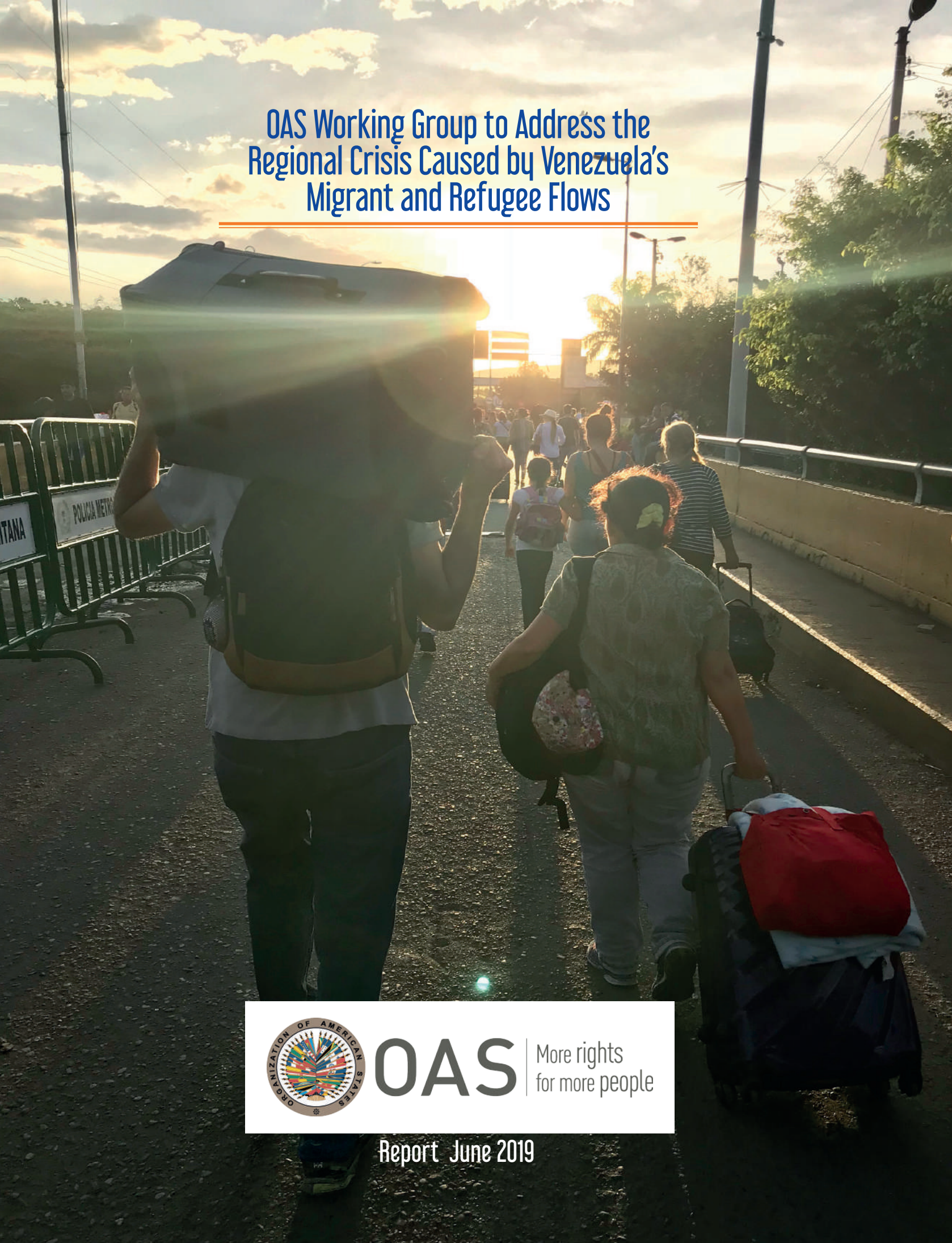


OAS Working Group to Address the Regional Crisis Caused by Venezuela's Migrant and Refugee Flows



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EXECUTIVE SUMMARY

EXECUTIVE SUMMARY

The current crisis of Venezuelan migrants and refugees is unprecedented in the region. As of publication (June 2019), at least 4 million Venezuelans have fled their country, representing over 13 percent of the country's total population. Globally, only Syria, which has suffered from war for more than 8 years, surpasses Venezuela in the flow of migrants and refugees.

The majority of Venezuelan migrants and refugees are in Colombia (1.3 million), Peru (768,100), Chile (288,200), Ecuador (263,000), Brazil (168,300), Argentina (130,000), Panama (94,400), Trinidad and Tobago (40,000), Mexico (39,500), Guyana (36,400), Dominican Republic (28,500), Costa Rica (25,700), Uruguay (8,600) and Paraguay (5,000). In absolute terms, 4 nations, Colombia, Peru, Chile, and Ecuador, host more than 65 percent of the Venezuelans who have left their country. In Curaçao (26,000) and Aruba (16,000), Venezuelans represent 15 percent of the total population of each island, the highest in the region in relative terms.

Despite not suffering from a war or a natural catastrophe, five thousand Venezuelans flee daily. The Working Group, through testimonies of Venezuelans who have been forcibly displaced, consultations with civil society, and information provided by the governments of recipient countries, concluded that the main determinants for the forced displacement are the humanitarian crisis, reflected in the shortage of food and medicines; the economic collapse, reflected in a hyperinflation of 10,000,000 percent; the systematic and generalized violation of human rights, through persecution, repression, social control, and crimes against humanity; the repeated failures in the supply of basic services, such as electricity, water, and gas; and widespread violence with a homicide rate of 81 people per 100,000 inhabitants. All these determinants can also be considered as alterations of public order in the daily life of the Venezuelan citizen.

In the absence of a political, economic, and social solution in the short term in Venezuela that allows access to food and medicine, reduction of crime rates, reinstatement of rule of law that guarantees full freedoms to citizens avoiding widespread persecution, and an improvement of the economy, the Working Group estimates that by the end of 2019 there could be between 5.3 and 5.7 million Venezuelan migrants and refugees and by the end of 2020 between 7.5 and 8.2 million.

In view of this serious situation, the Working Group considers that Venezuelans should be granted refugee status at the regional level, according to the Cartagena Declaration, which establishes that the definition of a refugee also includes people who fled their country because their lives, security, or freedom have been threatened by widespread violence, foreign aggression, internal conflicts, massive human rights violations, or other circumstances that have disturbed public order. Many of these reasons, we consider, formally apply to the current crisis in Venezuela.

To walk thousands of kilometers across the continent to reach another country, as the “walkers” do, or to take a small boat or raft for long hours to reach an island in the Caribbean, as the “rafters” do, is powerful evidence of the desperation that exists to flee to satisfy basic needs, such as the right to food, and to avoid being a victim of generalized violence and disturbance of public order. Additionally, it showplaces the high economic vulnerability that prevents migrants and refugees from making their journey using conventional transport routes, whose costs are beyond the reach of much of the Venezuelan populace.

The Working Group praises efforts made by different countries in the region who have implemented various legal instruments to grant temporary protection to about 1.8 million Venezuelans who, with this condition, receive access to health, education and opportunities to enter the labor markets. However, about 2 million Venezuelans migrants in the region are in irregular status or at risk of being there soon.

The increase of migratory restrictions on Venezuelans, far from solving the crisis, will aggravate it. Apart from the vulnerable conditions which the people of Venezuela are leaving, requesting a passport renewal or issuing a new one in that country is practically impossible because of the costs, corruption networks, the lack of material, and the widespread discrimination of the regime against those who do not agree with their ideas.

The Working Group is aware of the infrastructure, services, and financial limitations of recipient countries. In fact, after the first semester of 2019 the United Nations has only been able to collect 21 percent (158 million dollars) of the total estimated in the Regional Response Plan for Venezuelan Migrants and Refugees. The gap to complete the estimate is 579.5 million dollars, equivalent to 79 percent. When compared with other global migrant and refugees crises, the financial donations by the international community to the crisis of forced displacement of Venezuelans (325 million dollars) are significantly lower than donations to the crisis of the Rohingya (1.2 billion dollars), South Sudan (9.4 billion dollars), and Syria (33 billion dollars).

Comparing the figures mentioned above and if we take an example, the funding received per capita for Syrians is \$5,000, while for Venezuelans it is only \$100 per person.

The Working Group recognizes the efforts of many countries in the region and beyond to cooperate financially to assist Venezuelan migrants and refugees. Unfortunately, the efforts to date are not enough for the size of this crisis. The forced displacement of millions of Venezuelans should not be interpreted in regional or much less sub-regional dimensions. It should be seen in a global dimension.

This crisis of migrants and refugees represents an unprecedented challenge in the region for the member countries of the OAS and the rest of the international community. We cannot fail to highlight the welcome that the Venezuelan people have received from the governments and host societies since this crisis began. Despite the difficulties, the migrant and refugee crisis also creates an immense opportunity to integrate millions who are willing to work, study, and positively impact the countries that receive them.

As many Venezuelans have expressed when we visited the region: “I want to work here to be better and be able to help my family that is still in Venezuela. When things change there (Venezuela), I will return”. To achieve the integration of millions who flee dramatically, it is necessary to create the basis for a regional consensus that guarantees the permanent protection and integration of Venezuelans. It will be the strongest contribution of the continent in the short term due to the prosperity that will be generated in the receiving nations and in the long term with the return of many to Venezuela trained to contribute in its reconstruction.



INTRODUCTION

INTRODUCTION

On September 7, 2018, the Secretary General of the Organization of American States (OAS), Luis Almagro, created the Working Group to address the crisis of Venezuelan migrants and refugees in the region through Executive Order No. 18-03.

The Working Group is mandated to identify patterns and reasons for migration, analyze the current humanitarian and protection context of Venezuelans in recipient countries, and propose recommendations for a regional response to assist Venezuelans fleeing their country.

The Working Group's responsibilities also include frequent visits to the region to hold meetings with authorities, civil society, and the Venezuelan migrant and refugee communities.

In March 2019, the Working Group published a preliminary report that placed the crisis of Venezuelan migrants and refugees in a global context, with a special interest in displacement and international cooperation, as well as advancing the reasons why millions of people have been forced to flee Venezuela.

The preliminary report warns that the international community's response lacks sufficient funds and urges the community of donors to significantly increase their support to recipient countries, noting that –apart from the immediate humanitarian needs of the Venezuelans who arrive– funds are needed to expand basic services and infrastructure in the host communities.

Financial support, together with adequate public policies oriented at the successful integration of Venezuelans, would allow communities to benefit in the medium and long term from the many economic and social benefits that economists attribute to migrants.¹

1 Dany Bahar, "Why Accepting Refugees Is a Win-Win-Win Formula," The Brookings Institution, June 19, 2018. Accessed June 11, 2019, <https://www.brookings.edu/blog/up-front/2018/06/19/refugees-are-a-win-win-win-formula-for-economic-development/>.

At the time of writing this new report, there are at least 4 million Venezuelans who have fled their country, and Latin America and the Caribbean is home to approximately 80 percent of them.²

Venezuelan migrants and refugees are located in different countries of the region. Among them: Colombia (1.3 million); Peru (768,100); Chile (288,200); Ecuador (263,000); Brazil (168,300); Argentina (130,000); Panama (94,400), Trinidad and Tobago (40,000), Mexico (39,500), Guyana (36,400), Dominican Republic (28,500), Costa Rica (25,700), Uruguay (8,6000) and Paraguay (5,000). In the case of Curaçao (26,000) and Aruba (16,000), Venezuelans account for 15 estimations that indicate that by the end of 2019, if there is no positive change in the political, social, and economic crisis in Venezuela, the number of Venezuelan migrants and refugees will exceed 5 million and may reach 8.2 million by the end of 2020.³

Given the unprecedented dimensions of this crisis, it is essential to expedite proposals to grant permanent protection to Venezuelan migrants and refugees and give them the option of integrating into the nations that receive them, and thus convert this adversity into an opportunity for the region and for the reconstruction of Venezuela, when this begins.

2 R4V (2019). Response for Venezuelans. *Regional Refugee and Migrant Response Plan for Refugees and Migrants from Venezuela*. Accessed from: <https://data2.unhcr.org/en/documents/download/69837>.

3 Bahar, Dany & Barrios, Douglas. (2018). ¿Cuántos migrantes y refugiados más podemos esperar de Venezuela? *Brookings*. Retrieved from: <https://www.brookings.edu/blog/up-front/2018/12/10/how-many-more-migrants-and-refugees-can-we-expect-out-of-venezuela/>



**THE VENEZUELAN
MIGRATION FLOW**

THE VENEZUELAN MIGRATION FLOW

The crisis of Venezuelan migrants and refugees shares many characteristics in common with other historical episodes that have resulted in forced displacement, as concluded by the World Bank (2018).⁴

At the time of publication of this report (June 2019) there are 4 million Venezuelan migrants and refugees of which 80 percent (3.2 million) are in Latin America and the Caribbean, while the other 20 percent (800,000) are scattered in the rest of the world.⁵

Figure 1 shows the total cumulative of refugees or refugee-like per year since the beginning of different crises, using data from the United Nations as a source.⁶ Measured by the total number, Venezuela is the third place of origin with more migrants and refugees in a historical comparison with other refugee crises, without taking into account the duration of each one.

The comparison between the number of Venezuelan migrants and refugees with other current and historical refugee crises in the world requires a number of clarifications. First, it is true that not all persons accounted for in the different crisis visualized in Figure 1 have official refugee status in their recipient countries. However, these numbers correspond to the category called refugee-like by the United Nations.⁷ Second, the comparison uses absolute numbers and not relative terms, intentionally, to avoid making an arbitrary choice to normalize the numbers, thus avoiding their manipulation.

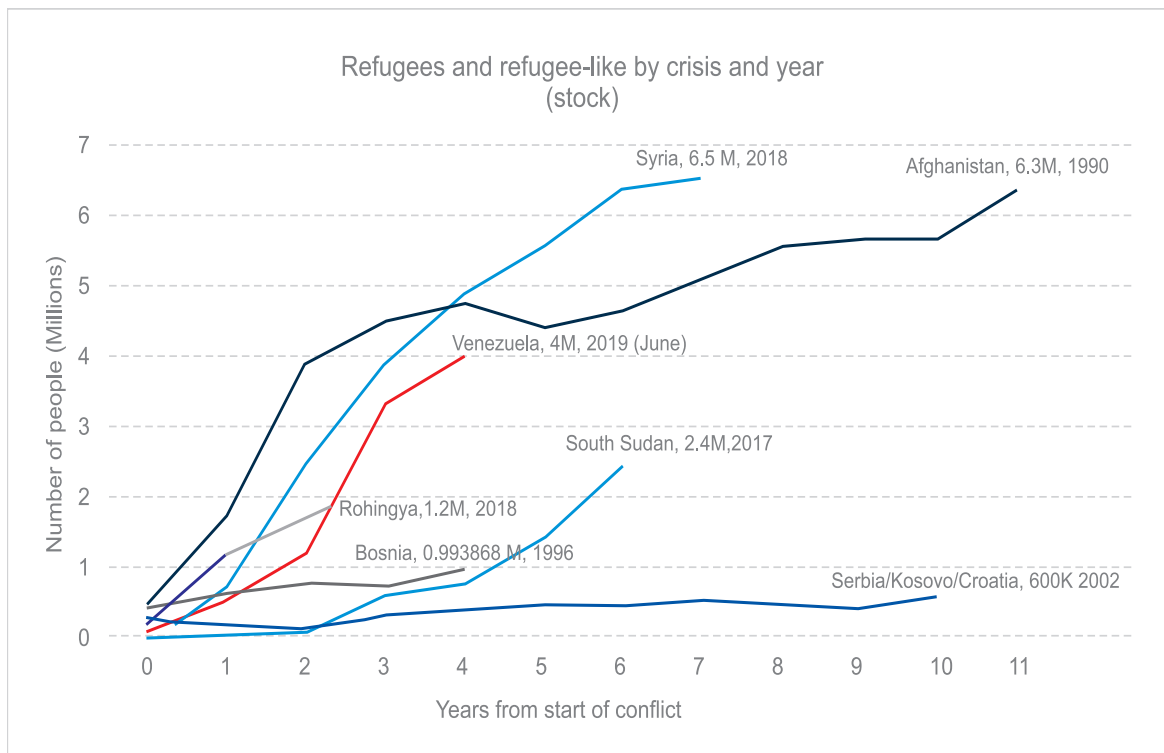
4 World Bank Group. (2018). Migration from Venezuela to Colombia: Short- and Medium-Term Impact and Response Strategy. World Bank, Colombia. World Bank; Retrieved from: <https://openknowledge.worldbank.org/handle/10986/30651>.

5 América Latina y el Caribe. (June 2019). R4V Respuesta a los venezolanos. Retrieved from: <https://data2.unhcr.org/en/documents/download/69838>

6 Operational Portal, Refugee Situations. (n.d.) UNHCR. Retrieved from: <https://data2.unhcr.org/en/situations>.

7 UNHCR. (2017). Global Trends, Forced Displacement. Retrieved from: <https://www.unhcr.org/statistics/unhcrstats/5b27be547/unhcr-global-trends-2017.html>.

Figure 1 - Total refugees and refugee-like by origin and year since the beginning of the crisis (accumulated)



Source: UNHCR Portal (<https://data2.unhcr.org/en/situations>) and IOM/UNHCR portal for monitoring the Venezuelan situation by R4V (<https://r4v.info/en/situations/platform>)

Figure 1 describes how the refugee crisis in Syria that began in 2011 would have resulted in 6.3 million displaced persons outside their country of origin by 2017. The war in Afghanistan that began in 1978 reached, similarly, approximately 6.3 million migrants and refugees eleven years after they arrived in other countries. In the Venezuelan case, since 2015 –in just 4 years– migrants and refugees have reached 4 million. It is important to note that the growth rate of the total number of Venezuelan migrants and refugees is as high as the Syrian crisis in its early years.

In the Venezuelan case, since 2015 –in just 4 years– migrants and refugees have reached 4 million. It is important to note that the growth rate of the total number of Venezuelan migrants and refugees is as high as the Syrian crisis in its early years.

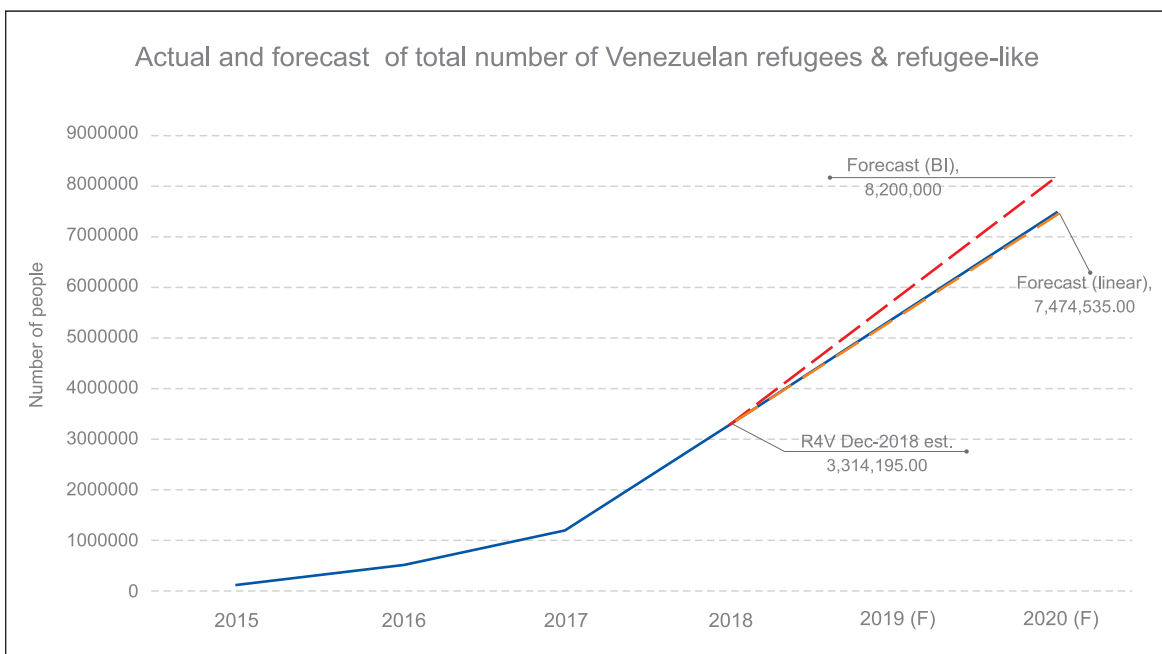
In this sense, the figure also consistently shows in all the cases that we analyze that the number of refugees continues to grow for several years after the beginning of the crisis or conflict before reaching a peak. It is difficult to know for sure what will be the peak of the migrant and refugee crisis in Venezuela, but there are several estimates that are important to consider.

The United Nations projected 5.4 million Venezuelan migrants and refugees by the end of 2019.⁸ This forecast is based on a linear projection, which assumes that the migratory flow in 2019 will be the same as in 2018.

Figure 2 shows two possible projections until 2020, under the assumption that there are no significant changes in Venezuela that result in an improvement of the situation. By extending the linear projection to 2020, the total number of estimated Venezuelan migrants and refugees could reach almost 7.5 million people. Figure 2 also shows the projection of the Brookings Research Institute (BI) which, if it becomes reality by 2020, would reach 8.2 million people.⁹

If by 2020, the situation in Venezuela does not change the total number of migrants and refugees could be between 7,5 and 8,2 million people.

Figure 2 - Total of Venezuelan migrants and refugees (2015-2018) and forecasts for 2020



Projection of the total of Venezuelan migrants and refugees to the year 2020. Adapted from "Refugee and migrant data from Venezuela", Coordination platform for refugees and migrants from Venezuela, R4V, 2019, June 6; and "How many more migrants and refugees can we expect out of Venezuela?" Bahar and Barrios, Brookings, 2018, December 10.

Unlike the linear projection, in the BI projection the number of emigrants corresponds to the number of people in the Venezuelan population of 2018 (projected in 2011) without sufficient re-

8 United Nations. (2018). Regional refugee and migrant response plan for Refugees and Migrants from Venezuela January-December 2019. Retrieved from: https://s3.amazonaws.com/unhcrsharedmedia/2018/RMRP_Venezuela_2019_OnlineVersion.pdf.

9 Bahar, Dany y Barrios, Douglas.(December 11, 2018). How many more migrants and refugees can we expect out of Venezuela? Retrieved from: <https://www.brookings.edu/blog/up-front/2018/12/10/how-many-more-migrants-and-refugees-can-we-expect-out-of-venezuela/>

sources to cover their basic nutritional needs. This forecast does not explicitly have a specific time horizon, but the authors have specified that it is a medium-term forecast that could materialize by the end of 2020.¹⁰

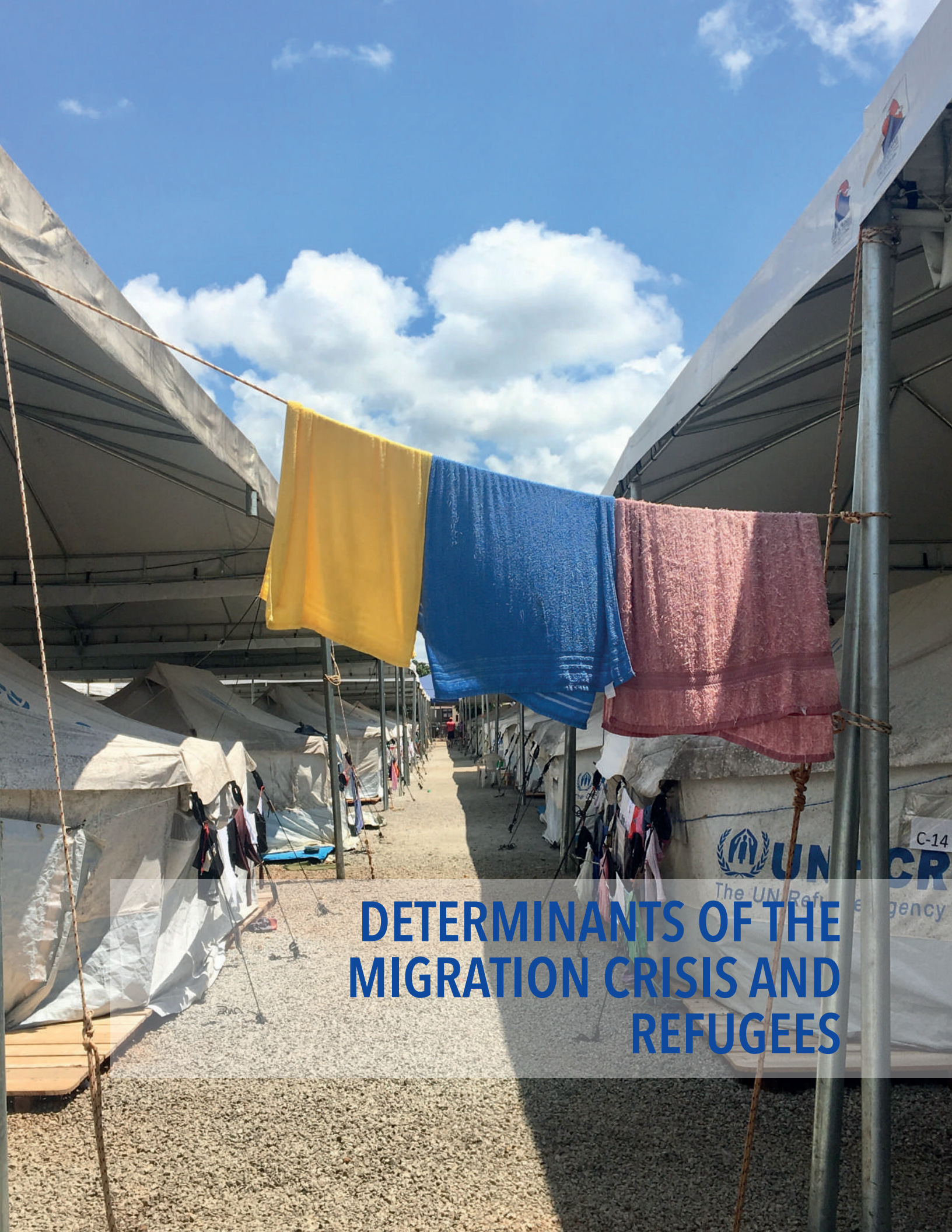
The two forecasts are high figures and to use completely different methodologies their similarity is remarkable. Both projections are not limited to a particular region and have aspects that are worth noting.

The linear projection assumes that the flow will be equal and is not based on any determinant of emigration. However, in the Syrian case, the annual growth of refugees and refugee-like was quite similar year after year (see Figure 2), so this could be a good approximation. The projection of BI is based on fundamentals of the economy, without incorporating other elements that influence the flow of migrants and refugees beyond the nutritional issue, such as health and aspects of the political crisis that affect the life of the average Venezuelan.

The projection of BI has an advantage over a simple linear projection. In particular, given that the humanitarian crisis could continue to worsen at an increasingly rapid rate, it is possible that a simple linear projection does not capture the possibility of an acceleration in the rate at which Venezuelans emigrate, and therefore the BI projection, by using economic fundamentals, it could be more appropriate.

In any case, our conclusion is that the number of Venezuelan migrants and refugees will be between these two projections. Without any significant change that could reverse the economic, political and social crisis in Venezuela, the total number of migrants and refugees could reach between 5.39 and 5.75 million by the end of 2019; and between 7.5 and 8.2 million by the end of 2020. However, whatever the number in the next year or two, the crisis of Venezuelan migrants and refugees already stands out in terms of magnitude, as we show in Figure 2.

10 Oppenheimer, Andres. (2018, 14 de diciembre). Forecast of 8 million Venezuelan refugees should raise alarm bells across the Americas. *Miami Herald*. Retrieved from: <https://www.miamiherald.com/news/local/news-columns-blogs/andres-oppenheimer/article223103635.html>.



**DETERMINANTS OF THE
MIGRATION CRISIS AND
REFUGEES**

DETERMINANTS OF THE MIGRATION CRISIS AND REFUGEES

Humanitarian Crisis

Health crisis in Venezuela

Health indicators are dramatically worsening. Venezuelans in a vulnerable socioeconomic situation do not trust the public healthcare system. Drastic changes in indicators related to infant and maternal mortality rates are typically indicative of the performance of national healthcare systems. In the case of Venezuela, independent sources indicate that the infant mortality rate has increased at least 30 percent and the maternal mortality rate has increased 65 percent since the regime stopped reporting on health outcomes in 2015.¹¹ Patients with chronic diseases such as cancer, kidney failure or diabetes cannot access medicines on a regular basis.¹²

In the case of Venezuela, independent sources indicate that the infant mortality rate has increased at least 30 percent and the maternal mortality rate has increased 65 percent since the regime stopped reporting on health outcomes in 2015.

The former president of the Venezuelan Institute of Social Security (Instituto Venezolano de Seguros Sociales, “IVSS”) for a decade, Army General Carlos Rotondaro, secretly fled to Colombia during March 2019. He reported that approximately 5,000 dialysis patients had died in Venezuela between 2017 and 2019 due to lack of medical supplies. He believes that since Nicolás Maduro took power in 2013 political interests became more important than the well-being of ordinary Venezuelans, which signaled the decline of the health system in Venezuela began.¹³

11 Venezuela’s Infant Mortality, Maternal Mortality and Malaria Cases Soar. *The Guardian*, May 9, 2017, <https://www.theguardian.com/global-development/2017/may/09/venezuela-public-health-crisis-infant-mortality-maternal-malaria>.

12 Jones, Julia and Stefano Pozzebon. “Venezuela’s Health System Is in Worse Condition than Expected, Survey Finds.” *CNN*, March 28, 2018, <https://www.cnn.com/2018/03/28/americas/venezuela-hospitals-report/index.html>.

13 Blanco, Josefina. (March 20, 2019). *En Venezuela han muerto 5000 pacientes por falta de diálisis*. *Panam Post*. <https://es.panampost.com/josefina-blanco/2019/03/20/dialisis-pacientes/>

The Cuban doctor Yansnier Arias, one of the thousands of doctors sent by the regime of his country to Venezuela, also testifies about the politicization of healthcare in Venezuela. In an interview published in *The New York Times*, he reported that his superiors, both Cubans and Venezuelans, told him that “oxygen (from the health center where he worked at) should be used as a political weapon: not for the medical emergencies of the day, but to be shared when the election (where Nicolás Maduro participated) was closer, as part of a national strategy to force patients to vote for the government”.¹⁴

In the same article, it is also reported that 17 members of the Cuban medical missions in Venezuela described the system of deliberate political manipulation in which their medical services were used to strengthen the votes of the United Socialist Party of Venezuela (Partido Socialista Unido de Venezuela, “PSUV”), often through coercion.

“Many tactics were used, the doctor said, from simple reminders to vote for the government to deny treatment to opposition supporters who have deadly diseases. Cuban doctors commented that they were ordered to go door-to-door in poor neighborhoods to offer medicines and warn residents that they would not have access to medical services if they did not vote for Maduro or his candidates”.¹⁵

The 2018 National Survey of Hospitals revealed that public healthcare centers registered a shortage of medicines of 88 percent and a lack of surgical medical supplies of 79 percent. Central medical teams that carry out diagnoses are also scarce: over 90 percent of the X-ray and CT services in hospitals are not operative.¹⁶ Similarly, the survey reveals that there are no fully-functioning laboratories in the public healthcare system, mainly due to a lack of reagents. Similarly, 53 percent of the operating rooms are not usable, while 70.7 percent of the emergency rooms of the public healthcare system have failures and do not continuously work. Many of these limitations may be caused by lack of supplies and the unstable provision of water and electricity in the country.

... over 90 percent of the X-ray and CT services in hospitals are not operative.

Among the emergency supplies, morphine, hypertension medicine and insulin are the ones that report the greatest shortages nationwide, with 78, 68 and 52 percent shortages, respectively. For example, the JM de los Ríos Hospital describes the situation regarding children who are waiting for a bone marrow transplant. Only in May 2019, at least 4 children died because they did not have access to the surgery. These children were part of a group of 30 who are in the same situation.¹⁷

14 Casey, Nicholas. March 17, 2019. Nicolás Maduro usó a médicos cubanos y a los servicios de salud para presionar a los votantes. *The New York Times*. Retrieved from: <https://www.nytimes.com/es/2019/03/17/maduro-voto-medicinas-cuba/>

15 Casey, Nicholas. March 17, 2019. Nicolás Maduro usó a médicos cubanos y a los servicios de salud para presionar a los votantes. *The New York Times*. Retrieved from: <https://www.nytimes.com/es/2019/03/17/maduro-voto-medicinas-cuba/>

16 Agence France-Presse. “Encuesta Nacional de Hospitales constató que faltan 88% de medicamentos.” *El Nacional*, March 19, 2018, Retrieved from: http://www.el-nacional.com/noticias/crisis-humanitaria/encuesta-nacional-hospitales-constato-que-faltan-medicamentos_227478.

17 Rojas, Ymaru. May 27, 2019. *Mueren cuatro niños en Venezuela mientras esperaban un trasplante de médula ósea*. *ABC Internacional*

... while 70.7 percent of the emergency rooms of the public healthcare system have failures and do not continuously work.

In Venezuela, the organs, tissues and cells donation and transplant program of the Ministry of Health, carried out with cadaver grafts, have been suspended since June 1, 2017, leaving approximately 5,000 people on the waiting list. This means that people with kidney failure have been sentenced to a grim future because medical recommendations limit dialysis to no more than six months because treatment for more than a year decreases the chances of a user becoming an organ recipient due to the cardiovascular damage that this procedure can produce. Additionally, by 2018 there were 1,000 IVSS defective dialysis machines, distributed throughout the country, affecting approximately 16,000 people who require dialysis treatment to live.¹⁸

In Venezuela, the organs, tissues and cells donation and transplant program of the Ministry of Health, carried out with cadaver grafts, have been suspended since June 1, 2017, leaving approximately 5,000 people on the waiting list.

Additionally, on May 29, 2019 during an ordinary session of the OAS, the Venezuelan specialist in infections, Julio Castro, stated that the Wayuu and Warao indigenous groups could disappear as a result of the inefficiency of the healthcare system and warned that mortality or lethality produced by measles in the indigenous communities of the border areas is 67 times greater than that of the general population. This represents a setback for Venezuela given that the World Health Organization had declared the country a measles-free territory. For Castro, it's as if the country has regressed in the fight against measles by 40 years.¹⁹

Food insecurity in Venezuela

Venezuela is experiencing the largest food and nutrition crisis reported in its history. This crisis has slowly increased and unequally affects different population groups, exerting a negative effect on the health and nutrition of most Venezuelans.²⁰

Several years ago, a trend towards malnutrition began with an increase in obesity rates, associated with poverty and the consumption of high-caloric foods, without having eradicate malnutri-

Retrieved from: https://www.abc.es/internacional/abci-mueren-cuatro-ninos-venezuela-mientras-esperaban-trasplante-medula-osa-201905272042_noticia.html

18 CODEVIDA, May 30, 2018. *Se cumple un año de la suspensión del programa de trasplante en Venezuela*. Retrieved from: <https://www.codevida.org/sociedad-civil/se-cumple-un-ano-de-la-suspension-del-programa-de-trasplante-en-venezuela>

19 El Pitazo. May 29, 2019. *Infectólogo en la OEA: Epidemia de sarampión podría desaparecer a etnias Wayuu y Warao*. Retrieved from: <https://elpitazo.net/internacional/infectologo-en-la-oea-epidemia-de-sarampion-podria-desaparecer-a-etnias-wayuu-y-warao/>

20 López de Blanco M, Landaeta-Jiménez M, Herrera-Cuenca M, Sifontes Y. La doble carga de desnutrición y obesidad en Venezuela. *An Venez Nutr* 2014; 27(1):77-87.

tion, developing the phenomenon known as the double burden of malnutrition, with obesity on the one hand and malnutrition on the other.²¹

According to the Bengoa Foundation-UCAB Social Emergency study, 33 percent of Venezuelan children aged 0-2 years old experience growth delays as shown by height/age indicators (Bengoa-UCAB).²² The presence of chronic malnutrition manifested by delayed growth is a sign that the alteration of growth did not occur at the beginning of extrauterine life, but before, from pregnancy and even from the prenatal stage, by the exposure of women and men of childbearing age to nutritional deficiencies in the environment.²³

... 33 percent of Venezuelan children aged 0-2 years old experience growth delays as shown by height/age indicators.

Consequently, if adequate nutritional interventions do not occur to mitigate the damage, this 33 percent of children from low-income sectors would be at risk of delays in cognitive development, disorders in psychomotor development, future risks for cardiovascular diseases, diabetes, obesity and some types of cancer.^{24,25,26}

In the latest 2018 report of Cáritas Venezuela, 65 percent of children from low socio-economic background served by Caritas Venezuela and aged below 5 years old have some degree of malnutrition or were at risk of being malnourished. It is reported that 48 percent of the pregnant women evaluated already have moderate or severe acute malnutrition.²⁷

In the latest 2018 report of Cáritas Venezuela, 65 percent of children from low socio-economic background served by Caritas Venezuela and aged below 5 years old have some degree of malnutrition or were at risk of being malnourished.

Since 2017, the typical food distribution programs (Mercal and PDVAL) have been replaced by a program called CLAP in Spanish (Local Supply and Production Committees). A politicized, mili-

21 Desafíos. (n.d.). Acceso a la página Junio 20, 2019. Retrieved from: <https://www.who.int/nutrition/challenges/es/>

22 Observatorio Venezolano de la Salud. Reporte Nacional Derecho a la Alimentación. Emergencia Humanitaria Compleja. Retrieved from: <https://www.ovsalud.org/publicaciones/alimentacion/reportes-nacional-emergencia-humanitaria-compleja-venezuela-derecho-alimentacion/> consultado el 9 de enero de 2019

23 Herrera-Cuenca M. Mujeres en edad fértil: Etapa crucial en la vida para el desarrollo óptimo de las futuras generaciones. *An Venez Nutr* 2017; 30(2): 112 - 119.

24 Bygren LO. Intergenerational health responses to adverse and enriched environments. *Annu Rev Public Health* 2013; 34: 49-60.

25 Contreras M, Herrera Cuenca M, Landaeta-Jimenez M, Anthropometric variables in children between 0-2 years residing in disadvantaged sectors from Venezuela. Poster presented at Developmental Origins of Health and Disease Iberoamerican Chapter Conference, Cancún, Mexico November 2018.

26 Herrera-Cuenca M. Mujeres en edad fértil: Etapa crucial en la vida para el desarrollo óptimo de las futuras generaciones. *An Venez Nutr* 2017; 30(2): 112 - 119.

27 Cáritas de Venezuela. Sistema de Alerta, Monitoreo y atención en Nutrición y Salud. Boletines de Monitoreo de la Situación Nutricional en niños menores de 5 años. Venezuela. Distrito Capital y Estados Miranda, Vargas y Zulia. Períodos 2017-2018.

tarized and discriminatory program that requires food recipients to have a membership card indicating political affiliation that determines benefits. Traditionally, the food deliveries from the program are not nutritionally balanced or sufficient to cover the nutritional and food needs of a household. The lack of regularity in the delivery of CLAPS also hampers families' ability to survive between one delivery and another.

According to the Right to Food report of the PROVEA organization, it is difficult to estimate inflation in the sale of the foods sold by CLAPs because their composition varies. However, in mid-2017 the Mexico-imported standard box, had a cost of 1,144 percent more than the same box sold one year earlier in 2016 (Bs. 17,000). By the end of 2017 these boxes were priced at Bs. 25,000, that is, they increased 127 percent throughout 2017 and 1,682 percent since the beginning of the program.²⁸

8 out of 10 Venezuelans reported having reduced their caloric intake due to lack of food at home, and approximately one third of Venezuelans eat less than three meals a day with low caloric and protein content.

All this has contributed to the deterioration of the diet of Venezuelans and has had devastating consequences on the nutritional and health status of the population. This is reflected in a shocking statistic: more than half of the population registered 11 kilos of weight loss. Independent sources show that 8 out of 10 Venezuelans reported having reduced their caloric intake due to lack of food at home, and approximately one third of Venezuelans eat less than three meals a day with low caloric and protein content.²⁹

“It’s the first time I’ve come to the border on the Colombian side to buy food because we have not gotten anything in Venezuela. In all this time we have fed (ourselves) with mango or rice and beans. Other times we only ate rice with salt”.

Testimonial from Venezuelan woman at the Simón Bolívar International Bridge.
Visit of the Working Group to Cúcuta, Colombia. April 26, 2019.

28 Derecho a la Alimentación. (2017, Enero-Diciembre). Retrieved from: <https://www.derechos.org/ve/web/wp-content/uploads/04AlimentacionC3percentB3n-2-1.pdf>

29 Singer, F. (2018, Febrero 22). Los venezolanos se acuestan con hambre. *El País*. Retrieved from: https://elpais.com/internacional/2018/02/22/america/1519277784_904681.html.

Human Rights violations

Persecution and repression

Systematized persecution by different methods is another major factor behind the mass migration from Venezuela.

Between January 2014 and May 2019, the NGO Foro Penal recorded 14,986 arbitrary arrests and at least 8,451 people are still subject to precautionary measures in unfair criminal proceedings for political reasons. On May 7, 2019, the Foro Penal announced that the number of political prisoners in Venezuela was 857, of which 757 are civilians and 100 are military.³⁰ That figure changes constantly because of the “revolving door effect” described by Foro Penal as part of the regime’s practice of constantly jailing and releasing prisoners.

Between 2014 and May 2019, 14,986 arbitrary detentions have been registered.

Another group that has been strongly attacked by state security forces and armed civilian groups obeying orders of the Maduro regime is the indigenous population. Specifically, between February 22 and 28, 2019, within the context of the attempt to transfer humanitarian aid from Brazil to Venezuela, there was an attack against the Pemón indigenous community that inhabits the area. In total, 7 people were killed by bullet wounds, of which 4 belonged to the Pemón ethnic group. In addition, 57 people were wounded, 22 of them indigenous who are inhabitants of the communities of Bolívar state. Furthermore, there were 62 arbitrary arrests, of which 23 of the people arrested were indigenous, most of them Pemon.³¹

Meanwhile, and because of the civic-military movement that occurred on April 30, 2019 in favor of the Interim President Juan Guaidó, 327 people were arrested from April 30 to May 1. In total, the number of political prisoners for April 2019 was 356.³²

In relation to the National Assembly, as of July 30, 2017, Maduro neutralized the legislative power elected by the majority of Venezuelans and recognized by the international community by creating the illegitimate National Constituent Assembly. In total, 67 elected deputies have been victims of systematic and widespread political persecution. They were accused of treason, conspiracy, instigation to the insurrection, civil rebellion, association to commit a crime, usurpation of functions and public instigation to the disobedience of the laws.³³

30 Foro Penal. (2019, Mayo 7). Cifra de presos políticos se elevó a 857. Retrieved from: <https://foropenal.com/2019/05/07/cifra-de-presos-politicos-se-elevo-a-857/>

31 Foro Penal. (2019, Abril 24). Reporte Especial- Represión Política contra Habitantes de Comunidades Indígenas en Bolívar-Venezuela. Marzo 2019. Retrieved from: <https://foropenal.com/reportespecial-represion-politica-contra-habitantes-de-comunidades-indigenas-en-bolivar-venezuela-marzo-2019/>

32 Foro Penal. (2019, Abril). Reporte sobre la represión en Venezuela. Retrieved from: <https://foropenal.com/reportesobre-la-represion-en-venezuela-abril-2019/>

33 Singer, F. (2019, Mayo 9). Casi 70 diputados venezolanos han sido víctimas de persecución. Retrieved from: <https://elpais.com/internacion->

Aside from incarceration (or forced exile), significant attacks and widespread, systematic abuses are also committed against the civilian population, as documented by an independent panel of experts convened by the OAS. The report documents evidence of murders, incarceration, torture, rape, and other forms of sexual violence, persecution, and forced disappearance that suggest that these crimes are perpetrated by the government. According to the report, many of these repressive acts can be categorized as crimes against humanity in accordance with Article 7 of the Rome Statute of the International Criminal Court based on sufficient evidence to satisfy the standard of proof required by Article 53 of the Rome Statute.³⁴

Foro Penal and Human Rights Watch have documented 53 cases of repression between April and September 2017 in which at least 232 individuals were subjected to physical and psychological abuse with the purpose of incriminating and involve other people. These NGOs determined that the perpetrators of most of these abuses were members of the National Bolivarian Guard (GNB, in Spanish) and the Intelligence Police (SEBIN, In Spanish). In addition, they concluded that in several of these cases, torture practices were implemented.

On March 20, 2019, Michelle Bachelet, the High Commissioner of Human Rights for the United Nations, issued a report regarding the Venezuelan situation in which she stated that: “in the context of the rise of anti-government protests that occurred throughout the country in the first two months of this year (2019), my office documented numerous violations and human rights abuses perpetrated by security forces and pro-government armed groups, including the excessive use of force, killings, arbitrary detentions, torture and ill-treatment in conditions of detention, as well as acts of threat and intimidation”.³⁵

“My two children were arrested for participating in a protest against the electricity blackouts in the sectors they lived in. A team of soldiers from the National Guard took a group between 40 and 50 people in custody. All were accused of being terrorists because in Venezuela anyone who is against Maduro, is a terrorist.”

Venezuelan mother whose two children were arrested in Venezuela for participating in a protest. Visit of the Working Group to Lima, Peru. April 29, 2019.

In the midst of this context, persecution and repression also affects journalists. The NGO Espacio Público stated that between January and April of 2019, journalists were the main victims in their profession. Of the total of 334 individuals, 154 were journalists victimized by security forces,

[al/2019/05/09/america/1557361186_073215.html](http://www.oas.org/documents/eng/press/Informe-Panel-Independiente-Venezuela-EN.pdf)

34 Organization of American States. *Report of the General Secretariat of the Organization of American States and the Panel of Independent International Experts on the Possible Commission of Crimes against Humanity in Venezuela*, May 29, 2018. Retrieved from: <http://www.oas.org/documents/eng/press/Informe-Panel-Independiente-Venezuela-EN.pdf>.

35 OHCHR. March 29, 2019. *Informe oral de actualización sobre la situación de derechos humanos en la República Bolivariana de Venezuela*. Retrieved from: <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=24374&LangID=S>

officials, violent groups or individuals. Among the cases of journalists attacked are: Tomasz Surdel, a Polish journalist, assaulted by the Special Forces of the Bolivarian National Police (FAES, in Spanish); the journalist and human rights defender Luis Carlos Díaz, who was arbitrarily detained, disappeared and accused of public incitement by exercising freedom of expression; the CNN en Español journalist Rafael González; and the American journalist, Cody Weddle.³⁶

In the context of the April 2019 protests, the organization Médicos Unidos por Venezuela reported that 11 doctors were arrested while they were participating in protests against Maduro. A situation that has been reported in other opportunities. In February 2019 alone, there were about 45 cases of persecution, threats and intimidation against professionals in the health area.³⁷

Social Control

The actual existence or even the very perception of tools imposed and used by the regime to restrict Venezuelans' liberties also seems likely to be a significant factor behind the mass exodus of migrants from Venezuela.

Exerting social control in order to restrict individual freedoms is a common feature of authoritarian regimes. In particular, one characteristic of instruments of social control is to ensure that the basic needs of individuals depend exclusively on the will of the authorities, not on their own endeavors. Depending on completely opaque authorities for access to basic services –and in the case of the most vulnerable populations, to social programs that supply basic needs, such as housing, health care, and food– generates a perverse system of incentives whereby the beneficiaries have to show their support for the ruling party at the ballot box or in other ways in order to secure their livelihoods.

In Venezuela, perhaps the most visible example of the existence of social control mechanisms, and even on the perception thereof, is the “homeland card” (*carnet de la patria*), which is an identity document linked to an automated payment system necessary to access social programs, such as food, medicine, and fuel subsidies, housing, special bonuses, university placements, jobs, and even the pensions of beneficiaries of the IVSS, among other things.³⁸ The requirement of the homeland card to receive benefits to which Venezuelans are entitled to by being citizens, and the requirement that it be carried by each person, have been viewed from the outset as tools of social control for several reasons.

To begin with, official websites of the Venezuelan regime describe the homeland card in partisan and ideological language as “*a new instrument of the revolution that has advanced protection, social equality, solidarity, socialism, happiness, and peace for the whole population*”.³⁹ Further-

36 Espacio público. (May 9, 2019). *Reporte situación general del derecho a la libertad de expresión enero - abril, 2019*. Retrieved from: <http://espaciopublico.org/resumen-situacion-general-a-la-libertad-de-expresion-enero-abril-2019/#.XQfimohKjIW>

37 Sarmiento, Mabel. (June 21, 2019). 11 médicos detenidos arbitrariamente durante las protestas del 30 abril. *Crónica uno*. Retrieved from: <http://cronica.uno/11-medicos-detenidos-arbitrariamente-durante-las-protestas-del-30-abril/>

38 Díaz, Daniela Rojas. “La Venezuela del carné de la patria,” *El Espectador*, August 19, 2018, Retrieved from: <https://www.elespectador.com/noticias/el-mundo/la-venezuela-del-carne-de-la-patria-articulo-807115>.

39 Conatel. (2019, 4 de enero). Carnet de la Patria, instrumento de protección nacido en Revolución. Gobierno Bolivariano de Venezuela, En

more, the design of the homeland card features the silhouette of former president Hugo Chávez, the founder and ideological leader of the PSUV. Obtaining a homeland card, therefore, implicitly means an affiliation to the ruling party in order to access social services.

Second, there is increasing evidence that the regime is using the homeland card to exert direct control over the population. For example, numerous testimonies say that the homeland card has been used to check how citizens voted in the 2017 and 2018 elections.⁴⁰ It is thought that there were “red points” outside polling places on election days to verify if carnet holders turned out to vote. In fact, on April 28, 2018, Nicolás Maduro announced his intention to reward those who registered at “red points” with their homeland card after casting their ballot on May 20.⁴¹ Reports indicate that several carnet holders received text messages from Nicolas Maduro thanking them for their support.⁴²

The most revealing evidence of the use of the homeland card as a tool of social control was documented in an extensive article by the Reuters International news agency on the subject in November 2018.⁴³ The article documents the role of the Chinese telecommunications company ZTE Corp, which the Venezuelan regime hired for US \$70 million to build a database and create a mobile payment system to use with the homeland card.

This investment is described in the article as evidence of the intention of restricting the liberties of Venezuelans by storing details on each cardholder, such as birthdays, family information, employment and income, property owned, medical history, state benefits received, presence on social media, membership of political parties, and electoral participation history. The capture of information on each citizen on a single database that includes electoral participation as well as eligibility for welfare programs, suggests that the homeland card is being used or could be used as a tool of social control to enable discriminatory access to state programs and services based on political affiliation. In fact, this tool has direct consequences on citizens in all areas. For example, testimonies collected indicate that citizens who are not cardholders are denied access to medicines needed to treat chronic conditions.⁴⁴

Based on the available evidence and the existing testimonies, we conclude that the homeland card is in fact a tool used for social control.

Retrieved from: <http://www.conatel.gob.ve/carnet-de-la-patria-instrumento-de-proteccion-nacido-en-revolucion/>

40 Avendaño, Shari. (2017, 10 de diciembre). Colas para verificar el carnet de la patria son más largas que para votar en Caracas. *Efecto Cocuyo*, Retrieved from: <http://efectococuyo.com/politica/colas-para-verificar-el-carnet-de-la-patria-son-mas-largas-que-para-votar-en-caracas/>.

41 Taraciuk, Tamara y Uzcátegui, Rafael. (2018, 14 de mayo). Rehenes del hambre en Venezuela. *The New York Times Es*. Retrieved from: <https://www.nytimes.com/es/2018/05/14/opinion-taraciuk-uzcategui-rehenes-hambre-venezuela-elecciones/>.

42 Berwick, Angus. “How ZTE helps Venezuela create China-style social control,” *Reuters*, November 14, 2018, Retrieved from: <https://www.reuters.com/investigates/special-report/venezuela-zte/>.

43 Berwick, Angus. “How ZTE helps Venezuela create China-style social control,” *Reuters*, November 14, 2018. Retrieved from: <https://www.reuters.com/investigates/special-report/venezuela-zte/>.

44 Vásquez, Cristóbal. “Maduro y los chinos espían a los venezolanos con el Carné de la Patria,” *Caracol Radio*, December 28, 2018. Retrieved from: http://caracol.com.co/radio/2018/12/27/internacional/1545936920_263873.html.

Generalized violence

The widespread violence in Venezuela is another determinant of the forced migration of Venezuelans. There has been a gradual increase in homicide rates, crime in general and impunity to disruptive levels of public order throughout the national territory.

According to an opinion study carried out by the Gallup group in 2018, Venezuela is the least safe country in the world next to Afghanistan. According to the study, 42 percent of Venezuelans say they have been victims of robbery in 2017; only 17 percent of Venezuelans feel safe walking alone at night and only 24 percent have expressed confidence in the police.⁴⁵

According to an opinion study carried out by the Gallup group in 2018, Venezuela is the least safe country in the world next to Afghanistan.

According to the Venezuelan Observatory of Violence, the total number of homicides in Venezuela in 2018 was 23,047, which corresponds to a homicide rate of 81 per 100 thousand inhabitants. This rate is the highest in the continent, and it is among the highest in the world.⁴⁶ In addition, according to the above-mentioned NGO, the number of homicides increased from approximately more than 5,000 in 1999 to 23,000 in 2018. In total, since 1999, 333,039 murders have been counted, of which 130,997 were recorded between 2014 and 2018, the period of the increase in forced migration. (See Figure 3).

... the total number of homicides in Venezuela in 2018 was 23,047, which corresponds to a homicide rate of 81 per 100 thousand inhabitants.

Compounding this situation is the fact that criminal activity enjoys a high level of impunity: According to Amnesty International, more than 90 percent of crimes in the country are not prosecuted. What is more, that organization has determined that “*Venezuela is responsible for violations of the right to life and physical integrity of hundreds of victims*”.⁴⁷

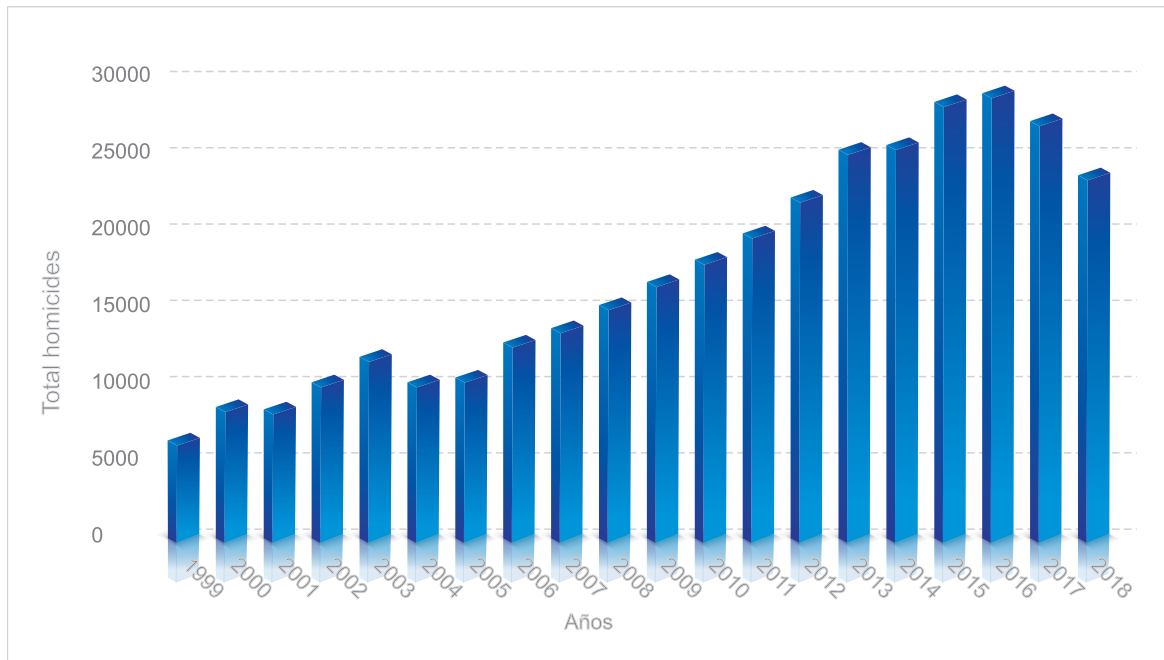
Additionally, InSight Crime identified the presence of the National Liberation Army (ELN) of Colombia in 12 states of Venezuela, which is half of the country. According to these records, the ELN would have presence specifically in Táchira, Zulia, Apure, Trujillo, Anzoátegui, Lara, Falcón, Amazonas, Barinas, Portuguesa, Guárico and Bolívar. There they are allegedly developing activities such as cattle and gasoline smuggling, extortion, recruitment of minors, attacks on officials of the security forces, drug trafficking and illegal mining, among others.⁴⁸

45 Ray, Julie. “Peace, Security Still Out of Reach for Many Worldwide.” *News Gallup*, Junio, 2018. Retrieved from: <https://bit.ly/2mmKUGB>.

46 Observatorio Venezolano de Violencia. “Informe OV de Violencia 2018.” Diciembre, 2018. Retrieved from: <https://observatoriodeviolencia.org.ve/category/informes/>.

47 Amnesty International. (September, 2018). Esto no es vida. Seguridad ciudadana y derecho a la vida en Venezuela. Retrieved from: <https://www.amnesty.org/download/Documents/AMR5389752018SPANISH.PDF>.

48 Insight Crime. (2018, 13 de noviembre). El ELN opera en 12 estados de Venezuela. Retrieved from: <https://es.insightcrime.org/noticias/analisis/eln-opera-12-estados-venezuela/>

Figure 3. Total homicides in the Bolivarian Republic of Venezuela (1999-2018)

Source: Venezuelan Observatory of Violence (Observatorio Venezolano de la Violencia)

According to the InSight Crime investigation, the ELN units have managed to advance about 1,500 kilometers from the Colombian border with Táchira, which would show that this guerrilla rebel group has managed to cross the territory, without major obstacles.⁴⁹

... the ELN units have managed to advance about 1,500 kilometers from the Colombian border with Táchira, which would show that this guerrilla rebel group has managed to cross the territory, without major obstacles.

Regarding extrajudicial executions, the United Nations High Commissioner for Human Rights, Michelle Bachelet, reported that in 2018 there were at least 205 deaths attributed to the FAES and another 37 people were allegedly killed in January 2019 in the city of Caracas alone. According to the report presented at the UN, some of these murders occurred with a similar pattern: during illegal searches of homes carried out by the FAES. These deaths occurred as a result of an armed confrontation although the witnesses say that the victims did not carry any type of weaponry. The majority of these victims lived in low-income popular sectors and had participated in anti-government protests.⁵⁰

49 Insight Crime. (2018, 13 de noviembre). El ELN opera en 12 estados de Venezuela. Retrieved from: <https://es.insightcrime.org/noticias/analisis/eln-opera-12-estados-venezuela/>

50 OHCHR. March 29, 2019. *Informe oral de actualización sobre la situación de derechos humanos en la República Bolivariana de Venezuela*. Retrieved from: <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=24374&LangID=S>

In a research paper published by TalCual digital media, it is stated that “only in the month of May (2019), the media throughout the country reported the death of more than 140 people at the hands of the FAES, which means that on average this group kills more than four people each day. The balance carried out by TalCual points to the West as the region of the country where the mortal activity of this group is greater. In fact, only three states in this area (Zulia, Lara and Portuguesa) represent 50 percent of the deaths recorded last May”.⁵¹

In Venezuela, neither violence nor the abusive use of force has been something that Maduro has been able to solve. Year after year the numbers of homicides increase and there is no quick action that provides justice to the victims.

Collapse of basic public services: water, electricity and gas

The failures and collapse of basic services, such as electricity, gas and water are another determinant of why Venezuelans decide to leave their country.

Last March 7, Venezuela experienced one of its darkest moments when most of the states stopped receiving electricity, internet and cell phone signal for more than four days. This caused the suspension of work and school activities, shops closed their doors, and both the Caracas Metro and the Railroad stopped working.

The instability of basic services has been one of the main mobilizers of protest in most of the country’s states. According to the Observatorio Venezolano de Conflictividad Social (OVCS), the demand for public services ranks second in protests in the first quarter of 2019.

Of the 6,211 protests registered in the first 90 days of 2019, 1,668 were linked to precariousness in basic services. Which means that there was an average of 19 protests a day for lack of water, electricity and gas. The OVCS documented 1,032 protests attributable to the decline in electric power service that affected the development of commercial, educational, domestic, cultural and even public health activities. The collapse of basic services registered in the country since March 7 have caused approximately 994 protests.⁵²

Without electricity to pump water, millions of people have trouble cooking, washing or bathing. This forces the people of Caracas to collect water from the Guaire River, which is polluted and unfit for human consumption.⁵³ On the other hand, the school year was also affected because “the

51 Coscojuela, Xabier. (2019, 7 de junio). Tres estados acumularon 50% de las 143 muertes a manos de las FAES durante mayo. *Tal Cual*. Retrieved from: <https://talcualdigital.com/index.php/2019/06/07/tres-estados-acumularon-50-de-las-muertes-a-manos-de-las-faes-durante-mayo/>

52 Observatorio venezolano de conflictividad social. (2019, 15 de abril). 6.211 protestas en Venezuela durante el primer trimestre de 2019. Retrieved from: <https://www.observatoriodeconflictos.org.ve/tendencias-de-la-conflictividad/6-211-protestas-en-venezuela-durante-el-primer-trimestre-de-2019>

53 Ibarra, Carlos. (/march 11, 2019). Desesperados por la escasez! Venezolanos recogen agua en río contaminado en Caracas. *RCN Radio*. Retrieved from: <https://www.rcnradio.com/internacional/venezolanos-recogen-agua-en-rio-contaminado-en-caracas-ante-escasez-por-apa-gon>

conditions are not given to attend classes because there is no electricity, there is no water and teachers have difficulty attending because they do not have cash to pay for transportation”, according to the Venezuelan Federation of Teachers. For the month of April 2019, it was calculated that only between 20 and 30 percent of the students had attended classes.⁵⁴

The repeated failures in the electrical system also affected the operation of Venezuelan hospitals causing at least a hundred deaths.^{55,56}

“The State of Cojedes has been in the dark (referencing blackouts) for months. I could not hold on anymore, I said goodbye to my grandmother and left Venezuela”.

Young Venezuelan walker. Cúcuta, Colombia. April 26, 2019.

The economic collapse in Venezuela

The deep economic recession combined with rampant hyperinflation is part of a crisis that includes serious shortages of food, medicines and basic supplies, as well as the highly unstable provision of electricity and water services. The humanitarian conditions to which the Venezuelan population is subjected to are, according to numerous testimonies, one of the determinants of the massive migration of Venezuelans.

This humanitarian crisis is, to a large extent, the result of a pro-cyclical economic policy, together with enormous amounts of controls and regulations on the economy and the private sector. During the administration of Hugo Chávez, the massive increase in imports was accompanied by an unsustainable accumulation of external debt.⁵⁷ In the short term, this strategy effectively resulted in a temporary improvement in economic and social indicators, such as poverty and inequality rates. However, all this was a temporary effect.

In 2014, when oil prices fell internationally, Venezuela faced a deficit in its foreign exchange earnings, which resulted in a massive cut in imports of more than 70 percent and, in the absence of other sources of external financing, a massive monetary expansion was implemented to cover the high fiscal expenditure.⁵⁸ A private sector suffocated by endless regulations and controls on prices and access to foreign currency, could not fill the vacuum created by the cut in imports. In fact, Venezuela’s

54 Primicia. (April 28, 2019). FVM: con 40 días sin actividades el año escolar “técnicamente se perdió”. Retrieved from: <https://primicia.com.ve/nacion/fvm-con-40-dias-sin-actividades-el-ano-escolar-tecnicamente-se-perdio/>

55 Parisi, Kiarina. (March 9, 2019). Registran al menos 17 muertes relacionadas al apagón en hospitales del país. *CNN Venezuela*. Retrieved from: <https://cnnespanol.cnn.com/2019/03/09/venezuela-registran-al-menos-17-muertes-relacionadas-al-apagon-en-hospitales-del-pais/>

56 El Comercio Peru. (February 21, 2019). Venezuela: apagones provocaron la muerte de 79 pacientes de hospitales en tres meses. *El Comercio*. Retrieved from: <https://elcomercio.pe/mundo/venezuela/venezuela-apagones-provocaron-muerte-79-pacientes-hospitales-noticia-nndc-610110>

57 Venezuela: la deuda externa en cifras. (n.d.) Prodavinci. Retrieved from: <http://especiales.prodavinci.com/deudaexterna/>.

58 Barrios, Douglas, Ricardo Hausmann y Miguel Ángel Santos. “Cómo salvar a Venezuela.” *The New York Times*, 9 Julio, 2018, Retrieved from: <https://www.nytimes.com/es/2018/07/09/opinion-salvar-venezuela-tesis-economica/>.

gross domestic product (GDP) has been reduced by about 50 percent since 2013.⁵⁹ This explains the massive shortage of food, medicines and basic goods, which have stopped being imported. In parallel, the monetary expansion generated a hyperinflation that has destroyed, and continues to do so, the value of the profits and savings of the Venezuelan population and continues to do so. The International Monetary Fund (IMF) estimated that hyperinflation at the end of 2018 exceeded 1,370,000 percent, which implies that nominal prices would be doubling every 26 days.⁶⁰

The National Assembly issued a report detailing the accumulated inflation in Venezuela corresponding to January 2019 was 191.6 percent, while in February it was 348.2 percent; March reached the figure of 429.3 percent and April was 665.9 percent. The IMF estimates for 2019 the Venezuelan annual inflation will be 10,000,000 percent and that during the third trimester of 2018 the Venezuelan economy contracted by 22.5 percent. There is no doubt that the collapse of the Venezuelan economy exacerbates the humanitarian crisis.⁶¹

Poverty has increased significantly, 94 percent of Venezuelans do not have enough income to pay for the basic food basket, according to the ENCOVI 2018 survey⁶², a fact that is considerably higher than what was reported in the first edition of that survey which stated that 48 percent of Venezuelans could not pay for this basket.⁶³ In addition, the inflation experienced by food has influenced the purchasing capacity of the same, with significant variations in the increases in the different items. By March 2019, bread and cereals led food inflation, in contrast to previous years where the most important increases were in fresh vegetable-type foods.⁶⁴

Additionally, the International Monetary Fund projected an unemployment rate of 47.9 percent for Venezuela in the year 2020, while for 2019 this indicator places it at 44.3 percent.⁶⁵

In conclusion, the situation in Venezuela has become a complex humanitarian emergency, and it is one of the worst crises in the modern history of the Western Hemisphere.

... the situation in Venezuela has become a complex humanitarian emergency, and it is one of the worst crises in the modern history of the Western Hemisphere.

59 Long, Gideon. "Hollowed-out Venezuela Counts the Cost of Crisis." *Financial Times*, 4 Septiembre, 2018. Retrieved from: <https://www.ft.com/content/55bd21a8-b02e-11e8-8d14-6f049d06439c>.

60 Diario El Universal. "FMI prevé hiperinflación de 1.370.000% al finalizar 2018." *El Universal*, 20 Diciembre, 2018. Retrieved from: <http://www.eluniversal.com/economia/28694/fmi-preve-hiperinflacion-de-1370000-al-finalizar-2018>.

61 República Bolivariana de Venezuela Asamblea Nacional.(May 9, 2019). Angel Alvarado: inflación de abril se ubicó en 44.7%. *Press Release* Retrieved from: http://www.asambleanacional.gob.ve/noticias/_alvarado-inflacion

62 Campero, Odra. (November 30, 2018). Se incrementa la pobreza en Venezuela, según resultados preliminares de ENCOVI 2018. *El Ucabista.com*. Retrieved from: <http://elucabista.com/2018/11/30/se-incrementa-la-pobreza-venezuela-segun-resultados-preliminares-en-covi-2018/>

63 España, LP, Ponce MG. Evolución de la Pobreza. Encuesta Nacional de Condiciones de Vida (ENCOVI 2017) Acceso a través de URL: Retrieved from: <https://encovi.ucab.edu.ve/wp-content/uploads/sites/2/2018/02/ucv-ucab-usb-encovi-pobreza-2017.pdf> Acceso: 6/1/2019

64 En Marzo pan y cereales lideran la inflación. (April 22, 2019). Red Agroalimentaria de Venezuela. Retrieved from: <http://redagroalimentaria.org/contenido/122>

65 García, Ariadna. (2019, 21 de junio). FMI prevé tasa de desempleo en Venezuela de 47,9 % para 2020. *Crónica uno*. Retrieved from: <http://cronica.uno/fmi-preve-tasa-de-desempleo-en-venezuela-de-479-para-2020/>



STATUS OF VENEZUELANAS IN LATIN AMERICA AND THE CARIBBEAN

STATUS OF VENEZUELAN IN LATIN AMERICA AND THE CARIBBEAN

Faced with the determinants of the fleeing of millions of Venezuelans and with the lack of access to asylum, under the criteria set forth by the Cartagena Declaration, it is important to understand what are the current protection arrangements for these people on the move, whether these arrangements meet their protection needs, and what alternatives exist that respect the protection of people while honoring the territorial integrity and security concerns of each nation state.

Some countries in the region simply violate basic tenets of the international refugee regime by detaining and deporting Venezuelans without due process. For example, in Curaçao, Venezuelans are not registered and have “no real opportunities exist for Venezuelans who seek to obtain international protection or other forms of legal stay, thus forcing them into irregularity”; the government has pursued an “active removal strategy”.⁶⁶ Trinidad and Tobago have summarily detained and deported Venezuelans—including registered asylum seekers.⁶⁷ An ‘amnesty registration’ was recently undertaken in Trinidad and Tobago, although the two-week registration period and resources allotted fell short; only some 16,000 could be registered. Further, such initiatives are stain by what are clear violations of refugee law that are occurring in parallel. For example, as recently as June 11th, Trinidad and Tobago’s National Security Minister, Stuart Young, reportedly stated “We have been turning away boatloads of people trying to come to Trinidad and Tobago”,⁶⁸ which is a violation of the principle of *non-refoulement*.

Fortunately, however, these are the exceptions. Since the Venezuelan refugee crisis began in 2014, most countries in the region have generously facilitated access to territory and provided legal stay arrangements, in spite of an absence of the requisite infrastructure, systems and resources to host such large numbers. They have embodied the very spirit of responsibility sharing by introducing multiple protection-oriented options for regularizing Venezuelans, including but not limited to access to humanitarian visas; labor migration visas; regional visa agreements; and temporary res-

66 Refugees International. (2019). Hidden and Afraid Venezuelans Without Status or Protection on the Dutch Caribbean Island of Curaça. Retrieved from <https://www.refugeesinternational.org/reports/2019/4/10/hidden-and-afraidvenezuelans-without-status-or-protection-on-the-dutch-caribbean-island-of-curaao>

67 UNHCR The Refugee UN Agency. (2018). UNHCR Regret at Deportations of Venezuelans from Trinidad and Tobago. Retrieved from: <http://www.unhcr.org/uk/news/press/2018/4/5addb65d4/unhcr-regret-deportations-venezuelans-trinidad-tobago.html>

68 Williams, Laurel. (2019, June 12). No More Time as Deadline Looms Young Adamant. Trinidad and Tobago Newsday, Retrieved from <https://newsday.co.tt/2019/06/12/no-more-time/>

idence permits with a right to work and access to education, and some social services, such as basic healthcare. These options were introduced well before the office of the United Nations High Commissioner for Refugees (UNHCR) issued guidance in March 2018 encouraging states to consider these types of arrangements—evidencing the spontaneous willingness of countries in the region to protect Venezuelans.⁶⁹

As the crisis in Venezuela has persisted, however, this approach has fallen short of providing adequate legal protections to the growing number of Venezuelans in need of them. The array of initiatives to regularize Venezuelans, although important, do not all include the option of durable solutions. The various visa schemes and temporary residency permits have relatively short validity periods of one to two years. Peru’s “Temporary Stay Permit,” for example, is valid for only one year, while Colombia’s “Special Stay Permit” is valid for only two years. Further, Venezuelans who did not arrive before the registration deadlines no longer have an option to access these permits, leaving hundreds of thousands in a limbo. For example, those who did not arrive in Peru by its October 31, 2018 deadline, could not apply for the permit. They are on tourist visas and can no longer register and secure rights such as work permits.

Permits that are temporary, while a step in the right direction, still hinder integration and economic inclusion, both from the point of view of the employer (who wants to hire and invest in the worker for the long-term) and the employee (who in the absence of certainty is more likely to invest in his/her own training and the education of his/her children). Thus, temporary permits ultimately affect Venezuelans’ capacity to become self-sustaining and productive members of their new communities in the long-run. This issue is of particular concern, given that if the political, economic, and humanitarian crises in Venezuela do not abate, a safe and voluntary return might be unlikely in the near future. As a result, providing pathways to stable residency is critical.

The terms of these temporary arrangements are in constant flux, causing significant confusion for Venezuelans on the move. Requirements for access to territory or deadlines for registering for the different types of schemes change without much advance notice or explanation. In 2018, both Peru and Ecuador moved to require passports to enter their countries, although in both cases, courts found these requirements to violate human mobility and freedom of movement. Similarly, some countries that allowed for access to their territory without a visa now have changed regulations. Peru, for example, has announced that starting June 15, 2019, to gain access to its territory, Venezuelans are required to present a humanitarian visa secured at a Peruvian consulate in Venezuela, or specific consulates in Colombia or Ecuador.⁷⁰ Moreover, the PEP (Colombia), PTP (Peru), the Democratic Responsibility Visa (Chile) are all instruments with an expiration day, which creates uncertainty of the possibility of scheduling more applications or for renewals leaving especially the latter cases in the limbo.

69 UNHCR The UN Refugee Agency. (2018). Guidance Note on the Outflow of Venezuelans. Retrieved from <https://data2.unhcr.org/es/documents/download/63243>.

70 Venezolanos necesitarán pasaporte y tramitar visa humanitaria en su país, Colombia o Ecuador para ingresar a Perú. (2019, June 6). Retrieved from <https://cnnespanol.cnn.com/2019/06/06/venezolanos-peru-pasaporte-visa-humanitaria-venezuela-para-poder-ingresar/>

These arrangements are accompanied by a series of significant documentation requirements that make regularization and/or integration difficult. Multiple countries demand documents that cannot be secured because Venezuelan institutions are failing and are unable and/or unwilling to issue or renew the required documents. To secure the “Democratic Responsibility Visa” for Chile, for example, a visa application must be accompanied by a valid passport, a certification of a clear criminal record provided by Venezuela’s Ministry of Interior, Justice and Peace, and an apostille birth certificate for minor children.

Passports are increasingly difficult to attain. In 2017, Venezuelan Transparency, a chapter of Transparency International, submitted a report to Venezuela’s Identification, Migration and Foreign Services (SAIME, in Spanish), that detailed multiple complaints of irregular practices related to obtaining Venezuelan passport applications. Different testimonies collected over the last two years reveals that passport issuance can take up to a year and applicants are asked for fees that range between \$1,000 and \$6,000. A Venezuelan told *el Nuevo Herald* that upon requesting a passport renewal in 2018, they illegally offered him to send him the renewal sticker from Venezuela for a fee of \$250. He also shared that he has met other Venezuelans who have experienced the same situation. There are middlemen who profit by charging exorbitant amounts of money, up to \$2,000.⁷¹

“I was asked to pay US \$800 for a new passport. That’s impossible for me to pay. I had to flee with my identity card only (cédula de identidad).”

Venezuelan man. Father of two children.
Cúcuta, Colombia. April 26, 2019.

In short, such documentation requirements can be met by only the most privileged, who possess pre-existing valid passports or the connections, time, and finances to secure a passport and apostilled documents. This obstacle is impossible to overcome for many.

Moreover, policy and practice do not always meet. In March 29, 2019, the Constitutional Court of Ecuador suspended the requirement that Venezuelans present a valid passport to enter the country. Nevertheless, during the Working Group’s visit to Tulcán on the Ecuadorian-Colombian border, the Working Group witnessed an inconsistent application of this policy. Ecuadorian border officials were not accepting expired passports from Venezuelan migrants and refugees. Another example is in Peru, where Venezuelans shared with the Working Group that potential employers tell PTP-holders that they cannot be employed because they don’t have a “Carnet de Extranjería” (Foreigner Card); employers do not know (or are unwilling to acknowledge) that the PTP document serves as a confirmation of the right to work. While the PTP and similar policies are meant to assist Venezuelans integrate, there are signs that they are not being put into practice as initially intended.

71 Malave, M. (2019, February 20). *El pasaporte venezolano: una misión casi imposible para los que viven en el exterior*. *El Nuevo Herald*. Retrieved from: <https://www.elnuevoherald.com/noticias/mundo/america-latina/venezuela-es/article226290640.html>

Although the extension of alternative pathways to protection is overall an important act of solidarity, the inconsistency across countries and within specific systems provokes confusion among Venezuelans traveling the continent in search of solutions. It also often serves as a barrier to family reunification. Finally, it also often serves as a barrier to safe and orderly migration, as evidenced by the impact of Peru's newest rule. The largest daily recorded number of Venezuelans –over 9,000– arrived at the Peruvian/Ecuadorian border on June 14, 2019 seeking entry into Peru, before the new humanitarian visa rule went into effect on June 15, 2019.⁷²

Collectively, legal requirements that cannot be met by people who must cross borders result in more Venezuelans living in the shadows—dramatically increasing their exposure to protection risks at every stage of the displacement cycle. These risks include, but are not limited to, trafficking, forced recruitment, sexual and labor exploitation, statelessness, and discrimination. Further, because they are treated as irregular migrants, they generally cannot access basic rights and services. Currently, just over 1.8 million of the region's estimated four million Venezuelan refugees have regular status.⁷³ On the one hand, this number is a tremendous expression of solidarity that must be lauded, particularly considering the rising tide of restrictive migration policies and xenophobia in many parts of the world. On the other hand, some two million other Venezuelans who may be just as vulnerable could be living in the region undocumented; the real number is likely to be higher.

two million other Venezuelans who may be just as vulnerable could be living in the region undocumented; the real number is likely to be higher.

It should be noted that there have been discussions around avoiding these very risks. With alarm growing over the magnitude of forced displacement from Venezuela, representatives of eleven countries⁷⁴ did convene to discuss a coordinated response. In September, they signed the Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region,⁷⁵ in which they agreed to, inter alia, provide access to regular residency mechanisms, including migratory regularization processes; provide access to refugee status determination procedures; consider expired travel documents as valid for immigration procedures; and implement public policies aimed at protecting the human rights of all migrants. Two months later, in November 2018, they reunited to chart a path forward to realizing these commitments. Eight of the countries agreed to an Action Plan on Human Mobility of Venezuelan Nationals in the Region,⁷⁶ which covers three major themes – mechanisms to regularize Venezuelans in the region; humanitarian assistance; and interagency

72 Univision. *Más de 9.000 venezolanos ingresaron a Perú antes de que entrara en vigor la exigencia de visa humanitaria*. [Video File]. Retrieved from: <https://www.univision.com/shows/noticiero-univision/mas-de-9-000-venezolanos-ingresaron-a-peru-antes-de-que-entrara-en-vigor-la-exigencia-de-visa-humanitaria-vid>

73 This figure does not include Venezuelans holding tourist visas, recognized refugees, or asylum-seekers.

74 Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico, Panama, Paraguay, Peru, and Uruguay.

75 Declaration of Quito on Human Mobility of Venezuelan Citizens in the Region, September 4, 2018. Accessed June 20, 2019. Retrieved from: https://www.cancilleria.gob.ec/wp-content/uploads/2018/09/declaracion_de_quito_en.pdf

76 Plan de acción de Quito. (n.d.). [archivo PDF]. Accessed June 20, 2019. Retrieved from: https://www.cancilleria.gob.ec/wp-content/uploads/2018/11/plan_de_accion_de_quito.pdf

and regional cooperation. But as evidenced above, some of these commitments have yet to be realized.

With some glaring exceptions, most countries in the region have demonstrated global leadership in assuming its responsibility-sharing commitment. Nonetheless, this leadership –and by extension, Venezuelans in need– wis under threat as some states roll back options for access to alternative stay arrangements. While primary host countries understandably feel overstretched, and it is clear that a stronger and more coherent response is needed– one that begins with granting Venezuelans the international protection that is their right.



**REFUGEE STATUS
FOR VENEZUELAN**

REFUGEE STATUS FOR VENEZUELAN

Generally, refugees are persons outside their countries of origin in need of international protection because of a serious threat to their life, physical integrity, or freedom in their country of origin as a result of persecution, armed conflict, violence, or serious public disorder.⁷⁷ Those persons who meet the criteria set forth in refugee definitions under international, regional, or domestic laws are entitled to residence and access to education, livelihood, and social services at a level comparable to citizens of the country.

Many Venezuelans who have fled the country, notably those in the political opposition, are likely refugees as defined in the 1951 Convention Relating to the Status of Refugees and its 1967 Protocol (hereafter referred to as the 1951 Convention).⁷⁸

Further, the Working Group considers that the vast majority of those who have been forcibly displaced from Venezuela clearly meet the refugee definition set forth in the 1984 Cartagena Declaration on Refugees (hereafter referred to as the Cartagena Declaration), which reaffirmed the centrality of the 1951 Convention and added to the refugee definition to reflect the underlying causes of forced movement in the region, including “persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order”.⁷⁹

77 Refworld. (1994, Septiembre 7). Retrieved from: <https://www.refworld.org/docid/3f0a935f2.html>

78 “Convention and Protocol Relating to the Status of Refugees”, Retrieved from: <https://www.unhcr.org/en-us/3b66c2aa10>. Article 1(A)(2) of the 1951 Convention defines a refugee as a person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable, or owing to such fear, is unwilling to avail himself of the protection of that country; or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to it.

79 United Nations High Commissioner for Refugees. (n.d.). Cartagena Declaration on Refugees, adopted by the Colloquium on the International Protection of Refugees in Central America, Mexico and Panama, Cartagena de Indias, Colombia, 22 November 1984. Retrieved from: <https://www.unhcr.org/45dc19084.html>

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As established earlier, the primary determinants of flight from Venezuela are the humanitarian crisis, increasing generalized violence, and widespread violations of human rights, all of which have seriously disturbed public order. There is growing malnutrition and a near total absence of life saving medications for chronic illnesses;⁸⁰ there are now eighty-one homicides per 100,000 inhabitants;⁸¹ and persecution, torture, crackdowns on protester, extrajudicial killings, attacks on journalists and human rights defenders, and widespread impunity are all widely documented human rights violations.⁸² Since the writing of the preliminary report, the disturbance of public order has become aggravated, with the downward spiral of the economy and resulting humanitarian crisis continuing unabated, as well as the repression of human rights .

The Working Group also notes multiple OAS Permanent Council resolutions that specifically document the existing conditions in Venezuela that drive displacement and align with the Cartagena Declaration’s refugee definition. For example, in January 2019, the Permanent Council adopted Resolution 1117 (2200/19), in which it noted the “...worsening political, economic, social and humanitarian crisis in Venezuela resulting from the breakdown of democratic order and serious human rights violations in that state...” and recognized that “as a consequence, a significant number of Venezuelans are being forced to flee the country because their basic needs have not been met.”⁸³

Overall, the facts unequivocally demonstrate generalized violence, violations of human rights, and disturbance of public order, thereby satisfying the conditions set forth in the Cartagena Declaration. Although the Cartagena Declaration by itself is not legally binding, the Cartagena Declaration definition has been incorporated into the legislation of fifteen countries in the region—Argentina, Belize,⁸⁴ Bolivia, Brazil, Chile, Colombia, Ecuador, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Paraguay, Peru, and Uruguay. Some countries may dispute their responsibility toward Venezuelans based on nuances in their domestic legislation, but it is indisputable that Venezuelans

80 According to the 2019 National Hospitals Survey Bulletin, the major emergency medicine shortages are morphine, hypertension medications and insulin at a national level.

The recent shipments of health supplies raise to nearly 200 tons UNICEF’s humanitarian assistance in the country in the past year. Working with partners on both sides of the political spectrum, UNICEF has, so far this year, provided: Nearly 75,000 children under 5 with micronutrient supplementation and an extra 3,500 with outpatient treatment for acute malnutrition.

An article from the Washington Post, dated May 2019, states that in seven of the largest states, more than half of children under 5 suffer from malnutrition, according to the relief agency Caritas Venezuela.

81 Observatorio Venezolano de Violencia. “Informe OVV de Violencia 2018”. December, 2018. Retrieved from: <https://observatorioviolencia.org.ve/category/informes/>.

82 See, for example, Human Rights Watch World Report 2019. Retrieved from: <https://www.hrw.org/world-report/2019/country-chapters/venezuela> and Democratic Institutions, the Rule of Law, and Human Rights in Venezuela, Inter-American Commission on Human Rights. December 31, 2017. Retrieved from: <https://www.oas.org/en/iachr/reports/pdfs/Venezuela2018-en.pdf>

83 Resolution on the situation in Venezuela, CP/RES.1117 (2200/19), (2019)

84 Belize’s definition of refugee follows the OAU model.

are in need of protection and are experiencing exactly the types of conditions that prompted the Cartagena Declaration refugee definition.

but it is indisputable that Venezuelans are in need of protection and are experiencing exactly the types of conditions that prompted the Cartagena Declaration refugee definition.

This conclusion is consistent with expert bodies that have considered the Cartagena Declaration and determined that Venezuelans fall within its protection. In March 2018, the Inter-American Commission on Human Rights (IACHR) urged OAS Member States to guarantee recognition of refugee status to those Venezuelans who express a well-founded fear of persecution in Venezuela or fear that their life, integrity, or personal freedom would be threatened due to the prevalence of violence, widespread violations of human rights, and serious disturbances of public order, in accordance with the Cartagena Declaration.⁸⁵

Moreover, in a March 2018 guidance note, UNHCR stated that “while individual circumstances and reasons for these movements vary, international protection considerations have become apparent for a very significant proportion of Venezuelans”.⁸⁶ More recently, in May 2019, UNHCR released an updated guidance note, in which it called for greater protections for Venezuelans, and determined that “the majority of Venezuelan nationals, or stateless persons who were habitually resident in Venezuela, are in need of international protection under the criteria contained in the Cartagena Declaration on the basis of threats to their lives, security or freedom resulting from the events that are currently seriously disturbing public order in Venezuela”.⁸⁷

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85 Forced Migration of Venezuelans, Resolution 2/18, Inter-American Commission of Human Rights, (2018)

86 UNHCR. (2018). Guidance Note on the Outflow of Venezuelans, UNHCR March 2018. Retrieved from: <https://data2.unhcr.org/es/documents/download/63243>.

87 Guidance Note on International Protection Considerations for Venezuelans – Update I, UNHCR. May 2019. Retrieved from: <https://www.refworld.org/cgi-bin/texis/vtx/rwmain?page=search&docid=5cd1950f4>

Prima Facie Recognition of Venezuelan Refugees: A Practical Protection Response

Latin America and the Caribbean are undergoing an exceptional movement of people. In just the last seven months, 1 million more Venezuelans have joined those who had already displaced to other countries in the region. Even now, it is estimated that 5,000 Venezuelans are crossing the border into Colombia on a daily basis, and another 2,500 enter Ecuador. The total of new Venezuelan asylum seekers from 2014-2017 was 80,000;⁸⁸—a significant caseload in its own right, as Venezuela has not traditionally been a refugee-producing country. The last known total, dating back to December 2018, grew to just under 500,000. Existing asylum systems are under enormous pressure because they are ill-equipped or lack the resources to process such caseloads.

In just the last seven months, 1 million more Venezuelans have joined those who had already displaced to other countries in the region. Even now, it is estimated that 5,000 Venezuelans are crossing the border into Colombia on a daily basis, and another 2,500 enter Ecuador.

Timely and fair adjudication of individual asylum claims is not realistic, given these numbers, and poses an exceptional burden on administrative officers and staff. The Working Group thus recommends that OAS Member States apply “prima facie” status, whereby each group member is regarded as a refugee without an individual determination. This approach would be consistent with current global practice in settings where large movements prevail, the need for protection is indisputable, and the capacity to conduct individual determinations is lacking. This recommendation is also consistent with UNHCR’s recommendation that OAS Member States consider adopting collective protection responses for the Venezuelan people, including the possibility of a *prima facie* or group determination of refugee status and relying on regional instruments as a basis for the elaboration of group-based responses.

The Working Group thus recommends that OAS Member States apply “prima facie” status, whereby each group member is regarded as a refugee without an individual determination.

Although not its purpose, *prima facie* determination would have the unintended and added benefit of helping Venezuelans overcome barriers to accessing asylum procedures. The increase in asylum over the past years is indeed dramatic; in relative terms, however, it is a conservative number. At the moment of this publication, 460,000 Venezuelans have submitted asylum petitions of which 350,000 took place in 2018. Only 21,000 Venezuelan asylum petitions have been granted at a global level.⁸⁹ To be sure, the vast majority of Venezuelans who have fled their country are in

88 Venezuela Situation Update, August 2017. UNHCR. Retrieved from: <https://data2.unhcr.org/en/documents/download/58966>

89 Armario, Christine y Briceño, Franklin. (June 19, 2019). UN: Venezuelans now file 1 in 5 of all new asylum claims. *AP News*. Retrieved from: <https://apnews.com/6ad91a0a6188453491d75564739780d9>

need of international protection, yet there are multiple barriers to access asylum procedures. For one, many Venezuelans are simply unaware of their right to formally seek international protection.

“It wasn’t until my husband was taken to the hospital with acute pain that we learned he had cancer. ACNUR helped us to fill out the required documents for refugee status and that is how we knew we could request protection”.

Venezuelan woman in a shelter.
Lima, Perú. May 1, 2019.

The low rate of adjudication of asylum status versus applications filed in some countries has raised concerns among some refugee experts that the delays are intentional, designed to prevent a person from accessing international protection. UNHCR has repeatedly said that it is ready to work with states in devising appropriate international protection arrangements in line with national and regional standards—in particular, the 1951 Convention and the Cartagena Declaration. UNHCR also has offered to provide to interested states the required technical assistance and operational support to enhance government capacities to respond appropriately to a mass influx of refugees and determine their legal status effectively.

460,000 Venezuelans have submitted asylum petitions...

In summary, temporary protection and legal stay arrangements are tremendous expressions of solidarity and align with the recently adopted Global Compact on Refugees. They do carry unintended consequences, however. The need for international protection for Venezuelans is indisputable and invoking the Cartagena Declaration is the tool at the region’s disposal. Using *prima facie* mechanisms alleviates the administrative burden on the host nations and helps bring those in need out of the shadows, thus reducing protection risks for all. It also allows states to plan and raise funds for interventions aimed at refugee integration, and to provide support for the host communities, allowing for safe and orderly migration.

... the vast majority of Venezuelans who have fled their country are in need of international protection, yet there are multiple barriers to access asylum procedures.



B-02

UNHCR
Refugee Agency

**INTERNATIONAL
COOPERATION**

INTERNATIONAL COOPERATION

Costs associated with protecting and meeting the needs of forcibly displaced groups can be high, especially during mass movements such as the Venezuelan exodus. Host countries should not be the only ones providing support; responsibilities must be shared across a wide variety of stakeholders in the international community, including but not limited to traditional donor nations, multilateral organizations and international finance institutions. The international community as a whole plays a pivotal role in lending support to provide lifesaving assistance, build local capacity, infrastructure and systems to support the influx, and impart technical support which is critical to the coordination and implementation of humanitarian programs.

While the massive migration of Venezuelans may have begun in 2014, the first major interagency and regional fundraising effort started only some months ago. A UNHCR supplementary appeal made in 2018 had an exceedingly modest price tag of 46 million to cover some needs in nine countries.⁹⁰ The first regional interagency humanitarian response plan, the 2019 Regional Refugee and Migrant Response Plan (RMRP),⁹¹ was developed in support of Venezuelan refugees, and migrants who were living in Venezuela and have fled, stateless persons, and host communities, as well as the national authorities supporting them. The total financial requirement of \$738 million targets 2.2 million Venezuelans in need and 580,000 in host communities across 16 countries and includes 95 partners. Many humanitarians still believe that these figures grossly underestimate the true need.

Financial Requirements

- USD 315.5 million for Colombia
- USD 117.3 million for Ecuador
- USD 106.4 million for Peru
- USD 56.6 million for Brazil
- USD 35.7 million for the Southern Cone

90 UNHCR. (2018). Venezuelan Situation January – December 2018. Retrieved from: <http://reporting.unhcr.org/sites/default/files/UNHCRpercent20Venezuelapercent20Situationpercent202018percent20Supplementarypercent20Appeal.pdf>

91 UNHCR (2018). Regional and Refugee Migrant Response Plan for Refugees and Migrants from Venezuela. Retrieved from: http://reporting.unhcr.org/sites/default/files/2019percent20RMRPpercent20Venezuelapercent20percent28Decemberpercent202018percent29_0.pdf

- USD 34.8 million for the Caribbean
- USD 21.7 million for Central America/Mexico
- USD 49.7 million for regional

Six months into 2019, just over \$158 million –or 21 percent– of the regional plan’s financial requirements have been met, leaving a funding gap of \$579.5 million. Certain donors choose to provide some funds bilaterally to host countries and organizations, but those funds do not satisfy the needs detailed in the regional plan. The four pillars of the plan and the percentage of financial requirements that have been met as of June 2019 are as follows: emergency assistance (12.9 percent); protection (18 percent); socioeconomic and cultural integration (6.5 percent); and strengthening the capacity of host governments (18.6 percent).⁹²

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Funding progress by cluster/sector			
Cluster / sector	Required (USD\$)	Funded (USD\$)	Coverage (%)
AOI 1 - Direct Emergency Assistance	333.8	42.9	12.9
AOI 2 - Protection Assistance	100.1	18.0	18.0
AOI 3 - Socio Economic and Cultural Integration	220.9	14.3	6.5
AOI 4 - Capacity Building	66.5	12.4	8.6
Regional Projects outside AOIs	16.2	1.4	8.4
Not specified	n/a	1.9	
Multiple cluster/sectors (shared)	n/a	67.3	

Source: <https://fts.unocha.org/appeals/726/summary>

This enormous funding gap has significant consequences on meeting the humanitarian and protection needs of not only Venezuelan refugees, but the communities hosting them. The gap translates directly into an inability of humanitarian and other actors to scale up and satisfy immediate humanitarian needs, mitigate the impact of large influxes on host communities, support refugees access protection and integrate in their new communities; and support local authorities manage migration in a safe, orderly and protection-sensitive manner. In more specific terms, this means limited possibilities for the humanitarian community to support host countries to deliver basic emergency assistance to those most in need, including food and non-food items (NFIs), water, sanitation and hygiene (WASH) and emergency shelter, to name a few. It means fewer programs to prevent and respond to sexual violence and other forms of gender violence. It means less specialized attention and protection for children, particularly separated and unaccompanied chil-

92 Regional Refugee and Migrant Response Plan (for Refugees and Migrants from Venezuela) *Financial Tracking Service, United Nations Office for the Coordination of Humanitarian Affairs*. Accessed on June 14, 2019. Retrieved from: <https://fts.unocha.org/appeals/726/clusters>

dren. It means fewer opportunities for programs to increase refugee access to income-generating activities and livelihood opportunities that promote self-sufficiency and reduce the risk of labor exploitation.

It means a reduced capability to collect and analyze data on population movements, which in turn limits countries to prepare adequately. It means the protection of populations will be compromised severely as well as information and advocacy around access to territory, asylum processes and other important avenues to regularization. It jeopardizes registration and documentation. It means less programs to prevent and respond to sexual and other forms of gender-based violence. It means less specialized care and protection of children, in particular separated and unaccompanied minors. It means less opportunities for programs to increase refugees' access to income generating activities and livelihoods opportunities that encourage empowerment and reduce the risk of labor exploitation. It means less support to host communities to mitigate the impact of pressures on public services. And overall, it means reduced technical support to local authorities to manage a scale of displacement with which they have no prior experience.

The extent to which humanitarian needs and rights are at risk become clear when analyzing the current funding levels to individual agencies and organizations, six months into the humanitarian response plan launch. The United Nations Children's Fund (UNICEF) is funded at 32 percent. The World Health Organization (WHO) is funded at only 0.7 percent. UN Women has only received 31.5 percent. The UN Refugee Agency is funded at only 29.5 percent. These are just a few examples.

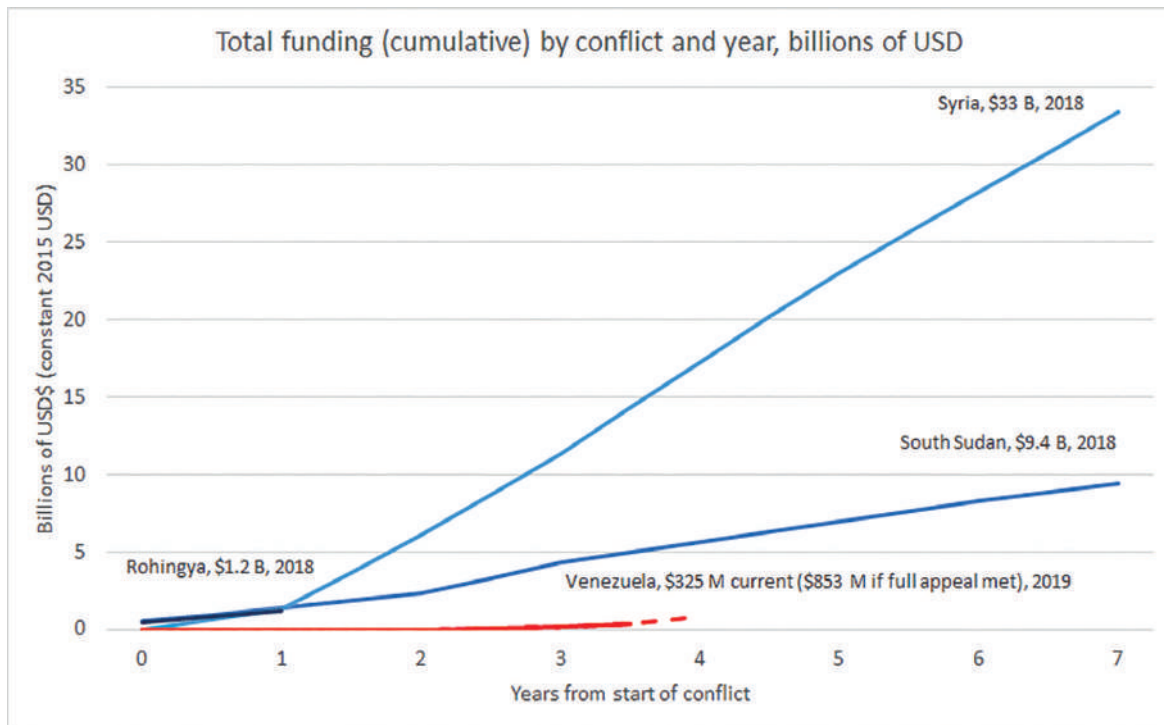
In addition, another important aspect stands out when analyzing and comparing this crisis of migrants and refugees with others: the modest amounts of financial aid offered by the international donor community.

Figure 4 compares the cumulative total of financial aid that the international community has granted, according to one source, to provide humanitarian and other assistance to internally displaced persons and refugees in different conflicts for which data are available, since the year of the beginning of each crisis originating displacement. The data in the figure comes from the Financial Tracking System (FTS) portal of the United Nations Humanitarian Assistance Coordination Office (UNOCHA). These figures correspond to the financing reported to the FTS, and therefore excludes other types of financing. That is, these figures underestimate the total real financing corresponding to each crisis.

As can be seen in Figure 4, different crises of internally displaced persons and refugees, such as the case of Syria and South Sudan, would have received financing in the billions of dollars in the first years of having started forced displacement. However, in the case of displacement from Venezuela, with little more than 4 years after the acceleration in the number of migrants and refugees, the amount of international monetary aid granted and committed is around \$325 million until June 2019 (in constant dollars based on 2015). This figure includes part of the funds already collected as part of the effort of the United Nations Humanitarian Assistance Coordination Office to raise \$737.6 million in funds to provide humanitarian and other assistance to Venezuelans scat-

tered throughout the region to become a reality before this year. Even if until the end of 2019 it would be possible to collect all the funds requested, the total amount would still be below \$1 billion, as shown by the pointed line in the figure.

Figure 4 - Accumulated financing due to conflict and year of commencement, in US dollars



Data source: Financial Tracking System Portal of UNOCHA (the Office for the Coordination of Humanitarian Affairs of the United Nations, <https://fts.unocha.org>).

When we analyze this data in per capita terms, even taking into account the total financing requested in 2019 –which has not yet been fully collected– the funding for the Venezuelan migrant and refugee would be just over \$200 per person. Based on the funding that has been committed up to the date of the release of this report, per capita numbers are even lower, and they reach \$100 per person. On the contrary, in the case of Syria, the amount of funding allocated per refugee is above \$5,000 per person.

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Financing is key to responding to the urgent humanitarian needs of migrants and refugees and, at the same time, equally important, effective integration. When invested in the expansion of infrastructure and public services, funding helps mitigate possible costs associated with the massive inflow of migrants and refugees in recipient communities.

In the case of the Syrian refugee crisis, financing granted to host communities has been used in providing humanitarian aid in addition to some basic services to refugees in countries such as Jordan, Lebanon and Turkey. While some of these funds have been used to care for people in refugee camps, it is important to note that the majority of Syrian refugees are located in urban areas. It is important to emphasize that the Working Group in no way recommends the creation of refugee camps in the Venezuelan case. Several studies have suggested that refugee integration is difficult when refugees are confined to isolated urban areas or away from receiving communities.⁹³ In fact, the possibility of the region to access resources in the form of grants or soft loans is crucial to expand the infrastructure and services (such as schools and hospitals, for example) in recipient communities to ease migrant and refugee reception and integration of the rapid and massive flow of Venezuelan migrants and refugees. The absence of financing on a larger scale for national, regional and local governments of the recipient countries of the region could translate into collapses of public services, which in turn could create a rejection of local populations to receive Venezuelans. This is a scenario that the countries of the region want to avoid.

It is important to emphasize that the Working Group in no way recommends the creation of refugee camps in the Venezuelan case.

The possibility of accessing international financial aid together with adequate public policies will make the integration of Venezuelans more successful, while benefiting recipient communities in the medium and long terms with economic and social benefits that economists attribute to the migration.⁹⁴ The American continent can turn this crisis into an opportunity, which will not only be beneficial for the societies in the recipient countries but will also be key for the reconstruction of Venezuela.

Beyond the discussion of the optimal use of resources to facilitate the integration of migrants and refugees, financing to respond to the needs of the forced displaced persons in Venezuela has been extremely modest, at absolute and relative levels. Consequently, the capacity of host countries to manage the Venezuelan exodus in a safe and orderly manner, while respecting their rights and safeguarding the resilience of host communities is under significant threat. Without an urgent injection of funds, the regional humanitarian response plan's objectives will go unmet. At present, the United States provides the lion's share (\$119.6 or 75 percent) of all the funding channeled to

93 Gayle, Damien. "David Miliband: close the world's refugee camps." *The Guardian*. 14 Mayo, 2016. Retrieved from: <https://www.theguardian.com/politics/2016/may/14/close-worlds-refugee-camps-says-david-miliband>.; Gordon, Grant and Ravi Gurumurthy. "Owen Barder: we need an alternative to refugee camps." *Rescue.org*, 28 Agosto, 2018. Retrieved from: <https://www.rescue.org/displaced-podcast/owen-barder-we-need-alternative-refugee-camps>; The United Nations Refugee Agency. "Policy on Alternatives to Camps." Julio, 2014, <https://www.unhcr.org/5422b8f09.html>.

94 Bahar, Dany. "Why accepting refugees is a win-win-win formula." *The Brookings Institution*, 19 Junio, 2018. Retrieved from: <https://www.brookings.edu/blog/up-front/2018/06/19/refugees-are-a-win-win-win-formula-for-economic-development/>.

the response plan, followed by the European Commission's European Civil Protection and Humanitarian Aid Operations department (\$7.6 or 4.8 percent.) Donor governments should commit and coordinate to fully fund the RMRP request for \$738 million to assist those in urgent need in 2019. The outflow is not slowing down, and the needs are worsening.

Now is the time to provide support to host countries to meet growing needs in emergency response capacity; food; water, sanitation, and hygiene; shelter; health, protection, and integration. Therefore, we call on the international donor community to provide more funding to recipient countries. Notwithstanding the aforementioned challenges to access to territory and protection, it remains true that many countries in Latin America and the Caribbean have made significant and unprecedented decisions to keep their borders open and honor commitments made in the 2016 New York Declaration for Refugees and Migrants,⁹⁵ and the ensuing Global Compact for Migration⁹⁶ and Global Compact on Refugees.⁹⁷ It is now time for the international donor community to honor their commitments with the most prominent migrant and refugee crisis in the region.

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95 General Assembly. A/RES/71/1. New York Declaration for Refugees and Migrants. New York, USA. October 3, 2016.

96 The UN Global Compact for safe, Orderly and Regular Migration. (2018). Global Compact for Migration. Retrieved from: https://refugeesmi-grants.un.org/sites/default/files/180713_agreed_outcome_global_compact_for_migration.pdf

97 General Assembly, A/73/12 (Part II) * Report of the UNHCR. Part II Global compact on refugees. New York, USA. September 13, 2018. Retrieved from: https://www.unhcr.org/gcr/GCR_English.pdf



CONCLUSIONS

CONCLUSIONS

- By June 2019, there are 4 million Venezuelan migrants and refugees. About 80 percent of them are in Latin America and the Caribbean. This forced migratory flow represents the largest in the history of the region.
- According to information provided by the member states of the OAS and the United Nations coordination platform, the majority of Venezuelan migrants and refugees in the region are in the following countries: Colombia (1.3 million), Peru (768,100), Chile (288,200), Ecuador (263,000), Brazil (168,300), Argentina (130,000), Panama (94,400), Trinidad and Tobago (40,000), Mexico (39,500), Guyana (36,400), Dominican Republic (28,500), Curaçao (26,000), Costa Rica (25,700), Aruba (16,000), Uruguay (8,600) and Paraguay (5,000). In the case of Curaçao and Aruba, Venezuelans represent 15 percent of the total population of each of the islands, the highest in the region in relative terms.
- The systematic violation of Human Rights, widespread violence, humanitarian crisis, economic collapse, repeated failures in the provision of basic services, and efforts at social control and care, as the Working Group has identified, the determinants of Venezuelan forced migration.
- If the problems mentioned above continue and worsen, the projection of Venezuelan migrants and refugees could reach between 5.3 and 5.7 million by the end of 2019 and between 7.5 and 8.2 million by the end of 2020.
- Considering that the Cartagena Declaration establishes that a refugee is a person who flees from his country because his life, security or freedom have been threatened by widespread violence, foreign aggression, internal conflicts, massive violation of Human Rights or other circumstances that have disturbed public order, the Working Group proposes that said Declaration be implemented so that Venezuelans are granted refugee status throughout the region.
- Defining Venezuelans who fled, and continue to flee, their country as refugees will guarantee them permanent protection with the right to identity, access to services such as health

and education, and the opportunity to enter the labor markets. Approximately 2 million Venezuelans are in irregular status or at risk of being so in the short term.

- We recognize the efforts made by several countries in the region to implement legal instruments that have granted temporary protection to Venezuelan migrants and refugees, despite the limitations of resources, infrastructure and services. About 1.8 million Venezuelans have been regularized in the region.
- We call on countries that have not yet implemented a legal instrument to regularize Venezuelan migrants and refugees to begin doing so. Keeping Venezuelan migrants and refugees without any protection violates their rights. The region should integrate mechanisms, such as a regional identity card, that unifies criteria to regularize and protect Venezuelans.
- We call on the member states, permanent and observers, not to deport Venezuelans who arrive in vulnerable conditions without a criminal record or and who have not committed crimes in the receiving countries.
- Of 460,000 Venezuelans who have applied for asylum, only 21,000 have been granted this status. We call on the recipient countries of Venezuelan migrants and refugees to speed up asylum applications to guarantee them protection and avoid a state of uncertainty that many have been suffering for years.
- Since the beginning of the crisis of Venezuelan migrants and refugees, more than four years ago, the international community has donated US\$325 million, a figure well below what has been donated to the Rohingya crisis (US\$1.2 billion), South Sudan (US\$9.4 billion) and Syria (US\$33.0 billion). Comparing the figures mentioned above, the financing received per capita for Syrians is \$5,000, while for Venezuelans it is \$100 per person. After the first semester of 2019, the United Nations has only been able to collect 21 percent (158 million dollars) of the total estimated in the Regional Response Plan for Venezuelan Migrants and Refugees. The gap to complete the estimate is 579.5 million dollars, equivalent to 79 percent.
- The Working Group recognizes the financial contribution that some countries have made to assist Venezuelans who flee their country in vulnerable conditions. However, the donations granted at the time of publication of this report are insufficient given the number of migrants and refugees, the conditions in which they leave their country and the financial limitations, infrastructure and services that many of the receiving countries have.
- We call on the entire international community to give a global response to the crisis of Venezuelan migrants and refugees. This should not be considered a regional or much less sub-regional issue.
- The Working Group calls on all authorities, from the local to the national level, to implement policies and actions against discrimination and xenophobia towards Venezuelans.

- We call on recipient countries to eliminate migratory restrictions on Venezuelan migrants and refugees. It is important to keep in mind that the majority of Venezuelan refugees were forcibly displaced.
- We believe that if, in the short term, a solution to the political, economic and social crisis is generated in Venezuela there will be a decrease in forced migration and incentives will likely emerge for Venezuelans to consider returning to their country.
- According to visits made by the Working Group in the region where there have been meetings with local and national authorities, as well as with civil society, multilateral agencies and the Venezuelan migrant and refugee community, the biggest challenges that currently exist to address the migratory crisis are: the right to identity, access to public health and education, and formal employment opportunities.
- Incorporate Venezuelans with moderate, severe and acute malnutrition in nutritional recovery programs.
- Incorporate Venezuelans, particularly children under 5 years of age and pregnant and lactating women with chronic malnutrition, into food security programs.
- Strengthening exclusive breastfeeding in postpartum women who have migrated in order to protect the life and health of babies under 6 months of age and prevention of complications.
- The situation of widespread violence in Venezuela has led various irregular armed groups to recruit migrants and refugees, especially minors under vulnerable conditions, to participate in illegal activities. This situation is a clear evidence of groups that act outside the law to take advantage of a humanitarian crisis to increase their presence in Venezuela, the border areas, and the region.
- The Working Group recommends implementing preventive policies to reduce human trafficking and sexual exploitation.
- We recognize the work that is currently being done by various NGOs, Church groups and cooperation agencies to assist Venezuelans fleeing their country. However, it is necessary to reinforce feeding programs, legal assistance, psychological support and communications centers due to the size of the migratory flow.
- We call on the private sector of the region to deepen training and entrepreneurship programs to facilitate the labor integration of Venezuelan migrants and refugees.
- The working group urges the region to accept the extension of the validity of Venezuelan passports as established in Decree No. 6 signed by the Interim President of Venezuela, Juan Guaidó.



ANNEX

ANNEX

Methodology

In order to write this report, the Working Group to Address the Regional Crisis Caused by Venezuela's Migrant and Refugee Flow visited different countries in the region such as Colombia (Villa del Rosario, Cúcuta, Rioacha, Maicao and Bogotá); Ecuador (Tulcán and Quito); Peru (Lima) and the islands of Aruba and Curaçao.

The criteria used for the first phase of visits were the absolute numbers of Venezuelan migrants and refugees in the host countries, as well as the relative proportions of the migrants to the populations of these countries. In the case of nations that were not visited, the Working Group held meetings and requested information on the migratory flows of Venezuelans, as well as on current legislation to address the crisis.

The Working Group accompanied the Secretary General of the Organization of American States (OAS), Luis Almagro, as well as 17 missions from OAS member countries to the Venezuelan-Colombian border.

During the visits to the receiving countries, the Working Group held meetings with heads of state, foreign ministers, immigration authorities, mayors and governors. Meetings were also held with multilateral organizations and non-governmental organizations that serve migrants and refugees. In addition, meetings were organized with Venezuelans who are in shelters and otherwise located at border crossings to collect their testimonies and experiences.

Complementing the activities in the field, the report is also the result of consultations with civil society, as well as investigations and contributions made by the members of the Working Group. The Working Group also participated in multiple conferences and academic forums that addressed the migratory dynamics and served as a source of information.

The intention of this report is to identify the determinants of the forced migration of millions of Venezuelans, document the number of Venezuelan migrants and refugees in the region, project

migratory flows in 2019 and 2020, (if the situation worsens in Venezuela), and identify all current legal instruments that Venezuelans have at their disposal to regularize their permanence. In addition, this report seeks to create the basis for a regional consensus where Venezuelans are granted refugee status according to the 1984 Cartagena Declaration.

The Working Group is made up of David Smolansky (coordinator), Gastão Toledo (co-coordinator), Luisa Marin (Research Manager), and two independent experts: Dany Bahar and James Hollifield.

This report also was produced with the collaboration of Marianella Herrera-Cuenca, Ernesto Romero, Marisela Castillo, Irene Loreto, Gianinna Romero, Leticia Chacon and Meagan Dooley.



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