



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS  
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Excellency,

I have been following the third cycle of the Universal Periodic Review (UPR) of the Bolivarian Republic of Venezuela and welcome the constructive engagement of the Government of Venezuela during the 40<sup>th</sup> session of the UPR Working Group in January/February 2022.

As the final outcome report on the review of Venezuela was recently adopted by the Human Rights Council at its 50<sup>th</sup> session, I would like to take this opportunity to follow up on a number of areas raised in the two reports that my Office had prepared for the review of Venezuela – the Compilation of United Nations information and the Summary of Stakeholders' submissions – which I consider in need of particular attention over the next four and a half years, until the next cycle of the UPR. In identifying those areas, I have considered the statements and recommendations made by 116 delegations and the presentation made and responses provided by the delegation of Venezuela. I have also taken into consideration the 12 voluntary commitments made by Venezuela. I have also considered the actions taken by the Government of Venezuela to implement the 193 recommendations supported during the second cycle of the UPR. The aforementioned areas cover a range of issues, which appear in the annex to this letter.

I acknowledge the reforms undertaken, in particular those related to justice, the police and detentions, and I encourage Venezuela to adopt further measures to promote structural and long-term changes. In this sense, I welcome the voluntary commitments adopted by Venezuela to continue strengthening the Governmental institutions in charge of the justice system, reviewing the existing legal framework on the prevention of torture as well as strengthening the National Commission for Torture Prevention. Likewise, I commend Venezuela's will to pursue an independent investigation of all cases of human rights violations and to improve the action of security forces in the cases of human rights violations and in the use of force.

I encourage Venezuela to promote a safe environment for civil society's work and, in this sense, I warmly welcome the voluntary commitment assumed by the State to continue strengthening the full exercise of the right to freedom of opinion and expression, as well as to guarantee the rights to freedom of association, assembly and peaceful demonstration. This commitment requires strong guarantees to allow civil society organizations and trade unions to continue with their activities without undue interference, for journalists to work without fear of retaliation, and for all political opinions to be freely expressed.

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H.E. Mr. Carlos FARÍA TORTOSA  
Minister of People's Power for Foreign Affairs  
Bolivarian Republic of Venezuela



I also encourage Venezuela to take further steps for the full and progressive realization of the economic, social, cultural and environmental rights, and to double efforts to leave no one behind. I warmly welcome the voluntary commitment assumed by Venezuela to continue incorporating the historically excluded sectors for their full enjoyment of their human rights, based on the principle of equality and non-discrimination.

I commend the development of the second national human rights action plan and encourage Venezuela to implement it effectively in order to achieve concrete results in the areas highlighted in the annex to this letter, in line with the announcement made by the Executive Secretary of the National Human Rights Council during the Universal Periodic Review in January 2022, as well as to facilitate preparations for the fourth cycle of the UPR. My advice to all Member States is to develop and implement national action plans in close consultation and cooperation with all stakeholders, in particular the national human rights institution and all civil society organizations and, where necessary, with the support of international organizations, including my Office and other United Nations entities, under the leadership of the United Nations Resident Coordinator.

I also encourage Venezuela to pursue further efforts to establish a national mechanism for comprehensive reporting and follow-up to recommendations received from all international and regional human rights mechanisms and to treaty obligations, linking them to the Sustainable Development Goals. I welcome the voluntary commitment assumed by Venezuela in that regard. To this end, I strongly recommend the use of the OHCHR practical guide on this topic, which is available at:

[http://www.ohchr.org/Documents/Publications/HR\\_PUB\\_16\\_1\\_NMRF\\_PracticalGuide.pdf](http://www.ohchr.org/Documents/Publications/HR_PUB_16_1_NMRF_PracticalGuide.pdf)

Please note that I am sharing my advice with all Member States as they go through the third cycle of the UPR with a view to assisting States with the implementation of the recommendations, following the review. One important measure that can positively contribute to follow-up action is voluntary mid-term reporting. Therefore, I strongly encourage all Member States to submit a voluntary mid-term report two years after the adoption of the UPR outcome report. In this regard, I encourage the Government of Venezuela to consider submitting a mid-term report on follow-up to the third cycle of the review by 2024.

As stated by the Secretary-General in his 2017 report on the work of the Organization (A/72/1, paragraph 98): *“The Human Rights Council’s universal periodic review process is now entering a new cycle, with every Member State scheduled for a third round of scrutiny. We will work to strengthen the relevance, precision and impact of the Council’s recommendations, including by providing better support to Member States in implementation, stronger collaboration with United Nations country teams and the establishment of national mechanisms for human rights reporting and follow-up to link the universal periodic review to the implementation of the Sustainable Development Goals.”*

My Office looks forward to discussing with you ways in which it may assist Venezuela in relation to the areas identified in this letter and its annex.

Please accept, Excellency, the assurances of my highest consideration.

A handwritten signature in black ink, appearing to read 'M. Bachelet', with a long horizontal flourish extending to the right.

Michelle Bachelet  
High Commissioner for Human Rights



cc.: H.E. Ms. Delcy RODRIGUEZ GÓMEZ  
Executive Vicepresident and Minister of People's Power for Economy, Finance and  
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Bolivarian Republic of Venezuela

Mr. Gianluca RAMPOLLA DEL TINDARO  
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## **Annex**

### **Scope of international obligations and cooperation with international human rights mechanisms and bodies**

- Pursue discussions with the aim of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance.
- Cooperate with international human rights instruments and mechanisms, including supporting regular and unrestricted United Nations special procedures visits.
- Expand areas of cooperation with the Office of the United Nations High Commissioner for Human Rights, in particular by guaranteeing that OHCHR staff can move freely, with appropriate security conditions, and by having unhindered access to detention centers and other facilities; and by promoting cooperation with the International Criminal Court and other international agencies to strengthen the promotion of fundamental rights.

### **National human rights framework**

- Continue efforts aimed at facilitating sincere and open dialogue with all stakeholders and promoting national reconciliation, including at the local level.
- Strengthen the Venezuela National Human Rights Protection System and the coordination between the institutions responsible for the promotion and protection of human rights, expanding communication channels with civil society.

### **Implementation of international human rights obligations, taking into account applicable international humanitarian law**

#### **A. Cross-cutting issues**

##### *Equality and non-discrimination*

- Continue to implement national policies to strengthen equality and non-discrimination, particularly of the most vulnerable groups, and combat all kinds of discrimination.
- Continue implementing public policies to guarantee gender equality and the rights of LGBTIQ+ communities, and combat all kinds of discrimination.

##### *Development, the environment, and business and human rights*

- Continue the efforts to develop a national plan on business and human rights.
- Intensify the efforts to develop and strengthen the necessary legislative frameworks to address cross-sectoral environmental challenges, including climate change and disaster risk reduction frameworks.
- Continue to promote sustainable economic and social development, and improve people's living standards.

### *Human rights and counter-terrorism*

- Conduct a review of the laws and regulations on terrorism financing, registration and funding that are imposed on civil society organizations, to ensure they are in line with international human rights standards.

## **B. Civil and political rights**

### *Right to life, liberty and security of person*

- Implement a comprehensive reform of security institutions and policies, to effectively address human rights concerns and provide redress to victims of human rights violations, and to comply with international norms and principles on the use of force and human rights, as well as to restore the civilian character of the police forces using the necessary inner and external control mechanisms.
- Take measures to prevent human rights violations, such as torture and extrajudicial executions, and ensure the investigation and sanctioning of perpetrators.
- Strengthen the National Commission for the Prevention of Torture and Cruel, Inhuman or Degrading Treatment, in compliance with international human rights norms, and guarantee the representation of all institutions as stated in the law.
- Ensure that detention conditions comply with the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules).

### *Administration of justice, including impunity, and the rule of law*

- Continue adopting necessary measures to guarantee the independence and impartiality of the judicial system, ensuring that judicial actions operate under the legality and due diligence principles.
- Guarantee that judicial authorities conduct independent and impartial investigations and expeditious prosecution of all cases of human rights violations, in accordance with international law, including summary executions, torture and arbitrary detention by the national police and security forces.

### *Fundamental freedoms and the right to participate in public and political life*

- Harmonize the national legal framework with international human rights standards to remedy inaccuracies that could restrict the fundamental freedoms and work of human rights defenders.
- Guarantee a free environment to allow civil society organizations to work, and adopt a protection policy for human rights defenders, in particular against harassment, criminalization and prosecution.
- Guarantee freedom of expression and opinion on- and off-line and access to justice for victims of these violations, and ensure that human rights defenders, journalists and humanitarian workers can operate in a safe and non-discriminatory environment.
- Provide an enabling democratic environment for activities of political opposition, journalists and human rights defenders.

- Ensure respect for freedom of assembly, opinion, and expression for peaceful demonstrators or protesters.

#### *Prohibition of all forms of slavery*

- Establish specialized institutions and policies to document cases of migrants, women, children and the most vulnerable becoming victims of human trafficking, forced prostitution and sexual slavery, and to protect them from such occurrences.
- Pursue the efforts undertaken to combat trafficking in human beings, particularly the sexual exploitation of children and women, by strengthening the fight against traffickers.

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

#### *Right to an adequate standard of living*

- Implement measures designed to guarantee equal access to social assistance programmes, and investigate allegations of discriminatory access to them.
- Continue improve the living standards of the population and reduce poverty by, among others, increasing access to food, electricity, drinkable water and sanitation.
- Implement policies to guarantee the right to food, water and health of Venezuelan population.

#### *Right to health*

- Intensify efforts to guarantee access to basic health services for all sections of the population.
- Increase efforts to continue developing the attention to health system, in particular with a view to achieve a major reduction of maternal mortality.
- Improve access to adequate sexual and reproductive health services, in particular to antenatal, delivery and postnatal services.

#### *Right to education*

- Continue to pursue initiatives to enhance the education of children and adolescents at all levels.
- Continue the implementation of intercultural schools at the national level, in order to provide bilingual intercultural education to students, taking into account the cultural specificity of each indigenous people.

### **D. Rights of specific persons or groups**

#### *Women*

- Continue measures to promote gender equality and the fight against all kinds of discrimination.
- Approve a national action plan to fight violence against women and allocate necessary resources for its implementation.





- Adopt a regulation for the implementation of the Organic Act on the Rights of Women and a Life Free of Violence.
- Guarantee the respect of women and girls' rights, in particular those related to sexual and reproductive health.
- Increase efforts to protect the rights of women and girls and take urgent measures to eliminate all forms of violence against them, especially those deprived of liberty, through coordinated and comprehensive preventive measures, and ensure access to justice and remedies for victims.

#### *Children*

- Continue elaborating public policies and programs that protect children and adolescents rights.
- Strengthen institutions and mechanisms for the protection of unaccompanied minors and combat all forms of violence, exploitation and abuse against them.

#### *Persons with disabilities*

- Continue taking measures towards combating all forms of discrimination against persons with disabilities.
- Strengthen the Specialized Comprehensive Protection Unit to enhance protection to children and adolescents with disabilities.
- Continue to develop training programmes to enhance the capabilities of the teaching staff of children and adolescents with disabilities, including the award of a certificate in Venezuelan Sign Language, as well as a certificate of full proficiency in Braille, orientation and mobility techniques.

