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Committee on the Elimination of  
Discrimination against Women  
Fifth session

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Concluding comments of the Committee on the Elimination of  
Discrimination against Women: Venezuela

Initial report

264. The Committee considered the initial report of Venezuela (CEDAW/C/5/Add.24 and Amend.1) at its 74th and 77th meetings, on 17 and 18 March 1986 (CEDAW/C/SR.74 and 77).
265. During the introduction of the country report by the representative of Venezuela, a document in Spanish was circulated, which contained more data. The representative stated that all the activities undertaken to improve the status of women in the country had been centralized in and co-ordinated by the National Women's Office run by the Ministry of Youth. Venezuela was trying to overcome its current economic crisis by means of a new strategy, which integrated women as active participants in its development efforts, and that was in keeping with the aims formulated during the United Nations Decade for Women.
266. The representative stressed that the Women's Office at the Ministry of Youth had created a high degree of national awareness through its important multi-disciplinary activities. She quoted a message of the President of the Republic of Venezuela in which he underscored the importance of the family in the society and of women as a work force. She also mentioned a workshop organized by the Women's Office, which had dealt with women workers and strategies to integrate women in the productive process.
267. The representative further enumerated the planned amendments in the Labour Law, the Penal Code and the Civil Code and the provisions referring to the maltreatment of women. She said that all her expectations and proposals were being reinforced by the Government's support of the social policies. The new strategy to achieve the full integration of women in development consisted in the creation of a power network which was strengthened by the motivation of both women and men to work for the common task of development. With that aim in mind, seven commissions had been created to exchange experience and information in order to achieve an improvement of the status of women in Venezuela in the political, legal and educational participation, in their incorporation in the productive process and in their enjoyment of such common goals as health, nutrition and housing.
268. Members of the Committee thanked the representative of Venezuela for having introduced the report which was referred to by some of them as being very short and not in keeping with the general guidelines established by the Committee for the presentation of States parties reports under article 18 of the Convention. Most of them expressed regret at the lack of statistical data and of general demographic information and population profiles and deplored that the Spanish document distributed during the meeting had not been available earlier nor supplied in time to be translated into other languages. However, some members of the Committee congratulated Venezuela for its efforts and, in spite of admitting the persistence of discrimination in many areas, acknowledged the progress made by the country.

269. Some experts, while discussing the brief report of Venezuela, made remarks at the lack of data on the active participation of the Venezuelan women in international affairs, which could have been significant in the preparatory work for the International Women's Year and during the United Nations Decade for Women.

270. Some members wanted more information on the effects of the Convention on the general, social, political and legal framework of the country. They wanted to know whether, after the ratification, the country had instituted specific institutions and authorities for the elimination of discrimination against women and whether the provisions of the Convention could be directly invoked before the Courts or the administrative authorities.

271. One member expressed the hope that the Civil Code adopted in 1982 would be sent to members of the Committee; some others asked which laws had been adopted since 1982 to eliminate discrimination. One member asked about the role of the Catholic Church in the country.

272. Some members inquired about the discriminatory practices against women in the country. Others asked what was being done in the country to eliminate prejudices and sex stereotyping and what measures were being taken to make women aware of their rights.

273. Several experts wondered about the role and number of women's organizations in the country and whether they were supported by the Government.

274. Some questions were raised about the situation in the country concerning prostitution and the white slave trade. One expert asked whether rape was considered to be an offence and whether pornography existed.

275. Several experts commented on the fluctuating figures given in the report on the number of women as senators and deputies. They inquired about the number of female senators and deputies, about the percentage of women voters and women eligible to vote and be elected and the percentage of women at the ministerial level. Other questions referred to the participation of women in the executive and the judiciary. Further information was requested on the role and functions of the National Women's Office. One expert wanted to know whether political parties had women's sections and whether women were allowed to participate in trade unions.

276. Further information was sought on the question of nationality of married women.

277. Many members asked questions about the literacy of women, the percentage of female illiterates in the cities and rural areas and whether and up to which level education was free of charge and up to which level it was compulsory. Some questions referred to the programmes of education and to their impact on changing attitudes, others to the school drop-out rate of girls. One expert inquired about the results of the study of stereotypes in school textbooks mentioned in the report.

278. Many questions referred to the percentage of unemployed women. More details were asked about the labour legislation reform. Information was sought as to whether the right for equal pay for equal work was ensured in the new draft law. One member considered the prohibition for women to work as discriminatory. Another expert asked for further explanation as to what was meant by heavy, dangerous and unhealthy work. Other members asked whether the different retirement age for women and men was to be considered as positive or negative discrimination and what the minimum ages for retirement were. She also asked why the economic and social value

of domestic work was so important in that society. Another expert expressed interest in the text of the new Labour Law.

279. Several questions referred to the conditions of work, the wage level, social security, pension rights, the length and nature of maternity leave and the availability of nurseries. One member asked whether any efforts were being made to make men assume their responsibilities in fully sharing household work. One expert asked whether women had to undergo a pregnancy test before taking on employment. She also wanted to know whether the figure of 27.3 per cent for the female labour force also included underemployed women, such as domestic servants and street vendors. Another expert wanted to know, since the unemployment rate seemed to be higher for women than for men, whether hidden unemployment existed. It was also asked whether the informal sector was important in size and what was the role of women within that sector. Questions were asked about the percentage of women in higher management, in unskilled and low-skilled labour and on the amount of women working as domestic servants as compared to that of men.

280. One expert asked whether women in domestic service were registered.

281. Some experts sought more information on health services available to women and asked whether pregnant women could benefit from free medical care. Several questions referred to the possibility of legal abortion, to family planning and to the number of deaths per annum as a result of illegal abortion. One expert inquired about the protective measures for pregnant women and asked whether self-employed women could take advantage of the maternity benefits. Another member inquired about maternal and child welfare programmes in the country.

282. Several experts wanted to obtain more information on rural women. They were interested in statistical information; they asked about pension rights and property rights, as well as the rates of illiteracy of rural women and health facilities available to them.

283. One expert inquired about the situation of migrant women as regards both internal and foreign migration.

284. More information was sought on the Civil Code and the status of women. One expert asked whether the rule that both husband and wife required the consent of the other spouse in commercial transactions did not constitute a disadvantage.

285. Several experts asked for information on the right to divorce and on the parental authority in case of divorce. Interest was expressed in learning more about the rules governing property relations. Some experts inquired about the percentage of marriages and of unmarried women living with men and also about the property relations of such unions. Others asked about the responsibilities of fathers vis-à-vis their children and about the rights of children born outside wedlock. Some members asked about the number of households headed by women and the availability of additional protective measures for such women. They inquired about the minimum age for marriage and about the rights of women to choose the family name in case of marriage. One expert inquired about the existence of a Family Code and about inheritance rights of women.

286. As regards domestic violence, information was sought on any steps taken in cases of domestic violence and on the availability of crises centres.

287. Some experts expressed appreciation for the participation of the country in the struggle for peace and asked about the activities undertaken by the country within the framework of the International Year of Peace.

288. In answering the questions posed by the experts, the representative of Venezuela informed the Committee that a comprehensive reply had been prepared which would be made available to the secretariat for subsequent reference.

289. The representative of the State party explained that institutional support for the advancement of women consisted of a National Commission, a Minister of State and the National Office for the Status of Women. These were in turn supported by the Municipal Council, universities and non-governmental organizations. The National Office for the Status of Women co-ordinated the overall programme, conducted research and provided advice. The Advisory Commissions of this Office were broken down by sectors such as health, legal, education, employment and participation. Strategies, diagnosis and proposals were then given to all women in influential and decision-making positions in the private and public sector, governmental and non-governmental, for comments and action. A review of the Penal Code and of the Labour Law had been recommended by the Office.

290. Women's non-governmental organizations worked indirectly through political parties, religious groups or trade unions, and were also directly involved in the programmes of the National Office. Through the latter these groups had access to international forums such as the Inter-American Commission for Women. No statistics were available on women's participation in international organizations; however, recently, a national of Venezuela had been appointed to a senior post in the United Nations to co-ordinate the status of women in the Secretariat.

291. Political parties such as the Democratic Action Party had established a 15 per cent quota to ensure the full participation of women. This quota had been reached and surpassed, both at the national and municipal levels.

292. The representative also stated that the implementation of the Convention was hampered by socio-cultural and traditional attitudes. However, the reform of the Civil Code which dealt with family law had opened the way for further improvements in bringing awareness of women's equality to the population. A change had occurred in her country, since at the present time, at the executive level, there were two women Ministers (10 per cent); at the legislative level (16 per cent); at the municipal level there was only a 6.1 per cent of women in 1975 and in 1985 it had increased to 21.48 per cent. The majority of judges were women, she stated, and a marked increase had been noticed in other professional occupations.

293. The representative also explained that efforts were being made through communication means to eliminate stereotypes, sexism and other still prevalent attitudes. These activities have been further strengthened by preparations carried out at the national level in preparation for the United Nations World Conference to Review and Appraise the Achievements of the United Nations Decade for Women: Equality, Development and Peace. Television space had been secured and programmes designed under the Ministry to educate the public. In addition, a multi-disciplinary commission had been established to study the use of women's image by the media. The recommendations of this commission will provide the guidelines for the media and other communication sectors. Venezuela, she stressed, was a pluralistic society where many ideologies, political parties and religions converged; it was through dialogue among all representatives that change would come about.

294. Prostitution existed and had originated because of internal migration patterns and foreign migration. Data had not been collected on time from the Ministry of Social Health and Hygiene but would be included in Venezuela's next report.

295. Concerning nationality, she indicated that Venezuelan women had the same rights as men in this regard.

296. The representative of Venezuela replied to questions raised in regard to article 10 of the Convention. Education was free in her country up to the ninth grade and there were no discriminatory provisions affecting boys or girls. There were also private institutions which charged a fee. Women's registration in universities had surpassed men's in the last 10 years and this trend seemed to continue. Of the 41 per cent women graduates, however, only 13 per cent joined the work force. Resistance to employ women in areas previously considered as men's continued. The Government would be attempting to increase the participation of women from the marginal areas into the educational and cultural formal sector. Vocational training as well as literacy are areas of priority. The representative referred to statistics and additional information material which she would be circulating to the members of the Committee.

297. As she had stated before, sex stereotyping was found also in education and again the Government continued to allocate resources to remedy this anomaly, through teacher's associations which continued to update and evaluate methods within the socio-cultural and economic contexts particular to the specific problems and segments of the population.

298. Only 27.6 per cent out of a labour force of 5 million were women and 51 per cent of them were employed in the service sector. Women constituted 20.5 per cent of the heads of households. There was a 14 per cent unemployment rate at the present time due to the economic crisis. The principle of equal pay for equal work was implemented specially among the professional occupations since they were controlled by different trade unions. The situation, the representative stated, was different in other areas where women were not active in trade union organizations. The Government was trying to correct this and other anomalies with a new labour law, which included also the extension of social security to household workers and articles which brought national legislation into alignment with the Convention.

299. Working women had the same rights to pension and social security benefits as men, and had the same right to establish and carry out business transactions. This was to avoid property disputes in case of subsequent divorce and to eliminate an old practice where husbands sold property without consulting the wife prior to divorce.

300. The National Constitution, through its article 61, forbade any type of discrimination based on race, sex, class or creed. Article 32 of the Labour Law forbade discrimination in employment and Venezuela had ratified International Labour Organisation conventions in this regard, as for example the convention regulating night work for women. Although Venezuelan law attempted not to be overprotective, certain restrictions were applied to women's work, such as labour considered physically arduous, like lifting heavy weights, or considered dangerous or unhealthy. Also women were prevented by the Labour Law from working in enterprises which might prejudice their morality or good manners; the Law did not, however, specify which enterprises.

301. Several questions had been raised in regard to the situation of rural women. The representative stated that only 25 per cent of the population lived in rural areas, of which 12.5 per cent were women. These women did not work in agriculture nor live alone. Rural population was composed of married couples or unmarried couples with children. Only young women migrated to the cities in search of another type of work or life.
302. The representative of Venezuela stated that there were schools in the rural areas and that ongoing literacy campaigns were carried out by the National Institute of Agrarian-Educational Co-operation. The illiteracy rate was 11.5 per cent, of which 4.9 were men and 6.62 women.
303. Women in the rural areas had the right to own property and within the scope of the agrarian reform had the right to receive the title for their lands, as well as to receive credit and other types of technical advice.
304. Mobile medical units had been created which visited remote areas and which had been very successful in monitoring health aspects particular to women and of women's concern, including early cancer detection.
305. In reply to questions raised regarding health facilities provided to women, the representative informed the Committee that the following programmes were in operation: pre-natal and natal care, including the mother and child, and all health-related aspects, including nutrition and preventive medicine such as vaccination, family planning, and gynaecological supervision for early cancer detection, venereal disease control and prophylaxis.
306. Family planning programmes were in operation since 1962 and since 1974 were an official programme of the Government. One of the main objectives of the programme was to contribute to the reduction of illegal abortions and to diminish maternal and infant mortality, among others. It also sought to promote responsible parenthood and sexual education. Sterilization of both men and women was allowed. For a woman, however, authorization was required from her husband.
307. The representative of the State party submitted quantitative information on the uses, methods and types of birth control used in the country, and provided the Committee with demographic indicators, including maternal and infant mortality rates, as well as data on the national programme of child care.
308. The representative also referred to the Family Code adopted in 1982. This Code stipulated equal rights for husband and wife without distinction or privileges. It regulated property rights, responsibilities in regard to children, and affirmed equal rights in cases where a consensual union and not marriage had been established.
309. The Penal Code, the representative of the State party stated, addressed the anomaly of family violence. It considered that physical abuse was unhealthy and carried a penalty of 1 to 12 months imprisonment. Other articles were more specific and referred to the type, age and sex of the victim, with penalties up to withdrawal of patria potestas. Information campaigns had been launched as a preventive measure and also to elicit public awareness of the problems and damages which this behaviour entailed.
310. Divorce was allowed and equality in treatment had also been established by law. She stated that in the past women had had no grounds for divorce even when the husband was committing adultery.

311. The representative thanked the Committee for the pertinent questions asked and indicated that Venezuela's next report would contain more detailed data as had been suggested by the experts.

312. Many experts expressed their appreciation for the thorough reply delivered by the representative of the State party which had been prepared in 24 hours. Her presence as Minister of her country gave proof of the commitment by the Government of Venezuela to the fulfilment of the aims of the Convention. One expert remarked that perhaps the law requiring a woman who sought sterilization to seek permission from her husband would be abolished in due course.

313. The representative of the State party replied that, as stated in her introduction and replies, discrimination still existed but that there was a noted improvement. Women were working very hard and there were many who were dedicated to reaching the desired goals established by the Convention.