

**ALTERNATIVE REPORT TO THE NINTH PERIODIC REPORT OF THE  
BOLIVARIAN REPUBLIC OF VENEZUELA**

**ON COMPLIANCE WITH THE CONVENTION ON THE ELIMINATION OF ALL  
FORMS OF DISCRIMINATION AGAINST WOMEN TO THE UN COMMITTEE ON  
THE ELIMINATION OF ALL FORMS OF DISCRIMINATION AGAINST WOMEN  
OF THE UNITED NATIONS ORGANIZATION**

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## **I. Presentation**

This alternative report was jointly prepared by the Civil Association, Acción Ciudadana Contra el Sida ( ACCSI), Asociación Civil Kapé - Kapé, the Confederación de Sordos de Venezuela (CONSORVEN), the Comité de Familiares de las Víctimas de los Sucesos de Febrero-Marzo de 1989 (COFAVIC), the Center for Justice and International Law (CEJIL), with the support and cooperation of the World Organization Against Torture (OMCT) and aims to provide additional information to the Committee on the Elimination of Discrimination against Women (CEDAW) regarding the observance of the commitments derived from the Convention on the Elimination of All Forms of Discrimination against Women (the Convention) by the Bolivarian Republic of Venezuela, in those areas that directly concern the mandate of the organizations subscribing to this report.

## **II. Legal framework**

As part of the universal system on human rights, Venezuela signed the Convention on the Elimination of All Forms of Discrimination against Women in July 1980 and ratified it in May 1983. However, it has still not ratified the Optional Protocol to the Convention against Torture or the Convention for the Protection of All Persons from Enforced Disappearance.

At the regional level, in June 1994 it signed the Inter-American Convention on the Prevention, Punishment and Eradication of Violence against Women "Convention of Belem Do Para", which was ratified in February 1995. However, Venezuela denounced the American Convention on Human Rights on September 10, 2012, which meant a major setback for the protection of human rights in the country.

At the national level, there have been some normative advances related to the prohibition of torture, particularly in the Constitution of the Bolivarian Republic of Venezuela (CRBV) and with the adoption of the Special Law to Prevent and Punish Torture and Other Cruel, Inhuman and Degrading Treatment, however, torture is not adequately criminalized.<sup>1</sup>

Despite the fact that Venezuela has an Organic Law on the right of women to a life free of violence, which incorporated new legal types of violence, to date we have no evidence of the existence of a specific protocol for judges and prosecutors to attend to victims and investigate effectively, with special emphasis on victims of sexual violence. Likewise, the state still has a debt to elaborate and promulgate the regulations of this law that would regulate aspects associated with the execution of the law.

## **III. Women's groups in most vulnerable situations in the Venezuelan crisis**

### **a. Indigenous women**

Currently, Venezuela's indigenous peoples, particularly those in the south of the country, are victims of a systematic violation of human rights, as the effects of an unprecedented economic crisis in the country's history are most visible in these ethnic groups. According to the report "Ruta del migrante indígena. 2021" carried out by Kapé Kapé, in Bolívar, Amazonas and Delta Amacuro, 38% of the indigenous migrants are women, most of whom indicated as the reason for their mobility the lack of work and the search for food. <sup>2</sup>

This serious situation has been compounded by other factors that have contributed to the deepening of this crisis, such as the boom in illegal mining, due to the creation of the Orinoco Mining Arc (AMO).

The mining context has triggered other forms of violence such as labor exploitation, sexual violence, forced prostitution, trafficking and smuggling of women, girls and adolescents, among others. All this within the territories occupied by the Orinoco Mining Arc, as well as the indigenous communities of the adjacent states. In the midst of the social and economic crisis that the country is going through, indigenous women are exposed to violence in the midst of the great migratory wave that the country is experiencing. <sup>3</sup>

Thus, the phenomenon of violence in the indigenous context, and specifically violence against indigenous women, has become a very serious social phenomenon.

In this regard, the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela (the Mission) established that *"the establishment of the Arco Minero region [...] has created a context in which human rights violations and crimes have been committed. [...] The Mission has also investigated sexual and gender-based violence by both State and non-State actors, and is concerned about the general lack of State protection for vulnerable persons, particularly children."*<sup>4</sup>

In this regard, a survey conducted among 36 indigenous women from the Bare, Jivi, Uwotuja, Pemón, Yekuana and Warao communities in the states of Amazonas, Bolívar and Delta Amacuro showed that 97% of those interviewed indicated that they had been victims of violence, with psychological (42%) and physical (35%) violence being the most prevalent in the indigenous communities of these states. However, in the indigenous context, women are also victims of other types of violence such as institutional, obstetric and sexual violence.<sup>5</sup> It is also important to point out that 70% of the women participating in the study indicated that they were subjected to more than one type of violence. Forty-two percent reported 2 types of violence and 28% reported 3 types of violence.<sup>6</sup>

Regarding the consequences of the violence, almost half of the victims (49%) reported depression and post-traumatic stress disorder, followed by 28% who reported physical injuries.

In the case of sexual violence, it is important to note, as indicated above, that the culture of violence that has emerged since the establishment of the AMO has brought among its consequences the presence of this type of violence, in addition to

others such as labor and sexual exploitation, trafficking and smuggling of women, girls and adolescents. There have also been frequent reports of threats, disappearances and femicides.

In addition, it has been observed that the educational level of indigenous women, their informal employment situation, language and the absence, in many cases, of identity documents are factors that make them more vulnerable to situations of violence.<sup>7</sup>

In addition to the above, indigenous communities do not have the material or technical conditions to be bodies for receiving complaints as established in Article 71 of the Organic Law on the Right of Women to a Life Free of Violence.

This is evidence of a lack of an intersectional perspective on the part of the State to protect indigenous women and serious shortcomings in guaranteeing access to justice in the face of violence, which allows these cases to remain in impunity.

#### b. Women human rights defenders

Based on investigations, permanent monitoring and accompaniment of victims, COFAVIC has denounced a state policy that seeks to close the democratic civic space, through constant criminalization, persecution and threats to defenders in Venezuela. Between 2018 and January 2023, 1776 attacks of different nature were committed against those who defend rights, according to COFAVIC's registry. This evidences a pattern on the part of the State: the persecution of all expressions of organized civil society in Venezuela<sup>8</sup>. Of this total, 146 attacks were directed against women human rights defenders, which constitutes 8.2% of the total sample.

The State has built a scaffolding of judicial, legal and administrative restrictions aimed at hindering and making it impossible for NGOs to act freely and independently. Thus, the multiple limitations of this type enacted in the country are intended to weaken, and ultimately undermine, the financial and administrative operation of civil organizations<sup>9</sup> dedicated to accompanying victims of human rights violations and the most vulnerable sectors of our society, including those working in the defense of women's rights.

On January 24, 2023, the National Assembly approved in first discussion a bill that eliminates the free and independent action of NGOs. It is called *Law for the Control, Regularization, Performance and Financing of Non-Governmental and Related Organizations*. If passed into law, it will establish definitive restrictions to the right of association in Venezuela.

This is part of a State policy aimed at undermining the legitimate and legal development of NGOs, in particular through unfounded accusations of links to terrorism<sup>10</sup>.

Women defenders in Venezuela are at greater risk of sexual violence and defamation campaigns based on gender stereotypes. Likewise, they are forced to abandon their activity in defense of human rights after an attack, either due to the lack of support networks or as a protection mechanism for their families. An

emblematic case is that of a journalist, editor of a newspaper in the east of the country, who was called a "bipolar complex" after the newspaper published a report associated with a citizen's complaint.<sup>11</sup>

#### **IV. Gender violence against women in Venezuela**

In its report submitted to CEDAW, the state indicated that as of the reform made to the Organic Law on the Right of Women to a Life Free of Violence in 2021, the *National Commission to Guarantee the Right of Women to a Life Free of Violence (CNDMVLV)* was created<sup>12</sup>. As part of its activities, this Commission "*has the legal mandate to establish an integrated system for collecting statistical data on gender-based violence against women, disaggregated according to the type of violence and the relationship between perpetrators and victims, and on the number of complaints, prosecutions, convictions and sentences imposed on perpetrators, as well as on protection and reparation measures for victims*"<sup>13</sup>. However, to date it is not known whether this commission is operational, and no disaggregated national statistics have been presented regarding the cases of gender-based violence in the country or the measures developed by this body to address this situation.

##### **a. Violent deaths of women**

Due to the great opacity that exists in the official figures, COFAVIC has conducted an independent nationwide monitoring of the human rights situation, in particular, of the phenomenon of violent deaths of women in the country<sup>14</sup> and alleged femicides. Within this methodology, a total of 2098 cases of alleged violent deaths of women in the country in the period 2017 - 2022 were recorded.

Of the total number of registered cases, 1187 (57%) correspond to women between 18 and 40 years of age, 373 cases (18%) correspond to women between 41 and 60 years of age, 357 cases (17%) to underage girls, and finally 181 cases (9%) to women 61 years of age or older.

Regarding the cause of death, the data showed that in 971 cases (46%), the women died as a result of a firearm wound, 319 cases (15%) as a result of a stab wound; 224 cases (11%) by asphyxiation, 190 cases (9%) as a result of a beating, 56 cases (3%) of women who had their throats slit, 52 cases (2%) of women who died as a result of burns, 41 cases (2%) of women who died as a result of blunt impact, 33 cases (2%) of women who were dismembered, 24 cases (1%) of women who died as a result of being hit by a car, 23 cases of people who died due to health complications associated with previous violent events, 10 cases of women who died by hanging, 8 cases of women who died by poisoning, 7 cases of women who died as a result of an explosion, and finally 6 cases of women who died by decapitation. In 135 cases, the cause of death could not be determined from publicly available information, which represents 6%.

With regard to whether the victims belonged to a specific vulnerable group, the most representative figures are concentrated in the cases of elderly women with 292 cases, representing 14%. Cases of women who were found undocumented after their death amounted to 211 cases (10%) and murders of pregnant women totaled

59 cases (3%). There were also 18 cases of indigenous women, 15 cases of women in street situations, 14 cases of women with disabilities and 13 cases of foreign women, and finally 12 cases of women who were part of the LGBTIQ+ community. In 1464 of the cases (70%), the women were not in any of the aforementioned groups or it was not possible to determine such information from the public information.

As for the place of the registered event, deaths occurring in the victim's home account for the largest number of cases with 883 women murdered, which is equivalent to 42% of the total cases registered; in 772 cases (37%) the deaths occurred in the street (public road) and in 226 cases (11%) in an isolated area. Deaths occurring in the home of a relative or friend of the victim amounted to 65 cases (3%) and those occurring in the victim's workplace registered 43 cases (2%). Finally, in 110 cases (5%), the place of death was not specified.

#### b. Sexual violence

Regarding sexual violence, there is no formal regulation in Venezuela that regulates the specific protocol of action when victims of these cases are presented, which has promoted a tendency established in courts to request testimonial evidence, taking physical samples and any other type of evidence considered pertinent, in order to confirm the statement made by the victim. In this sense, in cases of sexual violence the practice is to doubt and the testimony of the victim is almost completely disregarded, imposing on the victim the burden of providing elements to support her statement at trial. This results not only in the revictimization and intensification of the trauma, but also in the lack of investigation and punishment of this crime, and even leads to victims not turning to the judicial system.

Although the State reported that the country has "*Standards of action for police and criminal investigation officials for early and timely attention to victims of gender-based violence, the reception of the corresponding complaints and police action in the investigation process*", this is insufficient, in addition to not being observed in practice by the officials in charge of receiving complaints of gender-based violence cases. According to the information that our organizations have been able to compile, on many occasions the officials of the Public Prosecutor's Office have indicated to the denouncing victims that "*they must tolerate the violent behaviors because they are their relatives*", as well as comments that end up justifying the violent behaviors or that hold them responsible for the aggression of which they have been victims.

#### c. Access to justice

The State in the report submitted to the CEDAW<sup>15</sup> acknowledged that from **January 2014 to September 2020** a total of **399,742 cases** of gender-based violence entered the General Directorate for the Protection of the Family and Women of the MP, however, when disaggregating the crimes referred to in that figure, the totalization corresponds to 366,199 cases, this discrepancy in the information presented. Likewise, from the available data, the State does not indicate how many cases have been prosecuted and punished.

The opacity of the official information presented is an element that contributes to the maintenance of the worrying figures of violence against women. The few figures provided by the Public Prosecutor's Office on these crimes do not provide information on the nature of the violence, prosecution, punishment or reparation. Nor does the Public Prosecutor's Office publish figures on reported cases of violence against women, or on the gender-differentiated impact in cases of forced disappearances, extrajudicial executions and torture, cruel, inhuman and degrading treatment.

On the other hand, despite the fact that the Venezuelan State reported that "*the service of Integral Approach to Victims of Gender Violence Crimes of the MP has Venezuelan sign interpreters for the reception of complaints from women with some type of disability*"<sup>16</sup>, according to CONSORVEN records, women with hearing disabilities, victims of gender-based violence, repeatedly go to the Complaint Receiving Bodies (DRB), to file the complaint, and are not attended due to lack of interpreter. An example is the case of a deaf woman from the state of Lara, victim of psychological violence and threats from her partner. The woman, in the absence of an interpreter, felt vulnerable for not being able to denounce her aggressor. Likewise, in the Capital District, a woman victim of physical and psychological violence was attended to at the Public Prosecutor's Office with the assistance of an interpreter, but her case has not progressed and the violence persists, causing emotional distress.

On the other hand, in relation to impunity and State involvement in serious human rights violations, including sexual violence, the Mission has noted that "*in addition to playing an active role [...] prosecutorial and judicial actors failed to prevent violations and crimes committed by other State actors [...] This prevented victims of [...] sexual and gender-based violence perpetuated especially by State security and intelligence forces from having access to effective legal and judicial remedies.*"<sup>17</sup>

The Mission has also noted that "*the appointment and disciplining of judges and prosecutors [...] has been particularly detrimental to the independence of the judicial system. [...]*"<sup>18</sup> Consequently, "*the Mission has reasonable grounds to believe that [...] judges, magistrates and prosecutors [...] have denied the enjoyment of rights to persons opposed to the Government, real or perceived, because they have suffered pressure and interference [from other power groups and the State]. Irregularities are especially prevalent in cases brought before courts and tribunals with specialized competence in terrorism matters*"<sup>19</sup>.

The OHCHR, in its 2020 report, spoke out on the factors that undermine judicial independence and impede its work to control the exercise of power by other organizations and respect for human rights. It also documented the challenges in ensuring due diligence in the care of victims and the investigation of their cases.<sup>20</sup>

- d. Differential impact on women during the development of citizen security operations.



In Venezuela, human rights violations and the context of violence in citizen security operations have a differentiated impact on women and girls. According to information gathered by COFAVIC, during citizen security operations, security forces violently burst into homes, identify the victims and subdue them. Upon the intervention of mothers, sisters, wives and other female figures, who beg for the lives of their relatives, the alleged officers point to them as responsible for "raising criminals" or covering up their alleged criminal activities. Women who identify themselves as partners of the detainees are derogatorily singled out for being partners of criminals, and there are even derogatory sexual remarks.<sup>21</sup>

The Mission has noted that "in some cases, female relatives were degraded by security agents based on their gender and their relationships with male victims of the operations. For example, in one case, a female officer forced female relatives to strip naked and jump naked, apparently to ensure that they did not have contraband hidden in their vaginas. FAES officers called the girls and women "fucking bitches" and "whores."<sup>22</sup>

The Mission documented patterns in the methods of torture used by security officials against female political detainees, and other persons considered critical of the Government, who during interrogations were threatened with rape using body parts and/or objects<sup>23</sup>. They also threatened sexual or other types of violence against female members of the detainees' families. The Mission also documented that, in several cases, menstruating women were detained after their arrest without access to menstrual hygiene products and without being able to bathe properly. On occasion, women were presented in court with these bloody clothes and/or security officials mocked them and the blood.<sup>24</sup> Women detainees reported that they had less access to sunlight and physical activity compared to men.<sup>25</sup> Women in custody also faced additional risks of sexual exploitation and coercive transactional sex.<sup>26</sup>

#### e. Health

COVID-19 aggravated an already fragile health system. Lack of medicines, supplies and sufficient qualified personnel in the health system continued to be reported, particularly affecting women's and children's access to adequate medical care, including specialized treatment for chronically ill children and vaccination against preventable diseases, and the sexual and reproductive health of women and adolescents. Health centers have reportedly been affected by regular power outages, which has impacted the delivery of services to patients.<sup>27</sup>

- Women living with HIV

In the last 10 years, 65,768 new HIV cases were diagnosed, with an increase in women from 21.9% in 2011 to 25.8% in 2020, but which, in 2015 and 2017, reached 38%. The most affected women are sex workers and trans women, in 2019 showed prevalences of 3.74% and 35.85% respectively.<sup>28</sup> Trans people are highly discriminated populations in Venezuela<sup>29</sup>.

The HIV mortality rate in women has maintained a steady increase since 2011, having its peak in 2017<sup>30</sup>.

According to the Health Information System (SIS) of the MPPS, 41,284 pregnant women were tested for HIV in 2019, with 490 new cases of HIV in pregnant women. This is in addition to known women with HIV who became pregnant. The total number of pregnant women for 2019 was 546.<sup>31</sup> According to the HIV Report in Venezuela, 57 pregnant women with HIV were forced to give birth at the time of delivery, without applying cesarean section, which contradicts WHO/PAHO recommendations. Likewise, it is reported that pregnant women with HIV+ continue to be required to wear biosafety kits, which contravenes Resolution SG 439 of the Ministry of People's Power for Health.

The report on the human rights of women with HIV<sup>32</sup> reveals that "treatment is not the same for everyone". The universal treatment scheme is determined based on body weight and taking into account whether or not the woman is of reproductive age, among others. The study participants pointed out that the guidelines for the management of antiretroviral therapy are not complied with and that the MPPS does not provide follow-up. When the drugs are available, women are being administered the same dosage as men. Women do not receive information on differentiated ART dosing, which could have health and quality of life consequences.

The shortage of medicines and clinical follow-up tests, according to the MPPS, is due to the *blocking of the country's economic resources in bank accounts abroad*, as well as to *sanctions*. It is acknowledged by the Ministry of People's Power for Health that the acquisition of ARV drugs, starting in 2019, is due to the resources provided by the Global Fund.<sup>33</sup> According to data from the MPPS in 2020, 1281 women started treatment and 1427 restarted it.

- Differential impact on access to sexual and reproductive health services for women with disabilities.

Being a woman with a disability is a challenge in Venezuela, as the barriers to accessing fundamental rights such as an adequate standard of living, health, education and information become more extensive.

CONSORVEN conducted a study in 2021 that consisted of a Survey to 175 women with disabilities, in 9 Federal Entities of the country. It was concluded that economic difficulties are the main cause (54.3%) that prevents women with disabilities from accessing gynecological health services and breast studies or examinations, leaving 1 out of 10 women with disabilities out of gynecological services, and 6 out of 10 women with disabilities out of breast studies or examinations. This implies a health risk that places women with disabilities exposed to diseases such as breast or cervical cancer, as the main causes of death of women in Venezuela (WHO, 2020).

Additionally, 43.7% of women with disabilities attend gynecological health services every 3 years or more, and the same is true for 69.9% in the case of breast studies or exams. The WHO (2020) establishes a minimum standard of frequency of attendance to gynecological and mastological health services of about 1 year. In

addition, limited access to contraceptive methods and adequate birth control for pregnant women was determined.

The State has indicated in its report that in 2018, the National Constituent Assembly enacted the Constituent Decree for the Promotion and Protection of Humanized Childbirth and Childbirth, with the aim of protecting and guaranteeing the human right of women to a humanized gestation and childbirth, in addition to creating a legal framework aimed at reducing maternal mortality<sup>34</sup>, however, a study carried out by the CONSORVEN Organization estimates that more than half (52.6%) of women with disabilities did not know or know about the Humanized Childbirth Plan, despite it being the main public policy on reproductive health issued by the Venezuelan State. In fact, only 13.7% recognize the Plan as a public policy in force.

However, within the Plan for the Homeland (2019-2025), where the National Plan for Humanized Childbirth is contemplated, it is not specified whether women with disabilities and the required accessibility measures are included. Likewise, the State has established as a goal of the Plan, the care of four million women until 2025, but currently there are no official figures of women and women with disabilities attended under the Plan.

Thus, the main barrier to access for women with disabilities to optimal sexual, reproductive and breast health is the lack of accessible information, as 54.8% of the women with disabilities interviewed do not receive scientific information or information from reliable sources on women's health.

Thus, 2 out of 10 women with disabilities who do have access to gynecological consultation services, breast exams and prenatal check-ups, report some type of misinformation about routine medical procedures, the tests to be performed, their results and risks, thus increasing the barriers to achieving an optimal level of health and information.

Finally, according to available data, 16.7% of women with disabilities do not attend gynecological health services because their family has not considered it necessary, placing them in a situation of coercion that interrupts their right to the free development of their personality and access to health.

All of the foregoing illustrates the serious situation in Venezuela that impacts the health rights of women in Venezuela, particularly in relation to their sexual and reproductive health.

## **V. Failure to comply with judgments issued by the inter-American system**

This Committee, in its last report on Venezuela, showed its concern that the Venezuelan State "*denounced the American Convention on Human Rights in 2012, which excludes the competence of the Inter-American Court of Human Rights*"<sup>35</sup>.

At the time, it recommended that the Venezuelan State reconsider its withdrawal from the American Convention on Human Rights, considering that said instrument and the *"Convention on the Elimination of All Forms of Discrimination against Women are mutually reinforcing"*<sup>36</sup> .

The Venezuelan State denounced the American Convention on Human Rights (ACHR) in September 2012, which began to take effect a year later<sup>37</sup> . Subsequently, in April 2017, the Venezuelan State presented its denunciation of the OAS Charter, which would take effect in April 2019 .<sup>38</sup>

we will focus on the State's failure to comply with its international obligations arising from decisions of the Inter-American Court related to facts prior to the complaint. Particularly, decisions on violence against women and how this non-compliance has general effects on the right of women in Venezuela to live a life free of violence,

The Inter-American Court has issued several judgments addressing the situation of violence against women in the Americas. The court has developed a solid jurisprudential framework on the international obligations of States in relation to violence against women, its prevention and punishment.

So far, the IACHR Court has only issued one judgment on violence against women in Venezuela<sup>39</sup> , where it ordered the State to take measures of non-repetition that seek to overcome the situation that allowed the acts of violence against women to occur and to ensure that they are not repeated in the future.

Thus, the Court ordered the regulation of the Organic Law on the Right of Women to a Life Free of Violence, to establish uniform standards for the attention, investigation and prosecution of this type of crimes and to allow the articulation of public policy on the matter and prevent the facts. So far, the Venezuelan State has not complied.

As background, in 2007 Venezuela enacted the Organic Law on the Right of Women to a Life Free of Violence, which has been amended twice. However, women still face limitations in accessing protection, prevention and access to justice mechanisms .<sup>40</sup>

Other measures ordered by the Court have to do with the establishment of Courts of Violence against Women in each state and the adoption, implementation and monitoring of protocols to investigate and provide comprehensive care to women victims of violence. These measures are also in total non-compliance.

Another indispensable element to overcome the high rates of violence against women is the collection and analysis of data to understand the criminal phenomena of violence against women, and thus design, implement, evaluate and modify state policies to prevent, investigate, prosecute and punish these crimes. For this reason, the Court in its judgment ordered the establishment of a *"system for the collection of data and figures related to cases of violence against women throughout the national territory"*<sup>41</sup> . However, for years the State has not published updated official figures or individualized records of violence against women and the levels of impunity for these crimes.

Therefore, we maintain that the failure of the State to comply with its international obligations allows victims of violence against women in Venezuela to face a State apparatus that lacks a gender perspective, perpetuates revictimizing practices, with dilatory procedures and structural flaws in the justice system.

This situation leads victims of violence against women to withdraw from reporting and weakens their trust in state protection bodies, increases impunity rates for their aggressors and allows for the chronic repetition of these events.

## **VI. Recommendations**

The organizations believe that the following recommendations can help overcome the various situations that prevent women from living a life free of violence, as reported throughout this document.

- The regulation of the Organic Law on the Right of Women to a Life Free of Violence, as well as a Protocol for the care of women and girls who are victims of sexual violence.
- The adoption of legislation to prevent all forms of discrimination, including on the grounds of sexual orientation, gender identity and expression, and sexual characteristics.
- Actions that contribute to the empowerment of indigenous women in the face of the various manifestations of violence of which they are victims, providing them with direct social assistance in their communities.
- The adoption of legislative and administrative measures to reinforce the prohibition of torture practices based on gender, sexual orientation, gender identity and expression, in health services, public and private educational centers, prisons and on public roads.
- Cease the persecution, criminalization and harassment of human rights defenders in Venezuela and refrain from approving regulations that unduly restrict the free and independent actions of NGOs, such as the *Law for the Control, Regularization, Performance and Financing of Non-Governmental and Related Organizations*.
- Undertake efforts to prevent sexual and gender-based violence and to encourage victims to report cases. Similarly, it should strengthen and institutionalize mandatory gender-sensitive training for all judicial personnel, law enforcement and health service personnel to ensure that they are prepared to respond effectively to all forms of violence against women.
- Effectively investigate, prosecute, punish and redress crimes against women, including those committed in the context of citizen security operations, in strict compliance with international standards and with the support of the institutions responsible for safeguarding women's rights, ensuring that they have sufficient resources to fulfill their mandates.
- Ensure effective data collection and analysis to understand the criminal phenomena of violence against women and publish official data on these crimes.

- Consider the specific needs of women with disabilities in order to offer specific and differentiated responses in their programs and/or policies.
- Address its obligations under the IAHRs regarding violence against women and reconsider its withdrawal from the American Convention on Human Rights.

<sup>1</sup> Committee against Torture. In its Concluding Observations on the combined third and fourth periodic reports of the Bolivarian Republic of Venezuela, the committee indicated that it "*urges the State party to consider harmonizing the content of Article 17 of the Law against Torture with the provisions of Article 1 of the Convention, in order to include pain or suffering inflicted by persons in the exercise of public functions, or at the instigation or with the consent or acquiescence of public officials, and against individuals who are or are not subjected to deprivation of liberty.*" Available at [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FVEN%2FCO%2F3-4&Lang=es](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CAT%2FC%2FVEN%2FCO%2F3-4&Lang=es)

<sup>2</sup> Kape-Kape. *Informe de migración ruta del migrante indígena 2021* del mes de noviembre de 2021. Available at: [https://kape-kape.one/wp-content/uploads/pdf/informe-de-migracion-2021\\_opt.pdf](https://kape-kape.one/wp-content/uploads/pdf/informe-de-migracion-2021_opt.pdf)

<sup>3</sup> Kape-Kape. *Violence against indigenous women, one more manifestation of social inequality* June 2022. Available at <https://kape-kape.one/wp-content/uploads/pdf/boletin-27-Violencia.contra.la.mujer.indigena.pdf>

<sup>4</sup> Detailed findings of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela: *The Human Rights Situation in the Orinoco Mining Arc and Other Areas of the State of Bolívar*, dated September 20, 2022. Paragraph 728

<sup>5</sup> Kape-Kape. *Violence against Indigenous Women: Amazonas, Bolívar and Delta Amacuro States* for the year 2022. Available at <https://kape-kape.one/wp-content/uploads/pdf/Violencia.hacia.la.mujer.indigena.2022.opt.pdf>

<sup>6</sup> Ibidem

<sup>7</sup> Ibidem

<sup>8</sup> Reports on the situation of human rights defenders in Venezuela from 2018 to 2022: <https://cofavic.org/wp-content/uploads/2021/02/Informe-Venezuela-Enemigos-internos-COVID-2021-1.pdf> ; [https://cofavic.org/wpcontent/uploads/2022/10/COFAVIC\\_Resumen\\_Agresiones\\_DefensaDDHH\\_e ne\\_ago\\_2022\\_W.pdf](https://cofavic.org/wpcontent/uploads/2022/10/COFAVIC_Resumen_Agresiones_DefensaDDHH_e ne_ago_2022_W.pdf)

<sup>9</sup> COFAVIC. Serious restrictions again threaten the existence of NGOs. [https://cofavic.org/wp-content/uploads/2021/04/COFAVIC\\_Graves\\_Restricciones-a-la-Sociedad-Civil.-2021DEF.pdf](https://cofavic.org/wp-content/uploads/2021/04/COFAVIC_Graves_Restricciones-a-la-Sociedad-Civil.-2021DEF.pdf)

<sup>10</sup> Ibidem

<sup>11</sup> IPYS. Diario El Vistazo y su director víctimas de campañas de agravios nuevamente, dated August 15, 2022. Available at <https://ipysvenezuela.org/alerta/alerta-ipysve-diario-el-vistazo-y-su-directora-victimas-de-campanas-de-agravios-nuevamente/>

<sup>12</sup> Committee on the Elimination of Discrimination against Women. *Replies of the Bolivarian Republic of Venezuela to the list of issues and questions relating to its ninth periodic report* dated 24 October 2022. Paragraph 36

<sup>13</sup> Article 50.7 of the second partial reform of the Organic Law on the Right of Women to a Life Free of Violence (2021)

<sup>14</sup> COFAVIC. *COFAVIC Report: Violence against Venezuelan women* published in April 2022. Available at <https://cofavic.org/informe-cofavic-violencia-contra-las-venezolanas/>

<sup>15</sup> CEDAW. Ninth periodic report of the Bolivarian Republic of Venezuela due in 2018 under Article 18 of the Convention dated October 4, 2021.

<sup>16</sup> Responses of the Bolivarian Republic of Venezuela to the list of issues and questions regarding its ninth periodic report dated 24 October 2022. Paragraph 31

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- <sup>17</sup> Detailed findings of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela dated September 16, 2021. Paragraph 193. Dispsonible at [https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/FFMV/A-HRC-48-CRP.5\\_SP.pdf](https://www.ohchr.org/sites/default/files/Documents/HRBodies/HRCouncil/FFMV/A-HRC-48-CRP.5_SP.pdf).
- <sup>18</sup> Ibid. Paragraph 472
- <sup>19</sup> Ibid. Paragraph 100
- <sup>20</sup> OHCHR Report. Independence of the judicial system and access to justice in the Bolivarian Republic of Venezuela, also with respect to violations of economic and social rights, and human rights situation in the region of the Orinoco Mining Arc dated September 29, 2020. Available at <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G20/242/34/PDF/G2024234.pdf?OpenElement>
- <sup>21</sup> COFAVIC. Violence against Venezuelan women: Report on violent deaths of girls and women in Venezuela 2017-2021. Available at [https://cofavic.org/?recursos=informe-violencia-contra-las-mujeres-2021\\_cofavic](https://cofavic.org/?recursos=informe-violencia-contra-las-mujeres-2021_cofavic)
- <sup>22</sup> Detailed findings of the Independent International Mission. September 15, 2020. P. 273 Para. 1282. Retrieved from: [https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFMV/A\\_HRC\\_45\\_CRP.11\\_SP.pdf](https://www.ohchr.org/Documents/HRBodies/HRCouncil/FFMV/A_HRC_45_CRP.11_SP.pdf)
- <sup>23</sup> Ibid. Paragraph 286
- <sup>24</sup> Ibid. Paragraph 1924
- <sup>25</sup> Ibid. Paragraph 1925
- <sup>26</sup> Ibid. Paragraph 1926
- <sup>27</sup> OCHA, Situation Report, January-February 2022, <https://reports.unocha.org/es/country/venezuela-bolivarian-republic-of/>.
- <sup>28</sup> National survey of social perception of the LGBTIQ+ community in Venezuela/February, 2023. A lot of discrimination is perceived to trans-67% of respondents.
- <sup>29</sup> Trans women are the population group with the greatest vulnerability to HIV due to the social marginalization imposed on them because their identity is not recognized, transphobia, discrimination, violence and criminalization have serious and harmful effects on their physical and mental health, making it difficult for them to access prevention and care services.
- <sup>30</sup> Global AIDS Monitoring 2021 Bolivarian Republic of Venezuela. MPPS
- <sup>31</sup> UPR Report Venezuela. Situation of the human rights of people with HIV. July 2021
- <sup>32</sup> Kislinger, L. 2018. Report human rights of Venezuelan women with HIV/AIDS in the context of the health sector crisis. <http://www.accsi.org.ve/accsi/wp-content/uploads/mujeres-y-vih-luisa-kislinger-definitivo.pdf>
- <sup>33</sup> Global AIDS Monitoring 2021 Bolivarian Republic of Venezuela. MPPS
- <sup>34</sup> CEDAW. *Ninth periodic report of the Bolivarian Republic of Venezuela due in 2018 under Article 18 of the Convention on the Elimination of All Forms of Discrimination against Women*, dated June 9, 2021.
- <sup>35</sup> CEDAW, Concluding observations on the combined seventh and eighth periodic reports of the Bolivarian Republic of Venezuela, 14 November 2014, C/VEN/CO/7-8, para. 10.
- <sup>36</sup> *Ibid*, para. 11, item e).
- <sup>37</sup> IACHR, IACHR expresses deep concern over effect of Venezuela's denunciation of the American Convention, September 10, 2013. Available at: <https://www.oas.org/es/cidh/prensa/comunicados/2013/064.asp>
- <sup>38</sup> Denunciation of the OAS Charter by Venezuela dated April 27, 2017. Available at: [http://www.oas.org/es/sla/ddi/docs/a-41\\_nota\\_venezuela\\_04-28-2017.pdf](http://www.oas.org/es/sla/ddi/docs/a-41_nota_venezuela_04-28-2017.pdf)
- <sup>39</sup> I/A Court H.R., Case of López Soto et al. Case of López Soto et al. v. Venezuela. Merits, Reparations and Costs. Judgment of September 26, 2018. Series C No. 362.
- <sup>40</sup> CEPAZ, *Ser mujer en Venezuela: Diagnóstico comunitario y propuestas de acción comunitaria*. October 2022, Page 30.
- <sup>41</sup> I/A Court H.R., Case of López Soto et al. Case of López Soto et al. v. Venezuela. Merits, Reparations and Costs. Judgment of September 26, 2018. Series C No. 362.