

Recommendations & Pledges

VENEZUELA

First Review Session 12

Review in the Working Group: 7 October 2011
Adoption in the Plenary: 15 March 2012

Venezuela's responses to recommendations (as of 07.06.2012):

In the Report of the Working Group:	In the Addendum:	During the plenary:	Summary:
95 recs. accepted (among which 75 were considered as already implemented or in the process of implementation); 38 rejected; 15 pending	Out of the 15 recs. pending, 2 were accepted and 13 were rejected	No additional information provided	Accepted: 97 Rejected: 51 No clear position: 0 Pending: 0

Paragraph headers are as in the Report of the Working Group, but the nature of responses to recommendations may have subsequently been changed.

List of recommendations contained in Section II of the Report of the Working Group A/HRC/19/12:

93. The recommendations formulated during the interactive dialogue and listed below have been examined by the Bolivarian Republic of Venezuela and enjoy the support of the Bolivarian Republic of Venezuela:

A - 93.1. Consider the possibility of acceding to CRPD (Algeria);

A - 93.2. Sign and ratify the CRPD (Slovenia);

- A - 93.3. Sign and ratify CRPD and its Optional Protocol (Australia);
- A - 93.4 Sign and ratify CRPD and its Optional Protocol; and the OP-CAT (Brazil);
- A - 93.5. Increase in the number of prisons countrywide (Turkey);
- A - 93.6. Ratify CRPD at the earliest opportunity and seek relevant support from the international community and relevant UN agencies, including the OHCHR, for the ratification process (Thailand);
- A - 93.7. Apply the constitutional norms regulating the penitentiary system which would allow regulating and using with great effectiveness the available resources in the penal system (Russian Federation);
- A - 93.8. Continue with the work of the Ombudsman in monitoring the rights and guarantees established in the Constitution and international human rights treaties (Paraguay);
- A - 93.9. Take stronger steps to fight widespread crime and violence, with a special emphasis on bringing to justice of those responsible (Turkey);
- A - 93.10. Implement the UN Rules for the Treatment of Women Prisoners and Non-Custodial Measures for Women Offenders, otherwise known as the "Bangkok Rules" (Thailand);
- A - 93.11. Strengthen the coordination effort by the Higher Council for Prisons with a view to improve the state of prisons in particular, the problems of overcrowding and violence in prisons in the country (Malaysia);
- A - 93.12. Implement a policy of maintaining and building prisons, and investing in high quality training of prison staff, increasing their number (Norway);
- A - 93.13. Adopt emergency measures to ensure that the UN Standard Minimum Rules for the Treatment of Prisoners are respected in all prisons of Venezuela (Switzerland);
- A - 93.14. Ensure that all places of detention comply with the UN Standard Minimum Rules for the Treatment of Prisoners (United Kingdom);
- A - 93.15. Improve overall conditions of detention and prison facilities, and to combat overcrowding (Czech Republic);
- A - 93.16. Support the activities of human rights defenders and independent non- governmental organizations in the promotion of human rights and democracy, including through positive public recognition of their role (Canada);
- A - 93.17. Strengthen the dialogue and broad cooperation with human rights defenders, and strengthen their protection (Brazil);
- A - 93.18. Implement a comprehensive approach to the follow up of the UPR, which includes open consultation with a wide range of government bodies and civil society representatives (United Kingdom);
- A - 93.19. Undertake a participatory and inclusive process with all interested civil society organizations in Venezuela in the implementation of UPR recommendations (Norway);
- A - 93.20. Review the current maternity health care policies and introduce the necessary changes to ensure pregnant women's access to medical facilities throughout the country (Norway).

94. The following recommendations enjoy the support of the Bolivarian Republic of Venezuela, which considers that they are already implemented or in the process of implementation:

- A - 94.1. Continue strengthening its efforts to guarantee the promotion and protection of human rights as enshrined in its Constitution (Brunei Darussalam);
- A - 94.2. Continue to expand its legal framework for the promotion and protection of human rights

(Indonesia);

A - 94.3. Pass a law ending the illegal circulation of firearms and take measures required to protect the right to life of citizens (France);

A - 94.4. Strengthen the state of laws, grass-root democracy and social equitability (Viet Nam);

A - 94.5. Strengthen the child and adolescent protection system to especially benefit adolescent criminal responsibility issues (Iran);

A - 94.6. Continue strengthening its revolutionary policies and programmes so that all, without any exclusion, may enjoy their fundamental rights which are the human rights (Nicaragua);

A - 94.7. Implement the "Social missions" on a long-term basis and in a more systematic manner, in order to further reduce the level of inequality in the country (Turkey);

A - 94.8. Revitalize the Social Missions and maintain their characteristic of service to the community (Holy See);

A - 94.9. Continue implementing the policies and programmes aimed at guaranteeing the rights to education, health and food, in addition to combating poverty (Lebanon);

A - 94.10. Attach more importance to the protection of social vulnerable groups, including women, children, elderly and the poor people (Viet Nam);

A - 94.11. Continue to consolidate the rights of women and people belonging to vulnerable groups, including indigenous peoples and persons of diverse sexual orientation and gender identity, both within its legal framework and in practice (Canada);

A - 94.12. Continue with the policies and programs confronting crime that emphasize on an educational and preventative approach (Cuba);

A - 94.13. Continue its efforts to combat crime in a manner which enhances the rule of law in maintaining social stability, upholding justice and respecting human rights (Singapore);

A - 94.14. Intensify, through the creation of new plans, the efforts to reform the police corps, and counteract insecurity, illegal weapons' trafficking and sale of narcotics (Holy See);

A - 94.15. Continue promoting intercultural, multilingual programmes that would contribute to enriching it as a multicultural society (Lebanon);

A - 94.16. Continue efforts to improve women's rights and conduct awareness- raising and training courses for law enforcement officers in order to ensure the human rights of its people (Myanmar);

A - 94.17. Continue its efforts in cooperation with the competent bodies in order to secure protection of the rights of the vulnerable groups particularly women and children (Cambodia);

A - 94.18. Consolidate all people centred programmes to fight forces of negation (Zimbabwe);

A - 94.19. Continue to cooperate with the UN and other international organizations to develop its legal and institutional framework with respect to promoting and protecting human rights in Venezuela (Lao's People Democratic Republic);

A - 94.20. Continue to cooperate with human rights mechanisms, be they regional or international (Saudi Arabia);

A - 94.21. Intensify efforts to promote and protect women's rights, particularly in regard to gender based violence (Indonesia);

A - 94.22. Continue to develop measures aimed at strengthening the rights of women, non-discrimination and the elimination of obstacles created by socio- cultural models and stereotypes (Angola);

- A - 94.23. Continue to improve measures, in policy and practice, to increase the participation of women in political life (Pakistan);
- A - 94.24. Continue its efforts to promote and fully develop the role of women in the political, economic and social fields (Angola);
- A - 94.25. Further enhance effective access to legal aid for women from all regions, including indigenous women and women of African descent (Sri Lanka);
- A - 94.26. Continue strengthening the national regime aimed at combatting all racial discrimination practices, in conformity with ICERD (Uruguay);
- A - 94.27. Develop a draft reform of the criminal code with a special emphasis on human rights in accordance with international standards (Russian Federation);²
- A - 94.28. Increase the efforts towards fighting against human trafficking, including by considering the possibility of the development of state programs and plans of action in this area (Belarus);
- A - 94.29. Continue to take further action as appropriate to combat trafficking in women and children (Sri Lanka);²
- A - 94.30. Develop the efforts under way to train and professionalize police officers, including the initiative of the Experimental University for Security (Cuba);
- A - 94.31. Continue with the government's efforts to improve policies and programs in the treatment of persons deprived of liberty (Cuba);
- A - 94.32. Reform fully the prison system and in particular ensure that it respects as soon as possible the UN Standard Minimum Rules for the Treatment of Prisoners (Belgium);
- A - 94.33. Improve the prison system and speed up the penal processes so that each person may know judicial resolutions in appropriate times (Holy See);
- A - 94.34. Continue ensuring systematic human rights awareness-raising and training for all personnel working in the legal and justice system, including police, public defenders, lawyers and judges (Malaysia);
- A - 94.35. Further work on the improvement of the penitentiary situation in the country (Algeria);
- A - 94.36. Continue to facilitate and strengthen the work of NGOs and other civil society actors, as well as guarantee their social media (Uruguay);³
- A - 94.37. Consolidate and further develop the effective institutions established for the exercise of popular power, including the role of social oversight (Cuba);
- A - 94.38. Identify the causes of unemployment (Holy See);
- A - 94.39. Continue efforts to reduce poverty through social programmes (Qatar);
- A - 94.40. Speed up implementation of policies and measures in poverty reduction, malnutrition eradication and food security (Viet Nam);
- A - 94.41. Continue to channel her tremendous resources into social programmes with a view to eradicating poverty (Zimbabwe);
- A - 94.42. Continue its fight against poverty (Bangladesh);
- A - 94.43. Continue to improve the lives and well-being of its people to bring about the full enjoyment of their human rights (Singapore);
- A - 94.44. Continue investing the necessary resources in social programmes (Pakistan);

A - 94.45. Continue its efforts to achieve equitable socio-economic development, to further address social disparity and equal opportunity of people through its overarching objective according to its current policies and Action Plans (Cambodia);

A - 94.46. Continue to ensure the enjoyment of the rights to education, health and culture to all its citizens, supporting the existing projects and programs that are successful (Cuba);

A - 94.47. Continue carrying out its sound public policies for the eradication of extreme poverty and hunger which have had concrete results and the recognition from UNDP and FAO, and, also, have allowed achieving the first Millennium Development Goal (Bolivia);

A - 94.48. Continue carrying out its sound public policies for drinking water and sanitation coverage for all its population; which have already allowed to surpass the seventh Millennium Development Goal (Bolivia);

A - 94.49. Continue enhancing and expanding health services, in order to prevent and combat diseases which were put in place to serve the people through primary healthcare (Syria);

A - 94.50. Strengthen efforts to reduce neo-natal and maternal mortality including by increasing access to sexual and reproductive health services and providing quality health care and facilities to women (Malaysia);

A - 94.51. Continue to work towards reaching the MDGs of universal primary education, gender equality in access to education, and further reduction in infant mortality (Sri Lanka);

A - 94.52. Maintain its firm stance on the growing need for housing of Venezuelan families (Turkey);

A - 94.53. Step up measures to overcome the problem of housing shortage in the country (Malaysia);

A - 94.54. Continue with the on-going program to ensure decent housing to every Venezuelan family (Cuba);

A - 94.55. Continue and strengthen the programs of the great mission Vivienda Venezuela to structurally solve the problem of housing shortage (Algeria);

A - 94.56. Continue the implementation of the national plans and programs related to the comprehensive protection and education of children and adolescent, in particular those who are homeless (Belarus);

A - 94.57. Continue increasing investment in primary, secondary and university education; as it has progressively done so in recent years (Iran);

A - 94.58. Continue the efforts to promote the State's activities in the field of cultural rights, and ensuring wider participation of all sectors of Venezuelan society (Qatar);

A - 94.59. Continue carrying out its sound public policies for literacy and use of technological education, recognized and awarded by UNESCO; which benefit especially low economic income populations (Bolivia);

A - 94.60. Continue promoting the expansion of educative opportunities, particularly in its alternative models (DPRK);

A - 94.61. Continue increasing educational enrollment at all its levels (DPRK);

A - 94.62. Continue to deep the existing policy on democratization of access to higher-education and implement measures envisaged to strengthening the autonomy of universities, through the active participation of the university community's member (DPRK);

A - 94.63. Continue its efforts to fight unequal access to education (Iran);

A - 94.64. Consider adopting measures to ensure education for all children with disabilities

(Bangladesh);

A - 94.65. Continue advancing in policies and programs dignifying and fully realizing the rights of indigenous peoples (Cuba);

A - 94.66. Continue carrying out its sound public policies from the Ministry of Popular Power for Indigenous Peoples, to guarantee the respect and observance of the rights of Indigenous Peoples and Afro-descendant Communities (Bolivia);

A - 94.67. Intensify efforts to improve the literacy rate among indigenous peoples and those living in the rural areas (Qatar);

A - 94.68. Expedite and systematize the process of demarcation of indigenous collective lands and habitat, and update the census data of indigenous communities and peoples, ensuring the participation of communities in this process (Ecuador);

A - 94.69. Intensify its efforts to provide protection to asylum-seekers and refugees, including through the timely provision of documentation as to their legal status and rights (USA);

A - 94.70. Consolidate and further advance the exercise of popular sovereignty over the natural resources and wealth of the country (Cuba);

A - 94.71. Maintain its international leadership in the promotion of the rights to solidarity, peace, development, a democratic and equitable international order, a healthy environment and the self-determination of peoples (Cuba);

A - 94.72. Continue to build its technological independence through the adoption and consolidation of measures to optimize the access of all Venezuelans to technologies of communication and information (Dominican Republic);

A - 94.73. Continue to promote South American and Caribbean integration through the development of technologies of communication and information (Dominican Republic);

A - 94.74. Share, through international cooperation, its successful experiences in programs and projects of social benefit (Cuba);

A - 94.75. Continue to promote the fight against poverty, inequality and social exclusion at the national, regional and international levels (Ecuador).

95. The following recommendations will be examined by country the Bolivarian Republic of Venezuela which will provide responses in due time, but no later than the nineteenth session of the Human Rights Council in March 2012. The response of the Bolivarian Republic of Venezuela to these recommendations will be included in the outcome report adopted by the Human Rights Council at its nineteenth session in March 2012:

A - 95.1. Support, based on a thorough analysis, the adoption of new international instruments for the protection of human rights (Paraguay);

A - 95.2. Consider the possibility of ratifying or acceding, as appropriate, to ICRMW, CED, OP-CAT and CRPD (Uruguay);

R - 95.3. Ratify CED and the other major human rights instruments it has not yet ratified (Japan);

R - 95.4. Ratify the 1954 Convention relating to the Status of Stateless Persons as well as the 1961 Convention on the Reduction of Statelessness (Slovakia);

R - 95.5. Implement a comprehensive disarmament policy and strengthen the judicial system to reduce levels of impunity (Norway);

R - 95.6. Provide the judiciary with adequate human and financial resources for its effective functioning with special attention to the respect of the legislation regarding the preventive detention (Belgium);

R - 95.7. Formulate a National Human Rights Plan, in accordance with the Vienna Declaration and consulting broadly with civil society (Brazil);

R - 95.8. Issue a standing invitation to all Special Procedures of the Human Rights Council (Uruguay);

R - 95.9. Extend a standing invitation to all UN special procedure mandate holders (United Kingdom);

R - 95.10. Extend standing invitations to thematic special procedures of international and regional human rights bodies and allow such visits to Venezuela (Norway);

R - 95.11. Strengthen the cooperation with mandate holders, even considering the extension of a standing invitation, as Brazil has (Brazil);

R - 95.12. Invite representatives of international human rights organizations to visit Venezuela, including by issuing a standing invitation to the UN special procedures (Australia);

R - 95.13. Accept visit requests from the UN Special Rapporteurs and the Inter- American Commission on Human Rights (USA);

R - 95.14. Take all necessary measures to ensure that all cases of societal violence are effectively investigated and perpetrators prosecuted and punished (Czech Republic);

R - 95.15. Take steps to protect freedom of expression and opinion, in line with its obligations under the International Covenant on Civil and Political Rights (Australia).

96. The recommendations below did not enjoy the support of the Bolivarian Republic of Venezuela:

R - 96.1. Comply with its international obligations in respect to the judiciary and the right to freedom of expression and implement recommendations, resolutions and decisions of the international and regional human rights protection systems (Slovenia);

R - 96.2. Review the Law of Political Parties, Public Meetings, and Demonstrations and its compliance with the article 201 of the Constitution (Czech Republic);

R - 96.3. Harmonize the Venezuelan legal framework related to the right to the freedom of expression with the country's international obligations (Slovakia);

R - 96.4. Amend the current legislation regarding the media to eliminate the criminalization of 'desacato', contempt, libel or slander, in line with the international human rights standards (Canada);

R - 96.5. Amend the Criminal Code and the Organic Code of Military Justice, eliminating the crimes of contempt and vilification (Norway);

R - 96.6. Urge the National Assembly to adopt the draft legislation on trafficking in persons (USA);

R - 96.7. Take the necessary measures to implement the UN Program on Small Arms and Light Weapons and revise the national legislation on this matter in order to reduce the existing homicide rate (Switzerland);

R - 96.8. Act so that the right to life and physical integrity is effectively guaranteed and all instances of the State respect and protect the right of everyone to the freedom of expression (Switzerland);

R - 96.9. Comply with the rulings of the Inter-American Court of Human Rights, as established by article 23 of the Constitution (Belgium);

R - 96.10. Engage actively in the fight against the misuse of power by the security forces (Czech Republic);

R - 96.11. Take all the necessary measures to eliminate violence against women, also by ensuring that perpetrators of such violence are prosecuted and punished, as well as by abolishing the

stereotypical attitudes and patriarchal patterns of behaviour that undermine women's human rights (Slovenia);

R - 96.12. Take all the necessary legal and policy measures to prevent children and adolescents, from being subjected to labour exploitation and the worst forms of child labour, such as servitude, slavery, prostitution and trafficking (Slovenia);

R - 96.13. Respect the independence of the judiciary (USA);

R - 96.14. Work to ensure the independence of the judiciary (Canada);

R - 96.15. Guarantee the independence of judiciary and take all the necessary measures to combat impunity (Switzerland);

R - 96.16. Ensure independent, open and transparent selection procedures based on merit for judges and prosecutors (United Kingdom);

R - 96.17. Take necessary measures to ensure transparency in the independent appointment of judicial and prosecutorial officers (Australia);

R - 96.18. Reinforce the independence of the judiciary by increasing institutional and material support for the justice system and putting an end to the provisional nature of judicial appointments (Germany);

R - 96.19. Fully guarantee the independence of the judiciary, in particular by taking concrete measures to ensure that judges can exercise their profession in full impartiality (France);

R - 96.20. Reinforce the independence of the judiciary, including bringing to an end the provisional nature of judicial appointments and repealing the provisions of the Supreme Court law that undermine the court's independence (Slovakia);

R - 96.21. Abolish the practice of using the judicial system to silence critics of the Government, reinforce the independence of the judiciary by increasing institutional and material support for the justice system and end the provisional nature of judicial appointments (Israel);

R - 96.22. Investigate allegations of executive branch interference in judicial decision-making (USA);

R - 96.23. Grant access to all prisons in the country to the International Committee of Red Cross and ensure the safety of its delegates during the visits (Belgium);

R - 96.24. Prioritize reforms to the law enforcement and judicial systems in an effort to prevent crimes, punish those responsible and address the culture of impunity (Canada);

R - 96.25. End the culture of impunity surrounding cases of retaliation for dissent, attacks on human rights defenders and journalists, the excessive use of force during peaceful demonstrations, abuses of force by state actors, the phenomenon known as "execution of criminals" and other serious human rights violations (Israel);

R - 96.26. Abrogate the practice of threatening witnesses and relatives of victims of human rights violations and attacks on human rights lawyers that seek judicial remedies in response to human rights violations (Israel);

R - 96.27. Renew its commitment to freedom of expression and opinion as well as to pluralism, ensure free access to information, and take measures to fight threats and attacks against journalists (France);

R - 96.28. Reassess media legislation provisions and guarantee freedom of expression (Germany);

R - 96.29. Step up its efforts to guarantee freedom of expression as well as the safety of journalists in the country (Indonesia);

R - 96.30. Promote the exercise of freedom of expression, association and peaceful assembly, notably of members of political parties, unions, media and civil society without the risk of undue

restrictions (Canada);

R - 96.31. Provide for plurality and diversity of the media as a fundamental component of the right to information and ensure that journalists can perform their legitimate duties free from any unjustified prosecution (Slovakia);

R - 96.32. Ensure timely and effective access to government information (Australia);

R - 96.33. Support independent work of the NGOs and create a strategy to defend human rights activists in the interest of sustainable and healthy development of the state (Czech Republic);

R - 96.34. Reiterate publicly its support to human rights defenders, generate an environment where they can work freely and take measures to fight against the impunity of perpetrators of aggressions and threats against them (France);

R - 96.35. Ensure that human rights defenders and representatives of civil society are effectively protected from any form of intimidation and harassment and engage constructively with them identifying solutions of Venezuela's human rights challenges (Slovakia);

R - 96.36. Allow access to international funding so that human rights defenders may continue to carry out their legitimate work (Canada);

R - 96.37. Ensure a participatory and inclusive process with civil society, including NGOs who may be critical of the government's efforts, in the follow up of UPR Recommendations (Canada);

R - 96.38. Direct officials to cease anti-Semitic commentary and condemn any such statements (USA)

Voluntary Pledges & Commitments Made By Venezuela in the Framework of the UPR

Document A/HRC/19/12:

- To strengthen the system of effective response and monitoring of international commitments undertaken by the Bolivarian Republic of Venezuela in the framework of the human rights treaties and Conventions, through the implementation of a system of analysis and timely preparation of reports to the treaty bodies.
- To present, during the first half of 2012, the pending national reports to the treaty bodies and under human rights conventions.
- To implement the newest Racial Discrimination Act, by the constitution of the Institute against Racial Discrimination established in this law, and follow up of the plans and agreements such as the Programme of Action of the World Conference against racism, racial discrimination, xenophobia and related intolerance (Durban Programme of Action).
- To strengthen the procedures for tenancy regularization of urban land.
- To promote the creation of new units for victims' assistance in the development of the new Bolivarian National Police.
- To disseminate, in a forum with wide participation among Government agencies and social movements, the results of the National Census of Population and Housing 2011 in order to inform of the situation and number of individuals and families of African descent, allowing the collection of data and information related to this group, to implement and adopt public policies to provide the necessary assistance and support required by this population within the geographical space of Venezuela.
- To strengthen public policy in education at all levels and modalities, especially those aimed at the promotion, dissemination and respect for human rights.
- To update census data of communities and indigenous peoples. To ensure the participation of the own communities in this process.

- To strengthen the mechanisms to protect the rights of migrants, such as training workshops for members of the Immigration Authorities who perform control checks at entry and departure points.
- To promote, disseminate and socialize the rights of persons with visual disabilities, promoting the mass use of the Braille system to guarantee their right to information.

Notes:

1 The recommendation as read during the interactive dialogue: Develop a draft reform of the criminal code with the aim to address serious human rights violations in accordance with international standards, with a special emphasis on the use of torture.

2 The recommendation as read during the interactive dialogue: Take further action as appropriate to combat trafficking in women and children.

3 The recommendation as read during the interactive dialogue: Facilitate the work of NGOs and other civil society actors, as well as guarantee their social media.

Disclaimer: This classification was made by UPR Info based on United Nations documents and webcast. For more information about this document, read our "Methodology". For questions, comments and/or corrections, please write to info@upr-info.org