



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

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**Committee on the Elimination of Discrimination
against Women**
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Summary record of the 714th meeting

Held at Headquarters, New York, on Thursday, 26 January 2006, at 3 p.m.

Chairperson: Ms. Pimentel (Vice-Chairperson)

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In the absence of Ms. Manalo, Ms. Pimentel, Vice-Chairperson, took the Chair.

The meeting was called to order at 3.05 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined fourth, fifth and sixth periodic report of the Bolivarian Republic of Venezuela (continued) (CEDAW/C/VEN/4-6, CEDAW/VEN/Q/4-6 and CEDAW/VEN/Q/4-6/Add.1)

1. *At the invitation of the Chairperson, the representatives of the Bolivarian Republic of Venezuela took places at the Committee table.*

Articles 7, 8 and 9

2. **Ms. Belmihoub-Zerdani** said that she was pleased to be considering the case of a country which in recent years had undergone a radical change in its society and its power structure. Venezuela had a new constitution, and was transferring power democratically to the people. The constitution prohibited all forms of discrimination, and was thus fully in line with the Convention. In particular, article 88 of the constitution stipulated that the Government guaranteed equality between men and women. After reviewing the rising numbers of women in the various legislative bodies, she sought some additional information on women in the judiciary.

3. **Mr. Flinterman** asked for clarification on the situation of NGOs in Venezuela, and in particular of the statement (CEDAW/C/VEN/4-6, para. 71) that in order to enable their participation in the consultation on policies and rules to regulate a sector, each public organ or body was required to draw up a register of the organized communities and the public non-governmental organizations whose aims related to that sector. He wished to be clear on whether it was indeed each public organ or public body that was covered by this requirement, or whether it applied exclusively to INAMUJER.

4. He also wished to know whether registration of an NGO had ever been refused, and if so on what grounds. And if that had happened or could happen, was there a possibility of appeal to a court of laws. On the other hand, if an NGO was not registered would it still be able to function?

5. **Ms. León** (Bolivarian Republic of Venezuela), in response to Ms. Belmihoub-Zerdani, said that the women's movement had succeeded in having a 30 per cent quota incorporated into the law on political participation. The National Electoral Council, after approving the new constitution, had not applied the 30 per cent provision. The women's movement had demanded that the Supreme Court declare the action of the National Electoral Council to be illegal, but the Court had responded that since the constitution provided for absolute equality, stipulation of a 30 per cent quota was discriminatory.

6. In relation to the NGOs, the fundamental reason that they had to be registered was because the Violence against Women and the Family Act laid down that they should register with INAMUJER as organizations that defended women against violence. The purpose of doing so was to ensure that when they came to take part in relevant trials and lawsuits they would have standing, as organizations registered with the National Institute of Women.

7. Initially, it had been found that the need to register had somewhat delayed women's groups from becoming organized. It should be remembered that in the early days of INAMUJER's work with the Government, a large portion of the women in such groupings were more or less illiterate, and consequently all of the red tape, and the requirement to be registered, had been very difficult. INAMUJER had therefore decided to create a flexible organization which would require the organization only to coordinate and enter into a loose relationship with it. In any event, such organization had a fundamental right to be active, since the constitution of the Bolivarian Republic of Venezuela stated that it was the duty and right of the Government and organized society to work together in shared responsibility.

8. **Ms. Alvarez** (Bolivarian Republic of Venezuela) pointed out that it was very common practice for NGOs to register in order for them to fulfil certain functions, such as requesting cooperation from international bodies. Such registration always involved listing the objectives of the organization concerned.

9. **Ms. Acevedo** (Bolivarian Republic of Venezuela) offered an update on the figures for women's participation, following the most recent elections in December 2005. The increased female participation in the National Assembly reflected the impact of the

awareness-raising activities. Women now accounted for 25 per cent of representatives in the National Assembly and for 35 per cent of representatives in the Latin American Parliament and the Andean Parliament. With regard to the participation of women in the judiciary, women accounted for 28 per cent of the 32 judges in the Supreme Court and 58.5 per cent of the 1,815 judges in the country. Women's participation in civil service functions was significantly higher than that in the representative bodies.

10. The figures for the participation of women in the economic, political and social spheres would undoubtedly be higher in the next report.

11. **Ms. Osorio** (Bolivarian Republic of Venezuela), responding to the question of Mr. Flinterman on whether an NGO could be denied registration, said that that was quite impossible, as it was a constitutionally guaranteed right for any organization to be established and registered.

12. **Ms. Gaspard**, noting the increase in women's participation in political affairs, asked whether the same trend had been seen in the recent local elections. It was particularly important in rural communities that women should be involved in local administration. She wondered why the women's movement did not simply propose a law requiring equal representation of the sexes. She sought information on the respective proportions of men and women in public administration and in diplomacy, suggesting that such statistics should be included in the State party's next report.

13. **Ms. Acevedo** (Bolivarian Republic of Venezuela) noted that the indigenous communities had already achieved the goal of parity; they had achieved six representatives in the National Assembly, half of whom were women.

14. With regard to a law that would require equal representation of the sexes she said that in May 2005, the National Electoral Council had adopted a resolution recommending that organizations and groups of electors should draw up their candidate lists on a parity and alternating basis. That was what was currently aimed for, but it had to be said that there would always be a discrepancy between what was formally laid down and what happened in practice. For example, the 1998 electoral law had provided for the 30 per cent quota but it had not been applied in practice because in fact women had not succeeded in reaching the 30 per cent

level. A major effort was now being made, throughout the country, to ensure that the rule was not only known but also applied. The intention was to advance from the resolution to a rule and from the rule to a law.

15. In the diplomatic sphere, 25.6 per cent of the country's ambassadors were women. Grouping together ambassadors and consuls, 39 were women, representing 27.8 per cent. Here, too, women's participation was increasingly significant.

16. **Ms. de Saab** (Bolivarian Republic of Venezuela) said that women were participating fully in political life at all levels. The Government encouraged the participation of NGOs in its social missions and was setting up national councils to coordinate activities in the areas of human rights, poverty and women's issues. Relevant guidelines had been developed and a great deal of progress had been achieved in coordination with grass-roots organizations and the National Institute of Women (INAMUJER). The Government was also making significant efforts to deal with the very serious problem of children living in at-risk situations or involved in prostitution.

Articles 10 to 14

17. **Ms. Popescu** said that the situation of adolescent women in the Bolivarian Republic of Venezuela was a matter of serious concern. Because they tended to drop out of school earlier than boys, they were less able to compete in the labour market. She therefore wondered what actions the State party had taken to deal with the situation. It was very important to assess the impact of sex education in schools with a view to addressing the problem of sexual violence against adolescent women. She would also welcome information about any measures taken to increase awareness of the problem among adolescent boys.

18. The number of pregnancies and births among young girls was high, as was the maternal mortality rate. The State party should provide updated figures in that regard and also indicate what measures had been taken to combat the problem. In 1995, the Ministry of Education had introduced a provision prohibiting schools from expelling pregnant teenagers; she wondered whether there was any penalty for schools that disregarded the prohibition. She also wished to know what the State party was doing to prevent adolescent girls from contracting sexually transmitted diseases and HIV/AIDS and to accommodate girls who

had contracted them. Lastly, she wondered whether the State party had taken into account the gender dimension when drafting its 2005 Law on Indigenous Peoples.

19. **Ms. Schöpp-Schilling** noted that the State party's report provided little information about the distribution of women working in the public and private sectors or about the levels at which they worked. The State party was to be commended for the measures it had taken to improve women's economic situation, including the payment of allowances for poor homemakers and the plan to include homemakers in the social security system.

20. While she was glad to read in the State party's report that 120,000 potential jobs had been created in a period of two and a half years, she would be grateful to know the meaning of the phrase "potential jobs", and whether those jobs had been translated into real jobs. She wondered whether the Women's Development Bank was monitoring the effectiveness of its training programmes and whether the jobs in question were sustainable in the long term.

21. The Committee would like to know who would be covered under the draft social security bill to be discussed shortly in the National Assembly and whether it would include domestic workers and poor homemakers. Since such systems generally worked on the basis of contributions, she wondered who would pay those contributions. She wished to know the percentage of poor housewives who received allowances and whether the households concerned were mostly headed by women. In that context, she also wondered how the State party could explain the significant rise in female-headed households over the past decade. In general, the State party should clarify whether the allowances represented a measure aimed specifically at women or a family benefit.

22. As its Constitution referred to equal pay for equal work, and not to equal pay for work of equal value as required under article 11, paragraph 1 (e), of the Convention, she wondered whether the State party had considered the principle of "equal value". Since the Convention took precedence over the Venezuelan Constitution, that provision should be applicable, and she therefore wondered whether it had been incorporated into any labour laws, and whether efforts had been made to determine the value of men and women's work.

23. The Government was to be commended for giving preference to female-headed households when granting land titles, but she would be grateful for specific data so that she could determine whether discrimination still existed. She wished for clarification of the phrase "collective land titles" and whether such titles were actually advantageous to women. Lastly, she wished to know the percentage of women owning land and whether the land involved was large enough to afford a sustainable livelihood.

24. **Ms. Arocha Domínguez**, noting that education was clearly a priority for the Venezuelan Government, said that education was a vital tool for the empowerment of women. She therefore wished to know what steps the State party had taken with regard to the training of new schoolteachers, literacy campaigns and efforts to retain girls in school so that they could move away from their traditional jobs into non-traditional areas of work.

25. She wondered why there had been an increase in maternal mortality despite the implementation of major health programmes, and whether the situation had improved over recent years. She would also be grateful for information about the causes of maternal mortality, programmes for the protection of women's health across all age groups, illegal abortions, which had a significant impact on women's health, and about contraceptive coverage, including in rural areas.

26. **Ms. Tavares da Silva** recalled that following its consideration of the State party's previous report, in 1997, the Committee had made recommendations concerning the issue of poverty. Although the State party had clearly made efforts in that regard, data compiled by the National Institute of Statistics showed that in 2004, 61 per cent of the population still could not meet their basic nutritional needs, and that around half the population still lived in extreme poverty. According to the Economic Commission for Latin America and the Caribbean (ECLAC), poverty had increased by 122 per cent between 1994 and 2004 due, in part to the high birth rate among adolescents and its consequences. As indicated in the State party's report, the number of female heads of household had also risen significantly between 1995 and 2002.

27. She therefore wondered whether the various programmes and measures outlined in the report had helped reverse those trends. While acknowledging the State party's many initiatives, such as the

establishment of the Women's Development Bank and the Fund for Development of the Microfinance System (FONDEMI), she would be grateful for information about social protection mechanisms for women most affected by poverty, with particular regard to the provisions of the draft social security bill. Lastly, while welcoming the State party's efforts to eradicate sexist language from the Constitution and from public speeches, she wondered why the Spanish version of the list of delegation members provided to the Committee used the masculine form for the titles of female members.

28. **Ms. Osorio** (Bolivarian Republic of Venezuela) said that as a part of a major social mission in the area of health care, thousands of Cuban doctors had been recruited to help Venezuelan doctors increase the provision of outpatient care. The programme also included health education and the establishment of health centres for adolescents. Sex education was mandatory in primary and secondary schools.

29. A massive HIV/AIDS prevention campaign had been launched, with the cooperation of the Joint United Nations Programme on HIV/AIDS (UNAIDS), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA) and the mass media. The campaign focused on women and HIV/AIDS, adolescents and HIV/AIDS, vertical (mother-to-child) transmission, use of condoms, and combating discrimination against and stigmatization of persons living with HIV/AIDS.

30. Some 20,000 health committees had been formed throughout the country to promote the active participation of the population in health education and primary health care. A nationwide epidemiological monitoring system, implemented by a national committee, had been introduced in 2000 to monitor maternal and infant mortality, with the result that related statistics had become considerably more reliable.

31. The Government had launched a nationwide mission to improve the quality and increase the coverage of maternal health-care services with a view to reducing maternal mortality. Measures had notably been taken to improve hospitals' obstetric and neonatal equipment and to increase research into the prevention of cervical cancer. It was expected that the measures would lead to a significant reduction in mortality due to cervical cancer.

32. **Ms. Castañeda** (Bolivarian Republic of Venezuela) said that her Government had taken issue with the findings of ECLAC regarding the increase in poverty, even though they had been based on statistics provided by the State. The National Statistical Institute had been instructed to work with Government ministries, development projects and civil society partners in 2005 to develop a new indicator of social well-being which would better reflect the real situation and the impact of development efforts. According to the Institute's most recent report, the human development index had increased from 1998 to 2001 but had fallen in succeeding years as a result of the situation caused by civil strife, the oil strike and the military coup; those years of turmoil could not be considered normal years for statistical comparisons. In 2003, the human and development index had been at 0.76, and it had increased to 0.80 in 2004.

33. Unemployment rates had dropped between 1998 and 2001, had then risen but had fallen again in 2004 and 2005. The unemployment rate for women (13.8 per cent) was still higher than that for men (11.3 per cent) but the gap had narrowed. She expressed confidence that the Millennium Development Goal would be attained by 2015 because the minimum salary had been increased in May of every year since 1998; the increase in the minimum salary between 2003 and 2005 had been proportionally greater than in previous years and had, in fact, been greater than the increase in the cost of a representative basic basket of food.

34. The Women's Development Bank had helped more than 100,000 women create jobs for themselves, thereby benefiting hundreds of thousands of people in those individuals' families. The Bank's budget had increased steadily from \$2.9 million in 2001 to \$54 million in 2005. In 2006, it would be tripled in the context of the "Vuelvan Caras" educational and job creation programme and, in cooperation with the National Institute for Educational Cooperation (INCE), some 700,000 individuals, more than half of them women, would receive job training. The Vuelvan Caras programme was an associative and cooperative programme to create formal, permanent employment and would help reduce the size of the informal labour market and contribute to the eradication of poverty by providing beneficiaries with a stable income.

35. The three major institutions involved in development programmes were the Power to the People Bank, the Women's Development Bank and the

Microfinance Fund, which would spend nearly \$20 million in 2005, in addition to funds supplied by the Government and the Vuelvan Caras programme.

36. Those institutions and programmes were excellent instruments for promoting the advancement of women for their primary clients were women. Much assistance was likewise provided to indigenous and rural populations as well as to Venezuelans of African ancestry. Although only 10 per cent of the population lived in rural areas, great attention was devoted to rural development with a view to ensuring that the nation achieved food self-sufficiency. As noted in the report (para. 28) the new Land and Development Act gave women heads of households involved in agriculture priority in the allocation of land. Her Government was also working with all indigenous groups, including women's groups, local representatives and communities to ensure the development of indigenous groups.

37. **Ms. Osorio** (Bolivarian Republic of Venezuela) said the major causes of maternal mortality included oedema, hypertension, complications arising out of childbirth and abortion; the latter accounted for 12 per cent of maternal deaths in 2004. With regard to family planning, she said that information was available only from the major centres but according to available statistics some 694,000 people had registered with family planning centres, which provided family planning advice and contraceptives free of charge. In 2006, the Ministry of Health intended to greatly expand its family planning efforts countrywide and had purchased significant quantities of contraceptives. The rate of adolescent pregnancies had remained stable for many years, at an average of 21 per cent; the fertility rate had dropped slightly between 1999 and 2004 from 93.72 to 91.7 live births per 1,000 women.

38. As for malnutrition in children under 5, she said that malnutrition had increased from 1.3 per cent in 1998 to 4.4 per cent in 2001. Although, according to ECLAC, there had been a further increase in 2002, that had been during a period of economic and civil strife. Thanks to the establishment in 2004 of the Misión Mercal, 1,200,000 families had been able to purchase food at affordable prices. According to United Nations figures, malnutrition among children under 5 had decreased and nutrition for children under 15 had improved. Finally, with regard to reports of sexual violence in schools, her delegation had no information on that issue and would welcome any information the Committee might have.

39. **Ms. de Saab** (Bolivarian Republic of Venezuela), said that her Government had made a special allocation of funds for projects at the regional level aimed at reducing poverty. In the area of health care, it had also established a special fund of more than six billion bolivare to help handicapped children; as a result, more than 1,800 children and adolescents, including girls, had received specialized care. In addition, a major children's hospital had been opened to provide comprehensive medical care for children and adolescents, particularly those living in poverty.

40. **Ms. del Mar Álvarez** (Bolivarian Republic of Venezuela), addressing a few points of law, said that expulsion of a pregnant adolescent from school would be a violation of the Constitution; to date there had been no complaints of any such action. The law guaranteed men and women the same salary and benefits. With regard to the use of gender appropriate language, she said the use of gender appropriate language and terms was growing, although it would take time to have such language fully accepted throughout society. There were also practical problems; for example, the Spanish text of the Vienna Convention on Consular Relations of 1963 used only the masculine forms for diplomatic posts.

41. **Ms. Martínez** (Bolivarian Republic of Venezuela) said her Government had adopted a bilingual and intercultural approach to health care for indigenous peoples; community health workers were currently available to all indigenous peoples even in remote areas and, despite the scattered nature of the indigenous population, the Government's vaccination programme had reached 65 per cent of that group. Efforts had been made to provide visiting doctor services and to buy materiel such as boats and solar-powered medical equipment.

42. People's clinics adapted to indigenous culture had been established in two indigenous communities and inter-cultural offices had been created to provide facilitation and translation services in four hospitals which treated mostly indigenous patients. In 2005, more than 10,000 people had been treated in those hospitals. The indigenous peoples also had improved access to essential medicines: 40 dispensaries had been established in indigenous communities and were stocked with the 125 basic medicines needed to treat 95 per cent of the most common ailments suffered by the indigenous population.

43. **Ms. Arratia** (Bolivarian Republic of Venezuela) said that in the context of its efforts to reduce dropout

rates, especially for girls, her Government had created so-called Bolivarian schools at the primary and secondary levels which had a more integrated and comprehensive curriculum and programme. The children remained in school during the afternoon and had classes and activities and meals were supplied, which provided an added incentive for the children to remain in school.

44. With regard to the professions, she said that although no hard data was available, she had the impression that in most professions, except traditional male bastions such as engineering, there were more women than men. The Bolivarian university system offered quality higher education to both men and women. She noted that a national subcommittee on gender statistics was being established with a view to gathering gender-disaggregated data and indicators in order to better measure the impact of public policies on the advancement of women.

45. **Ms. Patten** considered the creation of the Women's Development Bank a very commendable Government initiative. However, she was concerned by reports that the national Comptroller-General's office had identified some problems that affected the Bank's efficiency, such as a high rate of late payments which had a detrimental impact on the Bank's liquidity and on its effectiveness as a financial intermediary. She would like to have some information on what steps were being taken to remedy those problems.

46. According to the Government's responses to the issues and questions posed by the Committee (CEDAW/C/VEN/Q/4-6/Add.1), some 10,000 peasant families had received land under the Lands Act of 2001. She wondered how many female heads of household had benefited from that land distribution.

47. The Government's responses also indicated that, under Venezuela's Organic Law on Work, there was equality in pay for men and women, but there had been reports that there were, in fact, very serious wage gaps, especially in the private sector. She wondered if the delegation had any figures on the number of wage discrimination complaints lodged by women with the Labour Inspectorate or with the Workers' Attorney's Office. She would also like to know what mechanisms were available for adjudicating complaints of wage discrimination and what initiatives were being taken in that regard by the Labour Inspectorate.

48. **Ms. Castañeda** (Bolivarian Republic of Venezuela) said that the operating situation of the Women's Development Bank reflected the way in

which the Bank worked. Unlike most banks it did not wait for people to come to it; rather, it went into poor communities and worked directly with poor women, providing not only credit but also training and capacity-building in order to ensure that the women had the skills needed to utilize the credit effectively. It started by carrying out a participatory community assessment of needs and potentials and then conducted a training workshop to teach women basic economic and business concepts and also to build up their confidence in themselves as women and as entrepreneurs. The next step was formulation of an investment proposal for a small-scale business that would be viable and that could be managed by poor women. The Bank provided support, but it was the women themselves who formulated the proposal. Only after all those steps had been completed was the credit application submitted.

49. In the Bank's view, the credit, while important, was not as important as ensuring that the women had ownership and leadership of the process. That took time, which might indeed lead to payment delays, but that was a risk that the Bank was willing to assume in order to achieve its primary aim: the empowerment and advancement of women. She could assure the Committee that the Bank had never experienced a shortage of funds. She did not, at present, have financial data to back up that assertion, but she would be pleased to supply it in writing at a later date.

50. **Ms. Acevedo** (Bolivarian Republic of Venezuela) pointed out that the wage differential between men and women occurred in many countries. In the private sector, Venezuelan women earned 30 per cent less, on average, than Venezuelan men. However, the lower earnings were influenced by multiple factors. For example, because of their reproductive role and domestic responsibilities, women often worked fewer hours per week than men and they were more likely to have part-time jobs.

51. Venezuela applied the principle of equal pay for equal work. Women who felt that their rights in that regard were being violated could file complaints with the Labour Inspectorate. She did not have data on the number of complaints submitted, but undertook to provide those figures later on.

Articles 15 and 16

52. **Ms. Belmihoub-Zerdani** noted that Venezuela's Civil Code set the age of marriage at 14 for women and 16 for men. That was not only a form of discrimination

under article 16 of the Convention but also inconsistent with the age of majority established by the Convention on the Rights of the Child, to which Venezuela was a party. She suggested that the State party take steps to change the age of marriage to 18 for both women and men; it would thus be in conformity with both Conventions.

53. **Ms. Álvarez** (Bolivarian Republic of Venezuela) assured the Committee that her Government would give due consideration to that suggestion.

54. **Ms. Jaimes** (Bolivarian Republic of Venezuela) said that one explanation for the difference might be that females tended to mature biologically more rapidly than males. Nevertheless, the delegation had taken on board the Committee's comments and suggestions and would certainly study the possibility of changing the law.

55. **Ms. Arocha Domínguez** observed that the Committee had been hearing about a group of special programmes for women which the Government had called "missions". In some cases those initiatives were named for figures from Venezuelan history, while in others the name related to the content of the programme. In either case, it was often difficult to understand from the name what the nature of the programme was, even if one knew the Spanish language. She would therefore suggest that in future reports the Government provide a more detailed explanation of the content of such programmes. She would also like future reports to include more information on the impact of programmes on women's lives.

56. **Ms. Tan** said that it appeared from the report that, while Venezuela had a law on violence against women and families, it was not being translated into action and that women lacked effective protection against public and private acts of violence. She wondered whether that was really the situation, and if so, how the Government planned to enforce its laws on violence against women.

57. **Ms. Álvarez** (Bolivarian Republic of Venezuela) said that Venezuelan women did enjoy legal protection from acts of both public and private violence. The Violence against Women and the Family Act contained provisions relating not only to domestic violence, including sexual violence within a conjugal relationship, but also to sexual harassment in the workplace, in schools and in other areas, such as sports. The law prescribed fines and imprisonment for perpetrators and compensation for victims, and it was

being enforced. As for other forms of public violence, such as attacks or muggings, the law provided equal protection for men and women. Hence, women were fully covered under Venezuela's laws against violence.

58. **Ms. León** (Bolivarian Republic of Venezuela) thanked the Committee for its suggestions regarding future reports and for all its insightful comments and questions. They would be very helpful to the members of her delegation as they continued fighting for the rights of Venezuelan women.

59. **Ms. Arratia** (Bolivarian Republic of Venezuela) noted that her delegation comprised, for the first time, black women, poor women, academics, labour leaders and women who had been victims of political persecution in the past. The only reason it did not include any representatives of indigenous communities was that the latter had opted to attend the inauguration of Evo Morales — the first indigenous man ever elected to the presidency of his country — as President of Bolivia.

60. She thanked the Committee for its guidance, adding that the delegation would see to it that both the report and the Committee's recommendations were disseminated widely in Venezuela.

61. **The Chairperson** thanked the members of the delegation for a constructive and substantive dialogue and for the open, direct and detailed manner in which they had answered the Committee's questions.

The meeting rose at 5.25 p.m.