



VENEZUELA – Report of the Civil Society regarding the Report of the Venezuelan Estate, The List of Issues, Reply to List of Issues and the General Concluding of the Committee regarding the International Covenant on Human, Economic, Social, and Cultural Rights.

1. The civil association Espacio Público[1] wishes to call the attention of the members of the Human Rights Committee about some aspects of worry regarding some aspects of worry regarding the observance of the observance of the agreements derived from the International Covenant on Economic, Social and Cultural Rights, on the part of the Bolivarian Republic of Venezuela focusing on the access to information as a right characterized for being instrumental regarding instruments regarding budget for exercising other rights. Specifically those subjects concerning feeding, indigenous people, housing, environment and health and last but not least, science and culture.
2. Although the Constitution of the Bolivarian Republic of Venezuela is in charge of protecting the freedom of expression and access to public information, protection, it is also true that it puts to the disposition of the citizens the idoneous mechanisms for demanding before the law the observance of their rights, in those cases where the violated or cut during its exercise, as reflected again in articles 58 and 143 of the Constitution. In a study performed by the Civil Association “Espacio Público” during years 2011, 2012 y 2013, was determined that 84% of the institutions do not answer the requests for information sent to them.
3. The Ministry of the Popular Power for Feeding, by not informing about the production and demand of food fails to fulfill the due accomplishment of his competences and missions, especially when we talk of topics which fundamentally effect the whole Venezuelan population. Article 305 of the Constitution clearly establishes that “production of foods is of national interest and fundamental to the economic and social development of the Nation” [2].
4. That *Instituto Nacional de Estadísticas* (National Statistics Institute) has not published the figures of poverty for year 2014, but the fundamental indicators impacting the growth of poverty during 2013, were even more negative, as there was higher inflation, shortage of products, employment became stagnant, the main Missions kept on crisis, the public health system worsened and less houses were built.
5. The Ministry of the Popular Power for Health rejects to answer the requests for information related to the purchasing, distribution and storage process of medicines from Cuba, in spite that General Account Controlling Office of the Republic in their 2010 report, accepted that the regular situations that the said organization presented regarding that matter.
6. A series of requests for information about diverse topics of sexual and reproductive health, and none of them was answered. Considering that, at not receiving any answer, diverse

insistences were reiteratively sent in order to request the obtaining of information. We especially point out the case of the Minister of the Popular Power for the Health, to which a demand was introduced before the institution for in order to obtain the information. However, the Political Administrative declare inadmissible the resource interposed as they considered that collecting the information requested would hinder and unnecessarily overload the justice administration system.

7. Regarding the topic of environment, diverse requests for information have been introduced, especially related to oil exploiting in the country. In this case the Minister of the Popular Power for Oil and Mining was requested to inform about the policies implemented for the treatment of residue and waste from hydrocarbons; the annual production during years 2012 and 2013; and the maintenance policies of refineries and oil maintenance plants; the institution had no answer for this request.
 8. A request for information regarding education was delivered to the Ministry of the Popular Power for Education in year 2011, in which *Espacio Público* requested to the organization the institutions created during 2011, additionally requesting the educational institutions Nationwide provided with computers and internet, among other requests, none of which was answered.
 9. Regarding science and culture, y highlight in this matter the request for information delivered in 2014 to *Compañía Anónima Teléfonos de Venezuela* (CANTV) regarding blocking off to two web pages. As well as the request to the *Ministerio del Poder Popular para la Educación Superior, Ciencia y Tecnología*, (Ministry of the Popular Power for Science and Technology) about internet blocking off in Venezuela, which was neither answered. About the last a demand was introduced before the Political Administrative Chamber of the Supreme Court of Justice, which declared which declared it unadmittable, considering that the information on telecommunication was unadmittable.[3].
 10. **For all the above said, we request that this Committee:** Urge Estate to publish periodically the information related to inflation, surveys of homes by sampling, economic indicators, epidemic bulletins, and all of that information that should be public. Likewise, that the reports related to Memoria y Cuenta (Accountability reports) of public institutions, economic indicators , treo, epidemic bulletins, and all of that information which should be public. Likewise, that the reports related to the audit report of public institutions, be timely published in the official sites.
 11. Urge Government to approve a Low of Acces to Information and the participation in the diagnosis, design and application of the measures for ensuring that the attainment of Economic, Social, Cultural and Environment, Right to Acces to Public Information, as well as rectifying in the regressive Sentences before the Right to Access to Public Information.
 12. Exhort the State to publish in their oficial websites, the criteria of usability [1] and acessibility in the information, as well as focusing on the y user. All of it omplies that in the websites must be made with a clear language that facilitates comprehension by every person.
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[1] Usability is the judgment of the publication of the information, based on the presentation of data facilitating the use with regard to the form and conditions of use by the users, as well as the characteristics and needs proper of these users.

[1] Founded in year 2002, Espacio Público is a nonprofit, independent, Civil Association whose aim is the promotion and defense of human rights, especially freedom of expression, the right to information and social responsibility in social communication media.

[2] Constitución de la República Bolivariana de Venezuela. Gaceta Oficial No. 5.908 (19/02/2009).

[3] Supreme Court of Justice, Political Administrative Chamber, Exp. AA40-A2014-001142 (12/02/2014)