



**"Voluntarily contribution to the Second Cycle of the Universal Periodic Review of the Bolivarian Republic of Venezuela, for the 26<sup>th</sup> Session of the Working Group on the Universal Periodic Review"**

**Review Period 2012-2016**

**Supplementary Report of the Groups Network La Araña Feminista**

1. La Araña Feminista, a Socialist Feminist Women Groups Network in Venezuela, is a political coalition founded in 2010 by individuals and feminist groups, with extensive experience in the fight, defense and extension of human rights of Venezuelan women. The network is defined as an organic space of collective and feminist and socialists individuals, to promote the rights of women and to combat the multiple forms of gender, ethnic-racial, class, sexual orientation, age, nationality and morphological discrimination. It is characterized by its autonomy and its anti-hegemonic, anti-imperialist, anti-patriarchal, anti-clerical, anti-homophobic thinking, with a broad and inclusive, democratic, horizontal, different performance, and great links with the class struggle.

2. La Araña Feminista currently comprises the following groups: Research Coordination Center for Women's Studies of the Central University of Venezuela (UCV CEM), Manuela Saenz Women's Movement (MOMUMAS), Tinta Violeta Group, Popular Female Circles; Organization of Women Josefa Joaquina Sánchez, SURCO Group, MUSA Aragua, Women's Movement of Merida, newspaper NOTICIAS DE MUJERES, Revolutionary Feminist Spiral, Conjura Feminista Group, Aragua Women's Group, Sorfanny Alfonzo Comandanta Patricia Group, Anzoategui Front of Socialist Women, Bunke Placer Group, Foundation for the Welfare of the Family FUNDABIEFA, Mujer Tenías que Ser, UBV Diversity Group and web El Entrompe de Falopio. La Araña Feminista is part of international feminist joints such as REMTE (Network of Women Transforming the Economy), Social Movements of Alba and to Alba, UNASUR Citizen Participation Forum and the World March of Women.

3. This report presents a balance of positive actions taken by the Bolivarian Republic of Venezuela, its achievements and results as well as the challenges still in force and areas not addressed so far to achieve gender equity and equality, autonomy and the right to

decide for women, as well as a life full free of any kind of violence, in order to take stock of the actions taken to implement the recommendations on human rights of women.

**Context:**

4. The Government of the Bolivarian Republic of Venezuela has promoted over recent years, public policies, legislative actions, judicial decisions and multiple positive measures to help overcome forms of discrimination, gender inequalities and inequities still present in the Venezuelan society, which impact specifically on the lives of women and their potential for development on equal basis with men.

5. Since the promulgation of the Constitution in 1999, Venezuela has been expanding its human rights perspective. The preeminence of human rights as a universal value of the State is a main objective of the legal system that has developed from it. The current vision of human rights in Venezuela focuses on the effective and real exercise, without discrimination, equality and equity, so positive measures to groups that might be vulnerable have constitutional status (art. 21 CRBV)<sup>1</sup>. In addition, treaties, pacts and conventions on human rights signed and ratified by Venezuela, have constitutional status (art. 23 CRBV). It should be noted that these two elements included in the CRBV are of great importance for women and girls; women's organizations have relied heavily on them to seek progress in rights and equality policies.

6. Venezuela is a republic enjoying at present, unlike the decades that preceded the Bolivarian revolution, broader freedoms and political rights for public participation, exercise of freedom of expression and public and social action of human rights organizations of many political trends. It is a broadly democratic country, not only in the exercise of representative democracy, but in different expressions of participatory and leading democracy.

7. Some progresses we can highlight as a result of public policies promoted both from the Executive and from other branches of government are shown below:

- Formulation and promulgation of the National Plan for Equity and Gender Equality "Mama Rosa" 2013 - 2019. This plan included a broad consultation and validation at national level, in which women's and feminists organizations participated in all states of the country.

---

<sup>1</sup> Constitution of the Bolivarian Republic of Venezuela

- Very substantive incorporation of women into public life because of their increasing inclusion in spaces of political participation, territorial profile organizations (community councils, communes) and sectoral organizations. It should be noted that the Ministry of People's Power for Women has called for the creation of a unitary platform of struggle of the revolutionary women, called the National Union of Women, UNAMUJER, which has national character and is the meeting point of women's and socialist feminists organizations across the country. The Groups Network La Araña Socialista is also part of UNAMUJER.

- Creating specialized institutions for care and administration of justice in the area of violence against women (69 defenders' offices<sup>2</sup> and 56 specialized courts in violence against women<sup>3</sup>). Also, specific programs of care for women victims of violence at high risk such as shelter houses (4 throughout the country), prevention, training and support programs as the community defenders in the field of violence against women (23,000 defenders national level). It also continues operating the line 0-800 women, which is a free service of national character that provides information, guidance and emotional support to women victims of violence. Besides from the prevention perspective the CAFIM (Centers for Comprehensive Care and Training of Women) were created, of which there are 18 in the country and promote training measures, prevention and care both in the area of violence as other areas of interest for the healthy development of women. As a contribution to the cultural influence, the root of the problem of violence against women, the Ministry of People's Power for Women promoted the campaign "Who loves you, do not mistreat you"<sup>4</sup>.

- Creation of the National Plan for Sexual and Reproductive Rights of Women 2014 - 2019. Currently this plan is its implementation process.

- Creation of the Plan for the Reduction of Maternal Mortality "Negra Matea" for a desired, safe and happy motherhood, which began its implementation in 5 states with the highest rates of maternal mortality.

- Massive inclusion of Venezuelan women, especially women in extreme poverty, in national social programs (missions) for their full inclusion, which leads to guarantee rights: education, health, labor, social security, political participation, socio-productive inclusion, etc. This process has impacted in overcoming extreme poverty and poverty of many women, as evidenced by socioeconomic indicators published by UN agencies.

---

<sup>2</sup> Source: 2015 Report and Accounts of the Public Ministry

<sup>3</sup> Source: Supreme Court Public Statements

<sup>4</sup> Source: Ministry of People's Power for Women and Gender Equality

- Promulgation of specific laws that impact on concrete benefits for women and inclusion of specific elements allusive to women's rights in the articles of general laws. Such is the case of: Organic Law on the Right of Women to a Life Free of Violence, Organic Law on Protection of Families, Maternity and Paternity, Organic Law on Protection of Breastfeeding, Organic Law of Labor and Workers and the Organic Law for the Protection of Children and Adolescents, among others.

8. It is recognized very positively the actions that have been promoted by the State to guarantee equality and address the most serious problems that women live, however, much still remain to be done to ensure the sustainability of these long-term actions and to give them a universal and massive character. Among other things, it must be strengthened both control in the public and private sphere and ensure greater efficiency in the execution of public policies and in promoting new actions on issues still not addressed. Some of the specific recommendations are shown below:

***Right of women to decide on their bodies and on the free and voluntary termination of pregnancy:***

9. In Venezuela, termination of pregnancy is criminalized except in cases where the life of the mother is in danger. Therefore the current Criminal Code, in force since 1936, violates the right to sovereignty over the body and sexual and reproductive rights of women. Given this context of illegality, interruptions of pregnancy are performed under unsafe conditions. Maternal mortality caused by unsafe abortions corresponds to women in poor strata and young adolescents with early unwanted pregnancies. The illegality of abortion transforms the right of women to decide freely about motherhood and their own body in a criminal and risky act. Thus, the State dismisses the serious biological, social and psychological consequences resulting from unwanted pregnancies and the current criminalization of abortion. Behind every pregnancy clandestinely interrupted there is a background of irresponsibility and unconsciousness of society.

10. The criminalization of abortion has created a black market of misoprostol as well as surgical interventions in hazardous conditions. This secrecy leads to lucrative business with women's health, maintaining a profound inequality between women in poor and wealthy social classes. In 2011, a group of feminists, created the Safe Abortion Information Network Line, which allowed teaching many women the proper use of misoprostol for abortion. In turn, the data collected by this organization, allow us to know a little more about the characteristics of Venezuelan women who currently seek to stop their pregnancy: 15% do not have their own income, 33% had financial difficulties, 38%

work, 52 % are between 21 and 30 years, 40% are already mothers, 38% used contraceptives, 78% are between 3 and 10 weeks when they go to the line. This information allows us to break several myths: adolescent girls are not those who come to this option, the majority is poor, a significant proportion has other children, and the vast majority comes before 12 weeks of pregnancy<sup>5</sup>.

11. Since 1979, women's and feminists organizations have made statements, street actions, a draft penal code that provides the decriminalization was proposed, proposals have been made to the President of the Republic, however, this issue is not has prospered beyond the call to public debates so far have not begun. There are strong sexist, patriarchal and religious prejudices around this fundamental issue for women.

### **Recommendations:**

- Urge the Venezuelan State to enact a new Penal Code to decriminalize abortion up to 12 weeks and up to 20 weeks in cases of rape and risk of life of the mother.
- Declare medications like misoprostol as essential to the lives of women, as recommended by the WHO (World Health Organization).
- Open a national public debate on the issue of decriminalization of abortion, the impact of criminalization on the lives of women and in ensuring their human rights.

### ***Sexual and reproductive rights:***

12. The Economic, Social and Cultural Human Rights in the Constitution of the Bolivarian Republic of Venezuela explicitly include Sexual and Reproductive Rights. It is established the need to strengthen sex education, family policies, protection of motherhood and fatherhood, information and communication for prevention in sexual health, access to reliable and quality services, promoting a free and healthy sexuality addressed to all people at any stage of their life cycle. However, motherhood protection was maintained from conception, a confusing concept without precise biological meaning, aspect in which the ecclesiastical hierarchy managed to impose their thinking over the demands of women.

---

<sup>5</sup> VENEZUELAN MAGAZINE OF WOMEN STUDIES – JANUARY – JUNE 2015 – VOL. 20/N° 44 pp. 9-14. Caracas: Central University of Venezuela, Women Study Center

13. In addition to an excellent standard on sexual and reproductive rights for women, the State has today the National Plan for the Protection of Sexual and Reproductive Rights of Women 2014-2019; however, although the parameters are conceptual and technical, practical implementation has not been carried out universally. As a result of the economic war and even a form of economic blockade that crosses the country, provision and access to oral and intrauterine contraceptives has been severely affected and the disproportionate increase in prices. This situation impacts negatively on coverage of contraception and family planning at the national level, being Venezuelan women in various age ranges the most adversely affected.

### ***Teen pregnancy***

14. Venezuela is among the first countries in the region in the number of teenage pregnancies and no doubt this is one of the most serious problems of the country (According to the Health Information System of the MPPS, of the total annual births: 24% are adolescent mothers: 1.18% occurs in adolescents aged 10-14 years and 22.84% occurs in 15 to 19 years). It has been declining the age of onset of sexual activity and adolescent girls do not usually use contraception in their first sexual intercourses. Although 9 out of 10 teenagers know contraceptive methods, only 1 in 10 uses them and only 1 in 5 knows their fertile period. It is estimated that about 7% of pregnant adolescents interrupt their pregnancy. The 3<sup>rd</sup> cause of death in women aged 15-19 is due to obstetric complications.

15. This serious issue negatively impacts the possibilities of development of life projects in teenage girls who culturally have the primary responsibility, as well as their families, focusing on generation or increasing of female poverty. Existing public policies to address this problem are now dispersed and have very low impact, and are weak in the approach and methodology. In a partnership between the Ministry of People's Power for Women and Gender Equality and the Ministry of People's Power for Education, an adolescents' pregnancy prevention campaign was promoted, named "De la sexualidad sí se habla" (We do speak about sexuality), which involved training teachers and young people. However, it has not been sustained in time.

### ***Maternal mortality***

16. Although 98% of births are institutionalized, the maternal mortality rate remains high since 1990. By 2013 the maternal mortality rate reached 63<sup>6</sup> per 100,000 live births. The main causes are associated with hypertensive disorders, complications related to labor and delivery, pregnancy ending in abortion, and complications in the postpartum period.

17. The prenatal care still has low coverage due to access difficulties caused by extra charge on women of family and work obligations; the limited availability of obstetric care near housing; not promoting the assessment of control process by women and low parental involvement during pregnancy. A very important aspect is not timely attention, occurring frequently three types of delays: delay in deciding to seek care, delay in reaching the health center<sup>7</sup>, and the delay in receiving adequate treatment at the health center, with low quality of care and response capacity of obstetric emergencies. In this big picture influence both the social structure that subordinates women and inconsiderate medical practices, protected by a weak deontology prevailing in the health area. In delivery care, obstetric violence still occurs by medical staff who - performing their work from the traditional patriarchal medical model<sup>8</sup> - ignores the knowledge of women about their own bodies and its needs, producing outrages, no necessary treatments, omissions or incorrect or aggressive diagnoses. Although the Law on the Right of Women to a Life Free of Violence defines obstetric violence and indicates the obligation of the vertical and humanized birth, this is only applied by a few health centers.

### **Recommendations:**

- Prioritize contraceptives among imports of drugs that are made.
- Access to free public services for prevention and care in sexual and reproductive health for women throughout the national territory, operating optimally (endowment, equipment, staffs, treatment, etc.) for all stages of women's life. Specifically: pregnancy and childbirth care, family planning, prevention and control of maternal mortality.
- Access to oncology services (prevention of cervical and breast cancer)
- Access to specialized services for sexual violence.

---

<sup>6</sup> Source: Sexual and Reproductive Health National Plan

<sup>7</sup> It includes one referral to another facility, popularly called "ruleteo" (back and forth)

<sup>8</sup> Marbella Camacaro in her book "The obstetrics unveiled". 2010, collection Society and its speeches, Valencia, University of Carabobo; Media and Publications Office, it shows how women from the time they come to give birth, are caught in a protocol in which they are treated as mere bodies that are managed and handled according to strict rules.

- Free and appropriate access to medicines and contraceptive methods, including emergency contraception.
- Access to free public services for post-exposure prophylaxis treatment to HIV.
- Promote massive policies for the prevention of adolescent pregnancy, such as cultural transformations and life plan, control the hypersexualization conveyed by the media, sexual education throughout the educational process of children, adolescents and youth, access to sexual health services aimed at teenagers, massive information campaigns, among others.
- Access to sexual education for free, pleasant and responsible exercise of sexuality.
- Promote concrete actions that affect the elimination of obstetric violence both public and private, and to ensure a sustained process for delivery dehumanization.
- Continuity of the actions taken for reducing maternal mortality through the "Negra Matea" Program, seeking to guarantee skilled health personnel, supplies needed to address risks and warning systems to transport women to care centers specialized in the shortest time.
- Legislate more strongly on obstetric violence and the right of women to a humanized birth. Also advance public policies that reduce obstetric violence in public and private health centers.

### ***Right of women to a life free of violence***

18. In recent years a breakthrough in the creation of specific institutions for the administration of justice in cases of violence against women (56 courts, 69 prosecutors specialized) has occurred, the National Commission on Gender Justice of the Judiciary is created, however, despite the progress registered in Venezuelan society persist the model of violent masculinity and submissive femininity, and a set of patterns of sexist behavior of those who do not escape the officials who administer justice. In addition to the actions that have been promoted by the Ministry of People's Power for Women and Gender Equality, especially the last two years, it is necessary to note and expand policies and prevention programs under the Organic Law on the Right Women to a Life Free of Violence, especially the lack of educational activities are especially noteworthy to exclude stereotypes, and promote the values of equity and gender equality at all educational levels.



19. Of the total crimes, 17.8% are gender-based crimes. In year 2015, 23,190 people were charged, 19,816 accused and 5,214 rejected, although it is not published what was the total cases or complaints addressed. In the special prosecutors' offices "there were made 159,897 actions prone to law enforcement against those who acted violently to the detriment of women because of their gender"<sup>9</sup>

20. In year 2014 was approved to include femicide in the Organic Law on the Right of Women to a Life Free of Violence as a crime, as well as induction to suicide. This introduction allows from 2015 to have data on femicide, which should lead to greater accuracy and policy guidance to address the loss of lives of women for gender reasons. In 2015 were presented 253 cases involving femicide, 121 accomplished and 132 frustrated. For this crime there were 182 charged and 176 defendants<sup>10</sup>.

### **Recommendations:**

- The State must make greater emphasis in the mass dissemination -through various formats: audiovisual, web, printed, etc. – of contents that can position a public stand against violence against women, to express easily the legislative framework conducive to cultural transformation required for the progressive overcoming of this severe problem.
- The Venezuelan State must ensure full compliance with the Organic Law on the Right of Women to a Life Free of Violence.
- The Venezuelan State must ensure compliance with the Organic Law of Social Responsibility in Radio, Television and Electronic Media, establish mechanisms of control and demands for the private sector in terms of media violence and symbolic violence. This implies the sexist use of women in many areas of television and radio programming, printed, advertising, etc., which build distorted patterns in women and men in terms of beauty, aesthetic consumption, sexuality and power relations from these constructions.
- In addition to the increase in service units for the administration of justice in gender issues, the State must ensure that this process is fulfilled expeditiously for women, that are not re-victimized by the very institutions and officials, that her causes conclude fairly and to recover confidence in the institutions and that women feel truly protected by the system.

---

<sup>9</sup> Public Ministry. 2015 Memory and Account

<sup>10</sup> Public Ministry. 2015 Memory and Account

- Deepen the production of specialized statistics on gender-based violence, which would help significantly in the visibility of the problem, in the definition of more assertive public policies and the identification of the main bottlenecks in the approach.

### ***Right to political participation of women***

21. While recognizing that there is a majority presence of women in spaces of political participation and therefore in their incorporation into public life, still remains well below its presence in positions of power with decision-making capacity, both elective offices (mayors, councilors, governors, deputies), as political leadership roles in the public sector (ministers, presidents of affiliated entities, directors, etc.) as well as the private sector (management positions in businesses, cultural private partnerships, sports, etc.)

22. The ministerial cabinet has only 8 women ministers and 24 men ministers, 17.3% of the governorates are headed by women; the women mayors only represent 16% nationally; in the National Assembly women deputies are 21%<sup>11</sup>. For the last legislative elections there was a temporary rule of parity and alternation, however, it was published out of time and the results were not satisfactory.

23. The organic laws of people's power establishes the new organizational forms for the Venezuelan people (communal councils, communes) for the exercise of public participation, co-responsibility and co-government, in these are included the committees of gender equity and equality. These committees are defined in the law in order to incorporate gender content and programmatic actions on the agenda of these popular and democratic organizational spaces, which are currently present in almost all the national territory. However, there is no mass actions in terms of public policies that promote the realization of this legislative conquest, which results in most communal councils and communes these committees do not exist or do not work.

### **Recommendations**

- Incorporate in the law of electoral processes and in the law on political parties the alternating parity for both elected positions and leadership roles, and in all instances involving the exercise of power.

---

<sup>11</sup> Source: Electoral National Council

- Promote training processes in gender equality and equity for women who have access to elected offices (public or private), in order to enable that the exercise of their roles favors the conquest of rights by women.
- Promote public policies that favor the creation and optimal functioning of the Committees of Gender Equity and Equality within the Communal Councils and Communes.

***Right to an education free of gender prejudice and sexist stereotypes:***

24. The measures taken by the Bolivarian government for educational inclusion of women in multiple forms and levels of education have enabled a process of feminization of educational enrollment, which shows the positive impact of these policies on women's access to education. However, in what has to do with the cross inclusion of a gender perspective throughout the education system, which would impact on the progressive cultural improvement of factors of discrimination, inequality, inequality and violence, progress is still very incipient.

**Recommendations:**

- Ensure the inclusion in the national education curriculum -in all levels of education- of contents on gender equity and equality and monitor its compliance.
- To train educators at all levels to mainstream a gender perspective.

***Right of women to work, care and upbringing policies and the exercise of responsibility:***

25. As a result of the struggle of women and feminist movement, in the Labor and Workers Law, (LOTT) enacted in 2012, important standards for the advancement of gender equality were introduced. The maternity protection of working mothers stands out: a) security of employment from the start of pregnancy and up to two years after delivery, b) six weeks prenatal, c) postnatal was increased from 12 to 20 weeks, d) 14 continuous days of parental leave, e) 26 weeks of leave for the worker that receive in adoption a child under three years, f) mandatory centers of initial care (0-3 years) to those who employ more than 20 workers, g) two daily rest periods for breastfeeding, h) security of employment for the father up to two years after birth, i) permanent employment security for mothers or parents of persons with disabilities. Sexual and workplace harassment were established for the first time as grounds for dismissal, which make it possible to minimize violence against women in this area.

26. Although there is a legal framework that covers and protects workers, it is also true that the presence of women in the formal sector of labor is lower: 6 out of 10 working women work in the sector called "informal". Women between 25 and 44 years are more than 50% of unemployed women, which shows the negative impact of reproductive age at the time of getting a job. 4 out of 10 Venezuelan households are headed by a woman, who is alone to care and has incomes for their children<sup>12</sup>. In contrast, male-headed households have the economic support and care of a female partner. Additionally, even formal women workers have great difficulty to achieve compliance with the standards of licenses by birth and breastfeeding.

27. The Venezuelan State has made progress in the inclusion of the workers in the social security system, especially in granting pensions to a significant number of Venezuelans. In addition, progress has been made legally in labor legislation for housewives, the day laborers, women pensions and social security rights of women farmers; however, not everything is in the implementation phase. There are still gaps in driving massive and universal cultural policies that promote responsibility in the work of caring and nurturing, that affect human transformations required for women to overcome the problem of double, triple and even quadruple shifts, which impacts in health, welfare and quality of life.

### **Recommendations:**

- Regulate the Labor and Workers Law, (LOTT) and monitor and strictly control compliance in the private and public sector.
- Regulate the Social Services Law, monitor compliance on Homemakers and Laborers.
- Monitor and control the achievements obtained so far in the implementation of Decree N° 5.370 dated 30 May 2007, published in the Official Gazette N° 38.694
- To advance in the promotion of public policies that encourage the exercise of co-responsibility in the upbringing and care work, among family, society and the State. Actions such as:
  - Establishment of initial care centers in workplaces and communities.
  - Establishment of comprehensive care spaces for senior adults.
  - Creating popular dining and laundry services.

---

<sup>12</sup> Source: Statistics National Institute

- Create a structural system of public spaces for attention to people with disabilities, chronic and congenital diseases, according to disability and level of disability and disease, and by age groups.
- Develop mass campaigns on: new parenting models, co-responsibility of the family, community and State, the socialist family as a space for justice and gender equality, among others.

***On prostitution, trafficking in persons for sexual purposes:***

28. Current legislation does not in any way make visible the sex trade to penalize or to allow it, ignoring its existence. It is only made visible in the Organic Law on the Right of Women to a Life Free of Violence, in which criminalize violence against women in article 15 about forced prostitution, sexual slavery and trafficking in women, girls and adolescents.

29. Venezuela ratified in 2002 the Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children and has acceded to the Framework Agreement on Cooperation in Regional Security between the States Parties of MERCOSUR and the Declaration of Montevideo against Trafficking in Persons, signed in the City of Montevideo, Eastern Republic of Uruguay, on 18 November 2005. There have been care and consultation pilot projects as well as strategic alliances on trafficking in persons from the Directorate of Crime Prevention of the Interior Ministry (MPPRIJP).

30. The current penal code includes rules inherited of discriminatory nature which must be reviewed and eliminated, either by reform or by adopting a new penal code. In Venezuela there is no public policy for the care of women involved in prostitution or for prevention. This issue urges the State action.

31. Some areas of the country have a large proportion of women involved in prostitution; these are the areas where there is exploitation of gold or tourist areas such as Margarita Island and Puerto La Cruz. There is a Brazilian women trafficking for prostitution entering the country through the area of the Amazon (Highway BR-174 and Troncal 10)<sup>13</sup>. According to qualitative studies, the initiation of young Venezuelan women in prostitution occurs at 14 years on average.

**Recommendations:**

---

<sup>13</sup> Rafael Da Silva Oliveira: Prostitution and trafficking in women networks in Brazil-Venezuela Border by Highway BR-174 and Troncal 10. Open Space Cuaderno Venezolano de Sociología Vol. 21 No. 2 (April-June 2012): 325 - 343 Universidad Federal of Roraima (UFRR). Boa Vista, Brazil.

- Develop a field study of women, adolescents and girls involved in prostitution implying measure the problem in Venezuelan society
- Publish the information for cases of trafficking in persons in the country
- Conduct prevention campaigns on trafficking in persons, especially at the level of secondary education and in most vulnerable areas
- Train border officials, police and others to act in cases of human trafficking
- Consolidate and expand the pilot experiences that have been made from the Crime Prevention Division of the Ministry of People's Power for Interior Relations, Justice and Peace.
- Redouble efforts to investigate and prosecute cases of trafficking for sexual exploitation