



# Governing Body

343rd Session, Geneva, November 2021

Institutional Section

INS

**Date:** 15 October 2021

**Original:** Spanish

Ninth item on the agenda

**Consideration of all possible measures, including those foreseen in the ILO Constitution, required to ensure the Bolivarian Republic of Venezuela's compliance with the recommendations of the Commission of Inquiry within the required time frame**

**Addendum: Summary of the communication from the Government of the Bolivarian Republic of Venezuela of 11 October 2021**

1. In a communication of 11 October 2021 (the full text of which is reproduced in the appendix), the Government reiterates its commitment to strengthen opportunities for consultation with the country's social partners, highlighting that the dialogue held in recent months has been very well received by the majority of the partners, leading to an exchange of views and discussions on various issues relating to compliance with Conventions Nos 26, 87 and 144. The Government provides the following up-to-date information on the recent meetings of the technical round tables:
  - (i) Technical Round Table on Convention No. 26: Two meetings were held with employers' and workers' organizations with a view to underpinning the proposals that might be made by the social partners and a written request was sent to all the

employers' and workers' organizations concerning the views of each sector on the minimum wage, preceded by a meeting with the highest authorities of the Ministry of People's Power for the Social Process of Labour (MPPPST). Replies were received from the Bolivarian Socialist Confederation of Urban, Rural and Fishery Workers (CBST-CCP) and the Independent Trade Union Alliance (ASI), and two meetings were held with FEDECAMARAS to discuss its position, opinions, views and perspectives.

- (ii) Technical Round Table on Convention No. 87: Two meetings took place, at which discussions were held on the items included on the agenda (the National Trade Union Registry and specific cases before the supervisory bodies) and, on the basis of the concerns expressed by some workers' organizations, talks began with a view to advancing towards a national register of independent workers.
- (iii) Technical Round Table on Convention No. 144: Two meetings were held, one for a general discussion on the further development of procedures for implementing Convention No. 144, and the other for consultations with the social partners on the Government's reports on Conventions Nos 1, 22, 26, 28, 87, 95, 100, 111 and 144, sufficiently in advance of their submission to the ILO to be satisfactory to the parties.

2. Also, in response to the requests from FEDECAMARAS regarding its affiliates' land issues, the Government reports on actions carried out in respect of livestock trade union organizations: (i) meetings in 2020 between these organizations and the competent authorities, including the highest level of Government, in the framework of meetings with the various national sectors of production; (ii) meetings between representatives of these organizations and the competent authorities to present various requests related to the exercise of their production activities (among which they highlight: a proposed amendment to the Criminal Act for the protection of livestock-related activities; a response to problems inherent in land tenure – with meetings being held at the headquarters of the National Land Institute (INTI) to intensify the search for solutions to cases raised by the Stockbreeders' Federation of Venezuela (FEDENAGA), with the recent list presented by FEDECAMARAS to the ILO and the MPPPST being included on the agenda; and the creation of a foundation comprised of the principal livestock organizations to establish a direct link with the Pan American Center for Foot-and-Mouth Disease and Veterinary Public Health); and (iii) various meetings since March 2021 between FEDENAGA and the INTI, aimed at reaching consensus on policies to promote this primary sector of the national economy (highlighting the creation of a technical committee to discuss matters of concern to FEDENAGA and the INTI, including the list of cases relating to large farms in difficult circumstances – to date FEDENAGA has prioritized 12 cases, and the administrative procedures implemented are being reviewed to determine possible solutions to the cases raised – as well as progress in the certification of farms that could be improved or that are productive).

## ► Appendix

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### Communication sent by the Government of the Bolivarian Republic of Venezuela on 11 October 2021

No. 114/2021

Caracas, 11 October 2021

**Mr GUY RYDER**

**Director-General of the International Labour Office  
International Labour Organization (ILO)**

Dear Director-General,

I extend to you warm revolutionary greetings on behalf of the Government of the Bolivarian Republic of Venezuela and on my own behalf.

I am writing to you on the instructions of the Minister of People's Power for the Social Process of Labour, Mr José Ramón Rivero, in the context of the 343rd Session of the ILO Governing Body to be held this November. In this regard, may this letter serve to reiterate the statements that have been made by the Government of the Bolivarian Republic of Venezuela throughout the year in respect of our firm commitment to continue improving compliance with the ILO Conventions that have been ratified by our Republic and to strengthen opportunities for dialogue and consultation with the various social partners that exist in the country. As you have been duly informed, since the beginning of this year, various opportunities for meetings, dialogue and consultations have been created in accordance with the provisions of the ILO Conventions.

It is important to reiterate, Mr Director-General, that in recent months, this dialogue with the various social partners has been very well received by the majority of the partners, leading to an exchange of views and discussions on various issues relating to compliance with ILO Conventions Nos 26, 87 and 144, which was the subject of the complaint that gave rise to the Commission of Inquiry against our country.

In this regard, we wish to reiterate the views we expressed in our communications Nos 269 dated 14 May 2021, 302 dated 26 May 2021, 360 dated 9 June 2021, 405 dated 22 June 2021, 409 dated 23 June 2021, 523 dated 13 July 2021 and 540 dated 21 July 2021, respectively, in which we duly reported the steps taken by the Bolivarian Government throughout this year to strengthen social dialogue, which, in our opinion, is the way to build peace and labour stability in Venezuela and create an enabling environment for the settlement of disputes between the various worker and employer partners and the Government.

In addition to what was set forth in the above-mentioned communications, we would like to inform you, Mr Director-General, by means of the report appended hereto, of the latest measures taken by the National Government to respond to the requests and allegations made by the various trade union and business sectors that exist in the country.

With no further points to raise, I once again convey to you, Director-General, the assurances of my highest consideration.

Yours sincerely,

*(signed)* Rosalía Zingales  
Deputy Minister for the Integrated System of Labour  
Inspection and Social Security  
Official Gazette of the Bolivarian Republic of Venezuela  
No. 41,967 of 17 September 2020, Decree No. 4324

## Executive summary

### Progress made by the Government of the Bolivarian Republic of Venezuela

1. In the context of the **large-scale meeting for national dialogue** held in the Bolivarian Republic of Venezuela from 21 May to 23 June 2021 with the various workers' and employers' organizations and in line with the Government's commitment to establish technical round tables on ILO Conventions Nos 26, 87 and 144, meetings took place in the context of each of these round tables, as described below.

- Technical Round Table on Convention No. 26: With regard to the Minimum Wage-fixing Machinery Convention, two meetings were held with employers' and workers' organizations at which discussions took place on methods and procedures for fixing minimum wages, with emphasis on the socio-economic indicators needed to underpin the proposals that the social partners might make to the National Executive in this regard.

In the framework of this dialogue, a formal request was made in writing to all employers' and workers' organizations concerning the views of each sector on the minimum wage, preceded by a meeting with the highest authorities of the Ministry of Labour. Replies were received from two trade union organizations, the Bolivarian Socialist Confederation of Urban, Rural and Fishery Workers (CBST-CCP) and the workers' confederation the Independent Trade Union Alliance (C-ASI). Similarly, two meetings were held with FEDECAMARAS to discuss its position, opinions, views and perspectives on the issue of minimum wage-fixing.

- Technical Round Table on Convention No. 87: Two meetings took place, at which discussions were held on the items included on the agenda, namely the National Trade Union Registry and specific cases being examined in the framework of the various ILO supervisory bodies. Regarding Cases Nos 3385 and 3374, which concern allegations by trade unions, information was provided to the Committee on Freedom of Association in official letters Nos 102 dated 22 September 2021 and 103 dated 28 September 2021.

Within the framework of this round table, on the basis of the concerns expressed by some workers' organizations, talks began with a view to advancing towards a national register of independent workers in accordance with the provisions of our country's labour legislation. In these initial talks, progress was made in reviewing the legal framework and the current situation in the sector, with a view to establishing, together with workers' organizations, the parameters, requirements and other guidelines for a register of workers organized under this category.

- Technical Round Table on Convention No. 144: In the context of this round table, two meetings were held, one for a general discussion on the further development of procedures for implementing Convention No. 144, and the other for consultations with the social partners on the reports to be submitted by the Government on Conventions Nos 1, 22, 26, 28, 87, 95, 100, 111 and 144, sufficiently in advance of their submission to the ILO to be satisfactory to the parties.

2. In response to the requests made by the organization Fedecámaras with regard to the land tenure situation of some of its affiliates, the Ministry of Popular Power for Productive Agriculture and Land, the body responsible for the issue, reported on the

actions taken by the National Executive to address the requests of the livestock trade union organizations, highlighting in particular:

- Meetings held in 2020 between the livestock trade union organizations and the highest level of Government, one of which was led by the President of the Bolivarian Republic of Venezuela, Citizen Nicolás Maduro Moros, in the framework of meetings with the various national sectors of production, including the trade union organizations affiliated to Fedecámaras.
- Various meetings were also held between the representatives of the livestock organizations the **Stockbreeders' Federation of Venezuela (FEDENAGA)**, the **National Confederation of Farmers and Stockbreeders (CONFAGAN)** and the **Venezuelan Meat Council (CONVECAR)**, and various bodies and teams from the Ministry of Popular Power for Productive Agriculture and Land, such as those associated with Integral Livestock Development, and legal consultancy to present various requests relating to the exercise of their production activities, including in particular:
  - Proposed amendment to the Criminal Act for the protection of livestock-related activities: Intensive discussions were held with livestock trade unions, focusing on the bill to amend the Criminal Act for the protection of livestock related activities, with the competent institutions from the agricultural sector linked to this regulatory proposal, including the Attorney General's Office, the Public Prosecutor's Office, the Executive Directorate of the Judiciary, the Ministry of Internal Relations, Justice and Peace, and the Ministry of Defence, among other institutions that were engaged in in-depth study of the draft bill.
  - Response to problems inherent in land tenure: Throughout the whole of 2021 discussions have continued with the livestock trade unions, with meetings being held between a high-level delegation of FEDENAGA comprised of its president, vice president and legal advisor, and high-level authorities from the Ministry of Popular Power for Productive Agriculture and Land and the presidency of the National Land Institute, as well as the representation of the National Institute for Comprehensive Agricultural Health. The last of these was held recently, on 14 September. On that occasion, various points were discussed with this trade union organization, with responses being provided to the most emblematic cases, and technical round tables being held at the headquarters of the National Land Institute to intensify efforts to find solutions to the cases raised by the trade union organization; among these issues on the agenda is the recent list presented by the organization Fedecámaras to the ILO and to the Ministry of Popular Power for the Social Process of Labour.
  - At the beginning of last year, a proposal was received for the creation of a foundation comprised of the principal livestock organizations to establish a direct link with the Pan American Center for Foot-and-Mouth Disease and Veterinary Public Health (Panaftosa) and attend to their herds. For this purpose, in December 2020 the **Venezuelan Foundation for Animal Health Services** was set up to support the care of the national herd, in order, among other things, to liaise directly with the regional animal health organization and to acquire vaccines against foot and mouth disease for the national herd. This foundation was effectively constituted by three of the country's most important livestock trade union organizations: the **National Confederation of Farmers and Stockbreeders (CONFAGAN)**, the **Venezuelan Meat Council (CONVECAR)**, and the **Stockbreeders' Federation of Venezuela (FEDENAGA)**, with the support of the

Ministries of Popular Power for Productive Agriculture and Land and for Internal Relations, Justice and Peace.

- In the framework of the dialogue and national reconciliation promoted by our Government, various meetings have been held since March of this year between the organization FEDENAGA and the National Land Institute (INTI), aimed at reaching consensus on policies to promote the primary sector of the national economy. These include, in particular:
  - The establishment of round tables to build a climate of trust to stimulate investment and the recovery of fundamental production capacities aimed at ensuring food security; to date five meetings have been held to discuss FEDENAGA's requests.
  - Incorporation of FEDENAGAS associations into the farm certification programme; to date we are awaiting the list of producers that will apply for certification as farms that could be improved or that are productive.
  - A technical committee was formed to discuss matters of concern to FEDENAGA and the INTI, including a list of cases of large farms in difficult circumstances.
  - Progress is being made in decision-making by national bodies regarding cases of large farms in difficult circumstances; to date FEDENAGA has prioritized 12 cases of large farms in difficult circumstances, and the administrative procedures implemented are being reviewed to determine possible solutions to the cases raised.
  - In September of this year, progress is being made in the certification of farms that could be improved or that are productive – around 61 properties in Bolívar State, in the southern part of the country, and FEDENAGAS agreed with the technical committee to provide logistical support to speed up the granting of the abovementioned certifications.