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19 June 2003

VEN41656.E

Venezuela: Government organization for the protection of minors, specifically in cases of sexual exploitation, and the way in which a person can report to authorities a case of sexual exploitation (i.e. using minors for pornographic videos)

Research Directorate, Immigration and Refugee Board, Ottawa

A specific reference to reporting a case of minors being used for the production of pornographic videos could not be found among the sources consulted by the Research Directorate. However, the National Minor's Institute (Instituto Nacional del Menor, INAM), a program of the Ministry of Health and Social Development (Ministerio de Salud y Desarrollo Social, MSDS), provides organization charts and listings of programs to assist minors in "situations of abandonment or danger" (*situación de abandono o peligro*) and a sub-program of institutions for the assistance of minors, which includes workshops and shelters (Venezuela 2003a). INAM has entered into service provision partnerships with state and municipal governments throughout Venezuela, involving a total of 13 states and 55 municipalities (ibid. 2003b). However, the services provided in different states and municipalities range from a single pre-school in a city, to a range of community centres in Caracas that include at least one legal counselling centre (ibid.).

VEN33338.E of 29 December 1999 and VEN37974.E of 26 October 2001 provide information on procedures and possible recourse available through the police, courts and organizations, in cases of domestic or sexual violence which, as explained in those Responses, are based on legislation that can apply to cases involving women and/or minors. *Country Reports 2002*, available at Regional Documentation Centres, provides additional and updated information in "Venezuela," Section 5, under the chapters on "Women" and "Children." The report includes a reference to a "slow implementation" of provisions of the Organic Procedural Law on Adolescents and Children which establishes legal protection of children under the age of 18, and provides general comments on the availability and effectiveness of protection and assistance services for minors in Venezuela (*Country Reports 2002* 31 Mar. 2003)..

The report also provides potentially useful information under Section 6.f, "Trafficking in Persons:" following references to cases of luring and misleading of young women into sexual exploitation by organized crime, the report states

[T]he Government did not prosecute any individuals for trafficking in persons during the year. Government efforts to prevent and prosecute trafficking, which were rare, are the responsibility of the Public Prosecutor's Family Protection Directorate and the National Institutes for Women and Minors. Female victims of trafficking have recourse to the Government's national system of women's shelters. NGOs such as CECODAP and the Coalition Against Trafficking in Women also were involved in activities to combat trafficking. There were no efforts or surveys planned or underway to document the extent and nature of trafficking in the country (ibid.).

In addition to the above, the Venezuelan human rights organization PROVEA provides, in its most recent annual report, only a passing reference to the Adolescent and Child Protection Law and its corresponding Adolescent and Child Protection System (PROVEA 2002). According to the report, the non-governmental Community Centres for Learning (CECODAP) reported deficiencies in the latter system, including lack of resources and "weaknesses in the exercise of duties" (*debilidades en cumplimiento de las funciones*) by pertinent staff (ibid.)

The Research Directorate was unable to obtain information on specific procedures and cases from INAM or other Venezuelan government institutions within the constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim to refugee status or asylum.

References

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