



**International Convention on  
the Elimination of All Forms  
of Racial Discrimination**

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**Committee on the Elimination of Racial Discrimination**

**Eighty-third session**

12–30 August 2013

Item 4 of the provisional agenda

**Consideration of reports, comments and information submitted by  
States parties under article 9 of the Convention**

**List of themes in relation to the nineteenth to twenty-first  
periodic reports of the Bolivarian Republic of Venezuela  
(CERD/C/VEN/19-21)**

**Note by the Country Rapporteur\***

*Summary*

The Committee on the Elimination of Racial Discrimination decided at its seventy-sixth session (A/65/18, para. 85) that the Country Rapporteur would send to the State party concerned a short list of themes with a view to guiding and focusing the dialogue between the State party's delegation and the Committee during the consideration of the State party's report. This document contains a list of such themes. This is not an exhaustive list: other issues may also be raised in the course of the dialogue. No written replies are required.

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\* Late submission.

**1. National institutional and legal framework for the prevention of racial discrimination (arts. 2 and 4)**

(a) The new Racial Discrimination Act of 2011, with emphasis on its general implementation (CERD/C/VEN/19-21, paras. 134 and 208);

(b) Competent bodies that guarantee the implementation of constitutional obligations and special protection measures for indigenous nations and peoples, Afro-Venezuelans and members of other minorities: operations of the National Institute against Racial Discrimination, set up in 2011 (CERD/C/VEN/19-21, para. 139);

(c) Fund for the prevention and elimination of racial discrimination;

(d) Access to justice without racial discrimination for indigenous peoples and Afro-descendants.

**2. Human rights defenders (art. 5)**

(a) Investigations and follow-up of the murder of the cacique Sabino Romero, human rights defender of the Yukpa indigenous people, in March 2013;

(b) Protection for human rights defenders in threatening or intimidating situations;

(c) Efficient and urgent measures to end this problem of violence, which mainly affects indigenous peoples and Afro-descendants, including the establishment of an independent monitoring mechanism to investigate such incidents in order to ensure that they do not go unpunished (CERD/C/VEN/CO/18, para. 18).

**3. Situation of indigenous peoples (art. 5)**

(a) Indigenous Peoples and Communities Act, with emphasis on its general implementation;

(b) Implementation of the guidelines on the protection of indigenous peoples in voluntary isolation and initial contact of the Amazon basin;

(c) Measures to recognize and protect the rights of indigenous peoples to own, develop, control and use their lands, territories and resources. Information on the settlement of conflicts over indigenous lands and resources, particularly those in which indigenous groups have been displaced from their lands (CERD/C/VEN/CO/18, para. 20);

(d) Information on the situation of the Yukpa indigenous people and in particular on that of the Chaktapa community (A/HRC/12/34/Add.1, para. 448);

(e) Participation by indigenous peoples in decision-making and implementation of the Act adopting the International Labour Organization Convention concerning Indigenous and Tribal Peoples in Independent Countries (No. 169);

(f) Results of the Fourteenth Population and Housing Census 2011 (CERD/C/VEN/19-21, para. 249).

**4. Situation of Venezuelan Afro-descendants (art. 5)**

(a) Results of the Fourteenth Population and Housing Census 2011 (CERD/C/VEN/19-21, para. 249), including disaggregated statistical data on Afro-descendants, which could enable their situation to be more accurately assessed, and the use of self-identification in the census;

(b) Governmental bodies working for Afro-Venezuelans' rights: establishment in 2005 of the Presidential Commission for the Prevention and Elimination of All Forms of Racial Discrimination and Other Distinctions in the Education System, which comprises various State institutions and members of Afro-Venezuelan organizations (CERD/C/VEN/19-21, para. 251).

**5. Protective mechanisms to prevent racial discrimination and human rights violations (art. 6)**

(a) Denunciation of the American Convention on Human Rights;

(b) The offence of racial discrimination (Racial Discrimination Act, chap. I); information on the new Criminal Code, on complaints of acts of racial discrimination and on the relevant legal action taken by the victims or on their behalf (CERD/C/VEN/CO/18, para. 16);

(c) The Office of the Ombudsman and its actions to combat racial discrimination;

(d) Measures adopted to investigate and punish by law cases of racially motivated verbal or physical violence;

(e) Measures to improve the economic and social rights situation of Afro-descendants and indigenous people, such as the right to housing, the right to health and sanitation services, the right to work and the right to adequate nutrition, in order to combat racial discrimination and eliminate structural inequalities (CERD/C/VEN/CO/18, para. 17).

**6. Situation of indigenous and Afro-descendent women**

(a) Implementation of the Act on Women's Right to a Life Free from Violence;

(b) Trafficking in indigenous and Afro-descendent women and girls in and outside the country for the purpose of sexual exploitation.

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