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Elections to fill vacancies in subsidiary organs and other elections: election of members of the Human Rights Council

Note verbale dated 12 September 2022 from the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations addressed to the President of the General Assembly

The Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations, in response to the note verbale dated 9 September 2022 from the Office of the President of the General Assembly in reference to the election of members to the Human Rights Council for the period 2023–2025, scheduled for 11 October 2022 in New York, within the framework of the seventy-seventh session of the General Assembly, hereby recalls that on 30 October 2019 it announced its decision to present its candidature to the abovementioned body for the period 2023–2025.

In line with the provisions of General Assembly resolution [60/251](#), the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations is pleased to transmit the voluntary pledges and commitments of the Government of the Bolivarian Republic of Venezuela for the promotion and protection of human rights and respectfully requests the good offices of the Office of the President of the General Assembly of the United Nations to have the present note and its annex circulated as a document of the General Assembly, under agenda item 118 (c) of the provisional agenda.

* [A/77/150](#).



Annex to the note verbale dated 12 September 2022 from the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations addressed to the President of the General Assembly

[Original: Spanish]

Candidature of the Bolivarian Republic of Venezuela to the Human Rights Council (2023–2025)

Voluntary pledges and commitments with regard to the promotion and protection of human rights, pursuant to General Assembly resolution 60/251

Introduction

1. The Bolivarian Republic of Venezuela is a democratic and social State of law and justice. Its Political Constitution has been recognized as one of the most advanced constitutions in the world. The Venezuelan Constitution provides full guarantees of human rights. Through its participatory, proactive and dependable democracy, which promotes a broad-based and pluralistic exchange of ideas for its decision-making, the Bolivarian Government has been implementing policies for the full exercise of human rights. Thus, through its domestic laws and practical actions, the State is working to ensure that the fact that human rights are universal, indivisible, interdependent and interrelated is fully understood, respected and promoted.

2. The Bolivarian Republic of Venezuela welcomes the establishment of the Human Rights Council and the introduction of the universal periodic review mechanism into its institutional practices. Venezuela was reviewed during the first three cycles of the mechanism, on 7 October 2011, 1 November 2016 and 25 January 2022, as part of a broad, pluralistic and continuous process. During the last cycle, our country received a total of 328 recommendations and accepted 221 or more than 70 per cent of them, thus reflecting the great importance it attaches to the proposals made by the States Members of the United Nations for the promotion and protection of human rights. It is worth noting that all the accepted recommendations will be incorporated into the National Human Rights Plan and will form an integral part of the follow-up process to be undertaken by the State of Venezuela regarding the promotion, protection and enjoyment of human rights.

3. In Venezuela, the universal periodic review is a fundamentally grassroots effort to put human rights in their rightful place. It has become a cross-cutting element of public policy and a means of continuous evaluation and monitoring by the people that enables them to ensure that human rights are respected, promoted and realized.

4. An intra- and inter-institutional working group, which included representatives of all government bodies, was convened to draft the national reports under the universal periodic review. The process involved extensive social consultations, which led to the establishment of permanent national agencies for human rights training, with the participation of social organizations and movements, community councils and non-governmental organizations.

5. The Bolivarian Republic of Venezuela has also made great strides in terms of development and quality of life, despite the negative impact of the 502 unilateral coercive measures imposed on our country that affect our development model, even though poverty and inequality in the country have decreased over the last few years. In our national model, public policies aimed at eradicating poverty are being implemented based on the principles of universality, free access, equality, inclusiveness, solidarity, equity and social justice. These principles have been forcefully reflected in programmes developed to ensure dignity for girls, boys,

adolescents, women, persons with disabilities, older persons, people of diverse genders, people of African descent, indigenous peoples and other vulnerable segments of the population.

6. In that context, the Government of Venezuela is part of an international trend of ensuring constitutional recognition of the rights of indigenous peoples and people of African descent as specific and original rights, taking into account the multi-ethnic, pluricultural and multilingual nature of our society. In addition, a system that genuinely protects indigenous peoples and people of African descent has been developed. It recognizes and values their contributions, as indigenous Venezuelans and Afro-Venezuelans, to shaping our identity, as well the contributions of their basic social institutions. This system is complemented by mechanisms for political, inclusive, proactive and shared participation at every level of Venezuelan society that guarantee that indigenous peoples will always be represented, including in all of the country's parliamentary and legislative bodies.

7. As a State member of the Human Rights Council, Venezuela played a leading and effective role in the institutional strengthening of that body, with proposals aimed at consolidating the Council as a forum for genuine dialogue and honest and transparent cooperation, with a view to avoiding the political, selective and biased application of double standards and subjectivity which led to the abolition of the Commission on Human Rights. That body served primarily to carry out politically motivated actions against countries that were defending their sovereignty and their right to self-determination and were making serious efforts to ensure that all human rights were guaranteed, respected, promoted and realized, including the rights of peoples in relation to international solidarity, peace and development, in the context of their legitimate aspiration of achieving a truly democratic and equitable international order, for the promotion and protection of human rights, including the right to development.

8. The Bolivarian Republic of Venezuela believes that the special procedures of the Human Rights Council play a relevant role in the universal system for the promotion and protection of human rights. It is open to genuine and constructive dialogue with the special rapporteurs, independent experts, special representatives, working groups and thematic special procedures that adhere to the principles of impartiality and objectivity rather than engaging in coercion or acting outside the mandates given to them by States under Human Rights Council resolutions 5/1 and 5/2.

9. Our country values the excellent work carried out by the special procedures and the cooperation they undertake to help overcome shortcomings or difficult situations in relation to the promotion and protection of human rights, as necessary, with the utmost respect for the sovereignty and independence of States.

10. Venezuela is a State party to the large majority of international human rights instruments, which demonstrates its unequivocal commitment to the observance, promotion and protection of human rights. Instruments to which it is a party include the following:

- International Covenant on Economic, Social and Cultural Rights
- International Covenant on Civil and Political Rights
- Optional Protocol to the International Covenant on Civil and Political Rights
- Second Optional Protocol to the International Covenant on Civil and Political Rights, aiming at the abolition of the death penalty
- International Convention on the Elimination of All Forms of Racial Discrimination

- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
- International Convention on the Elimination of All Forms of Discrimination against Women
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women
- Convention on the Rights of the Child
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict
- International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
- Convention on the Rights of Persons with Disabilities

11. In compliance with its international obligations, the State of Venezuela regularly submits the reports required on its implementation and observance of the provisions of the two main international covenants and those of the various human rights conventions and their respective protocols to the various bodies established pursuant to the treaties it has signed (the Committees).

12. Venezuela has also contributed to the recognition of the Latin American and Caribbean region as a zone of peace free of weapons of mass destruction, the promotion of the peaceful settlement of disputes, and respect for the sovereignty of States and the right of peoples to self-determination. It fights for the elimination of the danger of war and the threat of force, and against interference in the internal affairs of States, which are principles enshrined in the Charter of the United Nations.

13. In April 2014, the President of the Bolivarian Republic of Venezuela, Nicolás Maduro Moros, through Decree No. 876, published in Official Gazette No. 40.386, established the National Human Rights Council with a view to strengthening public policy as a cross-cutting focus of the activities of the State of Venezuela in the area of human rights. The Council was established to coordinate the vast institutional framework that exists to guarantee, promote, respect and realize human rights, and to support and promote State policies aimed at ensuring the free exercise of human rights for all who live within the jurisdiction of the State, with special emphasis on the most vulnerable and socially at-risk groups. It was also established to systematize progress, monitor compliance with national and international commitments, detect challenges promptly and promote the necessary efforts to strengthen human rights actions.

14. The National Human Rights Council led the inter-agency, participatory and inclusive mechanism established to follow up on the implementation of the recommendations of the universal periodic review and organize the consultation process necessary for the preparation of the third national report.

15. The National Human Rights Council led the establishment of the National Human Rights Plan 2016–2019, a strategic document designed to steer the policy of the State of Venezuela to consolidate its achievements in the area of human rights and to continue its progress towards overcoming the remaining challenges. In 2016, 545 indicators were formulated to monitor the Plan. The projects, actions and resources necessary for its implementation were incorporated into the respective operating plans of the different State agencies. An inclusive assessment of the implementation of the National Human Rights Plan carried out in 2020 found that 93 per cent of the 213 actions envisaged thereunder had been fully or partially implemented.

16. In September 2019, the Bolivarian Republic of Venezuela and the Office of the United Nations High Commissioner for Human Rights signed a memorandum of understanding providing for the presence in the country of officers from the Office for the development of a technical cooperation and assistance agenda. The memorandum of understanding was renewed and extended in 2020 and 2021.

17. To date, the Bolivarian Republic of Venezuela has received visits from two special procedure mandate holders of the Human Rights Council, namely, the Independent Expert on the promotion of a democratic and equitable international order and the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights. Venezuela has extended an invitation to the Special Rapporteur on the right to development to visit the country. It has also extended an invitation to four mandate holders, namely: (a) the Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, (b) the Special Rapporteur on the right to food, (c) the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, and (d) the Independent Expert on the effects of foreign debt and other related international financial obligations of States on the full enjoyment of all human rights, particularly economic, social and cultural rights. In addition, Venezuela has responded to urgent appeals and requests for information issued by the special procedures.

18. The Bolivarian Republic of Venezuela, committed to the purposes and principles of the Charter of the United Nations and to the universal system for the promotion and protection of human rights, has the honour to share its voluntary pledges and commitments in respect of its candidature for membership in the Human Rights Council for the period 2023–2025, in line with the international treaties and conventions to which the State is a party and with its national plan for the period 2019–2025.

At the national level

- Continue to protect the human rights of the population despite the 502 unilateral coercive measures taken against the country.
- Maintain and consolidate the right to peace, increase suffrage as a means to overcome differences, and deepen dialogue and national reconciliation for continued progress towards the full realization of all human rights.
- Strengthen coordination among the institutions responsible for promoting, protecting and realizing human rights, while improving channels of communication with Venezuelan society.
- Continue to extend the full protection of human rights to historically excluded sectors, with respect for equality and without discrimination.
- 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.
- Undertake a comprehensive review of the existing legal framework on torture prevention and strengthen the National Commission for the Prevention of Torture.
- Implement a national mechanism for following up the recommendations of the international human rights protection system.
- Continue to broaden the debate on legislative development, with a view to adopting regulations to expand and strengthen human rights in the country.

- Deepen cooperation with the Human Rights Council and other United Nations mechanisms for the promotion and protection of human rights.
- Continue ensuring the full exercise of the human right to freedom of opinion and expression and protecting the rights of association, assembly and peaceful demonstration.
- Continue working on the human rights training programme for public servants for the purpose of continuing to build national capacity.

At the international level

- Continue to cooperate with the General Assembly, the Human Rights Council and its special procedures, and mechanisms of the universal system for the promotion and protection of human rights. The Bolivarian Republic of Venezuela is committed to enhancing cooperation, particularly with the Council, in order to strengthen the Council's role as a transparent, efficient and objective body that remains faithful to the true principles that provide the foundation for contributions to the promotion and protection of all human rights, including the right to development. It further commits itself to providing broader access to United Nations special rapporteurs and independent experts.
- Contribute to international efforts to promote and protect human rights, through the provision of support for human resources, along with technical and financial support.
- Enhance the activities conducted with the United Nations office in Venezuela and with the Office of the United Nations High Commissioner for Human Rights, and especially with the agencies, funds and programmes of the United Nations in Venezuela under the cooperation memorandum of understanding signed between the country and said entities, which aims to foster institutional strengthening in the area of human rights in the medium and long terms, in order to establish a comprehensive system for the fulfilment of the country's various human rights commitments.
- Monitor commitments under the international human rights treaty bodies and the universal periodic review of the Human Rights Council, based on the recommendations that were received and accepted during the third cycle of the universal periodic review of Venezuela, in view of the fourth cycle.
- Continue to meet its obligations under the international human rights covenants and conventions. In that regard, the State of Venezuela has designed a systematic policy designed to respond efficiently to and follow up on the recommendations of the human rights treaty bodies and the universal periodic review through the implementation of a system of analysis and timely preparation of reports for submission to the treaty bodies.
- Raise awareness of the scope and negative impact on the full enjoyment of human rights of the criminal application of the unilateral coercive measures of an extraterritorial nature by States and institutions.