

## **ADVANCE QUESTIONS TO VENEZUELA – Add.1**

### **CEZCH REPUBLIC**

- The human rights NGO Venezuelan Program of Action and Education in Human Rights (PROVEA) reported 237 deaths due to security force actions. Prosecutors brought only some cases against such perpetrators. It is important that the Venezuelan society have a confidence in its security forces because the constitution states that no person shall be subject to cruel, inhuman, or degrading punishment. Does the Government have any plans how to fight the problem of misuse of power by the security forces?
- Societal violence remained high. The NGO Venezuelan Observatory of Violence reported 17,600 killings nationwide. Unfortunately this number increases annually. Most of those killings were classified as homicides and it seems that around 90 percents of homicide cases were not followed by an arrest. Is there any Plan of Action by the Government of Venezuela to improve the situation?
- Prison conditions remained harsh due to poorly trained and allegedly corrupted prison staff, violence and alleged extortion by guards and inmates. Prisons were filled 300 percents beyond capacity. Deaths and injuries in prisons increased. Could you please brief us on what steps Venezuela is going to take to improve conditions of prisoners?
- Could you please elaborate on the compliance of the Law of Political Parties, Public Meetings, and Demonstrations which prohibits deputies from voting against legislation proposed by the political organization that supported their candidacies with the article 201 of the constitution, which provides that deputies are subjects only to their consciences and their votes are “personal”?
- The work of the NGO’ s as well as of the Human Rights defenders are extremely important to sustainable and healthy development of every state. Does the government have plans to support independent work of the NGOs and to create a strategy to defend human rights activists?
- UNICEF noted that thousands of children were not officially registered at birth. What measures are in place ensuring that all children are registered at birth?

### **NETHERLANDS**

#### **Freedom of expression**

The Netherlands took note of paragraph 44 of the OHCHR-compilation, which states that there are concerns about increasing political interference to restrain the independence of the media. Likewise, several broadly formulated criminal libel &

media laws and regulations that provide scope for subjective interpretation imply in practice a restriction of the freedom of expression, thereby fostering a climate of self-censorship. Could you elaborate on the measures Venezuela is taking to protect representatives of the media from legal harassment, unlawful detention and intimidation?

### **Judicial independence**

Paragraphs 50-58 of the national report refer to the judicial independence in Venezuela. This section does not mention the serious concerns about the independence of the judiciary and unwarranted influence of the executive power on the Prosecutor General's Office. The Netherlands notes that it is particularly worrisome that the judiciary itself has proclaimed itself in public statements as the guardian of a political ideology. The Netherlands took note of paragraph 36-40 of the OHCHR-compilation, which states the increasing concern of recent statements from the judiciary that legal rulings of for instance the *Corte Interamericana de Derechos Humanos*, are not binding for Venezuela if these are not in accordance with the constitution of Venezuela. The Netherlands is interested to learn which measures Venezuela is taking to restore public trust in an independent judiciary.

### **Harsh prison conditions**

Paragraphs 147-148 of the national report refer to the Prison conditions in Venezuela. The Netherlands took note of paragraph 26 of the OHCHR-compilation that refers to the concerns that the Special Rapporteur expressed about overcrowding prisons, ill-treatment of detainees, serious health problems, excessive force by police and prison guards and degrading social-economic conditions in detention centres. The Netherlands would be grateful to know what measures the government of Venezuela will take to improve the status of prison conditions, in particular as it concerns the more vulnerable position of women and children.

### **Insecurity**

The right and protection to life is a basic human right of every citizen that the state should guarantee and provide for. We took note of paragraphs 30-37 of the national report about the right to social security, which explains the measures the Venezuelan government is taking to improve the social security. Despite these measures the Netherlands is still concerned about the explosive and alarming growth of criminal violence in recent years. Action on the part of the government should not only be geared towards prevention but also to counteracting the current impunity, given the negligible rates of prosecution and conviction. The Netherlands would be grateful to learn what measures have been put in place to restore law and order and to increase the confidence of the people.

## **SWEDEN**

- Sweden would like to ask the Government of the Bolivarian Republic of Venezuela what actions it is undertaking to prevent impunity and eradicate the corruption within the law enforcing organs?
- Sweden would like to ask the Government of the Bolivarian Republic of Venezuela what measures it is taking in order to ensure the right to liberty and security of person?
- Sweden would like to ask the Government of the Bolivarian Republic of Venezuela what measures it intends to take in order to guarantee the freedom of expression, in accordance with its Constitution?

## **SWITZERLAND**

- The current situation in Venezuela is characterised by an elevated homicide rate. What steps does the government of Venezuela take in order to ensure the protection of the integrity of persons, especially against arbitrary or unlawful deprivation of life? How in particular will Venezuela strengthen the independence of the judiciary and reduce the level of impunity?
- Widespread violence and a large number of small arms within the civil population constitute a threat to the public safety and the right to life. Which steps is Venezuela taking towards the implementation of the “UN Program of Action on small arms and light weapons”?
- How does Venezuela intend to improve the respect of the right to freedom of expression? What measures is Venezuela implementing to grant due protection to the representatives of the civil society and of the opposition?
- What measures does Venezuela intend to adopt in order to improve the living conditions within its prisons and other detention centres in order to reduce violence and contribute to the effective reintegration of prisoners who have served their sentence into society?