoyment of labour rights, including by ensuring compliance with international labour conventions and collective agreements, and report publicly on their implementation;

(c) Take concrete measures to promote the autonomy of universities, and free and independent electoral processes, in accordance with their internal regulations, and to ensure freedom of association of university workers;

Access to information

(d) Publicly and regularly report on information produced by public institutions related to economic, social, cultural and environmental rights, including on the Sustainable Development Goals indicators and internationally recognized human rights indicators, and on the methodologies and sources used to produce that information;

(e) Take concrete measures and publicly report on their implementation, to guarantee the right to access public information – including by drafting and enacting an organic law on transparency that is in accordance with international standards, ensuring that public information requests are not unnecessarily cumbersome nor rejected because of the omission of non-essential formalities, developing digital mechanisms to receive public information requests, addressing concerns over reprisals for requests for public information, and improving accessibility and understandability for all groups, particularly the most marginalized;

(f) Ensure transparent and representative consultations, and access to public information, in relation to public policy, particularly with members of vulnerable

groups, prior to the adoption or implementation of any decision, activity or measure that affects them;

(g) Publish the national budget and the ministries' reports and accounts, as well as the regulatory framework for individual public entities and policies, and details of their organizational structure, the budget assigned to them and its execution, procurements and contracting, public participation and accountability mechanisms, audits, and legal and administrative proceedings initiated by State entities;

Non-discrimination

(h) Investigate allegations of discriminatory access to social protection programmes, take all measures necessary to guarantee equal access to such programmes, prioritizing the most marginalized groups, and publicly report on the findings and the implementation of the measures;

(i) Take all measures necessary to implement the constitutional mandate to recognize all indigenous territories and collective land rights without delay, with particular emphasis on self-demarcation initiatives;

(j) Continue working in partnership with and cooperating with the United Nations system to ensure the human rights of people on the move within the territory of the Bolivarian Republic of Venezuela, particularly of migrants and returnees, and investigate cases of disappearances and allegations of human trafficking;

(k) Ensure the implementation of the national environmental regulatory framework as pertains to the oil and mining industries, particularly in the Arco Minero del Orinoco region, and sign and ratify the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean, also known as the Escazú Agreement;

(l) Amend legislation to decriminalize abortion, and ensure the provision of appropriate sexual and reproductive health services;

(m) Take all measures necessary to ensure equal access to the vaccine against COVID-19, particularly for marginalized groups, paying specific attention to this digital divide;

Cooperation

(n) Remain committed to the effective implementation of the joint workplan agreed with OHCHR and deepen engagement by the Bolivarian Republic of Venezuela with international human rights mechanisms.

68. States Members of the United Nations should:

(a) Suspend or lift the sectoral unilateral coercive measures imposed on the Bolivarian Republic of Venezuela, which impede the Government's efforts to address the combined impact on the population of the current humanitarian situation and the COVID-19 pandemic;

(b) Continue their support for the humanitarian response in the Bolivarian Republic of Venezuela, particularly with regard to the COVID-19 pandemic;

(c) Ensure a fair distribution of vaccines across countries, as a global public good that is accessible to all without discrimination, in accordance with international legal norms and in support of the achievement of the Sustainable Development Goals;

(d) Ensure the rights of migrants from the Bolivarian Republic of Venezuela in their respective territories and investigate human rights violations or abuses committed against them.

Annex

Summary of previous recommendations

Economic, social, cultural, and environmental rights

- Take all necessary measures to ensure availability and accessibility of food, water, essential medicines and healthcare services, including comprehensive preventative healthcare programmes with particular attention to children's and maternal services, including sexual and reproductive healthcare; (A/HRC/41/18)
- Allocate the maximum available resources towards the progressive realization of economic and social rights in a transparent and accountable manner that allows the assessment of expenditures; (A/HRC/41/18)
- Prioritize measures to decrease early pregnancies, and ensure that all plans regarding sexual and reproductive rights include measurable indicators and monitoring mechanisms; (A/HRC/41/18)
- Increase vaccination coverage for preventable diseases and take adequate measures to control outbreaks of communicable diseases; (A/HRC/41/18)
- Guarantee a full-scale United Nations led response to the humanitarian situation, including increased access for humanitarian actors, facilitating the entry of the World Food Programme, regularizing the presence of international non-governmental organizations and ensuring the protection of all humanitarian workers; (A/HRC/44/20)
- Take urgent steps to end labour and sexual exploitation, child labour and human trafficking within Arco Minero del Orinoco, and ensure regularization of mining activities that respect the right to just and favourable working conditions; (A/HRC/44/54)

Rights of specific groups

- Adopt all necessary measures to ensure the safe, dignified and voluntary return and sustainable reintegration of Venezuelan returnees; ensure their access to healthcare and social protection, and their protection from discrimination and stigmatization; (A/HRC/44/20)
- Ensure adequate and representative consultations are conducted with all indigenous peoples prior to the adoption or implementation of any decision, activity or measure that may affect them, including any impact on their traditional lands, territories and resources; (A/HRC/44/54)
- Ensure that indigenous peoples are able to enjoy their collective right to live in freedom, peace and security, and that they are able to own, use, develop and control their lands, territories and resources, including through the demarcation of traditional lands; (A/HRC/44/54)
- Provide redress to indigenous peoples affected by mining activities, including in the Arco Minero del Orinoco region, in consultation with them. (A/HRC/44/54)

Environmental rights

- Ensure all mining in the Bolivarian Republic of Venezuela is carried out in accordance with adequate human rights, sociocultural and environmental impact studies, and meets national and international environmental standards; (A/HRC/44/54)
- In compliance with international human rights standards, conduct effective and transparent investigations and law enforcement operations to dismantle criminal and armed groups controlling mining activities, tackle corruption, and prosecute and sanction those responsible for crimes and human rights violations in Arco Minero del Orinoco and the surrounding area; (A/HRC/44/54)
- Rescind resolution No. 0010 related to mining in rivers; (A/HRC/44/54)

Right of access to public information

- Allow access to information of public interest; (A/HRC/41/18)
- Regularly publish comprehensive health and nutritional data, disaggregated by sex, age, ethnicity, and location that may be used inter alia, to develop and implement a full-scale humanitarian response to the crisis; (A/HRC/41/18)
- Ensure provision of all social programmes in a transparent, non-politicized, and non-discriminatory manner, including effective oversight and accountability measures; (A/HRC/41/18)
- Publish the national annual budget and expenditure reports, guarantee access to key data to assess the realization of rights and re-establish the oversight role of the National Assembly on use of public funds; (A/HRC/44/20)
- Establish a system for the systematic collection of statistical data on violence against women, disaggregated by forms of violence, number of complaints, prosecutions and convictions imposed on perpetrators; (A/HRC/44/54)
- Undertake and publish key information related to the Arco Minero del Orinoco region, such as environmental and social impact studies, violence and homicide rates and socioeconomic data of the population living within Arco Minero del Orinoco and the surrounding area, including indicators related to economic and social rights; (A/HRC/44/54)

Human rights defenders

- Cease immediately any acts of intimidation, threats and reprisals by members of security forces against relatives of victims of human rights violations who seek justice; (A/HRC/44/54)

Access to justice and adequate reparations

- Conduct prompt, effective, thorough, independent, impartial and transparent investigations into allegations of human rights violations, including deprivation of life, enforced disappearance, torture, and sexual and gender-based violence involving members of the security forces, bring perpetrators to justice and provide victims with adequate reparation; (A/HRC/44/54)
- Conduct prompt, effective, thorough, independent, impartial and transparent investigations into human rights violations, including killings of indigenous peoples, and bring perpetrators to justice; (A/HRC/41/18)
- Ensure the right to remedy and reparations for victims, with a gender sensitive approach, as well as guarantee their protection from intimidation and retaliation; (A/HRC/41/18)
- Review the protocols and methods of the Office of the Attorney General to provide gender-sensitive attention and support for victims of human rights violations and their families; (A/HRC/44/54)
- Cease immediately any acts of intimidation, threats and reprisals by members of security forces against relatives of victims of human rights violations who seek justice; (A/HRC/44/54)
- Adopt the necessary regulations and protocols to fulfil all rights and obligations enshrined in the Organic Law on the right of women to a life free of violence, and also adopt effective measures to assist and protect victims of all forms of violence, including women and children; (A/HRC/44/54)

Engagement with OHCHR and human rights mechanisms

- Increase engagement with international human rights protection mechanisms, including the special procedures system, by receiving regular official visits from mandate holders; (A/HRC/44/20)
 - Accept and facilitate the establishment of a permanent OHCHR country office; (A/HRC/41/18)
 - Facilitate the establishment of an OHCHR office in the country as an effective means of assisting the State in tackling the human rights challenges and concerns addressed in the present report; (A/HRC/44/20)
-