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RESEARCH  
REPORT



*(Photo: Geoff Ramsey)*

## RESPONDING TO AN EXODUS

### Venezuela's Migration and Refugee Crisis as Seen From the Colombian and Brazilian Borders

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# RESPONDING TO AN EXODUS

## Venezuela’s Migration and Refugee Crisis as Seen From the Colombian and Brazilian Borders

<b>INTRODUCTION AND KEY FINDINGS .....</b>	<b>1</b>
• On Colombia	
• On Brazil	
<b>BACKGROUND: WHY VENEZUELANES FLEE .....</b>	<b>4</b>
<b>COLOMBIA: IMPORTANT GAPS IN A HUMANITARIAN RESPONSE .....</b>	<b>6</b>
• Observations: The Situation on the Ground	
<b>BRAZIL: CONCERNS OVER XENOPHOBIA AND MILITARIZATION .....</b>	<b>14</b>
• Observations: The Situation on the Ground	
<b>RECOMMENDATIONS .....</b>	<b>23</b>

# INTRODUCTION AND KEY FINDINGS

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As the political, social and economic crisis in Venezuela worsens, more and more Venezuelans are fleeing their country in droves each day. Impoverished Venezuelans are facing food and medicine shortages. Unable to sustain their families, many are seeking refuge abroad as a way out of their predicament. South American countries, which are unaccustomed to receiving such large migration flows, are struggling to respond to the needs of the Venezuelan migrant population.

The United States has also seen an influx of Venezuelan migrants. Asylum data shows that Venezuela is now the most common nationality among those seeking asylum status in the United States.<sup>1</sup> Since FY2017, the United States committed roughly \$56 million in funding to governments and non-governmental groups in the regional response to Venezuela's exodus, and has pledged to support further efforts. Because this issue is both a domestic and regional policy priority for the U.S. government, it is important to look critically at the response to Venezuelan migration in the most affected countries, and how the U.S. can offer more effective support.

The response so far is mixed, with some countries in the region adopting measures to restrict Venezuelan migration, and others opting for a more humanitarian response, facilitating special visas, asylum claims, and residency applications while addressing migrants' need for shelter, education, and economic opportunity. Yet the situation is fragile. As the flow of migrants grows, nationalist and xenophobic arguments will likely grow as well, creating potential for anti-immigrant policies as Venezuela's crisis drags on. And it appears destined to drag on. On May 20, Venezuelan President Nicolas Maduro claimed victory in presidential elections that were widely condemned as illegitimate. With Maduro claiming a new six-year term, the outlook for ordinary Venezuelans appears bleak, and it is very likely that the exodus of Venezuelans will accelerate in the coming months.

This report applies a critical lens to the response from the two neighboring countries most affected by the exodus: Colombia and Brazil. It is based on the fieldwork conducted by the authors in Cúcuta, Colombia, and Boa Vista and Pacaraima, Brazil, for ten days in late April 2018. Our findings include:

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<sup>1</sup> [https://www.washingtonpost.com/world/national-security/even-as-trump-tightens-asylum-rules-thousands-of-venezuelans-find-a-warm-welcome-in-miami/2018/05/15/5e747fec-52cf-11e8-a551-5b648abe29ef\\_story.html?utm\\_term=.b3665be37ed0](https://www.washingtonpost.com/world/national-security/even-as-trump-tightens-asylum-rules-thousands-of-venezuelans-find-a-warm-welcome-in-miami/2018/05/15/5e747fec-52cf-11e8-a551-5b648abe29ef_story.html?utm_term=.b3665be37ed0)

## ON COLOMBIA

- New regulations imposed by Colombian authorities in February 2018 significantly imperil Venezuelan migrants. While the country remains the top destination for Venezuelans fleeing the crisis, these rules—combined with major obstacles to obtaining documents in their home country—place thousands of Venezuelans at risk of exploitation in the informal sector. Authorities have conducted a “registry” of Venezuelan migrants, but have made no clear indication of how this information will be used to shape policy.
- The Colombian government’s sole shelter for Venezuelan migrants, in Cúcuta, has capacity for only 250 migrants, and sits mostly empty as it is only open to migrants with all their papers in order. This leaves civil society, international, and Church groups to provide shelter to the thousands of Venezuelans who have come to the country in need of humanitarian assistance.
- Colombia does not grant citizenship to children born to non-legal resident foreigners, and Venezuela’s crisis prevents its citizens from readily obtaining documentation. As a result, children born to Venezuelan migrants are at serious risk of statelessness, as are many who were born to Colombian parents in Venezuela but are unable to document their citizenship. This is an important issue considering the porous nature of the border and the large binational community on either side. In 2017, the International Organization for Migration (IOM) and Colombia Migration found that around 40 percent of those who are crossing into Colombia are Colombian-Venezuelan, 30 percent Colombian, and 30 percent Venezuelan. However, a more recent official survey places the breakdown at 65 percent Venezuelan, 27 percent Colombian, and 7 percent Colombo-Venezuelans.
- The public education system in Colombia, particularly in the departments of Norte de Santander and Arauca, is seeing a major influx of Venezuelan migrant children. However, local authorities say they do not have the resources to provide the same benefits to Venezuelan students as their Colombian peers, such as a school lunch program. This contributes to disincentives for migrants to send children to school.
- Colombian hospitals provide emergency services to Venezuelans without documentation. However, preventative care and medicine are not available if the Venezuelan patient is not registered in the Colombian health system, which is difficult to navigate and run by contracted companies. Minors, pregnant and lactating women, those with special needs, and the elderly are particularly vulnerable.

- As a result of a migratory framework that locks them out of participation in the formal economy and, in many cases, prevents them from benefiting from social programs, Venezuelan migrants fall prey to armed groups and criminal networks. Local officials and humanitarian workers confirmed to WOLA that Venezuelan youths are frequently recruited by illegal armed groups, and are targeted by human trafficking networks.

## **ON BRAZIL**

- Brazil receives far fewer Venezuelans than Colombia, but it is nevertheless a significant destination. Lawmakers in Roraima state, which borders Venezuela, claim there are as many as 60,000 Venezuelans in the state alone. Officials in Boa Vista, the state capital, claim that Venezuelans now make up 10 percent of the city population, or roughly 30,000 people. A particularly vulnerable share of Venezuelan migrants in Brazil are indigenous, with most belonging to the Warao people of the Orinoco delta.
- At the time of writing, Brazil's government—in partnership with civil society—has established nine shelters for Venezuelan migrants and refugees, eight in Boa Vista and one in Pacaraima. Each one offers housing, healthcare, and food to around 500 Venezuelans, with two (the Pacaraima shelter and one in Boa Vista) exclusively oriented towards indigenous Venezuelans.
- In many respects, Brazil has adopted a commendably humane response to the flow of Venezuelan migrants. A migration law passed in March 2017 allows Venezuelans to seek temporary two-year residency in the country with just a national ID card (rather than a passport), and Venezuelan asylum seekers are automatically given a work permit upon submitting their request. Venezuelans in Brazil also benefit from universal healthcare and education, although local authorities, as in Colombia, complain of limited resources due to a strain on their system.
- However, the response from Brazil's government has important shortcomings, most notably its heavy reliance on the armed forces. While the government authorized 190 million Brazilian reais (roughly US\$54 million) to respond to the crisis, this has been earmarked specifically to the Defense Ministry. As a result, there is a heavy military presence maintaining security at each of the shelters in Roraima, and the armed forces are directly responsible for overseeing the distribution of aid alongside civil society and international organizations. The army has an undeniable logistical capacity, but critics argue that soldiers should not be coordinating the humanitarian response directly, nor tasked with security at the shelters. In our visit, WOLA witnessed army personnel using discriminating

language against indigenous Venezuelans, and received reports of conflicts between the army and indigenous leaders in the shelters.

- Brazil's government has attempted to organize a resettlement program for Venezuelans, moving roughly 350 migrants to Manaus and São Paulo, in a process known as "interiorization." Authorities have a goal of relocating some 18,000 Venezuelans in order to ease the strain on Roraima, but there has been resistance to the plan at the municipal level in the destination locales.

## BACKGROUND: WHY VENEZUELANES FLEE

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The conditions that are driving Venezuelans to flee their country in droves—a deep economic crisis marked by worsening scarcity of basic goods and medicine—have been well-documented. In spite of the lack of official data, available reports suggest that Venezuela's crisis is taking a deep toll on the general public. According to the National Survey of Living Conditions of the Venezuelan Population (ENCOVI 2017), an annual survey conducted by a group of the country's leading universities, 8 out of 10 Venezuelans report having to reduce their food intake to adapt to food shortages.<sup>2</sup> Similarly, the deterioration of the health system and scarcity of medicine and functioning medical equipment are having an acute impact on public health. A survey of 104 public hospitals and 33 private hospitals in 21 states across the country, carried out by the non-profit Red de Médicos por la Salud, found that 78 percent of these hospitals reported shortages of medicine.<sup>3</sup> The lack of resources available for vaccination and other health services has also led to a spread of diseases that had once been considered eliminated, with the Pan American Health Organization and World Health Organization documenting alarming increases in cases of malaria and measles.<sup>4,5,6</sup>

At the root of Venezuela's current health situation is the country's deep political crisis. The Maduro government has been reticent to implement reforms that could reverse the country's economic course, instead blaming domestic ills on an ambiguous "economic war." Today, following Maduro's success in creating an all-powerful Constituent Assembly (ANC) to bypass the opposition-controlled legislature, and in carrying out elections at the municipal, regional, and presidential levels

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<sup>2</sup> <https://www.ucab.edu.ve/wp-content/uploads/sites/2/2018/02/Ficha-T%C3%A9cnica.pdf>

<sup>3</sup> <https://www.derechos.org/web/wp-content/uploads/09Salud-1-2.pdf>

<sup>4</sup> <https://www.reuters.com/article/us-health-malaria-venezuela/malaria-on-rise-in-crisis-hit-venezuela-who-says-idUSKBN1HV1ON>

<sup>5</sup> <https://reliefweb.int/report/venezuela-bolivarian-republic/epidemiological-update-measles-8-may-2018>

<sup>6</sup> <https://www.economist.com/the-americas/2018/06/16/polio-returns-to-venezuela-and-threatens-the-region?src=rss%7Came>

despite international condemnation of irregularities, the prospects for positive change in Venezuela have become dimmer. The political opposition, perpetually hampered by internal rivalries and strategic disagreements, has further splintered under the government's pressure. Attempts to broker negotiations, including Vatican-mediated talks in 2016 and several rounds of dialogue in the Dominican Republic in 2017-2018, have so far failed to lead to a meaningful restoration of Venezuela's democratic institutions. As a recent G7 statement on Venezuela illustrates, there is still a broad international consensus on the importance of finding a "peaceful, negotiated, democratic solution to the crisis."<sup>7</sup> However, in the absence of clear paths to such a solution, it is likely that conditions in Venezuela will continue to deteriorate and the exodus will grow.

Already, the crisis in Venezuela has caused hundreds of thousands to flee the country in recent years. Estimates of the size of the Venezuelan exodus vary widely, and are difficult to verify due to the large undocumented population abroad. Perhaps the most reliable estimate comes from the IOM, which aggregated official data from around the world to calculate that the number of Venezuelans living abroad as of February 2017 stood at 1,622,109, up from 697,562 in 2015. Since then, the number has likely risen significantly.

Because of the dire conditions in Venezuela, the countries receiving those fleeing abroad have found that Venezuelans have distinct needs on top of those of other migrant or refugee populations (access to education, employment, housing, and so on). The most urgent are health-related. As a result of the deterioration of the health system in Venezuela, receiving countries have found that Venezuelan migrants need medical care for a range of conditions, and have begun to implement programs to ensure that both children and adults are properly vaccinated to prevent the spread of diseases.<sup>8</sup>

In addition, Venezuelan migrants and refugees face a particular challenge in obtaining basic documentation that is necessary for travel and, in most countries, to formally apply for residency or protected status. Just like the Health Ministry and other governmental institutions, the Venezuelan state agency responsible for civil registry and migration services—the SAIME—is in a state of bureaucratic decay. Officially, renewing or even applying for a new Venezuelan passport costs no more than US\$3 (using the black market exchange rate). However, Venezuelans report a range of obstacles in SAIME, with a shortage of resources contributing to delays in passport issuance and in months-long wait times for appointments. As a result, black market intermediaries known as "gestores" (some of whom are SAIME officials) have sprung up to fill this market, and offer quicker processing times and more reliable service in exchange for exorbitantly high prices. Various

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<sup>7</sup> <http://www.consilium.europa.eu/en/press/press-releases/2018/05/23/g7-leaders-statement-on-venezuela/>

<sup>8</sup> [http://www.el-nacional.com/noticias/mundo/brasil-pide-ayuda-oms-para-obligar-venezolanos-migrantes-vacunarse\\_227781](http://www.el-nacional.com/noticias/mundo/brasil-pide-ayuda-oms-para-obligar-venezolanos-migrantes-vacunarse_227781)



individuals interviewed said they had paid a going price from \$800 to \$1,000 for these services, a hefty price in a country where the current minimum wage is, at time of writing, roughly 50 cents a month. This same dynamic extends beyond passports to any form of documentation, from national identification cards to obtaining an apostille stamp for official documents. In light of this dynamic, many Venezuelans fleeing the crisis lack valid travel documentation to formalize their migrant status. In many cases, Venezuelan migrants, lack any form of documentation, with no ability to prove their identity.



*Venezuelan migrants in Cúcuta, Colombia, have taken to making and selling handicrafts out of smaller denomination Bolivar notes, which have become nearly worthless as a result of hyperinflation.*

## COLOMBIA: IMPORTANT GAPS IN A HUMANITARIAN RESPONSE

Of all the South American countries affected by Venezuela's exodus, Colombia has seen the largest wave of arrivals. The country shares a porous 1,300 mile border with Venezuela, and it is believed that some 37,000 Venezuelans<sup>9</sup> cross its eight official migration posts per day. Not all of those who form part of this daily flow end up staying in Colombia: in fact, the majority of people have

<sup>9</sup>[https://www.google.com/search?q=37%2C000+Venezolanos+frontera+colombia&rlz=1C1GGRV\\_enUS753US753&og=37%2C000+Venezolanos+frontera+colombia&aqs=chrome..69i57.6791j0j4&sourceid=chrome&ie=UTF-8](https://www.google.com/search?q=37%2C000+Venezolanos+frontera+colombia&rlz=1C1GGRV_enUS753US753&og=37%2C000+Venezolanos+frontera+colombia&aqs=chrome..69i57.6791j0j4&sourceid=chrome&ie=UTF-8)

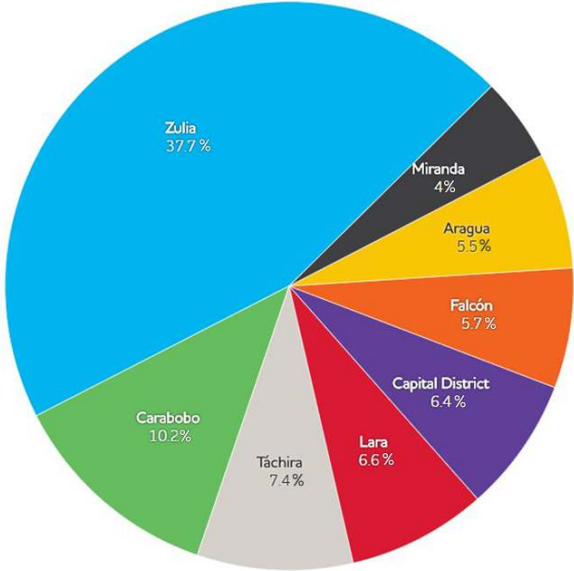


special short-term border crossing permits, a Tarjeta de Movilidad Fronteriza (TMF), that was made available to Venezuelans living along the border area from late 2016 until February 2018.

Those fleeing and intending to stay longer in Colombia are more likely to cross undocumented, taking remote irregular trails commonly referred to as “trochas.” Estimates of the number of Venezuelan citizens in the country vary widely. In April 2018, President Juan Manuel Santos claimed that the number had risen to “over one million,”<sup>10</sup> a figure that has been widely echoed.<sup>11</sup> But this appears to have been inflated. In publishing its Administrative Registry of Venezuelan Migrants in Colombia (RAMV) two months after Santos’ remarks—in June 2018—Colombia’s migration service (Migración Colombia) placed the total of undocumented and documented Venezuelans at 819,034.<sup>12</sup> Despite the inexact nature of official estimates, Colombia Migration’s figures show that the number of Venezuelans in the country is rising rapidly. The RAMV estimate represents a roughly 50 percent increase from estimates released six months prior, when Colombia Migration said there were over 550,000 Venezuelans in the country.<sup>13</sup>

### Where Are Venezuelans In Colombia Leaving From?

Origin of Venezuelan Migrants in Colombia, by State, as of 2018



Source: RAMV

WOLA

<sup>10</sup> <http://www.migracioncolombia.gov.co/index.php/es/prensa/comunicados/comunicados-2018/junio-2018/7584-442-462-venezolanos-identificados-en-registro-ramv-recibiran-regularizacion-temporal>

<sup>11</sup> <https://www.theguardian.com/world/2018/may/09/one-million-refugees-entered-colombia-after-economic-crisis-hit-venezuela>

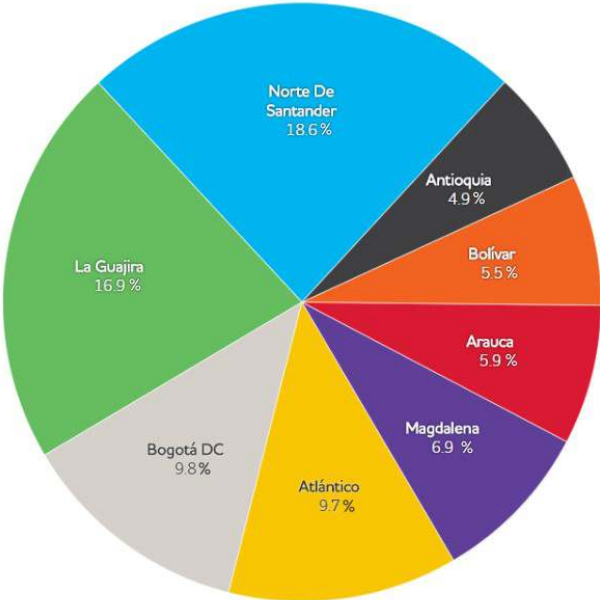
<sup>12</sup> <http://www.migracioncolombia.gov.co/index.php/es/prensa/comunicados/comunicados-2018/junio-2018/7584-442-462-venezolanos-identificados-en-registro-ramv-recibiran-regularizacion-temporal>

<sup>13</sup> <http://www.migracioncolombia.gov.co/index.php/es/prensa/multimedia/6308-radiografia-de-venezolanos-en-colombia-31-12-2017>

Those crossing into Colombia are not a monolithic group. They include people of mixed Colombian-Venezuelan heritage, Colombians who had migrated or fled from violence to Venezuela during Colombia’s 52 year-long armed conflict, and indigenous peoples with binational status. According to the RAMV, some 250,000 Colombians living in Venezuela returned to their country from March 2017 to June 2018.<sup>14</sup> There is evidence that the mixed flow has changed over time. In the first phase of its Displacement Tracking Matrix (DTM) on the migrant flow into Colombia (conducted between October and December 2016), the IOM found that around 40 percent are Colombian-Venezuelan, 30 percent Colombian and 30 percent Venezuelan. In the second round of its DTM, conducted from June to October 2017 the breakdown was closer to 65 percent Venezuelan, 27.1 percent Colombian and 7 percent Colombo-Venezuelans.

### Where Are Venezuelans In Colombia Going?

Destination of Venezuelan Migrants in Colombia, by Department, as of 2018



Source: [RAMV](#)

[WOLA](#)

According to the RAMV and IOM surveys, roughly 80 percent of Venezuelans in Colombia say they intend to stay in the country long-term, or over 12 months. One-tenth of that, or roughly 8 percent, say they intend to return to Venezuela in either the near or long-term future. There is also an important share of migrants for whom Colombia is simply a transit country to go elsewhere in South America. These migrants cross Colombia (mostly via bus or other ground transportation) and largely exit through its southwestern borders with Ecuador and Peru. Official figures have

<sup>14</sup> <http://es.presidencia.gov.co/noticia/180613-442462-venezolanos-identificados-en-registro-RAMV-recibiran-regularizacion-temporal>

found that, as of May 2018 some 340,000 Venezuelans had entered Ecuador since the beginning of 2018 (compared to 287,000 arrivals registered for the whole 2017).<sup>15</sup> By comparison, Peruvian authorities say there are roughly 300,000 Venezuelan citizens living in their country.<sup>16</sup>



A price list offered by one of many bus lines operating in Cúcuta, which cater largely to Venezuelans seeking passage to elsewhere in South America.

In February 2018, President Santos visited the Colombian border city of Cúcuta and announced significant shifts in his administration’s policy towards Venezuelan migrants. In addition to launching the RAMV registration process, he restricted the ability of Venezuelans living close to the border to request new TMF border crossing permits, and mandated that Colombian migration authorities would only allow Venezuelans to cross legally if they possessed necessary documentation, such as an existing TMF or a passport. After Santos’ visit, he created an inter-agency Special Migration Group (Grupo Especial Migratorio, GEM) to address issues generated by the influx of migrants. The

<sup>15</sup> <https://data2.unhcr.org/en/documents/download/64100>

<sup>16</sup> <https://elcomercio.pe/peru/exodo-creciente-hay-300-mil-venezolanos-pais-noticia-523124>

GEM is comprised of the Colombian National Police, Colombia Migration, the official family welfare agency, and the Directorate of National Taxes and Customs (Dirección de Impuestos y Aduanas Nacionales, DIAN). Together these agencies are tasked with responding to the flow of Venezuelans, ensuring that these persons' migration status is registered with the Ombudsman's Office and the Civil Registry Office, stopping the illegal smuggling of contraband, guaranteeing protection for children and minors, and controlling crowds in public areas.

It remains unclear what President-elect Ivan Duque may do to address the situation upon taking office. His clearest policy proposals came in April 2018 remarks to the press, in which he suggested that Colombia should take steps to recognize Venezuelan university degrees and offer temporary work status in such a way that avoided undercutting Colombians looking for employment. Perhaps more controversial, however, was his proposal that funds could be reallocated from the implementation of the peace accords to meet the needs of Venezuelan migrants.<sup>17</sup>

## **OBSERVATIONS: THE SITUATION ON THE GROUND**

WOLA staff visited Bogotá and Cúcuta, Colombia from April 16–24, 2018, to better study the needs of Venezuelans on the ground. From the visit, it is clear that Venezuelans at the border are confronting a series of challenges that require effective responses from local and national authorities. These include documentation, shelter, health and education, employment opportunities, and being preyed upon by armed groups and organized crime.

### **Documentation**

The new border restrictions announced in February 2018 have not had any discernible impact on the flow of Venezuelans into the country. Instead, they have made it much more difficult for the growing number of Venezuelans in Colombia to obtain a regular immigration status, Venezuelan migrants in Cúcuta told WOLA staff. Most lack passports or TMF cards, meaning they are forced to seek work in the informal sector where they are much more vulnerable to labor exploitation.

Meanwhile, the RAMV registry process, while perhaps useful for those looking for more demographic information about the migrant flow, has not been accompanied by a clear path for participants—and much less the more numerous non-participating population as a whole—to regularize their immigration status. In its presentation of the RAMV report on June 13, the Santos administration said it “will issue some regulations that guarantee the regularization of migration and

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<sup>17</sup> [http://www.el-nacional.com/noticias/latinoamerica/ivan-duque-propone-fondo-humanitario-para-venezolanos-frontera\\_232383](http://www.el-nacional.com/noticias/latinoamerica/ivan-duque-propone-fondo-humanitario-para-venezolanos-frontera_232383)

access to basic services for this population,”<sup>18</sup> but did not provide further details. With the new government of President-elect Ivan Duque taking office on August 7, there is deep uncertainty over whether Santos will use his waning days in office to choose to make meaningful immigration reform, or leave that to the next administration. This is important as Colombian law affords a significant degree of flexibility for the executive branch to make immigration policy changes.

A further complication related to documentation issues is the fact that Colombia’s Constitution does not recognize the principle of birthright citizenship. This means that the Colombian government does not automatically grant citizenship to children born of Venezuelan parents in the country, unless one parent is a Colombian citizen or a legal resident. In practice, this means that infants born to Venezuelans in the country without documentation are at serious risk of statelessness. Because of the serious difficulty of obtaining documents from Venezuela, these children lack any proof of citizenship. This is a growing concern as media reports suggest the number of Venezuelan women crossing into Colombia in order to give birth in a functional health system is growing.<sup>19</sup>

## **Shelter**

In cooperation with the Colombian Red Cross, the government of Colombia operates just one shelter for Venezuelan migrants in the country. Based in Cúcuta not far from the Simón Bolívar International Bridge connecting the two countries, the shelter has the capacity to offer shelter for one night, food, and medical care to around 250 migrants. However, it sits largely empty most of the time. In fact, when WOLA staff visited in April 2018, shelter workers stated that the facility is rarely at capacity, because migrants are not allowed in unless they have documentation—which few have. As a result, civil society organizations and the Catholic Church are meeting the shelter needs of the poorest Venezuelan migrants who cross into Colombia. In Cúcuta, the archdiocese runs a food pantry that offers a meal to 1,500 Venezuelans every day, and Scalabrinian Missionaries run a shelter of their own that offers short-term shelter to 300 migrants. These efforts are important, but fall short of the scale needed on the ground. Authorities say there are over 30,000 Venezuelans in Cúcuta alone,<sup>20</sup> and local authorities say about 1,000 are currently sleeping on the streets.<sup>21</sup>

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<sup>18</sup> <http://es.presidencia.gov.co/noticia/180613-442462-venezolanos-identificados-en-registro-RAMV-recipientes-regularizacion-temporal>

<sup>19</sup> <https://www.noticiasrcn.com/nacional-regiones-caribe/aumenta-el-numero-venezolanas-dan-luz-el-pais>

<sup>20</sup> [http://caracol.com.co/emisora/2018/05/12/Cúcuta/1526138105\\_812447.html](http://caracol.com.co/emisora/2018/05/12/Cúcuta/1526138105_812447.html)

<sup>21</sup> [http://www.el-nacional.com/noticias/gda/emergencia-social-Cúcuta-por-venezolanos-durmiendo-calle\\_222088](http://www.el-nacional.com/noticias/gda/emergencia-social-Cúcuta-por-venezolanos-durmiendo-calle_222088)





*Empty bunks at the only government-run shelter in Cúcuta, Colombia.*

## **Health, Education, and Employment**

Colombia's public health system provides emergency services to Venezuelans without documentation. Hospitals along the border report a major spike in emergency room visits by Venezuelans, and Colombian port-of-entry authorities are seeking to vaccinate adults and children out of a concern for highly contagious illnesses like measles, tuberculosis, or diphtheria. However, the lack of universal health care means that follow-up visits, preventative and chronic health needs, and prescription medicines are simply not available to undocumented migrants. Minors, pregnant and lactating women, those with special needs, and the elderly are particularly vulnerable.

An influx of Venezuelan migrant children has impacted the public education systems in Colombia, particularly in the departments of Norte de Santander and Arauca. Yet while Venezuelan children are allowed to attend some public primary schools without documentation, they are not allowed to participate in social programs coordinated in the school system, such as the School Nutrition



Program (Programa de Alimentación Escolar, PAE).<sup>22</sup> Undocumented Venezuelan children and youths face even deeper obstacles to participation in the secondary education system, and are not generally allowed to enroll in public high schools.

Because of a lack of documentation, the vast majority of Venezuelan migrants work in the informal sector. Some are being exploited and treated unfairly and there is an increase in sex work in border cities. In some ways, this is displacing the vulnerable Colombians that are usually forced to engage in sex work. “During the conflict you would see that all areas with prostitutes were filled with Afro-Colombian and poor women, nowadays, these same places are filled with Venezuelans,” one local aid worker in Cúcuta told WOLA staff. This illustrates the tremendous need of Venezuelans for more employment opportunities in the formal sector. As a whole, Venezuelans are generally well educated, with the RAMV suggesting that roughly 60 percent of Venezuelans have either a high school diploma or university degree.



*This food pantry in Cúcuta, operated by the Catholic Church, offers a meal to some 1,500 Venezuelan migrants every day.*

<sup>22</sup> Interview, JRS and Defensoria del Pueblo, April 22

## **Recruitment by Armed Groups and Impact on the Peace Process**

While Colombia is now entering a post-conflict period thanks to its historic 2016 peace accord with the Revolutionary Armed Forces of Colombia (Fuerzas Armadas Revolucionarias de Colombia, FARC), serious security obstacles remain. The border with Venezuela is a hotspot for illegal armed groups, guerrillas, paramilitaries, and drug traffickers. The fact that Venezuelans are settling in areas where there are major security vacuums is a significant concern. This makes them not only vulnerable to violence and harm but also to recruitment by illegal armed groups.

Humanitarian workers and local authorities interviewed by WOLA indicated that the recruitment of Venezuelan youths by illegal armed groups, in particular the National Liberation Army (Ejército de Liberación Nacional, ELN), was a problem. Trafficking of women and children by such groups is also a concern. Several migrants interviewed by WOLA staff mentioned that they were robbed by armed individuals and that they had to flee periodic shootouts that take place between these groups.

While Colombia signed a peace accord with the largest guerrilla group (the FARC) in 2016, the conflict with the second-largest group, the ELN, continues. In the past year, a bilateral ceasefire was in place for several months, leading to relative calm. However, the ceasefire was not extended, leading to an upswing of security incidents, including several along Colombia's border with Venezuela. The security situation along the border is likely to get worse, as the prospect for renewed negotiations between President-elect Duque and the ELN is unlikely.

All of these challenges are compounded by Colombia's own domestic situation, the post-conflict challenges it faces, the politicization of the Venezuelan crisis during recent presidential elections, and a chronic lack of state presence outside central urban areas. Institutionally, Colombia is unable to respond quickly in remote areas. As a result, there is often a gap between what institutions claim to be doing and the reality on the ground.

## **BRAZIL: CONCERNS OVER XENOPHOBIA AND MILITARIZATION**

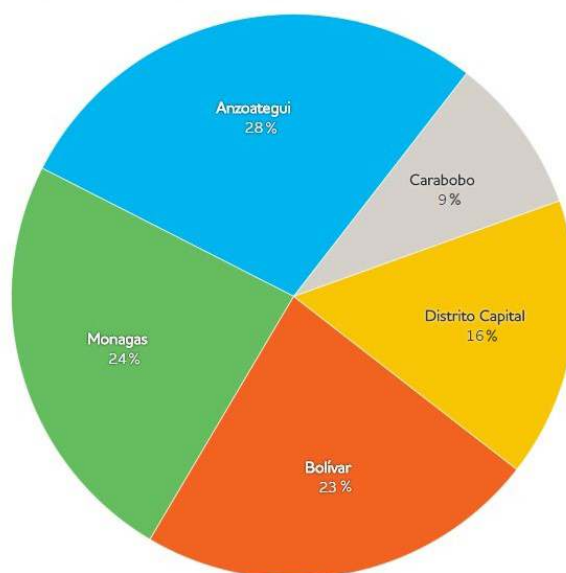
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The bulk of Venezuela's population lies in the northwest of the country, and the border with Brazil is much more remote, so Brazil does not receive the same number of migrants as Colombia. Nevertheless, as the Venezuelan crisis has deepened Brazil has emerged as an important destination for poorer Venezuelans who wish to flee but lack the resources to travel beyond a

neighboring country. According to the United Nations High Commissioner for Refugees (UNHCR), over 52,000 Venezuelans have arrived in Brazil since early 2017, and Brazilian Federal Police report that an average of 800 Venezuelans cross the border daily.<sup>23</sup> <sup>24</sup> According to a survey of migrants conducted from January to March 2018 by the International Organization of Migration, the majority of them have fled from the eastern states of Anzoátegui (28 percent), Monagas (24 percent), and Bolívar (23 percent). The IOM also reports that the vast majority of those migrants seeking to stay in Brazil include the border states of Amazonas (59 percent) and Roraima (22 percent) as their intended destination.

### Where Are Venezuelans In Brazil Leaving From?

Origin of Venezuelan Migrants to Brazil, by State, as of April 2018



Source: [IOM DTM](#)

[WOLA](#)

The response to the Venezuelan exodus in Brazil has been markedly different from that of Colombia. In early 2017, the Brazilian National Immigration Council issued regulations which greatly benefited Venezuelan migrants and provided a streamlined method for them to obtain temporary residency.<sup>25</sup> The regulations allow Venezuelans to enter into the country with only a national identification card (cedula), with which they can seek temporary residency of up to two years—during which time they may legally work in the country. Brazilian law also allows for Venezuelan migrants to obtain work permits after submitting an application for asylum. Because of this, the proportion of Venezuelans applying for refugee status instead of formal residency is

<sup>23</sup> <http://old.acnur.org/noticias/noticia/a-medida-que-aumentan-las-llegadas-de-venezolanos-la-respuesta-se-intensifica-en-brasil/>

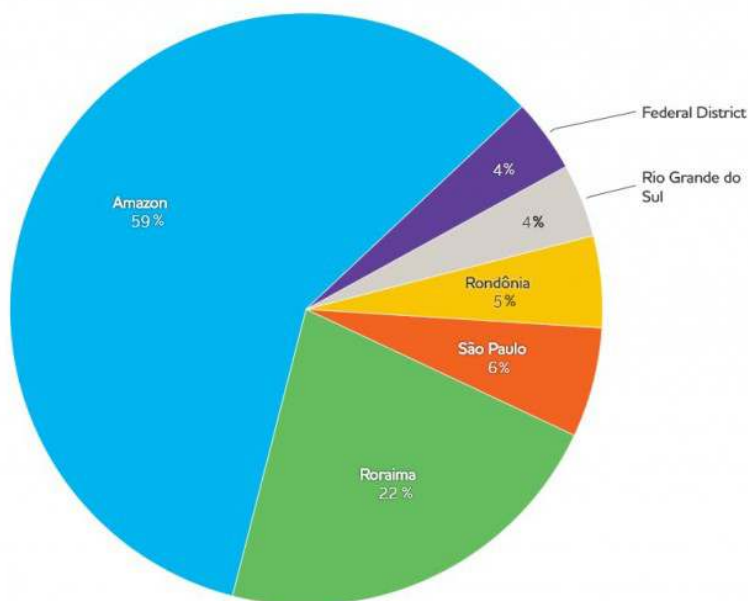
<sup>24</sup> <http://www.mdh.gov.br/todas-as-noticias/2018/marco/governo-federal-libera-r-190-milhoes-para-auxilio-humanitario-em-roraima>

<sup>25</sup> [http://pfdc.pgr.mpf.mp.br/atuacao-e-conteudos-de-apoio/temas-de-atuacao/direitos-humanos/internacionais/copy\\_of\\_direito-de-imigrantes/resolucao-126-2017-cnig](http://pfdc.pgr.mpf.mp.br/atuacao-e-conteudos-de-apoio/temas-de-atuacao/direitos-humanos/internacionais/copy_of_direito-de-imigrantes/resolucao-126-2017-cnig)

greater than in many other countries in South America. According to the Federal Police, some 33,000 Venezuelans have applied for asylum in the country since 2016.<sup>26</sup> In May 2017, President Michel Temer also signed the first migration law into effect in the country since its return to democracy, an important milestone achieved through the efforts of dedicated Brazilian civil society organizations like the São Paulo-based Conectas Direitos Humanos. While the government did not broaden its definition of “refugees” (in line with the 1984 Cartagena Declaration on Refugees) to include the massive violation of human rights,<sup>27</sup> this remains a pressure key demand for Brazilian civil society.

### Where Are Venezuelans In Brazil Going?

Destination of Venezuelan Migrants to Brazil, by State, as of April 2018



Source: IOM DTM

WOLA

As noted above, the most popular destination for Venezuelan migrants is the border area. In the Roraima state capital of Boa Vista, municipal authorities estimate that Venezuelan migrants make up over 10 percent of the population.<sup>28</sup> In response to this influx, there has been a marked gap between the actions of the Brazilian federal government and those of Roraima state authorities. In April 2018, Roraima Governor Suely Campos petitioned the Venezuelan Supreme Court to close the border between the two countries.<sup>29</sup> While this move was meant more as a political gesture than a viable policy move, it nonetheless highlighted local authorities’ discontent with the migration

<sup>26</sup> <https://data2.unhcr.org/en/documents/download/64100>

<sup>27</sup> [https://www.oas.org/dil/1984\\_cartagena\\_declaration\\_on\\_refugees.pdf](https://www.oas.org/dil/1984_cartagena_declaration_on_refugees.pdf)

<sup>28</sup> <https://g1.globo.com/rr/roraima/noticia/fuga-da-fome-como-a-chegada-de-40-mil-venezuelanos-transformou-boa-vista.ghtml>

<sup>29</sup> <https://www.reuters.com/article/us-brazil-venezuela-border/brazil-state-seeks-to-shut-venezuelan-border-to-stop-refugee-flow-idUSKBN1HK2W9>

flow. A repeated complaint among Roraima state legislators is that the migrants present a strain on the local health system, which they claim is already underfunded.<sup>30</sup>

Meanwhile, the federal government has prioritized a humanitarian response to the migrant flow, with the Temer administration partnering with international agencies—primarily the UNHCR—to meet the basic needs of those arriving. At time of writing, authorities have opened eight shelters in Roraima’s capital, Boa Vista, and another in Pacaraima, the town located right on the border. These shelters offer housing, as well as access to some health and food services. Of these nine shelters, two (the Janokoida shelter in Pacaraima and Pintolândia shelter in Boa Vista) are devoted exclusively to indigenous Venezuelan migrants. The majority of these have been members of the Warao people, who inhabit Venezuela’s Orinoco Delta.



*Indigenous Venezuelan migrants in the Janokoida shelter on the Venezuelan border in Pacaraima, Brazil.*

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<sup>30</sup> <https://www12.senado.leg.br/noticias/materias/2018/04/17/parlamentares-de-roraima-criticam-acao-do-governo-federal-na-crise-dos-imigrantes-venezuelanos>



## Observations: the Situation on the Ground

WOLA staff visited Boa Vista and Pacaraima, Brazil from April 24-29, 2018, to assess the response to Venezuelan migration. From the visit, it is clear that the Brazilian government has developed a robust humanitarian response to Venezuelan migrants that deserves praise, especially compared to the response from other countries in the region. Yet there are important shortcomings that should be addressed. These include concerns over the involvement of the armed forces in coordinating humanitarian aid, respect for indigenous rights, and questions about a voluntary relocation plan.

### Militarization of the Humanitarian Response

Brazil's willingness to cooperate with the UNHCR, IOM, and other UN agencies and humanitarian organizations should be applauded and encouraged. The fact that the government has responded to the flow of migrants with policy changes that make it easier for Venezuelans to seek temporary residency, and offered them shelter, access to food and health services, and a clear path for them to seek refugee status is extremely positive. Nevertheless, civil society organizations in Brazil have expressed concerns about the involvement of the armed forces in coordinating the humanitarian response on the border, and these concerns were echoed to WOLA staff during the April 2018 field visit.

In February 2018, the Temer administration created a Federal Emergency Response Committee to deal with the arrival of Venezuelans at the border, and placed the Defense Ministry at the head of this body. The following month, the president earmarked roughly US\$50 million (190 million Brazilian reais) for humanitarian aid to Venezuelan migrants. All of this was allocated to the Ministry of Defense. As a result, the Brazilian armed forces play a direct role in fundamental aspects of the humanitarian response, including the administration of shelters and coordinating food aid. During the April visit, WOLA staff witnessed soldiers stationed at the entrance of shelters in Boa Vista, and officers serving as administrators inside. Although humanitarian workers also coordinate aspects of the response in shelters, the fact that funding comes directly from the Ministry of Defense has made them effective gatekeepers in the process.

Civil society groups like Conectas and the Jesuit Refugee Service of Brazil have voiced deep concerns<sup>31</sup> about the military's direct role in administering aid. As they note, there is a much lower degree of accountability for the actions of military personnel. In many cases abuses are treated as disciplinary matters, and offenders face military tribunals rather than civilian courts. In fact, a new law signed in December 2017 allows for military personnel to face trial under a military tribunal

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<sup>31</sup> <http://www.conectas.org/noticias/medida-provisoria-determina-assistencia-emergencial-para-venezuelanos>, April 26 interview with Cleyton Abreu of SJRB



(which lacks judicial independence) even for grave human rights violations, such as extrajudicial executions.<sup>32</sup> Considering the already vulnerable status of Venezuelan migrants, placing the armed forces in charge of responding to the crisis could create an environment of impunity for any violations of those migrants' rights.



*Soldiers stand guard at the Tancredo Neves shelter in Boa Vista, Brazil.*

In addition to the potential for abuses to go unchecked, critics also maintain that the involvement of the military in administering aid is contrary to humanitarian principles, and that there is a fundamental incompatibility between humanitarian action and the use of military force. As an

<sup>32</sup> [https://ua.amnesty.ch/urgent-actions/2017/10/236-17/236-17-2?ua\\_language=en](https://ua.amnesty.ch/urgent-actions/2017/10/236-17/236-17-2?ua_language=en)

alternative to the military's role, these critics have called for the Defense Ministry to relinquish these responsibilities in favor of civilian institutions with far more experience in human services, such as the Ministries of Justice, Social Development, and Health.<sup>33</sup>

## **Voluntary Relocation**

Because of the strain on local resources in border areas, in early 2018 the Brazilian federal government began to implement a plan to voluntarily relocate Venezuelan migrants to major cities elsewhere in the country. This “interiorization process” (processo de interiorização), however, has been met with resistance at the municipal level, with local authorities elsewhere seemingly reticent to accept Venezuelan migrants. As a result, by late May 2018, just 527 Venezuelan nationals had been relocated from Boa Vista to three Brazilian cities (Cuiabá, Manaus, and São Paulo).<sup>34</sup>

In addition to this program's slow pace of progress, there are questions about the extent to which receiving cities offer access to meaningful job training or economic opportunities for participating Venezuelans. In eastern São Paulo, for instance, some 130 Venezuelan migrants have been sent to a city-run shelter, the São Mateu center. Migrants there complain that the shelter does not offer regular specialized services to those participating in the interiorization process, and is in fact a homeless shelter that also attends to homeless Brazilians. Those staying at the shelter also lack regular access to Wi-Fi or other means of communicating with relatives back home.<sup>35</sup>

Unless Venezuelan migrants are provided with clear incentives to participate in the interiorization process, it is unlikely that this plan will have a meaningful impact. Indeed, the lack of clear opportunities to those who choose to relocate may be a reason why—as noted above—IOM survey data suggests that 81 percent of those who list Brazil as their intended destination prefer to stay in the border states of Amazonas and Roraima.

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<sup>33</sup> <https://www.nexojornal.com.br/ensaio/2018/A-militariza%C3%A7%C3%A3o-da-acolhida-humanit%C3%A1ria-no-Brasil-%C3%A9-um-erro>

<sup>34</sup> <https://data2.unhcr.org/en/documents/download/64100>

<sup>35</sup> <https://noticias.uol.com.br/internacional/ultimas-noticias/2018/05/30/venezuelanos-cta-sao-mateus.htm>





*This 45-year old man told WOLA staff that up until three months ago he worked as a technician in Venezuela's state-owned PDVSA oil company. He left for Brazil because he couldn't make ends meet on his salary. Now he sleeps in the Simón Bolívar Plaza, and makes more money per week by selling limes on the street to passing motorists.*

## Indigenous Rights

Of the nine shelters operating in Roraima state, two exclusively serve indigenous Venezuelan migrants. These are the Janokoida shelter in Pacaraima and the Pintolândia shelter in Boa Vista, which primarily attend to indigenous Warao Venezuelans. Because indigenous Venezuelans have been particularly hard-hit by the country's economic and health crises, it is positive that the Brazilian government is adopting a differentiated approach to their needs. However, civil society groups have expressed concerns that indigenous Venezuelans' rights to preserve their culture and traditions are being violated.<sup>36</sup> During the April 2018 visit, WOLA staff visited both indigenous shelters and witnessed alarming evidence of these claims. One former municipal employee working in the Pintolândia shelter told WOLA that the military personnel there routinely ignored requests by those staying in the shelter to coordinate the allocation of services in consultation with traditional community leaders (caciques). In Janokoida, WOLA staff spoke firsthand with an army captain on duty who outright acknowledged refusing similar requests in that shelter. This individual also referred to the indigenous Venezuelans in the shelter as "locusts" (gafanhotos), and claimed to WOLA staff that they simply had no interest in providing for themselves on a long-term basis.



*Indigenous Venezuelan migrants sleep in hammocks in the Pintolândia shelter in Boa Vista, Brazil.*

<sup>36</sup> <https://www.cimi.org.br/2018/05/militarizacao-dos-abrigos-para-imigrantes-indigenas-em-roraima-preocupa-entidades-e-organizacoes-da-sociedade-civil/>



Such reports are alarming, especially when paired with the fact that these communities do not appear to have so far been prioritized in the interiorization process. While many indigenous Venezuelan migrants that WOLA staff spoke with expressed a desire to find work, either in Boa Vista or elsewhere, so far the federal government has not offered a meaningful proposal to address their long-term economic needs beyond health, food, and shelter as it has for non-indigenous Venezuelan migrants.

## RECOMMENDATIONS

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With no solution on the horizon for Venezuela's crisis, it is imperative that the countries most affected by the mass exodus of Venezuelans adopt best practices in receiving those who are fleeing. As border countries that see a large share of the exodus, Colombia and Brazil have an opportunity to demonstrate leadership in a humanitarian response. To this effect, the authors of this report offer the following recommendations:

- The international community must avoid imposing financial or economic sanctions that deepen the crisis in Venezuela. Harsh sanctions, such as a proposed U.S. embargo on Venezuelan oil imports, would add to human suffering in the country, and doubtlessly accelerate the exodus of Venezuelans fleeing an already dire humanitarian crisis.
- The international community, especially those countries directly affected by Venezuela's crisis, must reaffirm their commitment to principles enshrined in the Cartagena Declaration on Refugees and the Brazil Declaration and Plan of Action. They should implement policies that guarantee the right to asylum, strengthen the principle of non-refoulement,<sup>37</sup> and seek durable solutions for these migrants and refugees. All solutions must place the dignity of migrants and their human rights at the forefront.
- The United States and the international community should ensure that the civil society groups and international organizations responding to the crisis receive the support needed to ensure a humanitarian response to Venezuela's migration and refugee crisis. The United States has pledged roughly \$56 million for the response to migrants and refugees in the region, but much more is required to meet the scale of humanitarian needs on the ground.

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<sup>37</sup> <http://www.unhcr.org/4d9486929.pdf>

- Regional governments, particularly Colombia and Brazil, must implement a differentiated approach to indigenous Venezuelan migrants and refugees. The Wayuu, Warao, and other indigenous groupings' authorities should be consulted and incorporated into these programs and policies. An approach that respects the indigenous' territorial and cultural rights, as well as their basic human rights and human dignity, is required.
- The United States should consider creating a special refugee category for Venezuelans who fit the proper criteria. Such persons should be allowed to apply for asylum at U.S. Embassies worldwide and processed for resettlement into the United States. At the same time, the United States should grant this category of asylum to applicable Venezuelans already living in the United States. For persons who do not fit the refugee or asylee category, but have a humanitarian need, a broader discussion is needed among U.S. policymakers about how to address this need beyond the short-term fix of offering them temporary protected status.

Finally, the United States and international community should call for the following policy shifts in Colombia and Brazil:

- The Colombian government must build upon the registry of migrants in progress by investing in new programming for Venezuelans who arrive in the country, improving their access to shelter, health, education, job training and reinsertion services while also reducing the strain on local systems.
- The incoming Colombian administration must do its utmost to ensure a depoliticized response to Venezuelan migrants, avoiding hyperbole. The government must adopt measures that reduce xenophobia and tensions between Colombians and Venezuelan migrants.
- Colombia should reconsider its decision to suspend new issuances of the Border Mobility Card (Tarjeta de Movilidad Fronteriza, TMF), a key form of de facto humanitarian aid which allows short-term visits for Venezuelans in border areas to stock up on badly needed food, medicine, and other essential goods.
- Brazil should end its reliance on the armed forces as the primary facilitator of the national government's response to Venezuelan migrants, and transfer all responsibilities that do not involve logistics or transportation to civilian agencies responsible for documentation, health, and social services.



- Brazilian authorities should develop and implement a nationwide resettlement plan, encouraging municipalities across the country to accept Venezuelan migrants who are willing to travel further into the interior of the country. Such a plan should maintain utter respect for the migrants' human rights and autonomy, and ensure that they are provided access to services and meaningful economic opportunities in their destination.

## **ABOUT WOLA**

WOLA is a leading research and advocacy organization advancing human rights in the Americas. We envision a future where public policies in the Americas protect human rights, recognize human dignity, and where justice overcomes violence.

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