

# Venezuela

## Government Policies and Programs to Eliminate the Worst Forms of Child Labor

The Government of Venezuela has been a member of ILO-IPEC since 1996.<sup>2665</sup> In 1997, the government created the National Commission for the Eradication of Child Labor and Protection of Child Workers with responsibilities for collaborating with ILO-IPEC on child labor elimination projects and encouraging and strengthening coordination among national and international public and private institutions in an effort to combat child labor.<sup>2666</sup> In 2000, ILO-IPEC, with the support of the Spanish government, implemented a project to eliminate the commercial sexual exploitation of girls in Venezuela.<sup>2667</sup> The Ministry of Labor and the Ministry of Social Development are currently working together on a government study of the child labor situation in the country.<sup>2668</sup>

The government has collaborated with UNESCO to develop an Education for All plan to increase primary school enrollment and completion rates, improve educational achievement, and expand basic education services and training in essential skills for youth.<sup>2669</sup> The National Institute for Minors has made efforts to address the commercial sexual exploitation of children by establishing Local Social Protection networks for children and adolescents who are at high social risk.<sup>2670</sup>

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[hereinafter “España ayuda a Venezuela a erradicar trabajo infantil”], at <http://www.caj.../bdescriptor.in> [document on file].

<sup>2668</sup> The government is also planning to collaborate on a child labor survey with ILO-IPEC’s SIMPOC in 2002. See U.S. Embassy-Caracas, unclassified telegram no. 3537, December 2001.

<sup>2669</sup> UNESCO, *Education for All (EFA) 2000 Assessment, Country Report, Venezuela* [hereinafter *EFA 2000*], at [venezuela/contents\\_2html](http://www.unesco.org/wef/countryreports/venezuela/contents_2html)” [http://www2unesco.org/wef/countryreports/venezuela/contents\\_2html](http://www2unesco.org/wef/countryreports/venezuela/contents_2html).

<sup>2670</sup> *Initial Reports of States Parties* at 69-75.

<sup>2671</sup> ILO statistics as cited in *World Development Indicators 2001* (Washington, D.C.: World Bank, 2001) [hereinafter *World Development Indicators 2001*] [CD-ROM].

<sup>2672</sup> U.S. Embassy-Caracas, unclassified telegram no. 2626, April 1996 [hereinafter unclassified telegram 2626].

<sup>2673</sup> *Ibid.* See also “España ayuda a Venezuela a erradicar trabajo infantil.”

## Incidence and Nature of Child Labor

In 1999, the ILO estimated that less than 1 percent of children between the ages of 10 and 14 in Venezuela work.<sup>2671</sup> Children are engaged in selling goods on the streets, shining shoes, bagging groceries at supermarkets, guarding and washing cars, guiding the blind, and helping in family businesses (including family farms).<sup>2672</sup> Children are also involved in begging, petty theft on the streets, prostitution, and drug trafficking.<sup>2673</sup> Although child labor is not reported to be a significant problem in the manufacturing sector, some girls work in their homes helping their mothers sew garments on a piecework basis.<sup>2674</sup>

There are reports that children from Venezuela have been abducted and used as child soldiers by the Fuerzas Armadas Revolucionarias de Colombia (FARC) in Colombia.<sup>2675</sup> Some children are trafficked from other South American countries to work in the capital as street vendors and domestic servants.<sup>2676</sup>

Education is free and compulsory up to grade nine.<sup>2677</sup> In 1996, the gross primary enrollment rate was 91.3 percent, and the net primary enrollment rate was 83.8 percent.<sup>2678</sup> Primary school attendance rates are unavailable for Venezuela. While enrollment rates indicate a level of commitment to education, they do not always reflect children's participation in school.<sup>2679</sup> Although primary education is universal in Venezuela, school dropout and repetition rates are high.<sup>2680</sup> Children in some regions of the country do not have access to schools and have limited access to materials and textbooks.<sup>2681</sup> There are insufficient well-trained teachers in some areas.<sup>2682</sup>

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<sup>2674</sup> Unclassified telegram 2626.

<sup>2675</sup> Coalition to End the Use of Child Soldiers, *Global Report 2002: Venezuela*, at <http://www.child-soldiers.org/report2001/countries/venezuela.html>.

<sup>2676</sup> *Country Reports 2000* at Section 6f. See also "Commercial Sexual Exploitation of Women and Children."

<sup>2677</sup> *EFA 2000*.

<sup>2678</sup> *World Development Indicators 2001*.

<sup>2679</sup> For a more detailed discussion on the relationship between education statistics and work, see *Introduction* to this report.

<sup>2680</sup> UN Committee on the Rights of the Child, *Concluding Observations of the Committee on the Rights of the Child*, Venezuela, UN Document No. CRC/C/15/Add.109 (Geneva, February 11, 1999), D.7.

<sup>2681</sup> *Ibid.*

<sup>2682</sup> *Ibid.*

<sup>2683</sup> *Ley orgánica de trabajo*, Title V, Chapter 2, Article 254, 1997 [hereinafter *Ley orgánica de trabajo*], at <http://natlex.ilo.org/txt/S97VEN01.htm>. For information about the Ley Tutelar de Menores, see IPEC-Government of Venezuela, "Programa internacional para la erradicación del trabajo infantil" (SRITI, 1995) [hereinafter "Programa internacional para la erradicación del trabajo infantil"], 25.

<sup>2684</sup> *Ley orgánica de trabajo* at Title V, Chapter 1, Article 247.

## Child Labor Laws and Enforcement

The Labor Code of 1997 and the Minor's Protection Law set the minimum age for employment at 14 years.<sup>2683</sup> Children under the age of 14 are prohibited from working in businesses, establishments, and industrial, mining, and commercial enterprises.<sup>2684</sup> Children between the ages of 12 and 14 can work under certain circumstances with the permission of the National Children's Institute and the Ministry of Labor, provided that they are employed in work suited to their physical capacity and are guaranteed an education.<sup>2685</sup> Children ages 14 to 16 can work only with the permission of their parent or legal guardian or another appropriate authority.<sup>2686</sup> In most cases, children under the age of 16 are not permitted to work more than 6 hours a day (in two shifts of no more than 4 hours each) and 30 hours a week. Children under the age of 18 cannot work at night.<sup>2687</sup> Forced labor is prohibited under Article 32 of the Labor Code.<sup>2688</sup>

Articles 388 and 389 of the Criminal Code prohibit inducing the prostitution of minors and the corruption of minors.<sup>2689</sup> There are no laws that specifically prohibit child pornography, although laws protecting minors from abuse may be used to prosecute cases of child pornography.<sup>2690</sup> The Constitution prohibits trafficking in persons.<sup>2691</sup> The Ministry of Labor, the National Institute for Minors, and the Prosecutor General's office enforce child labor laws. These laws are enforced effectively in the formal sector but are not well enforced in the informal sector.<sup>2692</sup>

Venezuela ratified ILO Convention 138 on July 15, 1987, but has not ratified ILO Convention 182.<sup>2693</sup>

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<sup>2685</sup> Ibid.

<sup>2686</sup> Ibid. at Title V, Chapter 1, Article 248.

<sup>2687</sup> Ibid. at Title V, Chapter 1, Articles 254 and 257. The same restriction for children is also included in "Programa internacional para la erradicación del trabajo infantil" at 25.

<sup>2688</sup> *Ley orgánica de trabajo* at Title V, Chapter 3, Article 32.

<sup>2689</sup> "Commercial Sexual Exploitation of Women and Children."

<sup>2690</sup> Ibid.

<sup>2691</sup> *Country Reports 2000*.

<sup>2692</sup> Ibid. at Sections 6d, 6f.

<sup>2693</sup> ILO, Ratifications of the ILO Fundamental Conventions, at <http://www.ilolex.ilo.ch:1567/english/>

<sup>2694</sup> ILO-IPEC, *National Program on the Elimination of Child Labor in Yemen*, project document [hereinafter *National Program on the Elimination of Child Labor*], at 13-15.

<sup>2695</sup> Ibid. at 14.

<sup>2696</sup> U.S. Embassy-Sanaa, unclassified telegram no. 1092, March 2001.