## Country: Bolivarian Republic of Venezuela

### SIGI 2019 Category

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>SIGI 2019 Category</td>
<td>N/A</td>
</tr>
<tr>
<td>SIGI Value 2019</td>
<td>N/A</td>
</tr>
</tbody>
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### Discrimination in the family

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
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</thead>
<tbody>
<tr>
<td>Discrimination in the family</td>
<td>43%</td>
</tr>
<tr>
<td>Legal framework on child marriage</td>
<td>50%</td>
</tr>
<tr>
<td>Percentage of girls under 18 married</td>
<td>16%</td>
</tr>
<tr>
<td>Legal framework on household responsibilities</td>
<td>50%</td>
</tr>
<tr>
<td>Proportion of the population declaring that children will suffer if mothers are working outside home for a pay</td>
<td>-</td>
</tr>
<tr>
<td>Female to male ratio of time spent on unpaid care work</td>
<td>-</td>
</tr>
<tr>
<td>Legal framework on inheritance</td>
<td>0%</td>
</tr>
<tr>
<td>Legal framework on divorce</td>
<td>75%</td>
</tr>
</tbody>
</table>

### Restricted physical integrity

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted physical integrity</td>
<td>N/A</td>
</tr>
<tr>
<td>Legal framework on violence against women</td>
<td>25%</td>
</tr>
<tr>
<td>Proportion of the female population justifying domestic violence</td>
<td>-</td>
</tr>
<tr>
<td>Prevalence of domestic violence against women (lifetime)</td>
<td>-</td>
</tr>
<tr>
<td>Sex ratio at birth (natural =105)</td>
<td>105</td>
</tr>
<tr>
<td>Legal framework on reproductive rights</td>
<td>75%</td>
</tr>
<tr>
<td>Female population with unmet needs for family planning</td>
<td>11%</td>
</tr>
</tbody>
</table>

### Restricted access to productive and financial resources

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>Restricted access to productive and financial resources</td>
<td>13%</td>
</tr>
<tr>
<td>Legal framework on working rights</td>
<td>75%</td>
</tr>
<tr>
<td>Proportion of the population declaring this is not acceptable for a woman in their family to work outside home for a pay</td>
<td>5%</td>
</tr>
<tr>
<td>Share of managers (male)</td>
<td>67%</td>
</tr>
<tr>
<td>Legal framework on access to non-land assets</td>
<td>0%</td>
</tr>
<tr>
<td>Share of house owners (male)</td>
<td>-</td>
</tr>
<tr>
<td>Legal framework on access to land assets</td>
<td>0%</td>
</tr>
<tr>
<td>Share of agricultural land holders (male)</td>
<td>80%</td>
</tr>
<tr>
<td>Legal framework on access to financial services</td>
<td>0%</td>
</tr>
<tr>
<td>Share of account holders (male)</td>
<td>52%</td>
</tr>
</tbody>
</table>

### Restricted civil liberties

<table>
<thead>
<tr>
<th>Category</th>
<th>Value</th>
</tr>
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<tbody>
<tr>
<td>Restricted civil liberties</td>
<td>15%</td>
</tr>
<tr>
<td>Legal framework on civil rights</td>
<td>0%</td>
</tr>
<tr>
<td>Legal framework on freedom of movement</td>
<td>0%</td>
</tr>
<tr>
<td>Percentage of women in the total number of persons not feeling safe walking alone at night</td>
<td>63%</td>
</tr>
<tr>
<td>Legal framework on political participation</td>
<td>0%</td>
</tr>
<tr>
<td>Share of the population that believes men are better political leaders than women</td>
<td>39%</td>
</tr>
<tr>
<td>Percentage of male MP's</td>
<td>78%</td>
</tr>
<tr>
<td>Legal framework on access to justice</td>
<td>0%</td>
</tr>
<tr>
<td>Share of women declaring lack of confidence in the justice system</td>
<td>60%</td>
</tr>
</tbody>
</table>

Note: Higher values indicate higher inequality. Percentages range from 0 to 100, while legal variables are categorised as 0%, 25%, 50%, 75% or 100%. See data source [here](https://oe.cd/ds/GIDDB2019).  
Bolivarian Republic of Venezuela

1. Discrimination in the family

a) Overarching legal framework for marriage

The reform of the Civil Code in 1982 established equality between men and women in relation to marriage and eliminated all forms of discrimination against women listed in Article 16 of the Convention on the Elimination of All Forms of Discrimination against Women from subsection (a) to subsection (h). While there is no specific legal provision which prohibits forced marriage, there are provisions in the Constitution and Criminal Code that are used to address the latter. Article 77 of the Constitution provides that “Marriage, which is based on free consent and absolute equality of rights and obligations of the spouses, is protected.” In addition, abducting a woman for the purpose of marriage is an offence that is punishable by up to three years in prison (Criminal Code, Art 383) and by up to five years if that woman was married (Criminal Code, Art 384).

Venezuelan law only recognizes civil marriage (Civil Code, Art 44). Religious ceremonies are optional and may only be held after the civil ceremony has taken place (Civil Code, Art 45). However, stable de facto unions between a man and a woman which meet the requirements stipulated in the law entail the same consequences as marriage (Constitution, Art 77). The Constitution stipulates not only complete equality between the two spouses, or between two permanent unmarried partners, but Article 77 also establish equal rights and duties among their members, which, in addition to other aspects, infers that these duties include the domestic responsibilities.

b) Child marriage

The national legislature of the Venezuelan State has made recent progress on a set of measures regarding marriage. This includes raising the minimum legal age for marriage from 14 to 16 years old for girls in 2014. While the legal minimum age for marriage is 18 for women and men without parental consent, the minimum age with parental consent is now of 16 for both women and men. This was made thanks to a petition for annulment on the grounds of unconstitutionality lodged by the Ombudsman’s Office (Defensora del Pueblo) against article 46 of the Civil Code, which initially established the legal minimum age of marriage at 14 years for women and 16 years for men. That provision was considered as a form of discrimination that infringes the right to equality enshrined in article 21 of the Constitution of the Bolivarian Republic of Venezuela (CEDAW, 2014) and under article 16 of the CEDAW Convention, to which Venezuela is a party. Therefore, in 2014, the Constitutional Chamber of the Supreme Court nullified the discriminatory provision of the Civil Code establishing a different minimum age of marriage for girls and boys and set the new minimum age to 16 years old for both sexes (Decision 1353 of the Constitutional Chamber, 2014).

However, the CEDAW Committee has expressed concerns due to the fact that the minimum age of marriage is not in line with international obligations set out in the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child (CEDAW, 2014).

In rural areas, customary and traditions and are the main causes of the high proportion of de facto unions among girls younger than 15 years old (FAO, 2006). However, there is no evidence that it has a direct effect on the minimum legal age of marriage.
c) Household responsibilities

The reform of the Civil Code as it related to the duties and rights of marriage was concluded on 26 July 1982. There was a shift away from the traditional organization of the family, with the elimination of the authority of the husband over the wife, and establishment of equal rights between men and women. This change is clearly laid down in Section XI, Part I, Article 140 of the Civil Code which reads “spouses, by mutual accord, shall take decisions relating to family life and shall determine where the conjugal home shall be”. In Venezuela, there are no laws restricting women from being recognized as heads of household. Upon marriage, the husband and the wife acquire the same rights and assume the same duties.

Marriage entails the obligation of the spouses to live together, to remain faithful to each other and to give each other mutual support. The Organic Law on the Protection of Children and Adolescents (a law which was based on the principles of the Convention on the Rights of the Child) further stipulates the principle of equality between parents in relation to their children (Organic Law on the Protection of Children and Adolescents, Art. 349) according to which “parental rights and duties with respect to their shared children shall fall to both the father and the mother during marriage, and shall be exercised jointly”. It also specifies that “Where shared children were born outside the marriage, the parental rights and duties shall fall jointly to the father and the mother when it has been established simultaneously that both are the natural parents” (Organic Law on the Protection of Children and Adolescents, Art. 350).

Although men and women are legally equal, there are still great differences in terms of social expectations. In daily life, men are still expected to work outside the home and support the household. However, women are more and more a part of the general workforce, increasing their economic standing and discarding the exclusive domestic burden of the household and child rearing. Moreover, Art 17 of the Labour Act grants recognition to non-salaried work traditionally done by women and full-time mothers are able to collect a pension (Ponniah, 2013).

d) Divorce

The Venezuelan Civil Code provides both spouses with the right to initiate divorce. In the case of divorce, both parents continue to share parental authority over their children (Organic Law on the Protection of Children and Adolescents, art 360). Except in the case of children under the age of 7 where the women are automatically assigned the legal guardian of children, allowing for visitation rights for the father. There are no customary, religious, or traditional practices that discriminate against women’s legal rights to initiate divorce, or being guardian of their children after divorce. Additionally, divorce has become more common and does not carry a social stigma; divorced individuals often remarry (Culture Grams, 2014).

e) Inheritance

Daughters and female surviving spouses have the same rights as men to inherit land and non-land assets (Civil Code, Articles 822 & 824). Women also have equal rights to execute or administer a will (Civil Code, Art 836). There are no customary, religious, or traditional practices or laws that discriminate against daughters and female surviving spouses’ legal rights to inherit.
2. Restricted Physical integrity

a) Violence against women

Venezuela ratified the Convention of Belém do Pará in 2007. Pursuant to article 23 of the Constitution, the convention is immediately and directly applicable by the courts and other public bodies if it contains “provisions concerning the enjoyment and exercise of such rights which are more favourable than those established by this Constitution and the laws of the Republic”.

Just after ratification of the Convention of Belém do Pará, Venezuela passed a Law on the Right of Women to a Life Free of Violence, which defines 21 forms of violence against women including psychological violence and media violence. In November 2014, the law was reformed to include a definition of the crime of “femicide” with penalties ranging from 25 to 30 years in prison. The law also establishes women’s bureaus at local police headquarters and tribunals specializing in gender-based violence, and two-thirds of states have specialized courts. According to the Public Ministry’s 2015 annual report, 69 prosecutors were responsible for dealing exclusively with crimes against women.

Moreover, in order to improve the quality of care for women in situations of violence, the Government has promoted the dissemination of the content of the Act on Women’s Right to a Life Free from Violence, which has raised awareness among public servants involved in the areas of care, prevention, receipt of complaints and judicial proceedings related to violence against women. Following the extension of these awareness campaigns to the communities, 5,606 women were trained in 2013 (Minmujer, 2013). However, despite this apparent success in training, implementation of the 2007 legislation criminalizing gender-based violence remained slow due to a lack of resources (Amnesty International, 2017).

The legal framework is also complemented by an active state policy, expressed by the adoption of action plans since 2007. The 2th governmental plan for Gender Equality and Equity 2013-2019 (called “Mamá Rosa”) support the implementation of the legislative framework. One of Mama Rosa’s objectives is to “eliminate violence against women in all its forms” (Mama Rosa, 2013-2019).

In addition, Venezuela particularly stands out for the creation of the National Council for Depatriarchalizing the State, whose aim is to provide systematic education, training, and awareness for government officials; the “Argelia Laya” National Feminist Training Plan, whose aim is to provide training for government officials, promoting gender equality and equity and preventing violence against women; and the “Community Defenders Training Plan,” whose aim is to promote the peaceful coexistence of men and women by promoting violence-free territories (OAS, 2014).

Nevertheless, evidence shows that violence against women and girls in Venezuela is widespread and on the rise. Statistics from the Venezuelan Public Prosecutor’s Office indicated that 121,168 complaints of gender-based violence were received in 2015. Criminal proceedings were initiated in 19,816 cases and civil protection measures such as restraining orders were granted in less than 50% of cases. According to women’s rights organizations, 96% of the cases that did reach the courts did not result in convictions (Amnesty International, 2017).

b) Domestic violence

The Act on Women’s Right to a Life Free from Violence criminalizes domestic violence, which is also considered to be an aggravating circumstance of violence against women. The law punishes perpetrators of domestic violence with penalties ranging from 6 to 27 months in prison (Act on Women’s Right to a Life Free from Violence, Art 42).
The Act on Women’s Right to a Life Free from Violence lists 13 measures for protection and security of the victims which include providing temporary shelter, removing the perpetrator from the home if his/her safety is at risk, requesting a judge to restrict the perpetrator’s visits to the victim, imposing restrictions on how close a perpetrator can get to the victim, requesting temporary arrest, posting police at the woman’s residence "when the time is convenient," confiscating the perpetrator's weapons, obliging the perpetrator to provide the victim with financial resources for subsistence if a relationship of economic dependency exists, and “Art 87: all other measures necessary for the protection of all rights of women victims of violence and the rights of their family members” (UNHCR, 2013).

The law also requires police to report domestic violence to judicial authorities and obliges hospital personnel to notify authorities when admitting patients who are victims of domestic abuse. However, reports suggest that police generally are reluctant to intervene to prevent domestic violence and were not properly trained to handle such cases: for example, police systematically sent survivors to the Public Ministry without receiving victims’ complaints in cases where extreme physical violence was not visible (US Department of State, 2017).

In general, advocates observed there was a lack of public awareness among women regarding resources and support available to prevent and combat domestic violence. The government offered some shelter and services for victims of domestic violence (including regional and municipal women’s institutes, with their respective offices for the defense of women’s rights), but NGOs provided the majority of domestic abuse support services (UNHCR, 2007). The Shelters Project which is led by the INAMUJER Office of Comprehensive Care and Prevention of Violence against Women monitors and supervises the operation of the shelters and the services offered to women on a regular basis. The shelters have a multidisciplinary team of coordinators, psychologists, lawyers, teachers, administrative assistants, facilitators, cooks and housekeepers (CEDAW, 2014).

Nevertheless, the CEDAW Committee in its last report expressed concerns regarding the insufficient number of shelters available for victims, with only six shelters having been established thus far, while the Act requires one in each state (CEDAW, 2014).

c) Rape

The Act on Women’s Right from 2014 to a Life Free from Violence and the Criminal Code from 2000 both address sexual violence and criminalise rape (Act on Women’s Right to a Life Free from Violence, Art 43 and Criminal Code, Art 395), punishable by five to ten years of imprisonment. The rape definition is based on lack of consent (it requires the use of “violence or threat”) as well as proof of penetration of the victim.

The new Act on Women’s Right to a Life Free from Violence and Criminal Code also recognizes spousal rape (which was previously not mentioned in the Criminal Code). The law also provides for increased penalties for aggravated forms of rape and sexual violence. However, pursuant to article 393 of the Criminal Code, the charges are dropped if the rapist gets married to his victim. According to the UNHCR, most rape victims know their rapists " (UNHCR, 2012).

In order to unify approaches between ministries, a coordinated effort has also been made, through the Equity and Gender Equality Council of the Vice-Ministry of Police in the Ministry of People’s Power for Internal Affairs, Justice and Peace, to validate the medical and psychological reports issued by multidisciplinary teams of the agencies authorized to receive complaints of violence against women. In addition to the efforts of unification, there is also a training programme, run by the National School of the Judiciary (ENM), in which participation is obligatory for all judges appointed to the courts of special jurisdiction over cases involving gender and violence (CEDAW, 2014).
d) Sexual harassment

The Act on Women’s Right to a Life Free from Violence of 2007 specifically addresses sexual harassment as a form of violence against women. It defines sexual harassment as “taking advantage of a higher-ranking position in the workplace, in the area of education, or situations arising in the exercise of their profession”. Sexual harassment is punishable by a prison sentence of one to three years. According to a US State Department’s report, although allegedly common in the workplace, sexual harassment cases in Venezuela are rarely reported (US Department of State, 2017).

In addition to that provision, the Workplace Safety, Conditions and Environment Act from 2005 also guarantees workers suitable working conditions in terms of health, safety, hygiene and well-being in order to maintain an optimal environment free of violence. Pursuant to that law, employers’ are required to protect workers against harassment through their representatives and to provide facilities to perform their jobs; they must ensure that the health and safety committees represent all their members, that they participate in leisure activities and social tourism, that persons with disabilities are protected, that the right to work is respected, that penalties are established for workplace and sexual harassment and that the public, not-for-profit nature of the social security system is assured (Workplace Safety, Conditions and Environment Act, Art 56).

However, those two definitions provided by the law do not cover sexual harassment in the street or new forms of harassment online (i.e.: cyber harassment). The CEDAW Committee notes the restrictive definition of sexual harassment and the lack of adequate measures to prevent sexual harassment in the workplace. The Committee recommends that Venezuela broaden the definition of sexual harassment to include conduct that creates a hostile working environment, in accordance with its general recommendation No. 19 on violence against women, and adopt effective measures to prevent, monitor and adequately punish sexual harassment in the workplace (CEDAW, 2014).

e) Female genital mutilation

Female genital mutilation is not addressed by the law; there is no evidence that it is practice in Venezuela.

f) Abortion

Under the Criminal Code of 2 June 1964, the performance of abortions is illegal in Venezuela. A person who provokes the abortion of a woman with her consent is subject to 12 to 30 months’ imprisonment. If the woman does not consent, the penalty is increased to 15 months’ to three years’ imprisonment. A woman who intentionally performs her own abortion or consents to its performance by another person is subject to six months’ to two years’ imprisonment. Harsher penalties are applied if the abortion results in the death of the woman or if it is performed by the husband of the woman or by a health professional. Decreased penalties are applied if the abortion was carried out by a woman to preserve her own honour or carried out by another person to preserve the honour of a spouse, mother, descendant, sister or adoptive child.

Nonetheless, under the Criminal Code deliberate termination is permitted in cases where it is practised as an essential measure to save the mother’s life although it does not define clearly what that encompasses. Such an abortion may be performed only with the written consent of the woman, her husband or her legal representative. In case of emergency, however, the favourable opinion of another physician may suffice, if this can be obtained.

According to the CEDAW Committee, this restrictive abortion law forced women every year to resort to unsafe abortions, which often damages the health of the pregnant woman and sometimes results in death. The Committee therefore recommended Venezuela to amend its legislation to decriminalize
abortion in cases of rape, incest, risk to the health of the mother and severe foetal impairment, remove punitive measures for women who undergo abortion and ensure the availability of abortion services.

More

Statistics indicate high levels of early pregnancy in Venezuela. In order to address this issue, the State has initiated a project entitled “Strengthening families and communities for prevention, care and responsibility with regard to early pregnancy”, which since 2008 has been focusing on young people in schools in order to reduce rates of early pregnancy and infant and maternal mortality. The project is designed as a social and educational programme for promoting the human development of adolescents from a gender perspective. The main thrust of the programme is on prevention, comprehensive social care and the strengthening and rehabilitation of the family (CRC, 2013).

In addition to that programme, the Ministry of People’s Power for Education regulates the protection of pregnant girls in educational institutions by stipulating that a girl cannot be refused entry to such an establishment on the grounds of pregnancy.

3. Restricted Access to productive and financial resources

a) Secure access to land and assets

The 1982 reform of the Civil Code improved women’s access to property other than land by making provisions for the joint administration of a married couple’s joint property (Civil Code, Art 168). Moreover, women (married or single) have the same rights than men to own, use, make decision, use as collateral land and non-land assets.

The default marital regime is Partial Community of property (Civil Code, Arts 148-156) and both partners must agree in the administration of marital property. However, in the countryside, the husband is by tradition the head of the household and the administrator of his wife’s property (FAO, n.d.).

The law provides for joint land titling for land used or acquired by married couples. However, this provision is not applicable to couples living in informal unions. Informal unions are very common in the countryside and many problems have arisen due to the silence of the law on this matter (FAO, n.d.).

b) Secure access to formal financial resources

Married and unmarried women have the same rights as men to open a bank account at a formal institution (Civil Code, Article 221). They similarly have equal rights as men to obtain credit.

Venezuela has taken steps to promote women’s access to credit, more particularly through its state-sponsored women’s micro-credit bank: Venezuela’s Women’s Development Bank abbreviated Banmujer. Banmujer loans only to women and offers free financial services, loans and training to low-income women. In contrast to most Banks, rather than doing business from a centralized office, employees of Banmujer (mostly women) regularly travel to rural communities to help poor women develop loan proposals.

Furthermore, in addition to developing loan proposals, regional employees of Banmujer offer women “non-financial services” such as training focused on basic business and good management principles. This prepares the clients of Banmujer to develop their strategic thinking skills, wisely invest their loans and manage their enterprises. Banmujer also offers workshops on broader issues such as women’s
health, leadership, community organizing, and prevention of domestic violence (The World Bank, 2013). According to the government, by 2013, it had issued 145,000 microcredits and helped over 300,000 families (Embassy of the Bolivarian Republic of Venezuela to the US, 2013).

c) Workplace rights

Venezuela has ratified ILO Conventions 100, 111, 156, but not 183 or 189.

The law mandates non-discrimination on the basis of sex in employment (Labour Code, Article 20). The Labour Code specifically covers job advertisements, selection criteria, recruitment, hiring, terms and conditions. However, other situations such as promotions, training, assignments and termination are not covered by the article (Labour Code, Art 21). The law does not have a provision mandating equal remuneration for work of equal value and women received hourly wages that, on average, are around 20% less than men (Grape, 2017).

However, women can work the same night hours as men and in the same profession, in addition, they do not need permission from their husband or legal guardian to either choose a profession or register a business. Although there is currently no official data on workplace discriminations, an ILO-Gallup survey conducted in 2017 shows that women potentially face more obstacles than men to find a job. Indeed, to the question “If a woman has similar education and experience to a man, does she have the same opportunity to find a good job in the city or area where you live?” only, 69% of men and 71% of women answered positively (ILO-Gallup, 2017).

Venezuelan law mandates paid maternity leave of 26 weeks, six of which are to be taken before the birth. In the interests of achieving a better distribution of childcare tasks and eliminating stereotypes within the family environment, the Venezuelan government has included paternity protection in the 2007’s Family and Parenthood Act in order to promote responsible practices and prevent domestic conflicts and violence, raising awareness of the need for equality, tolerance and mutual respect in the home. The Act stipulates that a father, whatever his civil status, has the right, like the mother, to security of employment for one year following the birth of his child and may not be dismissed, transferred or demoted without just cause (Family and Parenthood Act, Art 8). A father is granted remunerated paternity leave for 14 successive days following the birth of the child in order to enable him to assume the obligations and responsibilities of care and assistance on an equal footing with the mother (Family and Parenthood Act, Art 9). The Act also provides for the possibility of extending the paternity leave for 21 successive days in the event of the child’s illness. In the event of the mother’s death after the birth, the maternity leave is transferred to the father in order to protect the child and the family (CEDAW, 2014).

4. Restricted Civil liberties

a) Citizenship rights

The Nationality and Citizenship Act (1976) (Arts 9 & 21) stipulates the equality of women with men in acquiring, changing or retaining their nationality, which may be acquired by being Venezuelan by birth or naturalization, on the basis of the requirements laid down in the Act. Married women also have equal rights as married men to confer nationality to their spouse. The Act also stipulates that Venezuelan nationality is not lost when a person acquires another nationality, except where it is expressly renounced before a Venezuelan authority having competence in that regard. The Aliens and Migration Act (2004) sets out the same conditions and requirements for residents in Venezuelan territory for both women and men, while the 2009’s Civil Registry Organization Act expressly mentions and respects the rights of women, girls and adolescent girls. It also mentions the right of indigenous
people of having a specific civil registry respecting and taking into account their own traditions and customs (Civil Registry Organization Act, Art 3).

Regarding birth registry, married and unmarried women have the same rights as men to register the birth of their children (Civil Registry Organization Act, Art 3). Moreover, there has been significant progress towards the universalization of the right to identity, yet 25% of children are not registered during the first year of life; at a particular disadvantage are indigenous children and those living in isolated areas, where up to 53% of births may not result in timely registration (UNICEF, 2014).

b) Voting

The right to vote in Venezuela is granted to all citizens aged 18 and over (Constitution, Art. 63), and there are no reports of traditional practices restricting this right. Women have become a major force in electoral politics in Venezuela, where 96.5% of adults are registered to vote and voter turnout has been very high in recent years, reaching the 80.1% in the last presidential elections in 2012. Women make up 50% of the electorate (IDEA, 2008).

c) Political voice

No laws limit the participation of women and members of minorities in the political process, it is a right granted to all citizens (Constitution, Art 62). Additionally, women in Venezuela have equal rights to men to hold public and political office in the legislature, executive and judiciary (Constitution, Art 63).

Over the years, Venezuela has adopted various provisions in order to improve gender balance in politics. From 1997 to 1998 the government introduced a specific Campaign for 50/50 participation in branches of government to increase women’s political participation. However, this law was declared unconstitutional in 1999. Although Venezuela had passed a gender quota in the past, this was declared unconstitutional in 2000 (Schwindt-Bayer, 2011). Also, according to remarks made by the government, prior to 1999 there was no political will to recognize the value and importance of women’s political participation and representation. Nor was it enforced by the competent electoral body, resulting in parties putting women at the bottom of electoral lists, reserving the privilege of being at the head of the list for the traditional male figureheads of national politics, where better options were available (CEDAW, 2006).

In 2015, Venezuela adopted a new regulation (Basic Law on Suffrage and Political Participation, Art 144) which requires political parties to put forth gender-balanced slates of candidates for legislative elections (US Department of State, 2016). This regulation, like the previous ones, has stirred a lot of controversy but increased the number of female elected.

d) Access to justice

Married and unmarried women have equal capacity to men to be sued and to sue. Married and unmarried women’s testimony also carries the same evidentiary weight as a man’s in civil, criminal, family court, and tribunals (no restrictions found). There are no specific measures in place to protect women from violence in political and public life.

The government has established a special body called the “National Gender Justice Commission” (NGJC) to guarantee women’s equality and ensure non-discrimination against them on the basis of gender, in compliance with the international treaties signed by the Republic and the Act on Women’s Right to a Life Free from Violence. The NGJC has the power to develop and design judicial policies aimed at optimizing the gender justice system; coordinate the courts having competence with respect to crimes of violence against women; to create courts having competence with regard to violence
against women; to administer the circuit court system dealing with gender violence, including the supervision of court functions, and the appointment and removal of judges and other court personnel. However, the NGJC does not have the power to monitor compliance of national laws with international human rights’ standards.

In the area of dissemination and training, the NGJC is in charge of the Implementation of the Information and Awareness-Raising Programme (whose purpose is to provide gender-sensitive human rights training in respect of the administration of the Act on Women’s Right to a Life Free from Violence). The NGJC also developed new way of disseminating information on the policies implemented through social networks. The NGJC is also in charge of discussing with male and female judges as a way of disseminating, evaluating and monitoring the binding judgements of the Constitutional Chamber and the Criminal Appellate Chamber with respect to special cases under the Act on Women’s Right to a Life Free from Violence, in order to ensure a swift judicial process and avoid impunity. To that end, there is also a training programme, run by the National School of the Judiciary (ENM), in which participation is obligatory for all judges appointed to the courts of special jurisdiction over cases involving gender and violence (CEDAW, 2014).
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