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**Committee on the Elimination of Discrimination  
against Women**

**Pre-session working group**

**Thirty-fourth session**

16 January-3 February 2006

**List of issues and questions for the consideration of  
periodic reports**

**Bolivarian Republic of Venezuela**

1. The pre-session working group considered the combined fourth, fifth and sixth periodic reports of the Bolivarian Republic of Venezuela (CEDAW/C/VEN.4-6).

**General**

2. Describe the strategy followed for disseminating the Committee's concluding comments on the third periodic report and the mechanism for approval of the present report. Indicate whether non-governmental organizations and women's groups were consulted and whether the report was submitted to the National Assembly.

**Constitution and laws**

3. According to article 23 of the Constitution, "The treaties, covenants and conventions concerning human rights ... shall have constitutional rank ... and they shall be immediately and directly applicable by the courts and other bodies of the public authority" (para. 21). Describe what has been done to ensure that women are aware of this remedy and indicate whether the Convention has been invoked before the courts.

4. What has been done to amend the Penal and Civil Codes to bring them into line with the provisions of the new Constitution adopted in 1999? Indicate also whether the "offences against morality and the proper family order" contained in the 1937 Penal Code have been eliminated. What is the status of the preliminary draft law on Responsible Fatherhood which was submitted to the National Assembly by the women's movement in 2002 (para. 50)?

5. Describe the measures taken to disseminate the amendments to the 1982 Civil Code that deal with rights and duties in marriage, the Equal Opportunities for Women Act and article 88 of the Constitution on the recognition of housework and housewives' right to social security. Indicate also what action has been taken to ensure that these laws are effectively implemented.

### **National machinery**

6. Explain why the Parliamentary Commission on Women's Rights was dissolved. Indicate what has been done to ensure that the laws adopted by the National Assembly are non-discriminatory and egalitarian and to promote legislation aimed at guaranteeing women's rights.

7. Indicate what strategic areas are covered by the 2003 Equal Opportunities Plan, what results have been achieved and how effective gender mainstreaming in all government bodies has been (para. 32).

8. In 1997, the Committee suggested that the Government should work for early approval of the establishment of national machinery that was sufficiently integrated into the political system and provided with adequate human and financial resources (see A/52/38/Rev.1). Indicate the status within the Government of the National Women's Institute (INAMUJER) and the availability of human and financial resources for its effective functioning and for that of regional institutes and councils, centres and shelters for women throughout the country.

9. In the report, "Meeting Points with INAMUJER" are said to be grass-roots organizations that function as centres for linking communities with the government body (para. 32). What machinery exists to ensure wide access by all women and existing community organizations to these Meeting Points?

### **Stereotypes and education**

10. Indicate the measures taken to eliminate sexist language and the image of women as sex objects in the media and the results achieved. Indicate also the status of the preliminary draft Law on Social Responsibility in Radio and Television, which establishes penalties for "any provider of radio and television services who broadcasts messages that promote (...) discrimination against persons or groups for reasons of (...) gender" (para. 29).

11. In paragraph 97, information is provided about the second phase of the Educating for Equality Programme intended to promote changes in educational texts and other materials and in the practices of communication of knowledge. Please report on the results of this Programme and its influence on the vocational guidance of young girls towards technical careers.

12. Indicate what other measures to eliminate stereotypes have been taken in the workplace and in family life and what the results have been. Specify the efforts made to disseminate and ensure compliance with article 76 of the Constitution on the shared responsibility of men and women for the education and development of their children.

13. Provide data on school enrolment rates and on the school dropout rate and its main causes, disaggregated by gender, population group, including indigenous people and persons of African descent, urban and rural areas, level of education and type of institution (private or public).

### **Violence against women**

14. The report of the Special Rapporteur on violence against women, its causes and consequences (E/CN.4/2003/75/Add.1) notes that the Violence against Women and the Family Act does not consider violence between partners who have not lived together. Indicate whether the Government plans to adopt an amendment to fill this gap in the law and guarantee protection for victims who have not lived with their aggressors.

15. Describe the measures that have been taken to disseminate and ensure compliance with the Violence against Women and the Family Act, with specific reference to action to train judges, police and health centre staff.

16. Provide information about the measures taken to ensure compliance with article 19 of the Violence against Women and the Family Act, which criminalizes sexual harassment (para. 54), and state whether any study or impact analysis has been made of the effectiveness of this provision.

17. Provide additional information explaining the reasons for the Government Attorney's appeal against provision for precautionary measures against perpetrators of domestic violence in the Violence against Women and the Family Act. Indicate what results have been achieved by efforts to prevent his appeal from being upheld by the Supreme Court and to ensure that judges can take precautionary measures in favour of victims of violence.

18. The report describes the functions of the National Office for the Defence of Women's Rights and specifies the number of women it has assisted. Indicate trends and the number of cases dealt with involving violence against women, whether or not there is a tendency to have recourse to conciliation, and the measures of prevention and protection offered.

### **Exploitation of prostitution and trafficking of women and girls**

19. Provide statistics on trafficking of women and girls and detailed information on the extent of this phenomenon in border areas.

20. What measures and strategies have been implemented to ensure compliance with and the monitoring of article 54 of the Constitution on human trafficking? Provide information on prevention and victim-protection programmes and penalties against perpetrators.

21. Provide information on laws and other measures prohibiting prostitution and specify the action taken to reduce demand and punish exploitation of and profiting from prostitution.

22. In considering the third periodic report, the Committee expressed concern that the Government had yet to respond effectively to problems such as prostitution (see

A/52/38/Rev.1). Provide more details on the measures, including legal measures, adopted to reduce the exploitation of prostitution, and their impact.

### **Political and public life**

23. Provide gender-disaggregated data on the ratio of women to men in the National Assembly, in political parties and in the central and local public administration.

24. Indicate the reasons for the low proportion of women in the National Assembly and the measures planned to increase women's participation in publicly elected bodies and the State administration, given that it was decided to eliminate the 30-per-cent quota previously applied under the Basic Act on Suffrage and Political Participation.

25. The report states that, under the Organic Law on Public Administration, "the public administrative organs and bodies shall promote citizen participation in public administration (...) [and] each public organ or body is required to draw up a register of the organized communities and public non-governmental organizations whose aims relate to that sector and who freely request to be listed" (paras. 70 and 71). Which public entity is responsible for promoting the public participation of women? Provide information on the existing mechanism for requesting registration and the criteria and authorities for approval of women's organizations that request it.

### **Employment**

26. The Committee expressed concern at the disparity between women's and men's wages and the high percentage of women receiving less than the minimum wage (see A/52/38/Rev.1). Indicate the measures taken to act on the Committee's concluding comments in this regard, and the results achieved, and include information on women's and men's wage levels in the private, public and informal sectors.

27. In considering the third periodic report, the Committee expressed concern at the presence of women in the informal economy and in low-paid service jobs (ibid.). Indicate what measures have been taken to integrate women in the formal sector and to reduce unemployment rates, and the results achieved.

### **Health**

28. The report describes a series of measures to ensure maternal and child health and sexual and reproductive health (paras. 156 to 170). However, results have not shown these measures to be effective. Provide additional information to explain the causes of this phenomenon and detail any new steps taken to reverse the situation.

29. The report mentions the existence of a coordinated monitoring system and a comprehensive STI/HIV/AIDS intervention project. However, the data provided do not show their effectiveness. Provide detailed, up-to-date information on the prevalence of STIs and HIV/AIDS among women by age group, urban and rural

areas and among indigenous women and those of African descent, and on the impact of the monitoring system and comprehensive intervention project.

30. The Special Rapporteur on violence against women, its causes and consequences expresses concern about cases in which women infected with HIV/AIDS have been subjected to forced sterilization (see E/CN.4/2005/72). Detail the measures adopted to prevent that practice and indicate whether a gender perspective has been mainstreamed into HIV/AIDS prevention and treatment programmes for pregnant women.

### **Rural women**

31. Provide detailed, up-to-date information on programmes and activities to assist indigenous women, women of African descent and, in general, women living in rural areas, particularly border communities, and their results in order to show the extent to which such women have access to education, health care, employment and basic services.

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