



# International Covenant on Civil and Political Rights

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## Human Rights Committee

114th session

### Summary record of the 3164th meeting

Held at the Palais Wilson, Geneva, on Monday, 29 June, at 3 p.m.

*Chairperson:* Mr. Salvioli

## Contents

Consideration of reports submitted by States parties under article 40 of the Covenant

*Fourth periodic report of the Bolivarian Republic of Venezuela*

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*The meeting was called to order at 3.05 p.m.*

**Consideration of reports submitted by States parties under article 40 of the Covenant**

*Fourth periodic report of the Bolivarian Republic of Venezuela  
(CCPR/C/VEN/4; CCPR/C/VEN/Q/4 and Add.1)*

1. *At the invitation of the Chairperson, the delegation of the Bolivarian Republic of Venezuela took places at the Committee table.*
2. **Ms. Ortega Díaz** (Bolivarian Republic of Venezuela) said that the Constitution of the Bolivarian Republic of Venezuela established the independence of the various branches of government, which embodied a system of checks and balances that governed the interaction between them and promoted human rights.
3. The right to life was sacred in Venezuela, the death penalty was prohibited under the Constitution, and the State had an obligation to protect life in all circumstances. To ensure public safety, the Gran Misión a Toda Vida Venezuela programme had been set up to protect the rights of the individual, promote social harmony and eradicate violence. Focused on prevention, it included a national victim care system in keeping with the provisions of the Covenant on Civil and Political Rights and a scheme aimed at strengthening communities.
4. Efforts by the Venezuelan State to combat crime had focused on improved police training, which had involved the establishment in 2009 of the Universidad Nacional Experimental de la Seguridad. In 2013, the Arms and Ammunition Dispossession and Control Act had been enacted and a voluntary campaign had resulted in the destruction of 26,518 firearms in 2014. The State security forces were working to identify and dismantle armed criminal groups, which had nothing to do with the “social collectives”, or civic groups, targeted in racist and class-oriented smear campaigns.
5. A law on the protection of victims and witnesses had been adopted, along with the Act on Women’s Right to a Life Free from Violence, which had been amended to cover femicide. In 2014 and 2015, the courts had dealt with 80 cases of torture and 1,508 cases of cruel, inhuman or degrading treatment. A unit of the Attorney-General’s Office had been set up to investigate violations of fundamental rights, along with a forensic laboratory, which operated independently of the various branches of government.
6. As part of an effort to reconstruct the country’s collective memory, a large number of investigations were being undertaken with the aim of punishing the gross violations of human rights that had taken place between 1958 and 1998. In 2011, the Act to Punish Politically Motivated Crimes, Disappearances, Torture and Other Human Rights Violations had been adopted and a truth and justice commission had been set up with a view to penalizing the perpetrators of human rights violations and compensating their victims. Nearly 200 cases of killings, torture and enforced disappearance were currently being investigated. A number of persons were being prosecuted for their involvement in the “El Caracazo” massacre of 1989 and 616 victims had been compensated to date following the acceptance by the State party of the corresponding judgement of the Inter-American Court of Human Rights.
7. In compliance with its obligations under the Covenant, the Venezuelan State had been attentive to the rights of persons deprived of their liberty, including the right to communicate with their family members, lawyers and friends and the right to recreation and education. Mobile courts had been established to speed up the trial process. Prosecutors and local ombudsman worked to safeguard detainees’ rights and could call on the competent bodies to enforce them if need be.

8. Great strides had been made with regard to guaranteeing the rights of vulnerable groups. The Constitution provided for the first time for a genuine system of protection for indigenous persons and Afro-Venezuelan groups. Gender protection legislation included a prohibition on human trafficking, slavery and forced labour.

9. In Venezuela, freedom of expression and opinion were rights that could be exercised through any means of communication and that excluded any form of censorship. However, the right of all to timely, true and impartial information was also affirmed. Freedom of the people to elect its Government and representatives was fully exercised through a transparent and totally auditable electoral system, internationally recognized as being one of the best in the world.

10. Venezuelan citizens enjoyed the right to demonstrate peacefully. However, on 12 February 2014, so-called “peaceful protestors” had attempted to overthrow the freely elected Government by means of violent and criminal activities, including the blocking of roads, erection of barricades, looting, use of dangerous substances and damage to offices and transport facilities. Their actions had resulted in injuries to hundreds of people, many of them State security officials, and more seriously to the deaths of 43 persons, including 10 police officers, military personnel and a prosecutor from the Public Prosecutor’s Office. It was surprising that some media, political spokespersons and soi-disant human rights defenders justified such crimes and described their authors as “peaceful demonstrators”.

11. Protestors arrested in the act of committing an offence had been tried in keeping with due process and constitutional provisions. In that context, it should be noted that a far-reaching process of police reform had been under way since 2006 and that a law governing the police service had been enacted, providing for the gradual and differentiated use of force. The Attorney General’s Office had taken action against a substantial number of State security officials suspected of having employed excessive force and more than 50 persons had been convicted.

12. The Venezuelan Government reaffirmed its commitment to guarantee the rights of all persons, since under its legal system rights and freedoms could not be sacrificed in the name of public safety.

13. **Mr. Rodríguez-Rescia**, while commending the terms of articles 22 and 23 of the Venezuelan Constitution giving constitutional rank to international human rights instruments, said that the State party had not provided sufficient information in reply to the Committee’s request for specific examples showing how judges applied the Covenant in accordance with the aforementioned constitutional provisions. Indeed, the Committee had uncovered evidence suggesting that the opposite was the case. With reference to the 2008 Inter-American Court of Human Rights judgement in the case of *Apitz Barbera et al. (“First Court of Administrative Disputes”) v. Venezuela*, the Venezuelan Constitutional Chamber of the Supreme Tribunal of Justice had requested the Venezuelan authorities to denounce the American Convention on Human Rights, arguing that the Inter-American Court of Human Rights had overstepped its authority in issuing the judgement in question. The State party had subsequently withdrawn from the Convention, weakening human rights protection in Venezuela. National legislation should not be invoked as grounds for non-compliance with obligations arising from international treaties.

14. The large number of acts adopted by the legislature empowering the executive branch to issue decree laws criminalizing various forms of conduct gave cause for concern. He asked for more information on those acts and a list of the decree laws issued by the executive branch.

15. In March 2015, the Ombudsman’s Office had been reviewed by the Sub-Committee on Accreditation of the International Coordinating Committee of National

Institutions for the Promotion and Protection of Human Rights and its status had been downgraded to “B” because it had failed to meet the requirements of the Paris Principles in terms of the Office’s independence. The current Ombudsman had been the only candidate for the post and had not been elected through a public participatory process. Moreover, the Government had failed to set up a committee to assess potential candidates in line with the Citizen Power Act. He asked what the State party had done to try to recover the Ombudsman’s Office “A” status and to ensure that, in future, ombudsmen were appointed in line with the relevant constitutional provisions.

16. The Inter-American Commission on Human Rights had raised a number of issues with the Committee, including: the high level of violence in Venezuelan prisons, the failure to investigate the Vista Hermosa prison massacre, the disappearance of Mr. Francisó Guerrero Larez, the deaths of a number of inmates with HIV denied appropriate treatment, serious prison overcrowding and the lack of State control within detention facilities. The Committee had received reports of conflicts between gangs and virtual self-government in some prisons. He asked what had been done to tackle violence and improve conditions in places of deprivation of liberty, which was an issue that had been highlighted by the Committee in 2001.

17. He asked what the State party intended to do to address the persistent practice of detaining pretrial detainees in police holding cells and requested disaggregated data on the number of pretrial detainees, convicted prisoners and minor and adult detainees. As a result of recent reforms to the Code of Criminal Procedure, judges might be loath to have recourse to non-custodial measures because of a lack of judicial independence. Consequently, the number of persons in pretrial detention had risen dramatically. He asked what the State party had done to ensure that detainees and other persons allegedly injured by State officials were treated in civilian, rather than military, hospitals.

18. The Committee had received reports of invasive searches targeting the relatives of victims and was concerned at the large number of firearms in circulation in prisons. He asked whether it was true that persons deprived of liberty received military training, if so, then why, and what happened to inmates who refused to cooperate in that regard. The Committee was concerned at allegations that civilians were being held in military detention facilities and at the ease with which firearms could be smuggled into prisons.

19. The State party should prepare a policy on prison overcrowding involving not only the building of new facilities but also preventive work to reduce the number of persons unnecessarily deprived of their liberty.

20. He asked, finally, whether the bill on trafficking in persons and the national action plan to repress and punish trafficking in persons had been fully implemented and when a new bill introducing reforms relating to trafficking in persons would be adopted.

21. **Sir Nigel Rodley** expressed concern that certain problems, particularly relating to violence and discrimination, had persisted for over 20 years. He requested further information on the enforcement and implementation of the Act on Women’s Right to a Life Free from Violence and the Act on the Promotion and Protection of the Right to Equal Treatment for Persons living with HIV/AIDS and their Families. While welcoming the comprehensive training programmes relating to those Acts, he said that additional initiatives were essential and asked what action the prosecutorial authorities were taking with a view to enforcing the laws on discrimination and on gender or sexual orientation.

22. The information provided in paragraph 24 of the replies to the list of issues with respect to measures to prevent members of the lesbian, gay, bisexual, transgender and

intersex (LGBTI) group from being murdered, assaulted or threatened appeared to him too abstract, and he wished to know how the related national crime prevention programme had a direct impact on people's daily lives. He was also concerned at the delay in establishing an institution responsible for implementing the Act on the Protection of Victims, Witnesses and Other Parties to Judicial Proceedings, adopted nine years previously. Would the delegation provide details in that regard and would the matter be pursued with greater speed and deliberation in the future?

23. Welcoming the annulment of limitations on women's marriage after divorce, previously identified by the Committee as a matter of concern, he asked what steps had been taken to amend or annul legislative provisions on adultery? What measures were in place to ensure gender equality in the workplace, particularly measures to guarantee equal pay for work of equal value? In light of the lack of prosecutions of perpetrators of violence against women, which seemed to pose a significant and often lethal problem in Venezuela, he wondered what was being done to ensure that such violence was tackled with vigour.

24. **Mr. Vardzelashvili** noted the unprecedentedly high levels of violence in the State party, the increase in violence against women in particular and the failure to implement the Act on Women's Right to a Life Free from Violence. He requested information regarding the functions of the National Commission on Gender Justice, the regulatory procedures governing the jurisdiction and supervisory functions of the courts in that regard, and procedures for the nomination, transfer and appointment of judges. He asked whether all courts were empowered to hear cases relating to violence against women. Why did article 393 of the Criminal Code remain in force given that it conflicted with the Act on Women's Right to a Life Free from Violence, adopted in 2007? What had been the State party's response to calls from local and student groups to classify forced pregnancy as a punishable offence? He wondered whether the failure to provide statistics with regard to violence against women prior to 2011 was an indication that there were no earlier records for data collection and monitoring in that area. If so, he would like the delegation to explain the absence of such data. The statistics provided in the replies to the list of issues concerning violence against women were confusing, and there did not seem to be any correlation between indictments and sentences in that area. Were such discrepancies the result of a technical error or were there difficulties with data processing and analysis? What was the number of protection measures granted in proportion to the number of cases brought before the courts? Further information on the compensation awarded to women victims of violence and on the capacity of shelters to accommodate them would be welcome.

25. He expressed deep concern at reports of torture and the use of excessive force by law enforcement officials and recalled that the State had an obligation to investigate any abuse of power by officials. Noting that the Committee against Torture, in its 2014 concluding observations (CAT/C/VEN/CO/3-4), had observed that few of the complaints of human rights violations made between 2011 and 2014 had resulted in prosecutions, he requested details of the number of sentences imposed in relation to those prosecutions. What obstacles prevented the effective implementation of the Special Act to Prevent and Punish Torture and Other Cruel, Inhuman and Degrading Treatment and what was the reason for the low number of investigations into reports of torture and ill-treatment? He asked whether the Government envisaged renewing investigations or taking other judicial action with respect to the case of Judge María Lourdes Afiuni. Would the delegation comment on reports that victims of torture were often transferred to military hospitals and did not undergo medical examinations?

26. The Committee would appreciate further information on reports that the authorities had been dissuaded from detaining members of pro-governmental groups

suspected of unlawful activities for fear of the violence liable to be triggered by such detentions. He asked finally how the Act on the Protection of Victims, Witnesses and Other Parties to Judicial Proceedings was being applied in practice.

27. **Mr. de Frouville** expressed concern at allegations that individuals detained between February and June 2014 had not been informed of the reasons for their arrest or provided with legal counsel or medical assistance, and that their families had not been notified when some of them had been transferred to another detention centre. He would like further information on the provisions governing the monitoring of detainees from the start of the detention process, the presence of a lawyer during questioning and the regime of incommunicado detention.

28. He asked for clarification regarding the alleged violations of due process during detentions in the State of Lara in April 2013 and following the protests of May 2014. It had been reported that many of those detained during those protests had not been given the opportunity to prepare their defence, that many trials had been conducted by night, that lawyers had not had access to the evidence presented by the prosecutor, and that the final judgement had not taken the defendant's arguments into account. The release of many detainees had moreover been made subject to restrictions on their rights to peaceful assembly and freedom of expression. He would like the delegation's comments on such allegations, which called into question the independence and impartiality of the judiciary.

29. **Mr. Ben Achour** said that it was important to recognize that certain questions relating to human rights had clear political implications. Venezuela had initiated a democratic socialist revolution that had provoked strong reactions at national and international level. Many foreign governments were concerned to block such experiments. The problem facing governments wishing to carry out social projects for the benefit of their people was that they often had to do so in extremely difficult circumstances, since the domestic reactions to those projects could lead them to adopt policies inimical to human rights. He wished to impress on Venezuela the importance of ensuring that all public policies and social experiments were implemented with absolute respect for human rights. When he heard of judges being arrested and tortured, he was extremely shocked. A government could defend projects inspired by social justice without having recourse to such excesses, which only served to blacken the reputation of the political regime concerned. Where judges adopted a position contrary to that of the State, even where they displayed hostility towards a State, they should be treated with respect in accordance with the country's laws.

30. He wished, finally to know how in practice the courts and legislators implemented the very commendable provisions of article 23 of the country's Constitution stating that international human rights treaties had constitutional rank and prevailed over the Constitution and internal legislation insofar as their provisions were more favourable to the exercise of human rights.

31. **Ms. Cleveland** requested more information on measures taken by the State party, in addition to programmes of the Office of the Ombudsman, to foster a climate of tolerance with regard to sexual orientation and gender identity. Specifically, she wished to know the process for lodging complaints, and would welcome statistics on how many complaints had been received, what investigations had been pursued as a result and what the outcome of the investigations had been. She also asked how many incidents directed against lesbian, gay, bisexual and transgender persons had been reported, how many investigations had been pursued on the basis of such reports, what prosecutions and convictions had resulted and what remedies had been provided to victims. Lastly, referring to the recommendation contained in paragraph 19 of the Committee's 2001 concluding observations, she asked what steps the State party had

taken to ensure that the criminalization of abortion did not pose a risk to the life or health of women.

32. **The Chairperson**, speaking as a member of the Committee, noted that the delegation had given only very general replies to question 1 of the list of issues (CCPR/C/VEN/Q/4) and asked for further details on the procedure for applying the Committee's decisions and following up its Views. In that regard, he also wondered whether the delegation had applied the 2000 Supreme Court ruling on procedures to enforce decisions of international bodies, which the delegation had touched upon in its reply to questions 7, 8 and 9 of the list of issues.

*The meeting was suspended at 4.30 p.m. and resumed at 4.55 p.m.*

33. **Ms. Ortega Díaz** (Bolivarian Republic of Venezuela), stressing the need for treaty body organs to show respect for States parties, said that some of the questions posed by members were based on false premises and subjective value judgements. Stories concerning the rape and torture of a judge, for example, were entirely unfounded and the judge herself had confirmed as much in writing. The Venezuelan State respected human rights and observed due process. All detainees were guaranteed medical attention, access to a lawyer or lawyers of their choice and to their families and were given sufficient time to prepare their defence. A unit within the Public Prosecution Service had its own doctors and experts so that no police or military personnel had to perform medical examinations. The unit was the only one of its kind in the world to have its own laboratories for carrying out forensic and scientific analyses whenever there was prima facie evidence of ill-treatment or abuse. It was not true that the medical examination of Judge María Lourdes Afiuni had been carried out in the context of military hospitals since all such examinations were performed by qualified doctors.

34. Venezuela complied with the Code of Criminal Procedure and the Act on the Protection of Victims, Witnesses and Other Parties to Judicial Proceedings, which had already entered in force and empowered the Public Prosecution Service to protect victims. The Service also coordinated the protection of victims and witnesses throughout Venezuela through protection centres and shelters. One unit in particular had been established to offer female victims a wide range of social services and psychological assistance. The State also assumed the costs in cases of witness protection or if individuals needed to change their identity.

35. The protestors on 12 February 2014 had not been "peaceful", as some sources had implied, but had set light to the buildings of the Public Prosecution Service, destroying priceless historical documents. In the process, many staff had been injured, whereas not a single demonstrator had sustained injuries on leaving the building. The wider violence had left 43 people dead, including a prosecutor from the Prosecution Service, and over 800 injured. Although numerous protestors had been arrested during the events, many had been released without charge since the Public Prosecution Service adhered to regulations regarding lack of evidence.

36. On the specific case of Gerardo Carrero, evidence showed that he had received appropriate care while in detention and had signed a declaration to that effect. As for Gerardo Resplandor, he had not been deprived of liberty and there was no documentary evidence to corroborate any allegations of torture.

37. The Committee should know that whereas in the 40 years of judicial terrorism preceding the Bolivarian revolution not a single public official had been punished for violations to human rights, 14 police personnel had been detained following the demonstrations. The accusations of impunity against Venezuela seemed to be based on the low correlation between the number of cases investigated and the subsequent number of convictions. However, it was to be expected that many cases would not

result in criminal charges for lack of sufficient evidence. Venezuela had moved from an inquisitorial system characterized by a lack of due process 16 years earlier to an adversarial one that respected human rights and was currently one of the most sophisticated and transparent in the region.

38. With regard to statistics on violence against women, more precise figures would be made available to the Committee at a later date. The data centre of the Public Prosecution Service had comprehensive records on the subject, as well as information relating to the criminal justice system.

39. **Ms. Zuleta de Merchán** (Bolivarian Republic of Venezuela) summarized the activities of the Supreme Court in the 16 years since the 1999 Constitution had come into effect. The adoption of the Constitution had established Venezuela as a social state based on the rule of law and justice, giving the courts significant powers to protect individual and collective rights.

40. Since 2001, international human rights treaties had formed a constitutional corpus alongside the Venezuelan Constitution and all rulings to be applied within the Venezuelan legal system were first examined by the Constitutional Chamber of the Supreme Court. The Chamber had the authority to decide whether governmental bodies had failed to comply with their functions and how to remedy such breaches. It was also responsible for protecting the Constitution and for examining the consequences that international treaties could have for Venezuela's constitutional framework.

41. In the case of the 2008 Inter-American Court of Human Rights judgement, in which the Court had ordered the immediate reinstatement of a number of judges of the First Court of Administrative Disputes, the Constitutional Chamber had urged the President to denounce the treaty because the decision would have constituted an unacceptable and illegitimate interference in the sovereignty of Venezuela's judiciary. As regards the independence of powers in Venezuela, under article 236, paragraph 8, of the country's Constitution, the President had the power to legislate through decree laws, subject to the prior authorization of the legislative branch. Provision for delegation of the legislative function to the executive branch through enabling acts was therefore enshrined in the Constitution.

42. As the State and the justice system recognized that violence against women constituted an obstacle to gender equality, vigorous action had been taken to address the issue. Venezuela had played a pioneering role in Latin America by creating the first courts mandated to try cases involving violence against women, including minors. The courts had been operating since 2009 throughout the country. The 2007 Act on Women's Right to a Life Free from Violence had defined 23 criminal offences to be tried by such courts. The Act had been amended in 2014 to include the crimes of femicide and incitement to suicide, which were not subject to statutory limitations. The courts had handed down 40,591 final decisions involving case dismissals, convictions or acquittals.

43. The Supreme Court had established the National Commission on Gender Justice, which was responsible for developing a judicial policy on violence against women. In addition, the Constitutional Chamber of the Supreme Court had taken steps to define the details of such crimes and to speed up the relevant criminal proceedings. Pursuant to a ruling of 2012, victims of violence against women were entitled to institute proceedings concerning impunity if a court failed to hand down a final decision within four months.

44. The governing United Socialist Party of Venezuela applied a policy of gender equality when drawing up electoral lists. The National Electoral Council was taking steps to universalize that policy.



45. Guarantees under the current Constitution entered into effect immediately and did not require the prior adoption of detailed regulations.

46. **Ms. Calderón Guerrero** (Bolivarian Republic of Venezuela) said that the Constitutional Chamber of the Supreme Court had handed down 12 emblematic decisions. For example, judgement No. 953 of 16 July 2013 had revoked article 57 of the Civil Code, which had prevented women from remarrying within 10 months of separating from their previous spouse. Judgement No. 695 of 2015 had revoked article 393 of the Criminal Code on the grounds that it exempted rapists from punishment if they married their victims.

47. With regard to the Committee's Views, adopted in October 2014, concerning the case of Emilio Enrique García Bolívar, the Social Appeals Court of the Supreme Court had complied with the Views by delivering judgement No. 336 of 25 May 2015 and judgement No. 405 of 17 June 2015.

48. **Mr. Devoe** (Bolivarian Republic of Venezuela) said that the Constitution established the procedure for appointing the Ombudsman. The Republican Ethics Council was required to set up an assessment committee to consider candidacies for the post. The committee's conclusions were then submitted to the National Assembly for approval. If the committee was unable to reach an agreement on the most appropriate candidate, the National Assembly was required to adopt the final decision. As the Constitution did not specify the type of majority required in the National Assembly, the Speaker had requested the Constitutional Chamber of the Supreme Court for an interpretation of its provisions. The Chamber had decided that a simple majority was sufficient. The National Assembly had then established a parliamentary committee composed of representatives of the two main political parties, which had assessed the applications for the office of Ombudsman. The Attorney General's Office had approved the appointment.

49. With regard to the accreditation of the Office of the Ombudsman, the procedure adopted by the Accreditation Subcommittee of the International Coordinating Committee of National Human Rights Institutions (ICC) had been criticized by human rights institutions and ombudsman's offices in a large number of countries. There were no grounds to change the structure of the Venezuelan Office of the Ombudsman, which was based on constitutional guarantees of independence and autonomy. Moreover, a new Ombudsman had just been appointed.

50. **Ms. Ortega Díaz** (Bolivarian Republic of Venezuela) said that the National Assembly had adopted an Act to Punish Politically Motivated Crimes, Disappearances, Torture, and Other Human Rights Violations in the Period 1958–1998. The Truth and Justice Commission, established to implement the Act, had conducted investigations of persons who had disappeared or been executed and had provided the figures that she had communicated. However, it was unclear how many people had lost their lives during the Caracazo atrocity in 1989 because the victims had been buried in mass graves.

51. **Ms. Zuleta de Merchán** (Bolivarian Republic of Venezuela) said that she agreed that certain provisions of the Criminal Code and the Civil Code, which had been adopted many decades ago, could be deemed obsolete inasmuch as they discriminated against women. The Constitutional Chamber of the Supreme Court had revoked certain provisions, including article 57 of the Civil Code and article 393 of the Criminal Code. Decision No. 1353 of 2014 had raised the minimum age for marriage, which had been 16 for males and 14 for females, to 16 years in all cases based on a recommendation of the Committee on the Elimination of Discrimination against Women. Decision No. 1378 of 2014 had set up a special court to deal with cases involving victims, particularly minors, who had been subject to offences defined by

the Act on the Right of Women to a Life Free from Violence. A decision against sexual stereotyping had been adopted in 2014. It prohibited, in particular, the publication and dissemination of pornographically explicit pictures.

52. With regard to the alleged disparity in the figures for violence against women provided by courts and the Public Prosecution Service, the figures supplied by the latter related to the initiation of criminal investigations, while those provided by the courts related to cases that had reached the trial stage.

53. **Ms. Ortega Díaz** (Bolivarian Republic of Venezuela) said that a number of public prosecutors had focused attention on the prevention of violence in custodial facilities. In that connection, she referred the Committee to paragraphs 187 and 191 of the State party's reply to the list of issues.

54. **Mr. Rodríguez-Rescia** reiterated his concern regarding the transfer of the legislative function from the legislature through the authorization of decree laws. He asked whether it had recently been decided to reduce the age of criminal responsibility to 14 years. Noting that over 10,000 extrajudicial killings had occurred since 2000 and more than 1,000 in 2014, he asked how many perpetrators had been prosecuted and convicted. He expressed concern about the recent practice of permitting military personnel to exercise police functions. He wished to know whether the State party had complied with the judgement of the Inter-American Court of Human Rights in the *Barrios Family v. Venezuela* case. He wondered whether any progress had been made with regard to the undertaking by the Venezuelan President to develop a national human rights plan following the 2014 clashes. Finally, he asked the delegation to comment on conditions of detention in La Tumba prison.

55. **Mr. de Frouville** expressed appreciation of the Supreme Court decisions mentioned by the delegation. He wished to know whether the legislature had adopted measures to align Venezuelan laws with the provisions of the Covenant. He asked whether the State party was cooperating with the Working Group on Enforced or Involuntary Disappearances in the 10 cases that had been brought to its attention some time ago.

56. **Sir Nigel Rodley** asked for statistics on action to combat violence against women and members of the LGBT community. He enquired about the type of prosecutorial action taken and the outcome of such action in the courts. He requested statistics on equal pay for men and women for work of equal value. With regard to the Medical Legal Institute in the Public Prosecution Service, he suggested that it might be more independent if it were run by the judiciary or the Ministry of Health.

57. **Ms. Cleveland** enquired about the decriminalization of abortion and about the rights of LGBT persons.

58. **Mr. Vardzelashvili** said that the case of Judge Afiuni had been a source of concern for many impartial international observers. The failure to undertake a transparent investigation of the allegations of torture tended to indicate that such acts had in fact been perpetrated. The 12 court cases concerning the excessive use of force after the 2014 demonstrations had not really alleviated concern regarding other reported cases, including alleged assassinations. The State party had an obligation to investigate all such cases.

*The meeting rose at 6.05 p.m.*