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Human rights situations that require the Council's attention

Situation of human rights in the Bolivarian Republic of Venezuela

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

Summary

Pursuant to Human Rights Council resolution 51/29, in the present report, the United Nations High Commissioner for Human Rights focuses on the latest developments related to economic, social and cultural rights and the right to a healthy environment, the rule of law and civic space, and the level of implementation of the corresponding recommendations previously issued by the High Commissioner to the Bolivarian Republic of Venezuela.

* The present report was submitted to the conference services for processing after the deadline so as to include the most recent information.

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I. Introduction and methodology

1. The present report is submitted pursuant to Human Rights Council resolution 51/29, in which the Council requested the United Nations High Commissioner for Human Rights to submit a comprehensive report on the situation of human rights in the Bolivarian Republic of Venezuela containing a detailed assessment of the implementation of the recommendations made in previous reports and to present it to the Council at its fifty-sixth session.
2. The present report covers the period from 1 May 2023 to 30 April 2024; in it the High Commissioner focuses on the latest developments related to economic, social and cultural rights, the right to a healthy environment, gender and LGBTIQ+ rights, civic space and the rule of law. The report is based on information gathered and analysed by the Office of the United Nations High Commissioner for Human Rights (OHCHR), including through interviews with victims and witnesses and meetings with government officials and civil society organizations. The High Commissioner also considers official information from State institutions. On 15 February 2024, the Government of the Bolivarian Republic of Venezuela announced the suspension of the Letter of Understanding signed with OHCHR, requesting OHCHR personnel to leave the country within 72 hours. OHCHR regrets this development.
3. The findings in the present report have been documented and corroborated in strict compliance with OHCHR methodology. OHCHR exercised due diligence to assess the credibility and reliability of sources and cross-checked the information gathered to verify its validity. It sought informed consent from the interviewees and took appropriate measures to protect their identities and to ensure confidentiality, as appropriate. OHCHR assessed the information collected and domestic legislation, in the light of international human rights norms and standards.

II. Economic, social, and cultural rights and the right to a healthy environment

4. Deficiencies in access to and supply of utilities, such as water, electricity and fuel, continued to be exacerbated, inter alia, by the impact of sectoral sanctions during the reporting period.¹ On 18 October 2023, following the signing of the Partial Agreement on the Promotion of Political Rights and Electoral Guarantees for All the previous day, six licences were issued relaxing those sanctions, including in the oil and gas sector.² On 17 April 2024, the general licence to the oil and gas sector was replaced by a limited licence to reduce operations for 45 days. According to State institutions, as well as humanitarian and human rights organizations, sanctions and overcompliance hindered the receipt of funds and imports of essential goods, including food and medicine.
5. Despite official figures indicating a 5 per cent growth in gross domestic product in 2023,³ economic challenges, such as high inflation⁴ and devaluation of the Venezuelan currency, the bolivar, persisted,⁵ and continued to restrict purchasing power, disproportionately affecting groups and communities in vulnerable situations, including the urban poor, those living in rural areas, in particular women from these populations.
6. Reportedly, structural underfunding and understaffing continued to weaken the health and education sectors.⁶ Reportedly, between July and August 2023, 74.6 per cent of health centres nationwide lacked medical staff and 73.5 per cent lacked nursing staff,⁷ thus affecting

¹ HumVenezuela, "Community diagnostics July–August 2023" (2023), available at <https://humvenezuela.com/wp-content/uploads/2023/10/Community-Diagnostics-Aug-2023-HumVenezuela-2.pdf>.

² See https://ofac.treasury.gov/recent-actions/20231018_44.

³ See <https://web.archive.org/web/20240802093446/https://www.sunaval.gob.ve/2024/01/16/25594> (in Spanish).

⁴ See <https://www.bcv.org.ve/estadisticas/consumidor> (in Spanish).

⁵ See <https://www.bcv.org.ve/seccionportal/tipo-de-cambio-oficial-del-bcv> (in Spanish).

⁶ HumVenezuela, "Community diagnostics July–August 2023".

⁷ Ibid.

the accessibility, quality and availability of health care.⁸ The national education sector union reported that the rate of absenteeism stood at 80 per cent at the resumption of the school year in October 2023, due to unaffordability of travel, uniforms and other needs.⁹

7. Between 1 and 14 February 2024, the Special Rapporteur on the right to food carried out his first official visit to the Bolivarian Republic of Venezuela. The visit highlighted the State's actions to address food insecurity. The Special Rapporteur expressed concern that "unilateral coercive measures significantly limit the Venezuelan government and people's ability to realize the right to food",¹⁰ contributing to large-scale food insecurity in the country, which disproportionately affects women and girls. Concluding his visit, the Special Rapporteur also expressed concerns regarding allegations of political instrumentalization of State welfare.¹¹

8. OHCHR reiterates its recommendation to authorities to take all necessary measures, including programmes for improved access to food, to ensure the availability and accessibility of food in sufficient quantity and quality.¹²

A. Labour rights

9. On 1 and 2 February 2024, the International Labour Organization (ILO) facilitated the fourth session of the Social Dialogue Forum among employers, unions and the Government.¹³ In March 2024, the ILO Governing Body urged the Government to further accelerate implementation of the commitments made at the Forum.¹⁴ OHCHR welcomes the renewed commitments agreed at the Forum concerning the Minimum Wage-Fixing Machinery Convention, 1928 (No. 26), the Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87) and the Tripartite Consultation (International Labour Standards) Convention, 1976 (No. 144)¹⁵ and encourages further action to address outstanding challenges in these areas.

10. OHCHR notes the announced increase of the "economic war bonus" from between \$13 and \$34 to \$60 and of the food bonus to \$40, in monthly direct cash transfers to all public sector employees. However, the minimum wage remains at 130 bolívares monthly (\$3.61), unchanged since March 2022. Due to inflation, this also effectively lowers pensions and contributes to growing levels of poverty and lack of access to essentials; the cost of the basic food basket was reportedly equivalent to \$554.26 in March 2024.¹⁶ That raises concerns about the right to an adequate standard of living for people in the Bolivarian Republic of Venezuela. OHCHR recalls that the minimum criterion for remuneration includes fair wages, ensuring the guarantee of a decent living for workers and their families.¹⁷

11. During the reporting period, concerns were raised by retired persons, many in a situation of vulnerability, unable to cover their basic needs, such as food, medicine and medical treatment. On 26 September 2023, initially nine retirees of the national oil company, *Petróleos de Venezuela*, initiated a hunger strike, lasting 18 days, following the lack of a

⁸ Committee on Economic, Social and Cultural Rights, general comment No. 14 (2000), paras. 12 (d) and 36.

⁹ See <https://caleidohumano.org/federacion-venezolana-de-maestros-reporto-80-de-ausentismo-en-el-inicio-del-ano-escolar> (in Spanish).

¹⁰ See <https://www.ohchr.org/sites/default/files/documents/issues/food/statements/20240214-eom-statement-venezuela-sr-food-en.pdf>.

¹¹ Ibid.

¹² Committee on Economic, Social and Cultural Rights, general comment No. 12 (1999), para. 8; A/HRC/41/18, para. 81 (a); A/HRC/48/19, para. 67 (a); and A/HRC/53/54, para. 5.

¹³ See <http://www.mpppst.gob.ve/mpppstweb/index.php/2024/01/25/foro-de-dialogo-social-oit> (in Spanish).

¹⁴ See <https://www.ilo.org/resource/record-decisions/gb/350/decision-concerning-developments-full-implementation-government-bolivarian>. A/HRC/53/54, paras. 13 and 73 (c).

¹⁵ See <https://fvmaestros.org/caf-marzo-2024> (in Spanish).

¹⁷ Committee on Economic, Social and Cultural Rights, general comment No. 23 (2016), paras. 18 and 19.

response to demands for the payment of proceeds from their pension fund, reportedly affecting their living conditions.¹⁸ Despite the creation of a negotiating platform by the company, there has been no resolution to the dispute.

12. January 2024 was marked by countrywide protests of public sector employees calling for improved working conditions, including a dignified living wage. Many indicated having to find other sources of income to survive and to provide for their families. No significant incident was reported during the protests.

B. Right to health

13. OHCHR notes the Government's efforts to address infectious diseases through sensitization programmes across the national territory and the strengthening of epidemiological surveillance capacities. The revamping of the vaccination programme, with the support of the United Nations Children's Fund (UNICEF), contributed to declaring the Bolivarian Republic of Venezuela free of measles in November 2023.¹⁹

14. During the reporting period, ongoing sectoral sanctions posed additional challenges for the health sector according to humanitarian organizations, thus limiting access to and the provision of affordable and acceptable health services of quality. For example, there was a 27.2 per cent shortage of medicines required for the treatment of common illnesses, such as diabetes, convulsions and respiratory infections.²⁰ OHCHR documented four cases of patients with cystic fibrosis with limited access to treatment due to high costs, coupled with the unavailability of necessary medicines. The scarcity of medical equipment and supplies was also reported in hospitals, with shortages reaching approximately 35 per cent.²¹

15. Rural areas and Indigenous territories are particularly affected by the limitations in medicine distribution and supplies. OHCHR received reports of patients, relatives and doctors struggling to access specialized treatment for leprosy and leishmaniasis. Reports indicated increased exposure for Indigenous Peoples to malaria, tuberculosis²² and other diseases that disproportionately affected children.²³ Indigenous women and girls reportedly faced differentiated challenges, including obstetric violence.²⁴ OHCHR recalls that health services should be culturally appropriate, taking into account traditional preventive care, healing practices and medicines, and that States should provide resources for Indigenous Peoples to design, deliver and control such services so that they may enjoy the highest attainable standard of physical and mental health.²⁵

16. The HIV-Tuberculosis grant (2024–2026) of the Global Fund is the welcome result of joint efforts from various authorities, United Nations agencies and civil society. It aims at contributing to the response to the needs of at least 70,000 persons, including women and children nationwide, for antiretroviral medicine. Persons living with HIV continue to face shortages in necessary items, including diagnostic and infection control tests and breastmilk substitutes for HIV-exposed infants. OHCHR also received reports of the absence of specialized personnel to oversee HIV/AIDS treatment, as well as stigmatization of patients, contributing further to their discrimination.

¹⁸ See <https://www.swissinfo.ch/spa/jubilados-de-petrolera-venezolana-levantan-la-huelga-de-hambre-tras-acuerdo-con-la-estatal/48889964> (in Spanish).

¹⁹ See <https://web.archive.org/web/20231121120325/https://mppre.gob.ve/2023/11/20/ops-ratifica-venezuela-pais-libre-sarampion> (in Spanish).

²⁰ See <https://conviteac.org/publicaciones/boletines/boletin-77-diciembre-2023-cierra-con-26-de-escasez-para-morbididades-monitoreadas-por-convite> (in Spanish).

²¹ See <https://conviteac.org/publicaciones/boletines/boletin-76-escasez-de-medicamentos-para-las-morbididades-que-monitorea-convite-cierra-noviembre-con-26-de-escasez> (in Spanish).

²² See <https://albertonews.com/nacionales/denuncian-la-muerte-de-85-indigenas-yanomami-por-malaria-en-amazonas> (in Spanish).

²³ See <https://correodelcaroni.com/sociedad/salud/llega-barco-hospital-a-nabasanuka-para-atender-rara-enfermedad-que-afecto-a-ninos-waraos> (in Spanish).

²⁴ See <https://ipysvenezuela.org/tejiendo-redes/noticia/parir-en-situacion-de-vulnerabilidad-mujeres-indigenas-de-delta-amacuro-no-tienen-acceso-a-la-salud-sexual-y-reproductiva> (in Spanish).

²⁵ Committee on Economic, Social and Cultural Rights, general comment No. 14 (2000).

17. OHCHR remains concerned about the lack of up-to-date information on sexual and reproductive health, as reports have underscored significant gaps in the provision of services,²⁶ including for breast²⁷ and uterine cancer²⁸ prevention, as well as high rates of teenage pregnancy.²⁹ Legislation on abortion is restrictive as it remains criminalized in the event of rape, incest or severe fetal impairment. Safe abortion and post-abortion services are also limited.³⁰ OHCHR urges the State to adopt measures to prevent unsafe abortions, reduce maternal mortality and morbidity and decriminalize abortion, in line with recommendations made by United Nations human rights mechanisms, such as the Human Rights Committee.³¹

C. Right to a clean, healthy and sustainable environment

18. On 25 January 2024, OHCHR provided technical assistance to the Office of the Ombudsman and its delegations on the issue of human rights and the environment. In the context of the twenty-eighth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change, with the support of UNICEF, the Ministry of Eco-socialism, signed the Declaration on Children, Youth and Climate Actions, committing to comply with the right of children and youth to a healthy environment.³²

19. During the reporting period, environmental degradation continued to be reported, including deforestation and wildfires. On 26 December 2023, an oil spill was reported at the refinery of the national oil company in Carabobo State, 1 of the 86 spills registered in 2023 in the Bolivarian Republic of Venezuela.³³ Such spills contaminate water and the food chain and damage the environment, exposing communities to significant health risks and loss of livelihoods. The fishery communities in Zulia State saw their means of subsistence deteriorate as a result of oil spills in Maracaibo Lake, including a reported 80 per cent drop in fish production.³⁴ OHCHR notes the efforts of the State to facilitate the recovery from the damages induced by the spills³⁵ and urges it to strengthen measures to prevent future incidents.

D. Mining operations, and Indigenous Peoples' rights and territories

20. Mining activities, the presence of armed and criminal groups, and related violence contributed to furthering the displacement of Indigenous communities. Civil society reported the displacement to Colombia of at least 6,000 Jivi, Uwottüja, Yekuana, Sanemá, Yeral and Yanomami in the last five years, fleeing confrontation between non-State armed groups,³⁶ contributing, in turn, to the erosion of Indigenous practices, while weakening their systems of self-governance and right to self-determination.

21. OHCHR notes the military operations to curb illegal mining in the country's protected areas. Beyond environmental degradation, OHCHR received reports of killings, sexual

²⁶ HumVenezuela, "Community diagnostics July–August 2023".

²⁷ See <https://www.swissinfo.ch/spa/una-media-de-24-casos-de-cáncer-de-mama-se-diagnostican-al-día-en-venezuela/48862648> (in Spanish).

²⁸ See <https://unionradio.net/vida-cancer-de-cuello-uterino-registra-alza-de-muerte-en-mujeres> (in Spanish).

²⁹ See www.swissinfo.ch/spa/diputados-venezolanos-elaboran-proyecto-de-ley-para-la-prevenci%C3%B3n-del-embarazo-adolescente/48781936 (in Spanish).

³⁰ CCPR/C/VEN/CO/5, para. 21.

³¹ Ibid., para. 22. See also A/HRC/48/19, para. 67 (l).

³² See www.unicef.org/venezuela/comunicados-prensa/el-ministerio-del-poder-popular-para-el-ecosocialismo-firm%C3%B3-la-declaraci%C3%B3n-0 (in Spanish).

³³ See <https://ecopoliticavenezuela.org/2024/01/08/reporte-especial-balance-de-derrames-petroleros-2023> (in Spanish).

³⁴ See <https://efectococuyo.com/cambio-climatico/lago-de-maracaibo-y-golfete-de-coro-lideran-lista-de-derrames-petroleros-en-venezuela> (in Spanish).

³⁵ See www.minec.gob.ve/costas-de-nueve-municipios-fueron-sumadas-al-saneamiento-y-limpieza-de-lago-de-maracaibo (in Spanish).

³⁶ See <https://correodelcaroni.com/especiales/desplazamiento-el-temor-de-una-comunidad-jivi-por-la-explotacion-de-coltan> (in Spanish).

violence and trafficking in persons that disproportionately affect the lives and rights of Indigenous Peoples living in these territories. Moreover, according to a report, at least 24 people have died in mining accidents in Bolívar State since May 2023,³⁷ highlighting precarious working conditions that endanger human life.

22. On 24 September 2023, authorities declared Yapacana National Park, Amazonas State, “free of illegal mining”, following a military operation and potential forced eviction of more than 13,000 persons reportedly working in and living by the mining sites.³⁸ On 27 February 2024, the armed forces allegedly forcibly evicted from settlements at least 799 persons following the collapse of La Bulla Loca mine in Bolívar State. According to official figures, two individuals have died and six have been injured, with more allegations pending investigation. OHCHR also received allegations that illegal mining continued in those areas despite the military presence. While it is the State’s duty to maintain public order and fight criminality, all law enforcement operations should fully comply with international human rights law. OHCHR also reiterates that efforts to prevent environmental destruction in protected areas must comply with international human rights law, and must seek to improve living conditions, including for those who rely on illegal mining for their livelihoods.³⁹

23. Reportedly, the general suspension of flights within municipalities in Bolívar State, part of the 2024 Roraima operation, has restricted access to food, medicine, fuel, including for the transport of teachers, and education, for at least 119 Indigenous Pemón communities, without their free, prior and informed consent. Those communities were dependent on these air supplies for essential services. OHCHR recalls that the State must take steps, to the maximum of its available resources, with a view to achieving the realization of the rights to food, health and education, in accordance with international standards in relation to Indigenous Peoples.

24. Indigenous Peoples in the Bolivarian Republic of Venezuela are disproportionately affected by malnutrition, extreme poverty and exposure to diseases and environmental degradation, in part due to extractive activities within their territories.⁴⁰ In June 2023, an Indigenous organization submitted a formal request to the Ministry of Indigenous Peoples to reactivate the demarcation process of Indigenous territories.⁴¹ OHCHR reiterates all its previous recommendations related to Indigenous Peoples’ rights, including in relation to the reactivation of the process, in a way that is compliant with international standards.

III. Women and LGBTIQ+ persons

25. On 7 March 2024, the National Assembly unanimously approved, on first reading, the bill on an organic law on women’s equality. The bill proposes important provisions that could contribute to the implementation of previous recommendations issued by human rights mechanisms,⁴² including the creation of a national observatory for gender equality, and the enhancement of the political participation of women. However, OHCHR is concerned about reports of a lack of transparency in the consultation process, as well as of the absence of legal definitions provided in the bill. OHCHR calls upon authorities to ensure full, inclusive and transparent consultations on the bill and its alignment with international human rights law and standards on women’s rights and gender equality. OHCHR reiterates the recommendation of the High Commissioner to implement pending policies and initiatives, including towards the development of regulations and gender-sensitive protocols for the implementation of the Organic Law on Women’s Right to a Life Free from Violence.⁴³

³⁷ See <https://albertonews.com/nacionales/los-ultimos-accidentes-mineros-en-el-estado-bolivar-lista> (in Spanish).

³⁸ See www.psuv.org.ve/temas/noticias/fanb-declara-territorio-libre-mineria-ilegal-al-parque-nacional-yapacana (in Spanish).

³⁹ A/HRC/53/54, para. 25.

⁴⁰ See <https://provea.org/actualidad/se-deteriora-la-vida-de-los-pueblos-indigenas-en-venezuela>.

⁴¹ See <https://kape-kape.one/2023/06/01/oipus-solicito-al-ministerio-indigena-reactivar-la-comision-de-demarcacion-de-tierras> (in Spanish).

⁴² CEDAW/C/VEN/CO/9, para. 26 (b); and A/HRC/53/54, para. 73 (e).

⁴³ CCPR/C/VEN/CO/5, para. 20.

26. Following technical assistance provided by OHCHR, the Division for Women, within the Office of the Public Prosecutor, took steps towards the development of a protocol on the investigation of gender-based killings, or femicides. OHCHR encourages continued efforts towards its finalization and implementation, in line with recommendations from the Committee on the Elimination of Discrimination against Women and OHCHR.⁴⁴

27. Despite the State's efforts to prevent gender-based violence, throughout 2023, one civil society organization reported 186 cases of femicides in the Bolivarian Republic of Venezuela between January and November.⁴⁵ While noting the reported decrease in comparison with previous reporting periods,⁴⁶ OHCHR joins in calls to strengthen prevention and the response to gender-based violence, including femicides, and for the establishment of a disaggregated data collection system on all forms of gender-based violence.⁴⁷

28. OHCHR also expresses concern regarding the conviction of Naibelys Noel, sentenced on 19 July 2023 to 30 years' imprisonment, for the "commission by omission in the execution of the crime of intentional homicide qualified by betrayal of trust and dishonourable motives, with the aggravating circumstance of perpetration against a child".⁴⁸ That sentence followed the alleged killing, in 2019, of her son by her former partner. On 7 February 2024, during the appeal hearing, the public prosecutor stated that Naibelys Noel neglected her maternal role and was an accomplice in her son's mistreatment, underscoring concerns in relation to gender stereotyping in the application of justice. In the reasoning of their decision, the judges also made statements containing similar gender stereotyping. The authorities reportedly failed to follow up on previous complaints by Ms. Noel in relation to gender-based violence by her former partner, who reportedly received half her sentence.

29. During the reporting period, OHCHR documented the situation of four LGBTIQ+ persons arbitrarily detained on the basis of their sexual orientation and gender identity by law enforcement actors, thereby contributing to furthering stigmatization and discrimination against LGBTIQ+ persons. A civil society organization reported that, during 2023, 28.7 per cent of LGBTIQ+ persons in the Bolivarian Republic of Venezuela suffered from acts of violence by State security forces.⁴⁹ OHCHR calls upon authorities to prevent, investigate and sanction crimes motivated by a victim's sexual orientation or gender identity, including by establishing specific investigation protocols for such cases, while building the capacity of law enforcement actors to promote respect for diversity, including gender identity and sexual orientation.⁵⁰ Between January and June 2023, at least 65 speeches by public officials used disparaging language against LGBTIQ+ persons.⁵¹

IV. Right of peaceful assembly and the situation of human rights defenders

30. Between January and March 2024, 1,243 protests and demonstrations were registered. According to a civil society organization, 74 per cent of those events raised issues related to economic, social and cultural rights.⁵² OHCHR received no reports of deaths at protests that occurred during the reporting period, reflecting a continued positive trend.⁵³

⁴⁴ CEDAW/C/VEN/CO/9, para. 26 (a).

⁴⁵ See <https://utopix.cc/pix/noviembre-de-2023-son-17-femicidios-en-venezuela-para-un-total-de-186-casos-en-11-meses> (in Spanish).

⁴⁶ A/HRC/53/54, para. 31.

⁴⁷ CEDAW/C/VEN/CO/9, para. 26 (d).

⁴⁸ See <https://ulamujer.org/jueza-condena-a-30-anos-de-carcel-a-naibelys-noel-victima-de-violencia-vicaria> (in Spanish).

⁴⁹ See <https://www.paisplural.org/informe-nc> (in Spanish).

⁵⁰ See A/78/227.

⁵¹ See <https://nomasdiscriminacion.org/download/2do-informe-voces-contr-el-prejuicio-informe-sobre-violencias-y-discriminacion-a-personas--balance-enero-junio-de-2023-noviembre-de-2023> (in Spanish).

⁵² See <https://www.observatoriodeconflictos.org.ve/tendencias-de-la-conflictividad/conflictividad-social-en-el-primer-trimestre-2024> (in Spanish).

⁵³ A/HRC/50/59, para. 55; and A/HRC/53/54, para. 53.

31. OHCHR is concerned about the response of law enforcement officials towards members of the Yukpa Indigenous People in Zulia State who were protesting about their living conditions. During the reporting period, OHCHR documented three cases of arbitrary detention (including of one woman) and ill-treatment, allegedly perpetrated by agents of the Bolivarian National Police, as well as three incidents of restrictions on the freedom of movement of Yukpa persons by various law enforcement officials. OHCHR also received reports that the roadblocks set up as a result of the protests had contributed to growing tensions between Yukpa communities and non-Indigenous residents.

32. OHCHR welcomes the release, in August 2023, of at least three campesinos detained in February 2023⁵⁴ in relation to their participation in protests, although criminal proceedings against them are still under way.

33. During the reporting period, OHCHR documented 30 cases of threats and harassment, one attempted kidnapping, two cases of physical assault, 38 cases of arbitrary detention (27 men and 11 women), as well as 13 cases of other forms of criminalization of civil society actors, including journalists, unionists, campesino leaders and other voices considered critical. In 64 cases, State officials stigmatized, across various media channels, civil society actors. Overall, the figures above indicate an increase compared with those previously reported.⁵⁵

34. Among the above, OHCHR documented the arrest of five trade and union leaders and unionists (all men) on charges of, among others, incitement to hatred, conspiracy and criminal association. During the reporting period, OHCHR also received reports of dismissals of union leaders and unionists from their workplace, apparently in relation to their participation in protests or for denouncing working conditions.

35. On 1 August 2023, six unionists and labour leaders arrested in July 2022⁵⁶ were sentenced to 16 years' imprisonment under the Organic Law against Organized Crime and the Financing of Terrorism. On 11 August 2023, special procedure mandate holders issued a statement condemning those sentences and raising concerns about the misuse of the Law and irregularities in the legal proceedings.⁵⁷ All six were conditionally released on 20 December 2023, although they are subject to a court order that obliges them to present themselves regularly before the courts.

36. On 13 February 2024, OHCHR expressed concern⁵⁸ about the enforced disappearance of human rights defender Rocío San Miguel, whose whereabouts were unknown for four days following her arrest. According to information received, she continues to be in detention and has yet to have access to a lawyer of her own choosing.

37. Human rights defender Javier Tarazona has been in detention since 2021 on charges of incitement to hatred, treason and terrorism. OHCHR continues to receive concerning information regarding his deteriorating health. After reconvening proceedings three times and approximately 48 realized or postponed hearings (between the first trial opening on 16 August 2022 and the end of the reporting period), his case remains pending. OHCHR reiterates its call for his unconditional release.

V. Civic and democratic space

38. On 17 October 2023, the Government and the Unitary Democratic Platform, in a process mediated by Norway, signed the Partial Agreement on the Protection of the Vital Interests of the Nation and the Partial Agreement on the Promotion of Political Rights and Electoral Guarantees for All (Barbados Agreements).⁵⁹ The latter includes, among others, references to the right of all parties to select their own candidate; promotion of public

⁵⁴ A/HRC/53/54, para. 19.

⁵⁵ Ibid., para. 61.

⁵⁶ Ibid., para. 15.

⁵⁷ See www.ohchr.org/en/press-releases/2023/08/venezuela-un-experts-condemn-use-counter-terrorism-laws-convict-trade.

⁵⁸ See <https://x.com/unhumanrights/status/1757307231614202368?s=48>.

⁵⁹ See <https://www.regjeringen.no/en/aktuelt/joint-statement-from-the-venezuela-dialogue-and-negotiation-process/id3001613>.

discourse and of a political and social environment that are conducive to a peaceful and participatory electoral process; guarantees of equal access to media coverage by all candidates; and authorization for all presidential candidates and political parties that comply with the laws and Constitution to take part in elections. OHCHR encourages full implementation of those agreements, in good faith, reminding all parties that human rights must be at the heart of the implementation process.

39. OHCHR welcomes the release of 34 detainees (including 4 women) in October and December 2023, including 10 citizens of the United States of America, who had been arbitrarily detained for periods ranging from 4 to 42 months, on charges that included conspiracy, terrorism and treason. However, their release is conditional, and many must still present themselves regularly before the courts, while the status of their cases remains unclear. OHCHR calls for respect of the right to a fair trial and due process and for criminal legislation and the application thereof to fully comply with international human rights law, including the principles of legality and legal certainty.

40. On 22 October 2023, the Unitary Democratic Platform held a primary election, without any significant incidents. On 25 October 2023, the Office of the Attorney General opened criminal investigations into several persons involved in the organization of the primary election. On 30 October 2023, the Supreme Court of Justice issued Judgment No. 122/2023 suspending the results of the primary election.⁶⁰

41. OHCHR notes with concern reported incidents that contribute to inhibiting the right to participate in public affairs, including the detention of 15 members of five different opposition parties, as well as a raid by agents of the Bolivarian National Police, without a warrant, during a union meeting. Eleven of those detentions may amount to enforced disappearances.

42. On 22 January 2024, the Government launched the Bolivarian Fury Plan; a civic, military and police plan to “confront any terrorist attempt”.⁶¹ Within that context, OHCHR received allegations of the vandalization of opposition parties’ headquarters in at least seven different states by unidentified actors, as well as that of offices of civil society organizations. OHCHR reiterates its call to protect the right to participate in public affairs, which also requires respect for, and the protection of, life, physical integrity, liberty, security and privacy of all members of society.⁶²

43. OHCHR encourages authorities to adopt measures to ensure that the electoral process is fully transparent, inclusive and participatory. On 26 January 2024, the Supreme Court of Justice confirmed the disqualification of two main opposition leaders from electoral processes and provisionally lifted the disqualification of five other persons, pending final resolution of their cases. Five other individuals were also disqualified as at 16 April 2024.⁶³ OHCHR renews its concern about such disqualifications, including the limited opportunities available to exercise the right to defence. During the reporting period, OHCHR continued to receive information about interference from the Supreme Court of Justice in political parties.⁶⁴

44. OHCHR welcomes, after several delays, the first board elections since 2009 at the Central University of Venezuela on 9 and 30 June 2023. However, on 13 November 2023 and 20 March 2024, respectively, the Electoral Chamber of the Supreme Court of Justice suspended board elections at the Carabobo University and the University of the Andes on the grounds that an administrative appeal against the universities’ transitional elections statutes

⁶⁰ See <https://static.poder360.com.br/2023/10/comunicado-suspensao-venezuela.pdf> (in Spanish).

⁶¹ See <https://efectococuyo.com/politica/maduro-le-ordena-a-cabello-activar-plan-furia-bolivariana> (in Spanish).

⁶² Guidelines for States on the effective implementation of the right to participate in public affairs, para. 16.

⁶³ See <https://web.archive.org/web/20240424204807/https://www.cgr.gob.ve/assets/pdf/Sancionados.pdf> (in Spanish).

⁶⁴ A/HRC/53/54, para. 71.

was pending.⁶⁵ OHCHR calls for free and genuine electoral processes in universities, in accordance with their internal regulations,⁶⁶ to ensure institutional protection and autonomy.

VI. Freedom of expression

45. OHCHR continued to document undue restrictions on freedom of expression, including 10 new cases of radio station closures, adding to the previously documented 16 cases;⁶⁷ civil society organizations reported at least 12 closures during the reporting period.⁶⁸ OHCHR received information that broadcasters' applications for the required permits went unanswered or were rejected, or they were frustrated by demands for additional requirements to be met. In other cases, broadcasters reported that they were unable to submit applications due to the high costs of doing so. OHCHR is concerned about those recurrent closures, for which no legal basis has been provided.

46. During the reporting period, at least 50 websites were blocked without notice by different publicly and privately owned telecommunications operators. That represents an increase compared with the previous reporting period, during which 44 instances were identified. OHCHR recalls that any limitation on freedom of expression imposed by the State must meet the conditions of legality, necessity, proportionality and legitimate aim.⁶⁹

47. During the reporting period, civil society actors continued to report a lack of responses to requests for access to information held by public bodies.⁷⁰ Of the 20 requests submitted by one civil society actor between March 2023 and March 2024, 14 remain unanswered.

48. OHCHR is concerned by the continued application of the Constitutional Law against Hatred, for Peaceful Coexistence and Tolerance to criminalize and delegitimize the work of human rights defenders, journalists and other persons. During the reporting period, OHCHR documented cases of 10 men and 2 women who had been charged or prosecuted under incitement to hatred or public instigation legislation, adding to the 32 previously documented cases of similar charges.⁷¹ OHCHR has previously noted the lack of compliance of that legislation with article 19 of the International Covenant on Civil and Political Rights.⁷²

VII. Freedom of association

49. Discussions continued on the draft law on the control, regularization, performance and financing of non-governmental and related organizations, which was first presented to the National Assembly in January 2023,⁷³ increasing concerns about possible restrictions on the right to freedom of association. Such restrictions could affect the ability of civil society to carry out its work, thus affecting the lives of beneficiaries of the humanitarian assistance delivered by those organizations. A public consultation process on the issue was announced in January 2024⁷⁴ and, on 4 April 2024, the Internal Policy Commission of the National Assembly approved the report for the second reading of the bill.⁷⁵ OHCHR has shared its

⁶⁵ See <https://accesoalajusticia.org/suspension-de-las-elecciones-de-las-autoridades-de-la-universidad-de-carabobo> (in Spanish) and https://ceu.uc.edu.ve/wp-content/uploads/2023/07/GACETA-EXTRAORDINARIA-Nro.-700-ESTATUTO-TRANSITORIO-ELECTORAL-DE-LA-UNIVERSIDAD-DE-CARABOBO_compressed_compressed.pdf (in Spanish).

⁶⁶ See <https://aulaabiortalatinoamerica.org/2023/11/28/estudiantes-quieren-votar-para-renovar-autoridades-y-federaciones-universitarias-en-venezuela> (in Spanish).

⁶⁷ A/HRC/53/54, para. 62.

⁶⁸ <https://ipysvenezuela.org/alertas>.

⁶⁹ International Covenant on Civil and Political Rights, art. 19 (3).

⁷⁰ A/HRC/50/59, para. 62; and A/HRC/53/54, para. 66.

⁷¹ A/HRC/53/54, paras. 65 and 73 (k).

⁷² A/HRC/47/55, para. 61.

⁷³ A/HRC/53/54, para. 68.

⁷⁴ See <https://www.asambleanacional.gob.ve/noticias/an-inicia-consulta-publica-de-ley-que-regula-las-ong> (in Spanish).

⁷⁵ <https://www.asambleanacional.gob.ve/noticias/comision-de-politica-interior-culmina-informe-para-segunda-discusion-de-ley-sobre-ong> (in Spanish).

observations in line with applicable standards on the matter and encourages the authorities to consider them.

50. OHCHR continued to receive reports of restrictions on the registration of non-governmental organizations or their legal acts, through national mechanisms, such as the Autonomous Service of Registries and Notaries.⁷⁶ OHCHR documented at least 15 human rights organizations that had been affected. OHCHR has previously expressed concern about the multiplicity of compulsory registrations as an obstacle to the free exercise of activities and an undue restriction on the right to freedom of association.⁷⁷

VIII. Rule of law and accountability

51. During the reporting period, OHCHR provided technical assistance to Venezuelan authorities, including the Ministry of Indigenous Peoples, to harmonize certain national legislation with international human rights law, had access to eight case files and observed one judicial hearing. OHCHR considers that such assistance contributes to the authorities' efforts towards better compliance of policies and practices with international human rights norms and standards.

52. On 27 June 2023, Pre-Trial Chamber I of the International Criminal Court issued its decision authorizing the resumption of the investigation pursuant to article 18 (2) of the Rome Statute into the situation in the Bolivarian Republic of Venezuela. That decision was confirmed by the Appeals Chamber on 1 March 2024. On 9 June 2023, the Office of the Prosecutor of the International Criminal Court renewed its memorandum of understanding with the Government of the Bolivarian Republic of Venezuela, outlining a series of priority areas of technical assistance to the Venezuelan authorities, in line with the principle of accountability.⁷⁸ OHCHR encourages the authorities of the Bolivarian Republic of Venezuela to continue their cooperation with the Office of the Prosecutor of the International Criminal Court within the framework of the Rome Statute and the implementation of the memorandums of understanding concluded between the Government and the Office of the Prosecutor.

A. Detention and the right to liberty and security of person

53. Between September and November 2023, State security forces launched operation "Gran Cacique Guaicaipuro" in seven open-regime detention centres "to restructure and counter the organized criminal networks that controlled these centres". That operation resulted in the transfer of 8,239 inmates (all men).⁷⁹ OHCHR recognizes the need for efforts to ensure State control of prisons that had, to a large extent, been self-governed, outside the jurisdiction of the Ministry of Penitentiary Services. OHCHR notes that those transfers have raised concerns about the risks of overcrowding in receiving centres and the impact on the right to due process, including with regard to notification and access to lawyers and relatives.

54. OHCHR documented 11 cases of intimidation and ill-treatment of relatives and lawyers of persons deprived of liberty by unidentified public officials, and 10 cases of solitary confinement of inmates, in the context of the transfer of inmates to El Rodeo I, a maximum security detention centre, in February and April 2024. Moreover, OHCHR is concerned about the reported lack of identification of those responsible.

55. During the El Rodeo I and Gran Cacique Guaicaipuro transfers, relatives and lawyers of persons deprived of liberty were reportedly not notified of the transfers, nor of the new places of detention, which could amount to enforced disappearances. OHCHR also received allegations of ill-treatment of inmates during those transfers.

⁷⁶ A/HRC/53/54, para. 68.

⁷⁷ Ibid.

⁷⁸ See <https://www.icc-cpi.int/sites/default/files/2023-12/2023-otp-annual-report.pdf>.

⁷⁹ See <https://www.mppsp.gob.ve/index.php/institucional/1987> (in Spanish).

56. OHCHR noted the release of at least 63 arbitrarily detained persons during the reporting period, including 9 women and 10 men who were the subject of opinions issued by the Working Group on Arbitrary Detention; eight of them are military or former military officials. OHCHR calls upon the authorities to adopt measures to implement the opinions of the Working Group, including with regard to the release of another 10 persons currently detained.

57. During the reporting period, OHCHR documented the arbitrary detention of 28 persons, including 5 women, who were subjected to enforced disappearances for periods ranging from 2 to 41 days. In at least nine cases, habeas corpus or other constitutional remedies regarding the enforced disappearances were presented before tribunals, but they were either not responded to or found inadmissible. Of the 28 cases, 23 detentions were allegedly perpetrated by agents of the Bolivarian National Intelligence Service or the General Directorate of Military Counter-Intelligence, and 10 detainees were reportedly tortured or ill-treated. OHCHR echoes the views expressed by United Nations human rights mechanisms, such as the Working Group on Enforced or Involuntary Disappearances, that there is no time limit for an enforced disappearance to occur,⁸⁰ and that the duration does not have any repercussion on the gravity of the crime or the harm caused.⁸¹

58. Of the 135 persons whose cases were previously documented by OHCHR that were eligible for alternative measures to detention under article 230 of the Organic Code of Criminal Procedure,⁸² at least 23 were sentenced during the reporting period and at least 81 were still awaiting trial. Although at least 19 were released, OHCHR did not document the application of article 230 as the ground for release. Overall, during the reporting period, at least 106 of the cases documented should have been eligible for alternative measures to detention under article 230; OHCHR continued to receive information regarding delays and procedural challenges in the implementation of, and accreditation for, sentence remission programmes.

59. OHCHR observed further delays in the issuance and execution of release orders. Ten detainees were arbitrarily detained as no release order was issued after the completion of their sentences. One person is still detained despite their acquittal in May 2023, as no release order has been issued. In one case, the release order was revoked for administrative reasons. OHCHR reiterates its call to release immediately all those unlawfully and arbitrarily detained, and to develop a comprehensive policy on the timely execution of release orders, sentence remission programmes and their computation.

60. During the reporting period, OHCHR conducted nine visits to detention centres, following which it formulated recommendations to better align the conditions of detention with international standards, including those for women and LGBTIQ+ persons. OHCHR observed partial implementation of some recommendations related to health services and access to drinking water. OHCHR calls for further implementation of recommendations related to visits of relatives, access to food and health services, including sexual health, medical transfers and improved conditions for persons with chronic diseases.

61. During the reporting period, OHCHR documented the cases of 24 inmates awaiting responses to requests for humanitarian measures or other alternatives to detention, and 76 inmates awaiting medical transfers. Concerns remain about the lack of implementation of such measures to protect the life and physical integrity of persons deprived of liberty. OHCHR is concerned about reports of deaths in detention, including, but not limited to, those related to natural causes.⁸³

⁸⁰ A/HRC/27/49, para. 117; and A/HRC/51/31/Add.3, para. 36.

⁸¹ See A/HRC/51/31/Add.3.

⁸² A/HRC/53/54, para. 38.

⁸³ See unaventanaalibertad.org/wp-content/uploads/2024/02/UVL.-Informe-anual-2023-final.pdf (in Spanish).

B. Administration of justice and the right to due process

62. OHCHR welcomes the efforts of the judicial authorities to accelerate and facilitate processes, including through the launch of the Judicial Momentum Plan in February 2024,⁸⁴ the establishment of the House of Justice system by the Ministry of the Interior, Justice and Peace, to tackle judicial delays and avoid overcrowding in pretrial detention centres in October 2023. OHCHR provided observations and recommendations on the guidelines regulating the House of Justice, upon invitation from the Ministry. OHCHR encourages such efforts and urges authorities to comply with human rights standards in implementing those guidelines. OHCHR takes note of other actions to accelerate judicial processes, including through virtual hearings. Nevertheless, OHCHR received information on the challenges, such as a lack of Internet connectivity and limitations on communication technology, that would undermine a defendant's right to defence and due process.⁸⁵

63. OHCHR notes with concern the continued application, despite a prior recommendation on the issue,⁸⁶ of the Organic Law against Organized Crime and the Financing of Terrorism. Some 29 out of 49 cases of arbitrary detention documented by OHCHR in the reporting period are linked to that legislation. In at least seven of those cases, hearings were carried out in maximum security detention centres, which could undermine the transparency of hearings and the independence of the courts.⁸⁷

64. During the reporting period, OHCHR documented 23 cases in which defendants were not granted the right to legal representation of their choice or faced obstacles to exercising this right; all those judicial proceedings related to the application of counter-terrorism legislation. In 27 cases, lawyers reported obstacles in accessing case files, 24 of which were being considered by the special counter-terrorism courts. OHCHR is concerned that the processes within those courts could violate the right to defence and to a fair trial,⁸⁸ and recalls that counter-terrorism legislation and its application must comply with international human rights standards and the principles of legality, necessity, proportionality and non-discrimination.

C. Right to life and personal integrity

65. OHCHR welcomes the views expressed by the Venezuelan authorities on moving forward with the implementation of the Manual on the Effective Investigation and Documentation of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Istanbul Protocol). OHCHR reiterates its call for the approval and implementation of the guidelines for public officials based on the Istanbul Protocol, as well as those based on the Minnesota Protocol on the Investigation of Potentially Unlawful Death.

66. During the reporting period, OHCHR documented 15 cases of cruel, inhuman or degrading treatment, including of four women and three Indigenous persons. Five cases were attributed to presumed agents of the General Directorate of Military Counter-Intelligence, six to presumed agents of the Bolivarian National Police and three to other law enforcement officials.

67. During the reporting period, OHCHR documented the deaths of 11 men in security operations, including one dating back to 2015. Four occurred during the reporting period, two of which were allegedly perpetrated by agents of the Bolivarian National Police and one by officials of the armed forces.⁸⁹ However, OHCHR received further allegations of deaths during security operations that were not denounced out of fear of reprisals from State security agents or lack of trust in or knowledge of judicial processes.

⁸⁴ See <https://web.archive.org/web/20240416194050/http://www.tsj.gob.ve/-/poder-judicial-promueve-plan-del-impulso-procesal-2024> (in Spanish).

⁸⁵ See <https://www.ohchr.org/en/documents/tools-and-resources/line-hearings-justice-systems>.

⁸⁶ A/HRC/50/59, para. 65 (g) (ii).

⁸⁷ Human Rights Committee, general comment No. 32 (2007), paras. 25 and 28.

⁸⁸ A/HRC/44/54, paras. 14 and 71 (c).

⁸⁹ See also A/HRC/53/54, para. 55.

68. During the reporting period, OHCHR documented five cases of threats and intimidation, including one house raid, and allegations of other forms of violence against small-scale farmers and campesinos and their relatives, including children, in Apure State. Those were reportedly carried out by actors linked to a large estate and presumed agents of the Scientific, Penal and Criminalistic Investigation Service Corps in Apure State, between April and October 2023. Victims have also alleged a lack of progress in the investigation of their complaints, as well as fear of reprisals.

69. OHCHR welcomes the signing of the joint workplan between UNICEF and the Office of the Attorney General in August 2023, and the release of a protocol for the investigation of crimes of trafficking in persons.⁹⁰ Efforts to build capacity in preventing and responding to trafficking in persons have been noted in the organization, by the Office of the Attorney General, of seminars for officials against trafficking in persons,⁹¹ including one session with the support of OHCHR, the International Organization for Migration and the United Nations Office on Drugs and Crime in June 2023.

70. OHCHR is concerned by reports of disappearances and trafficking in persons, particularly in areas close to the border, with heightened risks for Indigenous and migrant women and girls and those of African descent.⁹² During the reporting period, OHCHR documented the disappearances of two men and one woman, two of whom had disappeared in areas bordering Colombia, as well as the disappearance of one vessel that had departed from Falcón State in December 2023, with eight men onboard. One non-governmental organization reported at least 130 disappearances in border areas between January and September 2023.⁹³ Reports have also highlighted allegations of contemporary forms of slavery, including forced prostitution in mining areas, such as the Orinoco Mining Arc.⁹⁴ OHCHR encourages authorities to address the structural causes of trafficking in persons and strengthen efforts to prevent it.⁹⁵ It also notes that the National Plan against Trafficking in Persons (2021–2025) has not been published.⁹⁶

D. Access to justice and reparation

71. During the reporting period, OHCHR provided technical assistance and capacity-building to authorities within the Ministry of the Interior, Justice and Peace, as well as other relevant institutions, on support for victims of violence and victim-centred approaches in the discharge of their functions.

72. During the reporting period, seven agents of the now dissolved Special Action Forces were given prison sentences for periods ranging from 23 to 30 years on charges of homicide in the context of security operations between 2018 and 2019, marking a positive step for families seeking justice and reparation. However, delays persist in the investigation of cases of deaths during protests and security operations. OHCHR notes that the investigations have not addressed the chain of responsibility. Of the 114 documented cases of deaths in the context of security operations, only 8 ended in prison sentences, of which 3 were appealed, 12 cases are being tried and 91 cases are still under investigation (in 38 cases, the alleged perpetrators have not been charged and, in 30 cases, the charges are unknown). The status of three cases is unknown.

73. OHCHR regrets the lack of progress in the investigations into the deaths that occurred during the protests that took place between 2014 and 2019. Of the 43 cases documented by

⁹⁰ See <https://web.archive.org/web/20240227075740/http://www.mp.gob.ve/index.php/2023/08/08/fiscal-general-firmo-plan-de-trabajo-con-unicef-y-presento-manual-para-la-investigacion-del-delito-de-trata-de-personas> (in Spanish).

⁹¹ See <https://es-us.finanzas.yahoo.com/noticias/fiscal-venezuela-propone-capacitaci%C3%B3n-corruptici%C3%B3n-003626749.html> (in Spanish).

⁹² CEDAW/C/VEN/CO/9, para. 27.

⁹³ See <https://www.fundaredes.org/2023/12/12/fundaredes-registro-130-personas-desaparecidas-hasta-septiembre-2023> (in Spanish).

⁹⁴ CEDAW/C/VEN/CO/9, para. 27.

⁹⁵ See A/HRC/41/18.

⁹⁶ CEDAW/C/VEN/CO/9, para. 27 (c).

OHCHR, 28 remain under investigation or are being tried with procedural proceedings still pending, in 14 cases charges have still not been brought. Four have been dismissed or the defendants acquitted, eight have resulted in convictions and the remaining three are awaiting resolution by the Supreme Court of Justice.

74. Of the cases of deaths during protests and security operations, OHCHR received reports of demeaning treatment by judicial officials towards relatives of victims in at least 30 cases, including denial of assistance, and denial of access to files in 46 cases. OHCHR urges further efforts to ensure that victims and relatives have access to justice and adequate, effective and prompt reparations, without further distress and revictimization, and to respect their right to due process and to meaningfully participate in the judicial proceedings and investigations.

75. During the reporting period, no progress was noted in the investigations of the previously reported killings of five Indigenous persons, including the Indigenous human rights defender and coordinator of Uwottüja Indigenous territorial guardians, Virgilio Trujillo, who was murdered in 2022 in Amazonas State. OHCHR reiterates its calls for an independent, impartial, prompt, thorough and effective investigation into violations of the right to life against Indigenous persons.⁹⁷

76. OHCHR remains concerned about the absence of progress in the investigations into the alleged enforced disappearances of Hugo Henrique Marino Salas and Lieutenant Colonel Juan Antonio Hurtado Campos, who disappeared in 2019 and 2018, respectively,⁹⁸ as well as of Nelson Alexis Giménez Canelón, who disappeared in 2017.

77. Reportedly, on 16 January 2024, the First Criminal Justice Court of Tucacas (Falcon State) sentenced four men to seven years' imprisonment on charges of trafficking in persons in the case of *La Vela de Coro*, regarding the disappearance at sea of 34 persons (including 10 women and 3 children) in 2019.⁹⁹ During the reporting period, OHCHR continued to observe delays in judicial investigations and proceedings, as well as challenges for families and legal representatives to access information, regarding that case and eight others involving disappearances documented in previous reporting periods.

78. OHCHR expresses concern about the reported delays in the investigations and judicial processes regarding allegations of torture and cruel, inhuman or degrading treatment. Of the 114 cases documented in the previous reporting period,¹⁰⁰ one has been awaiting trial since May 2023, another is being tried and the others are still under investigation. In one case, OHCHR received concerning reports about a lack of measures taken to guarantee the victim's safety, physical and psychological well-being and privacy, regarding a case of cruel, inhuman and degrading treatment that occurred in December 2021 involving agents of the municipal police and Bolivarian National Guard.

IX. Conclusion and recommendations

79. During the reporting period, persons in the Bolivarian Republic of Venezuela continued to face significant challenges to exercise and enjoy their rights due to different factors. In some cases, such challenges were exacerbated by sectoral sanctions. OHCHR notes government efforts to address issues in some areas, welcomes the dialogue that led to the Barbados Agreements and calls upon the parties to fully implement these agreements, ensuring human rights are at the centre of the agenda. The urgent preservation and protection of civic space is critical for a restoration of trust between the Venezuelan people and its institutions, particularly ahead of upcoming electoral processes. OHCHR reiterates its commitment to the Bolivarian Republic of Venezuela and its willingness to re-establish its presence in the country for

⁹⁷ A/HRC/53/54, para. 29.

⁹⁸ A/HRC/47/55, para. 15; and A/HRC/53/54, para. 59.

⁹⁹ A/HRC/53/54, para. 58.

¹⁰⁰ Ibid., para. 50.

the purpose of strengthening its cooperation with the authorities to improve the human rights situation in the country.

80. In addition to reiterating previously issued recommendations (see annex), the High Commissioner calls upon the Government of the Bolivarian Republic of Venezuela:

- (a) To urgently develop, in consultation with civil society and other relevant stakeholders, and implement a plan of action to strengthen people's access to and utilization of resources and means to ensure their livelihood, including food security, through a socially inclusive process, consistent with international human rights law and standards;
- (b) To establish normative, institutional and policy measures to fulfil its obligations in relation to the availability, accessibility and quality of health care, including ensuring the protection of, and improved working conditions for, health sector workers;
- (c) To pursue efforts to ensure environmental protection, while emphasizing the need for urgent prevention of natural and human-made disasters, such as oil spills, in a way that is compliant with human rights standards, including those related to the rights of Indigenous Peoples, and in an effort to address the structural causes of environmental risks;
- (d) To ensure fair wages to guarantee a decent and dignified life for workers and their families, and pursue dialogue with employers and workers to ensure that labour rights are fully respected and enjoyed;
- (e) To fully investigate and sanction acts of discrimination or violence of any kind, including towards Indigenous Peoples, in a way that is culturally sensitive, appropriate and aligned with human rights standards;
- (f) To strengthen public policies and regulations to ensure gender equality and protect women's rights, including full implementation of the Organic Law on Women's Right to a Life Free from Violence and the approval of the organic law on women's equality and the national action plan to address gender-based violence, publish up-to-date information regarding sexual and reproductive health and decriminalize abortion;
- (g) To ensure protective measures are available for victims of gender-based violence, including the implementation and functioning of shelters for attention and assistance, and guarantee access to justice in a way that is free of discrimination and prejudice;
- (h) To promptly investigate all cases of violence and discrimination against LGBTIQ+ persons and adopt a specific investigation protocol for crimes motivated by the victim's sexual orientation or gender identity, as well as guarantees for the full recognition of their rights, including legal recognition for transsexual persons of the gender identity of their choice and of same-sex marriage;
- (i) To promote a pluralistic space conducive for the exercise of civil and political rights by all actors and organizations, free from undue interference or restrictions, including adopting measures to ensure the full enjoyment of the right to participate in public affairs; and prevent, investigate and punish attacks, intimidation and other acts of harassment against members, or perceived sympathizers, of opposition parties;
- (j) To respect the freedom of association of civil society actors and organizations, including unionists and journalists, and ensure that the normative framework does not hinder their ability to conduct their work and deliver vital services to communities;
- (k) To fully and unconditionally release all those unlawfully or arbitrarily detained, including human rights defenders, journalists and unionists, while ensuring guarantees of non-repetition;

(l) To pursue efforts to address overcrowding in detention facilities and to improve the conditions of detention, especially in pretrial detention centres, guaranteeing, among others, access to health, adequate food and water to all persons deprived of liberty;

(m) To end and investigate all allegations of enforced disappearances, and adopt all measures necessary to support the timely and effective search for disappeared persons, consistent with its obligation to continue to investigate to ensure victims' rights to truth, justice, remedies and guarantees of non-repetition;

(n) To adopt measures to ensure that information held on registers of detainees and their places of detention is readily available to their lawyers and relatives;

(o) To ensure that counter-terrorism legislation and jurisdiction comply with international human rights norms and standards, namely the principles of legality, legal certainty, necessity, proportionality and non-discrimination;

81. The High Commissioner reiterates his call to the States Members of the United Nations and the international community to lift the sectoral sanctions that exacerbate pre-existing challenges and negatively affect the enjoyment of human rights and humanitarian assistance, and to support national dialogue processes.

Annex

Summary of recommendations

Democratic and civic space

Right to take part in public affairs

Halt, publicly condemn, punish and prevent all acts of persecution and targeted repression based on political grounds, including stigmatizing rhetoric and smear campaigns ([A/HRC/41/18](#));

Prioritize a legislative agenda aimed at strengthening the promotion and protection of human rights, avoid the adoption of laws and regulations that are disproportionately restrictive of fundamental freedoms and civic space and review adopted laws and regulations to ensure that they are consistent with human rights standards ([A/HRC/47/55](#));

Ensure that spaces for civil society participation are maintained and expanded and that any restrictions introduced in the context of the COVID-19 pandemic are strictly necessary and proportional to mitigating the impact of the pandemic ([A/HRC/47/55](#));

Ensure that all conditions are in place for free, fair, peaceful and independent electoral processes ([A/HRC/47/55](#));

Support spaces for an inclusive and wide-ranging political dialogue, with human rights at the centre of the discussions ([A/HRC/50/59](#));

Ensure the meaningful and effective participation of civil society in the adoption of policies and legislation on matters affecting them ([A/HRC/50/59](#));

Ensure due process and transparency in administrative procedures conducted by the Contraloría General de la República with regards to disqualifications of candidates to public office ([A/HRC/53/54](#));

Protection of human rights defenders

Adopt effective measures to protect human rights defenders and media professionals ([A/HRC/41/18](#));

Refrain from discrediting human rights defenders and media professionals, and take effective measures to protect them, including by adopting a specialized protocol to investigate human rights violations and criminal offences against them ([A/HRC/44/20](#));

Develop and adopt a protocol on the protection of human rights defenders, journalists, campesinos, rural workers, and union and labour leaders at risk. Take appropriate measures to end acts of stigmatisation by public officials and take corresponding accountability measures ([A/HRC/53/54](#));

Freedom of opinion and expression, peaceful assembly and association

Respect, protect and fulfil the rights to freedoms of opinion and expression, peaceful assembly and association, as well as the rights to access to information and to participate in political affairs ([A/HRC/44/20](#));

Reverse closures of media outlets and cease other measures of censorship against media; guarantee access to the Internet and social media, including to news websites, and guarantee the impartiality of governing bodies in the allocation of radio spectrum frequencies ([A/HRC/41/18](#));

Cease and prevent excessive use of force during demonstrations ([A/HRC/41/18](#));

Publish a comprehensive report on the investigations and criminal proceedings of deaths that occurred in the context of protests in 2014, 2017 and 2019 ([A/HRC/44/54](#));

Disarm and dismantle pro-government armed civilian groups (armed colectivos) and ensure investigations into their crimes ([A/HRC/41/18](#));

Ensure that all requests for broadcast licenses, including renewals, are processed in strict compliance with all applicable regulations and with due regard to international human rights law and standards, including due process and the right to freedom of expression; and that any restrictive measure, such as revocation or suspension of licenses, does not constitute an impermissible restriction under article 19 of the ICCPR ([A/HRC/50/59](#));

Take measures to ensure that democratic and civic space is not unduly restricted, including by (i) repealing or abstaining from introducing, as appropriate, regulations that are inconsistent with the protection and promotion of democratic and civic space; (ii) considering review the Constitutional Law against Hatred, for Peaceful Coexistence and Tolerance, the Law on Transparency and Access to Information of Public Interest, and the Organic Law Against Organized Crime and the Financing of Terrorism to bring them fully in line with international human rights law; (iii) strengthening effective accountability mechanisms; and (iv) immediately releasing those detained for acts of legitimate work or expression ([A/HRC/50/59](#));

Fully implement the commitments adopted in the action plan of the Social Dialogue Forum of February 2023; carry out prompt, independent, impartial and effective investigations into all alleged violations of the rights to freedom of association, including the right to unionise, and peaceful assembly and bring all perpetrators to justice; take concrete measures to address the root causes of protest by workers and retirees, including wages and working conditions ([A/HRC/53/54](#));

Ensure that the application of the legislation of hate crimes and incitement to hatred complies with the International Covenant on Civil and Political Rights, and adheres to the Rabat Plan of Action ([A/HRC/53/54](#));

Review legislation on interception of communications and collection and use of personal data to ensure compliance with the right to privacy ([A/HRC/53/54](#));

Establish a regularisation plan to allow radio stations access to the use of the radio spectrum under conditions that guarantee plurality of information and legal certainty, including through effective participation of representatives of the sector, organisations dedicated to the promotion of freedom of expression and other interested actors;

Right of access to public information

Allow access to information of public interest ([A/HRC/41/18](#));

Ensure access to public information and data to monitor and adequately inform public policies, in particular in the context of the COVID-19 pandemic ([A/HRC/47/55](#));

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](#));

Publicly and regularly report on information produced by public institutions related to economic, social, cultural, and environmental rights, including Sustainable Development Goals indicators and internationally recognised human rights indicators, and the methodologies and sources used to produce that information ([A/HRC/48/19](#));

Take concrete measures and publicly inform on their implementation, to guarantee the right to access public information, including drafting and enacting an Organic Law of Transparency in accordance with international standards, ensuring public information requests are not unnecessarily cumbersome nor rejected because of 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 ([A/HRC/48/19](#));

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 ([A/HRC/48/19](#));

Publish the national budget and the ministries' reports and accounts, as well as the regulatory framework of individual public entities and policies, their organizational structure, assigned budget and execution, procurements and contracting, public participation and accountability mechanisms, audits, and legal and administrative proceedings initiated by State entities ([A/HRC/48/19](#));

Ensure citizens' right to stand for election is not unduly restricted, either in law or in practice, and ensure due process guarantees are strictly implemented should candidates be disqualified, respecting the independence and separation of powers ([A/HRC/50/59](#));

Promote transparent, broad, inclusive, and meaningful public consultation ahead of adoption of laws, policies, or public projects ([A/HRC/53/54](#));

Establish mechanisms to ensure timely responses to civil society requests to public information ([A/HRC/53/54](#));

State of exception

Ensure that exceptional measures authorized under the "state of alarm" are strictly necessary and proportionate, limited in time, and subject to independent oversight and review ([A/HRC/44/20](#));

Accountability and rule of law

Right to life

Take immediate measures to halt, remedy and prevent human rights violations, in particular gross violations such as torture and extrajudicial executions ([A/HRC/41/18](#));

Ensure systematic, prompt, effective and thorough, as well as independent, impartial and transparent, investigations into all killings by security forces and armed civilian groups (armed colectivos), and ensure independence of all investigative bodies, accountability of perpetrators and redress for victims ([A/HRC/44/20](#));

Dissolve the Special Action Forces of the Bolivarian National Police and establish an impartial and independent national mechanism, with the support of the international community, to investigate extrajudicial executions during security operations, ensure accountability of perpetrators and redress for victims ([A/HRC/41/18](#));

Revise security policies to implement international norms and standards on the use of force and human rights, in particular by restoring the civilian nature of police forces, conducting vetting, restricting the functions of “special forces” and strengthening internal and external oversight mechanisms ([A/HRC/44/20](#));

Implement a comprehensive reform of security institutions and policies, to effectively address human rights concerns and provide redress to victims of human rights violations ([A/HRC/47/55](#));

Right to physical and moral integrity

Ensure effective investigation and sanctioning of those responsible for cases of torture and ill-treatment, and strengthen the National Commission for the Prevention of Torture, in compliance with international human rights norms ([A/HRC/44/20](#));

Ratify the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment and the Convention for the Protection of All Persons from Enforced Disappearance ([A/HRC/41/18](#));

Ensure the rights to food, water and sanitation, health, security and dignity of all persons deprived of liberty, including by meeting gender-specific needs ([A/HRC/44/20](#));

Adopt specific measures in the context of the COVID-19 pandemic to ensure the rights to health and security of detainees, including by granting alternative measures to deprivation of liberty to the broadest set of prisoners possible, consistent with the protection of public safety ([A/HRC/44/20](#));

Put an end to incommunicado detention, including by intelligence services, guarantee that any individual subject to pretrial detention is held in official pretrial detention centres subject to judicial oversight, and transfer all persons detained in premises of intelligence services to official detention centres ([A/HRC/44/20](#));

Allocate sufficient resources to ensure adequate conditions of detention and access to justice ([A/HRC/47/55](#));

Protect persons, including those on the move, from abuses, corruption and extortion by State agents ([A/HRC/41/18](#));

Implement a comprehensive reform of security institutions and policies, to effectively address human rights concerns and provide redress to victims of human rights violations ([A/HRC/47/55](#));

Rights to liberty and to a fair trial

Ensure that reforms undertaken in the justice, police and detention sectors materialize into effective and sustainable changes based on international human rights law and standards and that legal reforms are strictly applied ([A/HRC/50/59](#));

Continue to take measures to ensure pre-trial detention and other coercive measures are used only when strictly necessary, in accordance with international standards, and remain within statutory terms. Address all causes of judicial delays such as ensuring timely transfer of detainees to tribunals’ hearings ([A/HRC/50/59](#));

Release all persons arbitrarily deprived of their liberty ([A/HRC/41/18](#));

Release unconditionally all persons unlawfully or arbitrarily deprived of liberty, including through the implementation of the decisions of the Working Group on Arbitrary Detention ([A/HRC/44/20](#));

Address the underlying causes of overcrowding and undue judicial delays through comprehensive reform of the administration of justice ([A/HRC/44/20](#));

Put an end to the trial of civilians by military tribunals, and ensure that the jurisdiction of military' tribunals is limited to military offences committed by active members of the military ([A/HRC/44/54](#));

Publish the legal authority and mandate of the counter-terrorism courts and take all necessary measures to guarantee their independence, impartiality and transparency, as well as their strict compliance with international human rights standards ([A/HRC/44/54](#));

Take effective measures to restore the independence of the justice system and ensure the impartiality of the Office of the Attorney General and the Ombudsperson ([A/HRC/41/18](#));

Undertake and complete the reforms of the justice system announced by the Government in January 2020 to guarantee its independence, impartiality, transparency, accessibility and effectiveness ([A/HRC/44/54](#));

Establish an independent, impartial and transparent mechanism to increase the number of tenured judges and prosecutors through a transparent public process ([A/HRC/44/54](#));

Guarantee that lawyers' associations recover their independence and full autonomy by allowing free internal elections ([A/HRC/44/54](#));

Guarantee the independence of the Public Defender, through the provision of sufficient resources and training, and ensure the rights of defendants to appoint a lawyer of their own choice ([A/HRC/44/54](#));

Restore the capacity of the criminal unit against the violation of fundamental rights of the Office of the Attorney General to conduct independent forensic investigations into cases of alleged human rights violations by security forces ([A/HRC/44/54](#));

Ensure that judicial action is strictly guided by the principles of legality, due process, presumption of innocence and other national and international standards ([A/HRC/47/55](#));

Develop a comprehensive policy and guidelines on the timely execution of release orders, sentence remission programmes and their computation, while ensuring full access and transparency on procedures in place ([A/HRC/53/54](#));

Ensure effective compliance with the amendments to the COPP aimed at reducing pre-trial detention, including timely examination of the applications submitted and that would qualify for the application of article 230 of the COPP ([A/HRC/53/54](#));

Access to justice and adequate reparations

Ensure prompt, independent, effective, impartial, transparent, thorough and credible investigations and judicial proceedings into cases of alleged human rights violations, and hold, prosecute and punish those responsible, including superiors, in accordance with international human rights law ([A/HRC/50/59](#));

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](#));

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](#));

Effectively implement a victim and witness protection programme, to safeguard the integrity of victims and witnesses, and ensure accountability for human rights violations ([A/HRC/47/55](#));

Conduct independent and thorough investigations into allegations of human rights violations committed in Apure State in the context of clashes with non-State armed groups ([A/HRC/44/54](#));

Ensure prompt, independent, effective, impartial, transparent, thorough and credible investigations and judicial proceedings into cases of deaths in the context of security operations and protests, allegations of torture or other forms of ill-treatment and disappearances in high seas; hold, prosecute and punish those responsible, including superiors, in accordance with international human rights law; and provide victims with full reparation ([A/HRC/53/54](#));

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](#));

Continue efforts to improve access to essential services, and food, and inform publicly and regularly on those efforts, with particular attention to equality of access and non-discrimination, ensuring transparency, participation and public oversight ([A/HRC/48/19](#));

Take all necessary measures to guarantee sufficient income to public servants and workers in sectors dependent of 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 compliance with international labour conventions and collective agreements, and publicly inform on their implementation ([A/HRC/48/19](#));

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 ([A/HRC/48/19](#));

Ensure that labour rights, including freedom of trade union association, are upheld and remain committed to the establishment of a genuine social dialogue with representatives of workers and employers ([A/HRC/50/59](#));

Take urgent measures to ensure the highest attainable standard of health, including those deprived of liberty, in particular by allocating adequate resources to hospitals and health centres ([A/HRC/50/59](#));

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](#));

Adopt measures to ensure the enjoyment of the right to health, including access to sexual and reproductive health services, the decriminalisation of abortion, while bearing specific attention to the differentiated needs of women ([A/HRC/53/54](#));

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](#));

Establish a special voter register for indigenous people to ensure their free and meaningful participation in the electoral processes ([A/HRC/50/59](#));

Cease any intimidation and attacks against indigenous peoples, including leaders, and ensure their protection and take all necessary measures to protect their individual and collective rights, including their right to land ([A/HRC/41/18](#));

Reactivate the demarcation process of indigenous people's land, to be carried out in compliance with the full and meaningful participation and informed consent of indigenous peoples ([A/HRC/53/54](#));

Non-discrimination

Investigate allegations of discriminatory access to social protection programmes, take all necessary measures to guarantee equal access to such programmes, prioritizing the most marginalized groups, and publicly informing on the findings and the implementation of the measures ([A/HRC/48/19](#));

Take all necessary measures to implement the Constitutional mandate to recognize all indigenous territories and collective land rights at the earliest, with particular emphasis on self-demarcation initiatives ([A/HRC/48/19](#));

Continue working in partnership and cooperating with the United Nations system to ensure the human rights of people on the move within its territory, particularly migrants and returnees, and investigate cases of disappearances and allegations of human trafficking ([A/HRC/48/19](#));

Ensure the implementation of the national environmental regulatory framework 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 ([A/HRC/48/19](#));

Amend legislation to decriminalize abortion and ensure the provision of appropriate sexual and reproductive health services ([A/HRC/48/19](#));

Take all necessary measures to ensure equal access to the vaccine, particularly for marginalized groups, with specific attention to this digital divide ([A/HRC/48/19](#));

Introduce a comprehensive law to prohibit all forms of discrimination, including based on sexual orientation, gender identity and expression, and sex characteristics, adequately penalize them ([A/HRC/50/59](#));

Ensure prompt, thorough and effective investigation and prosecution of cases of discrimination, hate crimes and femicides, while strengthening protection measures, in consultation with relevant civil society organizations ([A/HRC/50/59](#));

Ensure legal recognition and protection of same sex relationships, without discrimination based on sexual orientation or gender identity. Repeal norms that criminalize consensual sexual acts between adults of the same sex, in particular article 565 of the Organic Code of Military Justice ([A/HRC/50/59](#));

Ensure the right to identity and documentation for all persons, including children ([A/HRC/41/18](#));

Introduce legislation and policies promoting equitable participation of women in the structures of political parties and on quotas to ensure gender parity for nominations to elected positions, including governors and mayors ([A/HRC/50/59](#));

Ensure that official data and disaggregated information of public interest is available, accessible and proactively disseminated, including information related to gender-based violence and economic, social, cultural and environmental rights ([A/HRC/50/59](#));

Ensure measures are taken towards the progressive realization of the right to an adequate standard of living of all the population, without discrimination ([A/HRC/50/59](#));

Accelerate the adoption the draft bill on gender equality currently pending at the National Assembly, and develop a national action plan to address gender-based violence in line with CEDAW observations ([A/HRC/53/54](#));

Adopt measures to guarantee the enjoyment of human rights, free from discrimination, including a law to guarantee the right of transgender people to their self-perceived gender identity, in addition to the implementation of article 146 of the Organic Law of the Civil Registry ([A/HRC/53/54](#));

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](#));

Remain committed to the effective implementation of the joint workplan signed with OHCHR and its engagement with international human rights mechanisms ([A/HRC/47/55](#));

Continue to expand cooperation with OHCHR with a view at implementing human rights-based recommendations, including those stemming from international mechanisms, such as UN human rights treaties bodies, the Special Procedures and the third cycle of the Universal Periodic Review of the Human Rights Council ([A/HRC/50/59](#));

Accept and facilitate the establishment of a permanent OHCHR country office ([A/HRC/41/18](#));

Expand cooperation with OHCHR with a view to implement human rights-based recommendations, including those stemming from international mechanisms, such as United Nations human rights mechanisms ([A/HRC/53/54](#));

Urge the Venezuelan authorities, further to the principle of complementarity, to continue to cooperate with the OTP, and to demonstrate its willingness and ability to undertake relevant national investigations and prosecutions of sufficient scope, with a view to ensuring due accountability consistent with international standards ([A/HRC/53/54](#));

Build on pre-existing cooperation with the United Nations system, including the ILO ([A/HRC/53/54](#));

Member States should:

(a) Suspend or lift the sectoral unilateral coercive measures imposed on 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 ([A/HRC/48/19](#));

(b) Continue their support to the humanitarian response in the Bolivarian Republic of Venezuela, particularly with regards to the COVID-19 pandemic ([A/HRC/48/19](#));

(c) Ensure a fair distribution of vaccines across countries, as a global public good and accessible to all without discrimination in accordance with international legal norms and in support of the achievement of the Sustainable Development Goals ([A/HRC/48/19](#));

(d) Ensure the rights of migrants from Venezuela in their respective territories and investigate human rights violations or abuses committed against them ([A/HRC/48/19](#));

(e) Encourage support to national dialogue process and implementation of agreements reached, and to lift the sectoral sanctions that exacerbate pre-existing challenges and negatively impact people's enjoyment of their human rights ([A/HRC/53/54](#)).
