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## Human Rights Council

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

**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 57/36, this report focuses on the latest developments related to economic, social and cultural rights and the right to a healthy environment, rule of law, accountability and civic space, and the level of implementation of recommendations previously presented to the Bolivarian Republic of Venezuela.

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

## **I. Introduction and methodology**

1. This report is submitted pursuant to Human Rights Council resolution 57/36, 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 (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-ninth session.
2. The present report covers the period from 1 May 2024 to 30 April 2025, and it focuses on the latest developments related to economic, social and cultural rights, the right to a clean, healthy and sustainable environment, civic space and the rule of law, while adopting a gender lens and intersectional approach. 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.
3. The findings in the present report are based on the analysis of the information gathered and corroborated in compliance with OHCHR methodology. OHCHR exercised due diligence to assess the credibility and reliability of sources and cross-checked the information gathered. It sought informed consent from the interviewees and took appropriate measures to protect their identities and to ensure confidentiality. OHCHR assessed the information collected and domestic legislation, in light of international human rights norms and standards.
4. OHCHR noted efforts made towards the implementation of some previously issued recommendations. The present report emphasises on gaps and priorities in line with these recommendations.
5. Since February 2024 when the Government suspended its implementation of the Letter of Understanding signed with OHCHR, requesting its personnel to leave Venezuela, OHCHR has maintained an ongoing dialogue with the authorities, with a view of re-establishing its presence in the country to discharge its full mandate, further to the Letter of Understanding. In November 2024, the Government agreed to resume its cooperation with OHCHR with immediate effect, under the Letter of Understanding. However, at the date of drafting of this report, only one international staff member of OHCHR country team remains in the country, with the remainder of its international staff assigned to this team continuing its work remotely. Despite assurances by the authorities on several occasions that more staff would be allowed to return, and following a number of requests put forward formally by OHCHR in this regard, at the time of writing no additional visas have been granted for the full return of staff. OHCHR remains committed to continue its cooperation with Venezuela, on the basis of a clear framework. Regretfully, cooperation from the Government remains at standstill, and a new framework for future operations in country is yet to be agreed on.

## **II. Economic, social and cultural rights**

6. During this reporting period, persons in the country continued to face significant challenges in accessing health services, decent work, and an adequate standard of living. The Government maintained their social programmes to overcome these challenges. A new phase of heightened inflation and looming sectoral sanctions and overcompliance have contributed to impeding these efforts. The absence of public financial data on sanctions, prevents a comprehensive assessment of their impact on the human rights of the population in Venezuela.
7. The restrictions under General Licenses 41A and B of the United States Department of Treasury announced in March 2025, combined with both the reciprocal and secondary tariffs on Venezuelan exports, reduced even further the availability of public economic and

financial resources<sup>1</sup> to provide basic services to the population, disproportionately those in the poorer segments.

8. The suspension of humanitarian funding by some foreign donors exacerbated challenges for Venezuelan people's access to health, food and education, amongst other needs.

9. On 3 December 2024, the National Assembly approved in the first reading the Bill on the 2025 national budget. According to official declarations, 77.6 per cent of the allocated resources were set to cover investment and social development, including infrastructure, education, health, housing, security, among others. OHCHR notes that the bill has not been disclosed, and that the national budget has not been made public since 2017.

10. Power cuts and shortages in potable water supply were recurrent across the country, the states of Zulia, Merida and Falcón reportedly being most affected. Between May 2024 and January 2025, the average number of hours daily without electricity was 14.15 hours, and the average number of failures was 47,812 per month.<sup>2</sup> The extent of shortages and cuts have an impact on the individuals' daily life and economic activities, affecting disproportionately persons from lower-income backgrounds.

11. From September 2024 onwards, schools resumed operations across the country with over 6 million students at different levels enrolled, according to figures from the Ministry of education.<sup>3</sup> The Venezuelan authorities announced the refurbishment of some 2,000 school facilities and efforts to ensure a return to a standardized teaching schedule. In 2024, student attendance remained a challenge, as irregular attendance at school was estimated at 48 per cent as a result of, among other factors, the absence of teachers, suspension of classes, and the lack of economic resources for students and their families.<sup>4</sup>

12. Universities continued to face challenges to safeguard their academic freedom, impacting the right to education and the right to enjoy the benefits of scientific progress and its applications. Reportedly universities received four per cent of requested budgets, affecting in part salary payments. Board elections such as at the University of the Andes and the University of Carabobo remained suspended.<sup>5</sup> Allegations of intimidation and harassment by various actors, including State officials, were also reported against students and staff following the presidential elections.

#### **A. Rights to work, just and favourable conditions at work, and social security**

13. On 1 May 2024, the "integral minimum income", a monthly direct cash transfer, was raised from 60 USD to 90 USD monthly per worker. Yet, this amount combined with the legal minimum wage (currently 130 bolivares monthly)<sup>6</sup> unchanged since March 2022, and the food bonus (monthly 40USD per worker), were deemed insufficient to cover the needs of the food basket, which is estimated to exceed 526 USD for a family of five<sup>7</sup>. Demands for improved working conditions and dignified salaries continued to be a major source of protest in Venezuela, with 604 protests registered in between May 2024 and January 2025.<sup>8</sup>

<sup>1</sup> The Impact of the New US Oil Tariffs on Venezuela - Center on Global Energy Policy at Columbia University SIPA | CGEP %.

<sup>2</sup> Information gathered from the monthly reports of the Monitor de Servicios Basicos for the reporting period.

<sup>3</sup> Ministerio del Poder Popular para la Educación MPPE 27 November 2024.

<sup>4</sup> Community Diagnosis HumVenezuela 2024, p10.

<sup>5</sup> A/HRC/56/63 Para 44.

<sup>6</sup> Approximately 1.50 USD, according to exchange rate on 29 April 2025.

<sup>7</sup> <https://diarioelnacionalista.com/2025/04/21/el-coste-de-la-canasta-alimentaria-en-venezuela-se-ubico-en-52683-dolares/>.

<sup>8</sup> Estimates extracted from the Observatorio Venezolano de Conflictividad Social.

14. On 29 May 2024, the authorities announced the creation of the Ministry for the Elderly to facilitate the implementation of public policies and measures to guarantee a dignified life for the elderly.

15. OHCHR received allegations of suspension of teachers' salaries and dismissals of public workers without formal notification, and, in most cases, with no compensation. OHCHR documented the cases of five teachers, whose salaries were suspended, as well as further allegations of other instances, including as retaliation for protesting working conditions and demanding a dignified living wage.

16. On 17 March 2025, the International Labor Organization (ILO) Governing Body urged the Government to accelerate the implementation of its commitments made in connection with the 2019 Commission of Inquiry's recommendations concerning the Minimum Wage-Fixing Machinery Convention (No. 26); the Freedom of Association and Protection of the Right to Organize Convention (No. 87) and the Tripartite Consultation Convention (No. 144). The Governing Body also called for immediate steps to facilitate the presence of the ILO special adviser on social dialogue in the country and invited the Government to convene the fifth Social Dialogue Forum at the earliest opportunity.<sup>9</sup>

## **B. Right to health**

17. Persons across the country continued to report the lack of essential medication and equipment in public healthcare facilities. Sectoral sanctions and overcompliance, in conjunction with the reductions in humanitarian funding from key international donors, exacerbated these challenges. Transplant patients reported lack of vital immunosuppressive drugs in pharmacies of the Venezuelan Institute of Social Security, and their very high cost in commercial pharmacies. Patients of cystic fibrosis and their relatives reported that State support to access part of the treatment ended in May 2024, despite the National Programme for Cystic Fibrosis of the Health Ministry. Pensioners and retirees continued to report obstacles in accessing adequate healthcare because of the low pensions coupled with the high cost of essential items.

18. Certain hospitals and clinics across the country reported reduced availability of medical equipment. Estimates indicated that between January and July 2024, 91 per cent of hospitals surveyed requested patients to bring supplies to be admitted for surgery.<sup>10</sup> Lack of public information prevented a full assessment of the scale and severity of the concern, including the impact on mortality rate.

19. The Ministry of Health, with the support of the United Nations, continued efforts to strengthen education on sexual and reproductive healthcare. This included the publication of the first National Guidelines for sexual and reproductive healthcare for persons with disabilities, as well as efforts to amplify the reach of the Comprehensive Education on Sexuality programme, including through consultations with indigenous communities.

20. The realization of sexual and reproductive rights continued to face significant challenges. Estimates indicated that at least 40 per cent of women and adolescent girls of reproductive age do not use contraceptives.<sup>11</sup> Factors contributing to this situation are many. The cost of contraceptive methods oscillated between 2 and 23 USD, making it unattainable for women and girls from low-income households. Other factors included lack of knowledge and education on sexual and reproductive health. Fifty-three per cent of women and girls reportedly suffered from obstetric violence in Venezuela when giving birth, disproportionately affecting those from low-income households.

21. Legislation on abortion continued to be restrictive, and even criminalized in the event of rape, incest, or severe foetal impairment, despite prior recommendations formulated by

<sup>9</sup> GB.353/INS/8(Rev.1)/Decision 17 March 2025..

<sup>10</sup> Encuesta Nacional de Hospitales (2025) Mid-Year Report 2024, p7.

<sup>11</sup> Instituto Prensa y Sociedad and Red de Mujeres Constructoras de Paz El alto precio de la desigualdad: Mujeres de estratos bajos tienen mayores barreras para acceder a salud sexual y reproductivo- 2024.

human rights mechanisms and OHCHR.<sup>12</sup> Safe abortion and post-abortion care was also limited, causing irreversible harm in some cases and putting women's and adolescent girls' lives at risk.

22. Authorities undertook efforts to support inclusive health outreach, including by sustaining community-based programmes for community-based diagnosis and treatment across Indigenous areas in Bolívar, Amazonas, Sucre and Delta Amacuro states. Despite these efforts, OHCHR received information indicating that health challenges for Indigenous Peoples persisted, particularly with regard to exposure to malaria, tuberculosis, and HIV/AIDS. The lack of medicines and medical supplies, and the absence of routes and transport, further strained local capacities in responding effectively to outbreaks.

23. OHCHR received concerning reports on maternal morbidity and maternal death in Indigenous Ye'kwana and Sanemá territories. Allegedly, only three medical doctors were available per population of 7,448, and the 20 community healthcare centres in the territory lack medicines, basic materials and equipment, including diagnostics. Patients have reported difficult access to emergency services which may often be hundreds of kilometres away, with no available transportation.

### III. Right to a clean, healthy and sustainable environment

24. The reporting period was marked by significant challenges regarding the right to a clean, healthy and sustainable environment, including the loss of Venezuela's last glacier, *La Corona*, despite sustained efforts for its preservation. In 2024, the Ministry of Popular Power for Eco-Socialism developed the National Reforestation Plan and National Strategy of Biodiversity Conservation, aimed at halting environmental degradation.

25. Civil society organizations have denounced opacity in governmental conservation policies and actions, as well as threats and harassment against environmental rights defenders by both State and non-State actors. OHCHR urges the authorities to take steps to ensure access to information, and meaningful participation in environmental decision-making, and to adopt measures to effectively protect environmental defenders, including through the ratification of the Escazú Agreement as per prior recommendation,<sup>13</sup>

26. In September 2024, the creation of technical working groups of the Ministry of Ecosocialism with the State-owned oil company, Petroleos de Venezuela S.A was announced. The group is to evaluate actions to control and address oil-spills. This is an important step in line with OHCHR's previously formulated recommendations. However, oil spills have continued throughout the reporting period, including in Maracaibo Lake where OHCHR corroborated through satellite imagery oil traces covering an area of 2198.47 km<sup>2</sup>.

27. Fishing communities in Falcón state have reported the contamination of water and local marine ecosystem from oil spills allegedly caused by a nearby damaged pipeline. This has affected food security and overall livelihoods of these communities. OHCHR was able to corroborate the traces of oil in Golfo Triste, covering 195km<sup>2</sup>.

### IV. The rights of Indigenous Peoples

28. During its review of Venezuela's periodic report in August 2024, the Committee for the Elimination of Racial Discrimination (CERD) highlighted the lack of updated population census since 2011, what was raised as a key use by OHCHR interlocutors. It noted that the absence of disaggregated data and socio-economic indicators prevented the assessment of the realization and enjoyment of the rights contained in the Convention by Indigenous Peoples and Afro-descendants, as well as other groups in Venezuela.<sup>14</sup>

<sup>12</sup> A/HRC/53/54 Para 74(d), A/HRC/56/63 Para 80(f), A/HRC/48/19 Para 67(l); CEDAW/C/VEN/CO/9, Para 38(a).

<sup>13</sup> A/HRC/48/19 Para 67(k).

<sup>14</sup> CERD/C/VEN/CO22-24, paras. 8-9.

29. OHCHR continued to note the lack of progress regarding the demarcation process of Indigenous Peoples' territories despite prior recommendations.<sup>15</sup> Indigenous Pemón authorities reported that no title has been issued for the majority of Pemón territory since their request to the National Commission for the Demarcation of the Habitat and Lands of Indigenous Peoples and Communities in 2011. Similarly, Ye'kwana and Sanemá Indigenous Peoples of the Caura River Basin reported having submitted their request for collective land title in 2002, which remained at standstill since 2006.

30. OHCHR observed that the lack of demarcation of Indigenous Peoples' territories contributed to exposure to illegal mining activities, as well as the presence of non-state armed groups or criminal organizations. Allegations of forced displacement of Indigenous communities continued, as well as clashes between Indigenous Peoples and persons settling with the mines, and environmental degradation and water contamination.

31. OHCHR received allegations that illegal mining activities continued in Indigenous territories in Amazonas state, including in the Yapacana National Park, despite having been declared 'free of mining' in 2023, following military operations. Illegal gold mining in Ye'kwana territories in Amazonas allegedly led to violent clashes between the Indigenous communities and individuals connected to the mines. On 4 September 2024, an indigenous Ye'kwana territorial guardian and environmental defender, died of sustained injuries following an attack by unidentified individuals. OHCHR is concerned with the delay in the investigations into the previously reported killings and other violations against Indigenous Peoples.<sup>16</sup>

32. OHCHR noted efforts from the judicial authorities in certain territories to address challenges in the coordination and the conflict of competence between the ordinary justice system and the Indigenous justice system. This is an important step, aligned with recommendations formulated by the CERD,<sup>17</sup> to guarantee access to justice and their right to self-determination. Challenges persisted including regarding allocation of funds for the Indigenous tribunals, preventing full implementation of these efforts and realization of the rights of Indigenous Peoples.

## V. Civic and Democratic Space

33. During the reporting period, OHCHR noted increased civic space restrictions, including the criminalization and arbitrary detention of voices deemed dissenting, such as protesters and bystanders to protests, as well as 58 members of the opposition. Enrique Marquéz, presidential candidate who challenged the Constitutional Chamber of the Supreme Court of Justice's decision that confirmed the elections results was arbitrarily detained and forcibly disappeared since January 2025. OHCHR documented the arbitrary detention of 10 journalists, eight human rights defenders, and six humanitarian workers, as well as other limitations of freedoms of expression and opinion. In August 2024, authorities reactivated Operation Tun Tun, a series of raids and arrests, to detain presumed protesters and dissenters.

34. In view of the contested 28 July 2024 presidential election results, the UN Secretary-General called for electoral disputes to be settled peacefully, with complete transparency and encouraged the timely publication of the election results and a breakdown by polling stations.<sup>18</sup>

35. Since 29 July 2024, at least 75 men, and 41 women, including human rights defenders, journalists, unionists and union leaders, as well as poll watcher and politicians of opposition parties felt compelled to leave the country, or go into hiding, for fear of persecution. These

<sup>15</sup> A/HRC/44/54 Para 71(s), A/HRC/53/54 Para 73(a), A/HRC/48/19 Para 66(i).

<sup>16</sup> A/HRC/50/59 Para 9, A/HRC/53/54 Para 29; A/HRC/56/63 para 31, 75.

<sup>17</sup> CERD/VEN/CO/22-24, paras 36-37.

<sup>18</sup> Venezuela: Guterres calls for 'complete transparency' following disputed presidential election 29 July 2024.

individuals reported reprisals such as intimidation by various authorities of their family members in Venezuela.

36. From May to July 2024, leading to the Presidential elections, OHCHR received allegations of reprisals against persons who had direct, or indirect links with the election campaign of opposition parties, including 99 allegations of harassment and intimidation, 64 of surveillance and threats, such as death threats, and 30 of unlawful closures of businesses or confiscation of property, amongst others. In this same period, OHCHR verified 27 cases of arbitrary detentions, under charges of terrorism, association to commit crimes, incitement to hatred, and conspiracy of opposition members, supporters and service providers to opposition party campaigns.

37. Both ahead of, and on voting day, OHCHR received information regarding limited availability and adequacy of information and materials in inclusive languages for persons with visual or hearing impairment, or in Indigenous languages. OHCHR recalls that States are obligated to take all necessary measures to ensure that every citizen has the effective right to participate equally in public affairs, and to eliminate laws, regulations and practices that directly or indirectly discriminate against citizens in this right.

38. Sexist, and anti-LGBTQ+ rhetoric in public media by State officials, including high ranking, were reportedly used to discredit supporters and members of opposing parties. Hate speech targeting women, LGBTQ+ persons, or other groups contributed to eroding the right to participate in public affairs without discrimination.

39. As parliamentary and regional elections were announced for the month of May 2025, OHCHR observed that the National Electoral Council (CNE) had yet to disclose the electoral and campaign calendar and voting circumscriptions. OHCHR also noted that no guarantees were established to ensure parity in nomination and selection processes for decision-making positions at these levels.<sup>19</sup>

40. Protests sparked across the country between 29 and 30 July 2024, immediately following the presidential elections. Most of these protests were peaceful, instances of violence were reported in certain parts of the country. One civil society organization reported 915 citizen protests nationwide between these dates, 138 of which were repressed by State security,<sup>20</sup> in coordination with armed civilian groups, supporters of the ruling party (*colectivos*). In the context of the post-electoral protests, OHCHR received reports of unnecessary and disproportionate use of force by law enforcement officials, along with violence by *colectivos*. Official data referred to 28 deaths in the context of protests, mostly protestors and two Bolivarian National Guards. Reports indicated the use of teargas and warning shots by State security forces (both police and military). OHCHR recalls its prior recommendation to prevent disproportionate use of force during protests.<sup>21</sup>

41. Following the presidential elections, public officials including from the security forces disseminated videos, photos, and personal data of those detained on social networks, including of adolescents, exacerbating fears among the general population. Authorities promoted the utilization of a specific mobile application to facilitate denunciations of persons deemed “fascists” or “terrorists” for their presumed involvement in protests. Agents of security forces carried out stop and search operations arbitrarily inspecting phones for any evidence of linkages with the opposition and/or perceived participation in protests. This allegedly led to extortion under threat of detention, as well as detentions.

42. On 15 August 2024, authorities announced the detention of over 2,400 people under terrorism charges and for attempting to destabilize the country in the post-electoral protests. These detentions included women, Indigenous Peoples, adolescents as well as persons with disabilities. Despite their phased conditional release of some detainees starting September

<sup>19</sup> Committee for the Elimination of all Forms of Discrimination against Women (CEDAW) General Recommendation n40, Para 26(e).

<sup>20</sup> Communiqué of the *Observatorio Venezolano de Conflictividad Social* dated 9 August 2024, last retrieved on 5 February 2025.

<sup>21</sup> A/HRC/41/18 Para 81(h).

2024, these arrests had an overall chilling effect on others, contributing to restricting the right to freedom of assembly, and freedom of expression.

43. OHCHR is concerned that, despite recommendations not to adopt it in the current form, the Law on the Control, Regularisation, Performance and Financing of Non-Governmental and Related Organizations (NGO law) came into force in November 2024.<sup>22</sup> The expedited approval on 28 November 2024 of the Organic Law of the Liberator Simón Bolívar against Imperialist Blockade and in Defence of the Bolivarian Republic of Venezuela, as well as the re-tabling on the 2025 legislative agenda of the law on International Cooperation also compounded concerns regarding the risk of arbitrary application as a result of the broad and vague definitions contained within this legislation.

44. Under the NGO law, non-governmental organizations operating in Venezuela are required to register with the National Registrar of Non-Governmental Organizations. This adds to other bureaucratic processes previously imposed on civil society organizations. Many organizations denounced the lack of clarity in terms of the procedures and concerns regarding perceived arbitrary application of the law, including fee requests and other requirements not stipulated in the law.

45. On 30 March 2025, the Official Gazette published measures adopted by the Superintendency of Banking Institutions of Venezuela regarding NGO oversight and adding onerous administrative requirements on civil society, as well as exercising further control on non-governmental organizations' funding and spending. This could result in organizations that are unable to comply having their accounts closed. Such administrative measures contravene recommendations formulated by the Caribbean Financial Action Task Force in its review of Venezuela.<sup>23</sup>

46. Some Venezuelan non-governmental organizations have reportedly ceased operations amid allegations of surveillance, persecution, and acts of reprisal, including targeted arrests. The closure or suspension of these organizations contributed to further deteriorating the civic and democratic space, and the protection of marginalized populations.

47. On 13 August 2024, Venezuelan authorities announced the creation of a National and International Commission against fascism, hatred and violence, while reinitiating discussion on the proposed Bill against fascism, neofascism and similar expressions. Despite postponement of the discussion of the bill, OHCHR is concerned that it has contributed to restricting civic space, exacerbating concerns as to its potential arbitrary application to limit freedom expression and opinion, particularly of perceived opposition or dissenting voices.

48. On 4 October 2024, the Appeals Court confirmed the 16 years sentence, under alternative measure to detention against six trade unionists conditionally released in December 2023, previously detained under the Organic Law against Organized Crime and Financing of Terrorism in July 2022, on charges of conspiracy and criminal association, despite calls for their full release.<sup>24</sup>

49. Both prior and during the presidential elections, OHCHR observed undue restrictions on the right to freedom of expression and other human rights violations. This included further closures of radio-stations, detention and enforced disappearances of journalists and media workers, and restriction of access to websites. One civil society organization reported the blocking of over 60 websites during the second half of 2024. Social media applications such as X and Signal as well as Virtual Private Networks were also reportedly blocked during this period, without judicial orders.

50. Authorities, civil society organizations and users reported incidents of hacking of websites apparently to stir political tensions during and after the presidential election. Online platforms and social media were used to intimidate, stigmatize and enable the detention of persons presumed dissenting, such as through phishing tactics, spreading fears among users.

<sup>22</sup> A/HRC/53/54 Para 69.

<sup>23</sup> A/HRC/53/54 Para 70; A/HRC/56/63 Para 49.

<sup>24</sup> A/HRC/53/54 Para 15, A/HRC/56/63 Para 35.



51. On 6 August 2024, President of the Bolivarian Republic of Venezuela stated that the National Commission for Telecommunications would launch an investigation into the circulation of ‘hate’ messages targeting the presidency and its party on WhatsApp. The announcement of this investigation exacerbated fears and self-censorship. OHCHR reiterates concerns expressed by CERD, that legislation regarding hatred and peaceful coexistence lacks precision in its definition of what constitute incitement to hatred, and that it must not be used to limit freedom of expression.<sup>25</sup>

52. Since 29 July 2024, OHCHR confirmed the arbitrary cancellation of the passports of 19 human rights defenders, eight political figures from the opposition, four journalists, and one humanitarian worker. Sixteen of these cases were women. One human rights defender, Yendri Velasquez was arbitrarily detained when traveling to participate in the consideration of the periodic report of Venezuela by CERD. OHCHR joins the call of CERD for measures to ensure that human rights defenders and civil society leaders are not subject to arbitrary restrictions that would prevent them from attending and participating in meetings and activities organized by international human rights mechanisms,<sup>26</sup> recalling that States have an obligation to prevent and end reprisals against individuals cooperating with the United Nations and its human rights mechanisms.

## **VI. Rule of Law and Accountability**

53. On 15 December 2024, 28,374 communal judges were elected following a reform to the Organic Law of the Special Jurisdiction for communal justice, that substitutes the administration of the justice system at the community level, across 4,840 circuits, including for 353 Indigenous communities.

54. Following the presidential elections, OHCHR observed an increase of violations of the rights to life and personal integrity, liberty and security, as well as the right to fair trial and due process. Monitoring indicated challenges for victims seeking justice and reparation, coupled with the fear of reprisals which contributed to the underreporting of these cases.

### **A. Administration of justice and right to due process**

55. The nomination process for the representatives of the bodies constituting Venezuela’s Civil Power, namely the Attorney General, the Ombudsperson and the General Comptroller took place on 31 October 2024. A prosecutor, who had submitted her candidacy for the position of Attorney General, faced disciplinary proceedings, resulting in her removal from office on grounds that included her participation in the nomination process. OHCHR is concerned this may constitute an act of retaliation against the prosecutor, and the underscoring lack of impartiality within the disciplinary process.

56. Persons detained linked to the electoral context were charged with the crimes of terrorism and other related charges. OHCHR noted with concern the increased application of counter-terrorism legislation, which contains offences that do not comply with the principle of legality and legal certainty, and the widespread use of special courts against terrorism, including for adolescents.

57. Most people detained under terrorism-related offences were subjected to virtual hearings that did not comply with international standards on the right to a fair trial, and of faulty communication systems negatively affecting the right to defense.<sup>27</sup> Following the presidential elections, OHCHR received information about 278 cases prosecuted under the Special Courts of Counterterrorism, in which the accused persons were not allowed to appoint the lawyer of their own choice and were imposed public defense. The latter provided scarce information to accused persons and their relatives. OHCHR had previously raised concern

<sup>25</sup> CERD/C/VEN/CO/22-24 para 13.

<sup>26</sup> CERD/C/VEN/CO/22-24 para 7(b).

<sup>27</sup> A/79/296 para 42.

about the incompatibility of the proceedings carried out by these courts with the rights to fair trial and to defense.<sup>28</sup>

## B. Detention and the right to liberty and security of a person

58. The authorities announced the conditional and sequenced release of 2,006 persons, following their detention after the presidential elections. Civil society corroborated 1,500 of these releases, including 191 women and 173 adolescents. Those released, and their relatives were reportedly forced to sign a pledge to maintain secrecy on their cases and were requested to report to the Court in Caracas, despite living in other states, implying further strain on financial resources to travel.

59. OHCHR received information about the detention and enforced disappearances of 28 foreign nationals of at least 13 countries, including one woman, three of whom have been released. To date, none were allowed to communicate or granted access to their consular authorities.<sup>29</sup>

60. The state detention facilities named *Centros de Máxima Seguridad del Área Metropolitana de Caracas* I and II (known as *Helicoide* and *Boleita* respectively) reportedly changed management from the Ministry of Penitentiary services to the Bolivarian National Service for Intelligence (SEBIN) and the Directorate for Military Counterintelligence (DGCIM) respectively despite a 2021 decree to transfer the custody of persons deprived of liberty to the Ministry for the Penitentiary Service.<sup>30</sup> Reports also indicated that the *Rodeo 1* detention centre would be under DGCIM. The shift of detention centre management from the civilian and military intelligence services reflects a setback from the implementation of previous OHCHR recommendation is to transfer all persons detained in premises of intelligence services to official detention centres under civilian authority.<sup>31</sup>

61. The scale of transfers between detention centres, and across different states reportedly increased following the presidential elections, including to Tocarón and Tucuyito detention centres, in Aragua and Carabobo states respectively.<sup>32</sup> Relatives and lawyers were reportedly not notified of these transfers and OHCHR received allegations of ill-treatment and torture in this new centres or during the transfers, as well as denial of communication and visits to the inmates' relatives and lawyers.

62. OHCHR also received reports indicating that prisoners were denied access to medical care and medication and lacked access to food and water, for consumption and for hygiene needs, including for women, persons with disability the elderly and persons with medical conditions. These concerns appeared to be exacerbated for people detained under terrorism related charges.

63. In different detention centres across the country, including pre-trial, inmates protested detention conditions, including through hunger strikes. Demands concerned food, water and hygiene as well as procedural challenges, such as those linked to visits of, and communication with relatives. One nationwide strike took place in June 2024, both in penitentiary and pretrial detention centres, which ended following commitments made by the newly appointed Ministry for Penitentiary Services. OHCHR recalls its prior recommendations to ensure conditions of detention comply with international standards.<sup>33</sup>

64. OHCHR has closely monitored the cases of 75 persons deprived of liberty suffering from health conditions, including persons with disability. OHCHR documented the death of three detainees, following the deterioration of their health, reportedly due to the lack of timely and adequate health care and assistance. These deaths must be investigated by an independent

<sup>28</sup> A/HRC/56/63, para. 64 ;A/HRC/44/54, para. 14.

<sup>29</sup> CCPR/C/GC/35, para. 58 and 1963 Vienna Convention on Consular Relations, ratified by Venezuela (Bolivarian Republic of) in 1965.

<sup>30</sup> Decree 4,510, 5 December 2021.

<sup>31</sup> A/HRC/44/20 Para 86(g).

<sup>32</sup> A/HRC/56/63 Para 55.

<sup>33</sup> A/HRC/56/63 Para 80(l).

and impartial body and should be thorough, effective and transparent, in line with the Minnesota Protocol on the investigation of potential unlawful death.

65. OHCHR has monitored the cases of eight individuals who continue to be arbitrarily detained in the absence of issuance of release orders at completion of their sentence. In at least four additional cases, including one from 2021, the individuals about to be released or who had already been released faced new charges based on the same facts on which they were convicted, thus violating the principle of double jeopardy.

66. At least 81 people in pre-trial detention eligible for alternative measures to detention under article 230 of the Organic Criminal Code remain detained, which include 66 from the previous reporting period.<sup>34</sup>

### **C. Detention and gender-based violence**

67. OHCHR monitored the cases of 32 women and four girls detained during this reporting period, including two pregnant women. OHCHR is concerned with reports regarding the lack of access to sexual and reproductive healthcare and services in some centres. In one detention centre, female inmates were denied menstrual hygiene kits allegedly as retaliation against relatives' complaints about conditions of detention.

68. On 29 August 2024, the Immediate Response Group for Custody, from the Ministry for Penitentiary Service, along with security forces from the Bolivarian National Guards and Bolivarian National Police conducted a raid in the National Institute for Female Orientation, the feminine detention centre in Miranda state. Civil society organizations and relatives of the detainees reported the use of tear gas inside the penitentiary centre. Likewise, allegations emerged of ill-treatment including physical assaults and degrading treatment during body searches by security officers.

69. OHCHR received further reports of discrimination and violence against LGBTQ+ inmates, including adolescents. This included being forced to carry out chores for other inmates. OHCHR is also concerned with reports that transpersons were assigned to detention centres according to their sex at birth, exposing them further to protection risks within their custody.

70. Persons detained in the context of electoral developments were only allowed visits from female relatives. This places a differentiated burden on women family members, who often must travel far to bear medicine and foods to their relative, and risks isolating further other detainees without female relatives.

71. Degrading treatment of inmates' female relatives during visits were reported, including of one child, as part of frisking exercises and strip searches. OHCHR recalls that strip and body cavity searches should only be undertaken if absolutely necessary, in a manner that respects the dignity and privacy of the individual, and conducted by trained staff of the same gender, in a private setting.<sup>35</sup>

### **D. Right to life and personal integrity**

72. OHCHR documented 84 cases of enforced disappearances (62 men, 15 women, and seven adolescents) for periods ranging from one to 159 days. OHCHR is concerned that another 36 persons, including three women continue to be disappeared. Forty-one of the documented cases of enforced disappearances appeared to be committed by members of the Bolivarian National Service for Intelligence (SEBIN), and 41 by members of the Directorate for Military Counterintelligence (DGCIM), 21 by other police or military actors, and 17 by unidentified perpetrators. In addition, OHCHR was informed of up to 18 people, who despite their whereabouts known, remain incommunicado to their families and legal representatives.

<sup>34</sup> A/HRC/56/63 Para 58, A/HRC/53/54 Para 38, 73(i), A/HRC/50/59 Para 22, 48.

<sup>35</sup> Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules) Rule 52.

73. OHCHR documented 32 individuals subjected to torture and ill-treatment that occurred during this reporting period, including against four women, one of whom was pregnant, 15 adolescents (one girl), and three persons with disabilities. Twenty cases appeared to be committed by members of the military, military and civilian intelligence agencies, eight by police officers, and in five responsibility remained unidentified. All victims were detained in the period that followed the presidential elections.

74. Reports of different forms of ill-treatment, including in the form of incommunicado detention, have also occurred in reprisal for denouncing conditions of detention. Rodeo I detention centre authorities prohibited family visits and communication to some inmates, for a period of 12 weeks, following their participation hunger strike on 12 December 2024. In Fuerte Guaicaipuro detention centre, Miranda state, five inmates were reportedly subjected to physical ill-treatment and incommunicado detention for several weeks following their transfer from Yare 3 detention centre in January 2025, after they had denounced its conditions.

75. OHCHR notes ongoing security operations in different parts of the country, in which cruel and inhuman treatment as well as use of force resulting in arbitrary deprivation of life were allegedly committed by state officials. OHCHR is concerned that an overall climate of fear among the general population has led to the underreporting of human rights violations linked to these operations. OHCHR confirmed two deaths in security operations, committed by agents of the Criminal and Forensic Investigation Corps, of young men from a low-income background, pointing to a similar victim profile to previously documented cases. Low-income residential areas, including in the outskirts of Caracas, were reportedly frequently subjected to security operations, particularly in the months that followed the presidential elections.

76. According to the Office of the Attorney General, 540 men were sentenced for crimes of femicides in the last seven years. OHCHR received reports indicating that at least 185 gender-based killings occurred between January and December 2024.<sup>36</sup> While OHCHR welcomes the sanctioning of these crimes, there has been no progress towards the establishment of a national observatory gender-based violence and gender-based killings, despite prior recommendations. OHCHR encourages the authorities to resume efforts towards the creation of a protocol for the investigations of the crimes of feminicides/femicides and for its implementation, aligned with the Latin American Model Protocol for the investigation of gender-related killings of women.

## E. Access to Justice

77. Investigations and prosecutions of violations of the right to life continued to face delays and standstills, including in cases of deaths in protests dating back to 2014, 2017 and 2019, and of deaths in security operatives. OHCHR was informed that on 21 November 2024, the Tribunal 15 of the Metropolitan Area of Caracas, absolved three Bolivarian National Police agents, previously members of the now dissolved Special Actions Forces, accused of a 2017 death in a security operative. The sentence has not been published yet, thereby limiting the possibility of appeal and imposing further obstacles to justice and reparation to the victims. As per prior recommendations, OHCHR urges authorities to ensure families of victims have access to justice and reparation, and to ensure accountability for the crimes committed, both direct perpetrators and within the chain of responsibility.<sup>37</sup>

78. Further obstacles were reported in the process of denouncing human rights violations to the justice system. Allegedly, claims before the Office of the Attorney General and before the Ombudsperson's Office were either rejected or left without response by these institutions. In most of the cases reported to OHCHR, the tribunals rejected the admission of habeas corpus actions submitted by relatives and legal representatives of detainees and disappeared persons, without providing substantiation.

<sup>36</sup> Utopix (February 2025) Monitor de femicidios diciembre de 2024, retrieved on 7 March 2025.

<sup>37</sup> A/HRC/41/18 Para 81(c); A/HRC/44/20 Para 86(f); A/HRC/50/59 Para 65(c); A/HRC/44/54 Para 71(e); A/HRC/53/54 Para 74(h).

79. On 22 January 2025, the Supreme Court of Justice confirmed the decision of the Provisional Judge of the Trial Court No.5 of the Criminal Judicial Circuit of Mérida, sentencing Naibelys Noel, a victim of gender-based violence, to 30 years for “commission by omission in the execution of the crime of intentional homicide qualified with treachery and for ignoble motives, with the aggravating circumstance of perpetration against a child,” following the killing of her son by her former partner.<sup>38</sup> OHCHR regrets this decision which overlooked the gender stereotyping at the root of the original judgement, as well as Naibelys Noel’s status of a victim of gender-based violence by the ex-partner.<sup>39</sup>

80. Reportedly, since 2008 over 138 killings of transpersons remained non-investigated. No progress was reported in the elaboration and adoption of a specific investigation protocol for crimes motivated by the victim’s sexual orientation or gender identity.<sup>40</sup>

## VII. Conclusion and recommendations

81. The human rights situation in Venezuela deteriorated during the reporting period as a result of a number of factors. The enjoyment of economic, social and cultural rights continued to face significant challenges in the context of heightened inflation, exacerbated by sectoral sanctions and suspension of humanitarian funding by some foreign donors. Increased civic space restrictions were observed, including criminalization and arbitrary detention, enforced disappearances of persons deemed dissenting. Access to justice and full reparation for human rights violations continued to face several obstacles.

82. In November 2024, the Government agreed to resume its cooperation with OHCHR with immediate effect, under the Letter of Understanding. OHCHR regrets the very limited access it has been granted in the country since then (only one international staff of OHCHR country team has been granted return), affecting its ability to fully discharge its mandate, including monitoring and reporting as well as technical assistance.

83. OHCHR reiterates its commitment to support efforts to advance human rights in the Bolivarian Republic of Venezuela through a full team in the country. Authorities are also encouraged to strengthen their cooperation with international human rights mechanisms.

84. OHCHR further encourages the authorities to pursue its efforts to uphold Venezuela’s international human rights obligations, including on civil, political, economic, social and cultural rights as well as to the right for a clean, safe and sustainable environment. This includes, but is not limited to, protecting and promoting the rights of Indigenous Peoples and towards gender equality.

85. OHCHR calls for a restoration of trust and inclusive dialogue, by guaranteeing civic space, the right to participate in public affairs and protecting civil society actors and organizations. All people arbitrarily detained must be immediately and fully released, and authorities must end, investigate and sanction all forms of enforced disappearances. OHCHR urges authorities to guarantee independence of the Judiciary, ensuring first and foremost that victims have effective access to justice, their due process rights are protected and are granted full reparation.

86. In addition to reiterating previously issued recommendations, OHCHR calls upon the Government of the Bolivarian Republic of Venezuela to:

(a) Ensure the conduct of security operations in detention centres, including the use of force, prison raids and search exercises as well as strip and frisk searches, comply with international human right law and standards;

<sup>38</sup> Organization representing Naibelys Noel.

<sup>39</sup> A/HRC/56/63 para 28.

<sup>40</sup> A/HRC/56/63 Para 80(h).

(b) Ensure all detentions fully comply with international human rights law, including those conducted by intelligence services under crimes of terrorism. Legislation on terrorism-related crimes should be repealed or amended to bring in line with international law, including the principle of legality;

(c) Restrict the application of counter-terrorism legislation to strictly comply with international standards, avoiding its use to silence perceived dissenting voices. Proceedings at special courts against terrorism must fully comply with fair trial and due process;

(d) Guarantee the rights to fair trial and legal defence in court, including by ensuring the appointment of a lawyer of the defendant's choice, and the participation of the defendant in the trial, and the holding of virtual hearings, only in accordance with due process and international standards;

(e) Carry out a prompt and thorough investigations into allegations and cases of violations of the right to life, and of violations of the right to personal integrity, including previously reported cases, and bring perpetrators to justice, while ensuring relatives can safely and freely participate in these proceedings.

(f) Urgently repeal or amend laws and regulations that limit freedoms of assembly, association and expression beyond the limitations permitted in international law, including the Law on the Control, Regularisation, Performance and Financing of Non-Governmental and Related Organizations (NGO law);

(g) Publish comprehensive disaggregated health and epidemiological data, with particular attention to the needs of women and girls, Indigenous Peoples, sexual and reproductive health, thus facilitating full understanding of the scope and scale of health needs, enabling informed decision-making and effective resource allocation;

(h) Engage in an inclusive, genuine, transparent and effective dialogue with unions, including within the education sector on working conditions, remuneration, with a view to negotiating a new collective convention. In addition, measures should be taken to ensure that all labour rights are fulfilled and protected, including in relation to salary;

(i) Take all necessary measures to ensure production, use, release, storage and disposal of hazardous substances and wastes particularly those emanating from the oil, gas and mining sectors, do not present a threat to the rights of Venezuelan people, with a view to protect human health and the environment;

(j) Ensure adequate funding allocation to support Indigenous Peoples' access to justice, including towards to establish coordination mechanisms between the ordinary justice system and the Indigenous justice systems existing in Venezuela;

(k) Adopt measures to safeguard digital space, including to prevent the use of internet technology and social media to intimidate, stigmatize and persecute perceived dissenting voices, while guaranteeing the right to freedom of expression and access to information;

87. The High Commissioner reiterates his call to the States Members of the United Nations and the international community to review and lift sectoral sanctions that exacerbate pre-existing challenges and negatively affect the enjoyment of human rights. Member States are also encouraged to contribute to efforts aimed at alleviating the human suffering in the Bolivian Republic of Venezuela, including by providing humanitarian funding.