



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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against Women**

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**Consideration of reports submitted by States parties under
article 18 of the Convention on the Elimination of All Forms
of Discrimination against Women**

**Replies of the Bolivarian Republic of Venezuela to the list of
issues and questions in relation to its ninth periodic report***

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* The present document is being issued without formal editing.



1. The present document constitutes a response to the list of issues and questions, in document [CEDAW/C/VEN/Q/9](#), prepared by the Committee on the Elimination of Discrimination against Women concerning the ninth periodic report of the Bolivarian Republic of Venezuela.

Context¹

2. Despite the severe economic situation which has afflicted the Bolivarian Republic of Venezuela as a result of the numerous forms of aggression perpetrated by the Government of the United States of America, which has included, among other actions, the systematic imposition of a range of unilateral coercive measures, the Venezuelan Government has maintained and prioritized social investment in the midst of the contraction of national income, which has resulted in achievements such as the following:

(a) During the period 2014–2020, the Great Venezuelan Housing Mission built a total of 2,906,257 housing units, 80 per cent of which were allocated to female heads of household. Moreover, 81 per cent of the Mission’s loans were awarded to women;

(b) The local supply and production committees, the school meals programme and food distribution centres have helped ensure food security for the population, particularly the most vulnerable groups. Over 6 million households receive a monthly delivery of non-perishable food from the local supply and production committees, which is subsidized to more than 99 percent of its value; in addition, 5.5 million schoolchildren benefit from the school meals programme, and there are more than 3,000 soup kitchens in the most vulnerable areas of the national territory;

(c) Between 2014 and 2019, the population with access to drinking water increased from 28,711,162 to 30,882,728 people. However, there was a relative deterioration in water quality from 91.3 to 87.5; at the same time, the volume of drinking water per inhabitant decreased from 422 litres to 291 litres, as a result both of climatic factors and of the adverse impact of the unilateral coercive measures;

(d) In the area of health care, between 2015 and 2020, the Misión Barrio Adentro carried out 482,772,980 consultations and 159,355,715 examinations, saving 32,011 lives. During the coronavirus disease (COVID-19) pandemic, as a result of the preventive measures and the timely action taken by the public health system, a low morbidity rate was maintained, along with a fatality rate slightly higher than 1 per cent and a high recovery rate of more than 95 per cent; these rates are undoubtedly among the lowest in the region;

(e) About 99.5 per cent of the population has access to electricity. However, owing to the impact of the unilateral coercive measures and to various acts of sabotage of the national electricity grid, there have been more frequent interruptions in service in some parts of the national territory, especially in the western region. Electricity costs continue to be subsidized for Venezuelan households.

Visibility of the Convention and of the Optional Protocol thereto²

3. Preparations for the ninth report included a public consultation process organized in September and October 2020. The methodology included a national information campaign, in Spanish and Wayuunaiki, leading up to the commemoration of the forty-first anniversary of the Convention. There were also broad consultations

¹ Paragraph 1 of the list of issues and questions.

² Paragraph 2 of the list of issues and questions.

on social networks and the Internet involving 75 organizations and six universities. The respondents included female academics and scientists, women with some type of disability or caring for persons with disabilities, rural women, female farm workers and community workers, women's and feminist movements and organizations concerned with sexual diversity, young people (18 to 30 years old), human rights organizations, indigenous women, women of African descent, incarcerated women, older women, women workers and women producers.

4. During this process, materials for dissemination and awareness-raising were produced, including an illustrated publication about the Convention for children and an information booklet on rights under the Convention translated into Wayuunaiki, the indigenous language of the Wayúu ethnic group, the largest in the country. Two international seminars were held during the reporting period, in 2017 and 2020, with the objective of raising awareness of the Convention and the Optional Protocol. In 2017, 2020 and 2022, capacity-building exercises were organized for women's and feminist organizations on the content of the Convention and tools for alternative reporting.

5. At the national level, between 2020 and the first half of 2022, the Convention was invoked in 2,466 judgements in the courts attached to the National Commission for Gender Justice.

Women's rights and gender equality in relation to the pandemic and recovery efforts³

6. During the period of social distancing necessitated by the COVID-19 pandemic, the State ensured assistance to female victims of gender-based violence by activating a protocol linking the VEN911 emergency service and 0800-Mujeres telephone hotline. The executive branch adopted the necessary emergency measures, such as the suspension of school and work activities, in line with the recommendations on social distancing issued by the World Health Organization.

7. In March 2020, the Plenary Chamber of the Supreme Court issued resolution No. 2020-0001 which stipulated that, as a public service, administration of justice in criminal matters should continue uninterrupted for urgent cases at the national level. Furthermore, in the context of the COVID-19 pandemic, priority was accorded to the implementation of resolution No. 2018-0014, which made provision for electronic official records as a special measure to ensure access to justice. The multidisciplinary teams of the judicial circuits gave support to the police in assisting victims of gender-based violence; during the quarantine, this activity was carried out remotely.

8. During the pandemic, various institutions worked together on campaigns for the prevention of gender-based violence; in particular, joint action was carried out by the Ministry of People's Power for Women and Gender Equality and the VEN911 emergency service, with the support of the United Nations Population Fund, and campaigns were organized by the Ombudsperson's Office and the National Commission for Gender Justice of the Supreme Court.

9. In 2020, 258,187 people initiated proceedings relating to job security in the context of the COVID-19 pandemic; 40 per cent of these cases were brought by women. During the pandemic, 3,000 women found formal employment in the area of culture and the arts.

³ Paragraphs 3 and 4 of the list of issues and questions.

Legislative framework and definition of discrimination⁴

10. Articles 19, 20 and 21 of the Venezuelan Constitution establish the obligation of the State to guarantee human rights to every person, without discrimination of any kind based on grounds such as race, gender, creed and social status. In addition, articles 3, 4 and 88 of the Constitution seek to ensure respect for the dignity and development of the individual, in order to protect his or her social well-being.

11. The principle of equality and non-discrimination has been incorporated in a cross-cutting manner in a range of legal instruments enacted in recent years, such as the Act on Respect for Human Rights in the Public Sector (2021),⁵ the Act on the Prevention and Elimination of Sexual Abuse against Children and Adolescents (2021),⁶ the Organic Act on Comprehensive Care and Development of Older Persons (2021),⁷ the Act on the System of Lifelong Care (2021),⁸ the partial reform of the Act on the Protection of Families, Motherhood and Fatherhood (2022)⁹ and the Act on the Great Mission for Youth Employment (2021).¹⁰

12. In 2021, the Act on the Promotion and Use of Gender-Sensitive Language¹¹ was adopted; the Act seeks to promote and guarantee the use of inclusive and non-sexist language, in accordance with the principle of equality and non-discrimination. Also in 2021, the Organic Act Against Racial Discrimination¹² was amended, with the inclusion of a provision requiring that gender equality and equity be ensured in policies for preventing, addressing and eradicating racial discrimination, while respecting individual characteristics and particular needs related to gender diversity (art. 10).

13. The objectives of the Organic Act on Women's Right to a Life Free from Violence include preventing, addressing, punishing and eradicating violence against women and gender discrimination, as well as eliminating all forms of discrimination by establishing guarantees with a focus on equality. In 2021, the Act was amended¹³ to recognize the intersecting forms of specific types of discrimination against women in situations of special vulnerability, defining multi-causal violence as any act based on discriminatory grounds such as phenotypic traits, ethnicity, race, colour, lineage, disability status, health status, age, sexual orientation, gender identity, gender expression or any other ground.

14. On November 2017, the Constitutional Act against Hatred and for Peaceful Coexistence and Tolerance entered into force; the Act categorically prohibits propaganda and messages promoting war and any advocacy of hatred based on nationality, race, ethnicity, religion, political or social considerations, ideology, gender, sexual orientation, gender identity, gender expression or any other kind of hatred that constitutes incitement to discrimination, intolerance or violence (art. 13). The Act also establishes promotion of or incitement to hatred as a crime punishable by 10 to 20 years' imprisonment (art. 20).

⁴ Paragraph 5 of the list of issues and questions.

⁵ Official Gazette No. 6,658 (special issue) dated 28 October 2021.

⁶ Official Gazette No. 6,655 (special issue) dated 7 October 2021.

⁷ Official Gazette No. 6,641 (special issue) dated 13 September 2021.

⁸ Official Gazette No. 6,665 (special issue) dated 11 November 2021.

⁹ Official Gazette No. 6,686 (special issue) dated 15 February 2022.

¹⁰ Official Gazette No. 6,633 (special issue) dated 7 July 2021.

¹¹ Official Gazette No. 6,654 (special issue) dated 7 October 2021.

¹² Official Gazette No. 6,657 (special issue) dated 28 October 2021.

¹³ Official Gazette No. 6,667 (special issue) dated 16 December 2021.

Access to justice and legal complaint mechanisms¹⁴

15. The National Office for the Defence of Women's Rights is a technical, specialized agency responsible for protecting women's right to a life free from violence, through guidance, legal assistance and representation of female victims of gender-based violence and their families in judicial and extrajudicial proceedings, in order to ensure the justiciability and full exercise of their rights.

16. The Public Defence Service, as an auxiliary body of the justice system, is responsible for ensuring the effective judicial protection of the constitutional right to defence in the various areas of its competence, free of charge and without exclusions of any kind, based on the constitutional principle of equality. In 2021 and 2022, through free legal consultations and advice, it provided assistance to 95,432 women, including 2,673 indigenous women and 477 women with a disability.

17. Gender-sensitive justice can now be accessed throughout the country, either through the specialized judicial circuits that cover 75 per cent of the national territory, or, in the 25 per cent of the national territory where specialized courts have not yet been established, through the municipal criminal courts that have assumed special jurisdiction over crimes involving violence against women. Nationwide, there are 120 prosecutors' offices specializing in cases of gender-based violence against women and girls.

18. In order to ensure follow-up to judicial policy regarding gender-based violence, regular coordination and evaluation meetings have been held since 2019 with the entities involved in the national system for the protection of women (the Supreme Court, the Public Prosecution Service, the Ombudsperson's Office, the Ministry of People's Power for Women and Gender Equality, the National Institute for Women, the National Office for the Defence of Women's Rights and the Ministry of People's Power for Internal Relations, Justice and Peace) for the purpose of monitoring the work of the organs which process complaints.

19. The National Office for the Defence of Women's Rights provides support, advice and legal assistance to female victims of violence in judicial and extrajudicial proceedings, paying particular attention to the most vulnerable women. Between 2014 and 2020, it provided services to 133,329 women.

20. In the area of training and capacity-building, between 2014 and 2021 the Ministry of People's Power for Women and Gender Equality and the National Institute for Women carried out various training, counselling and support programmes aimed at eradicating social practices that lead to discrimination and violence against women, and trained a total of 459,894 women, public employees and members of the general public.

21. In the 2014–2020 period, the Ministry of People's Power for Internal Relations, Justice and Peace implemented a range of training strategies at the community level, in order to help prevent the occurrence of crimes against women, involving 485,000 people (343,000 women and 142,000 men). Over the same period, the Ministry organized eight training courses for the police on the subject of violence against women and girls, which were attended by 49,777 female and male personnel.

22. For its part, between 2020 and the first half of 2022, the Supreme Court conducted a total of 683 workshops for awareness-raising and sensitization about the scourge of violence and discrimination against women, with a total of 24,481 participants.

¹⁴ Paragraph 6 of the list of issues and questions.

23. Between 2014 and 2019, the Ombudsperson's Office trained a total of 15,866 people, including 11,237 women, in the field of women's human rights. During the first half of 2022, a total of 19,013 people, including 12,630 women, were trained and sensitized on human rights and prevention of violence against women.

24. Under the 2016–2019 National Human Rights Plan, over 1,290 training activities were conducted for public employees, at which human rights were explained to 82,800 people, including public sector personnel, judicial staff, police officers, members of the military and judges.

25. The National School for Public Prosecutors of the Public Prosecution Service regularly provides training in women's rights and gender parity. Between August 2017 and August 2020, the School trained 95,525 people (60 per cent male and 40 per cent female), 70.8 per cent of whom participate in civic safety patrols.

26. The main measure taken by the State, through the judiciary, to ensure that judges take up cases of gender-based violence has been the establishment of judicial circuits with jurisdiction over crimes of violence against women at the national level, through resolution No. 2012–0020, issued by the Plenary Chamber of the Supreme Court.

27. In order to ensure that prosecutorial operations are in line with the law, the Public Prosecution Service, through the inspection and discipline department, has carried out 116 inspections of prosecutor's offices that take up crimes of gender-based violence against women, specifically prosecutor's offices with competence in the protection of women. Moreover, 192 monitoring and follow-up visits have been made to all prosecutors' offices, including the service providing comprehensive care to female victims of crimes involving gender-based violence.

28. During the first half of 2022, the Ombudsperson's Office, as the main national human rights institution, continued to carry out monitoring activities at the national level, and made a total of 4,423 inspections of various institutions such as health centres, haemodialysis units, geriatric centres, psychiatric centres, education centres, comprehensive protection units for children and adolescents, specialized comprehensive protection units for children and adolescents with disabilities, socio-educational entities for juvenile criminal offenders, preventive detention centres and penitentiary institutions.

29. The law accords special attention to indigenous women by establishing the need for bilingual intercultural experts in indigenous languages in the multidisciplinary teams, as provided in article 140 of the Act on Women's Right to a Life Free from Violence, as well as sign language interpreters for women who are deaf and dumb.

30. The National Council for Persons with Disabilities is implementing an orientation and training programme designed for families, through a multidisciplinary team, whereby women who are victims of discrimination and/or violence are treated individually, and are informed and guided so that they are aware of their rights, with a focus on their protection and the possibility of applying to competent institutions to formalize their complaints and receive the necessary advice appropriate to their needs.

31. The Comprehensive Assistance Service for Victims of Gender-based Violence of the Public Prosecution Service has access to Venezuelan sign language interpreters when receiving complaints from women with a disability.

32. During the period from 2020 to the first half of 2022, the National Institute against Racial Discrimination conducted a total of 6,203 training activities, with the aim of promoting respect for, recognition of and equal treatment of women of African descent.

National machinery for the advancement of women¹⁵

33. In 2014, the Presidential Council of the People's Government for Women was established, a body composed of spokespersons from over 500 women's organizations from various sectors of society, providing access to the executive branch for the formulation of public policies promoting gender equality in a participatory and democratic manner. Its establishment was ratified by the Act on the Presidential Councils of the People's Government (2015).

34. The State Council for Gender Equality and Equity, established in 2015, brings together all State authorities, with the objective of ensuring a gender-sensitive approach in public policies. The Council promotes the establishment of contact points responsible for gender equality and equity in all institutions, thereby creating a network of gender contacts in State institutions. The Ministry of People's Power for Women and Gender Equality has a structure in all 24 states of the national territory, and the second partial reform of the Act on Women's Right to a Life Free from Violence includes a requirement that territorial coordination mechanisms work together to ensure women's right to a life free from violence (art. 50.1).

35. Under the second partial reform of the Act on Women's Right to a Life Free from Violence (2021), the National Commission to Guarantee Women's Right to a Life Free from Violence was established as a standing inter-agency body responsible for the coordination, support and promotion of the State's public policies aimed at ensuring respect for and achievement of women's right to a life free from violence. The Commission is headed by the Executive Vice-Presidency of the Republic, and has an executive secretariat in charge of the mechanism for the advancement of women; it is composed of all the agencies with competence in preventing, addressing and punishing violence against women, including five representatives of social or academic organizations engaged in the promotion, study and protection of women's human rights.

36. The reform of the Act on Women's Right to a Life Free from Violence also included recognition of the contribution of community defenders of human rights to the protection of female victims of violence, and of the role of community defenders in monitoring the institutions that are involved in providing access to justice.

37. The State Council for Gender Equality and Equity, by incorporating the entire institutional framework of the Venezuelan State, has promoted the mainstreaming of a gender perspective in all public policies of the Ministry of People's Power for Indigenous Peoples, the National Institute against Racial Discrimination and the National Council of Communities of African Descent.

38. Organizations of persons with disabilities have played a leading role in the formulation and design of public policies for the defence and protection of women's rights. The Mission José Gregorio Hernández Foundation and the National Council for Persons with Disabilities were involved in setting up a disability-free Chair at the Argelia Laya Feminist School of the South, attached to the Ministry of People's Power for Women and Gender Equality. The Vice-Ministry for Gender Equality and Non-Discrimination is involved in specific areas of work aimed at young, gender-diverse and indigenous women, and women of African descent.

¹⁵ Paragraph 7 of the list of issues and questions.

Temporary special measures¹⁶

39. Following the establishment of quotas to ensure balanced participation between women and men in the 2015 National Assembly elections, the 2018 regional elections and the 2020 National Assembly elections, the results were: in the 2015–2020 session of the National Assembly, 20 per cent female representation was achieved, while, after the 2020 parliamentary elections, the percentage of women elected to the National Assembly increased to 31 per cent. In the case of the 2018 regional elections, women gained 35 per cent of the seats in the legislative councils and 46 per cent in the municipal councils.

Gender stereotypes and harmful practices¹⁷

40. The Act on Social Responsibility in Radio, Television and the Electronic Media prohibits the dissemination of messages that incite or promote hatred and intolerance on religious, political, gender-differentiated, racist or xenophobic grounds (art. 27). The National Telecommunications Commission carries out daily monitoring of the programmes broadcast on the conventional communications media, and of websites and social networks, in order to ensure compliance with the provisions of the Act. It also supports and determines the relevant administrative proceedings in relation to compliance with the requirements of the Act.

41. Other measures adopted to combat sexist stereotypes include Supreme Court rulings No. 359 of 2014 and No. 884 of 2017, which prohibit the publication of images with explicit or implicit connotations or content that promote prostitution or the use of pornography, whether in the form of images, photographs or advertising materials, and contain links to websites that can be freely accessed by children and adolescents.

42. The Act on the Promotion and Use of Gender-Sensitive Language (2021) stipulates that all public authorities must use gender-sensitive, inclusive and non-sexist language in their activities and actions. This obligation extends to, inter alia, official documents, texts and publications, as well as legal documents emanating from all organs and entities of the State. The Act also establishes the requirement to use gender-sensitive, inclusive and non-sexist language at all levels and structures of the education system. In accordance with this Act, public, private and community social media must promote the use of gender-sensitive, inclusive and non-sexist language in order to contribute to achieving real and effective equality between women and men.

43. Following the 2014 national referendum on the quality of education, the secondary school curriculum was overhauled. In 2015, the Ministry of People's Power for Education included "gender equality" as an essential topic for mainstreaming in the education process. The reform of the Act on Women's Right to a Life Free from Violence incorporated the teaching of human rights and, in particular, women's rights, and provided that these rights should be integrated into the formal curriculum of the entire education system.

44. As part of the efforts made to address gender-based stereotypes as a root cause of violence against women, the reformed Act included in its article 2.4 a provision that evidentiary criteria should be free of gender stereotypes and prejudices that subordinate women and fail to recognize them as subjects of rights.

¹⁶ Paragraph 8 of the list of issues and questions.

¹⁷ Paragraphs 9 and 10 of the list of issues and questions.

45. The Act on the Prevention and Elimination of Sexual Abuse against Children and Adolescents (2021) establishes the age of 16 as the minimum age for men and women to enter into valid marriages and de facto unions, which require prior authorization from the Court of Protection. Failure to comply with this prohibition by government employees with competence in respect of marriage and de facto unions is punishable by a penalty of one to three years' imprisonment. In addition, the Act guarantees all children and adolescents their right to be protected from any form of sexual abuse, in order to ensure their personal integrity and the free development of their personalities, and provides for the non-applicability of statutory limitations to all types of crimes of sexual abuse of children and adolescents (art. 4); these guarantees constitute specific measures against forced pregnancy.

46. Forced sterilization has been recognized as a crime since 2007, under the Act on Women's Right to a Life Free from Violence. The second partial reform of the Act increased the applicable penalty (10 to 15 years' imprisonment) for anyone who intentionally deprives a woman of her reproductive capacity without providing her with adequate information or obtaining her express, voluntary and informed consent. In addition, the Act provides for suspension of professional practice for a period of 10 to 15 years.

47. The Ministry of People's Power for Women and Gender Equality has trained 5,817 community defenders who are specialized in cases of obstetric violence.

Gender-based violence against women¹⁸

48. The Bolivarian Republic of Venezuela has promulgated the second partial reform of the Act on Women's Right to a Life Free from Violence, which guarantees the principle of the progressiveness of human rights, in accordance with international standards, and reaffirms the condemnation and rejection of all forms of violence against women, since they constitute a significant obstacle to the achievement of substantive equality between women and men. This reform was carried out with technical assistance from the Office of the United Nations High Commissioner for Human Rights.

49. The most significant elements of this partial reform include the following:

- (a) The objectives of the Act are reinforced by guaranteeing and promoting women's right to a life free from violence in the public and private spheres;
- (b) Revictimization is prohibited (art. 2);
- (c) The organs of the justice system and other State entities are required to apply and interpret the Act from a gender-sensitive, feminist, human rights, intercultural, integral, intergenerational and intersectional point of view (art. 4), thereby strengthening progressiveness in guaranteeing women's rights in the face of multiple types of discrimination;
- (d) Recognition of all women in their diversity is broadened in order to deepen the intersectional approach in public policies (art. 6);
- (e) Mediation, conciliation and other alternative dispute resolution procedures are prohibited in proceedings involving violence against women, in cases involving violation of or threat to the right to life and physical integrity. In other cases, these procedures may exceptionally be used provided that a prior evaluation by a multidisciplinary team ensures the free and informed consent of the victims and there

¹⁸ Paragraphs 11 and 12 of the list of issues and questions.

are no indicators of further risks to the victims or their families, in accordance with the Committee's general recommendation No. 35;

(f) With regard to forms of violence, the crime of threat is expanded to include the media and information and communication technologies. In addition, the crime of domestic violence is redefined and expanded, updating it to include domestic violence, including vicarious violence, by recognizing as domestic violence any act of violence, or actions or omissions, that impact ascendant, descendant and collateral blood relations or other relatives, and persons in the care of women, which are intended to provoke violence, fear or harm, or to bend the will of a woman or even cause her death;

(g) Sexual violence within a partner relationship is included, and new forms of violence are recognized, such as online violence, political violence, gynaecological violence and multi-causal violence;

(h) The crime of workplace violence is broadened by recognizing that this crime includes failure to grant leave to enable female victims of violence to carry out activities that require their presence, in accordance with the Act;

(i) Productive enterprises are included within public policies in order to guarantee the empowerment and economic autonomy of female victims of violence, as well as their access to employment (art. 24);

(j) The Ministry of Penitentiary Affairs is empowered to guarantee incarcerated women the exercise of the rights provided for in this Act (art. 31);

(k) The co-responsibility of social organizations in the implementation, follow-up and monitoring of policies for prevention, care, guidance, support, and protection of women's right to a life free from violence is recognized, while ensuring that the executive branch will have the necessary resources to fund plans, programmes, projects and actions for preventing and addressing violence against women which are promoted by communities, community councils, community defenders of women's rights, women's organizations and other grassroots social organizations;

(l) Failure to issue a physical and mental health certificate or to submit a report in a timely manner is included as a crime of institutional violence (art. 43);

(m) Actions in which the conduct of the active subject and the crime of trafficking in persons are subsumed are expanded in line with the international legal framework (art. 72);

(n) Penalties are increased for the crimes of physical and sexual violence, sexual acts with particularly vulnerable victims, sexual abuse without penetration, forced prostitution, sexual slavery, sexual harassment, workplace violence, forced sterilization, online violence and trafficking in women, girls and adolescents;

(o) The termination of parental rights in cases of femicide, sexual violence, sexual violence with particularly vulnerable victims and sexual abuse without penetration is included as an accessory penalty (art. 85), as well as the termination of community property and forfeiture of the share that the convicted person would inherit in cases of femicide, granting these rights to the victim's children or ascendants, if any;

(p) The modalities of receiving complaints concerning crimes of violence against women are broadened, allowing complaints to be made not only orally or in writing, but also in Venezuelan sign language, through any means (art. 90);

(q) The obligations of the body receiving a complaint (art. 91) include the imposition of protection and security measures without any type of limitations, in order to protect the life and other human rights of women.

50. Currently, the Ministry of People's Power for Women and Gender Equality is concluding the process of public consultations for the formulation of the national plan for the prevention and elimination of violence against women (2022–2025). As a specific measure to address new forms of violence afflicting women online, the second reform of the Act on Women's Right to a Life Free from Violence incorporated online violence, which includes any act that involves the use of information and communication technologies as a means for committing a crime of violence against women, through the use or dissemination of audiovisual material, images, data or any other information about a woman in order to engage in psychological violence, harassment, stalking, sexual harassment, online violence, symbolic violence, political violence or any other form of violence.

51. The National Council for Persons with Disabilities conducts training workshops on human rights and the prevention of gender-based violence for people with disabilities, in order to ensure their familiarity with and exercise of their rights. In 2022, under an agreement with the United Nations Population Fund, the goal was set of sensitizing 5,000 women about gender-based violence, specifically the prevention of exploitation, abuse and sexual harassment of women, girls and adolescents, including female caregivers and leaders, and adolescents with disabilities, in the states of Zulia, Táchira, Apure, Bolívar and Miranda, in a first phase.

52. The specialized gender justice system guarantees access to justice throughout the national territory, and aims to cover rural and border states, in order to provide comprehensive assistance to all victims.

53. Between 2017 and March 2022, 3,516 people were convicted of crimes of sexual violence against women, girls and adolescents envisaged in the Act on Women's Right to a Life Free from Violence and the Organic Act on the Protection of Children and Adolescents.

54. The Act on the Prevention and Elimination of Sexual Abuse against Children and Adolescents recognizes the crime of sexual abuse as a serious violation of human rights and seeks to ensure the rights of all children and adolescents to be protected against any form of sexual abuse, to personal integrity, and to the free development of their personalities, as full subjects of law, under the principle of co-responsibility between the State, families and society (art.1). This Act established the National Commission for Prevention, Comprehensive Protection, and Eradication of Sexual Abuse of Children and Adolescents (art. 13). It also provides for the complete termination of parental rights of persons convicted of any form of sexual abuse of a child or adolescent in respect of all their children (art. 19).

55. Between 2020 and 2022, the judiciary carried out 206 activities for the training of teachers and students on issues of violence and discrimination against women, with a total of 7,660 participants. Over the past five years, the judiciary issued 11 final judgments in relation to the crime of sexual abuse in educational institutions.

56. In order to prevent the occurrence of gender-based violence against adolescent girls and young adults who reside in penitentiary facilities, the same policies and procedures are followed as those applicable to adult women prisoners, in terms of separation from men's accommodation, staff training, and the presence of a human rights representative. In facilities for adolescent girls, tools on the prevention of violence and discrimination are provided through workshops, film forums, meetings and discussions, in order to provide education on equality and women's human rights.

57. During 2021 and 2022, visits and inspections were scheduled and carried out by national agencies for the defence of the human rights of adolescent criminal offenders such as the Public Defence Service, the Ombudsperson's Office, the Supreme Court and the Council for the Protection of Children and Adolescents, thereby ensuring the full enjoyment and exercise of the fundamental rights of this vulnerable sector of the population. These entities are also visited by personnel from the Office of the United Nations High Commissioner for Human Rights accredited in Venezuela.

58. The National Commission to guarantee Women's Right to a Life Free from Violence has a legal mandate to establish an integrated system for collecting statistical data on gender-based violence against women, disaggregated according to the type of violence and the relationship between perpetrators and victims, and on the number of complaints, prosecutions, convictions and sentences imposed on perpetrators, as well as on measures of protection and reparation for victims (art. 50.7, Act on Women's Right to a Life Free from Violence).

59. Among the mechanisms to ensure accessibility for women with disabilities in cases of gender-based violence, Venezuelan sign language interpreters are being included in the awareness-raising and assistance sessions that are organized for women with disabilities.

60. There are five active shelters in the national territory which are specialized in providing comprehensive care and protection for women victims and survivors of gender-based violence.

Trafficking and exploitation of prostitution¹⁹

61. In 2021, the National Plan to Combat Trafficking in Persons 2021–2025 was adopted;²⁰ it had been formulated by the Ministry of People's Power for Internal Relations, Justice and Peace, through the National Office to Combat Organized Crime and Financing of Terrorism, the governing body in this area. The purpose of the Plan is to develop a comprehensive policy that defines activities between State institutions, private companies, non-profit organizations, the people's power, and national and international cooperation agencies, in order to prevent, address, suppress, punish and mitigate the crime of trafficking in persons. The National Council to Combat Trafficking in Persons, attached to the Office of the Vice-President of the Republic, was established to provide advice and carry out the necessary coordination with public and private agencies and institutions, for the purpose of following up, evaluating, implementing and monitoring the Plan.

62. The Bureau for Scientific, Criminal and Forensic Investigations has established a coordinating body for investigations concerning trafficking in persons throughout the national territory. This means that in each state there will be a coordination unit, where a team will be dedicated exclusively to investigating this crime.

63. Between 2020 and 2022, the judiciary issued a total of 96 final convictions for the crime of trafficking in women, girls and adolescents, in accordance with article 72 of the Act on Women's Right to a Life Free from Violence.

64. The National Committee for the Protection of Child and Adolescent Migrants was established in June 2017 to serve as a forum for coordination between State institutions and civil society in the implementation of strategies for addressing the problems affecting child and adolescent migrants and their families.²¹

¹⁹ Paragraph 13 of the list of issues and questions.

²⁰ Official Gazette No. 6,633 (special issue) dated 21 July 2021.

²¹ Official Gazette No. 42,040 (special issue) dated 5 January 2021.

65. In the event that a transgender woman falls victim to the crime of trafficking in persons, the Public Prosecution Service would refer her to the 95th national prosecutor's office, which specializes in the crime of trafficking in women. If the victim is a girl or an adolescent, the 96th national prosecutor's office, which specializes in the crime of trafficking of children and adolescents, is the competent authority to take up and investigate the case. In any case, the prosecutor of the Public Prosecution Service may categorize the crime under article 72 of the Act on Women's Right to a Life Free from Violence, defined as trafficking in women, girls and adolescents; or under article 41 of the Organic Act against Organized Crime and the Financing of Terrorism (2012), defined as trafficking in persons, if an organized criminal group is involved. Both prosecutor's offices have been available to the public since 2019.²² To date, no cases of trafficking in persons involving transgender persons have been reported.

66. The Public Prosecution Service, the Ministry of People's Power for Internal Relations, Justice and Peace, and the Ombudsperson's Office have scheduled workshops to improve prevention, focus broad attention and ensure criminal investigation of the crime of trafficking in persons. The workshops are aimed at members of security forces, the Public Prosecution Service, the judiciary and councils for the protection of children and adolescents. Between 2014 and 2019, 1,405 public employees were trained to deal with trafficking in persons and illegal smuggling of migrants.

Participation in political and public life²³

67. During the 2010–2015 period, 17 per cent of National Assembly seats were held by women (28 women for a total of 165 seats). Between 2015 and 2020, the figure rose to 20 per cent (34 women for a total of 167 seats). In 2020, the proportion of women elected to the National Assembly rose to 31 per cent. In 2022, the first and second vice presidency of the National Assembly were held by women.

68. Regarding individual positions in the executive branch at the state and municipal levels, as of 2022, 8.3 per cent of governorates were headed by women (two female governors) and 19 per cent of mayoral offices were headed by women (62 female mayors), including the Mayor's Office of the Libertador Municipality, the capital of the Republic.

69. In the national executive branch, more women are playing leadership roles in decision-making and occupying senior posts as ministers, deputy ministers, presidents of institutions, and directors and rectors of universities. As of 2022, Delcy Rodríguez has been serving as Executive Vice-President of the Republic and is the Minister of Economy and Finance. In 2022, 30 per cent of ministerial positions were held by women (10): Education; University Education; Economy and Finance; Trade; Science and Technology; Women and Gender Equality; Indigenous Peoples; Urban Agriculture; and Prison Services.

70. Between 2015 and 2019, the representation of women in the Bolivarian Armed Forces increased from 11 to 15 per cent, thanks to the policy encouraging the admission of women to the various military schools. The proportion of women rose from 14 per cent to 21 per cent in the Bolivarian Army; from 16 per cent to 22 per cent in the Bolivarian Air Force; from 15 to 26 per cent in the Navy; and from 6 to 8 per cent in the National Guard.

²² Official Gazette No. 41,733 of 8 October 2019 and No. 41,769 of 27 November 2019.

²³ Paragraph 14 of the list of issues and questions.

71. In the Bolivarian National Police, women constitute 26.95 per cent of police officers, and are responsible for 12.08 per cent of strategic management.
72. As of 2022, the Supreme Court, the highest body of the judiciary, has been presided over by Judge Gladys María Gutiérrez Alvarado, and there are nine female judges out of a total of 20, or 45 per cent.
73. The Public Prosecution Service has 114 women in high-level positions and 1,210 female prosecutors. In the Ombudsperson's Office, women account for 55 per cent of management positions and 58 per cent of the institution's total staff.
74. In the Public Defence Service, 68 per cent of the public defenders are women; there are 1,021 female public defenders out of a total of 1,503.
75. The National Electoral Council, which is the highest electoral body, was headed by women between 2005 and 2021. Since 2021, the Council has consisted of four men and one woman. With regard to the membership of subsidiary bodies, for the 2020 National Assembly elections 67 per cent of the members of the regional electoral boards were women. Furthermore, 71 per cent of the electoral boards were chaired by women.
76. Some 40 per cent of the country's chambers of commerce are headed by women. Women registered on the Emprender Juntos website account for 59.61 per cent (130,070 women) of the total number of people registered.

Education²⁴

77. In 2018, the gender parity index for the three levels of education was 0.97 for pre-school, 0.92 for primary and 1.04 for secondary and specialized education. Levels of schooling are generally equal and equitable. In 2021, an enrolment of approximately 4,350,000 girls and adolescents was recorded.
78. There are 1,426 bilingual intercultural schools in the Bolivarian Republic of Venezuela, which serve more than 240,000 indigenous children free of charge.
79. In 2015, in accordance with joint instruction No. 026 issued by the Ministry of People's Power for Education and the Ministry of People's Power for Women and Gender Equality, 8,412 teachers were trained in the prevention of violence against women.
80. Resolution 0004 of February 2021²⁵ regulates the processes to guide the incorporation of comprehensive sex education in the basic education subsystem, within the framework of the National Plan for the Prevention and Reduction of Early and Adolescent Pregnancy, as a life and health strategy that protects the rights of adolescents as an essential aspect of their futures. This resolution is associated with the launching of a number of activities, such as the training of teachers in sexual and reproductive rights.
81. The ongoing inclusion of women in the subsystem of university education has yielded positive results. Between 2014 and 2020, 1,280,451 women pursued studies in various areas and academic disciplines. Their participation averaged: 71 per cent in health; 74 per cent in education; 62 per cent in social sciences; 62.7 per cent in agriculture and marine sciences; 50 per cent in basic sciences; 58.96 per cent in humanities, literature and arts; and 44 per cent in engineering, architecture and technology. Women account for 57.9 per cent of enrolment at public universities.

²⁴ Paragraph 15 of the list of issues and questions.

²⁵ Official Gazette No. 42,063 (special issue) dated 5 February 2021.

82. Women account for 50.47 per cent of research workers in bodies attached to the Ministry of People's Power for Science and Technology (a gender parity index of 1.02).

83. Under the Canaima Education Project, digital resources have been developed on subjects such as gender equality; and textbooks for preschool, primary and secondary levels of the Bicentenary Collection included topics on knowledge of the body, non-discrimination, and sexual and reproductive rights.

Employment²⁶

84. In order to protect employment, the executive branch has issued decrees regarding job protection for workers in the public and private sectors which prevent dismissals without just cause, in accordance with the procedures established in our labour legislation. The most recent update was made in December 2020, extending employment protection for a period of two years.²⁷

85. From 2018 to 2022, through the Social Welfare Divisions and the Assistance and Guidance Service for the Job Placement and Rehabilitation of Persons with Disabilities, 71,254 comprehensive consultations were carried out for workers with disabilities (more than 50 per cent of whom were women), which made it possible to assess their living conditions.

86. Other bodies of the Ministry of People's Power for the Social Process of Labour carry out initiatives for job protection and security of persons with disabilities, in particular through job placement, in coordination with the Consultation Centres for Education and Labour.

87. Furthermore, since March 2021, joint inspection operations for the protection of the right to work of persons with disabilities have been carried out throughout the national territory, with the participation of the supervisory units, the National Institute for Accident Prevention and Occupational Health and Safety and the National Council for Persons with Disabilities, for the purpose of carrying out inspection visits to workplaces in the private sector, in order to ensure full inclusion and compliance with the legal provisions regarding the incorporation on the payroll of persons with a lifelong disability, in dignified and productive employment.

88. Awareness-raising workshops have been held for public employees of the Labour Department on assisting persons with disabilities in the various services offered by the labour inspectorates. In addition, during 2021 and the first half of 2022, with technical assistance from the International Organization for Migration, 63 employees of the Ministry of People's Power for the Social Process of Labour were trained through 11 workshops held in eight states, in order to strengthen their technical capacities in the prevention, identification and referral of victims of trafficking in persons and related crimes, with special emphasis on the socio-labour area.

89. In 2021, the Integrated Agrarian Inspection Programme was reactivated in order to protect the social and labour rights of the most vulnerable rural workers engaged in agricultural activities in the primary sector of the economy.

90. The Ministry of People's Power for the Social Process of Labour is responsible for overseeing the application of the Act on Work and Workers by making inspection visits to workplaces. During the period from January 2021 to July 2022, 13,615

²⁶ Paragraph 16 of the list of issues and questions.

²⁷ Official Gazette No. 6,611 (special issue) dated 31 December 2020.

workplace inspections were carried out, covering a total of 322,039 employed persons, of whom 142,555 were women.

91. Between 2014 and 2020, the number of women receiving long-term financial benefits (pensions) from the Venezuelan Social Security Institute increased from 1,545,044 to 2,752,825, representing 59.9 per cent of the total number of recipients. In the same period, short-term benefits (compensation and involuntary separation from employment) were paid to 724,838 women and 483,224 men. This benefit is received both by workers in the formal sector who have paid contributions, and by informal workers or housewives who have never paid contributions.

92. In order to alleviate poverty and assist women, the Great Housing Mission was created in 2014 and by 2020 had helped 5,466,758 families throughout the nation. Women account for 78 per cent (4,272,194) of the heads of household registered and enjoying the benefits of the various programmes offered by the Mission.

Health²⁸

93. In 2018, in conjunction with international cooperation agencies, the post-partum contraception plan was introduced in maternity clinics and hospitals, along with a contraception plan in the commune and outpatient network. The plans involve the provision of long-term contraceptive methods (implants and intrauterine devices) to adolescents at special medical offices, secondary schools and universities, and cover counselling on family planning, informed consent, and guidance on preventing sexually transmitted diseases.

94. The activities undertaken for the prevention of teenage pregnancy include the following:

(a) Training and guidance on sexual and reproductive health provided to 121,402 university students during 2019;

(b) Provision of contraceptives, involving five of the care units in the concept of differentiated care and giving a total of 289,362 students free access to contraceptives;

(c) Training for 1,269 new health workers in care strategies for providing friendly services to adolescents (2016–2019);

(d) Strengthening of 239 pilot centres for family planning;

(e) Technical cooperation from the Andean Health Agency – Convenio Hipólito Unanue in the formulation, implementation and monitoring of the Andean Plan for Adolescent Pregnancy Prevention.

95. In order to ensure the enforcement of article 66 of the Act on Women's Right to a Life Free from Violence, which penalizes obstetric violence as a crime of violence against women, the Public Prosecution Service has introduced a prosecution service in the main maternity hospitals. Prosecutors who are specialized in investigating crimes of violence against women are assigned to receive and process complaints of obstetric violence and/or forced sterilization in a timely and prompt manner. The objective is to ensure the protection of victims, and to prevent health personnel from modifying or altering the evidence needed for investigations. From 2018 to June 2022, the Public Prosecution Service assigned a total of 1,560 prosecutors to the Concepción Palacios Maternity Hospital, the Santa Ana Maternity Hospital, the Hugo

²⁸ Paragraphs 17 and 18 of the list of issues and questions.

Chávez Maternity and Infant Hospital, the Petare Maternity and Infant Hospital and the Caricuao Maternity Hospital.

96. From 2017 to September 2022, over 800,000 pregnant and breastfeeding women were assisted under the Humanized Childbirth Plan. Under the Plan, 9,430 community advocates have been deployed in the 24 states and in 68 per cent of the country's municipalities to promote humanized childbirth.

Rural women²⁹

97. As of 2022, rural women had obtained a total of 4,035,437 hectares of land awarded with property rights or secure rights to agricultural land under article 14 of the Land and Rural Development Act, which establishes preferential land tenure for female heads of household.

98. The Federal Council of Government has recorded that 50.07 per cent of agricultural production projects are headed by women. The Women's Development Bank has financed the expansion of productive work by rural women by approving 11,696 loans for the agrarian sector.

Disadvantaged groups of women³⁰

99. The Act on Women's Right to a Life Free from Violence covers multi-causal violence, and recognizes discriminatory grounds such as ethnicity, race, colour and lineage. Similarly, the Act on the Great Mission for Youth Employment, the Act on Respect for Human Rights in the Public Sector, the Act on the Prevention and Elimination of Sexual Abuse against Children and Adolescents, the Organic Act on Comprehensive Care and Development of Older Persons, the Act on the System of Lifelong Care and the Act on the Protection of Families, Motherhood and Fatherhood, define non-discrimination based on grounds such as ethnicity, lineage and race, thereby guaranteeing the principle of equality and non-discrimination for all indigenous women.

100. The Act on the Protection of Families, Motherhood and Fatherhood ensures the protection of the families of indigenous peoples and communities by supporting the various traditional forms of family organization through programmes designed to preserve the usages and customs of indigenous peoples and communities and enhance the quality of their domestic lives.

101. In relation to women with disabilities, the measures adopted by the National Council for Persons with Disabilities include:

- (a) Training and sensitization of women, caregivers and leaders with disabilities on gender-based violence;
- (b) Legal advice and guidance on access to justice and protection of human rights;
- (c) Inclusive and comprehensive care through the Counselling and Family Programme that promotes the care of mothers, fathers, children and relatives with disabilities;
- (d) Support for inclusion in the school and community education system;

²⁹ Paragraph 19 of the list of issues and questions.

³⁰ Paragraph 20 of the list of issues and questions.

(e) Socio-productive training, and human rights training for family members as well as public and private work entities;

(f) Inter-agency coordination of job placement for persons with disabilities, as well as legal and psychological follow-up on a case-by-case basis;

(g) Provision of interpretation services in Venezuelan sign language to ensure accessible communication for persons who are hearing-impaired.

102. The second partial reform of the Act on Women's Right to a Life Free from Violence incorporates, in its article 19, the crime of political violence, defined as any act that, through coercion, threat or any other form of violence, limits, undermines or prevents the free exercise of political participation by women under conditions of equality and equity. This crime is punishable by a prison sentence of 3 to 8 years. The Bolivarian Republic of Venezuela recognizes and protects the activities of non-governmental organizations that are working to promote and protect human rights, as well as the work of human rights defenders.

103. With regard to incarcerated women, in October 2021 there were 2,497 female prisoners, distributed between 16 prison facilities. The managerial, disciplinary and custodial staff of these facilities are all female and are separated from the men's facilities. The centres have enough space in relation to the number of female prisoners to comply with United Nations Rules for the Treatment of Women Prisoners (Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (Nelson Mandela Rules).

104. Prison staff receive high-quality training to guarantee respect and dignified treatment, through vocational courses provided by the Penitentiary Academy and the National Training Schools, in conjunction with the National Experimental University for Security; they take basic courses in penitentiary service, and, at the university level, earn technical and bachelor's degrees in penitentiary matters. Since 2016, 17,730 public employees of the penitentiary service have been educated and trained.

105. The Ministry of People's Power for the Penitentiary Service guarantees daily food for the entire prison population, complying with the calorific requirements established by the National Nutrition Institute, and providing special menus for the population with established pathologies such as hypertension and diabetes.

106. Health programmes with a focus on epidemiological issues are continuing to be implemented in prisons, covering topics such as sexual and reproductive health, immunization, environmental health, comprehensive tuberculosis surveillance, sexually transmitted diseases, HIV/AIDS, mental health and oral health.

107. During the pandemic, a special protocol was adopted to safeguard the rights of incarcerated persons, including the right to receive visits and to have contact with their families. Furthermore, under a mass vaccination plan, 100 per cent of the prison population was vaccinated, and received both doses.

108. The Ministry of People's Power for the Penitentiary Service offers health services by professionals in a range of disciplines: physicians, nurses, dentists, dental hygienists, pharmacists and psychiatrists. At present, health services are available in each of the country's female prisons and there are seven mobile medical-dental units equipped to care for female prisoners in each region of the country. Since 2021, 43,884 medical consultations, 3,419 dental consultations, 5,334 nutritional assessments and 4,136 COVID-19 immunizations have been carried out.

109. In order to guarantee the right to justice, joint work days are organized on a regular basis between the country's various bodies involved in the administration of justice (the Supreme Court, the Public Prosecution Service, the Public Defence Service and the Ministry of People's Power for the Penitentiary Service) in order to

offer legal and social assistance by reviewing the files of incarcerated persons to determine whether they are eligible for any reduction of the sentence imposed or for a less severe penalty.

110. As of 2021, 4,383 comprehensive legal assistance processes had been carried out for women who had been sentenced; 2,184 comprehensive legal assistance processes for women who were being tried; and 55 processes for conditional suspension of sentence; in addition to 73 work assignment measures; 27 open regime measures; 252 parole measures; 284 measures for full release; 6 humanitarian measures; 200 protective measures; and 43 measures for supervised release.

111. In addition, family visits are guaranteed for all female prisoners, in the form of weekly visits, and special visits at the Family Meeting Centres; these are mixed spaces within the external perimeter of the institution, but outside the prison walls, where prisoners can be visited by their families without having to wear uniforms. This project seeks to ensure that children and adolescents are able to exercise their right to spend time respectfully and with dignity with their mothers, while their safety is guaranteed by the authorities of the institution. These buildings have fully equipped reception rooms, a children's playroom, toilets, a pantry and kitchen for preparing food during visits, and other facilities. In 2021, 117,733 women prisoners received 117,733 visits and in 2022, 72,261 visits were recorded, for a total of 189,994 visits with their families.

Climate change and disaster risk reduction³¹

112. Women account for 49.26 per cent of substantive management positions in the Ministry of People's Power for Eco-socialism and its affiliated entities.

113. At the national level, 1,336 female leaders to combat climate change, 3,375 female park rangers and monitors of small parks, 1,297 female forest firefighters, and 3,003 female tree wardens, have been deployed. At the community level, as of 2022, 8,339 women were participating in the technical water roundtables of the community councils. The eco-socialist committees at the national level have a total of 515 spokeswomen.

114. In January 2021 the Ministry of People's Power for Eco-socialism, in conjunction with the United Nations Development Programme, issued a methodology on the incorporation of a gender perspective from a human rights-based approach in the environmental programmes of the Bolivarian Republic of Venezuela.

115. In order to address the issue of food security for rural women in light of the effects of climate change, the Bolivarian Republic of Venezuela, in addition to ensuring access to the programme of local supply and production committees, is also envisaging policies such as access to seeds for cultivation and land.

Marriage and family relations³²

116. Article 12 of the Act on the Prevention and Elimination of Sexual Abuse against Children and Adolescents establishes the age of 16 as the minimum age for men and women to enter into valid marriages and de facto unions. In the case of adolescents over 16 years of age, marriage or de facto unions may be validly contracted only with the prior authorization of the Court for the Protection of Children and Adolescents.

³¹ Paragraph 21 of the list of issues and questions.

³² Paragraph 22 of the list of issues and questions.

117. The Civil Code (1982) recognizes the authority of either spouse to request the separation of property, as well as equal treatment in allowing the spouse who has custody of the children to stay in the common home.

118. The Civil Code recognizes common-law unions, specifically within the framework of the common law regime regulated in article 767. Subsequently, under article 77 of the 1999 Constitution of the Bolivarian Republic of Venezuela, de facto unions between a man and a woman were accorded the same benefits as marriage. The Organic Act on the Civil Registry (2009) establishes the regulations regarding the registration and dissolution of de facto unions, thereby ensuring full recognition of de facto unions.
