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Item 4

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51/__. Situation of human rights in the Bolivarian Republic of Venezuela

The Human Rights Council,

PP1. *Guided* by the Charter of the United Nations, the Universal Declaration of Human Rights, the International Covenants on Human Rights and other relevant international human rights instruments,

PP2. *Reaffirming* the primary responsibility of States to promote, protect, respect and fulfil the human rights and fundamental freedoms of their citizens and to fulfil their obligations under the human rights treaties and agreements to which they are parties,

PP3. *Recalling* that the States members of the Human Rights Council shall uphold the highest standards in the promotion and protection of human rights and shall fully cooperate with the Council, including its subsidiary bodies and mechanisms,

PP4. *Recalling* its resolutions 39/1 of 27 September 2018, 42/4 of 26 September 2019, 42/25 of 27 September 2019, and 45/2 and 45/20 of 6 October 2020 on the Bolivarian Republic of Venezuela,

PP5. *Welcoming* the reports of the United Nations High Commissioner for Human Rights, the international independent fact-finding mission, and other international organizations, and expressing concern at the continued serious human rights violations and abuses in the Bolivarian Republic of Venezuela that they highlight,

PP6. *Expressing concern* that the ongoing crisis continues to have a disproportionate impact on the rights of women, children, indigenous peoples, older persons, persons with disabilities and other persons belonging to groups in vulnerable situations,

PP7. *Expressing deep concern* that more than 6.8 million people have been compelled to leave the Bolivarian Republic of Venezuela and that over 7 million people remain in need of humanitarian assistance owing to the ongoing political and economic crisis, and welcoming the efforts of neighbouring and other countries of the region to host Venezuelan migrants, refugees and asylum seekers and the humanitarian assistance provided by the United Nations, other humanitarian organizations and partner countries,

PP8. *Expressing concern* over continued reports of restrictions of civic and democratic space, including arbitrary detention, acts of intimidation and reprisals, and public defamation of protesters, journalists and other media workers, lawyers, human rights defenders and other civil society stakeholders, and acknowledging their ongoing efforts under such conditions,

PP9. *Welcoming* the increased cooperation of the Bolivarian Republic of Venezuela with the Office of the High Commissioner for Human Rights and Special Procedures, aware of the confidential letter of understanding between the Office and Venezuela, noting the preliminary steps taken by Venezuela, with the support of technical assistance provided by the Office of the High Commissioner, towards strengthening the rule of law, and encouraging continued cooperation between Venezuela and the new High Commissioner for Human Rights,

PP10. *Noting with appreciation* the decision taken to establish an office of the Prosecutor of the International Criminal Court in the Bolivarian Republic of Venezuela, and encouraging Venezuela to cooperate fully with this office, especially in the context of the investigation opened by the Prosecutor of the International Criminal Court, and noting positive first steps in this regard,

PP11. *Affirming* its strong conviction that there can only be a peaceful and democratic solution to the current crisis in the Bolivarian Republic of Venezuela and that such a solution lies with the Venezuelan people, without any sort of foreign military, security or intelligence interference, and requires the holding of free and fair presidential and parliamentary elections, in accordance with international standards, and expressing support for relevant diplomatic efforts in this regard, such as the ongoing Mexico City process,

1. *Strongly condemns* all violations and abuses of international human rights law in the Bolivarian Republic of Venezuela, some of which, according to the independent international fact-finding mission, may amount to crimes against humanity;

2. *Urges* the Bolivarian Republic of Venezuela to implement fully and immediately the recommendations contained in the recent reports of the High Commissioner and the independent international fact-finding mission, and regrets that most of the recommendations made in their previous reports have not been implemented;

³3. *Expresses deep concern* that the continued erosion of the rule of law, the insecurity of tenure, lack of transparency in the process of designating judges and prosecutors, precarious working conditions, and political interference, including the recent appointment of Supreme Court Justices who lack independence, continue to undermine the independence of the justice system, contribute to impunity and the persistence of human rights violations and abuses, impact access to justice for victims, and hinder the holding of free and fair elections;

4. *Strongly condemns* the widespread targeted repression and persecution on political grounds, including through the excessive use of force, arbitrary detention, torture and other cruel, inhuman or degrading treatment or punishment, extrajudicial execution and enforced disappearance by the security and intelligence forces, as well as the intervention in the autonomy and composition of several political parties, and deplores ongoing restrictions to civic and democratic space;

5. *Urges* the Bolivarian Republic of Venezuela to adopt appropriate measures to address reported human rights violations and abuses such as acts of violence and harassment, including sexual and gender-based violence, against women and girls in detention in Venezuela;

6. *Urges* the Bolivarian Republic of Venezuela to immediately release all political prisoners and all other persons unlawfully or arbitrarily deprived of their liberty, prioritizing those in vulnerable situations;

7. *Expresses deep concern* at the human rights and environmental situation in the Arco Minero del Orinoco region, which is the site of labour exploitation of miners, including child labour, and human trafficking, and expresses particular concern about the violations and abuses of the rights of indigenous peoples in the region;

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

9. *Requests* the High Commissioner to continue to monitor, report on and provide technical cooperation with a view to improving the situation of human rights in the Bolivarian Republic of Venezuela, including through the presentation of oral updates to the Human Rights Council at its fifty-second and fifty-fifth sessions, to be followed by interactive dialogues, and also requests the High Commissioner to prepare comprehensive written reports on the situation of human rights in the Bolivarian Republic of Venezuela containing a detailed assessment of the implementation of the recommendations made in previous reports, and to present them to the Council at its fifty-third and fifty-sixth sessions, to be followed by interactive dialogues;

10. *Decides* to extend the mandate of the independent international fact-finding mission, as set out in resolution 45/20, for a period of two years, with a view to combating impunity and ensuring full accountability for perpetrators and justice for victims, and requests the mission to present an oral update on its work during an interactive dialogue at the fifty-second and fifty-fifth sessions of the Council, and to prepare written reports on its

findings, to be presented to the Council during an interactive dialogue at its fifty-fourth and fifty-seventh sessions;

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

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

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

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