

VENEZUELA: Tier 3

The Government of Venezuela does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so; therefore Venezuela remained on Tier 3. Despite the lack of significant efforts, the government took some steps to address trafficking, including training of government officials on trafficking indicators, vulnerable populations, and investigation techniques, and the arrest of at least seven individuals suspected of human trafficking. However, the government did not report prosecuting or convicting traffickers, and did not report identifying or assisting any trafficking victims.

RECOMMENDATIONS FOR VENEZUELA

Provide specialized services for all trafficking victims, including comprehensive assistance and care to repatriated victims of trafficking, working in partnership with civil society organizations and other service providers; strengthen and document efforts to investigate and prosecute cases of sex trafficking and forced labor, and convict and punish traffickers; draft and enact comprehensive anti-trafficking legislation criminalizing all forms of trafficking, including the criminalization of child sex trafficking without elements of force, fraud, or coercion, and the trafficking of men and boys; implement formal procedures and training for identifying trafficking victims among vulnerable populations, such as persons in prostitution, and for referring victims for care; develop and publish an anti-trafficking action plan and allocate resources to implement it; enhance interagency cooperation by forming a permanent anti-trafficking working group; ensure that upon exit, migrant workers receive educational material on human trafficking including risks of exploitation and where to call for help if needed; and improve data collection on government anti-trafficking efforts and make this data publicly available.

PROSECUTION

The government maintained inadequate law enforcement efforts. Venezuelan law criminalized all forms of trafficking of women and girls, through a 2007 law on women's rights that prescribed penalties of 15 to 20 years imprisonment. Inconsistent with international law, the law required a demonstration of force, fraud, or coercion to constitute a child sex trafficking, and therefore did not criminalize all forms of child sex trafficking. Venezuelan law failed to criminalize trafficking of men and boys when perpetrators were not part of an organized

criminal organization. The law addressing organized crime criminalized trafficking by organized criminal groups of three or more individuals, with penalties of 20 to 30 years imprisonment. The penalties for these trafficking crimes were sufficiently stringent and, with respect to sex trafficking, commensurate with penalties prescribed for other serious crimes, such as rape. The legislature did not pass a draft anti-trafficking law, first introduced in 2010.

Venezuelan authorities did not report the total number of trafficking cases investigated or individuals prosecuted or convicted for trafficking in 2017. According to government websites and media reports, the government conducted at least two trafficking investigations involving seven suspects. The government did not report prosecuting or convicting any traffickers during the reporting period. The government publicly reported the organized crime office (ONDOFT) held several training sessions, including a three-day training for incoming National Guard cadets on trafficking indicators, prevention, and understanding vulnerable populations; a training for 30 airport and migration officials on investigation techniques; and training for security personnel on victim identification and assistance. Officials reported lack of funding made trainings difficult to execute. The government did not report any investigations, prosecutions, or convictions of government employees complicit in human trafficking offenses.

PROTECTION

The government did not report making efforts to identify or protect victims. ONDOFT reportedly operated a 24-hour hotline to receive reports of suspected trafficking cases. The government did not report on the existence of formal procedures for identifying trafficking victims among vulnerable populations or referring victims to services. Victim referrals to different government entities, including ONDOFT and the women's ministry, occurred on an ad hoc basis. The availability of victim services remained limited. There were no specialized shelters for trafficking victims in the country. Victims could reportedly access government centers for victims of domestic violence or at-risk youth, although services for male victims were minimal. The government reportedly made psychological and medical examinations available to trafficking victims, but additional victim services—such as follow-up medical aid, legal assistance with filing a complaint, job training, and reintegration assistance—were extremely limited. The government did not report providing assistance to repatriated Venezuelan trafficking victims during the reporting period. NGOs and international organizations reported authorities did not penalize victims for unlawful acts

committed as a direct result of being subjected to trafficking, although children forced to beg were often threatened and physically abused by police. International organizations continued to file asylum and relief from deportation requests for Colombian victims who feared reprisals from traffickers or criminal organizations if they returned to their country of origin, but the government did not report whether any requests were filed in 2017.

PREVENTION

The government made minimal prevention efforts. No permanent anti-trafficking interagency body existed, and the government did not have an anti-trafficking plan or strategy. The government did not report conducting awareness activities and observers reported efforts to raise awareness significantly decreased due to limited funding. The government did not provide anti-trafficking training for its diplomatic personnel. The government did not report any specific activities to reduce the demand for commercial sex acts or forced labor.

TRAFFICKING PROFILE

As reported over the past five years, Venezuela is a source and destination country for men, women, and children subjected to sex trafficking and forced labor. As the economic situation deteriorated, the mass migration of Venezuelans to neighboring countries increased. During the reporting period, alleged victims of trafficking from Venezuela were identified in Aruba, Colombia, Costa Rica, Curacao, Dominican Republic, Ecuador, Greece, Guyana, Mexico, Panama, Peru, Spain, Suriname, and Trinidad and Tobago. Venezuelan women and girls, including some lured from poor interior regions to urban and tourist centers, are subjected to sex trafficking and child sex tourism within the country. Venezuelan children are exploited within the country, frequently by relatives, in domestic servitude. Venezuelan officials and international organizations have reported identifying sex and labor trafficking victims from South American, Caribbean, Asian, and African countries in Venezuela. Ecuadorians, Filipinos, and other foreign nationals are subjected to domestic servitude by other foreign nationals living in Venezuela. Venezuelan officials reported an increase of sex trafficking in the informal mining sector.