



General Assembly

Distr.: Limited
4 October 2024

Original: English

Human Rights Council

Fifty-seventh session

9 September–11 October 2024

Agenda item 4

Human rights situations that require the Council's attention

Albania, Argentina, Australia,* Austria,* Belgium, Canada,* Chile, Costa Rica, Croatia,* Czechia,* Denmark,* Ecuador,* Estonia,* Finland, France, Georgia, Germany, Greece,* Guatemala,* Iceland,* Ireland,* Italy,* Latvia,* Lithuania, Luxembourg, Malta,* Monaco,* Montenegro, Netherlands (Kingdom of the), New Zealand,* North Macedonia,* Paraguay, Poland,* Portugal,* Romania, Slovakia,* Spain,* Sweden,* Ukraine,* United Kingdom of Great Britain and Northern Ireland,* United States of America and Uruguay*: draft resolution

57/... Situation of human rights in the Bolivarian Republic of Venezuela

The Human Rights Council,

Guided by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

Reaffirming the primary responsibility of States to promote, protect, respect and fulfil the human rights and fundamental freedoms of their population and to fulfil their obligations under the human rights treaties, agreements and other instruments to which they are parties, as well as their human rights commitments,

Recalling Human Rights Council resolutions 39/1 of 27 September 2018, 42/25 of 27 September 2019, 45/20 of 6 October 2020 and 51/29 of 3 October 2022 on the Bolivarian Republic of Venezuela, as well as 42/4 of 26 September 2019 and 45/2 of 6 October 2020, which were supported by the country concerned,

Recalling also the Partial Agreement on the Promotion of Political Rights and Electoral Guarantees for All, signed in Barbados on 17 October 2023,

Welcoming the reports of the United Nations High Commissioner for Human Rights¹ and the international independent fact-finding mission on the Bolivarian Republic of Venezuela,² and other international organizations and mechanisms, and expressing grave concern at the continued serious human rights violations and abuses in the Bolivarian Republic of Venezuela that they highlight,

Expressing concern that the ongoing crisis continues to have a disproportionate impact on the rights of women, children, older persons, persons with disabilities, migrants,

* State not a member of the Human Rights Council.

¹ A/HRC/47/55, A/HRC/48/19, A/HRC/50/59, A/HRC/53/54 and A/HRC/56/63.

² A/HRC/48/69, A/HRC/51/43, A/HRC/54/57 and A/HRC/57/57.



refugees and asylum-seekers, Indigenous Peoples, particularly in the Arco Minero del Orinoco region, and other persons belonging to groups in vulnerable situations,

Expressing grave concern at the protracted humanitarian crisis, which has led to more than 7.7 million people being compelled to leave the Bolivarian Republic of Venezuela, and about the more than 7.6 million people within the country who remain in need of humanitarian assistance owing to the ongoing political and economic crisis,

Welcoming the extensive and continuing efforts of neighbouring and other countries, especially in the region, to host Venezuelan migrants, refugees and asylum-seekers, including through the establishment and implementation of programmes for the inclusion of Venezuelans in the host communities to promote and protect their human rights, and the humanitarian assistance provided by the United Nations, other humanitarian organizations and partner countries, including by different means of coordination such as the Quito Process, the Inter-agency Coordination Platform for Refugees and Migrants from Venezuela, and the International Conferences in Solidarity with Venezuelan Refugees and Migrants and their Host Countries and Communities, among others, and affirming the need to enhance international cooperation with the host and transit countries of Venezuelan migrants, refugees and asylum-seekers,

Alarmed at continued reports of worsening human rights violations and abuses and increasing restrictions of civic and democratic space, particularly in the context of the presidential elections, including arbitrary deprivations of life, large numbers of arbitrary detentions, some of which may amount to enforced disappearances, disproportionate use of force by law enforcement officials and armed individuals known as *colectivos*, acts of intimidation, attacks, harassment, reprisals, including through the cancellation of passports, and public defamation of opposition leaders, peaceful protesters, journalists and other media workers, lawyers, human rights defenders, persons who served in the electoral process, including as electoral observers, Indigenous Peoples, and other civil society stakeholders,

Deeply concerned by all human rights violations and abuses committed against persons for exercising their human rights and fundamental freedoms on the Internet, and alarmed at reports of closures of media outlets, surveillance, blocking and shutdowns of websites and digital platforms,

Expressing deep concern at recent reports of the detention of children and adolescents, who have been charged with the same serious crimes as adults and have not been accompanied by their parents or guardians during the judicial proceedings, and recalling the elements set out by the Committee on the Rights of the Child in its general comment No. 24 (2019) on children's rights in the child justice system,

Deeply regretting the decision of the Bolivarian Republic of Venezuela to suspend the in-country activities and presence of the Office of the United Nations High Commissioner for Human Rights, which is inconsistent with the confidential letter of understanding between the Office of the High Commissioner and the Bolivarian Republic of Venezuela, as highlighted by the High Commissioner in his update to the Human Rights Council on 7 July 2024,

Noting with appreciation the establishment of an office of the Prosecutor of the International Criminal Court in the Bolivarian Republic of Venezuela and the resumption of the Prosecutor's investigation under article 18 (2) of the Rome Statute of the International Criminal Court,

Affirming its strong conviction that there can only be a peaceful and democratic solution to the current crisis in the Bolivarian Republic of Venezuela and that such a solution lies with the Venezuelan people, without any sort of foreign military, security or intelligence interference, and expressing support for relevant diplomatic efforts in this regard,

Taking note of the concerns expressed by the United Nations Panel of Experts in their interim report on the 2024 Venezuelan presidential elections and the irregularities they documented therein, and reiterating that a Venezuelan-led solution requires respecting the will of the Venezuelan people, through free and fair democratic elections, in accordance with international standards, the verification of electoral proceedings, the transparent publication of election results as tallied by individual polling stations and their implementation,

1. *Strongly condemns* all violations and abuses of international human rights law in the Bolivarian Republic of Venezuela, some of which, according to the independent international fact-finding mission, may amount to crimes against humanity;
2. *Urges* the Bolivarian Republic of Venezuela to implement fully and immediately the recommendations contained in the recent reports of the United Nations High Commissioner for Human Rights and of the independent international fact-finding mission and to investigate all violations and abuses of human rights and hold those responsible to account;
3. *Also urges* the Bolivarian Republic of Venezuela to respect, protect and fulfil the right of citizens to take part in the conduct of public affairs and the rights to freedom of expression, peaceful assembly and association, and urges the Bolivarian Republic of Venezuela to cease its ongoing nationwide targeted repression and persecution on political grounds, including through the excessive use of force, arbitrary detention, including of children and adolescents, torture and other cruel, inhuman or degrading treatment or punishment, extrajudicial execution and enforced disappearance by the security and intelligence forces, intervention in the autonomy and composition of political parties, disqualification of opposition candidates from electoral processes and other restrictions to civic and democratic space;
4. *Calls upon* the Bolivarian Republic of Venezuela to cease immediately all acts of intimidation, attacks, harassment, surveillance, reprisals and public defamation of opposition leaders, peaceful protesters, journalists and other media workers, lawyers, human rights defenders, persons who served in the electoral process, including as electoral observers, Indigenous Peoples and other civil society stakeholders, and in this regard also calls upon the Bolivarian Republic of Venezuela to put an end to undue closures of media outlets and to violations of human rights online, including through the blocking and shutting down of websites and digital platforms;
5. *Calls upon* all stakeholders and political and social actors to abstain from resorting to acts of violence and repression that might jeopardize the peaceful settlement of the Venezuelan crisis;
6. *Urges* the Bolivarian Republic of Venezuela to immediately and unconditionally release all arbitrarily detained persons, including political prisoners, prioritizing those in vulnerable situations and those who remain in pretrial detention beyond the limits set out in national law, while ensuring guarantees of non-repetition, and also urges the Bolivarian Republic of Venezuela to improve conditions of detention and to uphold due process and fair trial guarantees for all detainees, including communication with counsel of their own choosing;
7. *Also urges* the Bolivarian Republic of Venezuela to adopt appropriate measures to address reported human rights violations and abuses, such as acts of violence and harassment, including sexual and gender-based violence, against women and girls in detention;
8. *Calls upon* the Bolivarian Republic of Venezuela to ensure that criminal legislation, particularly counter-terrorism legislation, and its application fully comply with international human rights law;
9. *Denounces* the adoption of legislation that restricts the right of citizens to take part in the conduct of public affairs and the rights to freedom of expression, peaceful assembly and association, and calls upon the Bolivarian Republic of Venezuela to refrain from adopting legislation that would further restrict these human rights;
10. *Expresses deep concern* that the continued erosion of the rule of law, the insecurity of tenure, the lack of transparency in the process of designating judges and prosecutors, the precarious working conditions and political interference, including the appointment of Supreme Court justices who lack independence, continue to undermine the independence of the justice system, contribute to impunity and the persistence of human rights violations and abuses, have an impact on access to justice for victims and hinder the holding of free and fair elections;

11. *Calls upon* parties in the Bolivarian Republic of Venezuela to engage in the preparation of a process that will ensure the holding of free and fair local, regional and legislative elections, with an independent national electoral council and an independent and impartial Supreme Court, full freedom of the press and the unfettered political participation of all Venezuelans and all political parties, without fear of repercussions or interference, respecting international standards and civil and political rights;

12. *Calls upon* the Bolivarian Republic of Venezuela to protect diplomatic facilities and personnel residing in Venezuelan territory, including individuals seeking asylum in such facilities, consistent with international law, in particular the Vienna Convention on Diplomatic Relations and the Vienna Convention on Consular Relations, bearing in mind the human rights of all individuals, including asylum-seekers;

13. *Expresses deep concern* at the human rights and environmental situation in the Arco Minero del Orinoco region and urges the Bolivarian Republic of Venezuela to cease and investigate all violations and abuses of human rights in the Arco Minero del Orinoco region, including those relating to labour exploitation of miners, child labour exploitation, disappearances, human trafficking, contemporary forms of slavery and violations and abuses of the rights of Indigenous Peoples;

14. *Requests* the High Commissioner to continue to monitor, report on and provide technical cooperation with a view to improving the situation of human rights in the Bolivarian Republic of Venezuela;

15. *Also requests* the High Commissioner to present to the Human Rights Council an oral update at its fifty-eighth and sixty-first sessions, to present to the Human Rights Council oral updates, to be followed by an interactive dialogue before the end of 2024 and before the end of 2025, and 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 to the Council for consideration at its fifty-ninth and sixty-second sessions, to be followed by an interactive dialogue;

16. *Decides* to extend for a period of two years the mandate of the independent international fact-finding mission on the Bolivarian Republic of Venezuela, as set out in Human Rights Council resolution 45/20, to enable the mission to continue to investigate gross violations of human rights, including extrajudicial executions, enforced disappearances, arbitrary detention, torture and other cruel, inhuman or degrading treatment, including those involving sexual and gender-based violence, committed since 2014, with a view to combating impunity and ensuring full accountability for perpetrators and justice for victims, with a particular focus on the situation of human rights in the Bolivarian Republic of Venezuela in the lead-up to, during and after the 2024 presidential elections, and on the violence by armed individuals known as *colectivos*;

17. *Requests* the fact-finding mission to present to the Human Rights Council an oral update on its work, followed by an interactive dialogue at the Council's fifty-eighth and sixty-first sessions, and to submit to the Council a report on its findings and recommendations for future action by the Council, followed by an interactive dialogue at its sixtieth and sixty-third sessions;

18. *Urges* the Bolivarian Republic of Venezuela to resume cooperation in a full manner with the Office of the United Nations High Commissioner for Human Rights and the fact-finding mission, to grant them immediate, full and unfettered access to the entire country, including to victims and places of detention, to provide them with all the information necessary to fulfil their mandates, and to ensure that all individuals have unhindered access to and can communicate with the United Nations and other human rights entities without fear of reprisal, intimidation or attack;

19. *Also urges* the Bolivarian Republic of Venezuela to cooperate fully with the International Criminal Court;

20. *Requests* the Office of the High Commissioner to continue its efforts towards the protection of human rights of migrants and refugees from the Bolivarian Republic of Venezuela and, in this respect, to promote effective measures and best practices, in

collaboration with the Office of the United Nations High Commissioner for Refugees, the International Organization for Migration and other relevant agencies, and invites all relevant stakeholders to enhance international cooperation with the host and transit countries of Venezuelan migrants, refugees and asylum-seekers;

21. *Requests* that the Office of the High Commissioner and the independent international fact-finding mission each be provided, in a timely manner, with all the resources necessary and the full administrative, technical and logistical support needed to carry out their respective mandates;

22. *Encourages* relevant special procedures of the Human Rights Council to pay particular attention, within their respective mandates, to the situation of human rights in the Bolivarian Republic of Venezuela, and urges the Bolivarian Republic of Venezuela to cooperate fully with their work, including by facilitating country visits;

23. *Decides* to remain actively seized of the matter.
