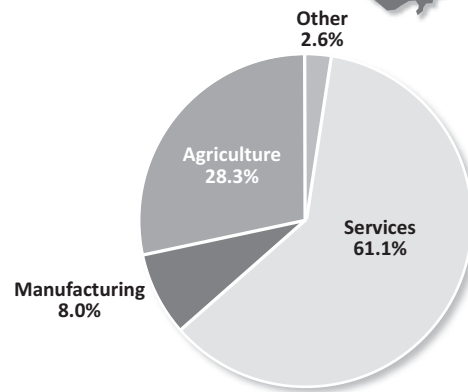


Venezuela

While Government policies and programs aim to alleviate poverty and improve conditions for older working children, there is little publicly available information about initiatives to protect young children from the worst forms of child labor. Children continue to engage in work 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	10-14 yrs.	4.0



Prevalence and Sectoral Distribution of the Worst Forms of Child Labor

Children in Venezuela are reportedly engaged in the worst forms of child labor,⁶¹⁴⁹ including in agriculture and domestic service.⁶¹⁵⁰ Reports indicate that children, particularly boys, work in agriculture, while girls work primarily as domestic servants.⁶¹⁵¹ Children working in agriculture may face many hazards, such as handling dangerous machines and tools, transporting heavy loads and applying harmful pesticides.⁶¹⁵² Child domestic laborers may work hours, which often prevents them from attending school and may expose them to physical and sexual exploitation by their employers.

According to a Venezuelan NGO, an estimated 15,000 children live on the streets in the capital city, Caracas, and other cities in Venezuela. Street children in Venezuela sell flowers or other small merchandise, transport items or load merchandise.⁶¹⁵³ These children may be exposed

to many dangers including severe weather, vehicle accidents and criminal elements.


Statistics from the Venezuelan Government in 2006 indicate that children are employed in the construction and manufacturing sectors.⁶¹⁵⁴ Children working in these sectors face the likelihood of injury from dangerous machinery, tools and chemicals. Children also work in family-owned businesses.⁶¹⁵⁵

Children are reportedly trafficked to and from various Venezuelan cities for the purpose of prostitution.⁶¹⁵⁶ Children trafficked for sexual exploitation may be sent to urban areas, such as Caracas and Maracaibo, or resort destinations, such as Margarita Island.⁶¹⁵⁷

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 (LOPNA) set the minimum age for work at 14.⁶¹⁵⁸ The LOT allows children between ages 14 and 16 to work only with the consent of their legal guardian. It also establishes that children between ages 12 and 14 can work with authorization from the National Institute for Minors if their education is guaranteed and the work is commensurate with their physical abilities.⁶¹⁵⁹ Education is compulsory until age 15.⁶¹⁶⁰ The Government guarantees free education at all levels of schooling.⁶¹⁶¹

	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

The LOT also establishes other measures that regulate the employment of minors, including mandatory pre-employment and periodic health screenings, limits on the number of working hours and conditions of remuneration.⁶¹⁶² Under the LOT’s provisions, children who work as street vendors must carry an identification card that indicates the name of the school the child attends as well as the school’s hours.⁶¹⁶³

The LOT prohibits minors from working in mining, welding, on ships, and in other dangerous activities that endanger their lives or health, threaten their intellectual or moral development

or delay their physical development.⁶¹⁶⁴ However, the law does not provide a comprehensive list of hazardous occupations for children.⁶¹⁶⁵

The National Constitution and the LOPNA prohibit forced labor, debt bondage, slavery and trafficking in persons, including children.⁶¹⁶⁶ The LOPNA forbids all forms of sexual exploitation and states that the Government must offer assistance free of charge to children who have been victims of such acts.⁶¹⁶⁷ The Special Law against Computer Crimes prohibits electronic pornography involving children, while the LOPNA makes it illegal to photograph or videotape minors for pornographic scenes.⁶¹⁶⁸ Venezuelan law also forbids solicitation for prostitution and the corruption of minors; penalties depend on the severity of the crime.⁶¹⁶⁹

The age for compulsory and voluntary recruitment to the armed forces is 18.⁶¹⁷⁰

Institutional Mechanisms for Coordination and Enforcement

The System for the Protection of Children and Adolescents is charged with protecting children’s rights, including addressing child labor issues. The system is made up of several government ministries, councils and representatives from civil society.⁶¹⁷¹

The Ministry of Popular Power for Labor and Social Security enforces labor laws, including child labor laws.⁶¹⁷² There was no publicly available information regarding the number of inspections that cover child labor or sanctions applied during the reporting period.

Cases involving trafficking in persons are handled by the Ministry of Popular Power for Interior and Justice’s Criminology Investigative Division and the Scientific, Penal and Criminal Investigative Corps.⁶¹⁷³ The Government arrested a few individuals for trafficking, primarily of women and children for forced prostitution.⁶¹⁷⁴

Government Policies on the Worst Forms of Child Labor

The Simón Bolívar First Socialist Plan 2007-2013 is an economic and social development roadmap to eradicate extreme poverty by improving access to health care, education and housing.⁶¹⁷⁵ There is no information about whether the impact of this plan on the worst forms of child labor has been evaluated.

Although the Government's National Statistical Institute conducts household surveys that include questions about child labor for children age 10 and older, these surveys provide only limited data on child labor since children ages 5 to 9 are not covered.⁶¹⁷⁶

The Government of Venezuela and UNICEF launched a Plan of Action 2009 – 2013 for children and adolescents that focuses on education, social inclusion and violence prevention.⁶¹⁷⁷ While the plan does not specifically target child labor, it does highlight the paucity of child labor data and identifies child labor indicators as one of the program's evaluation and monitoring components.⁶¹⁷⁸

Venezuela continued its participation in the MERCOSUR initiative Southern Child (*Niño Sur*), which carries out awareness-raising activities and aims to strengthen regional cooperation and legal systems to combat child labor and commercial exploitation.⁶¹⁷⁹ It also continued participating in the Regional Action Group for the Americas, which conducts prevention and awareness-raising campaigns to combat tourism-related commercial sexual exploitation of children in Latin America.⁶¹⁸⁰

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

Efforts to improve working conditions for child workers continued through the Government's 3-year-old Program to Dignify Working Children and Adolescents (PRODINAT). PRODINAT aims to eradicate exploitative working conditions and establish businesses where children above the legal working age may work in healthy and safe environments.⁶¹⁸¹ An example of a PRODINAT program is the Frutinats production facility, which employs about 25 adolescents between ages 14 and 17 who extract fruit pulp that can then be sold for a higher price than the fruit itself.⁶¹⁸² The adolescents working at Frutinats continue to attend school or receive formal education through various programs.⁶¹⁸³ Other PRODINAT-sponsored programs include an information technology training center, a quail egg farm and an educational garden.⁶¹⁸⁴

The Government also operates a network of social programs, called Social Missions, with the objective of addressing poverty and related issues.⁶¹⁸⁵ The Mission Negra Hipólita, for example, provides social services to street children, among other groups.⁶¹⁸⁶ The Children of the Barrio Mission works with at-risk and underprivileged children, including child laborers.⁶¹⁸⁷

Research did not identify any programs targeting children involved in the worst forms of child labor, particularly in domestic service and commercial sexual exploitation.

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 COORDINATION AND ENFORCEMENT:

- Make information publically available on enforcement of child labor laws.

IN THE AREA OF POLICIES:

- Assess the impact that the Simón Bolívar First Socialist Plan has in addressing the worst forms of child labor.
- Conduct additional surveys on the worst forms of child labor, particularly in agriculture, domestic service and commercial sexual exploitation and make the results publicly available.
- Ensure that child labor surveys cover all children younger than age 18.

IN THE AREA OF SOCIAL PROGRAMS:

- Expand existing programs and develop additional programs targeted to children involved in the worst forms of child labor, particularly in agriculture, domestic service and commercial sexual exploitation.

⁶¹⁴⁹ 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, 2005-2011. 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.

⁶¹⁵⁰ Centro de Investigación Social, *El Trabajo infanto-adolescente en Venezuela: Estado de la cuestión*, Fundación Telefonica, 2009, pages 50-51; available from <http://www.trabajoinfantilvenezuela.org.ve/fotos/file/El%20Trabajo%20Infanto%20-%20Adolescente%20en%20Venezuela.pdf>. See also U.S. Department of State, "Venezuela," in *Country Reports on Human Rights Practices- 2010*, Washington, DC, April 8, 2011, section 7d; available from <http://www.state.gov/documents/organization/160483.pdf>. See also UNICEF, *No más trabajo infantil: una meta posible de alcanzar: Estudio sobre Educación y Trabajo infantil en la República Bolivariana de Venezuela*, Caracas, 2009, 13, 21-36, 43-44; available from http://www.unicef.org/venezuela/spanish/No_mas_trabajo_infantil_UNICEF.pdf.

⁶¹⁵¹ Centro de Investigación Social, *Trabajo infanto-adolescente en Venezuela*, pages 50-51.

⁶¹⁵² UNICEF, *No más trabajo infantil: una meta posible de alcanzar*, 43-44.

⁶¹⁵³ U.S. Department of State, "Country Reports- 2010: Venezuela," section 6. See also Delia Meneses, "La calle como casa y escuela," [online], January 25, 2009 [cited access March 9, 2011]; available from http://www.eluniversal.com/2009/01/25/imp_ccs_art_la-calle-como-casa-y_1241334.shtml.

⁶¹⁵⁴ U.S. Department of State, "Country Reports- 2010: Venezuela," section 7d. See also U.S. Embassy- Caracas official, E-mail communication to USDOL official, July 11, 2011.

⁶¹⁵⁵ Centro de Investigación Social, *Trabajo infanto-adolescente en Venezuela*, pages 50-51. See also U.S. Embassy- Caracas official.

⁶¹⁵⁶ ILO Committee of Experts, *Individual Observation concerning Worst Forms of Child Labour Convention, 1999* (No. 182) Bolivarian Republic of Venezuela (ratification: 2005) Published: 2008, May 16, 2011 2008; available from <http://www.ilo.org/ilolex/english/iloquery.htm>. See also U.S. Department of State, "Venezuela," in *Trafficking in Persons Report- 2010*, Washington, DC, June 14, 2010; available from <http://www.state.gov/documents/organization/142984.pdf>. ILO Committee of Experts, *Individual Observation 1999: Bolivarian Republic of Venezuela* (2008).

⁶¹⁵⁷ U.S. Department of State, "Trafficking in Persons Report- 2010: Venezuela."

⁶¹⁵⁸ Government of Venezuela, *Ley de reforma parcial de la Ley Organica del trabajo*, 5152, (1997), articles 247 and 249; available from <http://www.ilo.org/dyn/natlex/docs/WEBTEXT/47049/67563/S97VEN01.htm>. See also Government of Venezuela, *Ley Organica para la proteccion del niño y del adolescente*, 5266, (1998), article 96; available from http://www.oas.org/juridico/spanish/cyb_ven_LEY_ORG_PARA_PROTEC_NINO_ADOLE.pdf.

- ⁶¹⁵⁹ Government of Venezuela, Ley Organica del trabajo, articles 247 and 248.
- ⁶¹⁶⁰ UNESCO, Education for All Global Monitoring Report, [2008 [cited accessed March 30, 2011]; available from <http://unesdoc.unesco.org/images/0015/001547/154743e.pdf>.
- ⁶¹⁶¹ Government of Venezuela, LOPNA, article 96.
- ⁶¹⁶² Government of Venezuela, Ley Organica del trabajo, articles 253, 254, and 258.
- ⁶¹⁶³ Ibid., article 264.
- ⁶¹⁶⁴ Ibid., articles 249, 250 and 334.
- ⁶¹⁶⁵ Ibid., article 334.
- ⁶¹⁶⁶ Government of Venezuela, Constitución de la República Bolivariana de Venezuela, (2000), article 54; available from <http://www.tsj.gov.ve/legislacion/constitucion1999.htm>. See also Government of Venezuela, LOPNA, article 38.
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- ⁶¹⁶⁸ Government of Venezuela, Ley especial contra los delitos informáticos, 37.313, (2001), article 24; available from <http://www.gobiernoenlinea.ve/docMgr/sharedfiles/LeyEspecialcontraDelitosInformaticos.pdf>. See also Government of Venezuela, LOPNA, article 237.
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- ⁶¹⁷⁰ Coalition to Stop the Use of Child Soldiers, “Venezuela,” in Child Soldiers Global Report 2008, London, 2008; available from http://www.childsoldiersglobalreport.org/files/country_pdfs/FINAL_2008_Global_Report.pdf.
- ⁶¹⁷¹ Government of Venezuela, LOPNA, articles 117, 118, and 119.
- ⁶¹⁷² U.S. Embassy- Caracas, reporting, February 24, February 24, 2011. See also Government of Venezuela, “Dirección General de Relaciones Laborales”, Ministerio del Poder Popular para el Trabajo y Seguridad Social [online], [cited March 9, 2011]; available from http://www.mintra.gov.ve/index.php?option=com_content&view=article&id=66&Itemid=106.
- ⁶¹⁷³ U.S. Embassy- Caracas, reporting, February 24, 2011.
- ⁶¹⁷⁴ U.S. Department of State, “Venezuela,” in Trafficking in Persons Report- 2011, Washington, DC, June 27, 2011; available from <http://www.state.gov/documents/organization/164458.pdf>.
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