



**Convention on the  
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COMMITTEE ON THE RIGHTS OF THE CHILD  
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**WRITTEN REPLIES BY THE GOVERNMENT OF VENEZUELA  
CONCERNING THE LIST OF ISSUES (CRC/C/VEN/Q/2)  
PREPARED BY THE COMMITTEE RELATING TO THE  
CONSIDERATION OF THE SECOND PERIODIC REPORT  
OF VENEZUELA (CRC/C/VEN/2)\***

[Received on 3 August 2007]

**I. DATA AND STATISTICS**

**1. Children and adolescents aged under 18 living in Venezuela**

Venezuela sets out below the data disaggregated by federal district, sex and urban and rural population for 2004, 2005 and 2006, for children and adolescents aged under 18 living in the country.

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\* In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation services.

**Table 1****Urban-rural population aged under 19 by sex and federal district  
2004<sup>1</sup>**

Federal district/sex	Total population			Urban population			Rural population		
	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls
Distrito Capital	677 054	342 683	334 371	676 948	342 632	334 316	106	51	55
Amazonas	64 188	32 911	31 277	38 737	20 008	18 729	25 451	12 903	12 548
Anzoátegui	572 280	291 336	280 944	502 942	255 593	247 349	69 338	35 743	33 595
Apure	218 204	112 069	106 135	140 631	71 834	68 797	77 573	40 235	37 338
Aragua	587 865	298 561	289 304	551 778	280 263	271 515	36 087	18 298	17 789
Barinas	323 891	165 397	158 494	217 346	110 183	107 163	106 545	55 214	51 331
Bolívar	611 974	311 434	300 540	541 746	274 593	267 153	70 228	36 841	33 387
Carabobo	804 003	409 596	394 407	790 417	402 659	387 758	13 586	6 937	6 649
Cojedes	122 873	63 027	59 846	97 804	50 129	47 675	25 069	12 898	12 171
Delta Amacuro	71 342	36 413	34 929	45 306	23 135	22 171	26 036	13 278	12 758
Falcón	350 020	178 398	171 622	258 979	131 990	126 989	91 041	46 408	44 633
Guarico	305 985	156 762	149 223	233 398	119 071	114 327	72 587	37 691	34 896
Lara	677 098	346 477	330 621	558 824	285 310	273 514	118 274	61 167	57 107
Mérida	324 752	165 516	159 236	255 633	129 547	126 086	69 119	35 969	33 150
Miranda	949 780	482 983	466 797	902 744	459 194	443 550	47 036	23 789	23 247
Monagas	350 095	178 155	171 940	292 341	148 429	143 912	57 754	29 726	28 028
Nueva Esparta	157 097	80 366	76 731	151 210	77 325	73 885	5 887	3 041	2 846
Portuguesa	368 963	189 050	179 913	267 430	137 012	130 418	101 533	52 038	49 495
Sucre	377 557	194 818	182 739	298 685	153 884	144 801	78 872	40 934	37 938
Táchira	445 804	228 430	217 374	359 669	183 715	175 954	86 135	44 715	41 420
Trujillo	277 352	141 989	135 363	208 716	106 830	101 886	68 636	35 159	33 477
Vargas	117 047	59 804	57 243	104 569	53 527	51 042	12 478	6 277	6 201
Yaracuy	242 423	124 871	117 552	193 380	99 967	93 413	49 043	24 904	24 139
Zulia	1 423 623	727 460	696 163	1 284 957	656 052	628 905	138 666	71 408	67 258
Total	10 421 270	5 318 506	5 102 764	8 974 190	4 572 882	4 401 308	1 447 080	745 624	701 456

<sup>1</sup> National Statistical Institute.

**Table 2**  
**Urban-rural population aged under 19 by sex and federal district**  
**2005<sup>2</sup>**

Federal district/ sex	Total population			Urban population			Rural population		
	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls
Distrito Capital	668 008	338 416	329 592	667 903	338 366	329 537	105	50	55
Amazonas	65 343	33 518	31 825	39 850	20 588	19 262	25 493	12 930	12 563
Anzoátegui	574 108	292 373	281 735	503 023	255 729	247 294	71 085	36 644	34 441
Apure	221 518	113 634	107 884	143 498	73 268	70 230	78 020	40 366	37 654
Aragua	586 208	297 758	288 450	550 042	279 440	270 602	36 166	18 318	17 848
Barinas	328 596	167 603	160 993	220 872	111 912	108 960	107 724	55 691	52 033
Bolívar	613 797	312 472	301 325	543 500	275 594	267 906	70 297	36 878	33 419
Carabobo	803 306	409 562	393 744	790 088	402 815	387 273	13 218	6 747	6 471
Cojedes	124 649	63 922	60 727	99 397	50 940	48 457	25 252	12 982	12 270
Delta Amacuro	73 041	37 280	35 761	46 778	23 888	22 890	26 263	13 392	12 871
Falcón	352 950	179 813	173 137	261 784	133 399	128 385	91 166	46 414	44 752
Guarico	309 447	158 371	151 076	236 246	120 456	115 790	73 201	37 915	35 286
Lara	679 141	347 704	331 437	561 195	286 700	274 495	117 946	61 004	56 942
Mérida	328 993	167 763	161 230	259 353	131 503	127 850	69 640	36 260	33 380
Miranda	949 743	483 774	465 969	902 493	459 846	442 647	47 250	23 928	23 322
Monagas	355 826	181 023	174 803	297 580	151 072	146 508	58 246	29 951	28 295
Nueva Esparta	157 333	80 487	76 846	151 460	77 455	74 005	5 873	3 032	2 841
Portuguesa	372 999	191 060	181 939	270 977	138 821	132 156	102 022	52 239	49 783
Sucre	380 651	196 066	184 585	301 525	155 151	146 374	79 126	40 915	38 211
Táchira	450 919	230 958	219 961	364 474	186 139	178 335	86 445	44 819	41 626
Trujillo	280 689	143 601	137 088	211 953	108 453	103 500	68 736	35 148	33 588
Vargas	116 138	59 284	56 854	103 746	53 067	50 679	12 392	6 217	6 175
Yaracuy	245 530	126 341	119 189	196 024	101 266	94 758	49 506	25 075	24 431
Zulia	1 436 158	733 766	702 392	1 296 752	662 087	634 665	139 406	71 679	67 727
Total	10 475 091	5 346 549	5 128 542	9 020 513	4 597 955	4 422 558	1 454 578	748 594	705 984

The figures provided in the above table and in those for 2005 and 2006 have been established on the basis of an official population forecast using as a basis the census held in 2001,<sup>3</sup> as evaluated and corrected, and the geographical trends as recorded and evaluated.

The component method was applied to these data, in which, in addition to the assumption relating to the evolution of mortality and migration, three assumptions were made for fertility, producing different estimates of the total population for each of the years in the forecast.

<sup>2</sup> National Statistical Institute. Coordination of Vital Statistics.

<sup>3</sup> Latest census.

**Table 3****Urban-rural population aged under 19 by sex and federal district  
2006<sup>4</sup>**

Federal district/sex	Total population			Urban population			Rural population		
	Total	Boys	Girls	Total	Boys	Girls	Total	Boys	Girls
Distrito Capital	659 733	334 476	325 257	659 628	334 427	325 201	105	49	56
Amazonas	66 292	34 005	32 287	40 838	21 104	19 734	25 454	12 901	12 553
Anzoátegui	575 613	293 243	282 370	502 803	255 727	247 076	72 810	37 516	35 294
Apure	223 907	114 784	109 123	145 781	74 435	71 346	78 126	40 349	37 777
Aragua	583 698	296 538	287 160	547 497	278 227	269 270	36 201	18 311	17 890
Barinas	332 117	169 422	162 695	223 572	113 308	110 264	108 545	56 114	52 431
Bolívar	613 499	312 476	301 023	543 335	275 672	267 663	70 164	36 804	33 360
Carabobo	800 714	408 365	392 349	787 879	401 825	386 054	12 835	6 540	6 295
Cojedes	125 978	64 575	61 403	100 634	51 565	49 069	25 344	13 010	12 334
Delta Amacuro	74 558	38 052	36 506	48 127	24 577	23 550	26 431	13 475	12 956
Falcón	355 059	180 938	174 121	263 947	134 555	129 392	91 112	46 383	44 729
Guarico	312 106	159 629	152 477	238 461	121 557	116 904	73 645	38 072	35 573
Lara	680 693	348 525	332 168	563 131	287 774	275 357	117 562	60 751	56 811
Mérida	332 848	169 750	163 098	262 762	133 268	129 494	70 086	36 482	33 604
Miranda	945 682	482 025	463 657	898 389	458 094	440 295	47 293	23 931	23 362
Monagas	361 101	183 766	177 335	302 436	153 606	148 830	58 665	30 160	28 505
Nueva Esparta	157 055	80 366	76 689	151 216	77 352	73 864	5 839	3 014	2 825
Portuguesa	375 571	192 369	183 202	273 403	140 088	133 315	102 168	52 281	49 887
Sucre	383 474	197 363	186 111	304 123	156 411	147 712	79 351	40 952	38 399
Táchira	455 416	233 129	222 287	368 749	188 281	180 468	86 667	44 848	41 819
Trujillo	283 593	145 099	138 494	214 830	109 947	104 883	68 763	35 152	33 611
Vargas	115 336	58 863	56 473	103 013	52 693	50 320	12 323	6 170	6 153
Yaracuy	247 838	127 428	120 410	198 017	102 249	95 768	49 821	25 179	24 642
Zulia	1 446 317	738 830	707 487	1 306 383	667 024	639 359	139 934	71 806	68 128
Total	10 508 198	5 364 016	5 144 182	9 048 954	4 613 766	4 435 188	1 459 244	750 250	708 994

**2. Budget allocations for children and adolescents**

The comprehensive protection of children and adolescents is assigned absolute priority in the Constitution. The Protection of Children and Adolescents (Organization) Act lays down the absolute obligation of the State to take all necessary and appropriate administrative, legislative, judicial and other steps to ensure that all children and adolescents fully and effectively enjoy their rights and safeguards.

In the light of this guidance, substantial amounts are earmarked under the national budget for the formulation of policies and the implementation of programmes and projects which promote the progressive development of, and care for, children and adolescents.

Public investment for the child and adolescent sector in the years 2002, 2003, 2004 and 2005 is indicated below.

<sup>4</sup> National Statistical Institute.

**Table 4**  
**Total investment for children and adolescents,<sup>5</sup> 2002-2005**

Year	Amount (Bs)
2002	507 700 000
2003	500 562 400 000
2004	300 504 620 000
2005	200 217 000 000
Total	1 001 791 720 000

**(a) Budget allocations for education of children and adolescents**

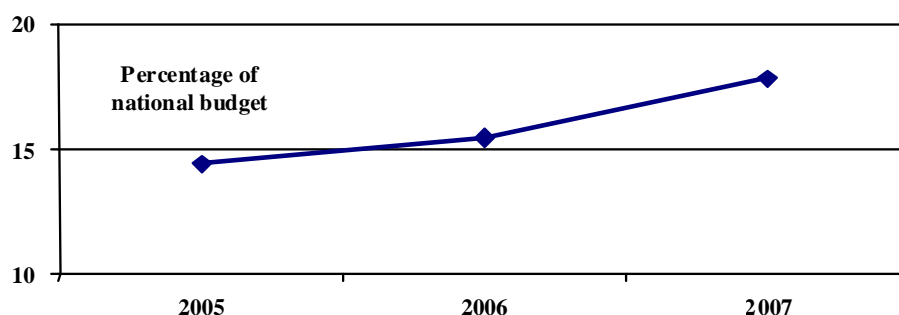
The table and figure below show the total of and trend in national public investment designed to guarantee the right of children and adolescents to education in 2005, 2006 and 2007.

**Table 5**  
**National public investment in education,<sup>6</sup> 2005-2007**  
**(millions of bolivares)**

	2005	%	2006	%	2007	%
Education	12 449 396.1	14.4	19 900 203.8	15.5	21 869 802.6	17.8

**Figure A**

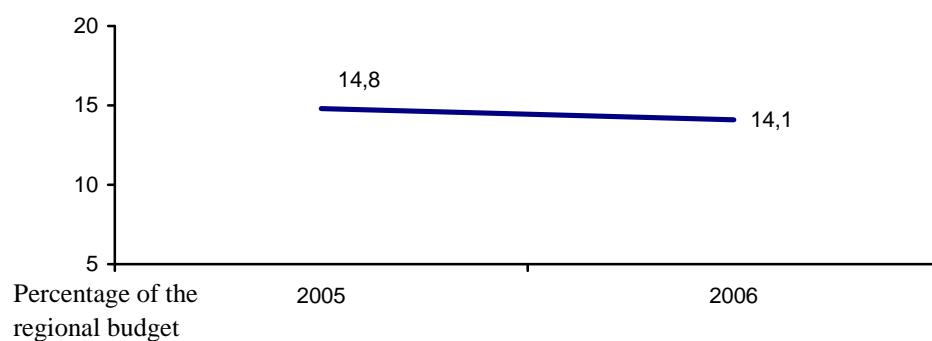
**Trend in national public investment in education**



The table and figure below reflect the total of and trend in investment by federal districts in fulfilling the right to education.

<sup>5</sup> National Council for the Rights of the Child and the Adolescent. Planning and Budget Office.

<sup>6</sup> Budget Act, as amended. National Budget Office.

**Figure B****Trend in regional public investment in education****Table 6**
**Regional public investment in education,<sup>7</sup> 2005-2006**  
 (millions of bolívares)

Federal districts	2005	%	2006	%
Amazonas	52 996 576.2	19.4	80 033 102.6	22.3
Anzoátegui	65 440 832.5	9.6	93 890 957.8	9.6
Apure	37 247 518.3	14.7	68 357 615.9	14.9
Aragua	92 806 030.5	16.5	124 857 485.9	16.4
Barinas	73 139 583.5	21.8	103 445 542.1	22.2
Bolívar	99 579 646.3	15.5	126 858 659.3	13.9
Carabobo	153 050 369.5	15.5	193 183 171.3	13.2
Cojedes	44 414 143.0	20.7	59 222 544.0	19.8
Delta Amacuro	37 063 448.0	19.1	45 879 006.6	16.7
Falcón	79 549 628.0	20.7	148 291 067.0	19.0
Guárico	48 697 443.2	14.6	55 145 024.6	11.8
Lara	90 095 666.6	25.5	232 686 001.5	24.3
Mérida	38 844 745.4	11.3	47 976 192.0	10.0
Miranda	147 953 915.3	12.5	211 374 517.0	13.8
Monagas	42 085 727.2	6.6	42 481 236.7	4.0
Nueva Esparta	70 129 512.1	25.5	88 716 436.0	25.8
Portuguesa	38 478 354.7	10.1	Not available	Not available
Sucre	69 728 276.0	19.6	108 185 899.8	22.1
Táchira	60 451 156.8	12.1	60 409 186.1	8.6
Trujillo	69 625 065.5	20.2	83 287 036.8	19.1
Yaracuy	45 622 637.8	13.9	22 613 872.7	4.9
Zulia	79 162 942.2	5.8	95 554 204.2	5.0
Vargas	27 452 892.5	10.7	39 972 914.0	13.0
District Capital	63 519 169.3	5.5	88 702 427.0	4.9
District de l'Alto Apure	2 740 290.6	2.9	4 566 429.6	4.3
Total	1 629 875 571.0	14.8	2 225 690 530.5	14.1

<sup>7</sup> National Budget Office. Budget Acts of Governors' offices.

**(b) Budget allocations for health care**

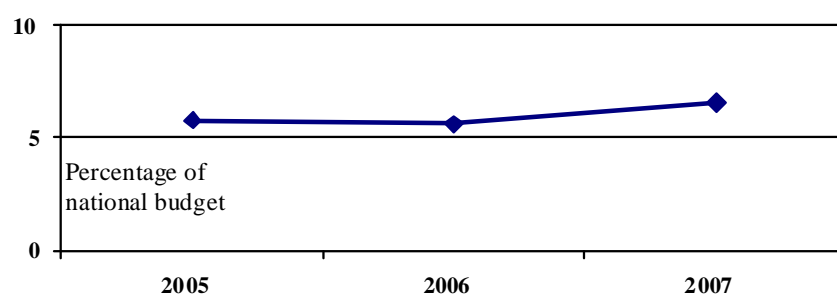
It is vital to point out that most of the projects and programmes implemented by Venezuela in the health sector include and encompass all strata of the population, so that it is not possible to give a sectoral breakdown of the budget allocations for children and adolescents.

The table and figure below indicate the total of and trend in national public investment designed to guarantee the right of Venezuelans to health in 2005, 2006 and 2007.

**Table 7**  
**National public investment in health<sup>8</sup>**  
**2005-2007**  
**(millions of bolivares)**

	2005	%	2006	%	2007	%
Health	4 966 347.5	5.8	7 245 023.1	5.6	8 080 172.2	6.6

**Figure C**  
**National public investment in health**  
**Trend, 2005-2007**

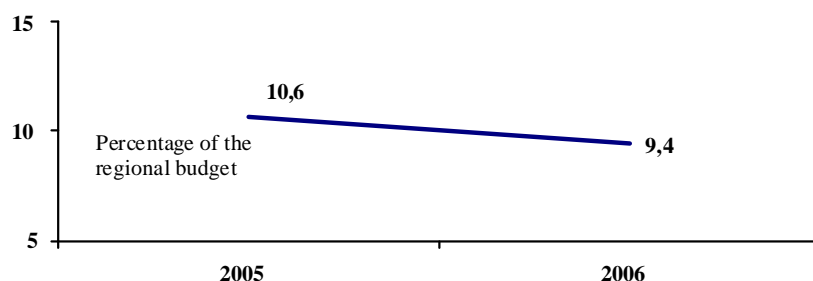


The table and figure below reflect the total of and trend in investment by the various federal bodies to fulfil the right to health in 2005 and 2006. Also shown are the percentages of each body's budget earmarked for the health sector.

<sup>8</sup> Budget Act, as amended. National Budget Office.

**Figure D**

**Regional public investment in health  
Trend, 2005-2006**

**Table 8**

**Regional public investment in health, 2005-2006  
(millions of bolivares)**

Federal district	2005	%	2006	%
Amazonas	3 429 858.6	1.2	4 191 575.3	1.1
Anzoátegui	30 357 642.7	4.8	45 857 387.7	4.7
Apure	64 910 386.2	25.7	92 441 227.1	20.2
Aragua	22 540 000.0	4.0	32 136 295.2	4.2
Barinas	9 981 703.3	2.9	15 097 641.2	3.2
Bolívar	132 315 531.9	20.6	169 358 113.8	18.5
Carabobo	175 219 582.7	17.7	263 286 748.4	18.0
Cojedes	7 519 824.0	3.3	8 840 748.0	2.9
Delta Amacuro	5 949 887.0	3.0	8 306 298.2	3.0
Falcón	30 939 712.0	8.0	44 842 550.0	5.7
Guárico	15 366 502.4	4.6	21 985 483.5	4.6
Lara	96 588 096.8	27.4	211 642 737.5	22.1
Mérida	34 148 458.9	10.0	45 323 871.9	9.5
Miranda	128 644 796.3	10.9	210 529 597.1	13.8
Monagas	93 344 511.2	14.8	137 703 580.8	13.1
Nueva Esparta	9 280 258.0	3.3	13 821 542.0	4.0
Portuguesa	16 878 198.3	4.4	Not available	Not available
Sucre	27 660 858.8	7.8	36 197 486.4	7.4
Táchira	101 756 508.4	20.3	135 811 981.4	19.3
Trujillo	12 389 446.6	3.6	13 212 613.8	3.0
Yaracuy	72 878 781.5	22.2	Not available	Not available
Zulia	36 476 481.4	2.7	52 271 419.5	2.7
Vargas	30 367 721.4	11.8	37 606 498.9	12.3
Distrito Capital	319 803 148.7	28.0	427 095 039.8	24.0
District de l'Alto Apure	2 486 908.3	2.6	297 206.1	0.2
<b>Total</b>	<b>1 481 234 805.4</b>	<b>10.6</b>	<b>2 027 857 643.6</b>	<b>9.4</b>

(c) **Budget allocations for programmes and services for children with disabilities, indigenous children and afrodescendants, children in need of alternative care, children in institutions and children living on the streets**

Care for children and adolescents in special circumstances is a priority for Venezuela, which devotes specific plans and resources to this area so as to ensure that these citizens effectively enjoy their rights.

In order to deal with these cases, the National Council for Children's and Adolescents' Rights has implemented various programmes and services which ensure protection for children and adolescents with disabilities, those in need of alternative care and street children and adolescents.

The table below reflects the number of programmes and services provided in 2002, 2003, 2004, 2005 and 2006 for these children and adolescents in special circumstances.

**Table 9**  
**Programmes and services for children with disabilities, children in need of alternative care and street children<sup>9</sup>, 2002-2006**

Programmes or services	2002	2003	2004	2005	2006	Total per programme
Shelter	24	25	1	1	0	51
Placement in foster families	1	6	4	0	0	11
Street children and adolescents	2	9	2	0	0	13
Disability	3	4	4	1	0	12
Overall total	30	44	11	2	0	87

Where children with disabilities are concerned, the programmes and services provided benefited 3,607 children and adolescents at a total cost of 182,474,741.56 bolivares.

As for street children or children suffering from exclusion, the programmes and services covered 2,793 children and adolescents by means of 11 programmes involving total investment of 205,864,895.88 bolivares.

The following tables show investment effected and numbers covered by programmes and services destined for street children and adolescents in 2003, 2004 and 2005.

These tables indicate investment by the National Child and Adolescent Protection Fund and the different governors' offices and local authorities in the country.

<sup>9</sup> National Council for the Rights of the Child and the Adolescent. Summary of agreements entered into during fiscal period 2002-2005.

**Table 11<sup>10</sup>**

**Programmes to protect and care for street children and adolescents  
2003**

Year 2003 programmes					
Programme or project title	Target population	Total cost			Total
	Children and adolescents	National Child and Adolescent Protection Fund	Local authorities	Governors' offices	
Assistance to provide care for children and adolescents experiencing poverty	30	572 550.00	0 00	0.00	572 550.00
Help a Street Child	25	6 051 683.54	0.00	0.00	6 051 683.54
Meeting the needs of children and adolescents experiencing poverty	200	8 600 000.00	0.00	0.00	8 600 000.00
Programme of care for abandoned children and adolescents aged under 15	30	52 800 000.00	0.00	0.00	52 800 000.00
Dealing with street children and adolescents, including their families	175	4 000 000.00	0.00	0.00	4 000 000.00
Links with street children at risk	35	11 735 845.48	0.00	0.00	11 735 845.48
Programme of training and reconstruction of life projects for adolescents suffering from exclusion	50	15 000 000.00	0.00	0.00	15 000 000.00
Children and adolescents in need of protection	74	47 229 452.00	0.00	0.00	47 229 452.00
Comprehensive care for street children and adolescents	40	20 296 377.66	0.00	0.00	20 296 377.66
<b>Total</b>	<b>659</b>	<b>166 285 908.68</b>	<b>0.00</b>	<b>0.00</b>	<b>166 285 908.68</b>

**Table 12**

**Programmes to protect and care for street children and adolescents<sup>11</sup>  
2004**

Programmes/year 2004					
Programme or project title	Target population	Total cost			Total
	Children and adolescents	National Child and Adolescent Protection Fund	Local authorities	Governors' offices	
Programme of comprehensive care for children and adolescents at risk	1 954	8 638 464.38	25 915 393.00	0.00	34 553 857.38
<b>Total</b>	<b>1 954</b>	<b>8 638 464.38</b>	<b>25 915 393.00</b>	<b>0.00</b>	<b>34 553 857.38</b>

<sup>10</sup> National Council for the Rights of the Child and the Adolescent.

<sup>11</sup> National Council for the Rights of the Child and the Adolescent.

**Table 13**  
**Programmes to protect and care for street children and adolescents<sup>12</sup>**  
**2005**

Programmes/year 2005					
Programme or project title	Target population	Total cost			Total
	Children and adolescents	National Child and Adolescent Protection Fund	Local authorities	Governors' offices	
Programme of comprehensive care for children and adolescents at risk	180	5 025 129.82	0.00	0 00	5 025 129.82
Total	180	5 025 129.82	0.00	0 00	5 025 129.82

The Constitution acknowledges the right of all persons with disabilities or special needs to enjoy the full and independent exercise of their capabilities and to be integrated in the family and the community.

On the basis of this principle, Venezuela, with the assistance and solidarity of families and society, has an obligation to guarantee respect for their human dignity, equal opportunity and satisfactory working conditions, and to foster their training and access to employment in accordance with their circumstances.

Reflecting this commitment by the State, the following tables show the investment effected and numbers covered by programmes and services destined for children and adolescents with disabilities in 2003 and 2004.

**Table 14**  
**Programmes to protect and care for children and adolescents with disabilities<sup>13</sup>**  
**2003**

Programmes/year 2003					
Programme or project title	Target population	Total cost			Total
	Children and adolescents	National Child and Adolescent Protection Fund	Local authorities	Governors' offices	
Programme of training and special care	300	6 000 000.00	1 200 000.00	0.00	7 200 000.00
Strengthening of food and comprehensive education programmes for children and adolescents with disabilities in the municipality of Guanipa	89	4 945 230.00	4 596 378.40	0.00	9 541 608.40

<sup>12</sup> National Council for the Rights of the Child and the Adolescent.

<sup>13</sup> National Council for the Rights of the Child and the Adolescent.

**Table 14 (continued)**

Programmes/year 2003					
Programme or project title	Target population	Total cost			Total
	Children and adolescents	National Child and Adolescent Protection Fund	Local authorities	Governors' offices	
Assistance and rehabilitation programmes for children and adolescents with special needs	120	26 400 000.00	0.00	0.00	26 400 000.00
Provision of multidisciplinary equipment for care for special children	755	9 553 960.36	0.00	0.00	9 553 960.36
Activities involving motor skills	1 065	14 772 172.80	0.00	0.00	14 772 172.80
Total	2 329	61 671 363.16	5 796 378.40	0.00	67 467 741.56

**Table 15**

**Programmes to protect and care for children  
and adolescents with disabilities  
2004**

Programmes/year 2004					
Programme or project title	Target population	Total cost			Total
	Children and adolescents	National Child and Adolescent Protection Fund	Local authorities	Governors' offices	
Strengthening of interdisciplinary teams to provide comprehensive care for persons with disabilities	380	27 007 000.00	0.00	0.00	27 007 000.00
Care for and stimulation of children with disabilities	20	5 000 000.00	0.00	5 000 000.00	10 000 000.00
Comprehensive training programme aimed at parents and representatives of children and adolescents with disabilities and special needs	390	14 250 000.00	0.00	10 750 000.00	25 000 000.00
Programme of care for children and adolescents with disabilities	123	14 250 000.00	0.00	10 750 000.00	25 000 000.00
Total	913	60 507 000.00	0.00	26 500 000.00	87 007 000.00

**(d) Budget allocations for programmes and activities for the prevention of and protection from sexual exploitation and child pornography**

During the period 2003-2004, care was provided for a total of 7,297 children and adolescents by means of 11 programmes aimed at providing care for children and adolescents and protecting them from sexual exploitation and child pornography, involving budgetary investment of 96,684,363.44 bolivares.

The tables below show the investment effected, the programme or project implemented and the target population for activities carried out in 2003 and 2004 to provide care for children and adolescents and protect them from sexual abuse, with funding from the National Child and Adolescent Protection Fund.

**Table 16**

**Programmes to provide care for children and adolescents and protect them from sexual abuse with funding from the National Child and Adolescent Protection Fund,<sup>14</sup> 2003**

Programmes/year 2003					
Programme or project title	Target population	Total cost			Total
	Children and adolescents	National Child and Adolescent Protection Fund	Local authorities	Governors' offices	
Funding of programmes to provide care for children and adolescents involved in prostitution	15	1 895 323.00	0.00	0.00	1 895 323.00
Education for sexual and reproductive health	200	2 000 000.00	0.00	0.00	2 000 000.00
Psycho-sexual and reproductive guidance	3 000	2 500 000.00	0.00	0.00	2 500 000.00
Sexual and reproductive education	1 500	6 650 000.00	0.00	0.00	6 650 000.00
Programme of sexual abuse and ill-treatment in children and adolescents	521	4 899 063.44	0.00	0.00	4 899 063.44
<b>Total</b>	<b>5 236</b>	<b>17 944 386.44</b>	<b>0.00</b>	<b>0.00</b>	<b>17 944 386.44</b>

<sup>14</sup> National Council for the Rights of the Child and the Adolescent.

**Table 17**

**Programmes to provide care for children and adolescents and protect them from sexual abuse with funding from the National Child and Adolescent Protection Fund<sup>15</sup>**

Programmes/year 2004					
Programme or project title	Target population	Total cost			Total
	Children and adolescents	National Child and Adolescent Protection Fund	Local authorities	Governors' offices	
Creation of awareness and provision of information on prevention of sexual abuse among children and adolescents	10	3 000 000.00	3 000 000.00	3 000 000.00	9 000 000.00
Programme of sexual and reproductive health education	715	8 000 000.00	0.00	0.00	8 000 000.00
Comprehensive training of communities with a view to healthy and responsible sexuality	11	11 407 353.00	4 124 543.00	1 072 381.00	16 604 277.00
Programme of sexual prevention and guidance and reproductive health aimed at adolescents	1 110	17 100 000.00	0.00	12 900 000.00	30 000 000.00
Sexual and reproductive health education - "Learning the values governing my sexuality in adolescence"	170	8 985 700.00	0.00	0.00	8 985 700.00
Comprehensive care for victims of sexual abuse among children and adolescents	45	2 050 000.00	2 050 000.00	2 050 000.00	6 150 000.00
<b>Total</b>	<b>2 061</b>	<b>50 543 053.00</b>	<b>9 174 543.00</b>	<b>19 022 381.00</b>	<b>78 739 977.00</b>

In addition to these programmes, the National Council for Children's and Adolescents' Rights has carried out a number of actions aimed at providing care for children and adolescents and protecting them from sexual abuse and commercial sexual exploitation. They include:

- Coordination of the Commission against Sexual Abuse and Commercial Sexual Exploitation (CICAES);

<sup>15</sup> National Council for the Rights of the Child and the Adolescent.

- Preparation of the National Plan of Action against Sexual Abuse and Commercial Sexual Exploitation, published in *Official Gazette* No. 38.631 of 23 February 2007;
- Drafting of the General Guidelines for the Protection of Children and Adolescents from Sexual Abuse and Commercial Sexual Exploitation, published in *Official Gazette* No. 37815 of 11 November 2003;
- Preparation of a training course for care and prevention of sexual abuse in childhood and adolescence and development of educational software for the prevention of sexual abuse among adolescents, under the Cuba-Venezuela cooperation agreement;
- Development of the Binational Plan of Action for the Comprehensive Protection of Children and the Family on the Colombia-Venezuela border and of the Binational Programme for the Comprehensive Protection of Children and Adolescents on the Colombia-Venezuela border, in pursuance of the commitments made by the Presidential Commissions on Integration and Border Matters (COPIAF);
- Inclusion of care and protection from sexual abuse and commercial sexual exploitation in the proposal for an inter-agency plan of action aimed at the comprehensive protection of children and adolescents against violence;
- Preparation and approval of guidelines for the protection of children and adolescents who are victims of child pornography, as a form of commercial sexual exploitation;
- Consultations between the agencies in the Protection System relating to the “Rights Violation Recording Form” in pursuance of the above-mentioned Plan against Sexual Abuse and Commercial Sexual Exploitation, with cooperation from the National Statistical Institute and UNICEF.

**(e) Budget allocations for the administration of justice and programmes of alternative measures**

The table and figure below show the total of and trend in national public investment for the administration of justice in 2005, 2006 and 2007.

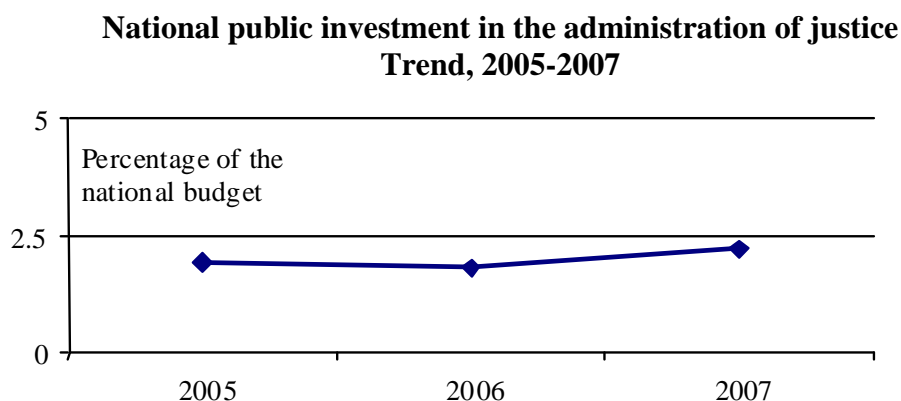
**Table 18**

**National public investment in the administration of justice,<sup>16</sup>  
2005-2007 (millions of bolivares)**

	2005	%	2006	%	2007	%
Administration of justice	1 666 072.5	1.9	2 369 490.7	1.8	2 744 553.6	2.2

<sup>16</sup> Budget Act, as amended. National Budget Office.

**Figure E**



**(f) Use of budgetary resources and mechanisms for monitoring expenditure**

The budgetary resources allocated for education, health, care for children with special needs and the administration of justice have been spent by the various institutions and administrative units at the national, regional and municipal level, in keeping with their specific areas of competence.

Concerning the spending of budgetary resources from the National Treasury, the National Budget Office exercised advance monitoring through the Integrated System for the Management and Monitoring of the Public Finances. This system guarantees the use of financial resources for the approved budgetary objectives, in accordance with the applicable laws.

In addition, the Office of the Controller-General of the Republic, an integral part of the national monitoring system, monitors, supervises and inspects income, expenditure, public and national assets and related operations.

**3. Funding of the “missions” and their impact on children and adolescents**

Through its missions, the Government of Venezuela ensures the all-round development and protection of children and adolescents.

The **Madres del Barrio** mission makes it possible, by involving mothers in productive activities and temporary economic opportunities, to increase family incomes and thereby meet the needs of families in terms of services and consumption, raising the standard of living of children and adolescents.

Through the **Negra Hipólita** mission direct care is provided for children and adolescents who have been abandoned and those living in extreme poverty. The goals of this mission include relocating children and adolescents who live in the streets in their family nuclei or in foster families.

The **Barrio Adentro** mission makes it possible to raise the quality of life of children and adolescents in less well-off communities, ensuring free medical care is available close to their homes. This mission guarantees primary care through a comprehensive system which is linked to social security.

With the **Alimentación** mission the State guarantees the exercise of children's and adolescents' right to food. The Casas de Alimentación, which are a key part of this mission, are houses equipped for the preparation of food which are made available free of charge to the less well-off. The Suplemento Nutricional is an entirely free programme by means of which food supplements are provided to those experiencing extreme poverty.

The **Identidad** mission makes it possible to give practical effect to the right of children and adolescents to possess a document which facilitates their identification. Issuing identity documents rapidly, securely and free of charge is the principal goal of this mission.

**Table 19**

**Financial resources allocated to the missions<sup>17</sup>**

Mission	2005	2006	2007
Mission Robinson	325 000.0	412 716.3	462 424.3
Mission Sucre	128 802.3	663 158.3	744 850.9
Mission Barrio Adentro	667 564.2	341 774.2	105 420.0
Mission Piar	1 589.7	5 187.9	2 058.8
Mission Identidad	49 679.7	27 232.3	14 004.0
Mission Alimentación	439 036.3	778 472.9	1 196 997.0
Mission Negra Hipólita	Not available	41 657.1	116 881.1
Mission Madres del Barrio	Not available	548 989.3	394 531.7
Total	1 611 672.2	2 855 688.3	3 073 167.8

**4. Children deprived of a family environment and separated from their parents**

The Constitution recognizes and protects the right of children and adolescents to life, to an upbringing and to develop within their original family. However, when they are unable to live in the family group, owing to exceptional circumstances, the State, in their best interests, organizes comprehensive protection for them by placing them in special care institutions or foster families (family placement) or arranging domestic or intercountry adoption.

**(a) Children and adolescents placed in institutions**

Data on children deprived of a family environment who were placed in institutions in 2002, 2003, 2004, 2005 and 2006, broken down by federal district and age group, are set out below.

<sup>17</sup> National Budget Office.

**Table 20**

**Children and adolescents in care institutions<sup>18</sup>**  
**(2002-2006)**

Federal District	2002-2004			2005			2006		
	Care institutions	Children	Adolescents	Care institutions	Children	Adolescents	Care institutions	Children	Adolescents
Anzoátegui	6	58	25	8	77	57	8	77	57
Amazonas									
Aragua					55	41		55	41
Barinas	4	24	22	5			5	41	13
Lara							5	52	
Bolívar	8	45	25	8	69	36	8	207	51
Carabobo	13	152	59	15	115	32	15	83	32
Cojedes	3	4	13	2	15	3	3	4	13
Delta Amacuro	1	6		1	5		1	5	
Distrito metropolitano	3	170					11	540	
Guárico									
Falcón	7	26		3	19	5	2	22	
Monagas	3	55	12				4	43	64
Nueva Esparta	6	72	31	4			4		
Sucre				4	24	15	4	31	26
Táchira	7				30		0	30	
Trujillo	1	85	70	1	49	68	1	25	46
Vargas							1	3	
Yaracuy				3	11	21	3	11	21
Zulia	6	156	78	7	59	16	9	201	
Total	68	853	335	61	528	294	84	1 544	364

**(b) Children and adolescents placed with foster families**

Data for 2004, 2005 and 2006 on children and adolescents placed with foster families, broken down by sex, are given below.

**Table 21**

**Family placements<sup>19</sup>**  
**2004-2006**

Year	Family placement	
	Boys	Girls
2004		111
2005		92
2006	61	70
Total	264	316

<sup>18</sup> National Council for the Rights of the Child and the Adolescent.

<sup>19</sup> Supreme Court.

**(c) Children and adolescents adopted domestically or through intercountry adoptions**

The tables below show the number of cases of domestic and intercountry adoptions processed.

**Table 22**

**Cases of adoption handled and adoption orders<sup>20</sup>  
2002-2006**

Year	Total number of cases	Total number of cases with adoption orders	Total
2002-2004	2 093	1 852	3 945
2005	907	697	1 604
2006	983	249	1 232
Total	3 983	2 798	6 781

**Table 23**

**Intercountry adoptions<sup>21</sup>  
2004-2006**

Year	Intercountry adoption	
	Boys	Girls
2004	1	1
2005	1	3
2006	0	0
Total	2	4

**5. Children and adolescents with disabilities**

Under the Protection of Children and Adolescents (Organization) Act, children and adolescents with special needs are acknowledged to have all the rights and safeguards set out in the Act, as well as those inherent in their specific circumstances.

**(a) Children and adolescents with disabilities living in Venezuela**

The following table shows the total number of children and adolescents living in Venezuela.

<sup>20</sup> National Council for the Rights of the Child and the Adolescent. Adoptions Office.

<sup>21</sup> Supreme Court. Results of the 2001 census.

**Table 24**

**Persons aged 0-17 with disabilities, broken down by sex and type of disability<sup>22</sup>**

Disability	Boys	Girls	Total
Totally blind	848	693	1 541
Totally deaf	2 833	2 447	5 280
Mentally retarded	14 205	10 383	24 588
Upper limb	2 044	1 281	3 325
Lower limb	3 111	2 404	5 515
Other	57 875	47 455	105 330
Total	80 916	64 663	145 579

**(b) Children and adolescents with disabilities placed in institutions and foster homes**

**Table 25**

**Children and adolescents with disabilities placed in care institutions and foster homes, broken down by sex, age group and federal district<sup>23</sup>**

Federal district	Boys	Girls	Adolescents	Total
Anzoátegui	7	2	1	10
Barinas	1	0	0	1
Carabobo	5	7	0	12
Cojedes	2	2	0	4
Delta Amacuro	1	0	0	1
Falcón	2	1	3	6
Lara	5	4	0	9
Monagas	5	3	0	8
Total	28	19	4	51

**(c) Children and adolescents with disabilities attending special schools**

The tables below show figures for enrolment in public and private institutions of special education, broken down by sex and federal district.

<sup>22</sup> National Statistical Institute.

<sup>23</sup> National Council for the Rights of the Child and the Adolescent. Preliminary figures to May 2007.

**Table 26**  
**Fixed enrolment<sup>24</sup> in special education**  
**School year 2004-2005**

Federal district	Sex		Official establishments				Private establishments
	Boys	Girls	National	State	Municipal	Independent	
Amazonas	83	65	148	0	0	0	0
Anzoátegui	979	697	1 676	0	0	0	0
Apure	430	329	759	0	0	0	0
Aragua	1 299	950	2 074	145	0	30	0
Barinas	397	288	645	40	0	0	0
Bolívar	566	371	797	140	0	0	0
Carabobo	1 386	880	1 556	0	0	185	525
Cojedes	368	295	663	0	0	0	0
Delta Amacuro	83	68	151	0	0	0	0
Distrito Capital	1 988	1 245	1 861	0	0	218	1 154
Falcón	427	327	611	0	0	0	143
Guárico	488	399	812	75	0	0	0
Lara	796	530	1 326	0	0	0	0
Mérida	507	380	819	18	0	0	50
Miranda	1 632	1 188	1 595	309	44	0	872
Monagas	234	195	429	0	0	0	0
Nueva Esparta	228	194	422	0	0	0	0
Portuguesa	453	378	670	161	0	0	0
Sucre	745	506	1 077	0	0	39	135
Táchira	918	655	1 573	0	0	0	0
Trujillo	437	279	716	0	0	0	0
Vargas	215	149	364	0	0	0	0
Yaracuy	585	389	974	0	0	0	0
Zulia	1 896	1 341	2 487	593	0	71	86
Total	17 140	12 098	24 205	1 481	44	543	2 965

**Table 27**  
**Overall enrolment in special education<sup>25</sup>**  
**2004-2006**

	2004	2005	2006
Overall enrolment in special education	140 797	167 267	174 300

<sup>24</sup> Includes only pupils who regularly attend institutions of special education throughout the week, following a schedule from 7 a.m. to 12 noon or 1 p.m. to 6 p.m. and full schedule (eight hours).

<sup>25</sup> Ministry of Education.

## 6. The right of children and adolescents to health

### (a) Rates of infant and child mortality

**Table 28**

**Infant, neonatal and post-neonatal mortality rates<sup>26</sup>  
(per 1,000 live births)**

Year	Infant mortality		Neonatal mortality		Post-neonatal mortality	
	Deaths	Rate	Deaths	Rate	Deaths	Rate
2000	9 649	17.7	6 269	11.5	3 380	6.2
2001	9 353	17.7	5 846	11.0	3 507	6.6
2002	8 949	18.2	5 871	11.9	3 078	6.2
2003	10 276	18.5	6 242	11.2	4 034	7.3
2004	9 272	15.9	6 163	10.6	3 109	5.3
2005	9 093	15.5	6 319	10.8	2 774	4.7

**Table 29**

**Infant mortality rates by federal district<sup>27</sup>  
(per 1,000 live births)**

Federal district	2004			2005			2006 <sup>28</sup>		
	Deaths	Rate	%	Deaths	Rate	%	Deaths	Rate	%
Amazonas	82	11.66	0.88	80	7.91	0.88	50	8.33	8.00
Anzoátegui	146	2.78	1.57	437	8.61	4.81	481	17.22	0.61
Apure	247	10.36	2.66	220	8.06	2.42	170	10.46	5.89
Aragua	462	8.78	4.98	323	5.50	3.55	430	14.05	2.08
Barinas	291	10.20	3.14	272	8.75	2.99	243	13.67	5.27
Bolívar	823	15.08	8.88	732	12.30	8.05	704	20.53	2.98
Carabobo	624	8.72	6.73	581	7.93	6.39	130	2.88	8.63
Cojedes	116	9.51	1.25	91	8.62	1.00	90	13.80	1.59
Delta Amacuro	91	11.17	0.98	116	9.86	1.28	116	16.02	1.10
Falcón	272	9.34	2.93	270	7.43	2.97	263	12.84	1.42
Guárico	298	11.25	3.21	269	7.21	2.96	240	12.20	3.22
Lara	647	11.11	6.98	610	9.88	6.71	559	16.57	2.94
Mérida	326	10.41	3.52	270	8.54	2.97	246	13.55	6.85
Miranda	519	6.45	5.60	546	6.12	6.00	412	8.07	3.01
Monagas	335	13.33	3.61	327	10.14	3.60	273	13.29	5.05
Nueva Esparta	174	11.35	1.88	226	16.38	2.49	157	20.24	3.35
Portuguesa	387	11.31	4.17	345	9.96	3.79	302	14.80	1.92
Sucre	339	10.03	3.66	320	6.64	3.52	241	8.48	3.70
Táchira	405	13.13	4.37	407	8.81	4.48	330	12.68	2.95
Trujillo	309	11.81	3.33	262	8.95	2.88	229	13.12	4.04
Vargas	67	6.05	0.72	47	4.64	0.52	74	11.50	2.81
Yaracuy	247	12.29	2.66	215	9.39	2.36	208	15.48	0.91
Zulia	1 551	11.47	16.73	1 502	11.44	16.52	1 559	20.92	2.55
Distrito Capital	514	8.91	5.54	625	9.42	6.87	653	16.91	19.11
Total	9 272		100	9 093		100	8 160		100

<sup>26</sup> Mortality Yearbook 2000-2005. Ministry of Health.

<sup>27</sup> Mortality Yearbook 2000-2005. Ministry of Health.

<sup>28</sup> 2006: estimates.

**(b) Rates of immunization**

**Table 30**

**Immunization coverage<sup>29</sup>  
2004-2006**

Year	Polio		Measles		DPT		BCG	
	Dose	Coverage	Dose	Coverage	Dose	Coverage	Dose	Coverage
2004	423 493	82.73	455 931	94.43	439 030	85.76	493 643	96.43
2005	433 535	80.47	408 121	75.88	408 121	75.88	510 881	94.83
2006 <sup>30</sup>	428 981	73.03	315 665	54.70	315 665	54.70	488 787	83.21
Total	1 286 009		1 179 717		1 162 816		1 493 311	

**(c) Rates of malnutrition**

**Table 31**

**Rates of infant malnutrition by federal district<sup>31</sup>  
2003-2005**

Federal district	2003	2004	2005
	Rate	Rate	Rate
Amazonas	12.37	13.62	14.17
Anzoátegui	17.63	17.45	15.32
Apure	17.45	19.06	17.58
Aragua	14.38	13.18	12.76
Barinas	16.28	13.35	14.28
Bolívar	17.51	17.10	17.58
Carabobo	10.57	14.39	12.68
Cojedes	15.37	13.82	13.18
Delta Amacuro	17.59	17.48	16.16
Falcón	13.08	13.34	12.22
Guárico	18.25	17.60	15.71
Lara	11.59	14.21	12.00
Mérida	10.79	11.08	10.66
Miranda	14.47	20.04	14.74
Monagas	11.75	12.68	15.45
Nueva Esparta	11.83	10.80	10.61
Portuguesa	16.82	15.80	15.09
Sucre	16.24	15.42	13.90
Táchira	10.06	11.07	10.81
Trujillo	10.24	9.64	10.32
Vargas	12.34	12.73	10.50
Yaracuy	15.20	15.07	14.26
Zulia	14.34	13.27	12.08
Distrito Capital	9.22	9.20	8.23
Total	13.97	14.20	13.34

<sup>29</sup> Ministry of Health.

<sup>30</sup> 2006: estimates.

<sup>31</sup> Using weight-for-height indicator. National Nutrition Institute.

**(d) Cases of children infected with and/or affected by HIV/AIDS**

**Table 32**

**HIV/AIDS cases (B20-B24) among children by age group<sup>32</sup>  
2005-2006**

Age	2005	2006
	Cases	Cases
Under 1	37	24
1 to 4	27	32
5 to 9	13	18
10 to 14	16	10
Total	93	84

**(e) Cases of children infected with dengue**

**Table 33**

**Cases of dengue among children by age group<sup>33</sup>  
2005-2006**

Age	2005	2006
	Cases	Cases
Under 1	5 564	1 096
1 to 4	7 774	3 686
5 to 9	8 095	6 436
10 to 14	694	6 517
Total	22 127	17 735

**(f) Rates of early pregnancy**

The Protection of Children and Adolescents (Organization) Act lays down the right of children and adolescents to be informed and educated, in keeping with their stage of development, in matters of sexual and reproductive health with a view to sexual behaviour and parenthood which are responsible, healthy, freely chosen and risk-free.

With the active involvement of society, the State must provide sexual and reproductive health-care services and programmes for all children and adolescents.

<sup>32</sup> Ministry of Health. Epidemiological monitoring.

<sup>33</sup> Ministry of Health. Epidemiological monitoring.

The tables below provide information on the total number of births between 2000 and 2006 to mothers aged under 20, broken down by federal district, and estimated numbers of teenage pregnancies in 2005.

**Table 34**

**Live births registered to mothers aged under 20, by federal district<sup>34</sup>**

Federal district	Year of registration						
	2000	2001	2002	2003	2004	2005	2006
Distrito Capital	7 017	5 805	5 370	7 173	8 308	8 428	8 752
Amazonas	739	996	1 017	831	840	1 200	1 256
Anzoátegui	7 076	6 316	6 261	7 095	7 328	9 025	8 468
Apure	3 330	3 842	3 183	3 841	4 150	5 221	4 550
Aragua	5 191	5 520	5 770	6 034	6 376	6 328	6 720
Barinas	4 392	4 137	4 334	4 420	6 050	5 621	5 454
Bolívar	7 831	6 756	6 148	7 331	8 675	9 611	9 745
Carabobo	8 279	9 241	7 682	9 437	11 005	10 503	10 983
Cojedes	1 819	1 583	1 573	1 494	1 794	1 199	1 014
Delta Amacuro	938	866	853	1 512	1 579	1 811	1 416
Falcón	3 430	3 200	2 947	3 375	3 930	3 971	3 553
Guarico	3 859	3 631	3 843	4 112	5 400	5 333	4 927
Lara	7 066	6 902	4 947	8 992	8 598	8 088	7 772
Mérida	4 275	3 382	3 335	3 545	3 900	3 956	3 722
Miranda	9 875	8 724	8 143	9 184	8 794	10 552	12 595
Monagas	3 973	3 875	3 680	4 163	5 541	5 210	5 088
Nueva Esparta	1 609	1 498	1 606	1 703	2 069	2 375	1 943
Portuguesa	4 640	3 794	4 884	5 032	6 019	7 117	5 837
Sucre	5 500	4 380	4 098	4 344	4 869	5 500	4 635
Táchira	4 609	4 168	2 833	3 442	4 550	4 419	4 667
Trujillo	3 013	3 059	2 869	2 413	2 690	4 431	3 349
Vargas	1 386	1 583	1 536	1 530	1 340	1 591	1 650
Yaracuy	2 774	2 692	2 536	2 939	3 151	3 788	3 386
Zulia	13 895	15 819	15 762	16 279	21 480	24 815	24 905
Total	116 516	111 769	105 210	120 221	138 436	150 093	146 387

<sup>34</sup> National Statistical Institute. Coordination of Vital Statistics.

**Table 35**  
**Teenage pregnancies<sup>35</sup>**

**Estimates for 2005**

	2005
Live births registered	547 628
Fertility rate, age 15-19	91.30
Estimated population aged 15-19	1 324 442
Estimated number of pregnancies	117 875
Percentage of total number of live births registered	21.52

**(g) Cases of suicide among adolescents**

**Table 36**  
**Suicide rate among adolescents by federal district,<sup>36</sup>**  
**2004-2005**

Federal district	2004			2005		
	Cases	Rate	%	Cases	Rate	%
Amazonas	0	0.000	0.00	0	0.000	0.00
Anzoátegui	5	0.110	13.16	0	0.000	0.00
Apure	1	0.056	2.63	1	0.011	3.13
Aragua	0	0.000	0.00	1	0.006	3.13
Barinas	1	0.038	2.63	2	0.004	6.25
Bolívar	2	0.041	5.26	2	0.004	6.25
Carabobo	2	0.032	5.26	3	0.003	9.38
Cojedes	0	0.000	0.00	0	0.000	0.00
Delta Amacuro	0	0.000	0.00	0	0.000	0.00
Falcón	0	0.000	0.00	0	0.000	0.00
Guárico	2	0.081	5.26	5	0.008	15.63
Lara	2	0.037	5.26	2	0.004	6.25
Mérida	4	0.154	10.53	1	0.015	3.13
Miranda	1	0.013	2.63	0	0.000	0.00
Monagas	1	0.035	2.63	0	0.000	0.00
Nueva Esparta	0	0.000	0.00	1	0.001	3.13
Portuguesa	4	0.134	10.53	0	0.000	0.00
Sucre	1	0.033	2.63	0	0.000	0.00
Táchira	1	0.028	2.63	0	0.000	0.00
Trujillo	0	0.000	0.00	0	0.000	0.00
Vargas	0	0.000	0.00	1	0.003	3.13
Yaracuy	1	0.051	2.63	1	0.005	3.13
Zulia	10	0.088	26.32	12	0.009	37.50
Distrito Capital	0	0.000	0.00	0	0.000	0.00
Total	38		100	32		100

<sup>35</sup> Ministry of Health. Internal calculations using data from the National Statistical Institute.

<sup>36</sup> Ministry of Health. Mortality Yearbook 2004-2005.

## 7. Abuse and sexual exploitation of children and adolescents

### Reports of abuse of children and adolescents

Table 37

### Reports of abuse of children and adolescents<sup>37</sup> 2004-2006

Offence	2004		2005		2006	
	Boys	Girls	Boys	Girls	Boys	Girls
Child abuse	26	26	106	79	138	137

## 8. Criteria for “poverty” and number of children and adolescents living below the poverty line

Measuring the “poverty line” highlights the effect of household income on the acquisition of goods and services which indicate a minimum standard of living, namely food, clothing, footwear, health care and education.

For the purposes of measurement, per capita household income is compared with two poverty lines - the per capita value of the food basket, and the per capita value of the basic basket (food plus services). After this comparison, the following definitions are adopted:

- Non-poor household: any household whose per capita income is equal to or greater than the cost of the per capita basic basket;
- Poor household: any household whose per capita income is lower than the cost of the per capita basic basket;
- Household in extreme poverty: any household whose per capita income is lower than the cost of the per capita food basket.

<sup>37</sup> Scientific, Criminal and Forensic Investigation Unit. Statistics Division.

**Table 38**

**Number of children living below the poverty line<sup>38</sup>**

Age	Number of children living in poverty	Percentage of children living in poverty
0	247 927	5.27
1	278 814	5.93
2	279 993	5.95
3	293 127	6.23
4	289 423	6.15
5	275 656	5.86
6	275 178	5.85
7	273 792	5.82
8	273 646	5.82
9	288 072	6.12
10	245 536	5.22
11	254 820	5.42
12	262 708	5.58
13	251 936	5.36
14	240 848	5.12
15	235 858	5.01
16	224 808	4.78
17	212 318	4.51
Total	4 704 460	100.00

**9. The right of children and adolescents to education**

**(a) Rates of literacy, below and over 18 years**

**Table 39**

**Literacy by age group<sup>39</sup>**

Age range	Literate		
	Yes	No	Total
3 to 10	2 378 061	1 789 420	4 167 481
11 to 30	8 459 545	255 362	8 714 907
31 to 50	5 435 836	309 918	5 745 754
51 to 80	2 251 805	492 308	2 744 113
Over 80	122 251	76 450	198 701
Total	18 647 498	2 923 458	21 570 956

<sup>38</sup> National Statistical Institute. Household sample survey. Second half of 2006.

<sup>39</sup> National Statistical Institute. 2001 census.

(b) **Enrolment in pre-primary, primary, secondary and general schools and in vocational training**

**Table 40**

**Enrolment in pre-primary schools, by federal district<sup>40</sup>**

Federal district	School year		
	2003/04	2004/05	2005/06
Distrito Capital	74 742	78 989	82 082
Amazonas	6 341	6 741	7 023
Anzoátegui	45 771	49 752	55 055
Apure	15 834	16 873	17 569
Aragua	44 809	46 974	47 218
Barinas	23 531	27 215	26 155
Bolívar	49 123	50 845	49 740
Carabobo	57 762	64 510	69 608
Cojedes	13 045	13 655	13 644
Delta Amacuro	9 582	10 052	10 039
Falcón	41 844	44 227	44 022
Guárico	23 729	25 402	25 563
Lara	62 832	65 337	70 945
Mérida	25 480	26 319	26 060
Miranda	92 910	96 061	100 835
Monagas	27 444	28 674	31 842
Nueva Esparta	19 707	20 733	21 452
Portuguesa	31 415	33 266	33 211
Sucre	30 643	32 402	33 135
Táchira	32 648	34 989	36 332
Trujillo	25 074	27 378	26 899
Vargas	11 059	11 828	12 172
Yaracuy	24 721	24 858	25 608
Zulia	124 874	137 878	144 737
Total	914 920	974 958	1 010 946

<sup>40</sup> Ministry of Education.

**Table 41**

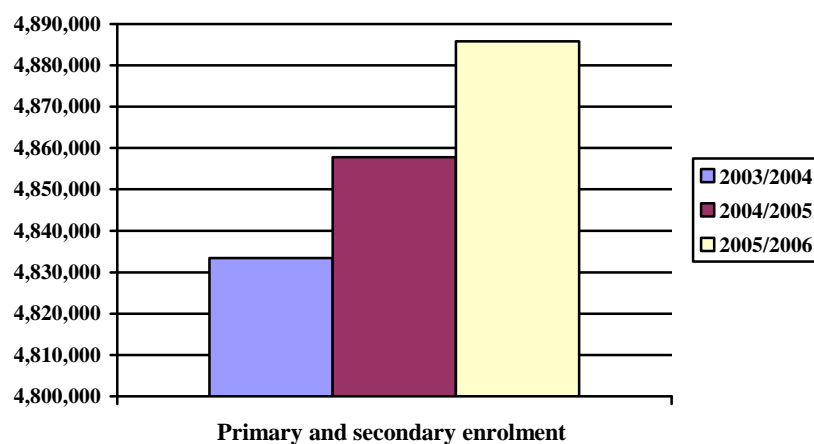
**Enrolment in primary and secondary schools, by federal district<sup>41</sup>  
2003-2006**

Federal district	School year		
	2003/04	2004/05	2005/06
Distrito Capital	310 124	309 843	310 729
Amazonas	28 232	28 589	29 783
Anzoátegui	265 909	267 084	269 895
Apure	106 500	105 584	107 220
Aragua	292 583	289 385	284 798
Barinas	153 943	156 203	158 287
Bolívar	283 394	286 304	290 717
Carabobo	379 705	378 861	380 111
Cojedes	58 241	58 309	58 347
Delta Amacuro	31 889	32 554	33 516
Falcón	169 271	168 738	169 058
Guárico	139 144	140 650	139 010
Lara	312 061	313 161	312 716
Mérida	152 703	151 785	150 477
Miranda	433 244	432 295	444 654
Monagas	160 214	160 077	163 728
Nueva Esparta	76 639	76 894	76 650
Portuguesa	169 459	171 128	171 716
Sucre	180 701	182 949	183 867
Táchira	210 575	207 636	205 671
Trujillo	125 206	132 230	131 376
Vargas	58 529	58 822	58 315
Yaracuy	111 255	114 115	115 232
Zulia	623 949	634 584	639 906
Total	4 833 470	4 857 780	4 885 779

<sup>41</sup> Ministry of Education.

**Figure F**

**Enrolment in primary and secondary schools**



**Table 42**

**Enrolment in secondary, general and vocational education,  
by federal district<sup>42</sup>**

Federal district	School year		
	2003/04	2004/05	2005/06
Distrito Capital	38 053	42 399	48 035
Amazonas	3 041	3 022	3 283
Anzoátegui	27 375	31 099	33 300
Apure	9 548	10 756	11 780
Aragua	40 651	43 724	47 207
Barinas	14 875	16 250	18 195
Bolívar	32 311	35 399	38 525
Carabobo	50 231	54 028	57 784
Cojedes	6 671	6 809	7 444
Delta Amacuro	2 412	2 654	2 899
Falcón	20 740	22 544	23 814
Guárico	14 884	15 911	17 789
Lara	38 310	41 440	43 602
Mérida	21 354	22 641	23 901
Miranda	52 481	56 280	62 338
Monagas	17 741	19 494	21 049
Nueva Esparta	8 461	9 429	10 347
Portuguesa	16 722	18 921	19 729
Sucre	19 923	21 639	22 993
Táchira	28 158	30 531	33 009
Trujillo	14 753	17 151	18 241
Vargas	7 529	7 424	7 901
Yaracuy	12 493	13 538	14 799
Zulia	70 898	76 815	83 176
Total	569 615	619 898	1 189 513

<sup>42</sup> Ministry of Education.

(c) Attendance in primary, secondary and general schools

**Table 43**

**Primary school attendance from first to ninth grade,  
by grade and school year<sup>43</sup>**

School year	Total	School grade								
		First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth
2002/03	4 179 610	542 724	549 502	544 336	512 361	490 752	489 900	406 538	348 006	295 491
2003/04	4 261 168	545 876	543 594	543 922	531 887	500 572	493 772	412 773	366 835	321 937
2004/05	4 331 737	539 584	545 293	538 449	533 655	522 535	503 718	428 888	377 629	341 986

**Table 44**

**Attendance during the first year of secondary school,  
by type of education and years of study<sup>44</sup>**

School year	Total		Type of education			
			General		Vocational	
			Year of study		Year of study	
	First	%	First	%	First	%
2002/03	238 082	85.7	216 125	85.6	21 957	87.3
2003/04	259 512	83.4	234 601	83.9	24 911	79.5
2004/05	287 132	85.1	258 599	85.4	28 533	82.9

(d) Dropouts and repetitions among pupils

**Table 45**

**Repetition rate in primary education from first  
to ninth grade<sup>45</sup>**

School year	Total	School grade								
		First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth
2003/04	393 214	75 145	56 449	52 560	36 607	23 589	9 417	75 332	37 913	26 202
2004/05	368 810	68 968	50 929	48 842	34 196	21 985	8 780	70 557	38 322	26 231
2005/06	334 589	61 912	46 263	44 155	31 487	19 898	7 392	63 139	35 270	25 073

<sup>43</sup> Ministry of Education.

<sup>44</sup> Ministry of Education.

<sup>45</sup> Ministry of Education.

**Table 46**

**Repetition rates in secondary, general and vocational education, by year of study<sup>46</sup>**

School year	Type of education							
	General				Vocational			
	Total	Years of study			Total	Years of study		
		First	Second	Third		First	Second	Third
2003/04	18 398	14 195	4 190	13	2 291	1 329	748	214
2004/05	17 830	13 874	3 948	8	2 560	1 462	792	306
2005/06	17 225	13 078	4 141	6	2 732	1 688	789	255

**Table 47**

**Dropout rate in primary education from first to ninth grade,  
by grade and school year<sup>47</sup>**

School year	Total	School grade								
		First	Second	Third	Fourth	Fifth	Sixth	Seventh	Eighth	Ninth
2002/03	213 621	21 339	5 550	9 851	13 807	11 053	-1 095	86 119	39 913	27 084
2003/04	203 492	16 438	4 650	9 298	14 860	13 393	-2 383	81 902	39 294	26 040
2004/05	191 454	17 211	5 249	9 832	12 976	11 439	-1 758	72 302	38 196	26 007

**Table 48**

**Dropout rate in the first year of secondary school, by federal district<sup>48</sup>**

Federal district	2002/03	2003/04	2004/05
Distrito Capital	2 317	1 843	1 727
Amazonas	361	526	331
Anzoátegui	1 759	1 724	2 784
Apure	329	693	631
Aragua	2 545	2 107	2 371
Barinas	614	1 020	695
Bolívar	2 115	1 829	2 014
Carabobo	3 005	3 448	2 914
Cojedes	-87	531	304
Delta Amacuro	312	291	286
Falcón	878	1 001	961
Guárico	626	1 995	2 136
Lara	-1 236	2 035	2 183
Mérida	589	1 024	985
Miranda	-2 630	4 238	2 404
Monagas	1 252	1 252	1 461
Nueva Esparta	468	575	636
Portuguesa	586	1 171	1 433
Sucre	1 221	1 286	1 513
Táchira	1 520	1 417	1 097
Trujillo	1 714	918	1 569
Vargas	192	523	237
Yaracuy	859	439	647
Zulia	4 795	4 281	4 056
Total	24 104	36 167	35 375

<sup>46</sup> Ministry of Education.

<sup>47</sup> Ministry of Education.

<sup>48</sup> Ministry of Education.

**(e) Ratio of teachers to children and number of children per class****Table 49****Primary education: Current facilities in the subsystem<sup>49</sup>**

Type of establishment	Number of centres	Number of classrooms	Teachers	Average number of pupils per classroom	Average number of teachers per pupil
National	7 963	21 027	29 236	27	19
State	4 750	9 048	12 407	24	18
Municipal	214	518	761	25	17
Independent	798	1 480	1 487	28	27
Private	3 177	8 286	17 192	24	12
Total	16 902	40 359	61 083		

**10. Administration of justice for children and adolescents****(a) Persons below 18 who have allegedly committed a crime reported to the police****Table 50****Offences allegedly committed by persons aged under 18<sup>50</sup>**

Offences	2004		2005		2006	
	Boys	Girls	Boys	Girls	Boys	Girls
Against the person	183	19	197	16	241	22
Against property	653	27	548	43	764	35
Against decency	144	13	173	15	282	15
Against children and adolescents	0	1	2	1	1	0
Against the public interest	17	1	25	5	47	1
Fraud	2	0	0	0	4	5
Against public order	179	5	183	7	320	9
Against the administration of justice	3	0	1	2	8	0
Other offences	2	0	5	1	33	0
Total	1 183	66	1 134	90	1 700	87

<sup>49</sup> Ministry of Education.<sup>50</sup> Scientific, Criminal and Forensic Investigation Unit.

(b) Persons below 18 who have been convicted, and type of punishment or sanction

**Table 51**

**Adolescents convicted and type of punishment imposed  
2004<sup>51</sup>**

Type of offence	2004				
	Cases	Boys	Girls	Type of punishment	Cases
Against the person	469	1 290	208	Deprivation of liberty	198
Against property	615			Probation	809
Against the community	252			Partial release	129
Against the administration of justice	14			Binding over	307
Against public order	62			Warning	5
Fraud	5			Community service	50
Computer-related offences	0				
Against decency	81				
Total	1 498				1 498

**Table 52**

**Adolescents convicted and type of punishment imposed  
2005<sup>52</sup>**

Type of offence	2005				
	Cases	Boys	Girls	Type of punishment	Cases
Against the person	334	1 066	162	Deprivation of liberty	97
Against property	569			Probation	514
Against the community	179			Partial release	217
Against the administration of justice	12			Binding over	256
Against public order	71			Warning	5
Fraud	4			Community service	139
Computer-related offences	0				
Against decency	59				
Total	1 228				1 228

<sup>51</sup> Supreme Court.

<sup>52</sup> Supreme Court.

**Table 53****Adolescents convicted and type of punishment imposed  
2006<sup>53</sup>**

Type of offence	2006				
	Cases	Boys	Girls	Type of punishment	Cases
Against the person	308	1 059	41	Deprivation of liberty	85
Against property	461			Probation	652
Against the community	173			Partial release	181
Against the administration of justice	5			Binding over	64
Against public order	82			Warning	3
Fraud	5			Community service	115
Computer-related offences	0				
Against decency	66				
Total	1 100				1 100

**(c) Persons below 18 kept in pretrial detention and the average length of this detention****Table 54****Persons below 18 kept in pretrial detention and  
the average length of this detention<sup>54</sup>**

Year	Persons aged under 18	Length of detention
2004	27	2 months
2005	15	2 months
2006	11	2 months

**(d) Persons under 18 with social educational measures applied as an alternative to deprivation of liberty****Table 55****Adolescents sentenced to alternative punishments<sup>55</sup>**

Year	Persons aged under 18	
	Boys	Girls
2004	179	4
2005	204	18
2006	155	9
Total	538	31

<sup>53</sup> Supreme Court.<sup>54</sup> Supreme Court.<sup>55</sup> Supreme Court.

**(e) Persons under 18 deprived of liberty including length of this deprivation of liberty**

**Table 56**

**Adolescents deprived of liberty and maximum length of detention<sup>56</sup>**

Year	Persons aged under 18		Length of detention
	Boys	Girls	
2004	43	2	Up to 5 years
2005	34	2	Up to 5 years
2006	42	1	Up to 5 years
Total	119	5	

**(f) Detention facilities for persons below 18 in conflict with the law and their capacity**

**Table 57**

**Detention centres and capacity for persons aged under 18<sup>57</sup>  
Caracas Metropolitan Area**

Centre	Capacity	
	Boys	Girls
Carolina Uslar	28	0
José Gregorio Hernández	0	20
Ciudad Caracas	60	0
Coche	34	0
Total	122	20

**(g) Persons under 18 detained in facilities alongside adults**

No children or adolescents are detained alongside adults in Venezuela.

The Protection of Children and Adolescents (Organization) Act provides that adolescents must always be kept separate from adults when in pretrial detention or serving custodial sentences.

**(h) Persons under 18 tried and sentenced as adults**

No children or adolescents are tried and sentenced as adults in Venezuela.

In accordance with the Protection of Children and Adolescents (Organization) Act, the minimum age of criminal responsibility is 12. The Adolescent Criminal Responsibility System

<sup>56</sup> Supreme Court.

<sup>57</sup> Supreme Court.

established under the Act applies to all persons aged between 12 and 18 at the time the offence is committed, even if they reach the age of 18 during the proceedings or are adult at the time they are indicted.

**(i) Number of children under 16 involved in labour, indicating the type of work**

**Table 58**

**Population aged between 10 and 16 involved in labour, by sex and branch of economic activity<sup>58</sup>**

Branch of economic activity	2004		2005		2006	
	First half	Second half	First half	Second half	First half	Second half
<b>Boys</b>	222 488	241 799	173 311	203 827	176 362	201 280
Farming	80 172	85 112	77 454	69 701	62 314	69 588
Non-farming activities	141 871	154 566	94 598	132 106	114 048	131 511
Manufacturing	19 017	22 798	18 202	20 129	16 261	17 511
Construction	14 105	14 229	12 647	18 484	14 844	21 262
Trade	60 994	63 929	49 013	48 564	44 108	41 603
Services	32 904	39 514	2 257	35 517	28 383	35 935
Other non-farming activities	14 851	14 096	12 479	9 412	10 452	15 200
Non-specified activities	445	2 121	1 259	2 020	0	181
<b>Girls</b>	84 829	92 965	72 282	75 411	60 059	68 321
Farming	5 104	7 825	7 837	6 312	4 470	5 726
Non-farming activities	79 525	83 578	64 004	68 675	55 589	62 595
Manufacturing	7 310	8 198	6 235	6 215	3 985	6 200
Construction	161	0	111	634	112	634
Trade	42 861	46 207	33 093	34 294	30 114	31 791
Services	27 219	25 575	22 683	25 893	19 208	22 440
Other non-farming activities <sup>59</sup>	1 974	3 598	1 882	1 639	2 170	1 530
Non-specified activities	200	1 562	441	424	0	0

## **II. GENERAL MEASURES OF IMPLEMENTATION**

### **1. Coordination of the implementation of the Convention and steps taken to elaborate a national plan for children**

The National Council for Children's and Adolescents' Rights, as the highest authority in the national umbrella system for the comprehensive protection of children and adolescents, is drawing up and articulating the national plan and policy for the comprehensive protection of children and adolescents for 2000-2006. This plan directs action towards:

- The role of the State in public administration and in the institutional changes required by the new regulatory framework.

<sup>58</sup> National Statistical Institute.

<sup>59</sup> The category of "other non-farming activities" includes: exploitation of oil and gas, mines and quarries; electric power, gas and water; transport, storage and communications and financial establishments, insurance, immovable property and services to enterprises.

- The role of citizens in their proactive steps to determine, demand and watch over approaches involving joint responsibility for the rights of children and adolescents.
- The role of families as natural contexts for growth and human development.
- The channelling of physical and financial investment in order to guarantee rights.
- The regions of protection as an instrument for development which is conducive to work, education, science and technology for the new territorial equilibrium formulated as a development policy for the country.

Nevertheless, there are other government bodies which are competent in this area, in particular the Ministry for Participation and Social Welfare.

## **2. Programmes developed by the National Council for Children's and Adolescents' Rights**

Under the provisions of articles 133 and 137 of the Protection of Children and Adolescents (Organization) Act, the National Council for Children's and Adolescents' Rights is a consultative, deliberative and umbrella body whose functions are, on the one hand, to draw up policies, national plans, guidelines and principles, to acquaint itself with and follow up national intersectoral plans, policies and national public actions relating to children and adolescents, the registration of programmes of collective coverage implemented by national and international organizations, and, on the other, to receive complaints of violations or threatened violations of collective and individual rights of children and adolescents, to take protective action on its own initiative or following a complaint, to seek the setting aside of administrative acts which violate or threaten the rights of children and adolescents and to report the failure to provide or improper provision of public services when they threaten the rights of children and adolescents.

In this context, it is not the Council's function to implement plans of action and implementation submitted by the State and Municipal Councils for Children's and Adolescents' Rights, or national programmes or projects of collective coverage.

## **3. Coordination of sectoral and local plans of action, specifically with regard to children**

In accordance with article 143 of the Protection of Children and Adolescents (Organization) Act, the State Councils formulate at the State level, in coordination with the Municipal Councils operating within their areas, the State policy and plans of action for the protection of children and adolescents, in keeping with the national policies and the general guidelines of the National Council. In addition, this same article lays down that the State Councils shall bring these plans before the National Council, so as to integrate them in the national policy for children and adolescents.

It is important to point out that the plans of action drawn up by the State and Municipal Councils for Children's and Adolescents' Rights are coordinated through their communities, i.e. by all those in the community who are involved with the situation of children and adolescents, in order to respond to an identified problem area, based on the analysis or diagnosis of the situation.

#### **4. Role of non-governmental organizations in the implementation of the Convention and the national protection system for children**

In pursuance of the constitutional principles of joint responsibility, participation and intersectorality in relation to the rights of children, adolescents and the family, the Councils for Rights at the different national, State and municipal levels may be regarded as one of the first experiments in forging an alliance between State and society. Articles 140 and 141 of the Protection of Children and Adolescents (Organization) Act stipulate joint representation of the executive (representatives of the Minister's office, appointed by the Minister in question) and society, where its members are elected by their own forum, represented by private or joint organizations providing direct care for children and adolescents, individuals or organizations responsible for agencies or programmes which are devoted to protecting, promoting, investigating or upholding children's and adolescents' rights and guarantees or which participate within their communities in providing care for and protection of children, adolescents or families.

In addition, there exists in the country a network of non-governmental organizations which contribute to the comprehensive protection of children, notable among which is the Community Apprenticeship Centre (CECODAP), the Federation of Private Child Welfare Agencies (FIPAN), the Red de Apoyo por la Justicia y la Paz, Acción Ciudadana contra el SIDA, Banco del Libro, Caritas, Fundación Luz y Vida and, in particular, the Venezuelan Association for Alternative Sex Education (AVESA), which was granted funding of 46,635,646 bolívares through the National Child and Adolescent Protection Fund for the preparation of the Programme of Psychological Care for Victims of Sexual Abuse and the Venezuelan Association of Catholic Education (AVEC), which have been receiving advice and technical assistance for the preparation of protection and care programmes for children and adolescents.

#### **5. Results of the efforts made at all levels of the National System for the Protection and Integral Development of Children and Adolescents**

Among the results of efforts made at all levels we can mention the establishment of the National Protection System composed of a National Council for Children's and Adolescents' Rights (CNDNA), an inter-country adoption office, a National Child and Adolescent Protection Fund, 24 State Councils for Children's and Adolescents' Rights, 2 Metropolitan Councils for Children's and Adolescents' Rights, 299 Municipal Councils for Children's and Adolescents' Rights, 316 Children's and Adolescents' Rights Protection Councils, 240 Children's and Adolescents' Ombudsmen's offices, 24 domestic adoption offices, 23 State Funds for the Protection of Children's and Adolescents' Rights, 228 Municipal Funds for the Protection of Children's and Adolescents' Rights, 71 prosecutors' offices for the protection of the rights of children, adolescents and the family, 35 prosecutors' offices in the Adolescent Criminal Responsibility System at the national level, 125 Courts of Protection and 145 Adolescent Criminal Responsibility Courts.

Another major achievement to be highlighted was the preparation and presentation of the State and municipal plans of action, based on the situational analysis or diagnosis which threw light on the problem area which should be tackled at the State and municipal level by the plans of action, the programmes and projects, in order to guarantee or restore the violated rights of children and adolescents.

In the process of training on the Convention on the Rights of the Child and the doctrine of comprehensive protection, the Protection System provided a substantial amount of training, as follows:

**Table 59**  
**Training provided in the doctrine of protection<sup>60</sup>**

Year	Number of bodies trained	Number of persons trained	Workshops held
2001	279	2 130	42
2002	781	3 000	111
2003	120	90	1 500
2004	1 053	1 053	38
2005	2 000	2 000	54
2006	543	543	10
Total	4 776	8 816	1 755

#### **6. Results of efforts and programmes to combat economic and sexual exploitation**

The National Council for Children's and Adolescents' Rights has drawn up various plans of action, guidelines and guiding principles designed to provide care for children and adolescents and protect them against violence, as follows:

- Proposed inter-agency plan of action for the comprehensive protection of children and adolescents against violence, in keeping with the Grand National Agreement against Crime and Violence being promoted by the National Assembly;
- National Plan of Action against Sexual Abuse and Commercial Sexual Exploitation, published in *Official Gazette* No. 38.631 of 23 February 2007;
- The Binational Plan of Action for the Comprehensive Protection of Children and the Family on the Colombia-Venezuela border and a Binational Programme for the Comprehensive Protection of Children and Adolescents on the Colombia-Venezuela border were drawn up;
- Participation in the drafting of the National Plan of Action to Suppress and Punish Trafficking in Persons, especially women and children;
- Drafting of the "General Guidelines for the Protection of Children and Adolescents from Sexual Abuse and Commercial Sexual Exploitation", published in *Official Gazette* No. 37815 of 11 November 2003, and the "Guidelines for the Protection of Children and Adolescents Who are Victims of Child Pornography, as a Form of Commercial Sexual Exploitation", which will shortly be published in the *Official Gazette*;

<sup>60</sup> National Council for the Rights of the Child and the Adolescent. Planning and Budget Office.

- Drafting of the “Rights Violation Recording Form” in pursuance of the above-mentioned Plan against Sexual Abuse and Commercial Sexual Exploitation.

## **7. Reform of the Organic Law for the Protection of Children and Adolescents (LOPNA)**

The partial reform of the Protection of Children and Adolescents (Organization) Act (LOPNA) is a response to the need to bring this Act, which was adopted in October 1998, into line with the 1999 Constitution, which expressly grants constitutional status to the Convention on the Rights of the Child and the doctrine of comprehensive protection. From this standpoint, the reform of this Act focuses on four areas: the rights of children and adolescents; family relations and institutions; the national umbrella system for the comprehensive protection of children and adolescents; and judicial processes and the system of justice.

The process of reforming the Act, which is in its fourth year, has stretched over a series of different legislative periods, under the responsibility of the National Assembly’s Standing Commission on the Family, Women and Youth. The proposed reform incorporates three separate initiatives - one presented by the deputies in the National Assembly, one by the representatives of the executive, and one by the Supreme Court.

During this time, the reform has been extensively discussed in public. The National Assembly created forums for periodic consultation and participation, in which the members of the System for the Protection of Children and Adolescents, as well as interested citizens, made major contributions. Also invited to participate directly were academic institutions, public and private, care agencies, organizations promoting and upholding the rights of children and adolescents, the Councils for Rights, the National Association of Protection Advisers and UNICEF. On some occasions, these stakeholders exercised their right to speak in meetings of the Commission entrusted with the reform.

The Supreme Court also set up forums for participation and consultation for the reform of procedural aspects and of the system of justice. In this way, consultations were held with judges, the Public Prosecutor’s office, the Independent Public Defender’s Service, the office of the Procurator-General, the National Council for Rights and the organizations promoting and upholding the rights of children and adolescents which play a role in judicial proceedings. The Supreme Court also benefited from technical cooperation from UNICEF in this process of drafting its proposed reform.

As can be seen, this is a proposed reform which, in addition to being designed to bring the Act into line with the new Constitution, is a response to a broad process of participation and consultation, in which obstacles and gaps in this Act were studied thoroughly, while a variety of alternatives, which in many cases were clearly irreconcilable, were explored. In this way, the LOPNA Partial Reform (Organization) Act is the result of a long-term effort in which the deputies in the National Assembly pursued a comprehensive vision, from different viewpoints, interests and paradigms, in order to adopt the sovereign decisions incumbent on them as legitimate representatives of the people.

Some general considerations on the fundamental aspects of the reform of the Act are set out below.

## **Children's and adolescents' rights**

In this area guarantees of the right of children and adolescents to life, to an upbringing and to develop within their original family or among blood relatives are being broadened and strengthened. It has been laid down that action taken to separate children or adolescents from their original family is exceptional and must be of the shortest possible duration, with a view to reintegrating them in their original families, whether nuclear or extended. Along the same lines, there is an explicit ban on separation of children and adolescents on grounds of poverty or the social exclusion of their families.

In addition, the right of children and adolescents to be well treated is recognized, and the right to respect on the part of those raising them is being extended, to complement the right to personal integrity. In this regard, emphasis should be placed on plans to explicitly ban the disciplining of children and adolescents by means of methods involving the use of physical violence of any kind, nature of degree.

In addition, the manner in which the right to health is expressed is being modified in order to eliminate the abhorrent discrimination prescribed in the existing Act, which provides that the State should guarantee free medicines and prostheses only to children and adolescents who have no economic resources, ignoring the fact that the right to health must be guaranteed free of charge irrespective of a person's social or economic situation. Similarly, the rights of indigenous peoples and communities are recognized, laying down that their traditional medicine should be taken into account, valued and safeguarded.

## **Family institutions and relations**

In this area a number of modifications are incorporated which are designed to guarantee equality among children and adolescents, particularly with respect to the principle of equal treatment of all children in a family. It is laid down that the manner in which parental authority is attributed and exercised is the same for sons and daughters born within the marriage as for those born outside it or in stable de facto unions, since the existing Act establishes differentiated regulations which affect the equal treatment of children and adolescents depending on the civil status of their mothers or fathers.

In addition, new rules are included to guarantee equal rights and duties between the father and mother, with the aim of elaborating on the principle of joint parenthood in raising children and adolescents, which forms part of the right of children and adolescents to be raised by both parents, i.e. by their father and mother. In this regard, explicit mention is made of the joint exercise of responsibility for upbringing (custody) in the event of divorce, separation or separate residence by the father and mother, which in the existing Act is granted exclusively to one of the parents in these cases.

Our legislation also recognizes for the first time that work in the home is an activity which generates wealth and social welfare, and hence should be taken into account when setting the level of the father's and mother's contributions to meeting the maintenance obligation.

## **The National Umbrella System for the Comprehensive Protection of Children and Adolescents**

The Constitution explicitly provides for the establishment of a National Umbrella System for the Comprehensive Protection of Children and Adolescents, for which governance is provided by the authorities at the national level and services at the municipal level.

From this standpoint, the reform lays down that the governance of this System is a matter for the national executive branch in the shape of the Ministry which has competence for the comprehensive protection of children and adolescents, that its management at the national level is a matter for the National Council for Children's and Adolescents' Rights, as the agency for the implementation of government policies in this sector, and that at the municipal level it is a matter for the Municipal Councils for Children's and Adolescents' Rights. Under this proposal the State Councils for Rights are eliminated, on the grounds that they were not in keeping with constitutional guidelines, and their functions were taken on by the National Council for Rights.

In addition, with the aim of boosting the functions of the municipal authorities in this area, an explicit obligation was conferred on all local authorities to appoint an ombudsman for children and adolescents as the primary unit in the System of Protection.

Similarly, the Councils of Protection are being strengthened as local bodies with competence to order protection measures in cases where the rights of individual children and adolescents are breached or threatened. In this regard, it should be emphasized that scope has been established for broadening the number of their members in the light of the number of inhabitants in the municipality, the establishment of a multidisciplinary team is planned to support them in the performance of their duties, the rights of their members arising from their public office are guaranteed, and their powers to order immediate protection measures have been extended.

## **Judicial processes and the system of justice**

In this area, the reform brings judicial processes into line with the new principles laid down in the Constitution in relation to the right to due process and to an effective judicial remedy, as well as the new structure of the system of justice. In this way, oral proceedings are established which observe the principles of concentration, free and universal access, simplicity, expeditiousness and uniformity and the strengthening of alternative means of conflict resolution.

The reform assigns special importance to mediation as an appropriate means of settling family conflicts. In this regard, it prescribes the holding of a hearing, under the responsibility of a judge, with the mandatory personal presence of the parties, to address the most important aspects of family relations, i.e. responsibility for raising the children, arrangements for living together (visits) and the obligation to provide maintenance.

Another aspect to be highlighted is that in the court hearing, where the real procedural debate takes place, the judge has an obligation to hand down an oral judgement immediately, and then make it public within five days, except in especially complex cases. Failure to comply with

this obligation constitutes serious misconduct by the judge, warranting dismissal. This is a rule which already has positive precedents in our country in the employment field, and has enabled proceedings to be speeded up.

Lastly, it is necessary to highlight the fact that the reform regulates with precision the organization and operation of the multidisciplinary teams of the Courts of Protection for Children and Adolescents as auxiliary services of the system of justice, which are of fundamental importance in the field of family relations. In this regard, it is stipulated that these teams must be composed of professionals in psychology, psychiatry and social work and, when appropriate, specialists in indigenous languages and culture. At the same time, their functions have been broadened by authorizing them to support the judges in the process of mediation and in the implementation of their decisions.

#### **8. Indicators for monitoring the implementation of policies and programmes for children**

Following the evaluation of the plans of action and implementation drawn up by the State and Municipal Councils for Children's and Adolescents' Rights, based on the situational diagnoses or analyses on which these plans were based, the National Council for Rights drew up for 2005 a preliminary list of simple indicators citing the most frequent violations of rights in each State, such as undernutrition, ill-treatment, teenage pregnancy, consumption of psychotropic drugs, disability and street children.

#### **9. Issues affecting children that the State party considers to be priorities requiring the most urgent attention with regard to the implementation of the Convention**

The studies and diagnoses prepared by the State and Municipal Councils for Rights and the reports drawn up by CNDNA indicate that the issues requiring most attention are:

- Malnutrition/undernutrition
- Ill-treatment of children
- Teenage pregnancy
- Consumption of psychotropic drugs
- Disability
- Street children
- Strengthening of the family.

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