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IMPLEMENTATION OF THE INTERNATIONAL COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Second periodic reports submitted by States parties
under articles 16 and 17 of the Covenant

Addendum
VENEZUELA* **

[8 July 1998]

* The initial reports concerning rights covered by articles 6 to 9 (E/1984/6/Add.1), 9 to 12 (E/1980/6/Add.38) and 13 to 15 (E/1982/3/Add.33) of the Covenant submitted by the Government of Venezuela were considered by the Working Group of Experts at its 1984 session (see documents E/1984/WG.1/SR.7, 8 and 10) and at its 1986 session (see documents E/1986/WG.1/SR.2, 5, 12, 17 and 18) respectively.

** The information submitted in accordance with the consolidated guidelines concerning the initial part of the reports of States parties is contained in the core document (HRI/CORE/1/Add.3).

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Policies relating to scientific and technological development

378. The official organ of the Venezuelan State responsible for promoting and consolidating scientific and technological research activities in the country and for encouraging and coordinating bodies which carry out such research and for planning activities in the science and technology sector is the National Scientific and Technological Research Council (CONICIT), which was established by law on 13 July 1967 and which is currently governed by the National Council for Scientific Research Act, which has been in force since 13 December 1984 (annex 22).

379. CONICIT is an auxiliary organ of the national executive. It maintains relations of coordination with other public and private organizations with regard to national and regional planning of technological development and the transfer of technology. It promotes scientific and technological research and development in the various regions of the country and deals with their particular needs and resources.

380. Its main mission is to contribute to the development of the processes of the creation, dissemination and use of scientific and technological knowledge, linking the country's research and knowledge

through the planning, promotion and coordination of a wide network of initiatives, with the participation of various social actors, in order to upgrade the capacity of Venezuelan society for innovation and improve the quality of life of the population. It carries out these functions within the parameters of democracy, equity and environmental sustainability, promoting and increasing the value of scientific research and technological innovation.

381. The functions of CONICIT are as follows:

(a) To formulate, jointly with other departments of the public administration, the National Plan for Science and Technology and to coordinate, monitor and evaluate its execution;

(b) To coordinate the activities of the organizations and bodies which make up the science and technology sector;

(c) To make recommendations to the national executive on the allocation of financial resources for the sector;

(d) To advise public and private organizations on matters relating to science and technology;

(e) To promote and encourage the development of national and regional scientific and technological research institutions, units, laboratories, centres and institutes, to facilitate their creation and strengthening, and to coordinate and evaluate their activities;

(f) To promote the generation of scientific and technological knowledge and contribute towards its incorporation into the economic and social system of the country;

(g) To establish and maintain registers of information to permit knowledge of the state of scientific and technological research and of the human and material resources devoted to that activity;

(h) To promote information services in the sector;

(i) To propose international policies to be applied in the country in the science and technology sector;

(j) To encourage scientific and technological research activities through incentives such as prizes, fellowships and subsidies;

(k) To promote, jointly with higher educational and research institutions, the training and incorporation of specialized human resources for research and development;

(l) To promote scientific publications and meetings and events which may contribute to the dissemination of knowledge on the subject;

(m) To encourage scientific and technological exchanges with other countries; and

(n) To coordinate the activities necessary to achieve compliance in the country with the commitments relating to science and technology deriving from international agreements.

Legislative measures with regard to science and technology

382. Various constitutional and legal provisions deal with the development of science, copyright and scientific research in the country.

383. Article 100 of the Constitution states that "Rights to scientific, literary and artistic works, inventions, trade names, trade marks and slogans shall be protected for the period of time and under the conditions established by law".

384. Article 1 of the Copyright Act states that "The provisions of this Act shall protect the rights of authors of creative works whether of a literary, scientific or artistic nature". The regulations concerning that Act develop the principles contained therein.

385. Article 106 of the Constitution states that "The State shall see to the protection and conservation of the natural resources within its territory, and the exploitation thereof shall be directed primarily towards the collective benefit of the Venezuelans".

386. Venezuela is a member of the Board of the Cartagena Agreement and has incorporated into the regulations in force Decision 344, which deals with the rights of inventors to their creations through patents and the rights of business people to the signs they use to distinguish their products in the market through trade marks. Decision 345 of the same Agreement recognizes and guarantees the protection of the rights of the inventor, and thus protects and encourages research. The aim of Decision 351 is to recognize adequate and effective protection for authors and other holders of rights to creative works in the literary, artistic or scientific field.

387. Article 58 of the Income Tax Act creates tax incentives to promote the development of technological activities by establishing a tax reduction on earnings derived from activities designed to result in the effective increase in the productive capacity of enterprises other than hydrocarbons.

388. The national executive has prepared a draft Organic Science and Technology Act, which would establish the legal bases for scientific and technological development, the rights of its authors and the dissemination of its results.

International cooperation

389. Venezuela has signed cooperation agreements with other Latin American countries for the development of joint scientific and technological research and development projects, for the exchange of information, researchers and publications, and for the organization of courses, seminars, symposia, congresses and other meetings, with Chile (1990 and 1991), Ecuador (1986), Peru (1993), Colombia (1993), Brazil (1995) and Mexico (1989).

390. It also signed an Agreement on Scientific and Technological Cooperation with the United States of America in 1990 and a Memorandum of Understanding with the Institute of Standards and Technology of the Department of Commerce of the United States of America on technological

and scientific cooperation (1992). It has signed agreements with France (1985), Hungary (1985), Italy (1987), Austria (1995) and other European countries.

391. Cooperation with multilateral organizations has been developed through assistance agreements (UNESCO, FAO, UNIDO, UNCTAD) and financial agreements (IDB).

392. With the Inter-American Development Bank, it signed the CONICIT-IDB Agreement to support the Programme for the Activation, Mobilization and Modernization of the National Science and Technology Sector. Also, with IDB funding up to 50 per cent of the cost of the programme, research has been carried out in the areas of biotechnology (health, agriculture and industry), electronics, computer science, new materials and applied chemistry.

Ongoing programmes

393. Work is being done on various programmes:

(a) Economic subsidies for research projects on request (individuals), financed for up to three years. This programme operates also for groups of researchers at one or more institutions;

(b) Subsidies for the creation or strengthening of research centres. This is a permanent funding programme with periodic evaluation of the management. The support includes funding for the training of personnel, both within and outside the country, attendance at congresses, the acquisition of equipment and materials, and the repair of equipment;

(c) Subsidies for international cooperation projects, in particular those undertaken in the context of cooperation agreements with other countries;

(d) Agenda programmes, comprising activities which vary according to specific needs, for example: Health agenda in frontier states (Zulia, Táchira, Apure, Amazonas, Bolívar and Delta Amacuro); Social agenda, with the specific theme of urban violence; Environmental agenda (Guayana and Amazonas) on biodiversity and oceanology; Agriculture agenda, with the specific themes of cacao and sesame; Petroleum agenda; and Education agenda;

(e) Training of research workers: fellowships and credits, travel costs, and refresher courses;

(f) Programmes directed specifically towards the national productive sphere. Technical and financial support to enterprises for research work; financing of laboratories which serve the productive sector; technical strengthening and financing of research centres; special studies to identify needs and shortages in the productive sector; copyright for legal advice in the negotiation of patents; and so on;

(g) Dissemination programmes. Publication of the review Reto; publication of the review Revista de Ciencia y Tecnología; convening and financing of the Youth Science Festival; and so on.