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**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

**Report of the Independent Expert on the promotion of a
democratic and equitable international order on his country
visit to the Bolivarian Republic of Venezuela: Comments by
the State***

* Reproduced as received.

I. Introduction

1. The Government of the Bolivarian Republic of Venezuela expresses its gratitude to the United Nations Independent Expert on the promotion of a democratic and equitable international order, Mr. Alfred de Zayas, for having accepted the invitation to officially visit the country.

2. The invitation made by the President of the Republic, Nicolas Maduro Moros, which was sent to the Independent Expert via Note Verbale from the Permanent Mission of Venezuela to the UNOG N° 0402, dated 27 August 2017, reaffirming the willingness of the Venezuelan Government to maintain genuine dialogue and cooperation with the bodies of the United Nations System for Human Rights, especially with the Human Rights Council and its mechanisms on the basis of respect to sovereignty and non-intervention in the internal affairs of States, as well as, its commitment with the full enjoyment of human rights in the country.

3. Consistent with the terms of resolution 18/6 of the Human Rights Council, which created the Independent Expert mandate, democratic and equitable international order requires the realization of the right of the peoples to self-determination, among other things, by virtue of which they can freely determine their political status and freely pursue their economic, social and cultural development; the right of peoples and nations to permanent sovereignty over their natural wealth and resources; the right of every human person and all peoples to development; the right of peoples to peace; and the right to an economic international order based on the equal participation in decision-making processes, interdependence, mutual interest, solidarity and cooperation among States.

4. In this context, the Venezuelan Government acknowledges the importance of the mandate of the Independent Expert, who must, among other things, define the possible obstacles to the promotion and protection of a democratic and equitable international order; determine the best practices in the promotion and protection of a democratic and equitable international order at a local, national, regional and international scale; raise awareness of the importance of the promotion and protection of a democratic and equitable international order; and work alongside States to promote the adoption of measures of promotion and protection of a democratic and equitable international order at a local, national, regional and international scale.

5. The Venezuelan Government values the efforts of the Independent Expert to show, in a balanced manner, in his report the information, data, and statements that he obtained in full and absolute freedom.

6. In this regard, the corresponding Venezuelan State institutions provided all of their support so that the Independent Expert could carry out his mission to Venezuela in all freedom and without any setback. Furthermore, he met with authorities, non-governmental organizations, members of the civil society and others that he deemed relevant.

7. The Venezuelan government positively highlights the approach of the Independent Expert on how the work of the Special Procedures of the Human Rights Council should be carried out in their missions, by emphasizing that they must know the reality of the country; listen to all actors; assess documents, ask specific questions, and make constructive recommendations in order to understand the problems within a political, economic, psychological and historical context, in order to propose measures to best obtain the realization of all human rights.

8. In this context, we value that the Independent Expert mentions the importance of philosophy in multilateralism as the basis of the Charter of the United Nations, as a commitment to international cooperation and sovereignty of States, affirming that the countries must not be isolated or boycotted, on the contrary it must be worked with them to strengthen their democratic institutions; opposite from the non-conventional economic wars waged in the last 70 years against Cuba, Chile, Nicaragua, Syria and Venezuela aimed to make their economies fail and thus, facilitate a regime change to impose a different socio-economic model.

9. The Venezuelan Government regrets and condemns the acts of intimidation and attacks perpetrated against the Independent Expert before and after his visit to Venezuela by extremists enemies of peace and freedom that through digital media and social networks incited hatred, portraying a completely unacceptable intolerance.

II. Venezuela's historical context in the framework of the visit of the Independent Expert

10. Venezuela has advanced in 19 years in a deep transformation that has brought about great political, economic and social advances aimed to improve the life quality of the population, based on the constitutional mandate of its democratic order based on human rights.

11. In order to reach this model of constitutional democracy, since the end of the last century the Bolivarian Revolution was fostered; a peaceful political revolution, where the responsibility among all of the State components and the dominance of the people's participation promotes a development model based on social inclusion, high human content, which facilitates platforms for social, legal, legitimate, just and opposed struggles to the hegemonic, factual and imperialist powers and of the media corporations.

12. It is a social revolution that respects the universal principles of the rights to self-determination of the peoples, sovereignty and independence aimed mainly to guarantee universal social inclusion.

13. Nevertheless, both the intolerance and extremism of the oligarchies and the national and international powers against our comprehensive human development model, which they have clearly expressed during these last 19 years through unconstitutional actions, trademarked by terrorist actions; attempts of overthrowing the legitimate governments of Hugo Chavez and Nicolas Maduro, besides the sabotages and boycotts to the country's economy.

14. This is how it has happened since 2002 with the coup d'État carried out by the opposition and the business leaders (FEDECÁMARAS) against the government of President Hugo Chavez, a failed attempt thanks to the solidary willingness of the Venezuelan people and the Bolivarian Armed Forces that together reinstated both democracy and the President.

15. After the failed coup d'État in 2003 the fascist powers of the political opposition carried out the economic – oil sabotage that caused the country losses of more than 15 billion dollars. The multiple destabilizations continue to date.

16. Before these aggressions and attacks against our democracy the Venezuelan State has responded with humanity and more social inclusion, aiming to fully guarantee the enjoyment of human rights in the popular and most vulnerable sectors.

17. In 2007, through an Amnesty Law pardon was granted to the coup-mongering crimes of 2002 and 2003 in favor of social tranquility. Nevertheless, this has not freed the country of anti-democratic and destabilizing acts to date.

18. The abrupt drop in oil prices, alongside a continuous economic national and international sabotage strategy has made it harder to advance in the realization of all human rights.

19. After the passing of President Chavez on 5 March 2013, new presidential elections were held on 14 April 2013, in which our President Nicolas Maduro Moros won.

20. However, during these elections intolerant sectors of the political opposition, who were benefitted by the Amnesty Law of 2007 – bonded under an alliance of parties called Mesa de la Unidad Democrática (MUD)-

21. Alongside national and international media corporations and with the support and financing of the United States government decided not to recognize the electoral results causing violent situations and tension.

22. The leader of the political opposition Enrique Capriles called not to recognize the electoral victory of President Nicolas Maduro Moros with a tragic toll of 13 dead and hundreds wounded.
23. Since 2013, destabilizing sectors of the political opposition fostered an economic war, which up to date affects the life quality of the Venezuelan people, by a social-economic boycott characterized by a systematic and planned shortage by the national and international private sector affecting distribution and purchasing of medicines and food, speculation, hoarding, a deliberate stagnation or reduction in the production of staple foods, huge extraction contraband to neighboring countries, sale of products at extremely high prices and speculative manipulation of the national currency.
24. On February 2014, once more extremist sectors of the political opposition called to terrorist violence to overthrow President Maduro, which caused the death of 43 people and 878 wounded, among them children, youngsters, elderly, officers of the Public Prosecutor's Office and police agents. Likewise, they attacked schools, universities, health centers and public transport, to mention a few, causing damages of more than 10 billion dollars.
25. The coup-mongering factors plotting against the Venezuelan model and government have nationally and internationally carried out actions of sabotage, discredit and political, economic, commercial and financial blockage.
26. In March 2015, through an Executive Order the President of the United States of America, Barak Obama, declared Venezuela "an unusual and extraordinary threat to its national security and foreign policy". This Executive Order has been ratified in March 2016 to 2018.
27. Starting 2016, the many destabilizing actions increased from 2013 the parliamentary political opposition majority in the National Assembly, mainly made up of the MUD, that since then, has been functioning in contempt for having sworn in three deputies elected irregularly in the State of Amazonas, who were suspended by decision of the Supreme Court of Justice, determining that all decisions of the above Parliament are void until those deputies are disincorporated.
28. From there they have designed plans to reach their original purpose of overthrowing by force the legitimate government of President Nicolas Maduro, aiming to worsen the difficulties and set-back social victories.
29. Hoarding and food and staple foods speculation actions increased in a destabilizing strategy of creating social unrest and media manipulation, which benefitted from the drop in oil prices, which is the main source of foreign currency in Venezuela.
30. Between April and June 2017, Venezuela hosted a new rise of terrorist violence promoted by the radical sectors of the political opposition that once more caused the death of more than 100 people, almost 2,000 wounded and plenty material damages.
31. On 30 July 2017 the sovereign National Constituent Assembly was elected called by President Nicolas Maduro based on the attribution established in Article 348 of the Bolivarian Constitution of Venezuela. This historical event put an end to the terrorist violence fostered by the radical sectors of the opposition that brought about the death of dozens of people and destroying public and private goods.
32. The Government of the United States of America immediately expressed that they do not recognize the election of the National Constituent Assembly. Followed by the governments of Argentina, Brazil, Canada, Chile, Colombia, Costa Rica, Guatemala, Honduras, Mexico, Panama, Paraguay and Peru, who make up the self-proclaimed Lima Group and that on 8 August 2017 issued the Lima Declaration in which they expressed their "condemnation of the rupture of the democratic order in Venezuela" and their "decision to not recognize the National Constituent Assembly", nor any actions resulting from it due to its alleged "illegality".
33. Despite de imperial attack and its regional lackeys after the election of the National Constituent Assembly, there have been three peaceful and transparent national elections with the participation of the Venezuelan opposition. These elections have been of State governors,

municipal mayors and presidential elections on 20 May 2018, where President Nicolas Maduro was reelected.

34. The United States Government did not recognize the results of the presidential election and as a result signed an executive order on 21 May 2018 to strengthen the unilateral sanctions imposed on Venezuela. The countries of the self-proclaimed Lima Group issued a communiqué not recognizing the electoral results, as did the European Council on Foreign Relations that announced future sanctions.

35. The Venezuelan government denounces the interventionist and hostile attitude of the European Council on Foreign Relations because of the clear erratic subordination to the foreign policy of Donald Trump's administration towards Venezuela. Expressing that none of the European Union's bodies, nor any of its governments have any legal competence, much less verifiable moral grounds to question the decisions of the Venezuelan people in the free exercise of their democracy.

36. The Venezuelan Head of State on 24 May 2018 while swearing in before the National Constituent Assembly announced six lines of action of his Government to guarantee the defense of rights and the wellbeing of the population, foster dialogue and reconciliation amongst all Venezuelans, as well as, the defense of the nation vis-à-vis these foreign attacks.

37. The Venezuelan Government reaffirms its commitment to the promotion and protection of human rights and in that regard expresses the following comments in detail to some of the content in the report of the Independent Expert.

III. Comments of the Venezuelan State to the report

38. Regarding an alleged "repression of dissent" without further arguments (paragraph 5 of the report), as well as the reference to that pointed out by the Human Rights Committee during the fourth periodic review report of Venezuela – held on June 2015-, on alleged violations of human rights perpetrated during the protests (paragraph 16 of the report), the Venezuelan government wishes to express the following:

(i) The Venezuelan State in compliance with its unwavering humanist and democratic calling has acted, acts and will always act in full compliance with the law and full respect for human rights. Its institutions guarantee the full exercise of civil and political rights of all citizens by the freedoms enshrined in the Constitution and International Human Rights Treaties.

(ii) Paragraph 16 of the report refers to the violent protest promoted by the coup-mongering Venezuelan political opposition from February 2014. On these facts the Venezuelan government provided abundant, complete and faithful information to the United Nations Human Rights Committee; as well as to the competent Special Procedures of the Human Rights Council.

(iii) This was informed through Note Verbale N° 044, 163, 190, 318, and 365 dated 19 February, 28 April, 14 May, 4 June and 30 June 2014 correspondingly, Venezuela informed on the violent events promoted by antidemocratic sectors of the Venezuelan political opposition that took place on 4 February 2014, which were sponsored by those sectors lead by Leopoldo López.

(iv) In the aforementioned Note Verbale it was clearly shown -with solid proof with plenty of photographs and videos-, the degree of violence that the Venezuelan people faced by an attempt of overthrowing the legitimate government of President Nicolas Maduro Moros, within the framework of the terrorist plan called "La Salida" promoted by Leopoldo López and his followers.

(v) The Minister of Foreign Affairs at the time, Elías Jaua Milano, personally delivered plenty of information on the violent events to both the United Nations Secretary-General, Ban Ki-moon, and the former High Commissioner for Human Rights, Navanetham Pillay.

(vi) This anti-democratic plan brought about the death of innocent Venezuelans; the loss of millions of dollars in public and private infrastructure; depriving the population of its fundamental rights; and deeply affecting the social peace of Venezuelans.

(vii) The violent protestors began on 12 February 2014 in a series of attacks against Venezuelan institutional buildings. Besides, they established a violent protest known as “guarimbas”, which consisted of placing barricades with trash, cutting objects and tires in various urbanizations throughout the country, which not only affected families but also disrupted the rights to free transit, health, education and food of hundreds of citizens that were not able to transit through those areas to fulfill their duties of a daily basis or tend to emergencies.

(viii) As a result of this violence caused by the antidemocratic protestors 878 peoples were wounded, and 278 of those wounded were officials of the State security bodies. Even worse, 43 people died and 10 of those people were military and police officers and an attorney of the Public Prosecutor’s Office lost his life in fulfilling his labor.

(ix) It must be highlighted that the placing of barricades caused the death of 5 citizens, who were victims of shootings while trying to remove them. Furthermore, six people died when the vehicles that they were in crashed into the barricades.

(x) The violence unleashed by those radical sectors of the political opposition reflected that 32% of the wounded and 23% of the casualties were officers of the security forces. The violent groups even placed barbwire on the streets and avenues -tied from one end to the other- to behead humble citizens that transited those roads with motorcycles.

(xi) It is unbelievable that some media, political spokespersons and even alleged defenders of human rights justify these heinous crimes and classify their authors as “peaceful protesters”.

(xii) In the framework of these events the acts of the Venezuelan State were deemed necessary through their security bodies and many people were arrested in flagrantly committing crimes, and were sent forth to the corresponding courts, with all the guarantees of the due process.

(xiii) It is necessary to remember in this same framework that since 2006 the country has undergone a deep police reform process. It has created a new civil, professional, preventive process that respects human rights. The Police Service Law was passed that enshrines the principle of the progressive and differentiated use of force by the United Nations standards.

(xiv) The Venezuelan State does not endorse police acts against human rights, it condemns and sanctions them exemplarily. In isolated cases where there has been excess we have acted roundly. From January to May 2015 the Public Prosecutor’s Office imputed 252 police officers having accused 110 officers of which 66 are deprived of liberty and the courts have condemned 53.

(xv) In this context 8 officers were accused: Commissioner José Perdomo of the National Bolivarian Intelligence Service (Sebin), José Benigno Pérez (Sebin), Edgardo Lara (Sebin), Héctor Rodríguez (Sebin), Jimmy Sáez (Sebin), Jonfer Márquez (Sebin), Andry Jaspe López of the National Bolivarian Police (PNB), Jonathan Rodríguez (Army).

(xvi) On 1 December 2016, Perdomo was condemned to 29 years and six months of prison for attempted homicide with malice aforethought and improper use of an organic weapon. Moreover, the officer Jaspe López was condemned to 6 years of prison due to improper use of an organic weapon and not abiding by international principles.

(xvii) Between 1 April and 26 July 2017, Venezuela relived a series of violent protests caused by the same radical sector of the political opposition. They promoted violent attacks against education and health centers, while students and patients were inside the premises-; attacks with explosive artifacts that caused burns on people and

set fire to public and private institutions, residential areas, food distribution networks and subsidiaries and premises that guarantee public services.

(xviii) The blocking accompanied these actions on roads that affected thousands of people, who were confined to their homes for weeks without being able to carry out their daily activities. The direct result of these four months of terrorist violence was 121 casualties and 1958 wounded.

(xix) These violent acts were supported by powerful economic groups that maintain a strong media manipulation that pretends to show alleged repression of the citizen security bodies against alleged peaceful protestors, when it was acts of extremist violent political opposition groups that have forced the State security bodies to act to guarantee public order.

(xx) The casualties and wounded of these violent acts were quickly attributed by the national and international media campaign to the disproportionate use of the public force to repress “peaceful protestors”, when it was actually very violent groups made up, supported and financed by some leaders of political parties, mayors, and governors of the political opposition with the support of the Government of the United States of America, who are responsible for the intense violence perpetrated by some terrorist groups in the country.

(xxi) These violent groups systematically resorted to the use of firearms, placing barricades and mortal traps, use of homemade weapons, using metallic spheres as ammunition, and mortar explosives causing damage to civilians and security officials.

(xxii) It was a type of violence that as the days went by increased the levels of aggressiveness. Likewise, the cases presented in this report to show the patterns of violent protestors, which include attacks to hospitals, schools, collection centers and food distribution, residential areas, private businesses, basic services facilities, military and police bases, NGO headquarters, among others.

(xxiii) Additionally, they developed two unparalleled practices in the recent history of our country: the first was to burn people alive that were believed to be Government sympathizers. The second was the use of children and adolescents to make incendiary bombs, guard barricades, and attack officials of security bodies which goes against national and international standards on the right to peaceful protest. UNICEF condemned this situation.

(xxiv) Of the casualties resulting from these violent acts 42% are directly attributed to violent Venezuelan political opposition groups as a result of shootings from the violent protestors that guarded the barricades against people that tried to overcome those blockades, attacks to human rights guaranteeing institutions, onslaught against public force officers, hate crimes, in other words, actions caused by violent groups of the Venezuelan political opposition.

(xxv) The Public Prosecutor’s Office has charged the alleged perpetrators of 28 deaths (22% of the causes). Only 13% of the dead are allegedly attributed to the disproportionate or misuse of the force by the police and military officers while exercising public order. In these last cases, presenting them before the justice bodies shows individualization of the penal responsibility that does not imply, under any circumstance, a systematic pattern of repression or violation of human rights on behalf of the Venezuelan State. Additionally, 42% of 1958 wounded were State security forces officials, who were attacked by violent protestors while exercising their work of the public order.

39. Regarding the initiatives and social policies by the Venezuelan Government on housing and food (paragraphs 12 and 14 of the report), we express the following:

(i) Currently the annual social investment in Venezuela is 11 times higher than it was before the Bolivarian Revolution, which translates into 71.4% of the Gross Domestic Product (GDP). This coincides with the social wellbeing indicators in the country, in which poverty and extreme poverty have decreased. In 1990 extreme

poverty was at 10.8% and it is currently at 4.7%. According to ECLAC, the country's life expectancy during 2010-2015 reached 74 years.

(ii) Regarding the right to adequate housing as an integrating element of the right to an adequate life quality, the government of Hugo Chavez inherited one of the highest housing deficits in Latin America at a 35.1% according to the Economic Commission for Latin America and the Caribbean (ECLAC, 1996) and faced an onslaught of natural phenomena such as climate thalwegs that caused torrential rains, floods and landslides mainly in the northern cost areas of our country, on December 1999 and on November 2010, which caused damage to the habitat and housing of more than 100,000.00 people.

(iii) In this context, the creation of a comprehensive and effective housing building policy was established called the Great Housing Mission Venezuela. Three years later, it was further enhanced with the creation of the Great Barrio Adentro Barrio Tricolor Mission with the objective of transforming and consolidating the habitat in the historically excluded areas and reduced to chains of poverty, where the human right to housing was considered the privilege of a few, condemning the rest of the population to marginalized areas of the big cities.

(iv) The clear evidence of the adoption of a new concept of the housing policy during the last 17 years is having successfully reached the goal of reducing inadequate housing. During the 40 years between 1959 and 1998, 1,427,263 houses were built nationally, which represents 98 houses per day based on public policies in the area, the "housing solutions" some of only 36m².

(v) This figure pales in comparison to the total from 1999 to 2016: 1,828,596 adequate housing, representing 313 homes per day, which is three times the rate of the previous stage, 70m² two to three rooms, safe, comfortable, hygienic, with the essential services to humanize social relations, with a comprehensive vision of the habitat that today exhibits verifiable achievements that are part of the urban relief of our Venezuela.

(vi) Until 2016, the Venezuelan State had developed one thousand one hundred and five (1,105) urbanisms that occupy nine thousand eight hundred and thirty-seven (9,837) urbanized hectares with gas, electricity, drinking water and sewage services; which represents the area in hectares of the city of Geneva, multiplied by six (6).

(vii) For its part, through the Barrio Nuevo Barrio Tricolor Program, one hundred and fifty-four thousand five hundred and sixty-eight (154,568) homes have been rehabilitated in three years, corresponding to one hundred seventy thousand and twenty-five (170,025) families, benefiting six hundred and ninety-seven thousand one hundred and two (697,102) people nationwide.

(viii) From 2011 to 2016, the Venezuelan State has made an unprecedented investment of \$80 thousand 398 million US dollars to the construction, maintenance and improvement of the housing to guarantee that each Venezuelan family has access to decent housing.

(ix) It is important to note that despite the difficulties faced by the country with the significant reduction in tax revenue as a result of the economic war and financial blockade imposed on Venezuela by the Government of the United States, the commitment to the goal of providing decent housing to each family that needs it in the country, has not abated, maintaining with great effort the public investment in the social sector for the reach the set goals.

(x) Currently, the social program Gran Misión Vivienda Venezuela (Great Venezuelan Housing Mission) (GMVV, for its acronym in Spanish), promoted by the Bolivarian Government has assigned decent homes through the Ministry of People's Power for Housing and Habitat, for a total of one million nine hundred forty-four thousand twenty five (1,944,025) houses throughout the country.

(xi) Moreover, the National Urban Land Institute (INTU, for its acronym in Spanish) has delivered approximately two thousand one hundred and fifty (2,150)

ownership documents and nine hundred forty-one thousand five hundred and one (941,501) ownership granted to dignify the lives of thousands of Venezuelans by delivering homes.

(xii) Great Venezuelan Housing Mission has developed housing projects in three hundred thirty-four (334) municipalities of the three hundred thirty-five (335) existent, covering basically 100% of the national geography.

(xiii) By 2019, the Bolivarian Government has set the goal of building three million homes, which will benefit a total of 11 million 700 thousand Venezuelans, a figure that represents 36.86% of the current population of our country. So far, we have advanced 41% in reaching this goal.

(xiv) Regarding the right to food, 94 percent of the Venezuelan population eats three or more times a day. The Venezuelan State managed to lower the hunger figure, which rose to 13.5 percent in 1992, to less than 5 percent in 2010. These data have been ratified by the United Nations Food and Agriculture Organization, which awarded Venezuela in 2016 for halving the percentage of people suffering from hunger between 1990 and 2015, meeting the strictest criteria to reduce hunger below 5 percent of the national population, which is close to 30 million people.

(xv) The Bolivarian Government created the Vice Presidency of Security, Food Sovereignty and Safe Supply, which concentrates all the institutional actors that guarantee the right to food with the help of the organized people. The newly created Vice Presidency has two ministries, the Ministry of Food and the Ministry of Agriculture and Land.

(xvi) The Gran Misión Abastecimiento Soberano y Seguro (Great Security and Sovereign Supply Mission) was created by the national government and is made up of a series of safeguarding and monitoring actions to boost the production apparatus and guarantee food and products, as well as to counteract the economic war that affects Venezuela and to manage public policies to structurally solve the chaotic neoliberal economic problem. This Mission promotes the production scheme of the country and concentrates its work in the Food and Agriculture, Pharmaceutical and Industrial Engines, which are three of the fifteen that form the Bolivarian Economic Agenda.

(xvii) The Local Supply and Production Committees (CLAP, for its acronym in Spanish) in Venezuela are the new form of the popular organization charged, together with the Ministry of Food, with the distribution of the regulated staple products. This initiative is a form of popular organization promoted by the Government so that the communities themselves supply and distribute the staple foods, through a house-to-house delivery method, as a mechanism to combat resale, speculation, hoarding and contraband of staple food. The implementation of this measure consolidates the joint work of the people's power and the Executive to guarantee the food of the people. Venezuelan families with fewer economic resources benefit most from CLAP.

(xviii) Since its launch in March 2016 the Committees have made progress in various forms of food distribution and production. An example of this is the fishing CLAP that has distributed more than 650 tons of fish in the country; the CLAP textiles that are in charge of making school uniforms; own packaging centers, among others. CLAPs reach 200 prioritized municipalities in the national territory every 21 days. The Bolivarian Government has invested 142 billion dollars in the Food Mission in the last ten years for the benefit of more than 22 million Venezuelans, through 22 thousand fixed food establishments.



(xix) The National Constituent Assembly (ANC, for its acronym in Spanish) of Venezuela approved the Constitutional Law of Agreed Prices, published in Official Gazette No. 6,342 dated 22 November 2017. The fundamental purpose of this law is to protect the population from the economic war and promote the productive development of the country.

(xx) The National Constituent Assembly approved in its first ordinary session unanimously, on 5 January 2018, the Constitutional Law of the Local Supply and Production Committees (CLAP). The legal instrument, consisting of 14 articles and two final provisions, aims to regulate the constitution, organization and functioning of the Local Supply and Production Committee to ensure the production, supply and distribution of food at fair prices.

(xxi) Furthermore, we highlight progress in school feeding. In the neoliberal era more than 730 thousand children were served with only one glass of milk daily. Today, in times of revolution, more than four million children take breakfast, lunch and snacks with high-quality food and nutrition in their schools. The prevalence of undernourishment in Venezuela in 1998 was 21%, but before 2010, it decreased to 3.83%, placing us in the high food security range, according to the FAO.

(xxii) Malnutrition in Venezuela stopped being a public health problem for several years, as indicated by World Health Organization sources. Currently, 95, 4% of citizens eat three times a day or more, while in 1990, one in five people could not meet their basic food needs. Between the 1990 and 1998 the available food decreased by 12 percent, with a decrease in caloric intake of 2 thousand 140 kilocalories per person. In Revolution that caloric contribution increased 2 thousand 720 kilocalories per person per day, qualified level as full food sufficiency by FAO. The consumption of proteins, calcium, cereals and fruits before was a privilege only of the rich, and now it is everyone's right.

(xxiii) Venezuela is one of the five countries in the region with the lowest figures of child malnutrition in children under five, according to the National Institute of Nutrition (INN, for its acronym in Spanish).

(xxiv) However, it is important to note that the economic blockade imposed by the United States Government against Venezuela has prevented some 18 million boxes of the Local Supply and Production Committees (CLAP) from reaching the country. Despite this, the Venezuelan Government has ratified its firm willingness to continue carrying out all the necessary measures to maintain the food levels of the Venezuelan people.

(xxv) As for the living conditions of Venezuelans, ECLAC indicates that the amount of population using improved drinking water sources reached 93,1% by 2015. Meanwhile, the amount of the population using facilities of improved sanitation was 94.4% for the same year.

40. Regarding the social policies promoted by the Venezuelan Government on health (paragraphs 21, 28,35, 43, 44, 70 of the report), we state the following comments:

(i) By Constitutional mandate the right to health is a fundamental social right in Venezuela, as well as a State obligation, which must guarantee it as part of the right to life.

(ii) In May 2017, the Surgical Plan was activated, and it has served –to date– 96,544 low-income people out of the 107,095 registered in this program. In recent months the Venezuelan government approved more than 500,000 million bolivars to strengthen the comprehensive health system. Health is a fundamental pillar, and it is now reinforced by the massive distribution to hospitals plan. We are increasing the level of care, as well as, inaugurating new surgical spaces or remodeling some spaces that will increase the capacity of clinical care.

(iii) The Bolivarian Government has had notable advances, in spite of the economic war and the destabilization of the democratic system to which the country has been subject to in the last three years. In Venezuela, there were 5,346 health establishments in 1998, which then increased to 23,146 in 2016, which represents a 332.9% increase. An average of 1 health professional for every 250 families. Currently, there are 30,699 doctors on primary care and 33,711 medicine students.

(iv) Forty-five (45) private sector pharmaceutical plants have produced to date 146,851,470 units and six public sector pharmaceutical plants produced 8,565,220 units of medicines.

(v) In 2016, the national production of vaccines was 6,800,000 units. In 1998 it was six vaccines that prevented nine diseases, with an investment of 4 million dollars. Currently, we have increased to 14 vaccines that prevent 16 diseases, extending the age range. With an investment of more than 50 million dollars there is a blood derivative production to meet 50% of the national demand for factor 8 and 100% of the other blood products.

(vi) The vaccination plan that was carried out in the third quarter of 2017 to stop the spread of diseases nationwide served one million four hundred and fifty-five thousand three hundred and eighty-five (1,455,385) people throughout the country.

(vii) Through the National System of Distribution, Follow-Up and Monitoring of Drugs (SNDM, for its acronym in Spanish) the distribution in both the public and private pharmacies nationwide is ensured reaching 289,033,008 medicines, in other words 9,3 drugs per capita.

(viii) In the first half of 2016, only the Ministry of People's Power for Health distributed 255 million 390 thousand units of medicines for the public healthcare network; 32 million 098 thousand 135 units of surgical medical equipment and 68 thousand 644 equipment of different technologies.

(ix) Through international agreements, 14 million dollars have been invested in antiretroviral, antituberculosis drugs, antimalarial, blood bank reagents and vaccines.

Through agreements with Cuba, Argentina, Uruguay and the People's Republic of China, in 2016, 486 million 685 thousand 812 units of medicines and supplies and 27 million 865 thousand 050 kilos of raw material for the preparation of medicines were received.

(x) In the country, a list of 230 high-cost medicines is guaranteed free of charge, benefiting 788 thousand people with pharmacological treatment. The Venezuelan State created the National AIDS/ STI Programme in 1999 and the Law for the Promotion and Protection of the Right to Equality of People with HIV and their Families was passed in 2014. The Government provides free antiretroviral of up to 12 years different combinations to 63 thousand 328 patients detected and registered by the program.

(xi) The President of the Republic approved by 2018 resources for the acquisition of medical equipment to strengthen the Barrio Adentro 100% Plan, as well as for the rehabilitation and recovery of the Comprehensive Diagnostic Centers (CDI, for its acronym in Spanish) and clinics in several states of the country. The goal is to consolidate the Barrio Adentro 100% Plan in all the communities of the country, and to go from 15,500 basic health teams to 16,500 basic equipment for clinics and outpatient clinics to extend public health care.

(xii) Similarly, 1 billion, 92 billion bolivars were approved for the rehabilitation and equipment of 27 operating rooms of Comprehensive Diagnostic Centers (CDI) and clinics in several states of the country, as well as for the comprehensive repair and repowering of 18 CDI and Comprehensive Rehabilitation Rooms (SRI, for its acronym in Spanish) in the capital region. For the execution of the 2018 National Surgical Plan the amount of one billion, 770 thousand 819 million bolivars were approved.

(xiii) However, the Venezuelan Government has denounced the economic blockade promoted by the Government of the United States that will eventually affect the import of necessary supplies to undertake these plans in favor of the health of the Venezuelan people.

41. Regarding the concern expressed by the Committee on Economic, Social and Cultural Rights during Venezuela's third periodic review -which took place on March 2015- on consultations with indigenous peoples, and on procedures for the appointment and dismissal of judges, as well as for the considerable number of judges who are provisionally assigned to positions (paragraph 18 of the report), the Venezuelan Government expresses the following:

(i) The Venezuelan State has provided a complete answer to this matter during in its UPR, providing complete information on the United Nations Committee on Economic, Social and Cultural Rights.

(ii) The Demarcation and Guarantee of the Habitat and Lands of Indigenous Peoples Law (LDTPI, for its acronym in Spanish) has been the first legal instrument created to systematize and regularize the drafting, coordination and execution of public policies related to the demarcation of the habitats and lands of indigenous peoples in the country, and guarantee the collective property right.

(iii) Through Resolution N° DG/CJ 035 handed down by the Vice-Presidency of the Republic, the Demarcation and Guarantee of the Habitat and Lands of Indigenous Peoples Law was installed and made up of the citizens with high-level representation and the indigenous peoples (Official Gazette N° 39.800, dated 15 November 2011), inherent to articles 26 and 29 on the United Nations Declaration on the Rights of Indigenous Peoples. Hereunder, we present the information of the ownership titles granted up to 2014:

TÍTULOS ENTREGADOS 2005 – 2014

PERIODO	Estado	Pueblo	Títulos Otorgados	Comunidades	Familia Beneficiada	Población Aproximada	Superficie (Ha)
2005-2009	Anzoátegui	Kariña – Cumanagoto	13	13	118	5,187	181,870.93
	Apure	Pumé, Jivi, Cuiva	13	13	476	1,906	393,915.95
	Delta	Warao	1	6	62	246	27,763.05
	Amacuro	Warao	1	4	96	371	197,662.16
	Monagas	Kariña, Warao	9	9	640	2,558	124,902.18
	Sucre	Warao	1	4	96	371	197,662.16
	Zulia	Yukpa	3	34	1,375	5,500	41,630.07
	Total Años 2005 – 2009			40	79	2,767	15,768
2011-2013	Anzoátegui	Cumanagoto-kariña	22	66	4,841	24,707	203,011.47
	Apure	Pume	9	9	488	1,806	37,962.46
	Amazonas	Hoti	1	1	100	543	223,078.21
	Bolívar	Kariña	3	3	215	1,310	54,612.96
		Pemon	1	14	1,185	4,650	597,982.87
	Delta	Mapoyo	1	17	195	663	261,493.29
		Warao	1	20	243	1,256	41,130.53
	Amacuro	Warao	6	10	323	1,569	161,933.69
	Monagas	Warao	6	10	323	1,569	161,933.69
	Sucre	Kariña	1	133	6,900	15,430	27,722.24
	Zulia	Barí	1	14	208	830	231,570.10
		Yukpa	1	143	1,975	7,897	143,610.50
Total Años 2011 – 2014			47	430	16,673	60,661	1,984,108.32
Total Años 2005 al 2014			93	545	20,271	79,142	2,951,852.66

(iv) From 2005 to 2012, a total of four (4) Titles of Collective Property of Indigenous Habitats and Lands were recognized and given to the Yukpa People, benefiting an estimated population of thirteen thousand three hundred and ninety seven (13,397), corresponding to an area of one hundred and eighty-five thousand two hundred forty hectares of territory (185,240 Ha.), which includes 100% of titles requested by this town. This has made it possible to claim all the sectors with the Yukpa population directly, thus ratifying the paragraphs of 7, 8, 9, 10, 22, 26 and 27 referred in a general way to the Right to lands and territories of Indigenous Peoples in the United Nations Declaration on the Rights of Indigenous Peoples, adopted by the United Nations General Assembly, on September 13, 2007. In this sense, there are no territories of the Yukpa indigenous people to be demarcated. Similarly, the Public Prosecutor's Office and the Judicial Branch have acted diligently to protect the family of Sabino Romero, issuing protective measures against the death threats that threaten them and has initiated investigation processes on the death of some family members.

(v) In the 2013-2019 Homeland Plan, as a result of the comprehensive national implementation strategy of the United Nations Declaration on the Rights of Indigenous Peoples, "Improving Habitat and Infrastructure for Indigenous Peoples" has been projected; "Accelerating the territorial demarcation of their spaces, by delivering land ownership titles to indigenous communities and providing decent housing to each indigenous family in a situation of vulnerability, respecting their cultural options"; as well as "Expanding the presence of the Missions and Great Socialist Missions in the indigenous communities, recognizing and respecting their culture and traditions".

(vi) In terms of illegal mining, which brings about environmental effects have a great impact on indigenous peoples and communities, the Venezuelan State has made progress in the creation of bodies responsible for dealing with the problem, such as the Presidential Commission for Protection, Development and Comprehensive Promotional of the licit Mining Activity in the Guayana Region (COMPRODEPROIN, for its acronym in Spanish), with the purpose of elaborating

and executing an action plan to address, in a comprehensive manner, the problems raised by the illegal practice of mining in the Guayana region. Also, the National Anti-Smuggling Commission, with an illegal mining coordination desk made up of the Ministry of People's Power for Oil and Mining, the Ministry of People's Power for Defense, the Ministry of People's Power for Indigenous Peoples and the Comprehensive Defense of the Guayana Region (REDI Guayana), with the purpose of monitoring, controlling and analyzing the efforts of all national and regional public entities dedicated to generating policies and actions that allow solving the problem of the invasion and destruction of protected areas by groups of Venezuelans and foreigners who carry out the illegal extraction of gold, diamonds and strategic minerals, affecting the environment and generating social and health problems in the indigenous and rural communities of large areas of the Bolívar, Delta Amacuro and Amazonas States that allow to make recommendations on the matter. Furthermore, the Venezuelan State is advancing in the Unique Registry of Mining Activities to identify and legalize the people that carry out activities in the productive chain of small mining in the gold and diamond sector, through a unique and supported database for a versatile and robust computing platform to directly assume the administration of this control mechanism and design policies framed in the Homeland Plan.

(vii) In conclusion, in Venezuela there is a great national strategy - unprecedented in its history - of recognition, revaluation and support for indigenous peoples, coinciding with the content of the United Nations Declaration on the Rights of Indigenous Peoples.

(viii) Moreover, Article 120 of the Constitution recognizes the right and obliges the State to hold prior and informed consultation with indigenous peoples, as an indispensable mechanism when addressing administrative and legislative measures. In this sense, the Organic Law of Indigenous Peoples and Communities - LOPCI, develops a Chapter (II) on the subject, which far from regulating the way in which each town makes its decisions, norms the procedures that the State must comply with at the moment to do so. At the same time, it encourages the indigenous peoples to develop their internal mechanisms based on their uses, customs, languages, and spirituality that allows them to make the appropriate decisions. It is worth noting that today, prior and informed consultation is a topic that, even in Latin America, is under development and discussion regarding its normalization.

(ix) The LOPCI rigorously establishes the respect for its form of organization, legitimate authorities and communication system of its members and prohibits the execution of activities in its habitat and lands that seriously or irreparably affect the cultural, social, economic, environmental or any other kind of integrity or any other nature of the peoples or communities and clearly indicates how much time of anticipation, how and what the project must contain before the indigenous community.

(x) The Law obliges the State to make available to the consulted indigenous peoples the necessary technical support, in no case obliges the indigenous peoples or communities to implement decision-making mechanisms different from their own and based on their uses and customs and the agreements will be established in writing by agreement between them and the proponents; without prejudice to the right of indigenous peoples and communities to exercise legal actions in case of non-compliance by the competent courts and request the nullification of concessions or authorizations granted by the State, when the proponents or those in charge of the execution of the project violate that agreed with the indigenous peoples and communities involved.

(xi) It is important to highlight that according to the laws in force in the country, any activity for the exploitation of natural resources and any development projects to be carried out in indigenous habitat and lands will be subject to the procedure of prior information and consultation.

(xii) It should be noted that the National Executive, through the National Commission for the Demarcation of Habitat and Lands of Indigenous Peoples and Communities, has the necessary human, economic, scientific and technological

resources for the demarcation of indigenous habitat and lands. The entities involved provide the scientific, technological and logistical support in the process of demarcation of the habitat and indigenous lands based on their responsibilities and according to the budgets assigned to their Ministries.

(xiii) The advances made by the Venezuelan State in the recognition and protection of property rights of indigenous peoples over their ancestral lands are indisputable, taking into account that it is a process that has never been assumed before and drags a social debt of more than 500 years. And that now in the revolution it is coming out with the special characteristic that the natives are at the same time protagonists and beneficiaries.

(xiv) The percentage of the territories that have been delivered are calculated based on the requests received to carry out said process. To date, 140 demarcation requests have been received, which have been granted a total of 93 collective land acknowledgments, which translates into a percentage of 66.5% of approved applications for demarcation requests, which are continuously open, but currently have not received any new application

	<i>Requests</i>	<i>Ownership titles delivered</i>	<i>% of Advantage</i>
Requests received 2001-2009	108	79	73%
New Requests received 2010 - 2013	32	14	43%
TOTAL	140	93	66.5%

(xv) Regarding the procedure for appointing and removing judges the Judiciary Power of the Supreme Court of Justice through the Judicial Commission regulates and settles everything concerning to the judicial service. In this regard, we would like to highlight that the Judicial Commission appointed 1,547 judges between provisional, accidental and itinerant in 2014.

(xvi) In this regard, Article 33 of the Code of Ethics of the Venezuelan Judge, concatenated with Article 40 of the Judicial Service Act, the latter provides that: *"Without prejudice to the criminal and civil responsibilities that may arise, the judges will be dismissed from their positions, prior to due process, for the following reasons: When having been sanctioned with suspension of the position, commit another fault of the same nature of the which motivated the suspension; When they attempt against the respectability of the Judicial Power, or commit serious acts that, without constituting crimes, violate the Judicial Code Ethics, compromise the dignity of the position or make it demean in the public concept; When they request or receive gifts, loans, gifts or any other kind of profit from any of the parties, agents or third parties; When they have incurred serious inexcusable judicial error recognized in a judgment by the Court of Appeals or the Superior Court or the respective Chamber of the Supreme Court of Justice, as the case may be, and the dismissal has been requested; When it is unjustified and repeated the non-observance of the terms or legal terms or in the deferral of sentences; When they perform acts proper to the exercise of the profession of lawyer; When they exert direct or indirect influences on other judges so that they proceed in a certain sense in the matters they know, process or have to know; When they are active militants of political parties or carry out political activity of any nature, except the right to suffrage; When they are included in any of the incompatibility reasons, provided by law; When they act being suspended legally; When they violate the prohibitions or duties established by law; When they propitiate, sponsor or organize strikes, stoppages, total or partial suspension of activities or decrease in the pace of work or participate in such acts or tolerate them; When they record in any judicial action facts that did not happen or stop relating the ones that*

occurred; When they omit the distribution of the files when this is mandatory, or perform them irregularly; When they fail to observe the provisions of the Law of Judicial Tariff; When they incur abuse or excess of authority."

(xvii) With the Decree of reorganization of the Judicial Power, within the framework of the Constitution of the Bolivarian Republic of Venezuela, in 1999 the Judicial Disciplinary Jurisdiction was created. It begins with the declaration in 1999 of the judicial emergency and establishes the reorganization of the Judicial Power, establishing the Emergency Commission of the Judiciary. In December 1999, the appointed the *Congresillo* (National Constituent Assembly), decrees the Transitional Regime of the Public Power and for the first time the Commission on Functioning and Restructuring of the Judicial System is created.

(xviii) During these years, different norms have been instituted for restructuring and reorganization of the Judicial Power, and for the entry and permanence of judges in the Judicial Power. Finally, in August 2009, the National Assembly issued the Code of Ethics of the Venezuelan Judge amended in August 2010.

(xix) The Judicial Disciplinary Jurisdiction JDJ (Judge of Judges) is the instance of the Judicial Power that is in charge of applying the Code of Ethics of the Venezuelan Judge that is to say that when, on the occasion of judicial proceedings, they violate legal or regulatory dispositions, they omit or delay the execution of an act proper to their duties or negligently comply with it or that for any other reason or circumstance compromise the observance of ethical principles and duties, they must be sanctioned or sanctioned. They will be able to apply said Code to the other interveners in the Justice System who, on the occasion of the judicial proceedings, violate said provisions and the responsible bodies do not comply with their disciplinary authority.

(xx) The Judicial Disciplinary Jurisdiction begins its dispatch activities on 16 September 2011, with a total of 181 existing files of the extinct Commission of Functioning and Restructuring of the Judicial Power as starting point of the actions leading to the promotion, attention, legal assistance to the citizens, as well as the activities of the jurisdictional scope.

(xxi) The Unit of Document Reception and Distribution (URDD, for its acronym in Spanish) has registered at the end of the first quarter of 2013, a total of 6,126 cases of which 1276 are complaints, representing 21% of the matters registered.

(xxii) The Judicial Disciplinary Jurisdiction solved 123 cases and the General Inspectorate of Courts conducted 1,629 inspections of judges, which demonstrated the efficiency and submission of these justice operators to ethical postulates.

(xxiii) Lastly, on judges in provisional, accidental or itinerant positions, through Resolution No. 2016-0468 of the Judicial Commission, published in the Official Gazette of the Bolivarian Republic of Venezuela No. 41.048 dated 8 December 2016 a call for tenders has been filed of public opposition for the entry of judges who are not currently holders in order to regularize their appointment.

42. On the economic crisis and the economic war that Venezuela is going through (paragraphs 17, 21, 22, 26, 27, 28, 32, 33, 64 of the report) the Venezuelan government wishes to express the following:

(i) Venezuela faces the direct and indirect effects methods of the non-conventional war, as well as, all types of interference by foreign Powers –lead by the United States of America-, aimed to destroy the country's economy and to set back all the great advances obtained regarding rights in the last two decades in favor of our people.

(ii) t is an open economic war where various methods fostered by power factors – both domestic and foreign-, with the sole aim of smothering the Venezuelan economy causing pain, unrest, and suffering to the Venezuelan people all to promote political instability in order to overthrow the legitimate government of President Nicolás Maduro Moros, whether it be through incitement of a domestic conspiracy, or through a foreign military intervention, as the recent threats of the United States government.

(iii) There is no doubt that Venezuela suffers from an economic war against its people promoted by the North American Empire –with the support of its regional lackeys-, in its unwavering determination of having an “accommodating” government in the future that guarantees free access to owning the largest certified oil reserves in the world, as well as, to one of the 10 main gas reserves in the planet, biodiversity, minerals and “rare earth elements” as coltan that the country has.

(iv) This vicious economic war has been gradually brewing, mixing criminal actions that have significantly affected the quality of life of Venezuelans. It began with the hoarding of basic consumer products - which magically disappeared from the shelves - causing an accelerated shortage; alongside with speculation in the prices of essential goods and services, which has advanced in a fully induced inflationary spiral, also underpinned by the artificial manipulation of the foreign exchange rate, which is necessary for the imports of goods not produced in the country and, finally, it involves a growing financial blockade by the imposition of illegal unilateral coercive measures imposed by the United States government.

(v) Many of these products are produced by big North American international companies which have a monopoly on its production, the same ones that without hesitation join the economic war lead by the United States government hiding their products or allocating their production to other countries.

(vi) Likewise, due to the mono-producing nature of Venezuela, which has a history of depending on oil revenues, the private sector has the largest distribution networks of these basic consumption goods and they actively participate in the economic war, contributing to hoarding and extraction smuggling of these goods.

(vii) To these damaging factors other important criminal actions are added that cause damage to the Venezuelan economy. In spite of the efforts of the Venezuelan government that allocates millions of dollars for the import of food and basic products - to offering them at preferential prices to the population to counteract speculation and shortages. Almost 40% of such products fall into the hands of the extraction smuggling mafia networks, and end up being commercialized in neighboring Colombia.

(viii) This attack also affects cash in circulation in the country, which is difficult to obtain, as a result of the smuggling of Venezuelan banknotes that end up being sold in Colombia or Brazil, at an amount considerably higher than their nominal value.

(ix) The pressure of these foreign power factors has caused that since 2014, the value of the exchange rate in Venezuela has multiplied by 1,410 times, while the number of bills is consequently multiplied by 43; the liquidity by 64; and the implicit exchange rate by 141, mainly due to the fraudulent and criminal manipulation of the exchange rate directed by the website Dollar Today, which has its servers in Miami, United States. And the underpinned international media campaign to discredit the country, which has been joined by risk rating agencies such as Standard & Poor's, which declared our country in selective default despite having complied with all of its debt payment obligations and interests to the creditors, paying up to now more than 70 billion US dollars of debt.

(x) This situation has led the country to experience very high levels of induced inflation, which the Venezuelan Government has tried to cope with through regular salary adjustments decrees, as well as other compensations to protect the population's income.

(xi) The financial blockade imposed by the United States on the country, which directly impacts the acquisition of goods and services for the population, joins these well-orchestrated criminal actions. An example of this is that, in November 2017, 23 Venezuelan operations were returned to the international financial system, valued at 39 million dollars for the purchase of food, basic goods and medicines.

(xii) In short, Venezuela is facing these barbaric and continued attacks on the economy that significantly affect the welfare and quality of life of our people. The Venezuelan government has spared no effort in the short and medium term, to get out

of these vicious criminal actions promoted by the American Empire and its domestic and regional acolytes.

(xiii) In this regard, the Venezuelan government domestically promotes, alongside with the State's competent institutions, a forceful campaign to confront the mafias committed to these serious criminal acts against the patrimony and Venezuelan sovereignty.

(xiv) As speculation and extraction smuggling are the main weapons of the attack on Venezuela and its economy, the "Operación Manos de Papel" has been put in place to confront and stop the mafias that try to create a parallel financial system and destabilize the economy, using the proximity of Táchira state as a gateway and financial corridor to Colombia.

(xv) The Minister of People's Power for Urban Agriculture and National Coordinator of Local Committees for Supply and Production (CLAP), Freddy Bernal, reported on Friday, 22 June 2018, about 300 tons of staple food were seized in two popular markets of the population of Rubio, Táchira State. Thirty-three people were also arrested because sold staple food at speculative prices.

(xvi) The people arrested in the framework of "Operación Manos de Papel" belonged to mafias that committed crimes of speculation and overpricing of staple food such as meat, eggs and vegetables, which also waited to be extracted and sold at the border with Colombia to sharpen its scarcity. Bulks were found with significant amounts of Venezuelan money sent to Colombia, with the intention of selling paper money.

(xvii) Likewise, more than 200 tons of food was found on Thursday, 10 May 2018 in a warehouse located in La Grita, Jáuregui Municipality, of the same Andean entity (Táchira State). From there only 10% of the products were sold to trade and the remaining 90% went to Guasdalito, Apure State, with the aiming to smuggle it to Colombia.

(xviii) In one of the inspection operations a stockbreeder in Manuel Tarazona was killed after confronting the authorities who were going to arrest him for financing paramilitary groups on the border. Minister Bernal affirmed that Tarazona was authorized to kill 800 animals a month, of which only 200 were sold in Rubio, and 600 went to the extraction contraband in the innumerable trails that exist in the Colombian-Venezuelan border. This stockbreeder was one of those who placed the price markers for livestock, eggs and other products in the Tachira region.

(xix) Days before, in Táchira State, the "Operación Dron" was executed, which resulted in the initial arrest of 11 people for the smuggling of gasoline to Colombia. At that time, 13 car dealerships were raided, in which 296 vehicles were seized: 27 of cargo, 37 of luxury, four buses, two vans, 39 motorcycles, four boats, two jet skis and 183 light vehicles.

(xx) The figures have risen to reach 490 seized vehicles, 23 car dealerships were inspected (only nine had commercial registration); In addition, 33 businessmen, the main registrar, two mercantile registrars, four notaries and the regional director of the National Institute of Transportation and Ground Transit (INTT, for its acronym in Spanish) were detained for their involvement in the gasoline contraband network.

(xxi) In the offices of the Public Registry of San Antonio and Ureña in Táchira State -where parallel units operated to carry out illegal transactions vehicle purchase-, blank formats ready to be completed by the mafias were found, formats used to transport gasoline to Colombia and legitimize capital.

(xxii) In the aforementioned procedures, as in other procedures, officials of the Regional Public Prosecutor's Office, the Special Operations Unit in Action (FAES, for its acronym in Spanish); the Scientific, Penal and Criminal Investigative Body (CICPC, for its acronym in Spanish) and the Directorate General of Military Counterintelligence (DGCIM, for its acronym in Spanish) have participated.

(xxiii) The role of these commercial and exchange rate mafias is none other than to invigorate the attack on the economy, they are partially implicated in all criminal activities that contribute to the deterioration of the purchasing power and the population's access to goods and services. Hence, the "Operación Manos de Papel", which began attacking a website that published speculative prices of foreign currencies, continued with the dismantling of smuggling mafias of gasoline and cash, then it has been dismantling mafia structures in banks, government offices, dealers, popular markets and illegal exchange rate locations.

(xxiv) On 17 April 2018, the then Executive Vice President of the Republic, Tareck El Aissami, reported that through the "Operación Manos de Papel", 86 citizens were captured, including people of Colombian nationality linked to the smuggling of Venezuelan currency and the imposition of speculative dollar exchange rates. He noted that 125 search warrants were carried out, and that 596 other companies were being searched across the board.

(xxv) Furthermore, 22 vehicles and properties that are part of the operators' logistic apparatus were seized. Among those captured 31 people have direct links with Carlos Eduardo Marrón, owner of the website Dolar Pro, arrested on 12 April. The police and intelligence bodies are searching to detain 112 people that are directly linked to the financial mafias. One thousand three hundred thirty-three bank accounts of 19 national banks were blocked, 90% of which belonged to Banesco Banco Universal. In these accounts 3 trillion bolivars were seized and the financial plan showed a balance that exceeds 20 trillion bolivars, as of this year.

(xxvi) The operation was centered on Carlos Eduardo Marrón, who is accused of the crimes of dissemination of false information on the exchange rate, money laundering and criminal association. He was responsible for the marking and the imposition of the criminal dollar to attack and destabilize the Venezuelan financial system. Marrón is a director of the production company Venelatin Productions established in Miami and with operations in the US, Colombia, Panama and Peru. This firm is linked to the ticketing company Tuticket and its headquarters are located in Coral Gables, South Florida, USA, and it sells tickets for events and shows.

43. Regarding the anti-corruption programme (paragraph 23 of the report), the Venezuelan Government wishes to express the following:

(i) Since the appointment on 5 August 2017, the Attorney General of the Republic, Tarek William Saab by the National Constituent Assembly (ANC), has been given an unprecedented turn to the work of the Public Prosecutor's Office (MP, for its acronym in Spanish), the main organ of action in Venezuela that in just eight weeks of assuming the position has left in evidence the decades of inaction of his predecessors.

(ii) The new Attorney General of the Republic has made progress in a genuine anti-corruption offensive which has shown that the main mechanism that maintained a high degree of impunity was the inaction and complicity of Luisa Ortega Díaz's long term of almost 15 years at the head of this important jurisdictional body.

(iii) The action of the current Public Prosecutor's Office has the open support of the President of the Republic Nicolás Maduro Moros, who in the third line of action announced as the axis of the Bolivarian Government, is the renewed and frontal struggle against corruption, bureaucracy and minimalism, with the objective of promoting a new patriotic, social and civic ethic in the population.

(iv) Regarding the assassination of David Vallenilla in the violent protests in the air base La Carlota, the Public Prosecutor's Office managed that the case be given to the ordinary criminal courts and that the military that shot be sentenced with the maximum sentence; while the cases of the students of UPEL-Maracay detained for violent protests it was managed that the youngsters that were not clearly linked to punishable or violent acts be sentenced to parole.

(v) The first major finding announced by the Attorney General was the existence of an extortion network or structure within the Directorate of the Public Prosecutor's

Office aimed at obtaining economic benefits in exchange for obstructing or diverting criminal investigations. Many of these irregular actions were aimed at protecting groups and individuals involved in corruption cases against the Public Administration. Companies that processed and irregularly obtained preferential foreign currency before Cadivi and Cencorex showed that the immense majority of defendants (more than 80%) were individuals and not legal persons. It is also considered that the reduction of accusations about drugs is related to actions where the procedural actions were "negotiated". Only in the first month, the new authorities had to process about a dozen officials for acts of this type.

(vi) One of the corruption cases addressed and presented by the Public Prosecutor's Office is the embezzlement against PDVSA in the Orinoco Oil Belt, through overpriced contracts during 2010-2016. This is an investigation that involves more than 41 thousand contracts in foreign currency for a global amount that exceeds 35 billion dollars. So far, with the first investigation the existence of overestimated prices of more than 200% and patrimonial damage of at least, 200 million dollars in a sample of 12 contracts granted to 10 companies has been determined. The process has so far resulted in break-ins in the headquarters of the companies, seizure of goods and assets, and the capture and prosecution of one of the executives of one of the firms involved.

(vii) The actions and announcements on the investigation in the Belt had a catalytic effect to drive a complaint about sabotage to the operations of the joint venture Petro Zamora (PDVSA alliance with the Russian group Gazprom), which extracts crude oil on the East Coast of Lake Maracaibo, in the state of Zulia. The acts of sabotage had lasted for more than two years and were provoked by the management of PDVSA's Western Division, and its objective was to force Russian partners to purchase supplies and materials from companies sponsored by these officials. Initial inquiries indicate that managers could have been driven to such actions (including gas supply cuts and theft of electrical components) by US agencies as part of the actions of the unconventional war against Venezuela. Nine managers, including the director of the Western Division, are being detained and prosecuted in this case. The Gazprom group in 2015 filed the respective complaint with the Public Prosecutor's Office without the former Attorney General Ortega Díaz echoing it.

(viii) The case of the bribes that the Constructor Norberto Odebrecht revealed to have paid in several countries to obtain infrastructure contracts is the main and almost universal plot of corruption that the Latin American political right-wing has used to attack the progressive governments of Latin America. Venezuela has not been the exception and the mere mention of the company of Brazilian origin has tried to be connected with important government officials. The former Prosecutor Ortega has attributed her dismissal to an alleged attempt by the Venezuelan government to prevent the investigation. However, on the contrary, the new Attorney General has found that the one who tried to stop the investigation was the management headed by his predecessor.

(ix) The Public Prosecutor's Office has determined the existence of a close friendship between Luis Ortega Díaz and attorney José Rafael Parra Saluzzo, who was hired by Odebrecht to handle the criminal case and for which he hired almost 8 million dollars of which he charged more than \$3 million between February and June. The current Attorney General, contrary to what was assured by his predecessor, has already announced the prosecuting of the investigation, since this case was not known to date by any court. The objective is to establish who received payments from Brazilians to manage to hire (whether or not it was State officials).

(x) The Attorney General also announced several investigations related to the revelations of the Panama Papers and the so-called "Andorra Case", related to the deviation of more than one billion euros through the Private Banking of Andorra (BPA). Both are criminal processes in which important former Venezuelan officials or businessmen are mentioned and who have hitherto been publicly ignored or used only as elements of political confrontation. Likewise, these investigations can lead to tax evasion and money laundering, among others.

(xi) Another of the recent cases discovered by the Public Prosecutor's Office and on which there have already been punitive actions, is that of the Venezuelan actor Manuel "Coco" Sosa, 34, apprehended on 4 October 2017 by Venezuelan police agents, in the frame of an investigation for the massive embezzlement to the state PDVSA in the Orinoco Belt. Sosa is reported to have participated in the scheme of contracts with surcharge in the Belt through several companies of his property. One of the cases of overpricing is referred to the sale of some printers whose real cost was 3 thousand dollars, and were sold to Petropiar in almost 500 thousand dollars. This actor and president of the company involved called Gramal Supplies was captured and is deprived of freedom.

(xii) Another well-known case investigated by the Public Prosecutor's Office is the overpriced international purchases of Bariven (a subsidiary of PDVSA), where through an investigation on the behavior of the acquisitions made by Bariven it allowed to verify the existence of a scheme of surcharge that in at least one case, it reached 98 thousand %. Due to these facts, the president of the subsidiary, Francisco Jiménez Yusti; the Technical Services Manager, Joaquín Ernesto Torres Velásquez; and the Purchasing Analyst of the company above, Javier Alexander Sosa Dilluvio were apprehended and charged. This investigation allowed to corroborate that this company carried out illegal activities during the purchasing processes, both in bolivars and in dollars, for amounts exceeding 10 billion bolivars and 119 million dollars.

(xiii) To reopen investigations due to money laundering of former PDVSA officials. After capturing at least three former officials of the company in Spain, the Public Prosecutor's Office agreed to reopen investigations that were already closed by the previous management. These are the cases of the former Deputy Minister of Electric Power, Nervis Villalobos; the former director of Bariven, Cesar Rincón Godoy; and the former Manager of Loss Prevention and Control, Rafael Reiter Muñoz. Furthermore, the former director of Bariven and the former President of Electricidad de Caracas, Javier Alvarado were mentioned. In this case, it is about accusations made related to the legalization of assets deposited in banks in Andorra and Spain, which presumably come from frauds to the Venezuelan administration, or ransom payments made by companies hired by PDVSA.

(xiv) Another important case is the massaging of the oil production figures in the Eastern Division, which is consistent with the fraud mechanism that consists in adulterating oil production volumes to simulate an efficiency that did not exist and report false levels of commercialization to obtain payments and royalties, and thus increase the assigned budget. The losses caused surpass 1.4 billion dollars during the last three years from November 2014 to April 2017. The amount of oil produced was altered by 21 million 797 thousand barrels. For these ten high officials have been apprehended amongst which are the Director of Prospecting and Production of the Eastern Division and the former Deputy Minister of Transport Planning, Luis Ramón Mendoza Guerra.

(xv) The general balance to date indicates that 42 former PDVSA officials are in detention, including seven high-level officials such as Pedro León Rodríguez, Gustavo Malave Buccé, Orlando Chacín, Francisco Jiménez Yusti and Pavel Rodríguez. Chacín, who served as vice president of Prospecting and Production of PDVSA until January 2017, hampered the transfer of five oil fields, facilities, assets and personnel of the Operational Coordination Management, the Integral Operation Management of the Plant and the Lago Division Management, to the joint venture Petro Zamora. This behavior leads to the theft, and sabotage of strategic materials for the production of crude oil and severe failures in the supply of gas required for oil extraction. Accordingly, a loss of 15,700 barrels per day is calculated, equivalent to more than 15 million barrels accumulated between 2015-2017 and valued at almost 500 million dollars.

(xvi) Likewise, the Attorney General informed that the others apprehended for sabotage are Luis Gerardo Martínez Cardozo, superintendent of crude treatment; Adolfo Ramón Artigas, laboratory technician; Hirtó Manuel Hurtado, oil movement technician; Raibeth Atencio, leader in crude accounting; Jalar Antonio Granado

Rodríguez, superintendent of tank operations; and Noria Alberto Perozo Villanueva, representative of the Ministry of Energy and Mines.

44. Regarding the mention on the ongoing complaints before the International Labour Organization (ILO) (paragraph 25 of the report), the Venezuelan government wishes to express the following:

(i) As a basis, regarding the complaints that are filed with to the ILO against our Government, filed by FEDECAMARAS and Trade Union Organizations that are its allies, it must not be forgotten that these complaints are of an eminently political nature recurrently filed against our Government since the year 2003.

(ii) Our Government always recalls in its incontrovertible defense arguments before the ILO that FEDECÁMARAS was the leading organization that carried out the coup d'état against the Venezuelan Government on April 2002, and its President, Pedro Carmona Estanga, proclaimed himself President of the Republic disregarding the National Constitution, democracy, and sovereignty that resides in the people and the legitimate Government of Venezuela; moreover, FEDECÁMARAS was a leader in the unemployment and sabotage of the Venezuelan oil industry during 2002-2003, causing huge losses for the nation.

(iii) In spite of all this, social dialogue is advancing and deepening in our country and based on this meetings are held with private sector employers. The Venezuelan Government addresses the concerns of FEDECÁMARAS and, in particular, those related to the ILO Conventions ratified by our country.

(iv) In the Bolivarian Republic of Venezuela, the protection and application of the minimum wage applies at the national level and is of general application without any discrimination, by Article 91 of the Constitution and Article 129 of the Organic Labor Law, Workers. And it is precisely FEDECÁMARAS and to all the capitalist employers that our national minimum wage system does not suit them, and hence the attacks to which our Government constantly faces.

(v) Here it is simply the customary attitude and behavior of FEDECAMARAS and the International Organization of Employers (IOE) of wanting to manipulate and use the ILO because of their capitalist interests that are radically opposed to the social and protection policies of our Government in favor of the workers.

(vi) FEDECÁMARAS has been excluding itself from the social dialogue, and our Government has proven in specific discussions with the ILO that they have been invited to consult on the minimum wage and various labor issues. ILO Convention 26 states that any member who ratifies the Convention is free to determine the methods for setting minimum wages and the form of their application.

(vii) Our Government consults all employers' organizations in Venezuela equally, but FEDECAMARAS intends to be consulted exclusively, which is not appropriate in our country where the dialogue is broad, inclusive and without discrimination or privileges between business and union organizations. The national social partners (employers and workers) are consulted equally, and based on the aforementioned Convention 26, the ultimate power to decide on this rests with the competence of the Government, and the supervisory bodies ILO has established this: "The consultation procedure may aim to achieve consensus, although this is not a necessary condition. You have to hear the opinions, but ultimately it is the government that decides if such a consensus is not reached." "The consultations required by the Convention do not impose the search for an agreement; they are intended to help the competent authority to make a decision."

(viii) On the other hand, our Government also gives firm compliance to Convention 144 on tripartite consultation on issues exclusively related to the normative activity of the ILO, such as the ratification and application of international labor standards; "That agreement does not include consultations on matters of social or economic policy of a country"; and the ILO doctrine establishes this.

45. On the economic sanctions imposed on Venezuela (paragraphs 34, 35, 36,37, 38, 39 of the report) the Venezuelan government wishes to express the following:

(i) The imposition of unilateral coercive measures, mainly by the great powers against developing countries, have a severe humanitarian impact and negative consequences on human rights, denying the realization of the right to development. There are many obstacles that these terrible measures cause in the domestic order, with extraterritorial effects on the enjoyment of human rights.

(ii) To date, 22 measures have been issued with which unilateral coercive sanctions have been imposed on Venezuela, from December 2014 to May 2018. The countries and communities that have applied these measures are the United States of America; Canada; the European Union; Switzerland; and Panama.

(iii) In 2014, of the United States Congress enacted the Public Law 113-278, which expressly establishes sanctions on the Central Bank of Venezuela, the highest authority on monetary policy of the State; Petróleos de Venezuela SA (PDVSA), the main state company that has a monopoly on the exploitation of all hydrocarbons in the country and generates more than 90% of the country's foreign currency revenues; and to other State entities with competence in matters of monetary and financial policies and exchange rate control.

(iv) To consolidate the blockade against Venezuela the Public Law 113-278 contemplates the possibility of applying unilateral blockade sanctions and freezing Venezuelan assets, funds, and properties; suspension of entry, revoking the visa or other documentation of Public Office officials, military officers and diplomatic representatives. These are complementary measures aimed at implementing and strengthening the economic, financial and commercial embargo on Venezuela, as well as hindering the participation of State representatives in international relations.

(v) On 25 August 2017, the President of the United States, Donald Trump, issued Executive Order 13808, which imposed new financial sanctions against Venezuela and which also affects our state oil industry PDVSA. Through this order, negotiations on new and capital debt issued by the Venezuelan Government or PDVSA were prohibited, as well as prohibiting negotiations with certain existing bonds of the public sector, as well as dividend payments to the Government of Venezuela.

(vi) This Executive Order prohibits any person, financial entity or company, directly or indirectly related to the United States, from doing any operation with new debt issued by the Venezuelan State or by PDVSA.

(vii) This translates into serious consequences for the Venezuelan financial system, closing the possibility of issuing and negotiating optimally new debt, which may eventually lead to the breach of the obligations internationally incurred by the Republic, placing the assets that are outside the national territory at serious risk, which potentially can be subject to embargo and executed for the forced and anticipated fulfillment of the obligations contracted by the country.

(viii) As a justification of this Executive Order, the US government indicated that such measures were carefully taken to deny the "dictatorship" of President Nicolás Maduro a critical source of funding to maintain his illegitimate government.

(ix) Subsequently, the President of the United States, Donald Trump issued on 2 March 2018, a one-year continuity order of the "national emergency" declared in 2015 by Barak Obama on Venezuela, where he indicated that "the situation has not improved" and that "the Government of Venezuela's erosion of human rights guarantees continues."

(x) In this way Donald Trump gave continuity to the Executive Order issued by Barak Obama, in March 2015, alluding to the critical situation of the country; and that was renewed in March 2016 and 2017.

(xi) For the latter extension, the US President argued that Venezuela continues suffering from "the persecution of political opposition, restriction of freedom of the press, the use of violence and violations of human rights."

(xii) It must be recalled that in Executive Order 13692 of March 2015, Barak Obama determined that the situation in Venezuela constituted "an unusual and extraordinary threat to the national security, foreign policy and economy of the United States", for which he declared "a national emergency to deal with that threat."

(xiii) The false declaration of a "national emergency" becomes a tool available to the President of the United States to apply sanctions against a country under certain circumstances, which allows it to go beyond what was approved by Congress.

(xiv) After this initial statement in March 2015, the United States Government tried to explain that the accusation of "threat to the national security" is simply the formula that US presidents must use to have a legal basis that allows them to impose sanctions, so they did not consider Venezuela a threat.

(xv) On 19 March 2018, the Government of the United States signed an Executive Order whereby it prohibited "all transactions related to, provision of financing for, and other dealings in, by a United States person or within the United States, any digital currency, digital coin, or digital token, that was issued by, for, or on behalf of the Government of Venezuela on or after January 9, 2018", as indicated in said Executive Order, making direct reference to Venezuelan Petro.

(xvi) Next, the US government signed, on 21 May 2018, a new Executive Order to limit the Venezuelan government's ability to sell State assets, including public debt and PDVSA bonds, in an attempt to restrict - even more - its financing capacity.

(xvii) These sanctions are aimed at disregarding the National Constituent Assembly, as well as the presidential elections of 20 May 2018, in open violation of the right of the Venezuelan people to self-determination.

(xviii) Moreover, on 13 November 2017, the European Union's Foreign Affairs Council adopted restrictions on the export, sale, supply, transfer to Venezuela of all types of weapons and related material, including weapons, ammunition, vehicles and military equipment, paramilitary equipment and spare parts, ordering at the same time, the prohibition of entering the European territory to those supposedly responsible for the situation of the country.

(xix) On 15 November 2017, the United Kingdom adopted against Venezuela these same sanctions imposed by the European Union.

(xx) On Monday, 25 June 2018, in line with the North American offensive, the European Union's Foreign Affairs Council decided to sanction 11 high officials of Venezuela for organizing the last presidential elections. The argument used by the European Union was that these elections did not respect the "minimum standards of democracy", using the same argument of the self-proclaimed Lima Group and the United States.

(xxi) Amongst the senior officials, is the current Executive Vice President, Delcy Rodríguez; the Vice President for the Economic Area, Tareck El Aissami; the directors of the National Electoral Council (CNE) Socorro Hernández and Sandra Oblitas; the General Commander of the Army, Jesús Suárez Chourio; the Minister of Education, Elías Jaua; and the Protector of Táchira and Head of CLAP, Freddy Bernal.

(xxii) In this regard, the Spanish Minister of Foreign Affairs, Josep Borrell, said that the decision of the European Union to expand sanctions against Venezuela does not "in any extent exclude the will to dialogue", noting that the European Union "expand the dialogue and cooperation to try to find political solutions to the conflict", instead of resorting only to sanctions. Spain is the country that leads the voice of European politics regarding Venezuela and Latin America.

(xxiii) On their behalf, the Swiss Confederation imposed, in March 2018, the same sanction of the European Union, with regards to any transaction involving the acquisition or trade of military weapons and technological equipment intended for the surveillance of telecommunications and the Internet on behalf of Venezuela. Also, it included the freezing of assets and economic resources, and prohibited the entry, transit and permanence to Switzerland of seven (7) Venezuelan Government officials.

(xxiv) In this order of ideas, on 31 May 2018, the Canadian Government of Justin Trudeau sanctioned 14 Venezuelan officials, including Cilia Flores, wife of President Nicolás Maduro, arguing that these punitive and discretionary measures were based on accusations that these people are “responsible for the dismantling of Venezuelan democracy.” The Canadian government has decided to subscribe to the letter of the aggressive and interventionist actions orchestrated by the White House against the Venezuelan Government.

(xxv) The Canadian Head of Government expressed that such sanctions sent a clear message that “the anti-democratic behavior of the Maduro regime has consequences. Today's announcement is evidence of our commitment to defending democracy and human rights around the world and our rejection of Venezuela’s fraudulent presidential elections,” he said.

(xxvi) In addition to Cilia Flores, the sanctions applied affect the Bolivarian leaders Tania Diaz, Vice President of the National Constituent Assembly; Fidel Ernesto Vásquez Iriarte, General Director of the Executive Vice Presidency of the Republic; Érika del Valle Fariás Peña, Mayor of the Libertador municipality of Caracas; Deputy of the National Assembly, Ramón Darío Vivas Velasco; Judge Christian Tyrone Zerpa; magistrate Fanny Beatriz Márquez Cordero; magistrate Malaquías Gil Rodríguez; Judge Indira Maira Alfonzo Izaguirre; and Judge Jhannett María Madriz Sotillo.

(xxvii) Some States, cynically claiming the need to protect human rights, establish these unilateral coercive measures that violate international law and transgress precisely the human rights of the Venezuelan people.

(xxviii) It is a fact that 90% of the currencies (foreign currencies) that Venezuela receives come from its oil industry, so the application of selective sanctions on PDVSA not only prevents it from carrying out its commercial activities properly, but it also violates the human rights of the more than 30 million Venezuelans who depend on it.

(xxix) The application of unilateral coercive measures is a clear violation of the principle of non-interference in the internal affairs of States. They are coercive measures that are intended to change the policy and sovereign will of Venezuela, to develop its domestic policy as it may decide.

(xxx) Unilateral coercive measures undermine and lead to the collapse of the economic systems of States, its main victims are always the most vulnerable people such as women, children, the sick and the elderly, as well as the poor, who suffer the consequences not having access to supplies and medicines that can in some cases save their lives, such as vaccines or access to basic food products.

(xxxi) Some private and foreign state companies, in compliance with or threatened by the application of sanctions by the Government of the United States of America, have denied, impeded or delayed financial transactions and payment to providers of food, medicines or supplies for health services, as well as refusing to deliver or send goods that had been paid timely.

(xxxii) One of the first financial sanctions aimed at consolidating the economic blockade against Venezuela was in July 2017, when Citibank unexpectedly decided, without prior notice and arbitrarily, to close the bank accounts of the Central Bank of Venezuela and the Bank of Venezuela, which made it impossible for the Venezuelan State to pay at that time, imports and other patrimonial commitments.

(xxxiii) Furthermore, Citibank during the month of November 2017 also refused to receive the transfer of funds from the Venezuelan State to pay to a foreign private company with bank accounts in that financial institution for the import of a shipment with more than 300,000 doses of insulin, medicine that must be imported by Venezuela to guarantee the life and health of people living with diabetes. Which brought as a consequence that said cargo was retained in an international port and could not arrive at our country.

(xxxiv) Also in November 2017, the company Euroclear retained 1,650,000,000 dollars that the Venezuelan Government had paid for the purchase of food and medicine. However, what seems worse is that during this same month the financial blockade was also extended, not only for imports, but also to receive payment for services and products generated by the Venezuelan State. That is, Venezuela is prevented from obtaining the profits for its economic activities provided to other States or foreign companies.

(xxxv) Likewise, the Venezuelan State oil company CITGO, based in the USA and that carries out its economic activities in that country, since the application of economic sanctions has not been able to transfer its profits outside the United States of America, preventing Venezuela from having billions of dollars to guarantee human rights and the needs of our inhabitants.

(xxxvi) Also, Wells Fargo Bank, which is a private financial company also withheld and canceled the payment of \$ 7,500,000 made by Brazil to our country for the sale of electricity, which made it impossible to complete this economic transaction.

(xxxvii) Similarly, the Bitfinex company - the largest private Bitcoin digital exchange platform based in Hong Kong - publicly announced that it would not trade with the Venezuelan State's crypto active "Petro" to avoid exposure to sanctions by the United States Government.

(xxxviii) In March 2018, the U.S. Department of Justice reported that a private entrepreneur was arrested in the territory of that country and criminally prosecuted for "evading" compliance with the sanctions imposed on the country, by conducting commercial operations with the Venezuelan State through the American financial system.

(xxxix) Lastly, in May 2018, the Venezuelan Minister of People's Power for Health publicly informed that a financial transaction amounting to \$ 7,000,000 for the purchase of dialysis supplies for patients including children and adolescents requiring such treatment was "blocked".

(xl) Applying coercive measures has become the political pressure weapon of some developed countries to destroy other developing nations.

(xli) These unilateral coercive measures, imposed in the form of an economic blockade, have a great impact on the enjoyment of human rights of the population, not only in the State directly affected, but also in the population of third States that are prevented from establishing economic and commercial relations.

(xlii) Venezuela will continue raising its voice to reject, in the most powerful way, the imposition of unilateral coercive measures by the hegemonic Powers that seek to subjugate the peoples of the South that do not submit to their imperial designs, which violate international human rights law and international humanitarian law.

46. Regarding the international mediation process mentioned (paragraphs 8,40 and 41 of the report):

(i) During the last four years, President Nicolás Maduro has made more than 400 calls to the Venezuelan opposition to participate in the national dialogue. The country had to live again the painful trauma of the terrorist actions known as guarimbas. He had to go through the popular victory of the people by democratically choosing a National Constituent Assembly that put an end to that political violence. The Venezuelan opposition had to be widely defeated in the 2017 governor and mayor elections for them to finally accept the dialogue offer.

(ii) In Santo Domingo, the Dominican Republic, by the willingness of the Venezuelan Government, meetings were held between representatives of the Government and the opposition, which were facilitated by President Danilo Medina; the former President of the Government of the Kingdom of Spain, José Luis Rodríguez Zapatero; the Ministers of Foreign Affairs of Chile, Mexico, Bolivia, Nicaragua, and Saint Vincent and the Grenadines. The purpose of these dialogues was reaching

agreements to consolidate democracy, peace and political coexistence, as well as respect for human rights.

(iii) As a result, a prior agreement was reached between the Government and the opposition, as expressed in the document entitled "Agreement of Democratic Coexistence for Peace in Venezuela."

(iv) Both sides reached meeting points on central issues. On 6 February, everything was organized in Santo Domingo for the signing of this Agreement. The representatives of the Venezuelan opposition - at the last minute - refused to sign it.

(v) It was a huge affront and disrespect to the Venezuelan people, the President of the Dominican Republic and his Government, the former President Rodríguez Zapatero and the foreign ministers. What a coincidence that when this decision was made the United States Secretary of State was in Bogota. You can draw your conclusions.

(vi) Instead, President Nicolas Maduro instructed his delegation to sign the Agreement and pledged to comply it.

(vii) One of the issues that were agreed upon is the one related to the presidential elections that according to our Constitution, had to be held in 2018 and it took place. The Electoral Power complied with the Santo Domingo Agreement with absolute rigor: the conditions (the same as for the organization of the parliamentary elections of 2015, which the opposition won), the electoral observation and accompaniment missions (the Secretary-General of the United Nations, the Council of Electoral Experts of Latin America, CARICOM, the African Union, ECOWAS, among others were invited), as well as the time frames to open the voting register inside and outside of Venezuela (request also from the opposition).

(viii) Free, sovereign and transparent elections were held on 20 May 2018. The participating political parties complied with the Santo Domingo Agreement with responsibility. Some did not have the authorization of Washington to register their candidates for the Presidency despite having the willingness to participate.

(ix) The Government of President Nicolas Maduro Moros ratifies the humanistic nature of the Bolivarian Revolution, and the full disposition to a frank and true political dialogue with those willing to walk down the path of peace that the Venezuelan people demand now more than ever.

(x) In that context, in his oath before the National Constituent Assembly, President Nicolás Maduro ratified his commitment to the dialogue for peace -which is the first line of action to which he referred. He further informed that he presented to the Commission of Truth a proposal to "overcome the wounds left by the guarimbas and the conspiracies", referring to the violent events registered between 2014 and 2017.

(xi) In this regard, the Commission of Truth, Justice, Peace and Public Tranquility -created by the National Constituent Assembly, through Constitutional Law, published on 8 August 2017, upon request of the President of the Republic, Nicolás Maduro Moros -, made of public knowledge -through a communication dated 23 December 2017-, the partial results of the process of review of the cases initiated against the persons identified as responsible for the different acts of violence with political and related purposes, which occurred in the Bolivarian Republic of Venezuela between 2014 and 2017.

(xii) The Commission developed over four months an intensive review of each of the criminal proceedings initiated against the persons identified as responsible for the events covered by its mandate, with the active collaboration of the different organizations of the Justice System. As part of this work, the Commission directly interviewed people who were deprived of their freedom, to explore the willingness of the interviewees to contribute to justice, recognition of the victims, peace and national reconciliation.

(xiii) As a result of the work carried out and in the exercise of its powers, the Commission drafted a set of recommendations for the various actors of the Criminal

Justice System to enhance the best role of justice, due process, the guarantee of human rights and fundamental values of the Venezuelan constitutional order.

(xiv) In this context, the Commission recommended to the competent organs of the Venezuelan State to evaluate the application of alternative formulas to the deprivation of liberty to a significant number of persons who were detained or convicted for their participation in the events included in the mandate of the Commission, both in the civil and military courts, calling on all social sectors to continue advancing in the consolidation of the peace reached after the massive and heroic participation of the Venezuelan people in the election of the National Constituent Assembly.

(xv) The recommendations above were forwarded to the Venezuelan Head of State, President Nicolás Maduro Moros –who proposed the Commission and called for the National Constituent Assembly-, who was recognized as a leader of peace and dialogue forging national unity.

(xvi) As a result of this on 23 December 2017, 80 people arrested for acts of violence during the protests in the country were released; and on 1 June 2018, 39 more people were released.

(xvii) On these people, the Judicial Power through the criminal courts of the different judicial districts issued a series of procedural benefits for citizens prosecuted for the alleged commission of crimes sanctioned by law.

(xviii) In this regard, the Venezuelan Government values the willingness and disposition of the Independent Expert, who was pleased to inform the competent authorities of the requests he received from some relatives of the persons deprived of their liberty. His recommendations were accepted.

(xix) The Venezuelan Government will continue in its efforts and will not respite the violence of those who have never been nor will they be right, renewing its commitment to a participatory and protagonist democracy that vibrantly the Venezuelan people have turned into their main source of expression.

(xx) Regarding the alleged humanitarian crisis and humanitarian intervention in Venezuela (paragraphs 42 to 46 of the report), the Venezuelan Government wishes to express the following:

(xxi) The Empire and its international and domestic allies have set out to destroy our participatory and protagonist democracy. To that effect, they vociferate that Venezuela is a "failed state". The main allegations that they use for their interventionist purposes are that democracy has failed and that the Venezuelan political system has resulted in a "dictatorship". They claim that human rights are violated in our country and that there is a "humanitarian crisis".

(xxii) They intensify their international campaign against Venezuela. They have highlighted the existence of an alleged humanitarian crisis. Thus, they launch initiatives in all the humanitarian agencies of the United Nations System, including WHO and the Pan American Health Organization, and try to put pressure on their authorities.

(xxiii) Various information points to the fact that the countries part of the Lima Group are exerting pressure on WHO and the Pan American Health Organization (PAHO) to approve reports or decisions contrary to Venezuela.

(xxiv) In this sense, it is necessary to take into account that national "epidemiological fences" are decided by the countries through their Ministries of Health and, at the international level, can only be proposed by organizations with competence in the subject, such as the WHO at the completely justified request of PAHO. Always with the requirement and the support of the concerned country.

(xxv) It has been known that countries of the Lima Group are exerting pressure on PAHO so that alongside with other Agencies of the United Nations System, such as the International Organization for Migration (IOM), the World Food Program (WFP)

and the Office of the United Nations High Commissioner for Refugees (UNHCR), present Venezuela as a case of "humanitarian crisis".

(xxvi) Within the framework of the work of the Office of the United Nations High Commissioner for Refugees (UNHCR), several initiatives aimed at attacking Venezuela have been identified, such as periodic monthly reports on the mobility situation of Venezuelan citizens in the Latin American and the Caribbean Region.

(xxvii) The most active countries when presenting distorted information on the situation of mobility of Venezuelan citizens to countries of the Region, are the ones included in the self-proclaimed "Lima Group". The Delegations of the United States, Canada, Denmark and Sweden also promote a biased image of our country in the Human Rights Council.

(xxviii) UNHCR published, in March 2018, a "Guidance Note on the Outflow of Venezuelans", in which migrants tend to be confused with refugees, which was used -intently- by the media at the service of the Empire.

(xxix) Our country demanded that UNHCR not take part in the media campaign, encouraged by the Empire and its domestic acolytes, who intend to impose a matrix of opinion according to which in Venezuela there is an alleged humanitarian crisis, which could serve as an excuse for a foreign invasion.

(xxx) No cabe duda que existe una renovada ofensiva liderada por los sectores radicales de la oposición venezolana en contubernio con el Gobierno de Estados Unidos y sus socios internacionales, que agitan la falsa versión, según la cual en Venezuela existe una "crisis humanitaria".

(xxxi) It is an offensive with a high media component, which takes place in the framework of an unprecedented economic war, which seeks to destabilize the country where Venezuela is presented to the world as a country where there is a failed State. Which translates into a State that is unable to meet the basic demands of survival of its inhabitants: where millions of people would be at risk of dying due to lack of food or medicines necessary to guarantee their lives.

(xxxii) The internal offensive of the lackeys of the American Empire is articulated with the international media campaign. The Venezuelan government is presented before the world as an "authoritarian regime" that represses its people, limits freedom of expression, and is responsible for causing a "humanitarian crisis". At the same time, in places like the US Senate, this nefarious matrix of opinion is being fed, which seeks to raise, to unprecedented levels, the anguish and anxiety of the Venezuelan population. Thus, they would create the conditions for a potential humanitarian military intervention in the country, availing themselves of an international media offensive.

(xxxiii) In February 2014, sectors of the Venezuelan ultra-right wing, led by Leopoldo López, just before launching the destabilizing and coup plot called "La Salida", created the "Venezuela Humanitarian Aid Program"; an organization based in the United States to supposedly receive from drugs to money donations in a Citibank account.

(xxxiv) On 22 October 2015, the then head of the United States Southern Command, General John Kelly, granted an interview to the CNN where he spoke of the possibility of a US military intervention - if requested by the OAS or the UN-, vis-à-vis a "humanitarian crisis" in Venezuela.

(xxxv) On 26 January 2016, and in line with what was expressed by General John Kelly, the political opposition of the Venezuelan National Assembly declared a "humanitarian health crisis" alleging serious problems in the country's health system. Then, on 11 February 2016, they proceeded to declare the existence of a "national food crisis" due to the alleged lack of supplies in the country.

(xxxvi) On 18 February 2016, the opposition deputy José Manuel Olivares formally requested humanitarian aid for Venezuela in a meeting held with the deputy director of the World Health Organization (WHO) in Washington, DC.

(xxxvii) In Venezuela there is no humanitarian crisis.

(xxxviii) In the framework of international humanitarian law, “humanitarian crisis” is understood as a situation of serious disruption to the functioning of society that causes extensive human, material or environmental losses, and that exceeds the capacity of the affected society to cope with it using only its resources. This situation, if present, demands huge international aid, because if it is not promptly provided, it will lead to a humanitarian catastrophe.

(xxxix) Natural disasters, technological accidents and armed conflicts generate catastrophes in the world. And they can be more disastrous in the least developed or developing countries. These are situations in which there is an exceptional and widespread threat to the life, health or survival of people, which require immediate help in multiple areas. They involve activities aimed at rescuing wounded and deceased people; by restoring public services and preventing epidemics, among others.

(xl) In this context, humanitarian aid can be understood as a form of solidarity or international cooperation to assist countries that have suffered a “humanitarian crisis” and, thus, improve and/or facilitate the access of their populations to basic health care, food, health, shelter, etc.

(xli) In this regard, the International Committee of the Red Cross (ICRC) argues that humanitarian action is non-coercive and cannot be imposed by force, in accordance with international humanitarian law. Along the same lines, OCHA considers that humanitarian aid serves to support and “complement” the measures adopted by the Government of the country concerned. In this regard, humanitarian action can be implemented successfully, only in situations where the State concerned approves the aid or works hand-by-hand.

(xlii) It should not be ruled out that arguing a “humanitarian action” could be used by the United States Government as a justification to carry out military intervention in Venezuela, outside the framework of the Charter of the United Nations, as it has done so many times before. It is a historical fact that the United States Government has planned and executed military interventions by arguing that it is due to humanitarian reasons. Although, its true motivations consist of taking ownership of the natural resources of the peoples of the South. The Empire targets Venezuela due to its huge oil reserves; the largest in the world.

(xliii) The National Assembly with a political opposition majority cries out for the intervention of the American Empire, the Western powers, the OAS and the UN. With fallacies or half-truths, insisting on selling the idea that in Venezuela there is a “humanitarian crisis” that requires a foreign intervention.

(xliv) In this regard, these comments have more than demonstrated that the living conditions of our people attained within the framework of the Bolivarian Revolution are maintained, and in certain aspects, they are expanding, despite the economic war that the country faces. Venezuela is far from a “humanitarian crisis”. Our Government is in full conditions to face the difficulties that the Venezuelan economy and society are facing.

(xlv) The socio-economic compensatory measures put in place by the Venezuelan Government have made it possible to face the disastrous consequences of the economic war in our country, which has allowed the Venezuelan people to have access to food at affordable prices, housing, goods and services. The living conditions of our people, attained within the framework of the Bolivarian Revolution, are maintained and, in certain aspects, are expanding, despite the economic war and the drop in oil prices.

(xlvi) Venezuela is far from a “humanitarian crisis”. In Venezuela there is no “humanitarian crisis”. What is there is an imperial media campaign, which has internal pawns seeking foreign intervention, and even an imperialist military invasion of the homeland of Bolívar invoking the crisis above.

47. Regarding the international monitoring of the elections in Venezuela (paragraph 47) the Venezuelan Government wishes to express the following:

- (i) Venezuela, from the election of the National Constituent Assembly (on 30 July 2017, with more than 8 million voters with a 41.53% participation), defeated the terrorist violence promoted between April and July 2017 by the radical sectors of the political opposition, supported by the American Empire. It was this election that paved the road of dialogue and the national reconciliation in Venezuela.
- (ii) According to the provisions of Article 347 of the Bolivarian Constitution, the Venezuelan people are the depository of the Constituent Power and, in the exercise of that power, may convene a National Constituent Assembly.
- (iii) In this regard, Article 348 of our Constitution establishes that the call for a National Constituent Assembly may be made by the President of the Republic in the Ministers Council, or by the National Assembly,
- (iv) Similarly, Article 349 of the Constitution provides that the constituted powers, including the President of the Republic, cannot object to the new Constitution or impede the decisions of the National Constituent Assembly.
- (v) The Venezuelan Government reaffirms that the sovereign National Constituent Assembly, convened by President Nicolás Maduro Moros in the exercise of the attribution expressly enshrined in Article 348 of the Constitution, is the most genuine expression of the exercise of the original power of the Venezuelan people.
- (vi) The National Constituent Assembly is the result of the will of the majority of the Venezuelan people that, in a sovereign manner, expressed it last on Sunday, 30 July 2017.
- (vii) Since the election of the National Constituent Assembly the country has held, in a peaceful and transparent manner, the national elections of State governors (15 October 2017, with more than 11 million voters, a 61.03% participation); the national elections of the mayors of the 335 municipalities of the country (10 December 2017, with more than 9 million 130 thousand voters, a 47.32% participation); and the presidential election; of regional legislators and members of the Municipal Councils (20 May 2018, with more than 9 million 380 thousand voters, a 46, 07% participation).
- (viii) On 20 May 2018, the Venezuelan people re-elected Nicolás Maduro Moros as the Constitutional President of the Bolivarian Republic of Venezuela, despite the negative campaigns unleashed, both nationally and internationally.
- (ix) These campaigns received a resounding rejection, given that more than 9 million voters exercised their right to universal, direct and secret vote in a peaceful manner.
- (x) This electoral process was attended by institutions and personalities from more than 60 countries, and represented a new and authentic exercise of participatory and protagonist democracy that the Venezuelan people exercised -once again in a vibrant way- at its maximum expression.

IV. Conclusions and petitionary

48. The Venezuelan Government appreciates the visit of the Independent Expert to the country, and considers that it had a very positive impact, both internally and internationally, in terms of helping to translate the true reality of the country and, consequently, to counteract the negative and intense international media campaign unleashed against Venezuela, for the benefit of powerful and obscure interests. In this regard, we appreciate the serious and professional work, in addition to the constructive approach in which the visit of the Independent Expert was carried out.

49. The Venezuelan State kindly requests the Independent Expert:

(xi) To hereby consider the comments on the report submitted by Venezuela, from his visit which took place from 26 November to 4 December 2017.

(xii) To consider this document as an addendum to his final report and that its content is duly valued.

50. Venezuela has both people and State committed to the values and the supreme principles of dignity and social justice, sown by the Liberator Simón Bolívar and promoted by the Supreme Commander Hugo Chávez, whose legacy will continue to defend with all firmness the Bolivarian and Chavista Government of President Nicolás Maduro Moros.

51. The Bolivarian Republic of Venezuela reiterates, once again, its faithful and unwavering humanistic and democratic nature that has led it to act, today and always, in strict compliance to legality and with scrupulous respect for human rights, ratifying the Bolivarian Government's commitment to peace, political tolerance and full respect for the exercise of democratic freedoms in our country.
