

Violations of Economic, Social and Cultural Rights at Universidad Central de Venezuela

This alternative report is presented by the Center for Peace and Human Rights of the Central University of Venezuela (Centro para la Paz y los Derechos Humanos de la Universidad Central de Venezuela, CPDHUCV). Since 1986, this department has been working for education, research and defense of human rights, peace, democracy, academic freedom and economic, social and cultural rights. The CPDHUCV is responsible for training people through courses and workshops in which the main purpose is providing the necessary tools to advance the human rights agenda in Venezuela.

This contribution is aimed at providing information to the Committee on Economic, Social and Cultural Rights (CESCR) regarding the observance of the Venezuelan obligations derived from the International Covenant on Economic, Social and Cultural Rights (ICESCR), based on the right to health, food, salary, education, public services and security in the university community.

Email : Centroparalapazddhucv@gmail.com

Written by, Juan Carlos Barreto, Research profesor Center for Peace and Human Rights, UCV

Summary

1. Since 2015, Venezuelan human rights organizations have warned that Venezuela is facing a complex humanitarian emergency. On 25 September 2018, the Venezuelan National Assembly, in accordance with its constitutional powers, declared a complex humanitarian emergency in education¹. In the considerations of this declaration, with regard to university education, it states that: the collapse of the higher education subsystem as a result of years of economic siege by the national government, the impediment of research and extension work, the emergence of new careers, causing forced migration and social inequality. On 3 October 2018, the UCV's University Council also declared a humanitarian emergency for all workers, teachers and students².
2. The content of this report is based on the testimonies of teachers, researchers, technical staff and workers of the UCV, since 2016, until 2021³. The situation of vulnerability of this community and their families was described and recorded with regard to Economic, Social and Cultural Rights (ESCR). This information is based on the conditions they live and work since 2016. The present report aims to provide an alternative view of the violation of the rights of members of the UCV community.

Violations of the Right to Health of the university community and its family

3. Since 2016, UCV community and family have presented health contingencies, while 16.5% had been attended on public health system, the remaining 83.5% had to resort to private channels and aid campaigns to obtain the required assistance.
4. Since 2017, University health programmes have been administered by the Venezuelan Government, who imposed the Integral Health System of the Ministry of University Education (SISMEU).
5. This System (SISMEU) shows the Venezuelan state's lack of interest in the health of university community. SISMEU coverage is Bs. 5,000,000, (1.6 USD)⁴. In case of an extra medical coverage, it must be requested to the Ministry of University Education. This procedure slows down the response and discriminates against beneficiaries.

Right to health suspended in quarantine

6. On 05 June 2020, UCV was informed by SISMEU coordinator, Luis Mosqueda, about the suspension of all health services (including emergencies, letters of endorsement, consultations, reimbursement, ophthalmology, dentistry)⁵.
7. According to testimonies of university workers, there were no guarantees to cover health contingencies during the pandemic period, thus violating the right to health and the clauses established in the collective agreements in force, which govern aspects related to the health of university staff. During five months of 2020 and until 5 February 2021, at least 11,000 UCV workers were left without access to health services.
8. Venezuelan State has no guaranteed socio-economic rights of university community, causing uncertainty and insecurity and placing all the staff at risk of violation of health, food and education rights. This is a disadvantage situation for the full exercise of their rights and freedoms, this community has been excluded from achieving Sustainable Development Goals 1,2,3,4,5,8 and 10.
9. Venezuelan State has ignored and violated the commitments with universities. Autonomous universities have been politically discriminated because they do not agree with government ideology.

Vulnerable population excluded from medicines and treatment access

10. Professors and other members of the university community become a vulnerable population at constant social risk due to their high ages and their precarious salaries. The average age is 63 years old⁶, which means that a significant part of the university population suffers from chronic illnesses and requires permanent medication (It means 60.1% of the consulted people). Of this total, 76.3% had limitations in covering their treatment.
11. The main reason for non-compliance with permanent medical treatment is workers socio-economic condition and the lack of the medicines in private premises and public institutions that must supply them.

Right to food

Access to an appropriate alimentation

12. With 87.2% of respondent in the university community said that their total income (salary and other contributions) does not allow them to cover access to food for them and their families. A high proportion of this community has not well nourished, so their health is permanently at risk.
13. 25.50% do not eat the minimum of three meals a day. While 81.50% do not eat complementary snacks, recommended for proper functioning of the metabolism. 2 Of 3 consultants answered had cut down on any meal in their daily diet.

The quality of food

14. The food situation has been reduced in quantity, but also in terms of quality. 90.6% of university members have stated that the food of their families is not balanced. The food quality has decreased as a result of low salaries. The consumption of animal protein and fruit has also decreased. The diet is based on flour and starches despite they offer calorie intake but not enough vitamins and minerals. This situation increases health problems, anemia, due to a lack of iron; and accelerates certain diseases such as diabetes and high blood pressure.
15. The access to and the low quality of food is causing lose weight. This represents an example and a consequence of a complex humanitarian emergency that has a negative social impact. Ironically, professional and working population are those who are suffering for this situation, it means their work does not guarantee the minimum right to subsistence.

Salary control and salary reduction policy

Salary restrictions

16. Since 2016 until now, the salaries of this community have not guaranteed the minimum living conditions. 97% of the university community have indicated that the salary imposed by Venezuelan State is insufficient. And They reject the budget control imposed as a policy to the universities by the Ministry of University Education, without any approval and discussion with the university sector.
17. In 2009, 2010 and 2012, the university sector did not receive any increase in their salaries and in 2015, the salary was below the national minimum wage. The hyperinflation that Venezuela has been experiencing since 2016, has meant that salaries are far from being sufficient to guarantee a decent standard of living that allows for the enjoyment of other fundamental rights.

Salary Control

18. In November 2020, the UCV received guidelines from the Ministry of University Education, named **Public Administration Remuneration System**, an instruction for application to collective bargaining agreements in the framework of the reconversion of the university sector⁷. The new payment criterion contains central government guidelines, leaving university salaries between USD 3.00 and USD 9.49 per month.
19. The result has been the widespread impoverishment of the university community, which is not only a violation of the human right to a salary, but also violates SDG 8, causing the loss of

opportunities for promotion and advancement, as well as socio-economic benefits signed and ratified by the Venezuelan State, generating serious political, economic, social and cultural consequences on a community that is now affected in all aspects of human dignity. Clearly failing to comply with SDGs 1, 5, 8 and 10.

20. The UCV has questioned to the Ministry of University Education, clarifications on salary instructions, elimination of bonuses, and unilateral adjustments, and until now date no response has been received.

Limitations on University Education

University education affections

21. The economic conditions affecting UCV students are the result of the national government's attempts to control and intervene administratively in the autonomous universities since mid-2003⁸.
22. Since 2018, the CPDHUCV has been registering the characteristics that have aggravated the conditions of the university sector for the effective exercise of ESCR, with emphasis on quality education and other related rights, analyzing thousands of students affections on education.
23. The needs of the population that represents the future of the country, are not prioritize by the Venezuelan State. It is evidence in the lack of support for young university students who must be keep studying and becoming high quality professionals for the next generations, reducing Venezuelan migration.

No conditions for the continuation of university studies

24. Between 2016 and 2021, three factors were identified as negatively influencing the educational process. Firstly, the budgetary restriction in the university, which exceeds the 90% deficit gap between the resources requested to the government and those that are actually allocated. Second factor is the low remuneration for academic activity, increasing the number of resignations from 1.200 in 2019 to 2000 in 2020. The third factor is the loss of incentive to study. Many students are discouraging the possibility of pursuing a university degree because of the current crisis. In 2017, the UCV presented a report that showed that between 2008 and 2017, enrolment decreased by 15,741 students. This represents 33.13% of the total student body that existed in 2008, which was 47,503 students. By 2019, enrolment had dropped by 50%.

Studies prosecution in Pandemic

25. In 2020, the CPDHUCV recorded that at least 52% of consultant students are not sure of finishing their studies, and point out the lack of basic services in their homes (water, electricity failures, mobile and fixed telephony, internet access) as necessary to continue with their education. Meanwhile, 30% say they need to work to contribute to the family economy; and only 18% expressed their desire to finish their studies.

Decrease in resources for the payment of student scholarships

26. In 2010, the UCV granted 5000 scholarships to students, meanwhile in 2019 it only granted 200 scholarships, due to the lack of economic resources for new scholarship holders. In 2019 the Ministry for University Education stopped sending financial resources to the university.
27. Article 103 of the Venezuelan Constitution states the equality of conditions and opportunities in education, expressing that the State "will support institutions and services sufficiently endowed to ensure access, permanence and completion in the educational system". In the case of the UCV, the State has not complied with and ignored the organization created to guarantee scholarships and payroll for students.
28. In May 2020, the National Executive made the payment of scholarships through the "Carnet de la Patria", after removing this competence from the UCV in 2019⁹, leaving the payment in the amount of Bs S. 320,000.00. The reference indicator of the BCV, for the payment date was Bs S. 176,538.04 per dollar, leaving the payment in 1.8 dollars per month.

Access to Public Services

Potable water

29. 97% of the university community has potable water and electricity services in their homes, although the irregularity of both limits access to them and compromises the quality of life in their families and places of work and study.
30. Potable water is vital in any circumstance to provide quality of life and health. It is especially necessary in pandemic contexts that impose extreme personal hygiene and confinement measures.

Electric Power

31. 36.1% of the university community has a constant supply of electricity. A total of 63.9% indicated that they suffer from interruptions in electricity service for hours, several times a week. Although the supply of electricity is not literally a human right, it limits access to essential rights such as: potable water, since pumping systems are powered by electricity; food, since interruptions affect the food industry and domestic refrigeration; and the right to be informed, since the devices that make connectivity possible require it to function.

Absence of safe environments for university education.

Physical and Personal Security

32. 77.7% of the university community perceives the university campus as a dangerous place. 34.3% have been victims of a criminal act within the university, while 88.3% know a colleague who was a victim of a criminal act. Thus, insecurity would be affecting, in addition to the right to life and property, it also affects the right to work in safe environments and the right to quality education. Between 2016 and 2021, 812 incidents of insecurity have been registered in the UCV. The UCV has requested support from the national government for the

protection of its facilities, as well as to recover some spaces that are targets of crime, these requests have not had official responses.

Recommendations

33. Design and implement, urgently an emergency plan to address the current humanitarian crisis in their community.
34. Design specific, short-term, high-impact policies and plans to address the lack of protection in the areas of health and food.
35. To promote social dialogue mechanisms between workers through their representatives, university authorities and representatives of the central government responsible for university education, in order to reach labor agreements, in which a process of reversal of the current precariousness of the reality of university workers' salaries is initiated.
36. Make investments and take the necessary decisions to overcome the current collapse of public services.
37. Include university students, specifically, within the projects derived from the execution of the Humanitarian Response Plan. Venezuela 2021, sponsored by the United Nations¹⁰.

¹ El Universal. Disponible en : <https://www.eluniversal.com/politica/21580/an-aprobo-un-acuerdo-para-declarar-la-emergencia-humanitaria-compleja-de-la-educacion-en-venezuela>

² UCV Noticias. Disponible en : <https://ucvnoticias.wordpress.com/2018/10/03/consejo-universitario-de-la-ucv-se-declara-en-emergencia-humanitaria/>

³ Informe completo DESCA UCV Disponible en:
<http://saber.ucv.ve/bitstream/10872/21484/1/Informe%20DESCA%20UCV%202021%20Repositorio.pdf>

⁴ Ver: <http://notiadmin.ucv.ve/?p=11476>

⁵ Disponible. <http://www.ucv.ve/organizacion/vicerrectorado-administrativo/direccion-de-asistencia-y-seguridad-social/division-de-servicios-de-salud-hcm-y-seguridad-social/blog.html>

⁶ Ver: <https://twitter.com/apucv/status/1174689088131276801>

⁷ Disponible:
http://www.ucv.ve/fileadmin/user_upload/vrad/documentos/RRHH/Publicaciones/Criterios_de_Pago/A0093_Universidad_Central_de_Venezuela_UCV_.pdf

⁸ Sistema paralelo universitario en Venezuela 2003/2019 <https://www.uladdhh.org.ve/wp-content/uploads/2019/05/Informe-El-sistema-paralelo-universitario-en-Venezuela.-2003-2019-Descargar.pdf>

⁹ Ver en. <http://notiadmin.ucv.ve/?p=11551>

¹⁰ Ver: <https://reliefweb.int/report/venezuela-bolivarian-republic/venezuela-plan-de-respuesta-humanitaria-actualizaci-n-2021>