

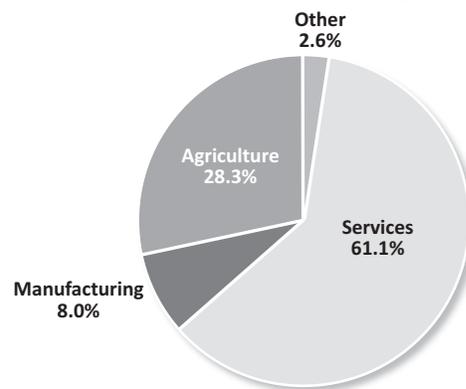
# Venezuela

The Government of Venezuela has established a legal framework to protect children from the worst forms of child labor. However, children continue to engage in exploitative work in agriculture, domestic service, and on the streets. Government policies and programs aim to alleviate poverty and provide access to education, however they do not specifically target the children engaged in the worst forms of child labor in agriculture and domestic service.



## Statistics on Working Children and School Attendance

Children	Age	Percent
Working	10-14 yrs.	5.4%
Attending School	5-14 yrs.	94.9%
Combining Work and School	7-14 yrs	4.0%



## Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Venezuela are exploited in the worst forms of child labor in agriculture and a variety of service sector occupations.<sup>5360</sup> Children working in agriculture may face hazards, such as dangerous machines and tools, transporting heavy loads, and applying harmful pesticides.

Girls perform domestic service, which may involve long hours of work and may expose them to physical or sexual exploitation.<sup>5361</sup> There are large numbers of street children in Venezuela, who may be exposed to a variety of hazards, including severe weather conditions, accidents caused by proximity to vehicles, and vulnerability to criminal acts.<sup>5362</sup>

Children are trafficked for the purpose of prostitution.<sup>5363</sup> Child prostitution occurs in urban areas, such as Caracas and Maracaibo and in resort destinations, such as Margarita Island.<sup>5364</sup> Although evidence is limited, there is reason to believe

that the worst forms of child labor are used in the production of pornography.<sup>5365</sup>

## Laws and Regulations on the Worst Forms of Child Labor

The Organic Labor Law (LOT) and the Organic Law for the Protection of Children and Adolescents (LOPNNA) set the minimum age for work at 14. LOT permits children between the ages of 14 and 16 to work only with the consent of their legal guardian.<sup>5366</sup> LOT prohibits minors from working in mining, welding, and other dangerous activities that threaten their lives or health, but it does not provide a comprehensive list of hazardous activities.

The National Constitution and LOPNNA prohibit forced labor, debt bondage, slavery, and trafficking in persons, including children.<sup>5367</sup> LOPNNA forbids all forms of sexual exploitation and states that the Government must offer assistance free of charge to children who have been victims.<sup>5368</sup> The Special Law Against Computer Crimes prohibits electronic

pornography involving children.<sup>5369</sup> The law also forbids inducing solicitation for prostitution, corruption of minors, and international trafficking, and it establishes penalties depending on the severity of the crime.<sup>5370</sup> LOPNNA also prohibits selling or offering tobacco, alcohol, arms, fireworks, and drugs to minors.<sup>5371</sup>

The age for compulsory and voluntary recruitment to the armed forces is 18.<sup>5372</sup>

	C138, Minimum Age	✓
	C182, Worst Forms of Child Labor	✓
	CRC	✓
	CRC Optional Protocol on Armed Conflict	✓
	CRC Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography	✓
	Palermo Protocol on Trafficking in Persons	✓
	Minimum Age for Work	14
	Minimum Age for Hazardous Work	No
	Compulsory Education Age	15
	Free Public Education	Yes

### Institutional Mechanisms for Coordination and Enforcement

The National Superior System (NSS) for the Integral Protection of Children and Adolescents is charged with protecting children’s rights, including addressing child labor issues. The NSS is made up of several government ministries and councils and representatives from civil society.<sup>5373</sup> However, research has not identified specific activities or programs carried out by NSS for the Integral Protection of Children and Adolescents.

The Ministry of Popular Power for Labor and Social Security (MPPLSS) enforces labor laws, including child labor laws.<sup>5374</sup> The Ministry of Popular Power for Interior and Justice (MPPIJ) enforces laws such

as those against child trafficking through associated directorates<sup>5375</sup> For instance, the Crime and Prevention Directorate and the Scientific, Penal, and Criminal Investigation Directorate are responsible for investigating trafficking cases.<sup>5376</sup> There were a small number of trafficking cases filed and resolved during the reporting period; it is unknown, however, how many of them involved children.<sup>5377</sup>

### Government Policies on the Worst Forms of Child Labor

The Simón Bolívar Development Plan (2007-2013) addresses issues related to poverty, social exclusion, and lack of access to education. One of its objectives is to eradicate extreme poverty by improving the health care and education systems.<sup>5378</sup>

The Government of Venezuela and UNICEF launched a Plan of Action (2009 – 2013), which aims to help children and adolescents by focusing on education, social inclusion, and violence prevention.<sup>5379</sup>

The question of whether these policies have an impact on the worst forms of child labor does not appear to have been addressed.

### Social Programs to Eliminate or Prevent the Worst Forms of Child Labor

During the reporting period, the Government of Venezuela conducted awareness-raising campaigns to combat the commercial sexual exploitation of children, forced child labor, and child sex tourism. It aired public service announcements, distributed pamphlets and posters, and operated a 24-hour hotline for victims of trafficking.<sup>5380</sup>

The Government continued to participate in the MERCOSUR initiative Niño Sur (Southern Child) and the Joint Group for the Elimination of Commercial Sexual Exploitation of Children in Tourism in South America. Niño Sur raises awareness of commercial sexual exploitation, improves countries legal frameworks, and exchanges best practices for protecting and assisting victims of commercial sexual exploitation.<sup>5381</sup> The Joint Group conducts prevention and awareness-raising campaigns to combat the commercial exploitation of children in Latin America.<sup>5382</sup> The Government of Venezuela also

continued to participate in a project funded by the Government of Spain to eliminate child labor in Latin America.<sup>5383</sup>

The Government continued carrying out the Program to Dignify Working Children and Adolescents (PRODINAT). This program seeks to improve working conditions for child laborers by setting up businesses where children work in healthy and safe environments.<sup>5384</sup> The Government also operates a network of social programs called “Social Missions” to improve the social and economic well-being of vulnerable groups, including children.<sup>5385</sup> The *Negra Hipólita* Mission provides social services targeting

street children, pregnant minors, disabled people, and very poor adults.<sup>5386</sup> The Neighborhood Children Mission works exclusively with people under 18 to eradicate exploitation, harassment, and physical and psychological abuse.<sup>5387</sup> The Robinson I and II Missions provide education and vocational training to children and adults.<sup>5388</sup>

Research found no evidence that the Government of Venezuela is carrying out programs to assist children involved in the worst forms of child labor in agriculture and domestic service. Moreover, studies of children engaged in the worst forms of child labor are not readily available.

**Based on the reporting above, the following actions would advance the reduction of the worst forms of child labor in Venezuela:**

**IN THE AREA OF LAWS AND REGULATIONS:**

- Develop a comprehensive list of hazardous occupations and activities prohibited to children.

**IN THE AREA OF COORDINATION AND ENFORCEMENT:**

- Establish an information system to share the work and progress of the initiatives carried out by the National Superior System for the Integral Protection of Children and Adolescents.
- Make information available on inspections and enforcement of child labor laws

**IN THE AREA OF POLICIES:**

- Assess the impact that existing social policies may have on addressing the worst forms of child labor.

**IN THE AREA OF PROGRAMS:**

- Amend PRODINAT so that it can offer assistance to children involved in hazardous agriculture, prostitution and pornography.
- Design additional programs that target children engaged in the worst forms of child labor in agriculture and domestic service.
- Conduct additional studies on the worst forms of child labor, particularly in agriculture, domestic service, and commercial sexual exploitation, and make the results publicly available.

<sup>5360</sup> Data provided in the chart at the beginning of this country report are based on UCW analysis of ILO SIMPOC, UNICEF MICS, and World Bank surveys, *Child Economic Activity, School Attendance, and Combined Working and Studying Rates, 2005-2010*. Data provided are from 2005. Reliable data on the worst forms of child labor are especially difficult to collect given the often hidden or illegal nature of the worst forms. As a result, statistics and information on children's work in general are reported in this section, which may or may not include the worst forms of child labor. For more information on sources used, the definition of working children, and other indicators used in this report, please see the "Children's Work and Education Statistics: Sources and Definitions" section of this report.

<sup>5361</sup> Telefónica Foundation and Centro de Investigación Social (CISOR), "El Trabajo Infante-Adolescente En Venezuela: Estado De La Cuestión," (2009).

<sup>5362</sup> U.S. Department of State, "Venezuela," in *Country Report on Human Rights Practices- 2009* (Washington, DC: March 11, 2010). section 6. See also Delia Meneses, "La Calle Como Casa Y Escuela," *El Universal*, January 25 2009.

<sup>5363</sup> U.S. Department of State, "Country Reports- 2009: Venezuela." See also UN Committee on the Rights of the Child, "Second Periodic Reports of States Parties Due in 1997: Bolivarian Republic of Venezuela," in *Article 44 of the Convention on the Rights of Children*, ed. Bolivarian Government of Venezuela (2007). See also Carla Villamedina, "Tres Millones De Niños, Niñas Y Adolescentes Trabajan En Venezuela," (Red Andi, 2007). See also U.S. Embassy -Caracas, "Reporting, February 25, 2010." See also U.S. Department of State, "Venezuela (Tier 2 Watch List)," in *Trafficking in Persons Report- 2010* (Washington, DC: June 14, 2010).

<sup>5364</sup> U.S. Department of State, "Trafficking in Persons Report- 2010: Venezuela."

<sup>5365</sup> UN Committee on the Rights of the Child, "Un Committee on the Rights of the Child, Second Periodic Reports of States Parties Due in 1997: Bolivarian Republic of Venezuela."

<sup>5366</sup> *Ley Orgánica Del Trabajo*, 5.152, (June 19, 1997), articles 247 and 49.

<sup>5367</sup> *Constitución De La República Bolivariana De Venezuela*, (December 30, 1999), article 54. See also *Ley Orgánica Para La Protección De Los Niños, Niñas Y Adolescentes*, (October 12, 2007), article 38.

<sup>5368</sup> *Government of Venezuela, Ley Orgánica Para La Protección De Los Niños, Niñas Y Adolescentes*.article 33.

<sup>5369</sup> *Ley Sobre Delitos Informáticos*, 37.313, (October 30, 2001).article 24.

<sup>5370</sup> U.S. Department of State, "Country Reports- 2009: Venezuela." section 7d and section 6.

<sup>5371</sup> *Government of Venezuela, Ley Orgánica Para La Protección De Los Niños, Niñas Y Adolescentes*.Article 92.

<sup>5372</sup> Coalition to Stop the Use of Child Soldiers, "Child Soldiers Global Report 2008 –Venezuela," (2008).

<sup>5373</sup> *Government of Venezuela, Ley Orgánica Para La Protección De Los Niños, Niñas Y Adolescentes*, articles 117, 19.

<sup>5374</sup> Venezuelan Ministry of Labor, "Ministerio Del Poder Popular Para El Trabajo Y Seguridad Social," (2010).

<sup>5375</sup> Ministry of Popular Power for Interior and Justice, "Ministerio Del Poder Popular Para Relaciones Interiores Y Justicia," (2010).

<sup>5376</sup> U.S. Embassy Caracas, "Reporting," (2010).

<sup>5377</sup> Ibid. See also U.S. Department of State, "Trafficking in Persons Report- 2010: Venezuela."

<sup>5378</sup> Government of the Bolivarian Republic of Venezuela, "Proyecto Nacional Simón Bolívar Primer Plan Socialista 2007- 2013," (2007).

<sup>5379</sup> Government of Venezuela and UNICEF, "Plan De Acción Del Programa País," (2009): 14.

<sup>5380</sup>U.S. Embassy Caracas, "U.S. Embassy -Caracas, Reporting, February 25, 2010." See also U.S. Embassy -Caracas, "Reporting " (2009).

<sup>5381</sup> Security Argentine Ministry of Justice, and Human Rights, "Xiv Reunión De Altas Autoridades Competentes En Derechos Humanos Y Cancillerías Del Mercosur Y Estados Asociados," (2008). See also Argentine Committee of Pursuit and Application of the International Convention on the Rights of Child, "La Iniciativa Nin@Sur, Una Instancia Regional Que Se Afirma," in *Boletín No. 2* (2008).

<sup>5382</sup> Brazilian Ministry of Tourism, "Ecuador Assume Direção De Grupo Latino-Americano Para a Proteção Infante-Juvenil," (2008).

<sup>5383</sup> ILO, "Action against Child Labour 2008-2009: Ipec Progress and Future Priorities," (2010).

<sup>5384</sup> Council for the Rights of Children and Adolescents Autonomous Institute, "Programa Para La Dignificación De Niños, Niñas Y Adolescentes Trabajadores (Prodinat) " (2009).

<sup>5385</sup> U.S. Embassy Caracas, "U.S. Embassy -Caracas, Reporting, February 25, 2010."

<sup>5386</sup> Government of Venezuela, "Misiones," <http://www.gobiernoenlinea.ve/miscelaneas/misiones.html>.

<sup>5387</sup> Ibid.

<sup>5388</sup> Ibid.