



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the ninth periodic report of the Bolivarian Republic of Venezuela*

1. The Committee considered the ninth periodic report of the Bolivarian Republic of Venezuela ([CEDAW/C/VEN/9](#)) at its 1985th and 1986th meetings (see [CEDAW/C/SR.1985](#) and [CEDAW/C/SR.1986](#)), held on 18 May 2023. The list of issues and questions raised by the pre-sessional working group is contained in [CEDAW/C/VEN/Q/9](#), and the responses of the Bolivarian Republic of Venezuela are contained in [CEDAW/C/VEN/RQ/9](#).

A. Introduction

2. The Committee appreciates the submission by the State party of its ninth periodic report. It also appreciates the State party's follow-up report to the previous concluding observations of the Committee ([CEDAW/C/VEN/CO/7-8/Add.1](#)) and its written replies to the list of issues and questions raised by the pre-sessional working group. It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its high-level delegation, which was headed by the Minister of People's Power for Women and Gender Equality, Diva Ylayaly Guzmán, and included representatives of the National Assembly, the Supreme Court of Justice, the National Human Rights Council, the National Electoral Council, the Public Prosecutor's Office, the Ministry of People's Power for Women and Gender Equality, the Ministry of People's Power for Internal Relations, Justice and Peace, the Ministry of People's Power for Health, the Ministry of People's Power for Foreign Affairs, the Ministry of People's Power for Science and Technology and the Permanent Mission of the Bolivarian Republic of Venezuela to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2014 of the State party's combined seventh and eighth periodic reports ([CEDAW/C/VEN/7-8](#)) in undertaking legislative reforms, in particular the adoption of the following:

* Adopted by the Committee at its eighty-fifth session (8–26 May 2023).



- (a) Act on Respect for Human Rights in the Public Sector, in 2021;
- (b) Act on the Prevention and Elimination of Sexual Abuse against Children and Adolescents, in 2021;
- (c) Organic Act on Comprehensive Care and Development of Older Persons, in 2021;
- (d) Act on the System of Lifelong Care, in 2021;
- (e) Act on the Great Mission for Youth Employment, in 2021;
- (f) Act on the Promotion and Use of Gender-sensitive Language, in 2021.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption or establishment of the following:

- (a) National Council to Combat Trafficking in Persons, in 2021;
- (b) Special Division of the Ombudsperson's Office for the Protection of Migrants, Refugees and Victims of Trafficking in Persons, in 2020;
- (c) Homecoming Plan 2018–2025, established on the principle of gender equality and equity, in 2019;
- (d) Economic and social development plan, known as Motherland Plan 2019–2025, in 2019.

C. Sustainable Development Goals

6. **The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of de jure (legal) and de facto (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the Bolivarian Republic of Venezuela and to adopt relevant policies and strategies to that effect.**

D. Parliament

7. **The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the National Assembly, in line with its mandate, to take the necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.**

E. Principal areas of concern and recommendations

Context

8. The Committee recognizes the efforts made by the State party to protect and promote women's human rights and advance gender equality. It notes with concern, however, that the State party continues to face difficulties in the implementation of

the Convention. The Committee notes with concern the socioeconomic impact of the sanctions imposed on the State party by several third States, which has exacerbated the deterioration of the economy and the complex humanitarian situation that has been experienced by the country since 2015, and which affects all spheres of social life and has a differentiated impact on women and girls.

Visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

9. The Committee notes the high number of court decisions issued between 2020 and 2022 in which judges have referred to the Convention. It notes with concern, however, that the Convention and the Optional Protocol thereto are not fully incorporated into domestic law and that women, in particular women living in poverty, women with disabilities, migrant women and rural women, are often not aware of their rights under the Convention and the remedies available to claim them.

10. The Committee recommends that the State party widely disseminate the Convention, the Optional Protocol thereto and the Committee's general recommendations and raise awareness among women, including women living in poverty, women with disabilities, migrant women and rural women, of their rights under the Convention and the legal remedies available to them to claim those rights.

Definition of equality and non-discrimination

11. The Committee notes the annulment of article 565 of the Code on Military Justice, to decriminalize consensual same-sex relationships in the armed forces and that the draft law against all forms of discrimination was approved unanimously by the plenary of the National Assembly and is now subject to a national public consultation process. It notes with concern that there is limited implementation of the laws and policies in place to address intersecting forms of discrimination against women, in particular women living in poverty, lesbian, bisexual, transgender and intersex women, Indigenous women, women of African descent, women with disabilities, migrant women and rural women.

12. The Committee recommends that the State party adopt the law against all forms of discrimination without delay and ensure the effective implementation of legislation that prohibits discrimination against women, covering direct and indirect discrimination in the public and private spheres, as well as intersecting forms of discrimination, in line with articles 1 and 2 of the Convention, the Committee's general recommendation No. 28 (2010) on the core obligations of State parties under article 2 of the Convention, and target 5.1 of the Sustainable Development Goals on ending all forms of discrimination against all women and girls everywhere.

Women's access to justice

13. The Committee notes that the Public Prosecutor's Office has established 73 offices across the country with competence to handle matters related to women's rights, including one office specialized in femicide. Nevertheless, the Committee notes with concern:

(a) The economic barriers to women's access to justice and the limited availability of free legal aid;

(b) Barriers to access to justice faced by Indigenous women, women of African descent, low-income women and women with disabilities, such as legal

illiteracy and the lack of information on available remedies to complain about intersecting forms of discrimination;

(c) That migrant, asylum-seeking and refugee women continue to face barriers to access to justice, which are often exacerbated by their lack of trust in the judiciary and law enforcement authorities and fear of retaliation from armed or criminal groups operating in their communities;

(d) That the State party denounced the American Convention on Human Rights in 2012, thereby excluding the jurisdiction of the Inter-American Court of Human Rights.

14. The Committee, in line with its general recommendation No. 33 (2015) on women's access to justice, recommends that the State party:

(a) **Expand public legal aid services that are adequately funded to ensure free legal aid to women without sufficient means for criminal, civil and administrative proceedings relating to gender-based violence and discrimination against women;**

(b) **Strengthen access to justice for Indigenous women, women of African descent, low-income women and women with disabilities, including through addressing linguistic barriers, making courts accessible and disseminating information about the legal remedies available to claim their rights;**

(c) **Expand measures to inform migrant, asylum-seeking and refugee women of the remedies available to them in cases of violations of their rights, including through dedicated websites and social media, in accessible language;**

(d) **Reconsider its withdrawal from the American Convention on Human Rights, with a view to restoring the jurisdiction of the Inter-American Court of Human Rights.**

Women and peace and security

15. The Committee notes with concern the lack of a national action plan on women and peace and security.

16. **The Committee recalls its general recommendation No. 30 (2013) on women in conflict prevention, conflict and post-conflict situations, and recommends that the State party, in cooperation with representatives of women's civil society organizations, consider the adoption of a national action plan for the implementation of Security Council resolution 1325 (2000) on women and peace and security, taking into consideration the full spectrum of the Security Council agenda on women and peace and security, as reflected in Security Council resolution 1325 (2000) and subsequent resolutions, and incorporating a model of substantive equality that addresses gender-based violence against women and discrimination against women in all spheres of women's lives, including intersecting forms of discrimination against women.**

National machinery for the advancement of women and gender mainstreaming

17. The Committee notes with appreciation the establishment of the State Council for Gender Equality and Equity in 2015 to ensure the integration of a gender perspective in public policies and promote the creation of gender focal points in all government departments as well as the network of gender contacts of State institutions. It notes with concern, however:

(a) That the National Commission to Guarantee Women's Right to a Life Free from Violence is not yet operational and its members have not been appointed;

(b) The lack of collaboration between entities of the national machinery for the advancement of women and women's civil society organizations of different political backgrounds.

18. The Committee recommends that the State party:

(a) **Ensure the effective functioning of the National Commission to Guarantee Women's Right to a Life Free from Violence and appoint its members in a transparent, inclusive and representative manner, including by reserving five seats for civil society representatives;**

(b) **Ensure meaningful cooperation between entities of the national machinery for the advancement of women and women's civil society organizations of different political backgrounds, including those representing Indigenous women, women of African descent and women with disabilities, in the adoption and implementation of legislation, policies and programmes for the advancement of women, and ensure that those policies integrate a human rights-based approach and an intersectional gender perspective.**

National human rights institution

19. The Committee notes with concern that:

(a) The Special Division of the Ombudsperson's Office for the Protection of Migrants, Refugees and Victims of Trafficking in Persons lacks the human, technical and financial resources necessary for the implementation of its mandate, especially the collection of data on trafficking in persons in relation to migrant and refugee women at the border and in rural and mining areas;

(b) In 2016, the Ombudsperson's Office lost its A status accreditation with the Global Alliance of National Human Rights Institutions.

20. The Committee recommends that the State party allocate adequate human, technical and financial resources to the Special Division of the Ombudsperson's Office for the Protection of Migrants, Refugees and Victims of Trafficking in Persons so that it can effectively and independently discharge its mandate to protect migrant and refugee women from the risks of trafficking in persons. It further recommends that the State party strengthen the independence of the Ombudsperson's Office, in line with the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles, General Assembly resolution 48/134, annex), and that it continue its efforts to implement the recommendations of the Sub-Committee on Accreditation of the Global Alliance of National Human Rights Institutions, with a view to regaining its A status accreditation.

Temporary special measures

21. The Committee notes with concern the lack of information on the use of temporary special measures by the State party to achieve substantive equality of women and men in all areas where women are underrepresented or disadvantaged, in particular temporary special measures relating to Indigenous women, migrant, refugee and asylum-seeking women, lesbian, bisexual, transgender and intersex women and women with disabilities.

22. The Committee recalls its previous concluding observations (CEDAW/C/VEN/CO/7-8, para. 15) and recommends that the State party adopt temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, to accelerate the achievement of substantive equality of women and

men in all areas covered by the Convention where women are underrepresented or disadvantaged, including in political, public and economic life, education, employment, health care and social security, with special attention to Indigenous women, women of African descent migrant, refugee and asylum-seeking women, lesbian, bisexual, transgender and intersex women and women with disabilities.

Gender stereotypes

23. The Committee acknowledges the measures taken by the State party to eliminate gender stereotypes, such as the monitoring activities of the National Commission on Telecommunications; the issuance by the Supreme Court of Justice of rulings Nos. 359 and 884, which prohibit, respectively, the publishing of images that contain explicit or implicit sexual content promoting prostitution and the publishing of pornography that contains references to website addresses that can be freely accessed by children and adolescents; and the adoption in 2021 of the Act on the Promotion and Use of Gender-sensitive Language. However, the Committee notes with concern the persistence of discriminatory gender stereotypes about the roles and responsibilities of women and men in the family and in society in the State party.

24. The Committee recommends that the State party:

(a) **Strengthen its measures, including awareness-raising and education campaigns throughout the State party, targeting political, religious and Indigenous leaders, teachers, girls and boys, and women and men, to eliminate discriminatory stereotypes regarding the roles and responsibilities of women and men in the family and in society, and promote the equal sharing of family responsibilities between women and men;**

(b) **Ensure that all intervention measures to address gender stereotypes are conducted through an intersectional lens, with a particular focus on women of African descent, Indigenous, migrant, lesbian, bisexual, transgender, intersex and older women and women with disabilities;**

(c) **Assess the effectiveness of the measures taken to eliminate discriminatory stereotypes and provide information on their impact in its next periodic report.**

Gender-based violence against women

25. The Committee welcomes the second partial amendment to the Act on Women's Right to a Life Free from Violence. It is deeply concerned, however, about the high incidence of gender-based violence against women and girls in the State party. In particular, it notes with concern:

(a) The persistence of femicides, disappearances and psychological and sexual violence against women and girls, and the lack of a gender-sensitive protocol for the investigation of gender-based killings, hate crimes and other forms of gender-based violence against lesbian, bisexual, transgender and intersex women;

(b) The lack of regulations and gender-sensitive protocols for the implementation of the Act on Women's Right to a Life Free from Violence and the absence of specific legislation on gender equality that complies with international standards;

(c) The low number (5) of shelters for victims of gender-based violence against women, despite the requirement of at least one shelter per department in the Act on Women's Right to a Life Free from Violence;

(d) The lack of statistical data on cases of gender-based violence against women and girls.

26. Recalling its previous concluding observations ([CEDAW/C/VEN/CO/7-8](#), para. 19), its general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, joint general recommendation No. 31 of the Committee on the Elimination of Discrimination against Women/general comment No. 18 of the Committee on the Rights of the Child (2019) on harmful practices, and target 5.2 of the Sustainable Developments Goals, to eliminate all forms of violence against all women and girls in the public and private spheres, the Committee urges the State party to:

- (a) Strengthen measures to prevent, prosecute and punish cases of gender-based violence against women, including by designing a gender-sensitive protocol for the investigation of femicides and adopting a national action plan to combat gender-based violence against women, including online violence;
- (b) Adopt the necessary regulations and gender-sensitive protocols for the implementation of the Act on Women's Right to a Life Free from Violence and specific legislation on gender equality that complies with international standards;
- (c) Strengthen support services for women and girls who are victims of gender-based violence, including by increasing without delay the number of adequately funded shelters for victims of gender-based violence across the country and providing victims with access to legal assistance, forensic evidence, psychosocial counselling and rehabilitation programmes;
- (d) Establish a data-collection system for the regular compilation of statistical data on gender-based violence against women, including femicide, disaggregated by form of violence and the relationship between the perpetrator and the victim, and provide in its next periodic report updated information on the number of complaints, prosecutions, convictions and sentences imposed on perpetrators, as well as on reparations provided to victims.

Trafficking and exploitation of prostitution

27. The Committee notes the establishment of National Prosecutor's Office No. 95 with jurisdiction for trafficking in persons, in particular women and girls, to, within and from the State party. However, the Committee notes with concern:

- (a) The limited measures to prevent, prosecute and punish cases in the State party of trafficking in persons, in particular women and girls, for purposes of sexual exploitation and forced labour, as well as the heightened risk of sex trafficking for Indigenous, women of African descent and migrant women and girls in border areas;
- (b) Allegations of contemporary forms of slavery, including sex trafficking and child labour in mining areas, particularly in the Orinoco Mining Arc and along the borders with Brazil and Colombia, in the context of the presence of non-State armed and criminal groups linked to extraction activities;
- (c) The lack of a specific and comprehensive law on trafficking in persons, and the delay in publishing the National Plan against Trafficking in Persons (2021–2025), as well as a focus on prosecution to the exclusion of the implementation of prevention measures and the provision of assistance to victims of trafficking, as called for in the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime;
- (d) The lack of disaggregated data on trafficking in women and girls into and out of the State party and the lack of information on the exploitation of prostitution;
- (e) The absence of protocols for the early identification of victims of trafficking and their referral to appropriate services and to assist women who migrate

out of the State party to retain all their formal identification, educational and professional documents, which minimize the risk of exploitation for prostitution and trafficking.

28. Recalling its general recommendation No. 38 (2020) on trafficking in women and girls in the context of global migration, the Committee recommends that the State party:

(a) **Combat forced recruitment and trafficking in women and girls by irregular armed groups, particularly in the Orinoco Mining Arc and along the borders with Brazil and Colombia, investigate all allegations of contemporary forms of slavery, and prosecute and adequately punish perpetrators, while ensuring that women and girls who have been trafficked and exploited for prostitution are protected;**

(b) **Draft, in accordance with international conventions and protocols, and publish without delay the National Plan against Human Trafficking (2021–2025) and allocate sufficient human, technical and financial resources for its implementation, and draft a comprehensive law on trafficking in persons, which also covers the exploitation of women and girls by means of the Internet;**

(c) **Develop a protocol for the early identification of women and girls who are victims of trafficking and for their referral to appropriate services, especially in border areas, and allocate sufficient funding to ensure adequate support services for victims of trafficking into and out of the State party, including shelters, psychosocial counselling, reintegration programmes and effective access to refugee status determination procedures for those who may be in need of international protection, and strengthen cooperation with and State funding for non-governmental organizations that operate shelters and provide support services to victims of trafficking;**

(d) **Systematically collect disaggregated data on the number of investigations, prosecutions and convictions and the sentences imposed on perpetrators and their accomplices, including public officials, for cases of trafficking in women and girls, and on support and rehabilitation services, and identification documents and temporary resident permits provided to victims, irrespective of their ability or willingness to cooperate with the prosecuting authorities;**

(e) **Provide accessible and timely information on the illicit practices of trafficking and migrant smuggling networks to women and girls at risk of trafficking and exploitation for prostitution, in particular migrant women and girls in transit in and out of the country or in an irregular situation and refugee and asylum-seeking women and girls, and provide migrant women with their formal identification, educational and professional documents.**

Equal participation in political and public life

29. The Committee notes the measures taken by the State party to increase the participation of women in political and public life. However, it notes with concern:

(a) That women's representation in the National Assembly remains at 31 per cent and only 2 women have been elected as state governors (representing 8 per cent of all governors) and 62 as mayors (representing 19 per cent of all mayors);

(b) That only 9 of the 33 Ministries of the People's Power are headed by women;

(c) The lack of effective temporary special measures required as part of a comprehensive strategy to accelerate the achievement of substantive equality of

women and men in political and public life, including temporary special measures focused on women from disadvantaged groups, and that the measures taken to promote parity in electoral slates are not mandated by law;

(d) The reports of threats, intimidation and violence against women holding public positions, who are exposed to a climate of fear that discourages them from participating in political and public life.

30. In line with its general recommendation No. 23 (1997) on women in political and public life, the Committee recommends that the State party continue its efforts to promote women's equal representation in the National Assembly, the government, the judiciary, the decentralized bodies and in the civil service at the national, state and local levels, notably through gender parity quotas, preferential recruitment of women to the public service, in particular at decision-making levels, and by amending the Act on Electoral Processes and the Act on Political Parties to require gender parity in the structures of political parties and in their electoral lists, with sanctions in case of non-compliance by political parties, and take measures to combat political violence against women through prevention campaigns and enforcing sanctions on perpetrators.

Women human rights defenders

31. The Committee reiterates its concern regarding the stigmatization and criminalization of civil society representatives, including women human rights defenders, journalists and media workers, who continue to be discredited in the State-owned media in the State party. It also regrets the insufficient measures taken by the State party to expedite the investigation and prosecution of all acts of harassment, intimidation and reprisals perpetrated against women human rights defenders, as well as the lack of measures taken to prevent attacks and threats against women human rights defenders and to provide protection and reparations to them.

32. The Committee urges the State party to further strengthen and enforce measures to protect women human rights defenders, women journalists and women opposition political activists from harassment, intimidation and reprisals, and adequately punish perpetrators of such acts, including public officials. It further recommends that the State party ensure an enabling environment for women's organizations and women human rights defenders to advocate for women's human rights and ensure their participation in the implementation of the present recommendations and their meaningful consultation during the preparation of the next periodic report.

Education

33. The Committee notes with concern:

(a) The so-called "education blackout" or technological gap and limited Internet access for women and girls, exacerbated by the coronavirus disease (COVID-19) pandemic, which intensified existing gender inequalities in the State party, particularly for rural and Indigenous girls, girls of African descent, low-income girls and women and girls with disabilities;

(b) Information received indicating that women and girls in education institutions are being subjected to sexual exploitation, sexual abuse and sexual harassment;

(c) The high school dropout rates due to early pregnancy;

(d) The continuous discrimination faced by women and girls with disabilities in education institutions;

(e) The poor implementation of the curriculum that incorporates gender equality and age-appropriate sexual health education.

34. Recalling its general recommendation No. 36 (2017) on the right of girls and women to education and target 4.1 of the Sustainable Development Goals, to ensure by 2030 that all girls and boys complete free, equitable and quality primary and secondary education leading to relevant and effective learning outcomes, the Committee recommends that the State party:

(a) **Take measures to remove barriers to women's access to the Internet and recognize their equal right to access information and telecommunications technologies in all parts of the State party and increase the number of community centres with training programmes on information and communications technologies and digital skills targeting rural, Indigenous girls, girls of African descent, low-income girls and women, and girls with disabilities;**

(b) **Establish effective procedures to investigate cases of gender-based violence, including sexual abuse and the sexual harassment of girls, in school environments, prosecute and adequately punish perpetrators, including teachers and school administrators, and provide victims with medical care, psychosocial counselling and rehabilitation;**

(c) **Ensure the effective retention and reinsertion of pregnant girls and young mothers into the education system, including by providing affordable childcare facilities and out-of-school educational and parenting support for young mothers;**

(d) **Ensure that all women and girls with disabilities are able to access inclusive quality education and develop a national anti-bullying policy to provide safe and inclusive educational environments to women and girls, including women and girls with disabilities, free from discrimination, harassment and violence;**

(e) **Strengthen efforts to implement school curricula that provide mandatory universal, age-appropriate and comprehensive gender and sexuality education and address issues of responsible sexual behaviour, with special attention devoted to the prevention of early pregnancy and sexually transmitted diseases.**

Employment

35. The Committee notes the Act on the Promotion and Development of New Enterprises. However, it notes with concern:

(a) The high unemployment and self-employment rates among women and their concentration in the informal economy;

(b) The limited employment opportunities for rural women, women with disabilities, Indigenous, girls of African descent and migrant women, especially in coastal areas, as well as lesbian, bisexual, transgender and intersex women in the country;

(c) Reported sexual harassment and other forms of gender-based violence against women in the workplace.

36. The Committee recommends that the State party promote women's access to formal employment, including for rural women, women with disabilities, Indigenous, women, women of African descent, migrant and returnee women, and lesbian, bisexual, transgender and intersex women and ratify the Violence and Harassment Convention, 2019 (No. 190), of the International Labour Organization.

Health

37. The Committee takes note of article 66 of the Act on Women's Right to a Life Free from Violence, which criminalizes obstetric violence as a form of gender-based violence against women, and the National Plan for Humanized Childbirth. However, it notes with concern:

(a) The criminalization of abortion in cases of rape, incest or severe fetal impairment and women's limited access to safe abortion and post-abortion services in the country;

(b) Reports of coerced sterilizations in the framework of the National Surgical Plan, despite the criminalization of the practice in 2007 and the fact that the second partial reform of the Act on Women's Right to a Life Free from Violence increased the applicable sentences for anyone who intentionally deprives a woman of her reproductive capacity without providing her with adequate information or obtaining her express, voluntary and informed consent;

(c) Women and girls' limited access to modern contraceptives and sexual and reproductive health services in the country and the absence of a focus on men's role in contraception;

(d) The shortage of vital medications for pregnant women, women and girls with infectious and non-communicable diseases, such as cancer, malaria and tuberculosis, low-income women and women in detention;

(e) The shortage of antiretroviral treatment for women living with HIV/AIDS;

(f) High rates of maternal mortality owing to limited access to sexual and reproductive health services;

(g) The hazards posed by mercury contamination to women in the State party and reports of mercury poisoning in rural areas inhabited by Indigenous persons, such as in the Orinoco Mining Arc, and the health impact of this on citizens, including women and children.

38. **In line with its previous concluding observations ([CEDAW/C/VEN/CO/7-8](#), para. 31), general recommendation No. 24 (1999) on women and health and targets 3.1 and 3.7 of the Sustainable Development Goals, to reduce global maternal mortality and ensure universal access to sexual and reproductive health-care services, the Committee recommends that the State party:**

(a) Amend without delay article 432 of the Criminal Code to legalize abortion at least in cases of rape, incest and severe fetal impairment, and in cases of threats to the life or health of the pregnant woman, decriminalize it in all other cases, and ensure that women and adolescent girls have adequate access to safe abortion and post-abortion services;

(b) Immediately put an end to the practice of coerced sterilizations and require a woman's free, prior and informed consent to any medical intervention affecting her sexual and reproductive health and rights;

(c) Ensure that women and girls have affordable access to sexual and reproductive health services and modern contraceptives and raise awareness about men's role in contraception;

(d) Prioritize increasing the availability of vital medications required for pregnant women and girls, women and girls with serious infectious and non-communicable diseases, low-income women and women in detention;

(e) **Address the shortage of antiretroviral treatment for women and girls living with HIV/AIDS and ensure its free access to all women living with HIV/AIDS, including for pregnant women to prevent mother-to-child transmission, and expedite the adoption of the draft law on HIV/AIDS;**

(f) **Take further measures to reduce maternal mortality, including by assessing and registering the cause of death and guaranteeing adequate sexual and reproductive health services;**

(g) **Investigate reports of and urgently institute measures to prevent the incidence of mercury poisoning in the Orinoco Mining Arc and any other hazardous areas.**

Economic empowerment of women

39. The Committee welcomes the measures taken by the State party to promote women's economic empowerment, including through cash transfers, the Local Supply and Production Committees programme, the Missions and Great Missions system and subsidies for public services. It nevertheless notes with concern:

(a) The challenges that persist in providing women and girls with economic empowerment opportunities and ensuring their access to adequate food, water and sanitation;

(b) That the economic crisis in the State party and the resulting coping strategies drive many women into economic dependence on abusive partners and increase their risk of becoming victims of gender-based violence.

40. **The Committee recommends that the State party continue to strengthen women's economic empowerment by providing them with entrepreneurship opportunities, low-interest loans without collateral, other forms of financial credit, cash transfers, and access to adequate food, water and sanitation, as well as to social assistance.**

Rural women

41. The Committee notes with concern:

(a) That rural women have limited access to land ownership and use in the State party;

(b) The limited participation of rural women in the adoption, implementation and economic benefits of projects of the territorial councils for rural development;

(c) The limited access of rural women, including Indigenous women, to scarce medical, social and other services.

42. **In line with its general recommendation No. 34 (2016) on the rights of rural women and target 5.a of the Sustainable Development Goals, to undertake reforms to give women equal rights to economic resources, as well as access to ownership and control over land and other forms of property, financial services, inheritance and natural resources, in accordance with national laws, the Committee recommends that the State party:**

(a) **Ensure that rural women have the same access as men to land ownership and use, including through awareness-raising campaigns to dismantle patriarchal attitudes and gender stereotypes that are prevalent in rural areas;**

(b) **Ensure rural women's effective participation in the adoption, implementation and economic benefits of rural development projects and in territorial governance structures, especially at decision-making levels;**

(c) Ensure that rural women, especially those in remote areas, have access to the medical, social and other services to which they are entitled.

Disadvantaged groups of women

Indigenous women and women of African descent

43. The Committee notes the Apacuana Programme, on the social inclusion of Indigenous women from an ethnic and gender perspective, developed in 2017 by the National Institute for Women. However, it notes with concern cases of forced evictions of Indigenous women and women of African descent from lands traditionally occupied or used by them and the use of those lands by private, non-State actors.

44. With reference to its general recommendation No. 39 (2022) on the rights of Indigenous women and girls, the Committee recommends that the State party:

(a) Protect Indigenous women and women of African descent from land occupation and eviction from lands traditionally occupied or used by them, strengthen legal and procedural safeguards against forced evictions, and ensure benefit-sharing and their meaningful participation in decision-making processes regarding the use of traditional Indigenous lands;

(b) Investigate all forms of gender-based violence against Indigenous women, including forced evictions from and illegal occupation of their lands, prosecute and adequately punish perpetrators and provide redress for the material and immaterial harm suffered by the Indigenous women concerned.

Migrant, refugee and asylum-seeking women

45. The Committee notes with concern:

(a) That migrant, refugee and asylum-seeking women and girls face intersecting forms of discrimination and disproportionate levels of gender-based violence, particularly in border, tourist and mining areas, and that undocumented migrant women are exposed to a high risk of sexual exploitation, forced labour and recruitment by human trafficking networks;

(b) The cumbersome process and onerous fees for recognized refugees to obtain documentation and the centralization of the refugee documentation process in Caracas, further increasing the costs and risks of detention, extortion and gender-based violence during travel for refugee women in the State party.

46. In line with its general recommendations No. 26 (2008) on women migrant workers and No. 32 (2014) on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, the Committee recommends that the State party:

(a) Address intersecting forms of discrimination against migrant, refugee and asylum-seeking women, prevent and protect them from gender-based violence, particularly in border, tourist and mining areas, and adequately punish perpetrators;

(b) Ensure affordable access to documentation for recognized refugee women in a decentralized manner, with simple administrative procedures and reduced fees, to ensure that they and their children have adequate access to education, employment, health care, housing and social benefits.

Lesbian, bisexual, transgender and intersex women

47. The Committee notes the steps taken by the State party to raise awareness among public officials of the rights of lesbian, bisexual, transgender and intersex women. However, it notes with concern that such women continue to face high levels of gender-based violence, intersecting forms of discrimination and stigmatization in the State party.

48. The Committee recommends that the State party prevent and protect lesbian, bisexual, transgender and intersex women from gender-based violence and take measures, such as holding public awareness-raising campaigns, to address their stigmatization. It also recommends that the State party respect the rights of transgender women to autonomy, self-determination and legal recognition of their gender identity through an expeditious, transparent and accessible procedure.

Women in detention

49. The Committee notes with concern the poor conditions of women in detention, including overcrowded facilities and limited access to sexual and reproductive health services, menstrual hygiene products and protection from sexual violence and harassment.

50. The Committee recommends that the State party ensure that the conditions of women in detention are in line with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules) and the United Nations Standard Minimum Rules for the Treatment of Prisoners (the Nelson Mandela Rules), that all reports of sexual violence and harassment in detention facilities are effectively investigated and that perpetrators are prosecuted and adequately punished.

Climate change and disaster risk reduction

51. The Committee notes the methodology for incorporating a gender perspective from a human rights-based approach in environmental programmes, published by the State party in cooperation with the United Nations Development Programme. However, it notes with concern:

(a) That women, in particular rural women, Indigenous women, women of African descent, migrant and refugee women, and women living in poverty, are disproportionately affected by climate change, the loss of natural resources and mercury contamination, as they often live in exposed areas and lack the necessary conditions to increase their climate resilience;

(b) That the State party has not ratified nor acceded to the Minamata Convention on Mercury of 2013 or the Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean (Escazú Agreement) of 2018;

(c) The lack of protection from intimidation, harassment and reprisals for women environmental human rights defenders, many of whom are Indigenous women.

52. Recalling its general recommendation No. 37 (2018) on the gender-related dimensions of disaster risk reduction in the context of climate change, the Committee recommends that the State party:

(a) **Include a gender perspective in national policies and action plans on climate change and disaster risk reduction and ensure the meaningful participation of women in the formulation and implementation of such policies;**

- (b) **Ratify the Minamata Convention on Mercury and the Escazú Agreement;**
- (c) **Ensure the protection of women environmental rights defenders, especially Indigenous women, from intimidation, harassment and reprisals.**

Marriage and family relations

53. The Committee notes that the Act on the Prevention and Elimination of Sexual Abuse against Children and Adolescents (2021) raises the minimum age of marriage to 16 years for both girls and boys. It remains concerned, however, that the change still does not comply with article 16 (2) of the Convention. It also notes with concern that intangible property, such as pension and insurance benefits, are not considered part of the joint marital property to be divided upon divorce in the State party. It also remains concerned that marriage and unions for same-sex couples are not legally recognized.

54. The Committee, in line with its previous concluding observations ([CEDAW/C/VEN/CO/7-8](#), para. 41) and article 16 (1) of the Convention and the Committee's general recommendation No. 29 (2013) on the economic consequences of marriage, family relations and their dissolution, recommends that the State party take the legislative measures necessary to recognize intangible property, such as pension and insurance benefits, as part of the joint marital property to be divided upon divorce. It also recommends that the State party criminalize marriage before the age of 18 for both women and men, without exception, in line with article 16 (2) of the Convention and joint general recommendation No. 31 of the Committee/general comment No. 18 of the Committee on the Rights of the Child (2019) and draft legislation that recognizes marriage and unions for same-sex couples.

Amendment to article 20 (1) of the Convention

55. The Committee encourages the State party to accept, as soon as possible, the amendment to article 20 (1) of the Convention concerning the meeting time of the Committee.

Data collection and analysis

56. The Committee recommends that the State party enhance the collection, analysis and dissemination of comprehensive data, disaggregated by sex, age, disability, geographical location and other relevant factors, and use measurable indicators to assess trends in the situation of women and progress towards the realization by women of substantive equality in all areas covered by the Convention and the gender-related targets of the Sustainable Development Goals.

Beijing Declaration and Platform for Action

57. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.

2030 Agenda for Sustainable Development

58. The Committee calls for the realization of substantive gender equality, in accordance with the provisions of the Convention, throughout the process of implementation of the 2030 Agenda for Sustainable Development.

Dissemination

59. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional and local), in particular to the Government, the ministries, the National Assembly and the judiciary, to enable their full implementation.

Technical assistance

60. The Committee recommends that the State party link the implementation of the Convention to its development efforts and that it avail itself of regional or international technical assistance in this respect.

Ratification of other treaties

61. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, to which it is not yet a party.

Follow-up to the concluding observations

62. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 26 (b), 28 (c) and 38 (b) and (c) above.

Preparation of the next report

63. The Committee will establish and communicate the due date of the tenth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

64. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents ([HRI/GEN/2/Rev.6](#), chap. I).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.