

# Venezuelan Civil Society Organizations Joint Education Report to the Economic and Social Rights Committee of the United Nations Organization, upon the examination of the third periodic report of the Venezuelan state during the 55th session of the International Covenant on Economic, Social and Cultural Rights

## Articles 13th and 14th, Right to Education



Organizations drafting this report:

**National Federation of Parents and Legal Tutors Association –FENASOPADRES-** is a non-governmental Organization with the mission to protect the right parents and legal tutors have to influence public policies regarding basic education, with the objective to provide high-quality education, freedom of association and public participation to promote education changes in tune with human rights and the constitutional mandate.

**Asociación Civil Asamblea de Educación** is a non-governmental organization dedicated to promote civil society participation in the planning, management, and evaluation of public policies in education and educational processes evaluation in Venezuela.

**Padres Organizados de Venezuela** is a non-governmental organization with the objective to ensure a high-quality education that respects all lines of thought in Venezuela.

**May 2015**

## Executive Summary

1. The following report contains complementary information to the report presented by the Venezuelan government in March 2015. The information exposed in this report reveals that the Venezuelan government has not complied with its obligations regarding the right to education established in the International Covenant on Economic, Social and Cultural Rights.
2. This report highlights the breach by the Venezuelan government of articles:
  - a. 13.1, such article refers to the right to an education that guarantees the complete personal development of the students, and the development of capabilities that allow them to fully participate in a free society.
  - b. 13.2, which refers to the right of every child and adolescent to receive a complete education, the right of the population as a whole to basic education, the right to a free and high-quality education system, and autonomy of public universities.
  - c. 13.3, which refers to the right parents and legal tutors have to make decisions regarding the education their children are receiving, considering basic education norms and standards.
3. The breach of article 13.1 occurs with the implementation of an official line of thought as a policy of the State. This policy is not based on the Venezuelan constitution, but rather on the Development, Economic, and Social Plan for the Country. This plan is not mentioned on the constitution, and is only mentioned on paragraphs 521 and 567 of the Report of the State. The objectives of this plan regarding education have been “to adequate the education system to the socialist productive model” and “to adequate the study plans at all levels to include strategies for the development of socialists and patriotic values.”
4. The breach of article 13.2 occurs with:
  - a. the continuous decrease in the number of students enrolled in public schools, compared with an increase in the number of students enrolled in private institutions;
  - b. the stagnation of the School Food Program, which is the main support program for schools, and has a limited coverage in public schools;
  - c. the existence of illiteracy;
  - d. the lack of information and tools for monitoring and evaluation of the education system;
  - e. the violation of autonomy on public universities, which is present in the constitution; nonetheless, the Organic Law on Education eliminated the competencies public universities have to dictate self-governing and organizational norms. This law transfers these

competences to the National Assembly, which could exercise this power over universities through “special laws”, and to the central government through regulations and resolutions;

5. The breach of article 13.3 occurs when the government drafts resolutions and decrees restricting the right parents and legal tutors have to decide over the education of their children, and the right of students to form associations and freely participate in school matters. These resolutions and decrees create new organizational entities replacing the legitimately established parents associations, and students associations. These new entities are the only ones legally recognized to participate in school matters, and impose government guidelines, and the official line of thought.
6. The organizations drafting this report request the committee:
  - a. to urge the Venezuelan state to prohibit, through administrative, legislative, and judicial mechanisms, the partisan activities in all levels of all public and private schools (preschool, primary, and secondary);
  - b. to eliminate all language, symbol, or terminology that can be interpreted as a political propaganda, or that suggests bias towards a unique line of thought –including the government party or individuals that are active members of political parties– from all curriculum or education reform plan, teaching guide, and textbook;
  - c. to abstain from promoting plans, actions or projects that include military indoctrination or training for children and adolescents at school and outside school.
7. We also request the committee to urge the Venezuelan government:
  - a. to present a plan guaranteeing the universalization of the right to education for all children and adolescents at all levels in school and outside schools. This plan should include goals for infrastructure, teacher training and remuneration, supply of materials and equipment to schools, and mandatory health, transportation, and food programs in schools;
  - b. to abstain from taking administrative, legislative, and judicial actions that result in infringing the autonomy of public universities, and to repeal all statutory provisions that can violate the principle of autonomy for these institutions.
8. We request the committee to urge the Venezuelan government:
  - a. to take action to reactivate the communication channels to obtain disaggregated and detailed information about the number of schools, enrollment rates, number of teachers, and services, programs, and projects being developed;

- b. to guarantee regular publication and complete access to data and documents about policies, plans, budgeting and spending, and education government agencies management indicators
  - c. to abstain from taking any restrictive action to the access to information, or to eliminate any current action restricting this access.
9. Finally, we request the committee to urge the Venezuelan government:
- a. to take administrative, legislative, and judicial action to protect the legitimate right of association of parents to continue existing, without any regressive condition other than those established when they were created;
  - b. to repeal the Resolution 058 in order to open the possibility to draft a new document that guarantees parents and legal tutors, teachers, and students of all ages, the full enjoyment of the freedom of association;
  - c. to ensure the complete stop and elimination of any biased political interference, and indoctrination activities that promote the exclusion of plural and diverse thought and school environment, which could result in political discrimination and limited freedom for students, parents and legal tutors, and teaching and administrative staff.

## **Introduction**

10. This report was prepared for submission to the Cultural, Social and Economic Rights Committee following the third periodical report of the Venezuelan state on the 55th Session of the International Covenant on Economic, Social and Cultural Rights.
11. The following report was drafted by the non-governmental organization FENASOPADRES, Padres Organizados de Venezuela, and Asamblea de Educación. FENASOPADRES and Padres Organizados de Venezuela are dedicated to protect the right parents and legal guardians have to influence public policies regarding basic education, with the objective to provide high-quality education, freedom of association and public participation to promote education changes in tune with human rights and the constitutional mandate. Asamblea de Educación is dedicated to promote civil society participation in the planning, management, and evaluation of public policies in education and educational processes evaluation in Venezuela.
12. For the preparation of this report, the following materials were reviewed: Report of the Venezuelan state and the matters list, considering the provisions of the Covenant in articles 13th and 14th, and the observation number 13 of the Covenant, in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11,12, 27, 28, 29, 34, 35, 40, 45, 49, 50 y 54

13. The report was structured in two parts:
  - a. The context surrounding the enjoyment and restrictions of the right to education in last 14 years, namely, since the last report of the Venezuela state was submitted to the CDESC
  - b. The detailed description of the breach of articles 13th and 14th of the Covenant and the CDESC observations, as well as the recommendations that these organizations present to the CDESC.
14. In this report, we used a research and documentary analysis approach of the: principles, mandates, and recommendations of the Covenant on Economic, Social and Cultural Rights; Children's Rights Convention and other international agreements; principles and mandates of the Bolivarian Republic of Venezuela Constitution and the Education Law; other sublegal laws and regulations; the accountability reports of the Education Ministry from 2000 to 2014, texts published by the Ministry, such as the Illustrated Constitution and the Bicentenary Collection, and research, interviews, and documents produced by universities, education experts organizations, and non-governmental researcher and organizations working on education in Venezuela.

## **Education System Context**

15. The vital importance of the Right to Education has been established in article 26th on the Universal Declaration of Human Rights, articles 13th and 14th of the International Covenant on Economic, Social and Cultural Rights, and in other international agreements, such as the Children's Rights Convention. Education "has been classified as an economic right, social right, and cultural right. It is all those rights at the same time. [Education] is as well a civil right and a political right; because is a key driver for the full and efficient fulfillment of these rights. In this respect, education is the epitome of the indivisibility and the interdependency of all human rights" CDESC-OG-11/P2.
16. The Constitution of the Bolivarian Republic of Venezuela is in accordance with the principles and objectives of the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the American Convention of Human Rights, and the Additional Protocol of the American Convention of Human Rights regarding economic, social, and cultural rights (San Salvador Protocol). The administrations on duty expand and includes –with reason– these principles and concepts to their political vision.
17. Nonetheless, since 2000, the Venezuelan government has promoted public policies that have decrease the access to high quality and plural

education based on all lines of thought. The administration has done this by promoting projects oriented to emphasizing the official line of thought in the education system, particularly in elementary, primary, and secondary education, which includes the population 0 to 18 years of age.

18. The application of an official line of thought is understood as one of the most direct ways of trampling democracy, which also results in setting aside human rights. Since education is a fundamental human right, it must consider the plurality of thought in any society independently of the political regime that has been established. Plurality is the basic condition for the exercise of democracy, since it includes, rather than excluding. To impose, through regulations or de facto, a unique line of thought means to deny the essence of democracy. Without plurality there is no democracy.
19. The concept "unique line of thought" is linked to the concept "autocracy". Autocratic increase when regimes embark on the sudden or gradual occupation of all aspects of independence, autonomy and freedom, with the objective of segregating different ideas, which are as natural as society itself. The presidents of public universities in Venezuela argued in their appeal to the 2009 Education Law that the this Law is an "infringement of article 102 of the Constitution, which defines the right to education as a public fundamental service that respects all lines of thought. Specifically, on article 15, paragraph 9, the law implicitly establishes the indoctrination of students as an education objective, when the implementation of the socialist model is described as sine qua nun to the achievement of the "supreme social happiness". We arrive to this conclusion when comparing the aforementioned legal provision to article 2 of the decree -which has weight of law- that requests the creation of a Central Planning Commission, in which the "supreme social happiness" is defined as the socialist model. This is the first guidance of the Social and Economic Plan of the Nation 2003-2007; another name for this plan is "First Socialist Plan". In a nutshell, there is an infringement of the constitution by article 15 of the Education Law, which pretends to use education as a tool to build the socialist model, deriving from the 21<sup>st</sup> Century Socialist "doctrine". This doctrine is founded on a hegemonic condition, which logically excludes any other line of thought in the education process. Thus, the aforementioned article is contradictory to article 102 of the Constitution."
20. The autonomy of public universities is one of the emblems of tertiary education in the majority of Latin America, because of its historical strength and complete identification with the concept of democracy. The 2009 Education Law severely infringes this autonomy. Article 35 of the Law (paragraphs 2, 3, 4, and 5) violate article 109 of the Constitution. Article 35 of the Law removes the exclusive competence of autonomous universities to

dictate self-governing and organizational norms, precisely in the matters described in the aforementioned paragraphs. Additionally, it transfers this competence to the National Assembly, which then will have the authority to exercise this competence through "special laws"; and to the Central Government, which could exercise it through norms and resolutions.

**Article 13.1.**

**The right to an education that is directed to the full development of the human personality and the sense of its dignity; this shall strengthen the respect for human rights and fundamental freedoms.**

21. Official data shows that since 2007, there has been a steady decline in the primary and secondary education enrolment curve, as well as other supporting programs that guaranty a free education system. There has been a continuous decrease in the number of students enrolled in public schools, compared with an increase in the number of students enrolled in private institutions. Additionally, the Food Program in Schools has been stagnated since 2008 as well, and the combination of these two factors shows a general stagnation in absolute terms in the number of enrolled students.
22. The Venezuelan Constitution guarantees the right to education for all in article 102 as a fundamental human and social right. Based on the constitution, education must be democratic, free, and mandatory, and based on the respect to all lines of thought. The main objective is the development of the creative potential of every human being, and the full exercise of the personality in a democratic society. Nonetheless, bypassing the Constitution and contravening the right to education that guarantees freedom and plurality of thought, and the imposition of an official line of thought in the Venezuelan education system has been a permanent government policy since 2000. This is contrary to article 13.1 of the International Covenant on Economic, Social and Cultural Rights.
23. The imposition of a unique line of though in primary and secondary education is based on the Social and Economic Development Plans of the Nation, rather than in the Constitution. These plans are only mentioned in paragraphs 521 and 567 of the State Report, and have been presented by the Central Government with the support of the National Assembly -where the government's party holds the majority of seats. These actions by these two branches of government contradict their role of guarantying the rule of law. In 2008, the president Hugo Chávez presented the Economic and Social Development Plan of the Nation 2007-2013 or "First Socialist Plan of the Nation, Simón Bolívar" to the National Assembly. The objective number II-3.4.5 of this plan was to "adequate the education system to the productive socialist model". Subsequently, the president Nicolás Maduro presented the

Social and Economic Development Plan of the Nation 2013-2019, “Second Socialist Plan” or “The Motherland Plan”, to the National Assembly, and it was approved on 30 August 2013. Objective 2.4.1.4 of the second plan reads, “to equate the study plans at all levels in order to include strategies for the development of socialists and patriotic values.”

24. Following this doctrine, in 2007 the Education Ministry attempted to change the official and current curriculum, the National Basic Curriculum (CBN<sup>1</sup>), for a new National Bolivarian Curriculum (CNB)<sup>2</sup>. The minister of Education at the time, Adán Chávez, affirmed that the National Bolivarian Curriculum “embodied the new man, and socialist values against capitalism vision” and the “humanist-bolivarian-socialist doctrine”, which are part of the government’s project<sup>3</sup>. In the principles and characteristics of this curriculum constitutional content was mixed with ambiguous and vague concepts, such as “the social form of being, in and for, the collective”. Moreover, the personal autonomous education<sup>4</sup> was diminished, to give place to education as a tool for the “political and socializing process” as dictated by the Central Government<sup>5</sup>. The National Bolivarian Curriculum was not submitted for public consultation. Many NGOs, parents, teachers, students, administrative and labor school staff participated in protests that resulted in the dismissal of the curriculum by president Chávez.
25. However, the content of the new curriculum was included in the rules of procedure reform of the Education Ministry, which was enacted in March 2008<sup>6</sup>. Since 2004, that allowed the Ministry to progressively and experimental put forward pedagogic and curricular reforms at all education levels<sup>7</sup>. In 2011, the Ministry of Education mandated the utilization of a different curriculum similar to the one dismissed 2007, rather than the official curriculum, in public schools. Incompletely, the State Report, refers to this change in paragraph 526 when it expresses to had been developed a policy of “curricular program strengthening, with the inclusion of environment and integral health, interculturality, liberating labor, information technology and free education, language, human rights, peace and sovereignty, and integral defense of the nation.”

<sup>1</sup> Currículo Básico Nacional. (1997). Nivel de Educación Básica. Caracas-Venezuela.

<sup>2</sup> MPPE: [Currículo Nacional Bolivariano](http://www.me.gob.ve/media/contenidos/2007/d_905_67.pdf), Diseño Curricular del Sistema Educativo Bolivariano. Septiembre de 2007. En: [http://www.me.gob.ve/media/contenidos/2007/d\\_905\\_67.pdf](http://www.me.gob.ve/media/contenidos/2007/d_905_67.pdf) ; MPPE: [Currículo del Subsistema de Educación Primaria Bolivariana](http://www.me.gob.ve/media/eventos/2008/dc_3743_98.pdf), Septiembre de 2007. En: [http://www.me.gob.ve/media/eventos/2008/dc\\_3743\\_98.pdf](http://www.me.gob.ve/media/eventos/2008/dc_3743_98.pdf) ; MPPE: [Subsistema de Educación Secundaria Bolivariana: Liceos Bolivarianos](http://www.me.gob.ve/media/eventos/2008/dc_3744_99.pdf), Currículo. Septiembre de 2007. En: [http://www.me.gob.ve/media/eventos/2008/dc\\_3744\\_99.pdf](http://www.me.gob.ve/media/eventos/2008/dc_3744_99.pdf)

<sup>3</sup> [Habla de los cambios que vienen en la educación](http://www.noticias24.com/actualidad/noticia/8033/habla-de-los-cambios-que-vienen-en-la-educacion/). Entrevista de Mariela Hoyer Guerrero al Ministro de Educación, Adam Chávez. En: <http://www.noticias24.com/actualidad/noticia/8033/habla-de-los-cambios-que-vienen-en-la-educacion/>

<sup>4</sup> Ortiz F., Marielsa y Parra S., Hugo. Diseño curricular bolivariano. Aportes para el debate. [Revista SIC 704](http://gumilla.org/biblioteca/bases/biblio/texto/SIC2008704_168-172.pdf). Centro Gumilla, Mayo 2008. Disponible en: [http://gumilla.org/biblioteca/bases/biblio/texto/SIC2008704\\_168-172.pdf](http://gumilla.org/biblioteca/bases/biblio/texto/SIC2008704_168-172.pdf). En este trabajo se señalan como aspectos preocupantes del CNB: “1. La incorporación de propuestas y términos que no están respaldados por la actual Constitución bolivariana: la geometría del poder y las formas de propiedad colectiva, por ejemplo. 2. La ambigüedad en el uso de algunos términos: republicano, revolucionario, humanismo...que, al no ser aclarados, se prestan a múltiples significados (...) y No aparece entre los pilares de la educación el “aprender a ser” y la formación autónoma de la persona (...) se atiende poco al ser como individuo, a su dimensión psicológica y a la construcción personal...”.

<sup>5</sup> El derecho a la educación y el Currículo Nacional Bolivariano. José Ignacio Hernández G. Abogado y Profesor de la Universidad Central de Venezuela. En: [http://www.uma.edu.ve/admini/ckfinder/userfiles/files/rdpub\\_2008\\_113\\_89-93.pdf](http://www.uma.edu.ve/admini/ckfinder/userfiles/files/rdpub_2008_113_89-93.pdf)

<sup>6</sup> Decreto Número N° 5.907, publicado en la Gaceta Oficial N° 38.884 de 5 de marzo de 2008.

<sup>7</sup> Resolución del MPPE N° 09, publicada en la Gaceta Oficial número 37.874 de 6 de febrero de 2004.



26. As of today, this version of the curriculum has been implemented in 8,000 public schools without informing, or allowing participation of those involved with education. This is a breach of the public consultation procedure established in the Education Law and its rules of procedure<sup>8</sup>. This law is mentioned in the State Report in paragraphs 222 and 522, and paragraph 190 on the Response to the List of Matters. On 27 November 2013, the National Federation of Parents and Legal Tutors, the National Federation of Teachers, the Teachers Association of the Universidad Pedagógica Libertador, the National Federation of Secondary School Students, the Private Education Venezuelan Chamber, and the organizations Educar+Paz, Forma y Caracas Mía requested the Ministry of Education, the establishment of a High Level Commission to discuss the curriculum reform, but they did not receive an answer. In April 2014, this request was ratified and the group of associations, federations, and organizations publicly submitted this request to the representative of the Education Ministry, but they still have not received an answer.
27. Along these lines, the Venezuelan government fails to mention in their report that in 2011 they started a National Teacher Training Plan for the “liberating education, the new subjectivity and the radical or social pedagogic rationale that must prevail in a socialist process”<sup>9</sup>. In June 2012, the Continuing Training and Research Institutional Collectives were established in the Primary and Secondary Education Subsystem (public and private schools). This was done following the Economic and Social Development Plan for the Nation 2007-2013<sup>10</sup>, with the objective of “promoting the new teacher with socialist values”<sup>11</sup>. This teacher training policy has its antecedents in the mandatory teacher training courses for the implementation of the National Bolivarian Curriculum in 2007. However, in 2007 these courses were suspended for the rejection it received by social organizations, and particularly teacher association, due to the low training quality of the courses and the high level of partisan content. Another antecedent worth mentioning is that in 2001 the 1011 decree was promulgated, which shifted the role of teacher supervisors for itinerant supervisor. These itinerant supervisors do not have the required professional profile to fulfill this role, and are discretionally designated by the Ministry. Although the rejection this regulation received from teachers, parents, and legal guardians, today the itinerant supervisor, now denominated “Teacher in Supervising Role”, has become in an interventionist in the school. The Teacher in Supervising Role policy is oriented to impose a unique education

<sup>8</sup> Artículos 6, 13, 19, y 24 del Reglamento de la Ley Orgánica de Educación.

<sup>9</sup> AVN: Maryann Hanson: El rol fundamental del educador es la construcción de la nueva subjetividad. 11.11.12. En: <http://www.avn.info.ve/contenido/maryann-hanson-rol-fundamental-del-educador-es-construcci%C3%B3n-nueva-subjetividad>

<sup>10</sup> Circula/ Memorandum Plan de Formación Nacional.

<http://colegioconsolacionmaracay.org.ve/Boton%20Coord.%20M%20Profesional/Circular%20Plan%20de%20Formaci%C3%B3n%20Aragua%20p.pdf>

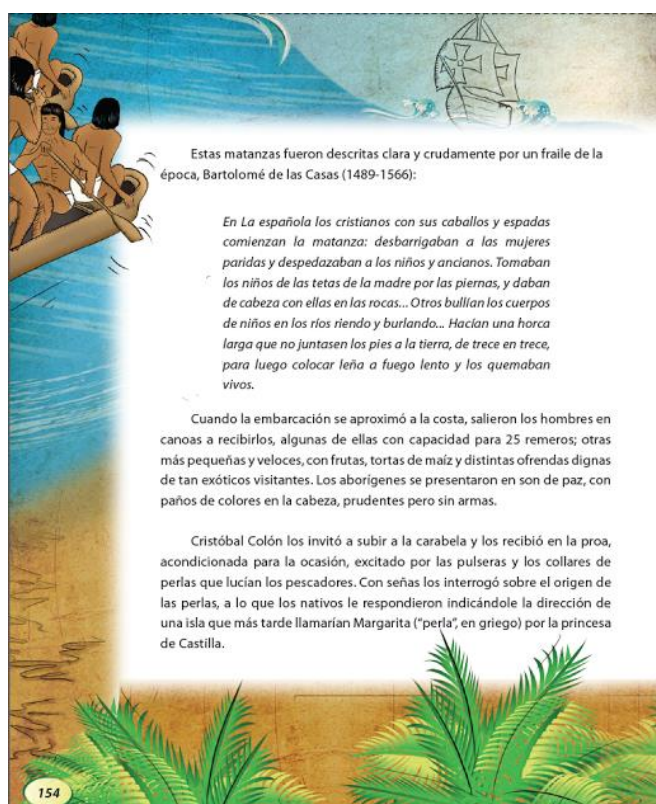
<sup>11</sup> Diario La Región: Jornada de formación socio política para docentes en Bermúdez. 13.04.12. En: <http://www.diarioregion.com/2012/04/13/jornada-de-formacion-socio-politica-para-docentes-en-bermudez/>

approach that responds to the so-called Plan of the Motherland, rather than to the fundamental principles established in article 13.1 of the Covenant.

28. The government fails to mention in their report that in 2011 the new Resources for Education in the Primary and Secondary Education System were implemented. This system encompasses the school textbooks from the Bicentenary Collection, which include 70 titles in different areas (Language and Literature, Mathematics, Natural Sciences, and Social Sciences), which are to be used exclusively, mandatory, and free of costs<sup>12</sup> in elementary, primary, and secondary education, and in the education missions. In November 2011, the education districts prohibited the circulation, distribution, promotion, sale, and use of other textbooks in private and public schools<sup>13</sup>, by mandate of the Ministry of Education.

Gráfica 1

Texto del libro *El Cardenalito*, Lenguaje y Literatura de Sexto Grado del Nivel de Educación Primaria del Subsistema de Educación Básica (Colección Bicentenario), pág. 154.



The Ministry of Education, Maryann Hanson, explained that the objective of the Collection was "the consolidation of a liberating and inclusive education that strengthens the integral education of children, youth, adolescents, and adults as social and critical-thinking individuals who will build the socialist and egalitarian motherland"<sup>14</sup>. Since 2011 up until today, the Ministry has distributed 40 million books<sup>15</sup> to 10,300,000 students<sup>16</sup>. National universities and education experts<sup>17</sup> have extensively studied the four editions of this Collection and have found information bias, politically biased images and graphs<sup>18</sup>,

<sup>12</sup> MPPE: Ministerio para la Educación profundiza en la formación docente. 25.06.12. En: [http://me.gob.ve/noticia.php?id\\_contenido=26417](http://me.gob.ve/noticia.php?id_contenido=26417)

<sup>13</sup> Memorando MDZ2011-06 de 10.10. 11, donde se prohíbe la solicitud o uso de textos o libros escolares distintos a la Colección Bicentenario y Circular número 002851, del 20.05.11, que ordena enviar al Ministerio de Educación libros, textos y diversos materiales educativos para su revisión y aprobación, antes de su "circulación, distribución, promoción, venta y uso en instituciones oficiales y privadas".

<sup>14</sup> MPPE: Grandes Avances en Políticas Públicas Educativas del Subsistema de Educación Básica. En: [http://me.gob.ve/media/contenidos/2012/d\\_26076\\_310.pdf](http://me.gob.ve/media/contenidos/2012/d_26076_310.pdf)

<sup>15</sup> La Memoria y Cuenta del MPPE 2014, reporta que en el año 2014, se publicaron 30.000.000 ejemplares de Textos Escolares de la Colección Bicentenario, de los que 27.556.019 fueron distribuidos en más de 17.000 planteles de todo el país.

<sup>16</sup> Prensa MPPE: "En el año 2011 comenzó la distribución de la Colección Bicentenario, que hasta la fecha ha beneficiado a 10 millones 300 mil estudiantes, con la entrega de 42 millones 750 textos escolares, siendo la meta para el presente año escolar 2013-2014 se ha planteado la meta de impresión y distribución de 35 mil ejemplares". En: [http://me.gob.ve/noticia.php?id\\_contenido=27311](http://me.gob.ve/noticia.php?id_contenido=27311)

<sup>17</sup> Universidad Católica Andrés Bello (UCAB), Universidad Central de Venezuela (UCV) y Universidad Pedagógica Libertador (UPEL).

<sup>18</sup> Pronunciamento público de la UCAB: "Ante la colección Bicentenario elaborada por el MPPE". 13.12.11. En: <http://www.derechos.org/ve/2011/12/13/educacion-ucab-ante-la-coleccion-bicentenario-elaborada-por-el-mppe/>

personality cult of the president and manipulation of history<sup>19</sup>, and stigma for political reasons<sup>20</sup>. This violates the prohibition to use political propaganda and discriminatory messages at schools, which can incite hate or war against people with different political preferences or for any other condition.

29. The continuous effort of different agencies to implement a unique line of thought on the education system concords with the logic of various political groups of the government. This logic includes the creation of a “New Man”, who is described as a person that diverges from the ideals established in the Constitution, worships some political leaders, and, in addition to actively participating government proselytism, is a militiaman, rather than a citizen. From this point of view, we have identified three components on the strategy for the imposition of the unique line of thought: the promotion of one ideological current, the worshiping of former president Hugo Chávez, and the shift from citizen to militiaman. This last component does not only include government proselytism activities, but also the inclusion of war logic in the education background and the dynamics of society. This approach allows the government to utilize students in partisan acts, as well as to adapt the curriculum and to include textbooks from the bicentenary collection. Additionally, it allows the administration in office, to extend the regulations overseeing military education to the complete education of society, within and outside the education system.
30. This framework that pretends to impose the unique line of thought as a State policy include as an objective the defense of the Political Project of the Bolivarian Revolution. This objective is expected to be fulfilled by government officials and members of the Armed Forces through a Military-Civilian Union; this concept is not present in the Venezuelan Constitution, and violates articles 145 and 328, where it is clearly stated that government officials and members of the Armed Forces are prohibited from being political activists. In 2009 the Bolivarian National Armed Forces Law was promulgated to fulfill this objective. Through this law the Bolivarian Militia was created, which is defined an “armed body” formed by officials from all government agencies and civil society. The members of this “armed body” would be trained following the Bolivarian Military Doctrine to support the National Bolivarian Armed Forces (FANB) in conflicts against internal and external enemies. In 2009, during his weekly program number 4 on 2 July 2009, president Chávez said “we have to rush the establishment of the militia bodies, the militia battalions, and all of you must complete deploy,

<sup>19</sup> Dr. Mariano Herrera, Director del Centro de Investigación y Comunicación Educativa (CICE), acota que “los textos de la Colección Bicentenario tienen tres características principales: el culto a la personalidad del presidente fallecido, la propaganda política y la manipulación histórica”.

<sup>20</sup> Dra. Cristina D’avolio Investigadora de UPEL al determinar que “El venezolano representado en estos textos escolares pertenece a un grupo social proveniente de un mestizaje y es defensor de las ideas de Chávez. Procede de la gesta de Bolívar y su imagen está enmarcada en las poblaciones indígenas, rurales y, en el caso de las zonas urbanas, en los barrios”. “El grupo social es evaluado positivamente como un pueblo pobre que había sido despojado de sus recursos por los gobiernos anteriores y que está en camino de superar ese estado a través de la organización comunitaria”. “La oposición es la causante de la mayoría de los males sociales y económicos por la retención de ‘sus’ escasos recursos (vivienda, empleo, alimentación, igualdad de oportunidades, entre otros)”.

from any position you hold, from the prosecutor to there ... The Bolivarian youth must become in a militia army, the industry workers, the fabrics, the countrymen ... the indigenous ... The militia is the country on arms, and we are the troupe and the front line unit. We are that: front line, but we must military organize the masses of the country, equip them, and arm them, as far as we can, train them, stimulate them, transform every barrack in a training and militia organization center, of that community, of that province, of that shanty town"<sup>21</sup>.

Gráfica 2

Milicianos de la Misión Ribas. Plaza Venezuela, Caracas.16.04.11. Video en <https://www.youtube.com/watch?t=10&v=XvKp6MbDTEQ>



31. Regarding the Bolivarian Military Doctrine in the education system, the government fails to mention in their report that in 2011 they published the Military Education of the National Bolivarian Armed Forces Integral Plan<sup>22</sup>. According to this Plan, defense education must become in an inclusive axe of the national education system. This implies that the subject "Integral Defense Education" must be included in all study plans of elementary, primary, secondary, and tertiary education subsystems. The document explains that the Bolivarian

Militia would be responsible for the implementation of the programs. Additionally, the Plan estates that following the Third Engine "Moral y Luces"<sup>23</sup>, the Armed Forces shall form study and work circles in the whole country. These circles will mainly work on topics such as Integral Defense Education. In 2012, the Ribas Mission was operating the Militia Student Fronts, which were created to maximize the National Bolivarian Militia operational activities in topics as integral defense, independence, sovereignty and integrity of the national geographic space<sup>24</sup>. The Experimental National University of the Bolivarian Armed Forces has a high civilian enrolment because they were incorporated to the university through the Sucre Mission. In that school there were 13,000 students enrolled as militiamen<sup>25</sup> that are taking an Integral Defense of the Nation Training Program. This program is mandatory for students<sup>26</sup>.

<sup>21</sup> Chávez Frías, Hugo. La Doctrina Militar Bolivariana y el Poder Nacional. Colección Cuadernos para el Debate. Ministerio del Poder Popular para la Comunicación y la Información. Aló Presidente Teórico 5, Fuerte Tiuna, Caracas 23 de julio de 2009.

<sup>22</sup> Resolución 017621. Gaceta Oficial N° 39.641

<sup>23</sup> El Tercer Motor "Moral y Luces" es un programa informal de formación para toda la población, fuera del marco del sistema educativo.

<sup>24</sup> Misión Ribas: Frente de Milicia Estudiantil. En: [http://mision-ribas-estadal.over-blog.org/pages/Frente\\_de\\_Milicia\\_Estudiantil\\_Mision\\_Ribas-4888716.html](http://mision-ribas-estadal.over-blog.org/pages/Frente_de_Milicia_Estudiantil_Mision_Ribas-4888716.html)

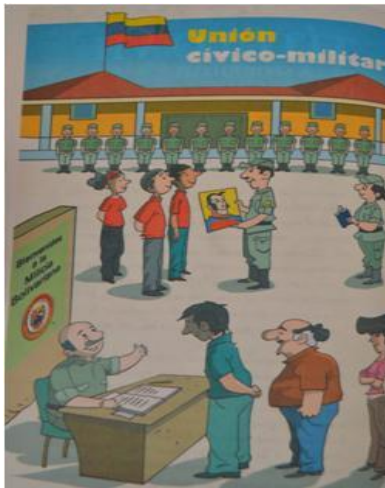
<sup>25</sup> AVN: Chávez: Movimiento estudiantil tendrá poder real. 21.11.12. En: <http://www.avn.info.ve/contenido/ch%C3%A1vez-movimiento-estudiantil-tendr%C3%A1-poder-real>

<sup>26</sup> Agencia Carabobeña de Noticias. Milicia estudiantil de la Unefa participará en el desfile cívico militar del próximo 4F. 28.01.12. En: <http://www.acn.com.ve/portal/nacional/item/39563-milicia-estudiantil-de-la-unefa-participar%C3%A1-en-el-desfile-c%C3%ADvico-militar-del-pr%C3%B3ximo-4f>

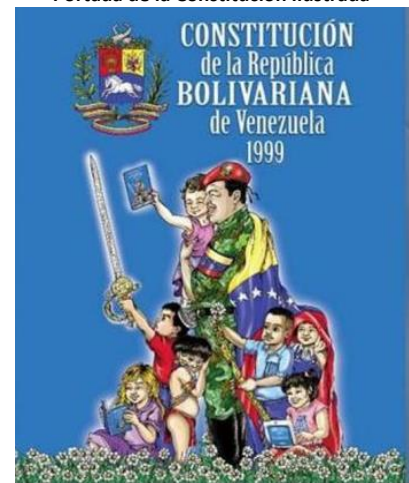
32. Furthermore, the government fails to mention in their report that the Presidency published the Illustrated Constitution in 2013 as a part of the Resources System for Learning in the Basic Education Subsystem (primary and secondary). More than five million copies were delivered to public primary and secondary schools. The content of the Illustrated Constitution are the articles of the Venezuelan Constitution and 31 illustrations highlighting policies defined as socialist by the government, and the image of president Hugo Chávez. The most common image in the 319 pages<sup>27</sup> of the textbook is one of the former president with children. In the cover, president Chávez appears dressed with a military uniform surrounded by 7 small children –one of them is grasping the sword of Simón Bolívar; and in various visuals inside there is the figure of the militiaman. In the graph title Military-Civilian Union, children can see citizens enrolling in the Bolivarian Militia, and a militiaman instructing them to wear red t-shirts.

33. The implementation of policies oriented to imposing a unique line of thought has resulted in the utilization of children and adolescents, teaching staff, and school spaces, for other activities with different objectives than formal education. In 12 April 2010, the Capital District government and the Ministry of Communications and Information announced the establishment of the “Communication Guerrilla Commandos” in 25 schools in Caracas.

Gráfica 4  
Constitución Ilustrada.



Gráfica 3  
Portada de la Constitución Ilustrada



These “Communication Guerrillas” would include 400 teenagers 13 and 17 years old<sup>28</sup>, which violated the Constitution, the Education Law<sup>29</sup> and various international covenants for the protection of children. From the Simón Rodríguez School in the area of Sarría in Caracas, the chief of government of the Capital District, Jacqueline Faría, informed that the task of these teenagers was to counteract the falsity of “Venezuelan right-wing private media outlets

<sup>27</sup> El texto es una edición de la Presidencia de la República con los comentarios del abogado Hermann Escarrá y las ilustraciones de Omar Cruz, Manuel Loayza y Braulio González

<sup>28</sup> Guerrilla Comunicacional. En <http://guerrillacomunicacional.blogspot.com/2010/07/primer-taller-para-facilitadores-del.html#links>

<sup>29</sup> Artículo 10 de la LOE: “Se prohíbe en todas las instituciones y centros educativos del país, la publicación y divulgación de programas, mensajes, publicidad, propaganda y promociones de cualquier índole, a través de medios impresos, audiovisuales u otros que inciten al odio, la violencia, la inseguridad, la intolerancia, la deformación del lenguaje; que atenten contra los valores, la paz, la moral, la ética, las buenas costumbres, la salud, la convivencia humana, los derechos humanos y el respeto a los derechos de los pueblos y comunidades indígenas y afrodescendientes, que promuevan el terror, las discriminaciones de cualquier tipo, el deterioro del medio ambiente y el menoscabo de los principios democráticos, de soberanía nacional e identidad nacional, regional y local”.



that follow capitalist interest”, and to spread the truth about the actions of the government for the people<sup>30</sup>. This action was rejected by human rights organizations (Cecodap and Provea) because of the utilization of war terminology, promotion of violence among children and adolescents<sup>31</sup>, the imposition of a logic of obedience –alien to the democratic debate- the uniformity of thought, indisputable authority, hierarchical and vertical organization, the vision of diversity as a threat, and the worship of guns<sup>32</sup>.

34. Additionally, in 2008 the Autonomous Institute National Council for the Rights of Children and Adolescents (IDENA), which is ascribed to the Ministry of Communes and Social Protection, move forward the project “Semilleros de la Patria Simón Bolívar” through the Madres del Barrio Mission<sup>33</sup>. The objective of this project was the indoctrination of children and adolescents in the education and community spaces. The project consists on organizing children and adolescents in Popular Communication Brigades to be spokespersons of the “new principles to educate the new man and the new woman” in the Bolivarian Revolution. Another participant of this project is the Francisco Miranda Front; and organization of commandos for the training and mobilization in the construction of a “Socialist Motherland”<sup>34</sup>. It was expected that in 2010, 70,000 children and adolescents were involved in this project across the country.

Gráfica 5  
Juramentación de Comandos de Guerrilla Comunicacional en la Unidad Educativa Gran Colombia, Correo del Orinoco, 12.04.10. En: <http://www.correodelorinoco.gob.ve/caracas/juramentados-comandos-guerrilla-comunicacional/>



35. The interference of non-education activities has resulted in the systematic suspension of academic activities. On 3 April 2013, the teaching, administrative and labor staff of the Elementary School “Gladys Margarita Chacón de Parada” on the municipality of Torbes in the state of Táchira, was obligated to suspend their activities to attend a political activity programmed for that day. The activity was a presidential campaign tour of the government’s party candidate visiting that state. The same situation was reported in the state of Barinas, where classes were suspended due to the presidential campaign tour of the government’s party candidate. Moreover,

<sup>30</sup> Gobierno del Distrito Capital: “Comandos de Guerrilla Comunicacional mostrarán la verdad al pueblo”. 15.04.10. Disponible en:

[http://www.gdc.gob.ve/content/site/module/news/op/displaystory/story\\_id/215/format/html/](http://www.gdc.gob.ve/content/site/module/news/op/displaystory/story_id/215/format/html/)

<sup>31</sup> Cecodap, Con liceístas crean guerrilla comunicacional. En [http://www.cecodap.org.ve/papagayo/index.php?option=com\\_content&view=article&id=88:resena-abril-13&catid=41:resediaria&Itemid=28](http://www.cecodap.org.ve/papagayo/index.php?option=com_content&view=article&id=88:resena-abril-13&catid=41:resediaria&Itemid=28)

<sup>32</sup> Provea, 15.04.2010. Provea advierte que progresiva militarización de Venezuela constituye un riesgo para la democracia. En <http://www.derechos.org.ve/proveaweb/?p=3295>

<sup>33</sup> IDENA: Organización Semillero de la Patria. En: <http://www.idena.gob.ve/index.php/proyectos-y-programas/organizacion-semillero-de-la-patria>

<sup>34</sup> Frente Francisco Miranda. En: <http://www.satelite68.com.ve/index.php/component/content/article/7-sobre-ffm/4-estructura> ; <http://signosdeizquierda.blogspot.com/>

in the state of Carabobo, the personnel of the public schools were forced to attend to the political partisan activities of the government; the attendance was verified through an attendance sheet. Since 2014, students and teachers are required to promote worshiping activities for the late president Hugo Chávez within their regular school activities. This was never done with any other president and is not considered in the study plans. This practice threatens the rights of those who think differently and do not agree with the vision for the country of president Chávez.

36. In March 2015, during school hours, the government encourages children and adolescents to sign, write letters, and make drawings against the alleged aggression of the United States against Venezuela. This was done without the authorization of parents, which violated the fundamental rights of freedom of thought and expression that the Venezuelan state must guarantee, protect, and defend for the whole student population.

### **Recommendations**

37. To prohibit through administrative, legal, and judicial actions the execution of partisan activities in all private and public academic institutions (elementary, primary, and secondary). To eliminate all language, symbol or terminology that can be interpreted as political propaganda or indoctrination, or that suggests or induces bias towards one unique line of thought from all study plans, pedagogic packets, and textbooks; including the government's political party or authorities that are active members of political groups or parties.
38. To allow an independent vision in all textbooks from the Bicentenary Collection or the Resources System for Learning in the Basic Education Subsystem (elementary, primary and secondary). This with the objective of evaluating the existence of language or images that can be stigmatizing or discriminatory; in order to comply with the obligation of ensuring there are no expressions or messages that can promote hate or war in the school environment.
39. To draft a curriculum reform proposal that ensures the compliance with the implementation principles and concepts found in article 13.1 of the Covenant. A great effort must be made to present and discuss this proposal with all stakeholders directly involved with education, both in the education sector (universities, teachers, students, parents and legal guardians) and civil society organizations that can offer support, without exclusions of any kind.

40. To abstain from promoting plans, actions or projects that encompass indoctrination or military training for children and adolescents in schools and outside schools. There are laws in Venezuela that establish 18 years of age as the minimum age to enroll in the military, and that this enrolment is completely of volunteer nature. It is paramount to ensure that these regulations are respected, and to avoid military training or education for children and adolescents younger than 18 years of age.

**Article 13.2. a) and b)  
The right of all children and adolescents to receive a full elementary, primary, and secondary education**

41. In paragraphs 220, 223 and 538 of their report, the Venezuelan government affirms that they will complete the millennium development goal of universal primary education before 2015; this argument is drawn from an enrolment rate of 93% on school year 2010-2011. However, this enrolment rate has been stagnated for 10 years –decreasing in some years- and has stayed the same up to 2013, according to Ministry of Education data<sup>35</sup>. Compared to the region, Venezuela's enrolment rate is below the average of Latin America, and below countries with a significantly lower GDP compared to Venezuela<sup>36</sup>. On the other hand, in the past 10 years there has been an increase in the net enrolment rate of elementary education (0 to 6 years old), from 59% to 71%, as is mentioned on paragraphs 536 and 537 of the State Report. Additionally, there has been an increase in secondary education net enrolment rate, from 62% to 72%, as is presented in the State Report on paragraphs 548 and 549. Secondary education net enrolment rate reached 75% in school year 2011-2012<sup>37</sup>.

**Tabla 1**  
**Tasa de Atención Escolar por Grupos de Edades**  
**Venezuela, Años 2003-2004/2012-2013**

| <b>Años Escolares</b> | <b>0-2 años</b> | <b>3-5 años</b> | <b>6-11 años</b> | <b>12-16 años</b> |
|-----------------------|-----------------|-----------------|------------------|-------------------|
| 2003/04               | 11,7            | 62,4            | 96,7             | 75,6              |
| 2004/05               | 12,6            | 64,5            | 96,1             | 78,3              |
| 2005/06               | 12,9            | 68,0            | 96,2             | 80,1              |
| 2006/07               | 13,3            | 70,3            | 97,3             | 83,2              |
| 2007/08               | 14,9            | 69,8            | 95,0             | 83,5              |
| 2008/09               | 16,3            | 70,5            | 96,2             | 84,6              |
| 2009/10               | 16,9            | 71,0            | 96,9             | 84,5              |
| 2010/11               | 13,1            | 71,6            | 97,3             | 85,0              |
| 2011/12               | 13,3            | 70,7            | 96,5             | 88,0              |
| 2012/13               | 15,8            | 73,7            | 96,3             | 88,3              |

Fuente: Registros Administrativos del MPPE, publicados en el portal del Instituto Nacional de Estadística (INE).

<sup>35</sup> MPPE: En 93% se ubica la tasa de escolaridad primaria en Venezuela. En: [http://www.me.gob.ve/noticia.php?id\\_contenido=27302](http://www.me.gob.ve/noticia.php?id_contenido=27302)

<sup>36</sup> Mariano Herrera. Elaboración propia basada de datos tomados de las estadísticas educativas de UNESCO disponibles en <http://stats.uis.unesco.org/unesco/TableViewer/tableView.aspx>. Publicado en <http://www.marianoherrera.org/2012/06/datos-de-cobertura-educativa-comparados.html>

<sup>37</sup> Sisov (Sistema Integrado de Indicadores Sociales: Tasa Neta de Escolaridad por Niveles Educativos. En: <http://sisov.mppp.gob.ve/indicadores/MM021020000000/>



However, the dropout rate at this level it is still worrisome, particularly during the first year, when most dropouts take place<sup>38</sup>.

42. This trend can be also observed in the attendance rate of students per age group. Ages 0 to 2 years old: the attendance rate increased from 11.7 to 15.8 between 2003 and 2013. During the same period, there was an increase of attendance rate on age groups 3 to 5 years old (from 62.4% to 73.7%) and 12 to 16 years old (from 74.6% to 88.3%). Contrarily, the attendance rate of children 6 to 11 years old, primary school age, has not increased during this period. In all age groups, the attendance rate of girls is higher than for boys.

43. The stagnation of enrolment and attendance rates in primary education is a result of the decrease of enrolment rates in public schools. Conversely, the private schools enrolment rate has had a steady increase up to 2014. Between school years 2011-2012 and 2013-2014, 19,253 students did not register for primary public schools and 69,639 did not register for secondary public schools. According to Ministry of Education Accountability Report of 2014, the number of children and adolescents not attending formal education was 990,277. Of those, 461,531 were 3 to 5 years old (26.5%), 188,553 were 6 to 11 years old (4.1%), and 340,193 (12.2%) were 12 to 16 years old.

**Tabla 2**  
**Matrícula de Educación Inicial, Primaria y Secundaria**  
**Venezuela, Años Escolares 2011-2012/2013-2014**

| Sector                              | Matrícula Educativa Total |           |           | Diferencias |
|-------------------------------------|---------------------------|-----------|-----------|-------------|
|                                     | 2011-2012                 | 2012-2013 | 2013-2014 |             |
| <b>Total</b>                        | 8.464.186                 | 8.194.091 | 8.044.911 | -419.275    |
| <b>Oficial</b>                      | 6.769.751                 | 6.471.295 | 6.220.682 | -549.069    |
| <b>Privada</b>                      | 1.694.435                 | 1.722.796 | 1.824.229 | 129.794     |
| <b>Matrícula Educación Inicial</b>  |                           |           |           |             |
| <b>Total</b>                        | 1.503.541                 | 1.605.391 | 1.560.585 | 57.044      |
| <b>Oficial</b>                      | 1.218.863                 | 1.306.587 | 1.239.522 | 20.659      |
| <b>Privada</b>                      | 284.678                   | 298.804   | 321.063   | 36.385      |
| <b>Matrícula Educación Básica</b>   |                           |           |           |             |
| <b>Total</b>                        | 3.452.070                 | 3.473.886 | 3.467.714 | 15.644      |
| <b>Oficial</b>                      | 2.838.655                 | 2.850.279 | 2.819.402 | -19.253     |
| <b>Privada</b>                      | 613.415                   | 623.607   | 648.312   | 34.897      |
| <b>Matrícula de Educación Media</b> |                           |           |           |             |
| <b>Total</b>                        | 2.354.412                 | 2.372.098 | 2.339.355 | -15.057     |
| <b>Oficial</b>                      | 1.688.134                 | 1.698.677 | 1.618.495 | -69.639     |
| <b>Privada</b>                      | 666.278                   | 672.421   | 720.860   | 54.582      |

Fuente: Memoria y Cuenta del MPPE, año 2014.

44. In Venezuela, formal education is mandatory on elementary, primary and secondary levels, and is mainly offered by the State through public schools free-of-charge. By 2013, there were 22,664 elementary, primary, and secondary public schools, with a total of 582,087 teachers. There were 4,796 private schools with 143,155 teachers. However, there has been a significantly slow grow of schools in that last decade (only 12% increase of public schools and 11% of private school). This does not correspond to the

<sup>38</sup> El Estado creó un programa de emergencia denominado BATALLA POR EL PRIMER AÑO en el que se exige a los directivos de planteles públicos y privados resolver en dos meses el fracaso del año escolar. <http://fundabit.gob.ve/noticias-del-ano-2014/junio/753-jefes-zonales-se-concentran-para-combatir-la-batalla-por-el-primer-ano>

education investment that the government argues to have done on paragraphs 221 and 528 of their report; the paragraphs state there has been an investment of 6.1% of the GDP on 2011. Moreover, this does not correspond with paragraphs 526b and 565 of the report, which refer to a policy of construction and maintenance of the physical infrastructure of the existing schools. On the contrary, the lack of an investment plan, and the progressive deterioration of the physical, environmental, and security infrastructure of the schools, is one of the reasons for the stagnation of primary education enrolment rates, and the dropout rates of adolescents on secondary public schools. Currently, there is a deficit of 4,600 schools to ensure access to all children and adolescents in the country. In 2012, the Ministry of Education, Maryann Hanson, calculated a deficit of 3,500 schools<sup>39</sup>.

45. In Venezuela, basic education (elementary, primary, and secondary) is free-of-charge in public schools. Since 2001, the government eliminated the tuition in these schools, as stated on paragraph 526a on their report. However, there is no plan to eliminate indirect costs associated to school attendance, which would guarantee that elementary, primary and secondary education are completely free-of-charge. In paragraph 529 in their report, the government assures to have guarantee education completely free-of-charge at primary and secondary levels. Nonetheless, there are three factors that contradict this statement: compulsory uniforms without a provision plan that had existed in past decades; the fact that the School Food Program only covers 40% of the student population, and serves only those schools exclusively managed by the Ministry of Education (which is not mentioned on paragraph 535 of the State Report); and the fact that there is no system of school transportation to cover the access routes to schools.
46. The levels of continuation have increased in primary and secondary education, as it is affirmed on paragraphs 539, 540 and 541 on the State Report. Nonetheless, this is a largely a result of the Automatic Promotion Policies that have a negative effect on the quality of the education system. In primary education, this policy consists of not allowing repetition at any grade for any children or adolescent whose grades are above the average, regardless if these grades are deficient. In secondary education, there have been irregularities on student promotion for more than a decade because there is a deficit of teachers on certain subjects that are included in the official study plan. These irregularities include students that took the classes with substitute teachers who are not certified to teach, and often not qualified; and students that did not took the class because their school did not have teachers to conduct the class. This last group often received an

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<sup>39</sup> El sistema escolar inicia otro período con problemas. *El Universal*, 17.09.12. En: <http://www.eluniversal.com/nacional-y-politica/120917/el-sistema-escolar-inicia-otro-periodo-con-problemas-imp>

average of grades the students received in similar subjects as a final grade for the class they did not take; this was done to assure student promotion and graduation. This policy implies a low quality of education derived from the low qualifications or lack of the teaching staff, or not allowing students to take the course and learn the contents that are considered in the official and compulsory programs. Those cases when students were promoted without a grade, or with a grade that does not corresponds to their performance in the class, represent a deception; both to the school system, because of a grade was given for a class students did not take, and to the student, who received a diploma that shows an incomplete academic profile.

### **Recommendations**

47. To present an investment plan to increase school infrastructure at a national level for the next ten years. This plan should include the construction of elementary, primary, and secondary schools; following standards of availability, accessibility, and acceptability established the General Observation No. 13 of the aforementioned committee of the Covenant. The plan must have a continuous information and transparency system to inform about the construction projects, duration of construction, selection processes of construction work and contractors, and amount of investments.
48. To present implementation plans and actions to eliminate indirect costs for low income families. These costs are mandatory uniforms, school supplies, food costs, transportation, and health services for children and adolescents on elementary, primary, and secondary education. In order to do this, the government must avoid in any circumstance the reduction of the amount of money assigned to these budgetary items in the education budget.
49. To take urgent actions to remedy irregularities present on secondary education graduating students that receive a diploma without completing the required classes because there are not enough teachers. In order to accomplish this, we suggest quantifying all these cases in the past five years and implementing programs to allow these youth to complete their education in those areas they were not permitted because of the lack of instructors.
50. To launch an investigation process to identify under which conditions the irregularities identified in paragraph 47 took place, and to promote the corresponding corrective measures.

51. To present a detailed teacher training and recruitment process to fill the open positions of the subjects of the official education plan.

**Article 13.2. d)  
The right to receive basic education**

52. In 2003 the Presidency of Venezuela established the program of Social Missions with the support of the Cooperation Covenant between Cuba and Venezuela<sup>40</sup>. Four of these missions were targeted for non-schooled population. Nonetheless, the information about coverage, performance and results of these missions has been scarce, irregular and contradictory. This has not allowed proper evaluation of these missions to determine their contribution toward the right to education.
53. In June 2003 the Robinson I Mission began to accomplish literacy for 1,154,013 people 10 years old and older within one year. The same year the Robinson II Mission was created so the literate could continue and complete primary education (6th grade) in one year. In 2004 there were established the Ribas Mission and the Sucre Mission. The first was targeted to 1,300,000 people that would desire to finish secondary education in one year, and the second had the objective of educating 500,000 people with secondary education diplomas and university education in 4 years.
54. With the Robinson I Mission, the government accomplished literacy of more than 1,500,000 people, and most of them continue to the Robinson II Mission. Because of this data, in 2005, the Venezuelan government declared complete eradication of illiteracy with the support of UNESCO, as is stated in paragraphs 225, 226, 543, 544 and 554 of their report. Nonetheless, the 2011 national census showed that the illiteracy rate was 5.23%, which represents 1,500,000 illiterate people<sup>41</sup>. In 2009, the Human Rights Center of the Universidad Central de Venezuela carried out a study to evaluate this mission, and their findings showed that the program was initiated without updated data, and without proper mechanisms to reach the illiterate<sup>42</sup>. Additionally, the geographical distribution of the illiterate population shows a worrisome unbalance that reveals the deficient results of that program. In 14 states of the country, the illiteracy rate is higher than the national average; in the states of Apure, Amazonas and Delta Amacuro the rates are higher of 10%<sup>43</sup>. The differences are higher is the rate is calculated by municipalities; 69% of the municipalities of the country have illiteracy rates

<sup>40</sup> Con apoyo de asesores de la Misión Cubana se ensayaron y adaptaron métodos de aprendizaje aplicados en Cuba, de acuerdo con los tiempos y contenidos de temas y asignaturas que permitieran cumplir con un mínimo de requisitos educativos. La estrategia pedagógica fue cubierta a través de clases presenciales dictadas con el apoyo de videos, cartillas y manuales, el acompañamiento de facilitadores no profesionales y la asesoría cubana; en diferentes tipos de ambientes (escuelas, guarniciones militares y locales comunitarios). Los facilitadores recibieron bolsas de trabajo y los participantes, becas.

<sup>41</sup> Esta tasa está calculada con las especificaciones técnicas establecidas por la UNESCO que indican que se trata del porcentaje de la población de 15 años y más que no sabe leer ni escribir. Se hace esta aclaratoria, porque en los informes oficiales del gobierno, se hacen los cálculos utilizando como población base, la de 10 años y más, lo que da como resultado, un porcentaje de "analfabetismo" menor.

<sup>42</sup> Centro Estudios Sociales. Misión Robinson. Sistematización de la Experiencia. Buscando Claves para la Inclusión Social. Volumen 4. 2009.

<sup>43</sup> Todos los datos aquí presentados, se calcularon con información oficial del Censo 2011 publicada por el INE.

above the national average, which vary from 5.4% to 23.3% up to 58% in a group of municipalities with an high indigenous population. Whereas 31% of the municipalities have an illiteracy rate below the national average; the lowest rate per municipality is of 1.23%.

55. In 2006, 1,207,046 people register for the Ribas Mission, to which the government refers to on paragraphs 550c and which we mention on paragraphs 32 and 54 of this report. Data showed that by 2009 registration had decreased to 425,067 students, and by 2012 to 170,162 people. In 2010, research revealed that in that Mission dropout rate was 10 times higher than in secondary formal education. The reasons were the delay in delivery of scholarships, lack of instructors, and very low quality education<sup>44</sup>. With the objective to maintain a greater number of graduates within the education process after completion of the Mission, between 2007 and 2011, there were more chapters added to the Mission. The following missions were created: Ribas Productive Mission, with the objective of forming production and services cooperatives; the Seed Oil Mission, to employ people in different areas of the National Oil Company (PDVSA) and its branches, including Pequiven and electric companies; the Technology Platform Mission for IT education; and the Ribas Technical Mission with a duration of 2 years for students to graduate with an associates degree<sup>45</sup>, with scholarships equivalent to the minimum wage.

56. The decreasing attention the national government is paying to special needs education is worrisome. In paragraph 553 of their report, the government fails to inform that since the school year 2011-2012 there has been a decrease in the number of children and adolescent attending to formal education due to a policy through which were eliminated special education institutions that depend on the public budget. In January 2013, the Ministry of Education abruptly mandated the inclusion of special needs students to regular schools, without a detail plan for the execution of this action. Many children and adolescents were forced to abandon their schools, and even lost a great amount of equipment and furniture that they used for years, and that were acquired with the support of families, teachers, and the communities.

**Matrícula de Educación Especial.  
Venezuela Años Escolares 2002-  
2003/2013-2014**

| <b>Años escolares</b> | <b>Total</b> |
|-----------------------|--------------|
| 2002-03               | 262.450      |
| 2003-04               | 317.68       |
| 2004-05               | 400.339      |
| 2005-06               | 567.190      |
| 2006-07               | 530.203      |
| 2007-08               | 174.300      |
| 2008-09               | 192.621      |
| 2009-10               | 207.265      |
| 2010-11               | 206.478      |
| 2011-12               | 179.251      |
| 2012-13               | 149.310      |
| 2013-14               | 144.871      |

Fuente: MPPE. Memoria y Cuenta. Varios años.

<sup>44</sup> Mariano Herrera: ¿Hacían falta las misiones? En: <http://www.marianoherrera.org/2010/05/hacian-falta-las-misiones.html>

<sup>45</sup> Sus áreas de formación son agropecuaria, industrial, eléctrica, manufacturera, construcción y petrolera, entre otras.

## Recommendations

57. To publish and guarantee full access to information regarding the implementation of education missions, and to action to allow an adequate supervision, as well as, to increase efficiency and quality of the education.
58. To modify the literacy policy by decentralizing the organization and resources of the system to the local governments and communities. To adapt the teaching methods to the particular characteristics and needs of the illiterate population, and expanding this policy to include digital and technological literacy.

### **Article 13.2. c) The right to access tertiary education**

59. The number of students enrolled in universities and tertiary education institutions has doubled, from 1,260,855 students in school year 2002-2003 to 2,620,013 students in school year 2013-2014, which is positive. This was reported in the 2014 Accountability Report of the Ministry of Education, and is expressed in paragraphs 556 and 557 of the State Report. Furthermore, is also positive the increase of tertiary education enrolment through the Sucre Mission. This Mission started with the University Initiation Program (PIU)<sup>46</sup> in the Universidad Bolivariana de Venezuela (UBV) with 228,782 register students, and it was expanded to several states across the country. This expansion was done through courses on adapted spaces named Aldeas Universitarias. In 2007, the government started formal tertiary education courses in 10 universities of the country, with the majority of students registered on the states of Bolívar, Zulia, Lara and Aragua, where there were created branches of the UBV. Up until 2009 there were 1,120,000 youth in the Sucre Mission, and the graduation rate was 30%. In 2010, the Mission graduated 95,627 students, and for 2011 there were 255,949 registered students.
60. Nonetheless, the government has been giving a restrictive and discriminatory treatment to the 11 autonomous National Public Universities. This treatment has not been giving to those tertiary education institutions created through the Sucre Mission, and this is not mentioned in the State Report. This is particularly noted regarding the exercise of the university autonomy. Since 2010, each year, the electoral chamber of the Supreme Justice Tribunal has mandated the suspension of the internal elections to choose the university authorities (Masters, deans, and co-government

<sup>46</sup> Las áreas del PIU eran: Administración y Gestión, Artes Plásticas, Comunicación Social, Construcción Civil, Diseño Integral, Educación Física y Deporte, Electricidad, Electrónica, Enfermería, Estudios Jurídicos, Formación de Educadores, Geología y Minas, Gestión Ambiental, Gestión Social del Desarrollo Local, Información y Documentación, Informática para la Gestión, Ingeniería de Sistemas, Mecánica, Química, Sistema e Informática, Tecnología de Producción Agroalimentaria, Tecnología Naval y Transporte Acuático, Turismo y Hospitalidad.

organisms). This has happened in 9 autonomous national universities: Central de Venezuela, Oriente, Lisandro Alvarado, Carabobo, Los Andes, Zulia, Unexpo and the Pedagogic Schools of Caracas and Maracay. The suspension is a result of the compulsory application of article 34 of the Education Law, which establishes that elections must include participation of labor and administrative staff, and alumni. The advocacy and nullity actions taken against this article, which violates the current University Education Law, have not had any effect so far.

61. In 2010, the government attempted to reform the University Education Law. The reform was submitted to discussion to the National Assembly and it was approved by the legislative, but in January 2011 the central governments veto the law and resubmitted it to the National Assembly for revision. In that proposed reform, the central government had a wide governing authority over universities; this was based on a severely restrictive concept of the Teaching State. Although this reform considered the principle of autonomy, it declared all universities public. In this condition, all universities must adapt to the objectives of the government in accordance to the national development plans, and the strengthening, consolidation, and defense of the Motherland's sovereignty and independence. Article 3 of this proposed law defined tertiary education as an "irrevocable public good ... following the framework of the construction of a socialist society". Based on this concept, universities were considered "operational" institutions, losing all their authority to decide freely and on their own regarding their organization, structure, and functioning.
62. Although the University Education Law was vetoed, and the autonomy of universities –which has a constitutional status- was established in the 2009 Education Law, this Law violates the university autonomy as we described on paragraph 20 of this report.

### **Recommendations**

63. To abstain from implementing administrative, legislative and judicial actions that can result in illicit restriction to the autonomy of universities, and to repeal any disposition that can violate the aforementioned principle.

#### **Article 13.2. e)**

#### **The policies of development, quality, and transparency of the education system**

64. Since the approval of the 10-year Education Plan in 15 September 1993, which described the education policy for 1993-2003, there has not been drafted or presented to the people any other long-term Education plan

that includes the fulfillment of the agreements of the Covenant. The operationalization of the 10-year Education Plan was interrupted with the enactment of the 1999 Constitution. With the new Constitution the mandatory status of education was expanded to “all levels, from elementary to secondary” (article 103). Therefore, in accordance with article 14<sup>47</sup> of the Covenant, the government should have had drafted a long-term Education plan, or should have had updated the 10-year Education Plan. This new Plan should have progressively guaranteed the right to elementary, primary, and secondary education for citizens, since their birth to ages 16 to 17, which is when students are expected to complete secondary education.

65. In 1999, the government established the modification of the education system to establish full-time schools, which would have included a health and food program. This is expressed on the State Report on paragraph 526b; this objective was established in order to provide a comprehensive service to public schools. This model was named “Escuelas Bolivarianas”<sup>48</sup>, these schools are mentioned on paragraphs 224, 227, 542 and 550 on the State Report. However, only 40% are enrolled in public primary schools or in Bolivarian projects<sup>49</sup>. This low percentage is due to the lack of an investment plan that allow the building of adequate infrastructure, the corresponding supply, and teacher training, that has made the implementation of this policy difficult. That percentage does not mean that in every case, the schools are offering a comprehensive services, or that the schools are full-time. Since a few years ago, the term “Bolivarian model” has been used for schools that do not fulfill all those characteristics. According to the Ministry of Education database<sup>50</sup>, by early 2011, only 54.8% of the schools associated to these so-called Bolivarian projects were full-time; the percentage is to 28.4% for secondary schools implementing the Bolivarian model.

66. Additionally, there are differences on the percentage of students on “Escuelas Bolivarianas” based on their geographic location, which is and indicator of discrimination, since the government is guarding the right to education less to certain people based on where they are. It is important to highlight that between the state with highest and lowest enrolment rates there is a difference of 78 percentage points. The state of Miranda has an enrolment rate in the Bolivarian schools of 15.3% and the state of Delta

<sup>47</sup> Artículo 14: Todo Estado Parte en el presente Pacto que, en el momento de hacerse parte en él, aún no haya podido instituir en su territorio metropolitano o en otros territorios sometidos a su jurisdicción la obligatoriedad y la gratuidad de la enseñanza primaria, se compromete a elaborar y adoptar, dentro de un plazo de dos años, un plan detallado de acción para la aplicación progresiva, dentro de un número razonable de años fijado en el plan, del principio de la enseñanza obligatoria y gratuita para todos.

<sup>48</sup> Esta denominación se utilizó de forma general en sus inicios. Posteriormente, se mantuvo el propósito de modificación del modelo, pero se crearon modelos y denominaciones específicas por nivel, quedando los Preescolares Bolivarianos y Simoncitos como denominación de modelos de escuelas para educación inicial, las Escuelas Bolivarianas para las escuelas de educación primaria, las unidades educativas y escuelas de educación especial, y los Liceos Bolivarianos y las Escuelas Técnicas Robinsonianas para la educación media.

<sup>49</sup> Para calcular este porcentaje se incluyó la población estudiantil que está inscrita en escuelas o proyectos bolivarianos en toda la educación básica (Escuelas Bolivarianas de Educación Especial, Escuelas Bolivarianas de Educación Primaria, Liceos Bolivarianos, Escuelas Técnicas Robinsonianas, Simoncitos, Preescolares Bolivarianos). Se incluyó también el Plan Emergente Bolivariano que, no es una escuela no convencional que se utiliza para atender a poblaciones de escasos recursos que no cuenta con las condiciones mínimas deseables, de infraestructura, dotación y personal, de una escuela regular.

<sup>50</sup> Último año en el que el sistema de información del Ministerio estuvo disponible en la web para su consulta abierta.



Amacuro an enrolment rate of 93.3%; the student population rate of Miranda represents 8.8% of the national enrolment rate, while the student population rate of Delta Amacuro represents 0.8% of the national rate<sup>51</sup>. In 29% of the states, there is 48% of the total number of students, and in these states there is an attendance rate to Bolivarian projects of 40%, which is below the national average. Moreover, in 38% of the states of the country, there is 24% of the total number of students in basic education, but 50% are attending Bolivarian projects. However, there is an attendance rate to schools with Bolivarian projects of more than 70% only in 3 states<sup>52</sup> that represent 5.7% of the total student population.

67. The government has not move policies forward to promote teacher training, which is different than what is stated in paragraph 526b in their report, and paragraph 193 of the Response to the List of Matters. In Venezuela, 129,845 elementary, primary, and secondary education teachers –which represent 24.4% of the total number of teachers in the country- do not hold a professional teaching diploma or only hold a certificate that can be obtained with training after completing secondary education, but without attending university. Among them, 81,783 do not hold any teaching certificate, and the lack of Mathematics, Physics, Chemistry, Biology, and English teachers is critical, particularly in public schools. In secondary education, the Ministry of Education has been incorporating staff graduating from the Sucre Mission. These graduates receive crash courses in Mathematics, Physics, Biology, among other subjects, utilizing textbooks from the Bicentenary Collection. A particularly worrisome fact is that only 16% of the schools have assigned principals, which implies major difficulties in management, planning, monitoring and evaluation of academic activities in each school.
68. To this we must add the work instability, since almost 40% of the teachers are temporary, the low wages, and the policies that hinder the acceptance of new teachers based on merit, due to political discrimination. Between 2011 and 2013, the Ministry of Education expressively excluded teachers graduating from the Universidad Pedagógica Libertador and from autonomous and private Teachers College from entering the school system, and would only allow graduates from the Sucre Mission and the Universidad Bolivariana.
69. Because of this, the quality of education is a problem that has worsens in the past decade. Between 1993 and 1998, the former government created the National Learning Evaluation System (SINEA). This system had the objective of monitor and evaluation learning and performance of a sample of

<sup>51</sup> Todos los cálculos aquí presentados están basados en datos obtenidos en las Memorias y Cuentas del MPPE.

<sup>52</sup> Todos los cálculos aquí presentados están basados en datos obtenidos en las Memorias y Cuentas del MPPE.

students in the education system at national level; third and sixth grade in primary education, and in the third year of secondary education. In 2003 the system stopped being implemented, after the pilot monitor and evaluation project, and after a couple of official applications. Thus, since then, there has not been an evaluation tool to measure students learning and abilities throughout the country. Additionally, Venezuela has not participated in any existing international evaluations. In fact, Venezuela is the only country that does not have a monitoring method, which prevents it from knowing whether the education system and the knowledge and abilities students have upon graduation, meets national and international standards. Because this does not exist, the curriculum is in an ambiguous position; it is impossible to know, monitor, and evaluate the availability, accessibility, and quality of the education system.

70. In 2014, the Ministry of Education organized the National Consultation of Quality of Education, considering the Economic and Social Development Plan of the Nation 2013-2019 as an official mandate. This initiative is referred to in paragraphs 191 and 192 of the State Response to the List of Matters. Subsequently, the initial mandate was modified as a result of the strong criticisms it received because it reduced the freedom of the education sector. However, the structure and sectorial orientations that excluded any proposal differing from national government politics were not modified. The Ministry reported the participation of 7 million people in this consultation. Additionally, it announced that this consultation would follow rigorous scientific processes to validate the obtained results, in order to design the policy instruments to derive in the consultation. However, the process was done through various methods and in many cases incompatibles to each other. Neither the information nor the time can be considered sufficient to process the results of the information they published. Moreover, there was a difference in criteria between the Ministry of Education and the School Districts, which resulted in different consultation methods in the schools compared to other institutions that participated in the consultation. Moreover, there were proposals that were not collected in the official published results, such as those requesting monitoring and evaluation of student performance per level. Therefore, the results do not have the promised scientific validation.
71. Although spokespersons from the Ministry of Education, as well as the materials used in the consultation insisted that the participation in this consultation was voluntary, many school principals were pressured by School

District's officer to participate. This occurred after they submitted notices stating they refused to participation; they explained this was in representation of their communities, and stated their reason in the notices. After school principals took this action, they informed –accompanied by parents- that representatives from the School Districts threatened to carry out the consultation themselves and threatened the principals with sanctions if they failed to participate.

72. The restriction of information policy in the education system has been increasing in the last decade. This breaches the obligation of the government to maintain a transparent and efficient system to verify whether or not the education system in Venezuela in fulfilling the objectives established in the Covenant. Between 1995 and 1998, the Ministry of Education developed the Education Information System (SISE). This system included detailed information about all school of the country, and it was digitally available to anybody that submitted a request. The Accountability Reports of the ministry were annually published and distributed to public libraries and research centers; this reports were delivered to anybody that requested them free-of-cost. Subsequently, the SISE had a public consultation online. This system has been renamed several times, but the public online consultation was kept, which allowed any citizen to review any specific information about schools. For more than 4 years, the system has been restricted to tools for schools to update enrolment data and other characteristics. The public consultation mechanism is apparently in maintenance (see: [http://sigedun.me.gob.ve/pag\\_construc.php](http://sigedun.me.gob.ve/pag_construc.php)). The Accountability Reports are not delivered upon request anymore, and the recent reports are not available on libraries.

Gráfica 6

Texto del primer correo enviado a funcionarios del MPPE solicitando acceso al Sistema de Información.

**Sistema de Información del MPPE**  
1 mensaje

Observatorio Educativo de Venezuela <ovenezuela@gmail.com> 18 de junio de 2014, 10:36  
Para: maigualdapinto@gmail.com, vicedepueblo@gmail.com  
Estimadas Voceministras Soraya y Maigualdá,

Me dirijo a Ustedes para solicitar información sobre el acceso al sistema de información de las escuelas que tiene el MPPE.

El sistema de información, que reúne los datos de las escuelas que conocimos como SIGEDUN y posteriormente como SINACOES, tenía, hasta hace aproximadamente 3 años, acceso directo desde la web y permitía hacer consultas que incluían desde agregados de matrícula, hasta la ficha de cada una de las escuelas.

Esa información, mientras el sistema estuvo disponible al público, fue de mucha utilidad, porque permitía que en el Observatorio Educativo de Venezuela, así como también otros investigadores del sector, contáramos con data oficial actualizada y detallada por escuela.

Lamentablemente, y a pesar de que se trata de información pública, el apartado de consultas y estadísticas de las dos páginas que se podían consultar, da un mensaje de error desde hace más de 2 años.

[http://sigedun.me.gob.ve/pag\\_construc.php](http://sigedun.me.gob.ve/pag_construc.php)  
[http://plantiles.me.gob.ve/pag\\_construc.php](http://plantiles.me.gob.ve/pag_construc.php)

Suponemos que se trata de un problema técnico, pero como tiene tanto tiempo, queremos saber si hay otra forma de acceder a esa data y con quién tenemos que contactar para concretar la solución. Cuando el sistema de información se denominaba SISE, el ME suministraba a los investigadores la data en un CD, quizá se pueda optar por una alternativa de ese tipo.

Reciban un cordial saludo,

Tamaragua  
Olga Ramos

73. Since 18 June 2014, the researcher Olga Ramos has requested to the Minister's office four times access to the aforementioned system through several e-mails from the Observatorio Educativo de Venezuela project (<http://observatorioeducativo.wordpress.com>). Ramos also requested the Accountability Report to the Vice-Ministry of Education Communities and

Unity of the People<sup>53</sup>. She received an answer only once; the officers told her that the system was not available. The fact that the information requested was not processed by either entity is an evidence of the restrictive access to information, and a violation of the citizen's rights to access public information related to the right to education.

74. Moreover, the access to school has also been restricted; in various cases, and more frequently, teachers and principals have denied to share public information, arguing that the Ministry of Education prevents them from sharing information to researches or media. For researches to receive this information they have to be certified by the Ministry. We have not being able to register factual evidence, only anecdotal evidence from certain journalists in their articles. This is because teachers and principals have requested to not be mentioned in public reports due to fear of retaliation.

### **Recommendations**

75. To present a plan that guarantees the universalization of the right to education to all children and adolescents in school and out of school at all levels and through all models. This plan should include infrastructure milestones, teacher training and wages, school supplies, and food, health, and transportation programs in the compulsory education. Moreover, there must be national, regional, and local responsible institutions.
76. Take action to reactivate the information systems that provide disaggregated and detailed information about the number of schools, school enrolment, teachers, services, programs and projects in schools. Additionally, to guarantee the timely publication and full access to data and documents referring to policies, plans, budgeting and spending. Moreover, to establish management indicators, in order to measure the performance of public institutions responsible for education matters. Finally to abstain or eliminated any action that restricts the access to information.
77. To prohibit ideological or political pressure on teachers, and to guarantee submission of complaints restrictions imposed to teachers, without any retaliation or harassment to instructors.
78. To present progress in the implementation of plans and actions to guarantee enough availability of qualified teachers. These concrete actions should include all public and private universities; professional autonomy of these universities, and academic freedom; stability on admission and

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<sup>53</sup> En el anexo nombrado como "Correos con solicitudes de acceso a la información" se encuentran los textos de los correos enviados, en los que queda constancia de la solicitud reiterada al MPPE, incluyendo la única respuesta recibida.

promotion on their teaching career, and their fair social and economic compensation.

### **Article 13.3.**

#### **Freedom of parents and legal guardians to participate in the establishment on basic education regulations**

79. In 2012 was promulgated the Resolution 058, which in practice eliminates the figure of Parents and Legal Guardians Associations through administrative channels, in both private and public schools. This affects more than 20,000 associations that were freely constituted for over 50 years, and that have been recognized by the State since 1980, and approximately 7 million children and adolescents throughout the national territory. That Resolution ordered the creation of new organizational figures that impose the adoption of government guidelines, which include the imposition of a unique line of thought. Currently, these figures are the only officially recognized institutions, and exclude parents and legal tutors from participating in fundamental areas that concern their rights. Consequently, the registration or update of Parents and Legal Guardians Association is denied without a written explanation, and violating the right parents and legal tutors have to freely participate in the decision making process that concern the education and academic life of their children.

80. We observe with great concern the legal base of the Resolution 058; article 2 of the Communal Councils Organic Law, which classifies these new State-imposed figures for social organization as instruments to the construction of a socialist society. This infringes the principles of plurality, tolerance, and respect to fundamental freedom established in article 13.1 of the Covenant<sup>54</sup>. This regulation has been challenged by the civil society in the internal legal institutions, but up to today there has not been a response<sup>55</sup>.

81. Furthermore, according to the dispositions on Resolution 058, students must be organized in Student Councils created in accordance to the

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<sup>54</sup> Res, 058, G.O. 40.029, 16.12.2012. Considerando I. "Los consejos comunales son instancias de participación, articulación e integración entre las ciudadanas y ciudadanos de las diversas organizaciones comunitarias, movimientos sociales y populares que permiten al pueblo organizado ejercer el gobierno comunitario y la gestión directa de las políticas públicas y proyectos orientados a responder a las necesidades, potencialidades y aspiraciones de las comunidades, en la construcción del nuevo modelo de sociedad socialista, de igualdad, equidad y justicia social (Ley Orgánica de los Consejos Comunales, Art. 2)

<sup>55</sup> El 5 de noviembre de 2013, Fenosopadres y otras organizaciones de la Sociedad Civil introdujeron un recurso de reconsideración de la Resolución 058 y no fue respondido. En febrero de 2014 se impugnó la Resolución 058 ante el Tribunal Supremo de Justicia y, aún cuando el recurso fue admitido, a la fecha no ha habido sentencia. En marzo de 2015 se solicita al MPPE informe al país sobre propuesta de modificación de las comunidades educativas en la escuela básica y no se ha obtenido respuesta. Todas las solicitudes tienen lapsos establecidos en la Ley Orgánica de Procedimientos Administrativos y todos esos lapsos se encuentran vencidos.

Education Law, which perverts their voluntary participation principle, and adds the principle of "Academic People's Power". This transforms these institutions into organizations that comply with the objectives of the State and exercise public functions; following the framework of the economic and social development plans of the nation approved by the National Assembly. School principals, as responsible of the schools to the Ministry of Education, have been applying the Resolution 058 under threat of sanctions that are established in the Resolution. In 2013, the government mandated the creation of the Student Bolivarian Organization through the "Student Pioneers Commission". The government imposes election mechanisms, organizational and operational structures to these organizations, and instructs the schools to legally recognize that organization only as a student representative organization. Moreover, these organizations are known for promoting activism in a specific political party<sup>56</sup>, which is an illegal use of an institution that should be plural, to recruit activists for the government's party. These are coercion mechanisms promoted from the government, because laws are utilized to force people to associate against their will. Furthermore, they represent an intromission, since they impose the construction of a socialist society as an objective of academic institutions; and repudiate the will of academic community members regarding free and autonomous decisions about statutes and means to achieve their objectives.

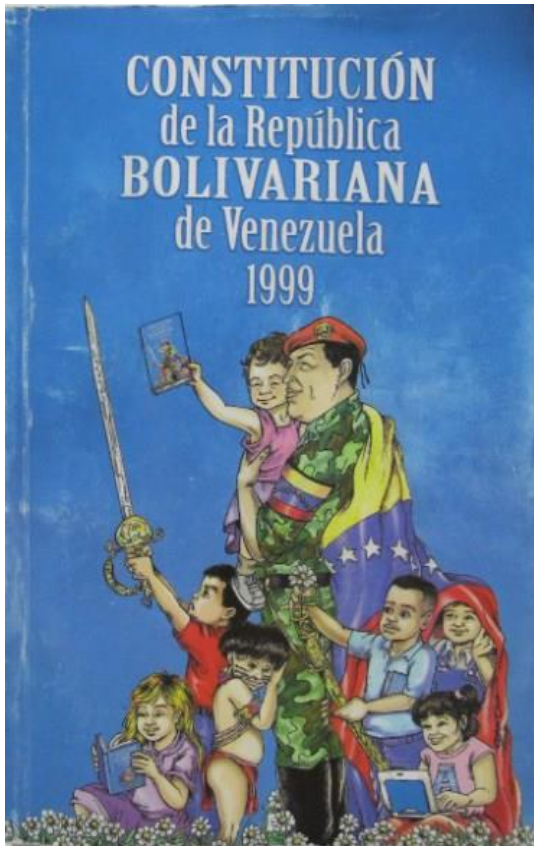
## Recommendations

82. To take administrative, legislative, and judicial action to protect the legitimate right of association of parents to continue existing, without any regressive condition other than those established when they were created, and allowing their recognition and freedom of action and participation in the decision making process regarding the education of their children in public and private institutions. If possible to repeal the Resolution 058 in order to open the possibility to draft a new document that guarantees parents and legal tutors, teachers, and students of all ages, the full enjoyment of the freedom of association.
83. To completely cease and eliminate any biased political interference, and indoctrination activities that promote the exclusion of plural and diverse thought and school environment, which could result in political discrimination and limited freedom for students, parents and legal tutors, and teaching and administrative staff.

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<sup>56</sup> Esta organización se fundó en 2005, y aglutina a estudiantes afectos al partido de gobierno y tal como se aprecia en esta noticia <http://juventud.psuvs.org.ve/temas/noticias/obe-motiva-a-estudiantes-para-incorporarse-en-el-psuv/#.VUQbflwuDk> promueve la incorporación de los estudiantes al mismo.

## ANNEXES



Constitución Ilustrada. Entregada en planteles educativos oficiales de Educación Básica

Gobierno Bolivariano de Venezuela | Ministerio del Poder Popular para la Educación | Zona Educativa Zulia | Municipio Esmeraldas Maracaibo

PLANIFICACION DE LA SEMANA DEL 10 AL 14 DE MARZO

| FECHA    | ACTIVIDADES   | RESPONSABLES   |
|----------|---|--|
| Lunes 10 | <ul style="list-style-type: none"> <li>➤ Oración por la Vida y la Paz</li> <li>➤ Entonación del Himno Nacional de la República Bolivariana de Venezuela.</li> <li>➤ <u>Un (01) minuto de aplausos en memoria a la grandeza y el amor a la Patria del Comandante Supremo y Eterno Hugo Rafael Chávez Frías.</u></li> <li>➤ <u>Breve reseña biográfica del Comandante Hugo Chávez a cargo de un o una docente del plantel.</u></li> <li>➤ Reseña del Día Internacional de la Mujer.</li> <li>➤ <u>Dibujos alusivos al Comandante Hugo Chávez Frías por parte de las y los estudiantes del plantel.</u></li> </ul> | <ul style="list-style-type: none"> <li>➤ Estudiantes del plantel</li> <li>➤ Personal directivo administrativo y docente</li> <li>➤ Madres, padres de familia y responsables.</li> <li>➤ Coordinación de plantel</li> <li>➤ Orientadores</li> </ul> |
|          | <ul style="list-style-type: none"> <li>➤ Oración por la Vida y por la Paz</li> </ul>  |  |

Culto a expresidente Chávez como actividad obligatoria en planteles educativos oficiales de Educación Básica





REPÚBLICA BOLIVARIANA DE VENEZUELA  
MINISTERIO DEL PODER POPULAR PARA LA EDUCACIÓN  
CENTRO DE EDUCACIÓN INICIAL NACIONAL SIMONCITO  
"GLADYS MARGARITA CHACÓN DE PARADA"



SAN JOSE CITO - MUNICIPIO TORBES - ESTADO TÁCHIRA  
COD.DEA: 0D00322027 - COD.DEPENDENCIA: 004108959 - COD.ESTADÍSTICO: 200747

ORGANIZACIÓN DE TODO EL PERSONAL AÑO ESCOLAR 2012-2013  
ASISTENCIA A LA ACTIVIDAD POLITICA EL DÍA 03 DE ABRIL DEL 2013

| Nº                              | CARGO                      | NOMBRE                          | C.I          | HORA DE LLEGADA | HORA DE SALIDA | FIRMA |
|---------------------------------|----------------------------|---------------------------------|--------------|-----------------|----------------|-------|
| <b>DOCENTES ADMINISTRATIVAS</b> |                            |                                 |              |                 |                |       |
| 01                              | DIRECTORA                  | MOLINA C. MARLIVE               | V-16.777.869 |                 | no vino        |       |
| 02                              | SUB-DIRECTOR               | AMERICA PEÑALOZA                | V-16795280   | 10:20           | 2:00           |       |
| 03                              | ASESORA PEDAGOGICA         | RODRIGUEZ CARMEN KARINA         | V-15.535.031 |                 | no vino        |       |
| 04                              | COORDINADORA P.A.E.B.      | VIVAS M, BELKYS                 | V-8.101.752  |                 | no vino        |       |
| 05                              | COORD. PYDE                | COSMELINA DELGADO               | V-16.124.185 | 12:00           | 2:00           |       |
| 06                              | COORD. PROYECTO PRODUCTIVO | ERNESTINA GONZALES              | V-12.517.687 |                 | no vino        |       |
| <b>DOCENTES DE AULA</b>         |                            |                                 |              |                 |                |       |
| 01                              | DOCENTE                    | CHACÓN CLAUDIA                  | V-11.509.331 | 10:30           | no vino        |       |
| 02                              | DOCENTE                    | CONTRERAS YORLEY                | V-13.709.025 | 10:30           | 2:00           |       |
| 03                              | DOCENTE                    | JARA GREIZY M                   | V-10.173.821 | 10:30           | 2:00           |       |
| 04                              | DOCENTE                    | ESCALANTE C, MARINELA           | V-15.080.657 |                 | no vino        |       |
| 05                              | DOCENTE                    | CARRERO M. EUGENIA              | V-12.974.706 |                 | no vino        |       |
| 06                              | DOCENTE                    | PALENCIA DE G. LAURA L.         | V-11.505.833 | 10:30           |                |       |
| 07                              | DOCENTE                    | CARRERO G, BEATRIZ              | V-9.216.300  |                 |                |       |
| 08                              | DOCENTE                    | AGUILAR DE V, ELSIDA            | V-9.332.749  | 10:00am         |                |       |
| 09                              | DOCENTE                    | USECHE A. JUDITH DEL C.         | V-16.411.713 |                 |                |       |
| 10                              | DOCENTE                    | YADYS CASTILLO                  | V-16.123.453 |                 |                |       |
| 11                              | DOCENTE                    | FIGUEROA EMMA Y.                | V-10.172.920 |                 |                |       |
| 12                              | DOCENTE                    | BETANCOURT NINFA YAMILE         | V-9.469.057  |                 |                |       |
| 13                              | DOCENTE                    | BARRAGAN SANCHEZ ANA ELIZABETH  | V-17.220.710 | 10:20           |                |       |
| 14                              | DOCENTE                    | TRIANA DE RINCON MARIA VIRGINIA | V-11.106.740 |                 |                |       |
| 15                              | DOCENTE                    | BARRAGAN SANCHEZ DIANA ISABEL   | V-17.220.711 | 10:20           |                |       |
| 16                              | DOCENTE                    | CASTRO BECERRA KARLA NATALY     | V-18.565.679 | 10:20           |                |       |
| 17                              | DOCENTE                    | ALBA DEL VALLE ARAQUE CONTRERAS | V-14.551.950 |                 |                |       |
| 18                              | ESP. DEPORTE               | ANA THAIS PEREZ GUERRERO        | V-13.528.906 |                 |                |       |
| 19                              | DOCENTE                    | JÁUREGUI DE V, NUBIA            | V-10.177.698 |                 |                |       |
| 20                              | DOCENTE                    | GÓMEZ R, LEONOR                 | V-11.105.594 | 10:20           |                |       |
| 21                              | DOCENTE                    | VILLAMIZAR CORINA               | V-16.612.952 | 10:30           | 2:00pm         |       |
| 22                              | DOCENTE                    | PABÓN P, LEANDREINA             | V-16.981.286 |                 |                |       |
| <b>AUXILIARES</b>               |                            |                                 |              |                 |                |       |
| 01                              | AUXILIAR                   | RODRÍGUEZ M. EDDY               | V-13.737.904 | 10:00am         |                |       |
| 02                              | AUXILIAR                   | PEÑA VARGAS, YOHANA             | V-17.501.437 | 10:00 am        |                |       |
| 03                              | AUXILIAR                   | BARÓN KEILA NORELKI             | V-15.147.370 | 10:00 am        |                |       |
| 04                              | AUXILIAR                   | RUIZ G, AURA VIOLETA            | V-13.569.456 |                 |                |       |
| 05                              | AUXILIAR                   | YOLEMY CALDERÓN                 | V-18391056   |                 |                |       |
| <b>SECRETARIAS</b>              |                            |                                 |              |                 |                |       |
| 01                              | SECRETARIA                 | MARVAL DAYANA Y                 | V-18.564.902 |                 |                |       |
| 02                              | SECRETARIA                 | CHACÓN ROA NÉLIDA               | V-9.334.870  |                 |                |       |
| <b>PERSONAL DE APOYO</b>        |                            |                                 |              |                 |                |       |
| 01                              | PORTERA                    | MÉNDEZ DE G, ELDA               | V-8.075.001  |                 |                |       |
| 02                              | PORTERA                    | VELANDIA MARÍA R.               | V-9.228.872  |                 |                |       |
| 03                              | MENSAJERA                  | MARÍN M, MARTHA                 | V-11.501.935 |                 |                |       |
| 04                              | PORTERA                    | MARÍN M, BEATRIZ                | V-23.156.777 |                 |                |       |
| 05                              | OBRERO                     | PAREDES P, ARNOLDO              | V-13.973.948 |                 |                |       |
| 06                              | OBRERO                     | RODRÍGUEZ MARITZA               | V-12.815.996 |                 |                |       |
| 07                              | OBRERA                     | ROSA NATHALY MURILLO ROJAS      | V-16.540.356 |                 |                |       |
| 08                              | OBRERA                     | SANTANDER ROSA                  | V-6.406.015  |                 |                |       |
| 09                              | OBRERO                     | JOSE DANIEL DAVILA DURAN        | V-16.777.125 |                 |                |       |
| <b>DOCENTES AENC</b>            |                            |                                 |              |                 |                |       |
| 01                              | DOCENTE                    | ZULAY DEL ROSARIO MANRIQUE      | V-9144967    |                 |                |       |
| 02                              | DOCENTE                    | YULEIDY ANGÉLICA OSORIO         | V-16.959.768 | 10:20           |                |       |
| 03                              | DOCENTE                    | AMARILIS TERESA VILLASMIL       | V-13.067.531 |                 |                |       |



## Gremios Docentes, Padres y Representantes y ONG demandan ante TSJ nulidad de la Res 058

La inmensa, la absoluta mayoría del magisterio, todas las organizaciones de padres y representantes, las ONGs y las instituciones laborales y empresariales vinculadas a la educación venezolana han decidido demandar la nulidad de la Resolución 058 emanada del MPPE. El profundo, el irreparable daño que ese instrumento normativo causará a la educación alarma al pueblo de Venezuela y constituye uno de los más graves peligros que puedan concebirse.

El Recurso interpuesto demanda la inconstitucionalidad e ilegalidad de la Resolución ministerial, cuyo objetivo explícito es imponer por primera vez en el país un regresivo modelo único educativo, en abierta violación al artículo 102 de la Constitución de la República Bolivariana de Venezuela, que consagra un sano y moderno pluralismo democrático fundamentado en el respeto a todas las corrientes del pensamiento. Corre Venezuela el grave riesgo de regresar a oscuros sistemas políticos basados en el absolutismo.

La Resolución 058 no hace ningún aporte útil a la labor pedagógica y por el contrario obstaculiza de forma sistemática la planificación, control y dirección ejercidos por los directivos de los centros educativos oficiales y privados. Se afecta seriamente la actividad docente, interfiriendo las labores del resto de la comunidad educativa. Por cierto, esa comunidad educativa es puesta de lado por la resolución recurrida, al restarle injerencia en los asuntos importantes de la vida escolar y privilegiar la intervención, es más: la desmesurada intervención, de agentes foráneos ajenos al ejercicio técnico, científico y pedagógico de la docencia.

El modelo que se pretende establecer, infringiendo expresamente la normativa constitucional, promueve un estéril antagonismo y una agresiva e inútil disputa que conducen a un ponzoñoso caos en un área tan vital como la escuela. Adicionalmente, el instrumento ministerial fomenta el desorden administrativo. Carece de procedimientos de formación, articulación y desempeño de las nuevas estructuras en los centros de enseñanza, y contiene innumerables vacíos legales que dan cabida a interpretaciones que ponen en peligro el derecho de los niños y adolescentes a la educación de calidad consagrada en la Constitución y en las leyes orgánicas relativas a la materia. Se resienten los padres y representantes porque la Resolución impugnada va contra el principio de la patria potestad y se propone colectivizar la administración del programa educativo lo que acarrea el riesgo de una ideologización con vocación excluyente y totalitaria, en clara transgresión de

los derechos humanos, reconocidos universalmente. Ese peligro lo relaciona el instrumento emanado del MPPE con la introducción en nuestras escuelas de la formación bélico-militar, bajo la falsa amenaza de agresiones al país por supuestos enemigos externos. Obligar a nuestros hijos a formarse en conceptos bélicos de defensa y seguridad, e inculcarles formas de expresión y de lucha agresivas, destierra sentimientos de paz y siembra la obsesión de la guerra, en supuesto nombre de la Patria.

Las organizaciones que recurrimos contra la Resolución 058 defendemos una educación masiva sin perjuicio de la más alta calidad; una educación para el amor y la defensa de nuestra integridad e identidad nacional, de los recursos naturales y el ambiente, la cultura la democracia y la libertad.

Suscriben:

Federación Venezolana de Maestros (FVM), Federación de Trabajadores Sindicalizados de la Educación (FETRASINED), Federación Nacional de Trabajadores de la Educación (FENATEV), Colegio de Profesores de Venezuela (CPV), Colegio de Peritos de Venezuela (FEV), Colegio de Licenciados en Educación (FESLEV), Federación de Trabajadores del Magisterio (FETRAMAGISTERIO), Federación de Trabajadores de la Enseñanza (FETRAENSEÑANZA), Asociación de Profesores de la Universidad Pedagógica Libertador (APROUPEL), Federación Nacional de Sociedades de Padres y Representantes (FENASOPADRES), Confederación Nacional de Padres y Representantes de la Educación Católica (CONAPREC), Asociación de Padres y Representantes de Institutos de Educación Privada (APRIEP), Asamblea de Educación, Asociación Nacional de Institutos de Educación Privada (ANDIEP), Cámara Venezolana de Educación Privada (CAVEP) Asociación Larense de Educación Privada (ALEP) y Fundación de Defensa de Derechos Civiles (FUNDECI)

## 2001: Militares intervienen liceo Fermín Toro de Caracas

30 Marzo, 2015



María Alejandra Rivas / 30 mar 2015.- El liceo Fermín Toro de Caracas, situado al lado de Miraflores, fue intervenido y está militarizado por problemas de drogas y violencia dentro de las instalaciones.

Así lo recoge [una nota del periodista Carlos Crespo del diario 2001](#).

Aunque las razones de la intervención no están totalmente claras, la mayoría de los alumnos y profesores coinciden en se debe a la agresión y golpiza al ex director de la institución Jesús Ramos a finales del año pasado. Igualmente por rumores de que en el liceo existía una red de distribución de drogas.

“La entrada es permanentemente custodiada por funcionarios militares y policiales. Efectivos de la Guardia de Honor Presidencial, Policía Nacional Bolivariana (PNB) y funcionarios de seguridad, vestidos de civil”.

La organización de promoción y defensa de los derechos humanos de niños y adolescentes, Cecodap, manifestó que el liceo “no es un ambiente sano para estudiantes”.