
VENEZUELA

Bolivarian Republic of Venezuela

Population: 26.7 million (10.0 million under 18)

Government armed forces: 82,300

Compulsory recruitment age: 18

Voluntary recruitment age: 18

Voting age: 18

Optional Protocol: ratified 23 September 2003

Other treaties ratified (see glossary):

CRC, GC AP I and II, ICC, ILO 138, ILO 182

There were reports of Colombian and Venezuelan armed groups recruiting under-18s in border areas.

Context

The increased militarization of the border between Venezuela and Colombia, combined with rising insecurity, economic difficulties and armed confrontations among Colombian and Venezuelan armed groups, pushed a growing number of Colombian refugees and asylum seekers to cities such as Caracas and Maracaibo.¹

In September 2004 five Venezuelan soldiers and an oil company engineer were killed in an ambush by members of a Colombian armed opposition group in El Amparo, Apure state. Army officers admitted difficulties in safeguarding the border against incursions by Colombian armed groups, which were also involved in kidnappings and smuggling.²

Government

National recruitment legislation and practice

The 1978 conscription law established that military service was compulsory for all men aged 18–50 (military age). Young men had to register with military authorities within 60 days of their 18th birthday and serve for a maximum of 18 months. Military service was voluntary for women in times of peace and compulsory in times of war. Men of military age must show proof of having fulfilled their military obligations in order to be able to obtain a driver's licence or to start a business.³ The 1999 constitution expressly prohibited forcible recruitment.⁴

Not all available men were called up for active military service. In February 2005 President Hugo Chávez issued a decree establishing a “military reserve” made up of men of military age not in active service. These new reserve units, under the direct authority of the president, were managed by the Strategic Operational Command, independent of the Ministry of Defence. Training

lasted for five months at military barracks or at schools, and those training for a further three years were deemed to have fulfilled their military obligations.⁵

A new conscription and military enlistment law was being developed. It proposed that active military service would no longer be compulsory for everyone, but all men and women of military age would be required to register, with heavy fines of up to US\$350 for failing to register, not joining active service when called up or not showing military papers when required. Household heads, university students, parents and married men and women could do military service during weekends and holidays.⁶

Although the law had yet to be enacted, in April 2007 military authorities were urging all adults to register, and it was reported that over 16,000 men and women had been incorporated as reserves into the armed forces in January 2007.⁷ It was expected that there would be up to 1.5 million reservists.⁸

Military training and military schools

Students at private or public military secondary-schools who received military training approved by the Ministry of Defence were deemed to have fulfilled their military obligations.⁹

Pre-military instruction was compulsory for all students in the last two years of secondary education (typically age 15–17) and additional to compulsory military service.¹⁰

The officer training Military Academy admitted students in the final year of secondary-school (age 17).¹¹

A new military education law was being debated in 2007. It proposed the establishment of joint civilian–military activities, including the participation of the civilian population in territorial guard units. Secondary-education students in all institutions would be required to follow a “diversified secondary and military professional” educational program for 18 months, offering academic, scientific, technical and military courses. Pre-military instruction in secondary-schools would continue under the authority of the Ministry of Popular Power for Defence.¹²

Armed groups

According to reports there were at least ten armed groups operating in Venezuela.¹³ The Colombian Revolutionary Armed Forces (Fuerzas Armadas Revolucionarias de Colombia, FARC), the National Liberation Army (Ejército de Liberación Nacional, ELN), Colombian army-backed paramilitaries, and the Venezuelan Bolivarian Liberation Forces–Liberation Army (Fuerzas Bolivarianas de Liberación–Ejército Libertador, FBL) controlled large areas along the border with Colombia, in effect carrying out

state functions with regard to political and social control.¹⁴

The FBL had emerged in 1992 as a nationalist political organization. It had military units in border areas, purportedly to “stop the advancement of paramilitaries from Colombia” and any attempted “invasion by imperialist forces”.¹⁵ Although it claimed to support the government, President Hugo Chávez denied any connections with the FBL.¹⁶ It proposed the creation of popular self-defence committees in rural areas, the incorporation of the whole population in national defence and security policies and the extension of pre-military education from the first year of secondary school.¹⁷ In 2005 it was estimated that the FBL had around 4,000 members in Alto Apure, near the Colombian border.¹⁸ The local priest at Guasualito, Apure state, reported that the FBL had recruited youngsters, but this was denied by FBL spokespersons.¹⁹

Armed groups in the border areas imposed stringent controls on the movement of people and were responsible for the forcible recruitment of children, kidnappings and unlawful killings. During 2006 at least 40 people, including some under 18, died in El Nula and surrounding areas, reportedly during combat or as a result of their links with one of these armed groups. Many children stopped attending school for fear of being recruited.²⁰

In October 2006 a member of the community of Santa Inés in El Nula, Apure state, was killed by unidentified men believed to be members of armed groups operating in the area. Thirty-two families left their homes seeking safety.²¹ In February 2007 a four-year-old girl was killed during an armed confrontation between Colombian armed groups in El Amparo, Apure state, allegedly over control of territory in Venezuela.²²

The office of the UN refugee agency, UNHCR, in Táchira told the Child Soldiers Coalition about cases where whole families had migrated to Venezuela from Colombia when their children reached the age of nine or ten, for fear that armed groups would take them away. In one case, a mother of five children had fled her farm after two of them had been recruited. However, fear of recruitment of children was not often seen as the main reason for fleeing Colombia, even though the Coalition heard of cases where attempts had been made to recruit several members of the same family before leaving Colombia.²³

Disarmament, demobilization and reintegration (DDR)

Although UNHCR estimated that around 200,000 Colombians had fled to Venezuela in recent years,²⁴ the Venezuelan government had no

specific policies on refugees or reintegration of child soldiers or refugees.²⁵

Developments

The UN Committee on the Rights of the Child, on examining Venezuela's second periodic report in October 2007, recommended improving the sharing of responsibilities between the National Commission for Refugees and child-protection institutions, ensuring rapid access to refugee status determination procedures and subsequent assistance for unaccompanied and separated children, and other measures contained in the Committee's general comment No. 6 on the treatment of unaccompanied and separated children outside their country of origin.²⁶

International standards

Venezuela ratified the ILO Worst Forms of Child Labour Convention 182 in October 2005.

- 1 Child Soldiers Coalition, *Armed Conflict in Colombia – Frontiers: Childhood at the Borderline*, February 2007.
- 2 Ibid.
- 3 Ley de Conscripción y Alistamiento militar.
- 4 Rocío San Miguel, “Baduel oculta la verdad”, *Noticiero Digital*, 3 May 2007, <http://noticierodigital.com>.
- 5 Vicente Ventura Barreiro, “Reserva militar de Venezuela o brazo armado de la Revolución Bolivariana”, *Newpolitic.com*, c.2006, at www.ciee.org.ar.
- 6 “Consideran multar a quienes no exijan registro militar”, *El Universal*, 24 April 2007, www.eluniversal.com.
- 7 José Luis Carrillo, “Jefe de la Circunscripción Militar del Distrito Capital sostiene que todo deber es una obligación”, *Venezuela Real*, 27 April 2007, <http://venezuelareal.zoomblog.com>.
- 8 Venezuela en Red, “Civiles coadyuvarán en la defensa en Venezuela”, 7 April 2005, <http://venezuela-15a.blogspot.com>.
- 9 Ley de Conscripción y Alistamiento militar.
- 10 Ibid.
- 11 Academia Militar de Venezuela, www.academiamilitar.edu.ve.
- 12 Propuesta de Ley de Educación Militar (accessed 26 June 2007), www.ejercito.mil.ve.
- 13 Centro de Documentación de los Movimientos Armados (Cedema), www.cedema.org.
- 14 Provea (Programa Venezolano de Educación-Acción en Derechos Humanos), *Derechos Humanos y Coyuntura*, Boletín electrónico No. 177, 12–30 October 2006, www.derechos.org.ve.
- 15 “Hablan las FBL: Estamos dispuestos a conversar con el señor Presidente”, *Quinto Día Online*, edition 412, 8 October 2004, www.quintodia.com.

- 16 Ministerio del Poder Popular para la Comunicación y la Información, “Soberanía, Chávez y sus posturas sobre las FARC”, 28 January 2005, www.minci.gob.ve.
- 17 Fuerzas Bolivarianas de Liberación – Ejército Libertador (FBL-EL), “Visión”, www.fbl-el.org.
- 18 “Aseguran que 4 mil hombres de la FBL operan en el Alto Apure”, *El Universal*, 19 July 2005.
- 19 “Venezuela–Colombia: Violencia y silencio fronterizos”, IPS, March 2007, www.ipsnoticias.net.
- 20 Equipo Pastoral de El Nula, “¿Quién tiene el control de la zona?”, Provea, Derechos Humanos y Coyuntura, Boletín electrónico No. 177.
- 21 “Foro por la Vida rechaza la posibilidad de estado de excepción en El Nula y solicita presencia de funcionarios públicos en la zona”, Provea, Derechos Humanos y Coyuntura, Boletín electrónico N° 177.
- 22 “Venezuela–Colombia”, above note 19.
- 23 Child Soldiers Coalition, above note 1.
- 24 “Venezuela–Colombia”, above note 19.
- 25 Second periodic report of Venezuela to the UN Committee on the Rights of the Child, UN Doc. CRC/C/VEN/2, 5 April 2007 (only in Spanish at the time of writing).
- 26 Committee on the Rights of the Child, Consideration of second periodic report submitted by Venezuela, Concluding observations, UN Doc. CRC/C/VEN/CO/2, 5 October 2007.