

In 2014, Venezuela made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government signed the Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor and maintained policies and programs that aim to alleviate poverty and improve conditions for some working children. However, children in Venezuela continue to engage in the worst forms of child labor, including in commercial sexual exploitation and forced domestic service. The Government does not have sufficient efforts in place to protect children in key sectors where child labor is prevalent and does not make information on enforcement efforts publicly available. In addition, information is not available on the effectiveness of the Government's coordinating body on child labor, and the Government has not established a list of hazardous occupations prohibited for children.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Venezuela are engaged in the worst forms of child labor, including in commercial sexual exploitation and forced domestic service.(1-6)

Data from the 2006 Household Survey indicate that children's employment levels are highest in the states of Apure and Guárico. The 2006 Survey also shows that among children ages 10 to 14, girls are more likely to work in manufacturing and trade while boys are more likely to work in agriculture.(7) The Government's 2011 census found approximately 262,000 children and adolescents between ages 10 and 17 working in Venezuela, but research could not determine the extent to which the survey encompassed the informal sector, or whether there are studies that target the worst forms of child labor.(8) Table 1 provides key indicators on children's work and education in Venezuela.

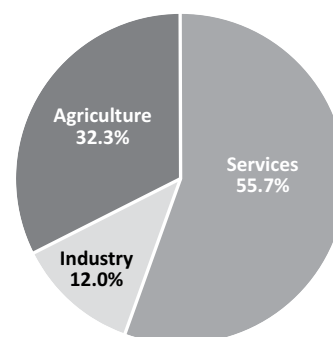
Table 1. Statistics on Children's Work and Education

| Children | Age | Percent |
|-------------------------------|------------|---------------|
| Working (% and population) | 10-14 yrs. | 5.1 (138,641) |
| Attending School (%) | 5-14 yrs. | 96.0 |
| Combining Work and School (%) | 10-14 yrs. | 4.1 |
| Primary Completion Rate (%) | | 96.0 |

Source for primary completion rate: Data from 2012, published by UNESCO Institute for Statistics, 2015.(9)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Hogares por Muestreo (EHM), 2006.(10)

Figure 1. Working Children by Sector, Ages 10-14



Based on a review of available information, Table 2 provides an overview of children's work by sector and activity.

Table 2. Overview of Children's Work by Sector and Activity

| Sector/Industry | Activity |
|-----------------|---|
| Agriculture | Clearing land,* planting,* fumigating,*and harvesting* (11) |
| | Tending and grazing livestock,* cleaning corrals (11, 12) |
| | Fishing,* including processing ark clams* (11, 12) |
| Industry | Mining,* activities unknown (5, 13) |
| | Manufacturing,* activities unknown (7) |

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Table 2. Overview of Children’s Work by Sector and Activity (cont)

| Sector/Industry | Activity |
|---|--|
| Services | Domestic service (4, 13-15) |
| | Street work including peddling, collecting bus and taxi fares,* and motorbike couriering* (5, 8, 12, 16, 17) |
| | Construction assistance,* including lifting and carrying heavy materials (5, 12) |
| | Carrying bags and pushing carts in supermarkets* (12) |
| | Garbage scavenging, recycling (16, 18) |
| Categorical Worst Forms of Child Labor‡ | Forced labor in domestic work* and street begging* (3, 5, 6, 13, 19) |
| | Selling drugs sometimes as a result of forced labor* (5, 13) |
| | Commercial sexual exploitation sometimes as a result of human trafficking (1-3, 6) |

* Evidence of this activity is limited and/or the extent of the problem is unknown.







‡ Child labor understood as the worst forms of child labor *per se* under Article 3(a) – (c) of ILO C. 182.

Children are sometimes trafficked to urban areas, such as Caracas and Maracaibo, or to resort destinations, such as Margarita Island, for commercial sexual exploitation.(3)

II. LEGAL FRAMEWORK FOR THE WORST FORMS OF CHILD LABOR

Venezuela has ratified all key international conventions concerning child labor (Table 3).

Table 3. Ratification of International Conventions on Child Labor

| Convention | Ratification |
|--|--------------|
|  ILO C. 138, Minimum Age | ✓ |
|  ILO C. 182, Worst Forms of Child Labor | ✓ |
|  UN CRC | ✓ |
|  UN CRC Optional Protocol on Armed Conflict | ✓ |
|  UN CRC Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography | ✓ |
|  Palermo Protocol on Trafficking in Persons | ✓ |

The Government has established laws and regulations related to child labor, including its worst forms (Table 4).

Table 4. Laws and Regulations Related to Child Labor

| Standard | Yes/No | Age | Related Legislation |
|---|--------|-----|--|
| Minimum Age for Work | Yes | 14 | Article 32 of the Labor Law; Article 96 of the Law for the Protection of Children and Adolescents (20, 21) |
| Minimum Age for Hazardous Work | Yes | 18 | Article 96 of the Law for the Protection of Children and Adolescents; Articles 79–80 of the Regulations on Occupational Safety and Health Conditions (21, 22) |
| Prohibition of Hazardous Occupations or Activities for Children | Yes | | Article 96 of the Law for the Protection of Children and Adolescents; Articles 79 and 80 of the Regulations on Occupational Safety and Health Conditions (21, 22) |
| Prohibition of Forced Labor | Yes | | Article 30 of the Labor Law; Article 38 of the Law for the Protection of Children and Adolescents; Article 54 of the Constitution; Article 41 of the Law Against Organized Crime and Terrorism; Article 56 of the Law for Women’s Right to a Life Free from Violence (20, 21, 23-25) |
| Prohibition of Child Trafficking | Yes | | Articles 40, 231–232, and 266-268 of the Law for the Protection of Children and Adolescents; Article 54 of the Constitution; Article 41 of the Law Against Organized Crime and Terrorism; Articles 55–56 of the Law for Women’s Right to a Life Free from Violence (21, 23-25) |

Table 4. Laws and Regulations Related to Child Labor (cont)

| Standard | Yes/No | Age | Related Legislation |
|---|--------|-----|---|
| Prohibition of Commercial Sexual Exploitation of Children | Yes | | Articles 33 and 258 of the Law for the Protection of Children and Adolescents; Articles 46–49 of the Law Against Organized Crime and Terrorism; Article 56 of the Law for Women’s Right to a Life Free from Violence; Article 24 of the Special Law against Cybercrimes (21, 24-26) |
| Prohibition of Using Children in Illicit Activities | Yes | | Articles 264–265 of the Law for the Protection of Children and Adolescents; Article 38 of the Drug Act (21, 27) |
| Minimum Age for Compulsory Military Recruitment | N/A* | | |
| Minimum Age for Voluntary Military Service | Yes | 18 | Article 4 of the Partial Reform of the Military Enlistment Law (28) |
| Compulsory Education Age | Yes | 15 | Article 53 of the Law for the Protection of Children and Adolescents; Articles 102–103 of the Constitution; Articles 3 and 6 of the Education Law (21, 23, 29) |
| Free Public Education | Yes | | Article 53 of the Law for the Protection of Children and Adolescents; Article 102 of the Constitution; Articles 3 and 6 of the Education Law (21, 23, 29) |

* No conscription (23, 28)

Articles 79 and 80 of the Regulations on Occupational Safety and Health Conditions prohibit activities considered to be dangerous or unhealthy for children under age 18, but they do not specify or incorporate a list of these activities. Similarly, article 96 of the Law for the Protection of Children and Adolescents prohibits children under age 18 from working in activities prohibited by law, but does not specify which activities are considered hazardous or prohibited for minors to perform. (21, 22) The Government has yet to establish a comprehensive list of hazardous occupations prohibited to children under age 18. (1, 5, 30, 31)

III. ENFORCEMENT OF LAWS ON THE WORST FORMS OF CHILD LABOR

The Government has established institutional mechanisms for the enforcement of laws and regulations on child labor, including its worst forms (Table 5).

Table 5. Agencies Responsible for Child Labor Law Enforcement

| Organization/Agency | Role |
|--|---|
| Ministry of Popular Power for Labor and Social Security (MINPPTRASS) | Enforce labor laws, including child labor laws. Develop policies and projects regarding child labor. (16, 32) |
| National Institute for Prevention, Safety, and Health at Work (INPSASEL) | Assist MINPPTRASS in enforcing labor laws and conditions of work in Venezuela. Help develop labor inspection apparatus as well as implement national labor policies. (33) |
| Ministry of Popular Power of the Interior, Justice, and Peace (MPPRIJP) | Investigate trafficking-in-persons cases through its Criminal Investigative Division and its Scientific, Penal, and Criminal Investigative Corps (CICPC). Role of CICPC is to help enforce laws related to commercial sexual exploitation and illicit activities. (5) |

Law enforcement agencies in Venezuela took actions to combat child labor, including its worst forms.

Labor Law Enforcement

Although the Government has stated that the Ministry of Popular Power for Labor and Social Security (MINPPTRASS) and the National Institute for Prevention, Safety, and Health at Work (INPSASEL) carry out child labor inspections in the formal and informal business sectors, research did not find information regarding the number of labor inspectors employed to enforce child labor laws; it is unknown whether labor inspectors received training on child labor or had adequate resources. The number of labor inspections conducted during the reporting period is also unknown and research did not find information available on whether, or how many, employers were sanctioned for child labor violations, referral mechanisms to assist children, or whether penalties are sufficient to effectively deter child labor violations. (5)

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Criminal Law Enforcement

Research did not find publicly available information regarding criminal law enforcement, including the total number of victims, investigations, prosecutions, or convictions for trafficking or commercial sexual exploitation.(5) In January 2014, three women in the state of Anzoátegui were convicted for human trafficking and commercial sexual exploitation of four minors. One woman was sentenced to 18 years and 6 months of prison for sexual exploitation and cruel treatment of minors; the other two women were sentenced to 8 years and 9 months of prison for collusion on sexual exploitation.(34) Human trafficking victims are typically referred to government agencies and local organizations for legal and psychological services, however research did not find information regarding a formal referral process for officials to implement.(6)

IV. COORDINATION OF GOVERNMENT EFFORTS ON THE WORST FORMS OF CHILD LABOR

The Government has established mechanisms to coordinate its efforts to address child labor, including its worst forms (Table 6).

Table 6. Mechanisms to Coordinate Government Efforts on Child Labor

| Coordinating Body | Role and Description |
|---|--|
| System for the Protection of Children and Adolescents | Coordinate and protect children's rights and address child labor issues through policies and programs at the national and state levels. Comprised of several government ministries, government councils, and representatives from civil society.(21, 35) Mandated by the Law for the Protection of Children and Adolescents.(21) |

Research could not determine the extent to which the System for the Protection of Children and Adolescents was active during the reporting period. Research could also not determine whether the Government maintains a coordinating body that addresses the trafficking of children, including for commercial sexual exploitation.

V. GOVERNMENT POLICIES ON THE WORST FORMS OF CHILD LABOR

The Government of Venezuela has established policies related to child labor, including its worst forms (Table 7).

Table 7. Policies Related to Child Labor

| Policy | Description |
|--|---|
| Second Socialist Plan for the Economic and Social Development of the Nation (2013–2019)* | Provides a roadmap for reducing poverty by improving economic opportunity, access to health care, education, and housing.(36) |
| National Plan of Action Against Abuse and Commercial Sexual Exploitation (PANAESC) | Addresses the prevention of commercial sexual exploitation of children under age 18 and the rehabilitation of victims.(37) |
| Second Presidential Declaration on the Prevention and Eradication of Child Labor in MERCOSUR (2012) | Promotes greater coordination between governmental agencies, levels of government, and with civil society among MERCOSUR members.(38, 39) |
| MERCOSUR's Southern Child Initiative | Aims to defend the rights of children and adolescents in the region by raising awareness and seeking coordination among member states regarding the commercial sexual exploitation of children, child trafficking and pornography, child labor, and migrant labor; by improving country legal frameworks to harmonize them with international conventions affecting children, and by exchanging best practices.(40-42) |
| Declaration of the Regional Initiative: Latin America and the Caribbean Free of Child Labor (2014-2020)† | Aims to increase regional cooperation on eradicating child labor by 2020 through the signatories' efforts to strengthen monitoring and coordination mechanisms, government programs, and South-South exchanges. Reaffirms commitments made in the Brasilia Declaration from the Third Global Conference on Child Labor (October 2013), and signed by Venezuela at the ILO's 18th Regional Meeting of the Americas in Lima, Peru (October 2014).(43, 44) |

* Child labor elimination and prevention strategies do not appear to have been integrated into this policy.

† Policy was approved during the reporting period.

Although the Government of Venezuela has adopted poverty reduction strategies, as well as policies that target the trafficking and commercial sexual exploitation of children, research did not find evidence of a national policy that targeted other forms of child labor, such as domestic service and garbage scavenging.

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2014, the Government of Venezuela funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 8).

Table 8. Social Programs to Address Child Labor

| Program | Description |
|--|---|
| Program to Dignify Working Children and Adolescents (PRODINAT)‡ | National Council for the Rights of Children and Adolescents (IDENA) administered program that aims to eradicate exploitative working conditions and establish safe business environments in which children above the legal age may work.(5, 30, 45) |
| Children of the Barrio Mission (<i>Misión Niños del Barrio</i>)‡ | IDENA-administered program that provides services to at-risk and underprivileged children, including child laborers. Primary goal is to eradicate exploitation, abuse, and psychological and physical mistreatment of children from birth to age 17.(8, 16, 46) |
| Negra Hipólita Mission (<i>Misión Negra Hipólita</i>)‡ | Government program that provides assistance to vulnerable groups, including street children.(47) Assists children engaged in child labor, including those working at garbage collection sites and on the street.(48, 49) Has assisted more than 50,000 children since its inception in 2006.(49) |
| Communal Centers for Comprehensive Care*‡ | IDENA-supervised centers that provide meals and educational assistance to at-risk children from birth to age 12. Also partners with the Ministry of Popular Power, Health, and Social Development to provide medical and dental care to children.(50) |
| National Day Camps*‡ | IDENA-administered program under the Community Vacation Plan that provides summer day camps to children, with a focus on athletic, artistic, and cultural activities. In 2014, program received approximately \$22.9 million and reached 1.6 million children and adolescents.(5, 8) |
| Regional Action Group for the Americas (<i>Grupo de Acción Regional para las Américas</i>) | Conducts prevention and awareness-raising campaigns to combat the commercial sexual exploitation of children in Latin America. Members include Argentina, Bolivia, Brazil, Chile, Colombia, Paraguay, Peru, Suriname, Uruguay, and Venezuela.(51, 52) |
| Elimination of Child Labor in Latin America (Phase 4) | A \$4.5 million, 4-year project funded by the Government of Spain and implemented by ILO-IPEC to combat child labor in 19 countries, including Venezuela.(53) |
| Education and Monitoring Program for the Eradication of Child Labor | A \$1.3 million, 2-year project funded by the Government of Spain and implemented by ILO-IPEC that aimed to strengthen public policies and government capacity to combat child labor in 19 countries in Latin America, including Venezuela. Included the objective of developing information systems on the worst forms of child labor.(53) |

* The impact of this program on child labor does not appear to have been studied.

‡ Program is funded by the Government of Venezuela.

In 2014, research indicated the Program to Dignify Working Children and Adolescents (PRODINAT) had limited efficacy due to a continued lack of governmental funding.(5) Research could not identify government programs that targeted children engaged in other forms of child labor, for example in domestic service and commercial sexual exploitation.

VII. SUGGESTED GOVERNMENT ACTIONS TO ELIMINATE THE WORST FORMS OF CHILD LABOR

Based on the reporting above, suggested actions are identified that would advance the elimination of child labor, including its worst forms, in Venezuela (Table 9).

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

| Area | Suggested Action | Year(s) Suggested |
|-----------------|---|-------------------|
| Legal Framework | Specify and adopt a comprehensive list of hazardous occupations and activities prohibited to children. | 2009, 2011 – 2014 |
| Enforcement | Make information on the enforcement of child labor laws publicly available, including funding, the number of inspections, violations found, and penalties imposed, whether inspectors receive adequate training, and whether there were any investigations, prosecutions or convictions for the worst forms of child labor. | 2009 – 2014 |
| Coordination | Make information on the activities of the System for the Protection of Children and Adolescents publicly available. | 2013 – 2014 |
| | Publish information about any coordinating mechanism that addresses the trafficking of children, including for commercial sexual exploitation. | 2013 – 2014 |

Table 9. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

| Area | Suggested Action | Year(s) Suggested |
|---------------------|--|-----------------------------|
| Government Policies | Integrate child labor elimination and prevention strategies into the Second Socialist Plan for the Economic and Social Development of the Nation. | 2009 – 2014 |
| | Adopt a national policy that addresses all relevant forms of child labor, including domestic service and garbage scavenging. | 2013 – 2014 |
| Social Programs | Ensure that child labor censuses cover all children under age 18 in both the formal and informal economy, and make the results publicly available. | 2010 – 2014 |
| | Conduct additional research on the worst forms of child labor, particularly in commercial sexual exploitation and forced domestic service, and make the results publicly available. | 2010 – 2011, 2013 – 2014 |
| | Assess the impact that the Communal Centers for Comprehensive Care and the National Day Camps may have on child labor. | 2013 – 2014 |
| | Strengthen and expand existing programs, and implement additional programs to specifically address the worst forms of child labor, particularly in forced domestic service and commercial sexual exploitation. | 2009 – 2014 |

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