

Preliminary findings of the visit to the Bolivarian Republic of Venezuela



Caracas, february 12, 2021

PRELIMINARY FINDINGS OF THE VISIT TO THE BOLIVARIAN REPUBLIC OF VENEZUELA BY THE SPECIAL RAPPORTEUR ON THE NEGATIVE IMPACT OF UNILATERAL COERCIVE MEASURES ON THE ENJOYMENT OF HUMAN RIGHTS

Caracas (12 February 2021), the United Nations Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, Ms. Alena Douhan, visited the Bolivarian Republic of Venezuela from 1 to 12 February 2021. She thanks the Government of the Bolivarian Republic of Venezuela for enabling and supporting her visit to the country. The purpose of the visit was to assess the impact of unilateral sanctions on the enjoyment of human rights by people living in Venezuela and any other affected people.

These observations are of a preliminary character, the result of extensive consultations with a wide range of interlocutors. The full report will be presented to the United Nations Human Rights Council in September 2021.

The Special Rapporteur met the President and Vice President of the Republic; the Vice Presidents in charge of the Executive, Legislative, Judicial, Citizen and Electoral Powers; the Ministers of Foreign Affairs, Health, Education, Planning, Economy, Finance, Petroleum, Mining, Food, Education, Women and Gender Equality, Blockade, Housing, Social Work, Science, Technology, Transportation, Culture and Indigenous Peoples; the Coordinator of the Local Production and Supply Committees (CLAP); the Secretary General of the Human Rights Committee; the President of Petroleos de Venezuela (PDVSA); the President of the Central Bank, the Director of

Telecommunications; the President of the Supreme Court, the General Prosecutor, the Attorney General; President and Members of the National Assembly; the Ombudsman; the Executive Secretary of ALBA; representatives of various political parties and trade unions; of national and international humanitarian organisations; of the private sector; of the Catholic church; as well as Venezuelan non-governmental actors working in the fields of health, human rights, child protection, women and the elderly; medical personnel; university professors; school teachers; and independent researchers.

The Special Rapporteur also met with representatives of the United Nations Country Team and of the diplomatic community. She visited the Children's Heart Hospital; the Quimbotiec pharmaceutical plant; the Canaimita complex; the Hugo Chávez elementary school and the Ciudad Mariche preschool outside Caracas. In the State of Valencia, the Governor facilitated a meeting with the directors of the public companies (water, electricity, gas and telecoms), the maternity attached to the state hospital, one of the provincial primary health centres inspired by the Cuban model and several non-governmental organisations.

The Special Rapporteur extends her thanks and gratitude to all these interlocutors who have generously offered their time, information, analyses, experiences and thoughts to help her understand in a short time what has proved to be a very complex and alarming situation.

The Special Rapporteur commends the warm welcome and the constructive and cooperative way in which the Government facilitated her visit, which enabled a frank and open dialogue. She expressed her particular thanks to the Ministry of Foreign Affairs for its efficient engagement with her office. She also thanks the United Nations Resident Coordinator's office for its support and advice throughout the visit.

COUNTRY VISIT CONTEXT

The United States has imposed sanctions against Venezuela since 2005, when it introduced targeted sanctions against individuals and entities allegedly involved in drug trafficking. It imposed an arms embargo in 2006 on grounds that the Government was failing to cooperate sufficiently in anti-terrorism efforts.

A 2014 U.S. law led to sanctions against Venezuelan officials blamed for, *inter alia*, violently repressing protests, persecuting political opponents, curtailing press freedoms and corruption. In 2015, the United States declared Venezuela's situation a national emergency threatening U.S. security and foreign policy.

In 2017, the United States called Venezuelan legislative elections illegitimate and imposed sanctions against the government and its entities, including PDVSA, blocking their transactions and access to U.S. financial markets. In 2018, after Venezuelan presidential elections, the United States tightened its

sanctions against the government, citing economic mismanagement, corruption, repression of political opponents and efforts to undermine democracy.

In January 2019, after recognizing legislative leader Juan Guaidó as Venezuela's interim president, the United States imposed further sanctions against PDVSA, the Venezuelan Central Bank and key government officials, and it imposed a total economic embargo in August 2019. The United States also gave Guaidó control of the Venezuelan Government's assets and property in U.S. bank accounts, including money going to PDVSA from its U.S. unit, Citgo. Other U.S. sanctions in 2018 and 2019 targeted the gold and other mining, food, crypto-currency and banking sectors. In September 2020, U.S. sanctions were imposed on five legislators who led parties cooperating with the Government. Since 2020, the United States has tried to block Venezuela from getting fuel from Iran by listing captains of oil tankers, prohibiting the use of Venezuelan air and sea ports, and blocking assets of Rosneft. U.S. officials are reported to have made unofficial threats to prevent transactions by third-state companies with Venezuela.

The Special Rapporteur takes note of the U.S. Government decision of 21 January 2020 to revise U.S. sanctions to minimize the humanitarian impact of the pandemic, and the U.S. Government action on 2 February 2021 to ease sanctions affecting the



functioning of ordinary operations at Venezuelan ports and airports.

The European Union imposed sanctions against Venezuela in 2017, including an arms embargo, a ban on exports of other goods that might be used for internal repression, a ban on exports of technology and material made for telecommunications monitoring or interception, and travel bans and asset freezes on individuals whose actions were deemed by the EU to undermine democracy, the rule of law and respect for human rights, which have been contested by Venezuela before the European Court of Justice. It was also reported that \$1.2 billion in Venezuela Government funds have been frozen by a Portuguese bank in 2019. Nearly \$2 billion in gold owned by the Central Bank of Venezuela and held in the Bank of England is also frozen as a case proceeds in British courts.

In 2017 and 2018, Canada froze assets and banned dealings in the property of Venezuelan officials accused of repression, gross human rights violations, corruption, censorship, extrajudicial killings and other acts. In 2018, Mexico froze assets and imposed travel bans on 13 senior Venezuelan officials. In 2018

and 2019, Switzerland imposed an arms embargo on Venezuela and froze assets and imposed travel bans against Venezuelan officials. In 2019, Colombia banned the entry of around 200 Venezuelans with government ties. Panama imposed targeted sanctions against Venezuelan individuals and entities in 2018 considered to be at high risk of engaging in money laundering, terrorist financing and the proliferation of weapons of mass destruction.

In 2019, 13 of the 14 Lima Group countries agreed to ban the entry of Venezuelan officials and deny them access to their financial systems. Also in 2019, a majority of parties to the Rio Treaty approved a resolution allowing targeted sanctions, including asset freezes, against Venezuelan officials alleged to participate in drug trafficking, terrorist activities, organized crime and/or human rights violations.

ECONOMIC AND HUMANITARIAN SITUATION IN VENEZUELA

Venezuela has one of the largest reserves of oil on the planet. Oil has been the main export of the country and the main source of revenue and foreign exchange.

Since 2000, the Government has announced the implementation of a broad scope of social projects in the spheres of housing, education, literacy, food, electricity and water supplies, health care, family planning, computer literacy and commune development, many of which were implemented at no cost to the people or were substantially subsidised by the state. The mono-oriented economy has been highly dependent on oil sales; most products, from machinery and spare parts to food and medicine, have been imported primarily from the United States and Europe. Internal production has remained at a rather low level and could not meet the needs of internal consumption. The economy's decline started in 2014 with the downturn in oil prices. Among other factors reported to affect the economy of Venezuela, mismanagement, corruption and state price controls have been cited.

Unilateral sanctions increasingly imposed by the United States, the European Union and other countries have exacerbated the abovementioned calamities. The Government's revenue was reported to shrink by 99% with the country currently living on 1% of its pre-sanctions income. Remittances from abroad have decreased due to

the blocking of state assets and the complexity of – and impediments to – bank transfers. Four years of hyperinflation have resulted in the total devaluation of the national currency (1 USD = 1.8–1.9 million bolivars). This has resulted in the decrease of public sector salaries from 150–500 USD in 2015 to 1–10 USD in 2020, and a growing poverty level. In 2018–2019, the Government introduced new economic policies: price controls was lifted and the private sector was allowed to re-enter the economy.

However, the hardening of sanctions faced by the country since 2015 undermines the potential positive impact of the current reforms as well as the state's capacity to maintain infrastructure and implement social projects. Today, Venezuela faces a lack of necessary machinery, spare parts, electricity, water, fuel, gas, food and medicine. Venezuelan assets frozen in United States, United Kingdom and Portuguese banks amount to US \$6 bln. The purchase of goods and payments by public companies are reportedly blocked or frozen. The private sector, non-governmental organizations, universities, sport clubs and citizens of Venezuela are reporting the rejection or reluctance of foreign banks to open or keep their bank

accounts, including those with correspondent banks in the United States and Europe; difficulties with getting visas and buying tickets; the need to act via third-country agents; and the need to pay extra insurance costs. The strengthening of economic sanctions and growing over-compliance resulted in the adoption of the Anti-Blockade Constitutional Law in October 2020.

It has been reported that electricity lines are able to work at less than 20 per cent of their capacity today. The number of Venezuelans who have left the country in search of a better life since 2015 is estimated to range between 4.5 and 5 million, with the population decreasing to approximately 27 million by 2021. Most public services have been depleted of 30 to 50 per cent of their personnel, including their most qualified ones (doctors, nurses, engineers, teachers, professors, judges, police officers, etc.), resulting in internal disorganisation, increased workloads for remaining personnel, reduced services and a decline in their quality.

An estimated 90% of households are connected to the national water distribution system. Numerous households, however, report frequent cuts because of electricity outages affecting water pumps and the maintenance of infrastructure, and because of the shortage of qualified maintenance staff. The distribution of water can only be made “in rotation” to ensure its delivery to the entire population, and the majority of households can only get access to water once or twice per week for several hours. Due to the trade impediments, the use of chemical agents to treat and purify the water to make it potable has been reduced by 30%.

Impediments to food imports, constituting more than 50 per cent of food consumption, have resulted in the steady growth of malnourishment in the past 6 years with more than 2.5 million people being severely food insecure. Coping mechanisms include a decrease of the number of meals per

day (1 or 2 instead of 3); reduced quantity and quality of food; de-capitalisation/selling of household assets to eat; and reduced health, clothing and education expenses; with correlated increases in family crises, tensions, violence and separations; child labour; involvement in the grey economy; criminal activity, including drug and human trafficking; forced labour; and migration. The CLAP food boxes program, started as a governmental initiative in 2017 and covering 9 million people around the country, decreases the diversity of items.

Venezuela has been almost entirely dependent upon medicine imported from abroad, while the majority of public medical services were provided by the state free of charge before 2013–2016. Impediments to health care include a lack or severe insufficiency of medicines and vaccines; price growth; electricity shortages to supply equipment; water shortages and sanitation problems that affect hygiene; decaying infrastructure because of a lack of maintenance, the absence of spare parts, the unavailability of new equipment due to the lack of resources or refusals to sell or deliver; degraded working conditions and a lack of protective equipment against infectious diseases; a loss of staff in all medical areas because of low salaries; and the termination of construction of hospitals and primary health care centers.

In particular, the Children’s Cardiology Hospital in Caracas faces 5 times decrease of the number of surgeries (from an average of 1,000 interventions annually in the period 2010–2014 to 162 in 2020). Medical staff positions in public hospitals are 50–70% vacant. Only around 20 per cent of medical equipment is currently functional. The country faces severe shortages of vaccines against measles, yellow fever, and malaria. The lack of tests and treatment for HIV in 2017–2018 reportedly resulted in the deaths of more than 5,000 people. The diversion of assets of PDVSA’s United States subsidiary, CITGO, has prevented transplants

of liver and bone marrow to 53 Venezuelan children; such transplants were reportedly done in Italy and Argentina before 2016 at the expense of the state. The Special Rapporteur also notes the reported growth of neonatal and maternal mortality since 2013, with a slight improvement in 2019, when humanitarian cooperation with UNICEF, PAHO, church and other humanitarian organizations was activated.

Other deleterious effects of the crisis are the growing issue of teenage pregnancy, which is rising to a crisis level with girls of 12-13 years getting pregnant amid a lack of access to information about, and use of, contraception; and an increase of HIV/AIDS because of unprotected relations.

School and university education has faced a serious decrease in governmental support since 2016, including the termination or reduction of the supply of school uniforms, shoes, backpacks and office supplies; and a reduction of the number of daily meals at school (from 2 to 1), the diminution of their quantity and food diversity or their total cancellation. The unavailability of financial resources and reluctance of foreign companies to trade with Venezuelan public and often private institutions has resulted in the suspension of the Canaima Programme, started in 2015 to assemble compact portable computers for educational purposes, 6.5 million of which have reportedly been distributed through the school system at no charge. Technical incidents in 2019 incapacitated the public Venezuela satellite, substantially shrinking Internet coverage in the country and making distant learning in the course of the pandemic hardly possible.

In the face of the economic and humanitarian crises, the Venezuelan government activated cooperation with UNDP, UNICEF, UNAIDS, PAHO, other international agencies, as well as church, private sector and humanitarian NGOs providing humanitarian aid, facilitating some reconstruction

of water systems and supplies of vaccines, medicines, tests, reagents, school supplies and food. Attempts to release funds frozen in the Bank of England for buying medicine, vaccines, protective kits and medical equipment via the UNDP and PAHO in 2020 have failed however. Funds have not been released for the purchase of COVAX via PAHO in 2020 – 2021. Despite the intensification of work with humanitarian actors, some cases of surveillance and prosecution of the staffs of national NGOs involved in humanitarian work have been reported.

ASSESSMENT OF THE LEGAL BASIS FOR IMPOSITION OF SANCTIONS:

The Special Rapporteur considers that the state of national emergency announced by the U.S. Government on 8 March 2015 as the ground for introducing sanctions against Venezuela, and repeatedly extended, does not correspond to the requirements of art. 4 of the International Covenant on Civil and Political Rights, such as the existence of a threat to the life of the nation, the limiting of measures to the exigencies of the situation, a limited duration, the absence of discrimination, the prohibition to derogate from the right to life and the prohibition of punishment of activity that does not constitute a criminal offence, as referred to in the communication of human rights experts of 29 January 2021.

The Special Rapporteur underlines that unilateral sanctions against the oil, gold, mining and other economic sectors, the state-owned airline and the TV industry constitute a violation of international law, and their wrongfulness is not excluded with reference to countermeasures. The announced purpose of the “maximum pressure” campaign – to change the Government of Venezuela – violates the principle of sovereign equality of states and constitutes an intervention in the domestic affairs of Venezuela that also affects its regional relations.

Referring to customary norms on the immunity of state property, the Special Rapporteur reminds

that assets of the Central Bank and property used for public functions belong to the state of Venezuela rather than to its Government or any individual. Therefore, freezing assets of the Central Bank of Venezuela on the ground of non-recognition of its Government as well as the adoption of relevant sanctions violates the sovereign rights of the country and impedes its effective government to exercise its duty to guarantee the needs of the population.

The Special Rapporteur underlines that the listing of state officials *ex officio* contradicts the prohibition on punishment for activity which does not constitute a criminal offence, prevents the officials from the possibility to represent the interests of Venezuela in international courts and other international institutions, and undermines the principle of sovereign equality of states. She also notes that repeated refusals of banks in the United States, the United Kingdom and Portugal to release Venezuelan assets even for buying medicine, vaccines and protective kits, under the control of international organizations, violates the above principle and impedes the ability of Venezuela

to respond to the COVID-19 emergency.

The Special Rapporteur is concerned that unilateral targeted sanctions in their existing form violate at the very least obligations emerging from universal and regional instruments in the sphere of human rights, many of which are of a peremptory character – procedural guarantees and presumption of innocence with a view that the grounds for their introduction do not constitute for the most part international crimes or comply with the grounds for universal criminal jurisdiction, while noting the fact of the submission to the International Criminal Court by a group of states of a referral against Venezuela on 27 September 2018.

The Special Rapporteur underlines that applying extraterritorial jurisdiction to nationals and companies of third states for cooperation with public authorities, nationals and companies in Venezuela, and alleged threats to such third-state parties, is not justified under international law and increases the risks of over-compliance with sanctions. The Special Rapporteur

notes with concern the reported threats to private business and third-country donors, partners and humanitarian organizations, and the introduction of secrecy clauses in the Venezuela Anti-Blockade Constitutional Law as concerns the identity of corresponding partners.

IMPACT ON ENJOYMENT OF HUMAN RIGHTS:

The Special Rapporteur notes with concern that sectoral sanctions on the oil, gold and mining industries, the economic blockade of Venezuela and the freezing of Central Bank assets have exacerbated pre-existing economic and humanitarian calamities by preventing the earning of revenues and the use of resources to develop and maintain infrastructure and for social support programs, which has a devastating effect on the whole population of Venezuela, especially those in extreme poverty, women, children, medical workers, people with disabilities or life-threatening or chronic diseases, and the indigenous population.

The Special Rapporteur underlines that existing humanitarian exemptions are ineffective and insufficient,

subject to lengthy and costly procedures, and do not cover the delivery of spare parts, equipment and machinery necessary for maintenance and restoration of the economy and public services.

The Special Rapporteur is concerned that the application of extraterritorial secondary sanctions as well as the reported threats of sanctions result in over-compliance with existing sanctions regimes, preventing the Government of Venezuela, its public sector and private companies from purchasing machinery, spare parts, medicine, food, agricultural supplies and other essential goods even within the licenses issued by the U.S. Government, and also result in a growing number of bank transfer refusals, the extension of bank transfer periods (from 2 to 45 days), higher delivery, insurance and bank transfer costs, as well as reported price rises for all (especially imported) goods.

The Special Rapporteur notes with concern that the absence of resources and reluctance of foreign partners, banks and delivery companies to deal with Venezuelan partners results in the impossibility to buy necessary medical and



technological equipment, reagents and spare parts for the repair and maintenance of electricity, gas, water, public transport, telephone and communication systems, schools, hospitals, houses and other public institutions, thus undermining the enjoyment of many human rights, including the right to a decent life.

Despite the periodic review and increase of wages in Venezuela, the average public-sector salary is estimated at US \$2-3 per month, covering less than 1 per cent of the basic food basket, putting around 90 per cent of the population into the level of extreme poverty and making people increasingly dependent on social support by the Government in the form of CLAP (food) and regular money transfers via “Carta de la Patria”, multiple subsidies for public servants, as well as foreign humanitarian aid.

The Special Rapporteur notes that this increases the level of migration, facilitates the involvement of people in the gray economy, affecting on the first hand high-level public sector specialists, including doctors, nurses, teachers, university professors, engineers, police officers, judges, technicians and many others, violating their economic rights including the rights to work, to decent labor, to social security, including social insurance, and to an adequate standard of living. The number of vacancies among personnel necessary to guarantee the normal functioning of public services has reportedly reached 1/3 to 1/2. Massive migration in the absence of affordable transportation endangers the lives of migrants and imposes additional burdens on recipient countries. Access to food, medicine and medical help for Venezuelan migrants, the unavailability of IDs for children born abroad, the separation of families and the absence of due care for children left with grandparents in Venezuela have been reported, among other problems.

The Special Rapporteur is also concerned that the lack of doctors and nurses and of sufficient

medicines, medical equipment, spare parts, relevant software updates, vaccines, tests, reagents and contraceptives initially covered mostly by the Government results in the violation of the right to the highest attainable state of health; rising rates of maternal, neo-natal and infant mortality, and mortality from severe diseases (oncology, HIV, hemophilia, Guillain-Barré syndrome, cardiologic problems and many others); the deterioration of living conditions for people with special needs and chronic diseases; and more adolescent pregnancies. The unavailability of resources, including the frozen assets, for buying vaccines and supporting family planning programs has resulted in outbreaks of malaria, measles and yellow fever and opportunistic infections.

The Special Rapporteur is concerned that the lack of gasoline, with the resulting rise in transportation prices, violates the freedom of movement, impedes access to hospitals, schools and other public services, exacerbates the challenges in delivering and distributing food and medical supplies – especially in remote areas of the country, affecting, *inter alia*, the indigenous population – and results in delays in public services including criminal and civil justice. The reported lack of diesel fuel, mostly used for agricultural, industrial and transportation purposes, has a potential dramatic effect on the production and storage of food, with the risk of further exacerbating the food insecurity of the Venezuelan people who already face a deterioration in the quantity and quality of food and greater malnutrition, increasing therefore health risks and threats to life.

The Special Rapporteur notes with concern that due to the unavailability of new machinery, spare parts and competent staff, the people of Venezuela have limited access to electricity, impeding, *inter alia*, the functioning of water pumps, resulting in the violation of the right to water, including drinking water and water for sanitation, increasing risks of relevant diseases.

The Special Rapporteur underlines that low salaries, the absence or insufficiency of school supplies, school uniforms and food at school, which used to be provided by the Government, transportation problems, the absence of electricity, and reduced Internet and mobile phone coverage endanger the exercise of the right to education. The above reasons, as well as the reported impossibility to use online resources with Venezuelan IP addresses, affect access to information and the freedom of expression. The reported reluctance of foreign partners to cooperate with Venezuelan institutions, including universities, sport societies and NGOs, as well as impediments to money transfers, difficulties in getting visas, and refusals to open and the closing of bank accounts of Venezuelan citizens or Venezuela-based public and private companies because of the fear of secondary sanctions, affect the right to education, academic freedoms, cultural rights and impedes the delivery of humanitarian aid.

The Special Rapporteur is also concerned that shortages of gas, forcing people to cook with wood fires, can violate the right to a favorable environment. She notes that due to the necessity to guarantee human needs essential for survival, the Government has reportedly suspended all programs aimed at achieving the Sustainable Development Goals, including agricultural and health projects, environmental protection, the enhancement of literacy and computer literacy, reconstruction and others.

The Special Rapporteur underlines that the blocking of property, assets and bank accounts of citizens of Venezuela by foreign and correspondent banks, quite often because of over-compliance, results in the violation of the right to property. She also notes with concern that the application of unilateral sanctions against Venezuela affects the rights of third-country nationals, in particular, the termination of contracts with third-country companies has the

potential risk of affecting economic and property rights of their owners and employees; and the absence of contributions from Venezuela, which used to donate to regional assistance projects (e.g. ALBA), is negatively affecting the right to humanitarian aid of its beneficiaries beyond Venezuela’s borders.

The Special Rapporteur recognises that targeted and secondary sanctions violate rights to a fair trial, procedural guarantees, freedom of movement, property rights and the right to reputation. Sanctions against representatives of opposition groups for participation in elections violate their right to hold and express opinions, and to participate in public affairs. While the Treaty on the Functioning of the European Union (art. 275) offers listed persons the possibility to access the European Court of Justice, even if there are no procedural guarantees before sanctions decisions are taken, the Special Rapporteur notes that no access to justice is guaranteed as concerns U.S. sanctions, especially in view of numerous reported refusals by U.S. lawyers to bring cases to OFAC because of reported threats from the U.S. Government or fear of hypothetical sanctions.

The Special Rapporteur concludes that sanctions imposed against Venezuela, its citizens and companies affect people in Venezuela and beyond its territory in both the public and private sectors; third-country nationals and employees of third-country companies affected by secondary sanctions or the fear of them; donors and international humanitarian NGOs; beneficiaries of assistance from international organizations traditionally financed by Venezuela; while low-income people, women, children and people with special needs or chronic or severe diseases are affected most with regard to the whole scope of human rights, including civil, political, economic, social and cultural rights and the right to development.

The Special Rapporteur welcomes reports of the Venezuela Government’s greater engagement

with UNDP, UNICEF, UNAIDS, PAHO, other international agencies and church, private sector and humanitarian NGOs in providing humanitarian aid, facilitating some reconstruction of water systems and supplies of vaccines, medicines, tests, reagents, school supplies and food, thus helping around 4 mln people. The Special Rapporteur is, however, concerned about reports of mismanagement in the distribution of humanitarian aid, surveillance and prosecution of the staffs of national NGOs involved in humanitarian work, and the absence of provisional regulations for the work of international NGOs.

RECOMMENDATIONS OF THE SPECIAL RAPPORTEUR:

The Special Rapporteur reminds all parties of their obligation under the UN Charter to observe principles and norms of international law, including principles of sovereign equality, political independence, non-intervention in the domestic affairs of states, and peaceful settlement of international disputes. She urges them to settle any disputes via competent judicial and other international institutions.

The Special Rapporteur stresses that humanitarian concerns shall always prevail over political ones and that unilateral measures may only be taken with due account of the rule of law, human rights law, refugee law and humanitarian law; must comply with states'

international legal obligations; and may only be applied in the course of internationally lawful countermeasures. The Special Rapporteur reminds that preliminary and continuous assessments of the humanitarian impact shall be done in the course of any unilateral activity as no good intention justifies the violation of fundamental human rights as "collateral damage".

The Special Rapporteur underlines the inadmissibility of applying sanctions extraterritorially and urges the U.S. Government to end the national emergency regarding Venezuela, revise and lift sectoral sanctions against Venezuela's public sector, review and lift secondary sanctions against third-state parties, and refrain of imposing sanctions on diesel supplies that would provoke a humanitarian crisis of unprecedented proportion.

The Special Rapporteur urges all interlocutors (including states, international organizations, banks, private companies and civil society) to avoid coercion, written or oral threats or any other act which may cause or result in over-compliance, and to interpret all limitations in the narrowest possible way in the interim period before the lifting of unilateral sanctions, with due account of the Guidance issued by the Special Rapporteur in December 2020.

The Special Rapporteur calls on all States to review and lift targeted sanctions in accordance with principles of international law, the rule of law, human rights and refugee law, to guarantee the possibility of state officials of Venezuela to represent the state on the basis of the principle of sovereign equality of states, and to guarantee rights of targeted individuals to the presumption of innocence, procedural guarantees, access to justice and other fundamental rights.

The Special Rapporteur urges the Governments of the United Kingdom, Portugal and the United States and corresponding banks to unfreeze assets of the Venezuela Central Bank to purchase medicine, vaccines, food, medical and other equipment, spare parts and other essential goods to guarantee humanitarian needs of the people of Venezuela and the restoration of public services through and under the control of the UNDP and other UN agencies.

While recognizing a devastating effect of unilateral sanctions on the broad scope of human rights, especially the right to food, right to health, right to life, right to education and right to development, the Special Rapporteur calls the Government of Venezuela and the Office of High Commissioner for Human Rights to implement fully cooperation agreement signed between them, to strengthen the

OHCHR presence on the grounds and to organized visits of relevant Special procedures to the country.

The Special Rapporteur calls on the Government of Venezuela, the UNDP, other UN agencies and OHRHC in Venezuela negotiate an agreement to guarantee the transparent, fair and non-discriminatory distribution of essential goods and humanitarian aid under the control of international institutions regardless of race, gender, nationality, age, religious belief or political views with due account of groups with special needs.

The Special Rapporteur calls on the Venezuela Government, working with the UNDP and OHCHR in Venezuela, to finish drafting clear and non-discriminatory legislation enabling and facilitating humanitarian work by international and national NGOs in Venezuela, and to guarantee security and integrity of their personnel. At the same time, she refers to the obligation of humanitarian NGOs to abide by standards of purely humanitarian activity.