



Bolivarian Republic of Venezuela
Stakeholder Report for the United Nations Universal Periodic Review

Submitted by The Advocates for Human Rights,
a non-governmental organization in special consultative status

for the 40th Session of the Working Group on the Universal Periodic Review
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Founded in 1983, **The Advocates for Human Rights** (“The Advocates”) is a volunteer-based non-governmental organization committed to the impartial promotion and protection of international human rights standards and the rule of law. The Advocates conducts a range of programs to promote human rights in the United States and around the world, including monitoring and fact finding, direct legal representation, education and training, and publication. The Advocates is the primary provider of legal services to low-income asylum seekers in the Upper Midwest region of the United States.

I. EXECUTIVE SUMMARY

1. Since its second Universal Periodic Review in 2016, human rights conditions in Venezuela have worsened, especially with regard to freedom of expression and the unlawful persecution of those who speak out against President Maduro and his government. Kidnappings, extortion, arbitrary arrests and detention, torture, harassment, and surveillance at the hands of the government and government-affiliated groups persist, largely with impunity for State actors.
2. The Advocates represents clients who have fled human rights abuses in Venezuela to seek asylum in the United States. They have shared their firsthand experiences of human rights abuses with The Advocates and given permission for the information to be used in this report. This stakeholder report addresses Venezuela's failures to comply with international human rights obligations and provides recommendations for improving human rights conditions, pursuant to its international obligations.

II. BACKGROUND AND FRAMEWORK

A. 2016 Universal Periodic Review of Bolivarian Republic of Venezuela

1. *Freedom of Association, Expression, and Political Opinion*

Status of Implementation: Partially Accepted, Not Implemented

3. Venezuela accepted thirteen of nineteen recommendations regarding freedom of association, expression, and political opinion.¹ Venezuela has not implemented these recommendations.

2. *Arbitrary Arrest and Enforced Disappearances*

Status of Implementation: Partially Accepted, Not Implemented

4. Venezuela received six recommendations regarding arbitrary arrests and enforced disappearances. It accepted one recommendation to “ensure that no one is detained arbitrarily,” as it considers it in the process of implementation.² Venezuela has not implemented this recommendation.

5. The government noted one recommendation to end “the practice of arbitrary detention” and “implement the recommendations issued by the Working Group on Arbitrary Detention.”³ It did not accept the remaining four recommendations on the grounds that they “misrepresent the facts, have no connection with reality or are false.”⁴

3. *Prohibition Against Torture or cruel, inhuman or degrading treatment*

Status of Implementation: Partially Accepted, Partially Implemented

6. Venezuela received 13 recommendations related to torture.⁵
7. The government accepted Senegal's recommendation to “[c]onsider ratifying the Convention against Torture, signed in 2011” because it had already been implemented.⁶

8. Venezuela accepted three recommendations regarding preventing torture and ensuring investigations in cases of torture by noting that their implementation is underway. Venezuela has not implemented any of these recommendations.⁷

B. Domestic Legal Framework

9. Drafted in 1999 and amended in 2009, the Constitution of the Bolivarian Republic of Venezuela is the “supreme law and foundation of the legal order” (Art 7).⁸
10. The Constitution establishes the right to freedom of association (Art. 52), freedom of expression (Art. 57), and freedom of opinion except when doing so constitutes a criminal offense (Art. 61).⁹ Article 44 provides the right to pre-trial release and prohibits arrest or detention without court order.¹⁰ Article 46 prohibits torture, cruel, inhuman or degrading treatment.¹¹
11. The Constitution provides that public employees or powers in violation of the rights guaranteed in the Constitution be held liable (Art. 25).¹²
12. In 2017, the Constituent Assembly passed the Law Against Hatred, for Tolerance and Peaceful Coexistence, which mandates prison sentences of up to 20 years for inciting intolerance and hatred, and fines intermediaries for publishing and failing to remove content containing hate speech.¹³

III. IMPLEMENTATION OF INTERNATIONAL HUMAN RIGHTS OBLIGATIONS

Right or area 2.1. Acceptance of international norms

13. To date, Venezuela has not ratified the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment¹⁴ or the International Convention for the Protection of All Persons from Enforced Disappearance (CED).¹⁵

Right or area 5.3. Political framework & good governance

14. Several clients reported that they were harassed, detained, or tortured by *colectivos*, paramilitary groups that work in conjunction with the government in various capacities.¹⁶ One client reported that members of *colectivos* who identified themselves as the National Venezuelan Police Agency (PTJ) kidnapped, tortured, and harassed him. The client stated that Freddy Bernal, the man in charge of state workings in Tachira, allowed cooperation between *colectivos* and the PTJ and other official government groups. The client also stated that Bernal worked unofficially as a governor and his leadership status was common knowledge in Venezuela.¹⁷
15. One client of The Advocates confronted *colectivos* who were restricting access to gasoline to those who could offer bribes, by calling out their unfair behavior and attempting to drive up to the gas station. *Colectivos* held him at gunpoint and forced him to leave the gas station. Days later, *colectivos* tracked down this client, kidnapped him, and tortured him as retaliation for his complaints. *Colectivos* continued to extort and harass the client until he fled the country, fearing for his life.¹⁸

16. Another client reported that he faced extortion and threats from members of the National Guard, the National Police, and *colectivos*. The extortionists called the client a “capitalist,” “opposition dog,” and “escuálido,” a term commonly used by the Chavistas to insult opposition members, indicating that they knew he had voted against the government and had previously visited the United States. National Guard members accused the client of failing to lower prices at his business to comply with a national government subsidy that would have bankrupted the client. In response, the National Guard charged the client the equivalent of \$10,000. Later, as the client was leaving for the United States, a National Guard at the airport warned him not to “go to the Empire to snitch on what goes on in here.”¹⁹

Right or area 12.5. Prohibition of torture and cruel, inhuman or degrading treatment

17. Security forces and authorities continue to subject individuals during arrest to “beatings and humiliating treatment” and detained individuals “to asphyxiation, electric shock, broken bones, being hung by their limbs, and being forced to spend hours on their knees.”²⁰ Specifically, the Bolivian National Intelligence Service (SEBIN) and Military Counter-Intelligence General Directorate (DGCIM) used “increasingly violent methods of torture.”²¹ As discussed below in paragraph 21, individuals were detained in extreme temperatures causing sleep and sensory deprivation.

18. Between June 2019 and May 2020, there were 16 reported cases of torture and ill-treatment through methods including sexual violence, though the real number may be “significantly higher.”²² One client reported that she was raped in her home when armed military broke in and accused her of conspiracy.²³

19. One client was kidnapped and detained at the National Venezuelan Police Agency’s headquarters by *colectivos* and held for around eleven hours. *Colectivos* beat him with an encyclopedia while he was handcuffed. *Colectivos* then wrapped the client in foam and beat him with a wooden stick.²⁴

20. Victims often do not report cases of torture and other ill-treatment because they fear reprisals.²⁵ For example, previously detained individuals and their families received death threats²⁶ and family members of “military personnel accused of plotting against the government” face detention and torture.²⁷

Right or area 12.6. Conditions of detention

21. Political detainees were often held in the Bolivarian National Intelligence Service headquarters at Plaza Venezuela or El Helicoide, where conditions were “inadequate, in some cases rising to the level of torture or cruel, inhuman or degrading treatment.”²⁸ While in detention, individuals experienced torture, including extreme temperatures.²⁹

22. One client of The Advocates reported that *colectivos* detained him in an extremely hot room for a long period of time after beating him. He was sweating and thirsty.³⁰

Right or area 13.2. Enforced disappearances

23. As noted in paragraph 13, Venezuela has not ratified the CED. It continues to deny country visit requests by the UN Working Group on Enforced or Involuntary Disappearances.³¹

24. Enforced disappearances of political detainees continue, with 753 detentions documented between 2018 and June 2020.³² The DGCIM detained individuals for between seven and 40 days after the initial arrest.³³
25. One client reported that *colectivos* members threatened to disappear him if he did not pay \$2,000 for his own release.³⁴

Right or area 13.3. Arbitrary arrest and detention

26. The government continues to arrest political opponents.³⁵ Arbitrary arrests increased in 2020 due to the COVID-19 state of emergency.³⁶ As of October, law enforcement had made 413 politically motivated arrests and subjected 12 health workers to “short-term detention and subsequent restrictions” for publicly criticizing the government.³⁷

Right or area 14.3. Freedom of opinion and expression

27. In its efforts to suppress any criticism, the government has criminalized any dissident speech, including the accurate reporting of COVID-19 statistics, as libel or slander.³⁸
28. *Colectivos* kidnapped one client for protesting the government, having already kidnapped and murdered his father-in-law. According to the client, *colectivos* are known to repress, kill, and threaten Venezuelans who are critical of the government.³⁹
29. A client, who was an organizer of a pacifist group and a non-violent activist, reported that military police violently arrested her at a protest and detained her for two days in a military headquarters, where they tortured and interrogated her.⁴⁰
30. A client reported that the Venezuelan Government tracks where individuals live. Military police raided the client’s home, searched her computer and personal belongings, and raped her. The client believes the police targeted her home because of her activism and political activities. The client fled Venezuela and learned that a military officer moved into her former apartment building.⁴¹

Right or area 14.4. Right to peaceful assembly

31. The government has targeted demonstrations and criminalized peaceful protest under harsh penalties. The government has taken advantage of ambiguity in the law to infringe upon this right, despite objection from human rights organizations.⁴² *Colectivos* associated with the regime are responsible for breaking up protests and penalizing demonstrators.⁴³ Government forces have “shot demonstrators at point-blank range with riot-control munitions, brutally beaten people who offered no resistance, and staged violent raids on apartment buildings.”⁴⁴
32. One client of The Advocates reported that her community was historically a hub of anti-Chavista opposition, and therefore faced an increased military presence and methods of suppression such as gas and bombs. She was violently arrested at a protest in Merida and accused of conspiracy during a period of unrest in January 2019.⁴⁵ During the COVID-19 pandemic, government authorities used excessive force at 402 demonstrations that were protesting lack of access to health care, low wages, and high food prices.⁴⁶

Right or area 14.6. Right to private life, privacy

33. The Bolivarian National intelligence service conducts surveillance against suspected opposition members, including civilians.⁴⁷
34. A client stated that government officials were able to target him because they knew intimate details about his life, including his voting record and his past visit to the United States. In Venezuela, members of the National Guard and other government agencies blackmailed him with detailed knowledge of his family's whereabouts. The client is seeking asylum in the United States and has sisters that remain in Venezuela who continue to live in fear. The client is afraid to discuss his case over the phone because he believes that the calls are monitored, and the Government will retaliate.⁴⁸
35. Another client reported that armed military police raided her home after detaining her under false conspiracy charges. Police searched her computer and personal belongings, leading the client to believe that they had targeted her home for her political activities. To date, she has no photos or documents related to her activism because she deleted them out of fear.⁴⁹

Right or area 15.1. Administration of justice & fair trial

36. The government leverages the use of unfair trials in the prosecution of political dissidents. Defendants often face trial in military courts, despite civilian status. Courts lack independence from the regime and face intrusion by other government officials.⁵⁰ Ties between the judiciary and other branches of government are intrinsic to Venezuela's political system. Since 2004, even Supreme Court justices have expressed resistance to the separation of powers.⁵¹

Right or area 16. Right to an effective remedy, impunity

37. Impunity for law enforcement agents and other government officials accused of crimes, including human rights abuses, is commonplace. Various security forces are the subject of continued accusations of arbitrary detentions and killings, kidnappings, and excessive force, but do not face appropriate consequences from the government. As a result of corruption, poor training, and insufficient resources, law enforcement agencies are largely ineffective.⁵²
38. As noted in paragraph 20, individuals are unlikely to report cases of torture and ill-treatment because they fear for their safety and the safety of their family members and friends.

Right or area 18. Right to participate in public affairs & right to vote

39. Political dissent is met with suppression and persecution, and the repression of political opposition members has intensified during the COVID-19 pandemic. Leading up to the parliamentary elections in December, security forces arbitrarily detained members of the National Assembly and conducted smear campaigns against them.⁵³ The justice system continues to disproportionately rule against those that are critical of the Government.⁵⁴
40. A Venezuelan asylum seeker reported that government agencies targeted him for extortion specifically because he had voted against the government party. The National Guard, the National Police, and *colectivos* regularly approached him at his business to demand extortion money. He fears that if he returns to Venezuela, he will not be able to pay the extortion money and government-affiliated agencies will kill him and his family.⁵⁵

IV. RECOMMENDATIONS

46. This stakeholder report suggests the following recommendations for the Government of Bolivarian Republic of Venezuela:

- Ensure law enforcement conducts prompt and thorough investigations of all allegations of torture and cruel, inhuman or degrading treatment. Establish independent investigation and prosecution mechanisms to ensure that members of the National Guard, the National Police, and other government-affiliated agencies who are complicit in acts of torture and cruel, inhuman or degrading treatment are held accountable.
- Adopt reforms to ensure the independence of the security forces from organized crime to end deep-rooted associations between official security forces and paramilitary groups in order to adequately protect individuals reporting cases of torture and cruel, inhuman or degrading treatment.
- Work to eliminate impunity by vigorously and impartially investigating crimes committed by State actors, prosecuting offenders, and guaranteeing appropriate remedies to victims.
- Invite the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment to visit the Bolivarian National Intelligence service headquarters at Plaza Venezuela and El Helicoide and other detention facilities to assess and evaluate detention conditions with a view to proposing measures to improve these conditions so that they meet international norms and standards.
- Ensure that detention conditions comply with the Nelson Mandela Rules.
- Ratify the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the International Convention for the Protection of all Persons from Enforced Disappearances.
- Publicize statistics on arrests, including documented reason for arrest, length of detention, sentence, and outcome.
- Establish an independent committee comprised of government officials, civil society actors, and other international and regional actors to advise the government on justice and rule of law to ensure administration of justice and fair trial in accordance with the Constitution and meeting international norms and standards.
- Ensure that criminal defendants are informed of their rights and charges against them and have access to competent legal representation in a timely manner.
- Ensure respect for freedom of assembly for individuals engaging in peaceful demonstrations, in accordance with the Constitution.
- Ensure respect for freedom of opinion and expression for individuals engaging in peaceful demonstrations in accordance with the Constitution.

- Amend the Law Against Hatred, for Tolerance and Peaceful Coexistence to ensure the definition of "intolerance and hatred" does not violate an individuals' right to freedom of assembly or freedom of opinion and expression.

¹ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bolivarian Republic of Venezuela*, (Dec. 27, 2016), U.N. Doc. A/HRC/34/6, ¶ 133.181 In the general framework of substantial respect for fundamental rights and the principles of democracy and the Constitution, ensure freedom of expression and peaceful assembly and protect the activities of human rights defenders, political activists and journalists (Italy); ¶ 133.187 Safeguard the right to freedom of opinion and expression and the freedom of movement for political opponents and journalists (Germany); ¶ 133.189 Safeguard the rights to peaceful assembly, freedom of opinion and expression and freedom of the press (Brazil); ¶ 133.190 Provide effective guarantees for the full exercise of freedom of expression and information recognized in the Constitution and in international instruments ratified by the Bolivarian Republic of Venezuela (Chile); ¶ 133.194 Guarantee freedom of expression (Georgia); ¶ 133.195 Ensure that nobody is penalized for exercising their rights to peaceful assembly and freedom of expression, investigate all allegations of acts of intimidation, threats and attacks and ensure that the perpetrators are brought to justice (Guatemala); ¶ 133.212 Ensure that it grants the right to peaceful assembly and freedom of expression in accordance with its international obligations (Sweden); ¶ 133.202 Respect the fundamental rights of individuals, including the rights to freedom of expression and association and respect the prohibition of arbitrary arrest and detention, as well as the procedural guarantees (Switzerland); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bolivarian Republic of Venezuela*, (Mar. 13, 2017), U.N. Doc. A/HRC/34/6/Add.1, ¶ 6 The Government has accepted the large number of recommendations enumerated above because they are already being implemented as a matter of priority through public policies stemming from the first National Human Rights Plan 2016-2019, subject to the monitoring and assessment of the National Council for Human Rights.

² Human Rights Council, *Report of the Working Group on the Universal Periodic Review, the Bolivarian Republic of Venezuela*, (Dec. 27, 2016), U.N. Doc. A/HRC/34/6. ¶ 133.133 Ensure that no one is detained arbitrarily and that all persons who are charged with an offence have access to a fair and impartial trial, while ensuring the independence of the judiciary (New Zealand); Human Rights Council, *Report of the Working Group on the Universal Periodic Review, the Bolivarian Government of Venezuela, Addendum*, (Mar. 13, 2017), U.N. Doc. A/HRC/34/6/Add.1. ¶ 6, The Government has accepted the large number of recommendations enumerated above because they are already being implemented as a matter of priority through public policies stemming from the first National Human Rights Plan 2016-2019, subject to the monitoring and assessment of the National Council for Human Rights.

³ Human Rights Council, *Report of the Working Group on the Universal Periodic Review, the Bolivarian Republic of Venezuela*, (Dec. 27, 2016), U.N. Doc. A/HRC/34/6, ¶ 133.136 End the practice of arbitrary detention, release all political prisoners with immediate effect and implement the recommendations issued by the Working Group on Arbitrary Detention, including in opinion No. 26/2014 (Canada); Human Rights Council, *Report of the Working Group on the Universal Periodic Review, the Bolivarian Government of Venezuela, Addendum*, (Mar. 13, 2017), U.N. Doc. A/HRC/34/6/Add.1, ¶ 7 Venezuela takes note of the recommendations listed above and has the following comments: The process of ratifying an international treaty is undertaken by the State of Venezuela with the utmost rigour and seriousness. An international treaty must, under the Constitution, be in accordance with State sovereignty and the interests of the Venezuelan people. In order to ratify a treaty, there must be enough time to conduct a comparative analysis of its provisions, a broad consultation process with the relevant institutions, and a thorough examination of the legal order and an analysis of the policies and programmes in force, with a view to ensuring that the international obligations under consideration are compatible with domestic law and the country's social, cultural, economic and political circumstances. Venezuela, as a member of the Human Rights Council, has and will continue to collaborate closely with the United Nations human rights bodies, in particular the Council and its mechanisms. This applies equally to the Office of the United Nations High Commissioner for Human Rights, where relevant. This

collaboration is clear from the considerable amount of information that the State consistently provides to all the bodies and mechanisms of the universal human rights system. In this respect, Venezuela sovereignly and carefully assesses all requests to visit the country on the basis of the principles of objectivity, transparency, non-politicization, non-selectivity and equal treatment.

⁴ Human Rights Council, *Report of the Working Group on the Universal Periodic Review, the Bolivarian Republic of Venezuela*, (Dec. 27, 2016), U.N. Doc. A/HRC/34/6, ¶ 133.131 Adopt all urgent measures to ensure better conditions of detention for the high number of people currently detained, many of whom have not benefited from the guarantees of due process (Argentina); ¶ 133.134 Release persons detained or arrested for political reasons and refrain from and prevent all forms of violence and retaliatory action, evictions, deportations, detention and coercion (Australia); ¶ 133.135 Refrain from recourse to arbitrary detention and follow due process in all judicial cases, in accordance with international standards, in particular with relation to the arbitrary arrest of political opposition members, who should be immediately released (Brazil); ¶ 133.138 Release all persons arbitrarily detained and ensure that all complaints of torture and ill-treatment of detainees are investigated promptly, thoroughly, and independently (Ireland); Human Rights Council, *Report of the Working Group on the Universal Periodic Review, the Bolivarian Government of Venezuela, Addendum*, (Mar. 13, 2017), U.N. Doc. A/HRC/34/6/Add.1, ¶ 8. Venezuela, by conviction and in keeping with its deep democratic values, continually and responsibly fosters and strengthens constructive dialogue with national actors who oppose both the national Government and the revolutionary political process, which enjoy broad popular support. Therefore, it should be noted that, due to their wording, a few of the recommendations cannot be considered as such and were not accepted because they misrepresent the facts, have no connection with reality or are false. Nevertheless, regarding the rights and guarantees referred to in some of these recommendations, it should be emphasized that the guiding principle of the Bolivarian constitutional process is the effective and universal guarantee of the fullest possible enjoyment of all human rights, such as political participation or freedom of expression and information, including those of vulnerable groups; ¶ 9 The biases and false assumptions implied in these so-called recommendations are confusing or stem from ill faith and work against the very purpose of the valuable universal periodic review process and are contrary to the vital importance of ensuring a broader and more progressive protection of human rights as the *raison d'être* of the Constitution and the Republic. It must be emphasized that the most universal enjoyment possible of human rights and freedoms is guaranteed for all inhabitants of Venezuela. In this connection, the country's focus on reaffirming the effectiveness of women's rights should be noted, along with the special protection afforded to the paramount rights of children and adolescents, the right of persons with disabilities and those of indigenous peoples, Afro descendants and other ethnic groups. In Venezuela, any restriction of the free exercise of rights consubstantial with our democratic life is prohibited. Such is the case for freedom of expression and the right to information, which cannot be restricted, even under a state of emergency, and for the freedom of peaceful assembly in keeping with the Constitution and the law. Civil organizations also exercise their rights freely without any limitations other than those established in the Constitution and the law; ¶ 10 The Constitution and enforcement thereof guarantee the full independence and autonomy of each of the five branches of government, in keeping with the constitutional mandate to achieve the goals of the State while fostering broad public participation; ¶ 11 Regarding some of the recommendations that Venezuela has not accepted, it should be made very clear that, as a matter of public knowledge, Venezuela has safeguarded the right to initiate and carry out the necessary electoral procedures to hold a recall referendum, including the prior step of gathering expressions of interest from the public, in keeping with constitutional and legal requirements. Thus, the wording of these recommendations is misleading because it indicates or insinuates that the State has denied this right, which is untrue.

⁵ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bolivarian Republic of Venezuela*, (Dec. 27, 2016), U.N. Doc. A/HRC/34/6, ¶ 133.1 Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights and the Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Portugal); ¶ 133.3 Ratify the Optional Protocol to the Convention against Torture (Estonia) (Guatemala) (Italy) (Montenegro) (New Zealand) (Portugal); ¶ 133.4 Ratify

the Optional Protocol to the Convention against Torture (Georgia); ¶ 133.5 Ratify the Optional Protocol to the Convention against Torture (Kenya); ¶ 133.6 Ratify the Optional Protocol to the Convention against Torture (Denmark); ¶ 133.11 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture, paying particular attention to these problems in prisons (France); ¶ 133.14 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture (Ukraine).

⁶ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bolivarian Republic of Venezuela*, (Dec. 27, 2016), U.N. Doc. A/HRC/34/6, ¶ 133.2 Consider ratifying the Convention against Torture, signed in 2011 (Senegal); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bolivarian Republic of Venezuela*, (Mar. 13, 2017), U.N. Doc. A/HRC/34/6/Add.1.

⁷ Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bolivarian Republic of Venezuela*, (Dec. 27, 2016), U.N. Doc. A/HRC/34/6, ¶ 133.12 Study the possibility of ratifying or adhering to the International Convention for the Protection of All Persons from Enforced Disappearance, the Optional Protocol to the Convention against Torture and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Uruguay); ¶ 133.121 Ensure a proportional use of force by security forces and ensure that cases of torture are investigated and that the perpetrators are brought to justice (Italy); ¶ 133.123 Continue reinforcing the work of the National Commission for the Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment (Russian Federation); Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Bolivarian Republic of Venezuela*, (March 13, 2017), U.N. Doc. A/HRC/34/6/Add.1, ¶ 6 The Government has accepted the large number of recommendations enumerated above because they are already being implemented as a matter of priority through public policies stemming from the first National Human Rights Plan 2016-2019, subject to the monitoring and assessment of the National Council for Human Rights.

⁸ Constitute, *Venezuela (Bolivarian Republic of)'s Constitution of 1999 with Amendments through 2009*. Also available online at https://www.constituteproject.org/constitution/Venezuela_2009.pdf?lang=en.

⁹ Constitute, *Venezuela (Bolivarian Republic of)'s Constitution of 1999 with Amendments through 2009*. Also available online at https://www.constituteproject.org/constitution/Venezuela_2009.pdf?lang=en.

¹⁰ Constitute, *Venezuela (Bolivarian Republic of)'s Constitution of 1999 with Amendments through 2009*. Also available online at https://www.constituteproject.org/constitution/Venezuela_2009.pdf?lang=en.

¹¹ Constitute, *Venezuela (Bolivarian Republic of)'s Constitution of 1999 with Amendments through 2009*. Also available online at https://www.constituteproject.org/constitution/Venezuela_2009.pdf?lang=en.

¹² Constitute, *Venezuela (Bolivarian Republic of)'s Constitution of 1999 with Amendments through 2009*. Also available online at https://www.constituteproject.org/constitution/Venezuela_2009.pdf?lang=en.

¹³ Freedom House, “Venezuela: Key Developments, June 1, 2017-May 31, 2018,” accessed June 28, 2021, https://freedomhouse.org/country/venezuela/freedom-net/2018#footnote16_do775jj;

Human Rights Watch, “World Report 2021 Venezuela,” accessed June 17, 2021, <https://www.hrw.org/world-report/2021/country-chapters/venezuela>.

¹⁴ United Nations Treaty Collection, “Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,” accessed June 30, 2021, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-9-b&chapter=4&clang=_en.

¹⁵ United Nations Treaty Collection, “International Convention for the Protection of All Persons from Enforced Disappearance,” accessed June 30, 2021, https://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-16&chapter=4&clang=_en.

¹⁶ Interviews are hereinafter referred to as “Interviews conducted by The Advocates (2017-2020).” Details have been removed to maintain confidentiality and to protect the identities of clients and their families.

¹⁷ Interviews conducted by The Advocates (2017-2020).

¹⁸ Interviews conducted by The Advocates (2017-2020).

¹⁹ Interviews conducted by The Advocates (2017-2020).

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- ²⁰ U.S. Department of State, “2020 Country Reports on Human Rights Practices: Venezuela,” accessed June 17, 2021, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/venezuela/>.
- ²¹ Amnesty International, “Venezuela 2020,” accessed June 17, 2021, <https://www.amnesty.org/en/countries/americas/venezuela/report-venezuela/>.
- ²² Human Rights Watch, “World Report 2021 Venezuela,” accessed June 17, 2021, <https://www.hrw.org/world-report/2021/country-chapters/venezuela>.
- ²³ Interviews conducted by The Advocates (2017-2020).
- ²⁴ Interviews conducted by The Advocates (2017-2020).
- ²⁵ U.S. Department of State, “2020 Country Reports on Human Rights Practices: Venezuela,” accessed June 17, 2021, <https://www.state.gov/reports/2019-country-reports-on-human-rights-practices/venezuela/>.
- ²⁶ U.S. Department of State, “2020 Country Reports on Human Rights Practices: Venezuela,” accessed June 17, 2021, / <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/venezuela/>.
- ²⁷ Human Rights Watch, “World Report 2021 Venezuela,” accessed June 17, 2021, <https://www.hrw.org/world-report/2021/country-chapters/venezuela>.
- ²⁸ Human Rights Council, *Report of the independent international fact-finding mission on the Bolivarian Republic of Venezuela*, (Sep. 25 2020), U.N. Doc. A/HRC/45/33, ¶ 54.
- ²⁹ Human Rights Council, *Report of the independent international fact-finding mission on the Bolivarian Republic of Venezuela*, (Sep. 25 2020), U.N. Doc. A/HRC/45/33, ¶ 59; Human Rights Watch, “World Report 2021 Venezuela,” accessed June 17, 2021, <https://www.hrw.org/world-report/2021/country-chapters/venezuela>.
- ³⁰ Interviews conducted by The Advocates (2017-2020).
- ³¹ U.S. Department of State, “2020 Country Reports on Human Rights Practices: Venezuela,” accessed June 17, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/venezuela/>.
- ³² U.S. Department of State, “2020 Country Reports on Human Rights Practices: Venezuela,” accessed June 17, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/venezuela/>.
- ³³ U.S. Department of State, “2020 Country Reports on Human Rights Practices: Venezuela,” accessed June 17, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/venezuela/>.
- ³⁴ Interviews conducted by The Advocates (2017-2020).
- ³⁵ Human Rights Watch, “World Report 2021 Venezuela,” accessed June 17, 2021, <https://www.hrw.org/world-report/2021/country-chapters/venezuela>.
- ³⁶ Amnesty International, “Venezuela 2020,” accessed June 17, 2021, <https://www.amnesty.org/en/countries/americas/venezuela/report-venezuela/>.
- ³⁷ Amnesty International, “Venezuela 2020,” accessed June 17, 2021, <https://www.amnesty.org/en/countries/americas/venezuela/report-venezuela/>.
- ³⁸ U.S. Department of State, “2020 Country Reports on Human Rights Practices: Venezuela,” accessed June 17, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/venezuela/>.
- ³⁹ Interviews conducted by The Advocates (2017-2020).
- ⁴⁰ Interviews conducted by The Advocates (2017-2020).
- ⁴¹ Interviews conducted by The Advocates (2017-2020).
- ⁴² U.S. Department of State, “2020 Country Reports on Human Rights Practices: Venezuela,” accessed June 17, 2021, <https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/venezuela/>.
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⁴⁸ Interviews conducted by The Advocates (2017-2020).

⁴⁹ Interviews conducted by The Advocates (2017-2020).

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⁵¹ Human Rights Watch, “World Report 2021 Venezuela,” accessed June 17, 2021, <https://www.hrw.org/world-report/2021/country-chapters/venezuela>.

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⁵⁴ Amnesty International, “Venezuela 2020,” accessed June 25, 2021. Also available online at <https://www.amnesty.org/en/countries/americas/venezuela/report-venezuela/>.

⁵⁵ Interviews conducted by The Advocates (2017-2020).