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**Universal periodic review**

## **Report of the Working Group on the Universal Periodic Review\***

### **Bolivarian Republic of Venezuela**

#### **Addendum**

**Views on conclusions and/or recommendations, voluntary commitments  
and replies presented by the State under review**

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\* The present document is being issued without formal editing.



1. The Bolivarian Republic of Venezuela strongly supports the universal periodic review as a way to encourage the effective promotion, protection, respect and guarantee of human rights, including the right to development, in strict adherence to the principles that must govern efforts to address human rights issues.
2. The implementation of the recommendations made and commitments undertaken as part of the previous cycle and the preparation of the national report for the third cycle of the universal periodic review were carried out in a spirit of participation and inclusion, with the support of the United Nations system.
3. During this exercise, Venezuelan social movements and organizations sent the Human Rights Council a total of 174 submissions – an authentic demonstration of the model of participatory and proactive democracy adopted by the country.
4. Venezuela participated constructively in the universal periodic review interactive dialogue held on 25 January 2022, with a high-level delegation headed by the Executive Vice-President of the Bolivarian Republic of Venezuela, Delcy Rodríguez Gómez, and composed of representatives of the five branches of government (executive, legislative, judicial, civic and electoral).
5. As part of the interactive dialogue, Venezuela presented its progress in various areas of human rights, as well as existing challenges, including the negative impact caused by the unilateral coercive measures that have been illegally and illegitimately imposed against the country.
6. The interactive dialogue was a genuine exercise in cooperation, which could not be undermined by a small group of States accustomed to using the issue of human rights and the Council's mechanisms for political purposes, contrary to the spirit of the universal periodic review and the principles of the Charter of the United Nations.
7. Venezuela took note of the comments made by the delegations that took part in the interactive dialogue with the Working Group on the Universal Periodic Review and it undertook to carefully examine the 328 recommendations received.
8. In order to establish a national position on the recommendations received, extensive consultations were held with government agencies and other stakeholders in the months that followed the interactive dialogue.
9. In the sections that follow, the Bolivarian Republic of Venezuela presents its position on the 328 recommendations received.

## **I. Recommendations that enjoy the support of the Venezuelan State (119)**

10. Recommendations: 31.19, 31.28, 31.29, 31.33, 31.37, 31.39, 31.40, 31.41, 31.43, 31.46, 31.52, 31.65, 31.68, 31.69, 31.70, 31.71, 31.74, 31.76, 31.77, 31.78, 31.82, 31.83, 31.84, 31.85, 31.86, 31.87, 31.88, 31.89, 31.90, 31.93, 31.95, 31.96, 31.97, 31.98, 31.99, 31.100, 31.101, 31.102, 31.104, 31.107, 31.108, 31.114, 31.135, 31.153, 31.157, 31.162, 31.209, 31.217, 31.218, 31.226, 31.228, 31.229, 31.230, 31.236, 31.237, 31.238, 31.240, 31.241, 31.242, 31.243, 31.244, 31.247, 31.248, 31.249, 31.250, 31.251, 31.253, 31.254, 31.255, 31.256, 31.257, 31.258, 31.259, 31.260, 31.262, 31.264, 31.267, 31.270, 31.272, 31.273, 31.274, 31.275, 31.276, 31.277, 31.278, 31.279, 31.280, 31.281, 31.282, 31.283, 31.284, 31.285, 31.286, 31.287, 31.293, 31.294, 31.296, 31.297, 31.300, 31.301, 31.303, 31.304, 31.305, 31.306, 31.307, 31.308, 31.309, 31.310, 31.311, 31.314, 31.315, 31.316, 31.320, 31.321, 31.322, 31.325, 31.326, 31.327, 31.328.
11. A total of **119** recommendations enjoy the support of the Bolivarian Republic of Venezuela, which took account of the fact that they were drafted in a constructive spirit and in strict adherence to the founding principles of the universal periodic review. In addition, they are compatible with the country's legal system and can be implemented by the institutions of the Bolivarian Republic of Venezuela.

## II. Recommendations that enjoy the support of the Venezuelan State because they have already been or are being implemented (102)

12. Recommendations: 31.30, 31.31, 31.42, 31.44, 31.63, 31.64, 31.72, 31.73, 31.75, 31.81, 31.91, 31.92, 31.94, 31.105, 31.106, 31.112, 31.113, 31.115, 31.116, 31.119, 31.120, 31.121, 31.122, 31.123, 31.124, 31.125, 31.126, 31.127, 31.132, 31.133, 31.136, 31.137, 31.138, 31.140, 31.141, 31.142, 31.143, 31.144, 31.146, 31.148, 31.152, 31.154, 31.155, 31.156, 31.160, 31.161, 31.163, 31.165, 31.168, 31.169, 31.171, 31.175, 31.183, 31.184, 31.186, 31.189, 31.192, 31.194, 31.195, 31.196, 31.197, 31.198, 31.199, 31.200, 31.203, 31.204, 31.205, 31.207, 31.208, 31.211, 31.213, 31.214, 31.219, 31.224, 31.225, 31.231, 31.232, 31.235, 31.239, 31.245, 31.252, 31.263, 31.265, 31.266, 31.268, 31.269, 31.271, 31.288, 31.289, 31.290, 31.291, 31.292, 31.295, 31.299, 31.302, 31.312, 31.313, 31.317, 31.318, 31.319, 31.323, 31.324.

13. These **102** recommendations enjoy the support of the Venezuelan State and have either already been implemented or are in the process of being implemented under the plans and policies adopted by the institutions of the Bolivarian Republic of Venezuela, in line with the Constitution and the international human rights treaties ratified by the country. These recommendations have been or are being implemented with the support of the United Nations system, including technical assistance from the Office of the United Nations High Commissioner for Human Rights.

## III. Recommendations noted by the Venezuelan State (48)

14. Recommendations: 31.1, 31.2, 31.3, 31.4, 31.5, 31.6, 31.7, 31.8, 31.9, 31.10, 31.11, 31.12, 31.13, 31.14, 31.15, 31.16, 31.17, 31.18, 31.20, 31.21, 31.22, 31.23, 31.24, 31.25, 31.26, 31.27, 31.32, 31.34, 31.35, 31.36, 31.38, 31.45, 31.47, 31.48, 31.49, 31.50, 31.51, 31.79, 31.80, 31.103, 31.109, 31.118, 31.134, 31.139, 31.191, 31.210, 31.261, 31.298.

15. Venezuela has noted these **48** recommendations, which it considers to be drafted in such a way that makes them impossible to implement for the time being. Many of the issues addressed are being analysed and discussed by the Venezuelan institutions, within the framework of the Constitution, national laws and the international human rights treaties ratified by the country.

16. Ratification of an international treaty is a sovereign matter to be undertaken by the Venezuelan State with the utmost rigour and seriousness. The ratification of a treaty requires a comparative analysis of its provisions, a broad consultation process with the relevant institutions, a thorough study of the legal system and an analysis of current policies and programmes, in order to ensure the compatibility of the international obligations to be assumed under the treaty with the national legislation and the political, economic, social and cultural reality of the country.

## IV. Recommendations that do not enjoy the support of the Venezuelan State (59)

17. Recommendations: 31.53, 31.54, 31.55, 31.56, 31.57, 31.58, 31.59, 31.60, 31.61, 31.62, 31.66, 31.67, 31.110, 31.111, 31.117, 31.128, 31.129, 31.130, 31.131, 31.145, 31.147, 31.149, 31.150, 31.151, 31.158, 31.159, 31.164, 31.166, 31.167, 31.170, 31.172, 31.173, 31.174, 31.176, 31.177, 31.178, 31.179, 31.180, 31.181, 31.182, 31.185, 31.187, 31.188, 31.190, 31.193, 31.201, 31.202, 31.206, 31.212, 31.215, 31.216, 31.220, 31.221, 31.222, 31.223, 31.227, 31.233, 31.234, 31.246.

18. This small group of **59** recommendations does not enjoy the support of the Bolivarian Republic of Venezuela, which takes the view that that they depart from the constructive spirit of the universal periodic review and are a concrete example of the politicized use of human rights to attack a sovereign State, in contravention of the principles of international law.

Furthermore, many of these recommendations are incompatible with the Constitution and the domestic legal system.

19. Venezuela is a democratic and social State of law and justice, which recognizes the respect and guarantee of human rights as a supreme value in its legal system and its actions. Its public authorities exercise their respective powers autonomously and work together to achieve the purposes of the State.

20. The Venezuelan Government has made consistent use of national dialogue to promote the settlement of disputes within society and to reach satisfactory agreements for the welfare of the people. The Head of State made more than 500 public calls for dialogue during the third cycle of the universal periodic review. The agenda of the dialogue process is the sole responsibility of the Venezuelan people, and there may be no interference in this matter.

21. In Venezuela, human rights are respected and guaranteed to all persons, without discrimination of any kind. Persons deprived of liberty are subject to criminal proceedings conducted by the justice system and are provided fair-trial guarantees, including the full exercise of their rights to effective judicial protection, due process and the legitimate right to defence.

22. Venezuela reaffirms that it does not recognize, nor will it recognize, parallel and unnecessary mechanisms that seek to hinder the fluid cooperative relations established with the Office of the United Nations High Commissioner for Human Rights, in clear violation of the fundamental pillars of multilateralism and the functioning of the Human Rights Council, as enshrined in the Charter of the United Nations, the resolutions of the General Assembly and the Council's institution-building package, among other relevant instruments.

## V. Voluntary commitments (12)

23. The Bolivarian Republic of Venezuela, taking into account the principles of the universal periodic review and the constructive dialogue held with the Working Group of the Universal Periodic Review, has undertaken the following 12 voluntary commitments:

(a) Continue to protect the human rights of the population despite the impact of the unilateral coercive measures taken against the country;

(b) Maintain and consolidate the right to peace, increase suffrage as a means to overcome differences and deepen dialogue and national reconciliation for the country's continued progress towards the full realization of all human rights;

(c) Strengthen coordination among the institutions responsible for promoting and protecting human rights, while improving channels of communication with Venezuelan society;

(d) Continue to extend the full protection of human rights to historically excluded sectors, with respect for equality and without discrimination;

(e) Continue strengthening justice system institutions with a view to protecting everyone's right to enjoy free, accessible, impartial, appropriate, transparent, autonomous, independent, responsible, fair and speedy justice, without undue delays, superfluous formalities or unnecessary reviews;

(f) Undertake a comprehensive review of the existing legal framework on torture prevention and strengthen the National Commission for the Prevention of Torture;

(g) Implement a national mechanism for following up the recommendations of the international human rights protection system;

(h) Continue to broaden the debate on legislative development, with a view to adopting regulations to expand and strengthen human rights in the country;

(i) Deepen cooperation with the Human Rights Council and other United Nations mechanisms for the promotion and protection of human rights;

- (j) Continue the process of reviewing and analysing international human rights instruments with a view to their possible accession and ratification;
- (k) Continue upholding the full enjoyment of the human right to freedom of opinion and expression and protecting the rights of association, assembly and peaceful demonstration;
- (l) Continue working on the human rights training programme for public servants for the purpose of national capacity-building.

## VI. Conclusion

24. After carefully analysing the **328** recommendations received during the interactive dialogue with the Working Group of the Universal Periodic Review, the Bolivarian Republic of Venezuela indicates its acceptance of **221** recommendations on the assumption that they have been, are being or will be implemented. Venezuela has noted another **48** recommendations, which it considers to be drafted in such a way that makes them impossible to implement for the time being. A total of **59** recommendations do not enjoy the support of the State because they are biased, confusing, politically motivated, based on false pretences and contrary to the spirit of cooperation and respect that should prevail in the universal periodic review. In addition, Venezuela has undertaken **12** voluntary commitments.

25. Venezuela's position on the recommendations received as part of the third universal periodic review is an expression of its firm commitment to the promotion, protection, respect and guarantee of human rights, including the right to development, as well as its willingness to cooperate with the Human Rights Council and its mechanisms.

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