

In 2016, Venezuela made a minimal advancement in efforts to eliminate the worst forms of child labor. The Government continued to fund and implement social programs to improve conditions for some working children and raise awareness of human trafficking. However, children in Venezuela are engaged in child labor, including in domestic work. Children are also engaged in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. The Government has not published a list of hazardous occupations prohibited for children or information on the enforcement of child labor laws. In addition, information is not available on the effectiveness of the Government's coordinating body on child labor, and the Government does not have sufficient efforts in place to protect children in key sectors where child labor is prevalent.



I. PREVALENCE AND SECTORAL DISTRIBUTION OF CHILD LABOR

Children in Venezuela engage in child labor, including in domestic work. Children also engage in the worst forms of child labor, including in commercial sexual exploitation, sometimes as a result of human trafficking. (1-13) The Government's 2011 census, which is the most recent information available, 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. (14) Table 1 provides key indicators on children's work and education in Venezuela.

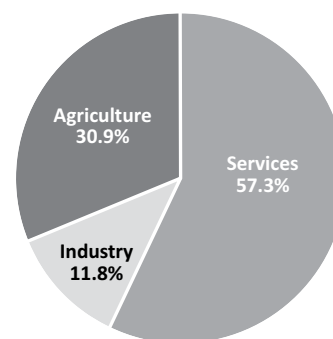
Table 1. Statistics on Children's Work and Education

Children	Age	Percent
Working (% and population)	10 to 14	3.9 (108,124)
Attending School (%)	10 to 14	96.2
Combining Work and School (%)	10 to 14	2.7
Primary Completion Rate (%)		95.2

Source for primary completion rate: Data from 2015, published by UNESCO Institute for Statistics, 2016. (15)

Source for all other data: Understanding Children's Work Project's analysis of statistics from Encuesta de Hogares por Muestreo (EHM), 2013. (16)

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 (17)
	Tending and grazing livestock, cleaning corrals (17, 18)
	Fishing, including processing ark clams (17, 18)
Industry	Mining, including gold mining (1, 6, 19, 20)
Services	Domestic work (3, 12, 13)
	Street work, including vending, shoe shining, begging, collecting bus and taxi fares, and motorbike couriering (1, 3, 10, 14, 18-25)
	Construction assistance, including lifting and carrying heavy materials (1, 18-20)
	Bagging, carrying bags, and pushing carts in supermarkets (18, 25)
	Garbage scavenging and recycling (21, 26)

Venezuela

MINIMAL ADVANCEMENT

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

Sector/Industry	Activity
Categorical Worst Forms of Child Labor [‡]	Forced labor in domestic work and begging (1, 3-5, 19, 20, 27)
	Selling drugs, sometimes as a result of forced labor (19, 20)
	Commercial sexual exploitation, sometimes as a result of human trafficking (1-11)

[‡] 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.(4, 6, 7, 27) Indigenous children work in illegal gold mines in the Upper Orinoco, Casiquiare, and Guainia-Rio Negro river basins and are vulnerable to human trafficking and commercial sexual exploitation.(6) Civil society groups estimate that more than 200,000 children are exploited by criminal organizations and more than 1 million children work in the informal sector.(20) Civil society groups also report that children are increasingly engaged in begging and domestic servitude, each sometimes as a result of human trafficking, as well as gang activity and, to a lesser extent, commercial sexual exploitation due to the economic crisis.(1, 8, 10, 28)




Children from rural areas, indigenous children, Afro-descendant children, children with disabilities, pregnant girls, and adolescent mothers face barriers to accessing education; many students stop their formal education after completing the ninth grade.(1, 3, 7, 29) Reports indicate children are increasingly leaving school to work in the informal sector or engage in illicit activities due to food shortages and increased crime. Children and teachers reportedly miss school due to hunger or to wait in long supermarket lines.(1, 23, 30, 31)

Although Article 6.2.k. of the Education Law guarantees that no student’s academic documents may be withheld, according to NGOs, Colombian children living in Venezuela without a Venezuelan identification card are sometimes prevented from receiving diplomas, certifications, and credentials from formal educational institutions. The practice of withholding their academic documents may discourage them from completing their education, increasing their vulnerability to labor exploitation.(32-35)

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). However, gaps exist in Venezuela’s legal framework to adequately protect children from child labor.

Table 4. Laws and Regulations on Child Labor

Standard	Meets International Standards: Yes/No	Age	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 (36, 37)
Minimum Age for Hazardous Work	Yes	18	Articles 18, 94 and 96 of the Law for the Protection of Children and Adolescents; Article 80 of the Regulations on Occupational Safety and Health Conditions (37, 38)
Identification of Hazardous Occupations or Activities Prohibited for Children	No		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; Article 245 of the Labor Law (36-38)
Prohibition of Forced Labor	Yes		Article 30 of the Labor Law; Articles 38, 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 and 56 of the Law for Women’s Right to a Life Free from Violence (36, 37, 39-41)
Prohibition of Child Trafficking	No		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 and 56 of the Law for Women’s Right to a Life Free from Violence (37, 39-41)
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 (37, 40-42)
Prohibition of Using Children in Illicit Activities	Yes		Articles 264 and 265 of the Law for the Protection of Children and Adolescents; Article 38 of the Drug Act (37, 43)
Minimum Age for Military Recruitment			
State Compulsory	N/A*		
State Voluntary	Yes	18	Article 4 of the Partial Reform of the Military Enlistment Law (44)
Non-state Compulsory	No		
Compulsory Education Age	Yes	15 [‡]	Article 53 of the Law for the Protection of Children and Adolescents; Articles 102 and 103 of the Constitution; Articles 3 and 6 of the Education Law (20, 33, 37, 39)
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 (33, 37, 39)

* No conscription (39, 44)

‡ Age calculated based on available information (20, 33, 37, 39)

Although adolescents are prohibited from working in activities that may harm their health or development, such as on boats, the Government has not published a list of hazardous occupations prohibited for children under age 18.(2, 19, 36, 45, 46) Articles 79 and 80 of the Regulations on Occupational Safety and Health Conditions prohibit activities considered dangerous or unhealthy for children under age 18; however, the list referenced is not included in the published version of the Regulations. 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.(37, 38)

Venezuelan law does not sufficiently prohibit the trafficking of children. Articles 55 and 56 of the Law for Women’s Right to a Life Free from Violence do not protect boys from trafficking and require the use of deception, coercion, force, violence, threats, abduction, or other fraudulent means to carry out the offense of trafficking girls, including for commercial sexual exploitation.(41) Although Article 41 of the Law Against Organized Crime and Terrorism prohibits the trafficking of children, the law prohibits human trafficking committed only by members of organized criminal groups.(40) Venezuelan law does not prohibit non-state armed groups from recruiting children under 18.

Venezuela

MINIMAL ADVANCEMENT

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). However, gaps in labor law enforcement remain and some enforcement information is not available.

Table 5. Agencies Responsible for Child Labor Law Enforcement

Organization/Agency	Role
Ministry of Popular Power for Labor and Social Security (MINPPTRASS)	Enforce child labor laws and conduct child labor inspections in formal and informal business sectors. Develop policies and projects regarding child labor.(19, 21, 47)
National Institute for Prevention, Safety, and Health at Work	Assist MINPPTRASS in enforcing labor laws and conditions of work in Venezuela, including by conducting child labor inspections in formal and informal business sectors. Help develop labor inspection apparatus and implement national labor policies.(19, 48)
Municipal Councils for the Protection of Children and Adolescents	Manage the MINPPTRASS Registry for Adolescent Workers to ensure that employed students of legal working age balance their education and employment and that employers adhere to labor laws.(20)
Ministry of Popular Power of the Interior, Justice, and Peace	Investigate human trafficking cases through the Criminal Investigative Division and commercial sexual exploitation and illicit activities through the Scientific, Penal, and Criminal Investigative Corps.(1)

Labor Law Enforcement

Research did not find information on whether labor law enforcement agencies in Venezuela took actions to combat the worst forms of child labor (Table 6).

Table 6. Labor Law Enforcement Efforts Related to Child Labor

Overview of Labor Law Enforcement	2015	2016
Labor Inspectorate Funding	Unknown	Unknown
Number of Labor Inspectors	Unknown	Unknown
Inspectorate Authorized to Assess Penalties	Unknown	Unknown
Training for Labor Inspectors		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Labor Inspections		
Number Conducted at Worksite	Unknown	Unknown
Number Conducted by Desk Reviews	Unknown	Unknown
Number of Child Labor Violations Found	Unknown* (20)	Unknown*
Number of Child Labor Violations for Which Penalties Were Imposed	Unknown* (20)	Unknown*
Number of Penalties Imposed That Were Collected	Unknown* (20)	Unknown*
Routine Inspections Conducted	Unknown	Unknown
Routine Inspections Targeted	Unknown	Unknown
Unannounced Inspections Permitted	Unknown	Unknown
Unannounced Inspections Conducted	Unknown	Unknown
Complaint Mechanism Exists	Unknown	Unknown
Reciprocal Referral Mechanism Exists Between Labor Authorities and Social Services	Unknown	Unknown

* The Government does not publish this information.

NGOs have expressed concerns that the Government does not effectively monitor employed youth of legal working age to ensure that their employment does not negatively affect their education and that they are not exploited by employers.(1)

Criminal Law Enforcement

Research did not find information on whether criminal law enforcement agencies in Venezuela took actions to combat the worst forms of child labor (Table 7).

Table 7. Criminal Law Enforcement Efforts Related to the Worst Forms of Child Labor

Overview of Criminal Law Enforcement	2015	2016
Training for Investigators		
Initial Training for New Employees	Unknown	Unknown
Training on New Laws Related to the Worst Forms of Child Labor	Unknown	Unknown
Refresher Courses Provided	Unknown	Unknown
Number of Investigations	Unknown* (20)	Unknown*
Number of Violations Found	Unknown* (20)	Unknown*
Number of Prosecutions Initiated	Unknown* (27)	Unknown*
Number of Convictions	Unknown* (27)	Unknown*
Reciprocal Referral Mechanism Exists Between Criminal Authorities and Social Services	Unknown (27)	Unknown

* The Government does not publish this information.

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 8).

Table 8. Key Mechanisms to Coordinate Government Efforts on Child Labor

Coordinating Body	Role & Description
System for the Protection of Children and Adolescents	Protect children's rights and address child labor issues through policies and programs at the national and state levels. Mandated by the Law for the Protection of Children and Adolescents and composed of several government ministries and councils and representatives from civil society.(37, 49)

Although the Government has established the System for the Protection of Children and Adolescents, this body does not provide adequate coordination, monitoring, and evaluation of institutions to ensure protection from the worst forms of child labor. Moreover, research could not determine to what extent the body was active during the reporting period.(6) The Government's ability to address exploitative child labor is limited by minimal coordination between law enforcement agencies and insufficient information sharing between government offices at the municipal and national levels.(1, 20) Research could 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 has established policies related to child labor, including its worst forms (Table 9).

Table 9. Key Policies Related to Child Labor

Policy	Description
National Plan of Action Against Abuse and Commercial Sexual Exploitation	Addresses the prevention of commercial sexual exploitation of children under age 18 and the rehabilitation of victims.(50)

Although the Government of Venezuela has adopted poverty reduction strategies, as well as a policy to combat the commercial sexual exploitation of children, research did not find evidence of a national policy that targeted other forms of child labor, such as domestic work and street work.(6) The Government has not included child labor elimination and prevention strategies into the Second Socialist Plan for the Economic and Social Development of the Nation policy.(51)

Venezuela

MINIMAL ADVANCEMENT

VI. SOCIAL PROGRAMS TO ADDRESS CHILD LABOR

In 2016, the Government funded and participated in programs that include the goal of eliminating or preventing child labor, including its worst forms (Table 10).

Table 10. Key Social Programs to Address Child Labor

Program	Description
Children of the Barrio Mission (<i>Misión Niños del Barrio</i>)†	Program administered by the National Council for the Rights of Children and Adolescents (IDENA) that provides services to at-risk and underprivileged children, including child laborers. Eradicate exploitation, abuse, and psychological and physical mistreatment of children from birth to age 17.(14, 21, 52)
Program to Dignify Working Children and Adolescents†	IDENA-administered program to eradicate exploitative working conditions and establish safe business environments for working children above the legal age.(1, 19, 45, 53)
Human Trafficking Awareness Campaign†	Government program to raise public awareness of human trafficking and commercial sexual exploitation; disseminate public service announcements, advertisements, posters, and pamphlets in airports and tourist areas.(27)
Communal Centers for Comprehensive Care†	IDENA-supervised centers to provide meals and educational assistance to at-risk children from birth to age 12. Partners with the Ministry of Popular Power, Health, and Social Development to provide medical and dental care to children.(54)
National Day Camps†	IDENA-administered program under the Community Vacation Plan to provide summer day camps for children, with a focus on athletic, artistic, and cultural activities.(14, 19, 20)

† Program is funded by the Government of Venezuela.

Although the Government continued programming to alleviate poverty and improve conditions for some working children during the reporting period, these programs had limited effectiveness due to reduced government funding.(1) Although the Ministry of Popular Power for Interior and Justice and the Child Protection Council have trained psychologists and physicians to provide psychological and medical examinations to victims of human trafficking, follow-up social services to assist victims are limited.(27) Overall, existing government programs are insufficient to protect children in key sectors in which child labor is prevalent.

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 11).

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms

Area	Suggested Action	Year(s) Suggested
Legal Framework	Publish a comprehensive list of hazardous occupations and activities prohibited for children.	2009, 2011 – 2016
	Ensure that the law sanctions and prohibits child trafficking by all, not just by members of organized crime groups, and that the law does not require a showing of force, threats, violence, or coercion.	2016
	Ensure that the law criminally prohibits the recruitment of children under 18 into non-state armed groups.	2016
Enforcement	Ensure that all children receive their diplomas, certifications, and credentials in the formal education system.	2015 – 2016
	Publish information about the labor inspectorate’s funding; the number of labor inspectors; whether the inspectorate is authorized to assess penalties; the training system for labor inspectors; the number of labor inspections conducted at worksites and by desk review; the number of child labor violations found and for which penalties were imposed and collected; whether inspections are routine and targeted; whether unannounced inspections are permitted and conducted; whether complaint and reciprocal referral mechanisms exist for both labor and criminal authorities and social services; the training system for criminal law enforcement; and the number of criminal investigations, violations found, prosecutions initiated, and convictions related to the worst forms of child labor.	2009 – 2016
	Effectively monitor employed youth of legal working age to ensure their employment does not negatively affect their education or place them in a worst form of child labor.	2015 – 2016
Coordination	Ensure that the System for the Protection of Children and Adolescents provides adequate coordination, monitoring, and evaluation of institutions to protect children from the worst forms of child labor and publish information on the activities of this body.	2013 – 2016

Table 11. Suggested Government Actions to Eliminate Child Labor, Including its Worst Forms (cont)

Area	Suggested Action	Year(s) Suggested
Coordination	Strengthen coordination between law enforcement agencies and information sharing between municipal and national government agencies to protect children from the worst forms of child labor.	2015 – 2016
	Publish information about any coordinating mechanism that addresses the trafficking of children, including for commercial sexual exploitation.	2013 – 2016
Government Policies	Integrate child labor elimination and prevention strategies into the Second Socialist Plan for the Economic and Social Development of the Nation.	2009 – 2016
	Adopt a national policy that addresses all relevant forms of child labor, including domestic work and street work.	2013 – 2016
Social Programs	Ensure that child labor censuses cover all children under age 18 in both the formal and informal economy, and publish the results.	2010 – 2016
	Conduct and publish research on the worst forms of child labor.	2010 – 2011, 2013 – 2016
	Enhance efforts to eliminate barriers and make education accessible for all children, including children from indigenous and Afro-descendant communities, as well as children with disabilities; implement programs to ensure school enrollment and prevent school absence or abandonment, in particular due to food shortages and crime.	2015 – 2016
	Increase efforts to ensure that all children living in Venezuela may obtain Venezuelan identity documents.	2015 – 2016
	Increase funding and follow-up services for existing social programs and implement additional programs to specifically address the worst forms of child labor, including domestic servitude and commercial sexual exploitation.	2009 – 2016

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