
Bolivarian Republic of Venezuela

Opinions on the conclusions and / or recommendations, voluntary commitments and responses submitted by the State under review

Addendum

The Bolivarian Republic of Venezuela, inspired by respect for the principles of sovereignty, self-determination of peoples and peace, has committed itself from the arrival of the Bolivarian Revolution in 1999, promoted by the Leader Supreme Commander Hugo Chávez Frías, to a profound transformation of all instances of Venezuelan society and has been structuring novel legal, institutional and national budget mechanisms aimed at progressively eradicating the profound political, economic, social and cultural inequalities imposed on the Venezuelan people for centuries. The current Venezuelan State has sought to overcome a long history of exploitation, exclusion and discrimination, fundamentally of children, peasants, people with disabilities, diverse sex people, indigenous, female and Afro-descendant.

The Constitutional Government of President Nicolás Maduro Moros, under the transversal axis of the human right to political participation, promotes the leading and co-responsible participation of the social movements, people´s and non-state organizations that in the current cycle of the Universal Periodic Review (UPR) sent to the Human Rights Council (HRC), a total of 517 contributions, demonstrating the breadth and plurality of opinions that gives this UPR a legitimacy reflected in the interactive dialogue held at the CHR on 1st November 2016.

Venezuela, with a high-level delegation comprising the different branches of the National Public Power, successfully demonstrated in the presentations of its second UPR the support and commitment to this mechanism to promote effective promotion, respect, guarantees and protection of human rights. Interactive dialogue was a genuine exercise of cooperation through which the legal bases, guarantees and good practices that the State has been developing in Human Rights were established, reflecting the challenges that still lie ahead.

The Venezuelan State carefully studied all the recommendations formulated within the framework of the second cycle of the UPR, for which it held wide consultations and working groups with all the actors involved in the broad State institutions after the fruitful exercise with the HRC.

The Venezuelan State then presents its position on the recommendations formulated during the Second UPR Cycle.

1. Recommendations that have the support of the Venezuelan State because they have been implemented:

Recommendations: 133.2, 133.7, y 133.8.

2. Recommendations that have the support of the Venezuelan State because they are already being implemented:

Recommendations:

133.10, 133.12, 133.17, 133.19, 133.21, 133.22, 133.23, 133.24, 133.25, 133.28, 133.29, 133.30, 133.31, 133.32, 133.33, 133.34, 133.35, 133.36, 133.37, 133.38, 133.41, 133.42, 133.43, 133.44, 133.45, 133.46, 133.47, 133.48, 133.49, 133.50, 133.51, 133.52, 133.53, 133.54, 133.55, 133.56, 133.57, 133.58, 133.60, 133.61, 133.62, 133.63, 133.64, 133.65, 133.66, 133.67, 133.68, 133.69, 133.70, 133.71, 133.72, 133.73, 133.74, 133.75, 133.76, 133.77, 133.97, 133.101, 133.102, 133.103, 133.104, 133.105, 133.106, 133.107, 133.108, 133.109, 133.110, 133.111, 133.114, 133.116, 133.117, 133.118, 133.119, 133.120, 133.121, 133.123, 133.124, 133.126, 133.127, 133.128, 133.129, 133.130, 133.133, 133.139, 133.140, 133.141, 133.142, 133.143, 133.144, 133.145, 133.146, 133.147, 133.148, 133.151, 133.152, 133.153, 133.154, 133.155, 133.156, 133.158, 133.159, 133.164, 133.166, 133.167, 133.168, 133.169, 133.170, 133.171, 133.172, 133.173, 133.174, 133.175, 133.177, 133.178, 133.181, 133.182, 133.185, 133.186, 133.187, 133.189, 133.190, 133.193, 133.194, 133.195, 133.197, 133.199, 133.201, 133.202, 133.207, 133.208, 133.209, 133.210, 133.211, 133.212, 133.213, 133.214, 133.216, 133.218, 133.219, 133.220, 133.221, 133.222, 133.223, 133.224, 133.225, 133.226, 133.227, 133.228, 133.229, 133.230, 133.231, 133.233, 133.234, 133.236, 133.237, 133.239, 133.240, 133.241, 133.242, 133.244, 133.245, 133.246, 133.248, 133.249, 133.250, 133.251, 133.252, 133.253, 133.254, 133.255, 133.256, 133.258, 133.259, 133.260, 133.261, 133.263, 133.264, 133.265, 133.266, 133.267, 133.268, 133.269, 133.270, 133.271, 133.272, 133.273, y 133.274.

The large number of recommendations mentioned above has the acceptance of the Venezuelan State, since many of them have already been implemented or are already being implemented or will be implemented within the framework of public policies as a priority in its first National Plan of Human Rights 2016-2019 and under the supervision-evaluation of the National Human Rights Council.

3. Recommendations that have the support of the Venezuelan State because they will be implemented

Recommendations: 133.247, 133.257, y 133.262.

4. Recommendations on which the Venezuelan State takes note

Recommendations:

133.1, 133.3, 133.4, 133.5, 133.6, 133.9, 133.11, 133.13, 133.14, 133.15, 133.16, 133.20, 133.59, 133.81, 133.82, 133.83, 133.84, 133.88, 133.112, 133.113, 133.136, 133.137, 133.183, 133.198, 133.232, 133.235, 133.238, y 133.243.

Venezuela takes note of the recommendations described above and expresses the following comments:

- The process of ratification of an international treaty is assumed by the Venezuelan State with utmost rigor and seriousness. An International Treaty, by constitutional mandate, must respond to the sovereignty and interests of the Venezuelan people. In order to ratify a treaty, sufficient time is required to carry out the comparative analysis of its provisions, a broad process of consultation with the institutions concerned, a detailed study of the legal system and the analysis of the policies and programs in force, with a view to ensuring the compatibility of the international obligations that they intend to assume with national legislation and the social, cultural, economic and political reality of the country.
- The Venezuelan State, as a member of the CHR has maintained, maintains and will maintain close cooperation with the United Nations Human Rights Bodies, in particular with the HRC and its mechanisms, extensive to the Office of the United Nations High Commissioner for Human Rights (OHCHR), as appropriate. Such collaboration is easily demonstrated by the extensive information provided systematically to all relevant mechanisms of the Universal Human Rights System. In that sense, in a sovereign way, Venezuela carefully evaluates the requests for visits to the country under the principles of objectivity, transparency, non-politicization, non-selectivity or the application of double standards.
- The Venezuelan State has been making all necessary efforts to counteract the decline in oil prices, its main export product. Venezuela is suffering a tough economic war that, under the non-conventional war modality, is organized and applied by factual, political and economic powers of certain national and international elites.
- For these reasons, some recommendations related to the right to health and food can be confusing because they contain a strong politicized negative orientation, which we believe were not formulated in a constructive-purpose spirit. This contributes to exacerbate the negative consequences caused by the incessant economic war, the constant harassment, siege and the permanent threats that have led to a progressive blockade in the economic, commercial and financial areas, with its respective negative consequences on the human rights of the population.

5. Recommendations that do not have the support of the Venezuelan State

Recommendations:

133.18, 133.26, 133.27, 133.39, 133.40, 133.78, 133.79, 133.80, 133.85, 133.86, 133.87, 133.89, 133.90, 133.91, 133.92, 133.93, 133.94, 133.95, 133.96, 133.98, 133.99, 133.100, 133.115, 133.122, 133.125, 133.131, 133.132, 133.134, 133.135, 133.138, 133.149, 133.150, 133.157, 133.160, 133.161, 133.162, 133.163, 133.165, 133.176, 133.179, 133.180, 133.184, 133.188, 133.191, 133.192, 133.196, 133.200, 133.203, 133.204, 133.205, 133.206, 133.215, y 133.217.

- The Venezuelan State, through a responsible conviction and in accordance with its deep democratic vocation, has been permanently promoting and strengthening constructive dialogues with the national actors that oppose both the National Government and the revolutionary political process with the highest popular nature; so we warn about the drafting of a few recommendations that are not really such and have been rejected due to misrepresentation, unreality or falsity. However, with regard to the issues of rights or guarantees mentioned in some of them, it should be emphasized that it is the focus of the Bolivarian constitutional process the effective and universal guarantee of all human rights in the widest possible way, whether for example the political participation, freedom of expression or information or the universal guarantee of rights to vulnerable groups.

- Biases and false assumptions implicated in these alleged recommendations, are liable to confusion or proceed in bad faith, and act against the mission of this valuable UPR and are contrary to the prominent importance that for Venezuela has the most comprehensive and progressive protection of Human Rights as a reason for being of its Constitution and republican life. Therefore, it should be emphasized that in Venezuela the exercise of human rights and freedoms is guaranteed in the most universal way possible, this is in favor of all the inhabitants of the Republic. In fact, the emphasis is on reaffirming the validity of women's rights; as well as the special protection of children and adolescents whose rights prevail; the rights of people with disabilities; in addition, the rights of persons belonging to indigenous peoples, Afro-descendants and other ethnic groups. In Venezuela, all restrictions on the free exercise of inherent rights with our democratic life are prohibited, such as the right to freedom of expression and the right to information that cannot be restricted, even under the rules on constitutional status; as well as the guarantee of the right to freedom of peaceful assembly and association, all in accordance with the Constitution and laws. Similarly, civil organizations freely exercise their rights, with no more limitations than those established in the Constitution and laws.

- Also, the Constitution and its application guarantee the full independence and autonomy of each of the branches of the Public Power, composed of five National Public Powers, in accordance with the constitutional mandate for the accomplishment of the State's purposes within the formation of a State of broad popular participation.
- On what is expressed in some recommendations that do not have the support of the State, Venezuelan makes clear that it has guaranteed the right to initiate and process the respective electoral procedures for the holding of recall referenda, including the previous stage of collection of manifestations of citizens' wills for its realization, as it is of public and notorious knowledge, in accordance with the established constitutional and legal requirements. As a result, the drafting of some recommendations directed to this effect lends themselves to confusion in the sense that the State denies this right, which is a false assumption.

6. Voluntary Commitments

The Bolivarian Republic of Venezuela made commitments on the following issues:

- a) To implement the new penitentiary system in one hundred percent of prisons in the country, in order to achieve the social reintegration of the inmates through methods based on principles of equality and social justice.
- b) To put into operation a specialized body for the attention to the victims of the violence.
- c) To reinforce the implementation of comprehensive public policies on citizen security, such as the "A Toda Vida Venezuela" (Full Life Venezuela) Great Mission, with a preventive and multi-agency approach for crime control, solidarity living, and the integral development of people and the community.
- d) To deepen the policies of comprehensive formation in human rights directed to the police officers and the members of the Bolivarian National Armed Forces
- e) To continue with public competitions for admission to the judicial career and to the Public Prosecutor's Office, in accordance with the provisions of the Constitution of the Bolivarian Republic of Venezuela.
- f) To establish the Congress of Human Rights as an annual space for dialogue and articulation of public policy in this area with human rights organizations and movements.

- g) To establish a permanent mechanism for monitoring the implementation of the recommendations made to the Venezuelan State by the Human Rights Council and treaty bodies of the United Nations.
- h) To continue to implement the National Human Rights Plan 2016-2019 and carry out an evaluation of its implementation and impact during 2019, taking into account the contribution of organizations and social movements and the United Nations system.
- i) To complete the construction of the National Monitoring System through the development of Indicators of Human Rights, for compliance and evaluation of all public policy in this area.
- j) To create and implement an action plan on business and human rights.
- k) To strengthen cooperation with the Human Rights Council and other organs of the United Nations system, increasing Venezuelan initiatives in all these areas.
- l) To encourage sustainable economic growth by increasing productivity levels and technological innovation, in order to promote the change in the rentier model of the economy that has characterized us in the last 100 years.
- m) To intensify the measures to approach and overcome early pregnancy.
- n) To increase the comprehensive attention to pregnant women as a priority of the State, through the evaluation and implementation of prenatal care programs, during and after childbirth, aimed at eradicating maternal mortality in the country.
- o) To strengthen political participation and empowerment of social and human rights organizations and movements, in more spaces of the National Public Power; as well as the greater strengthening of the Presidential Councils of the Government of the People's Power.
- p) To intensify actions in food terms, facilitating access to essential items for the entire population; strengthening public food distribution networks, through agricultural planning, ensuring food security and food sovereignty.
- q) To promote the new National Income System to university education, guaranteeing access with criteria of justice and equity.
- r) To increase student benefits, strengthening the granting of scholarships to undergraduate and graduate students to guarantee training in areas of national strategic development, providing health care completely free to students, as well as the construction and habilitation of student residences.

- s) To adopt normative instruments and specialized mechanisms to ensure equality and non-discrimination based on sexual orientation, gender identity or gender expression.
- t) To guarantee the increase of the service units for the administration of justice in the matter of gender, by means of the expedited attention for women, preventing re-victimization.
- u) To continue promoting the balance in gender parity with rotation, in terms of popular election positions, as well as in leadership roles and in all instances involving the exercise of power.
- v) To design and implement a National Plan against Trafficking in Persons.
- w) To carry out the necessary formalities for the adhesion to the Treaty of Marrakesh to facilitate the access to the works published to the visually impaired people or with other difficulties to access the printed text.
- x) To continue to implement and promote the modernization of the Simón Bolívar Braille Printing in order to ensure the preparation of printed materials in the different areas aimed at the population of people with visual disabilities.

7. Conclusions

The present addendum expresses the acceptance of **193** recommendations in the understanding that the Venezuelan State shares them because they have already been implemented, some are in the implementation phase or will be implemented. **28** recommendations commented on above were noted. **53** recommendations did not have the consent of the State, for being biased, confusing, politically malicious, and for being elaborated on false and contrary bases to the spirit of cooperation and respect that should prevail in the UPR.

The Venezuelan State satisfactorily undertakes **24** voluntary commitments that demonstrate our country's strong decision to promote, guarantee, fulfill and respect human rights, with a total of **217** commitments to be reviewed by the Human Rights Council in the III Cycle of the UPR in October 2021.

Lastly, it reiterates the commitment customarily demonstrated by the Venezuelan State to continue to cooperate with the human rights organs of the United Nations System, in particular with the Human Rights Council and its mechanism, the UPR, and to continue efforts to maintain an honest, positive, constructive, reciprocal and genuine dialogue on the broad themes of human rights based on respect for the sovereignty of all States, self-determination of their peoples and the right to live in peace for full realization of human rights.