

MIGRANTS IN COLOMBIA: BETWEEN GOVERNMENT ABSENCE AND CRIMINAL CONTROL

By: Adam Isacson

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The Washington Office on Latin America (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 and recognize human dignity, and where justice overcomes violence.

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Between government absence and criminal control

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EXECUTIVE SUMMARY

For this report, WOLA staff paid a two-week research visit to Colombia's borders with Panama and Ecuador in late October and early November 2023. **Here are 5 key findings:**

1. Organized crime controls the migrant route through Colombia. From the informal crossings or *trochas* at the Ecuador border to every step of the way through the Darién jungle border with Panama, violent criminal groups are in control. That control is dispersed among many groups near Ecuador, and concentrated in a single, powerful group—the Gulf Clan—in Colombia's Darién region. Their profits from migrants now sit alongside cocaine and illicit precious-metals mining as a principal income stream for Colombia's armed and criminal groups, some of which the International Committee of the Red Cross considers parties to armed conflicts.¹

2. The Colombian state is absent from both border zones, although this is a reality that we have observed in past fieldwork in many of Colombia's zones of armed conflict and illicit crop cultivation. The national government is not doing enough to manage flows, determine who is passing through, or protect people at risk. At all levels of government, responsible agencies are poorly coordinated and rarely present. Checkpoints, patrols, and detentions are uncommon, but so are humanitarian services and access to protection. Despite ambitious plans to “introduce the state” to conflictive areas—most recently, Colombia's 2016 peace accord—key points along the migration route are vacuums of governance that get filled by armed and criminal groups.

3. Colombia faces challenges in integrating Venezuelan refugees and migrants. Amid Venezuela's collapse, Colombia's humanitarian response to fleeing Venezuelans remains more complete and generous than those of much of South America. However, the Colombian government's recent trajectory is troubling. It is now harder for Venezuelans—especially more recent arrivals—to get documentation and to access services in Colombia. Pathways to permanent residency, including asylum, barely exist. As those efforts lag and people fail to integrate, more are joining in-transit migrants, attempting the dangerous journey north.

This reality has a **differentiated and more severe impact** on the more than a quarter of people transiting Colombia, or seeking to settle in Colombia, who are adult women—especially women heads of migrant households—and the nearly a quarter who are children. The risk of physical harm including sexual violence, or of enduring hunger or lack of access to health care, is much more challenging for women, Black, Indigenous, and LGBTQ+ migrants.

4. At the same time, U.S. supported initiatives to help Colombia integrate migrants, to open up legal migration pathways for some who wish to come to the United States, and to encourage greater cooperation and collaboration between states seeking to manage this moment of heavy migration are promising. However, we note that at the same time, the U.S. government orients much of its diplomatic energy and security programs toward minimizing the flow and discouraging Colombia and other states from making the journey more orderly, for fear that it might encourage more to travel. As a result, **governments and migrants receive a muddled, unclear message from Washington** that, for migrants, can be drowned out by poor-quality information gleaned from social media.

EXECUTIVE SUMMARY

5. Resources to help Colombia and other nations along the migrant route are scarce, meeting only a fraction of projected needs—and that they are shrinking as wars elsewhere in the world draw humanitarian resources away.

Countries like Colombia that are experiencing large amounts of U.S.-bound migration have a **very difficult needle to thread**. Blocking migrants is a geographic impossibility and would violate the rights of those with protection needs. Providing a managed “safe conduct” and an orderly transit pathway with robust state presence would prevent today’s immense harms and loss of life while cutting organized crime out of the picture—but the impression of “green-lighting” migration alarms the U.S. government. While some states do something in between: some measure of blocking, detaining, and deporting that dissuades few migrants but creates robust opportunities for organized crime, human traffickers, and corrupt officials who enable them, Colombia is leaning into an additional option: do little to nothing, with minimal state presence, leaving a vacuum that armed and criminal groups are filling.

This poor menu of options for managing in-transit migration leads WOLA to recommend some version of “safe conduct,” even a humanitarian corridor—but with an end to Colombia’s **hands-off, stateless approach**. Creating a safe pathway through Colombia must come with vastly increased state presence, far greater implementation of migration policies from a protection and human rights approach, dramatically improved cooperation between governments, and strongly stepped-up investment in integrating people who would rather stay in Latin America.

Until it expands legal migration pathways and vastly improves its immigration court system’s capacity, much migration will be forced into the shadows. This situation will worsen further as the Biden administration implements a June 5, 2024 ban on most asylum applications between the U.S.-Mexico border’s ports of entry. In that context, the United States must be more tolerant of efforts to provide safe conduct to migrants. U.S. tolerance of such approaches, though, would hinge on big changes to the “neglect migrants in transit,” “de-emphasize integration,” and “cooperate minimally with neighbors” status quo in Colombia and elsewhere.

INTRODUCTION

Before dawn in the seaside town of Necoclí, Colombia, toddlers from Venezuela run back and forth along a crowded sidewalk, playing as their preoccupied parents watch over them, clutching waterproof bags with their identity documents and day packs with all their belongings. Those documents have, or will soon have, stickers affixed to them indicating that they paid a “tax” to the organized crime structure that controls the route.

Along with several adults from Haiti, families from Ecuador, and many others, they wait to board a packed speedboat operating with the criminal group’s permission. It will take them across the Gulf of Urabá to the stretch of jungle in Panama that connects South and Central America, known as the Darién Gap. There, they will walk about 60 miles, one of the most dangerous segments of a 3,000-mile journey to the U.S.-Mexico border, where they hope to turn themselves in to U.S. authorities and ask for asylum. UNHCR surveys in Panama during early 2024 indicated that the average journey took three or four days, but was often longer.²



Carrying provisions, people prepare to board boats. Most people we spoke with were from Venezuela, but we also spoke with people from Ecuador, Haiti, and Cuba, and saw some migrants from China.

Photo by Sergio Ortíz Borbolla

The UN Refugee Agency estimated in mid-2023 that 22.1 million people in the Americas are

“compelled to flee their homelands and communities in pursuit of safety and stability.”³ Many of them are in Colombia.

Right now, among the 52 million people who live in Colombia:

- 8.3 million Colombians are registered as internally displaced by decades of armed conflict, including more than 100,000 in 2023.⁴
- 2.9 million citizens of Venezuela have migrated to Colombia or sought refuge there since the mid-2010s, equivalent to 6 percent of Colombia’s population and nearly 10 percent of Venezuela’s pre-2015 population.⁵ This means that Colombia alone has received about 38 percent of the 7.7 million people who have left Venezuela.⁶
- Tens of thousands of migrants from over 100 countries are transiting the country each month on their way to somewhere else: some headed to the United States, some migrating further south in South America, and a few Venezuelans returning to their country from elsewhere.
- Perhaps 13,000 Colombians have been deported from the United States aboard 97 removal flights in the 12 months between May 2023 and April 2024.⁷

Taking all of these together, more than 11 million people within Colombia’s borders—over 1 in 5—are people who have had to leave their homes.

Migration is nothing new for Colombia. But the faces of the people migrating, the circumstances they are fleeing, and above all, the actors controlling migration flows are changing.

Except for those Venezuelans directly departing Venezuela, migrants transiting Colombia's territory usually enter through its porous southern border with Ecuador, often through irregular crossing points or "trochas," which number in the hundreds. While the Ecuador border is a sieve, most people exiting Colombia to the north pass through a bottleneck: the treacherous path through the once-impenetrable Darién Gap jungles straddling the border with Panama. Both crossings are dominated by organized crime and have little government presence. Both are high on the Western Hemisphere's growing list of humanitarian crisis zones.

Staff from the Washington Office on Latin America (WOLA) seek to understand, explain, and promote solutions for this historic moment of hemisphere-wide migration. We have often

reported from the U.S.-Mexico and Mexico-Guatemala borders. In May 2023, we reported from two of Honduras's border regions.⁸



For this report, WOLA staff paid a two-week research visit to Colombia's borders with Panama and Ecuador in late October and early November 2023.

1. MIGRATING THROUGH COLOMBIA

Migrants starting their journeys in Colombia—as distinguished from those passing through the country—are mainly citizens of Colombia and Venezuela. U.S. border authorities encountered 159,536 Colombians during fiscal 2023 (5th of all nationalities), most of whom flew to Mexico and then turned themselves in at the land border, usually to seek asylum. They also encountered 266,071 Venezuelans (2nd of all nationalities behind Mexico), most of whom could not obtain visas to fly to Mexico and instead traveled overland.⁹ Some Venezuelans departed from Venezuela, but many had been living in Colombia or elsewhere in South America but decided to move on.

Migrants transiting Colombia include some Venezuelans and Haitians who have been living in South America. Other nationalities transiting Colombia in 2023 have included Ecuador, China, Afghanistan, Peru, India, Nepal, and about 100 others.¹⁰

Migrants who travel overland through Colombia pass through a bottleneck: the Darién Gap, a roadless, notoriously treacherous jungle region straddling Colombia and Panama. When migrants complete the 60-mile journey through the Darién—and some don't make it—they end up in reception centers that the Panamanian government runs along with humanitarian service providers. There, nearly all migrants who pass

through this bottleneck get registered and counted.



Boats prepare to depart Turbo. Photo by Sergio Ortíz Borbolla.

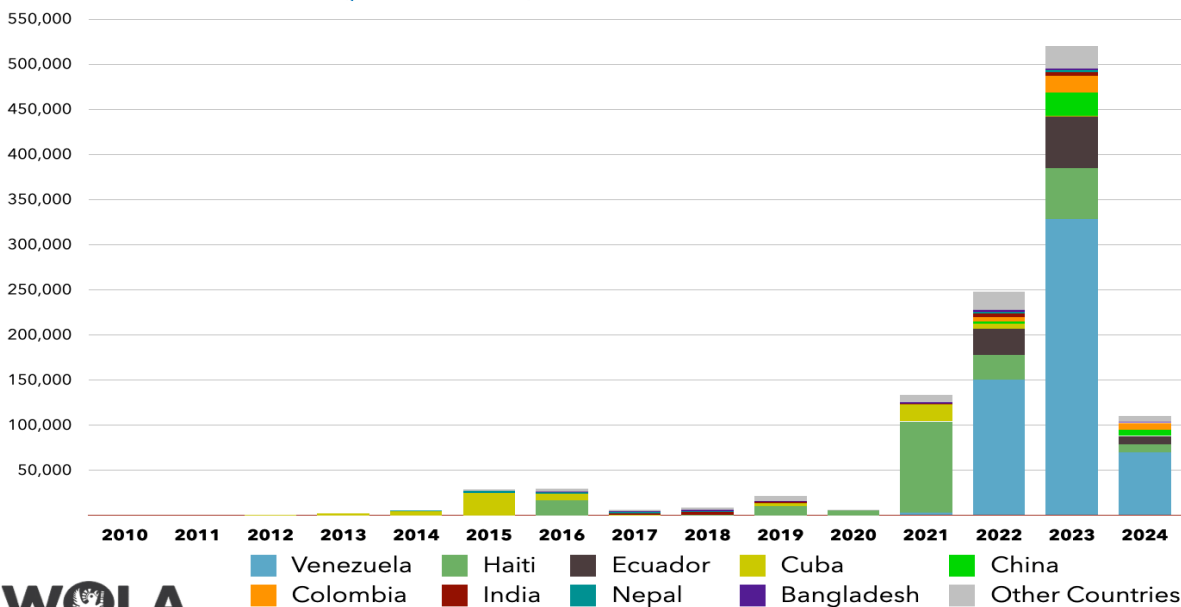
Panama counted 520,085 people transiting the Darién Gap in 2023.¹¹ In April 2024, Colombia's government for the first time released estimates of migrants transiting its national territory: it reported 539,959 in 2023.¹² During the first quarter of 2024, Panama counted 110,008 more people, and Colombia 123,441. Of Colombia's 2024 total, the government estimated that 53.9 percent entered the country through its border with Venezuela and 45.6 percent through its border with Ecuador.

Such numbers are unheard of. Panama counted less than 1,000 people per year passing through this region, which until recently was considered impenetrable, as recently as 2011. In 2013, Colombia counted 605. Darién Gap migration has roughly doubled every year since the COVID-19 pandemic.

Annual Migration Through Panama's Darién Gap

2024: Venezuela 64%, Haiti (plus Brazil and Chile) 8.2%, Ecuador 8.1%, Colombia 6.5%, China 5.8%, Peru 1%, All Others <1%

Since 2010: Venezuela 49%, Haiti (plus Brazil and Chile) 20%, Ecuador 9%, Cuba 6%, China 3.0% Colombia 2.8%, All Others <2%



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Advocacy for Human Rights in the Americas

Source: Panamá Migración - <https://bit.ly/3LyECwM>; source indicates "children of Haitian nationals' birth records correspond to" Brazil and Chile

Apart from Venezuelans, the journey to the Darién Gap for other migrants transiting Colombia nearly always begins at Colombia's border with Ecuador, 750 miles to the south. The most common route takes the Pan-American Highway through the high Andes, crossing into

Colombia at the border between Tulcán, in Ecuador's province of Carchi, and Ipiales, in Colombia's department of Nariño.

This border is more of a sieve than a bottleneck: migrants from dozens of nationalities travel either

through one of the very few official border crossings or, more often, through one of well over 100 informal crossings.

THE CHANGING FACE OF MIGRATION

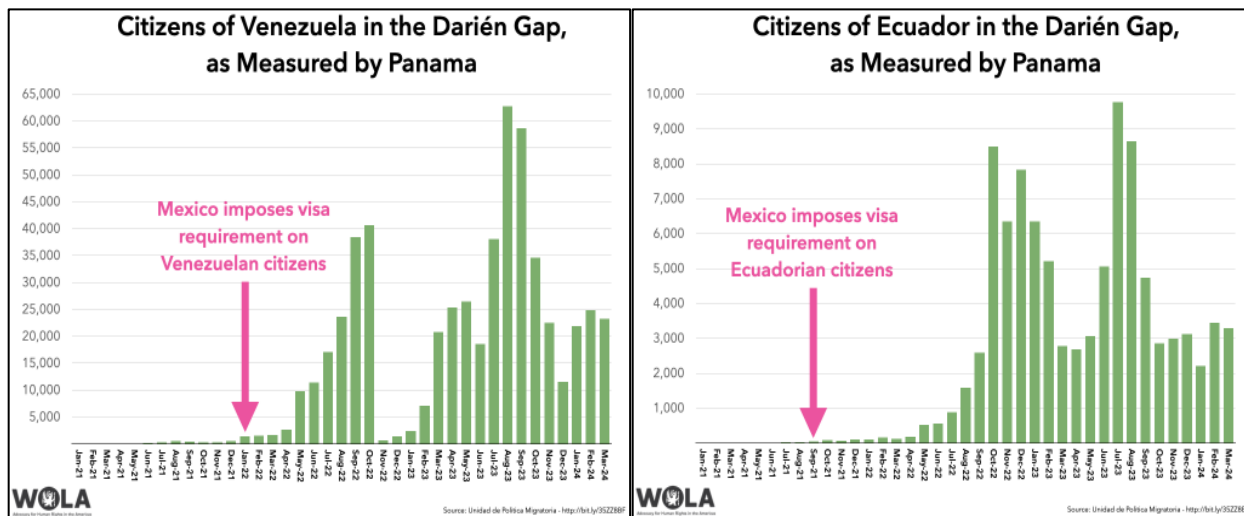
The first significant wave of migration to pass through Urabá and the Darién was the passage of more than 30,000 Cuban citizens in 2014-16.¹³ They came shortly after the Cuban government allowed citizens to exit the country, and at a time when the Colombian government's negotiations with the FARC guerrillas were advancing, reducing armed-group activity in this ungoverned zone. Cubans journeyed south to go north, flying to Guyana and Ecuador, which allowed air travel with fewer visa restrictions, then moving overland.

More than 16,000 migrants from Haiti also traveled through the Darién Gap in 2016. Nearly all had left the country years earlier, after Haiti's devastating 2010 earthquake. They had found work and documented status in Brazil and Chile, but began to leave those countries amid an economic downturn and greater hostility.

After a lull in 2017 and 2018, about 15,000 Haitian people migrated through the Darién Gap in 2019 into 2020. Several thousand ended up stranded in Necoclí when COVID-19 shut down the world's borders and travel in March 2020.¹⁴

As the pandemic eased, and as organized crime came to play a more direct role (discussed below), Darién Gap migration grew to previously unimagined levels. More than 130,000 people, about 100,000 of them citizens of Haiti and their Brazilian or Chilean-born children, braved the journey in 2021. It was the first time that families and children became a significant portion of a migrant population that had largely been single men before.¹⁵

On January 21, 2022, Mexico imposed a visa requirement on Venezuelan citizens arriving by air, cutting off a route that over 100,000 Venezuelan people had used in the previous 12 months to seek asylum in the United States. Instead, people fleeing Venezuela for the United States began opting for the land route.



Within a few months, by mid-2022, the number of Venezuelan citizens traveling through the Darién Gap vastly eclipsed the earlier waves of Haitian migration. More than 550,000 citizens of Venezuela (nearly 2 percent of Venezuela's pre-2015 population) have traveled through the Darién since 2022. 63 percent of the 520,085 people who migrated through the Darién Gap in 2023 (328,650) were Venezuelan citizens.



*Supplies for migrants' walk through the Darién Gap, on sale near the dock in Turbo, Antioquia.
Photo by Sergio Ortiz Borbolla.*

Many documented the journey on social media platforms like WhatsApp, TikTok, and Facebook. While their messages and videos showed how harrowing the experience was, they also demonstrated that the trip was possible and, after crossing the U.S. border, that it was possible to stay for years in the United States.¹⁶ They entered a badly backlogged U.S. asylum adjudication system, and poor relations with Venezuela's authoritarian regime made deportation unlikely, even while the U.S. government's Title 42 pandemic expulsions policy was in effect.

Officials and humanitarian workers interviewed in Colombia noted that the Venezuelan population passing through the country keeps getting poorer.¹⁷ While many of those who migrated in 2022 fit more of a lower-middle class profile, those coming now are "the poorest of the poor," a U.S. official observed.¹⁸ "You see people walking

and trying to raise money for their route, they are just so mistreated by life," an international organization official said.¹⁹

Venezuelan citizens who opt for the Darién route generally cannot access the Biden administration's "humanitarian parole" program. This program allows up to 30,000 citizens of Cuba, Haiti, Nicaragua, and Venezuela to fly to the United States and remain, with work permits, for two years. The parole program requires applicants to have a passport and a U.S.-based sponsor, two requirements that "the poorest of the poor" are unlikely to meet.

A significant portion of Venezuelans leaving for the United States have documented status in Colombia, known as Temporary Residence Permits or PPTs, but they have been unable to prosper or integrate into Colombia, as discussed below.²⁰

At Colombia's border with Ecuador, an international humanitarian organization official estimated, about 500 Venezuelans per day migrate south into Ecuador: they are either seeking to settle elsewhere in South America or are part of a "pendular" movement of migrants who go from country to country seeking incomes and food security.²¹ A greater number, about 600 per day, are migrating north into Colombia: a few moving to Colombia, some seeking to return to Venezuela, and many headed for the Darién and, they hope, to the United States.

Of migrants who passed through the Darién Gap during the first quarter of 2024, 12 percent were from Asia or Africa. Citizens of China, the number-five country, nearly always begin their journey through South America in Ecuador, which does not require visas of Chinese citizens arriving by air.²² Some, we observed, were also able to board domestic flights from Nariño to Bogotá, from where they presumably had layovers en route to destinations further north.



Chinese citizens at the bus terminal in Tulcán, Carchi, Ecuador. Photo by Adam Isacson.

The constitution that Ecuador drafted in 2008 establishes a right to migrate, and visa requirements for travelers arriving by air tend to be less stringent. Many arrive in Ecuador via Istanbul, international organization officials told us. Turkey is now “the big smuggling platform,” one said.²³

Darién Gap Migration During the First Quarter of 2024, as Reported by the Government of Panama

Rank	Country	People	Share of Total	Rank	Country	People	Share of Total
1	Venezuela	70,092	64%	19	Togo	209	0%
2	Ecuador	8,953	8%	20	Congo	191	0%
3	Haiti	7,329	7%	21	Ethiopia	172	0%
4	Colombia	7,136	6%	22	Pakistan	172	0%
5	China	6,358	6%	23	Dominican Republic	155	0%
6	Peru	1,182	1%	24	Iran	102	0%
7	Chile	1,171	1%	25	Syria	95	0%
8	Angola	912	1%	26	Morocco	90	0%
9	Afghanistan	744	1%	27	Nigeria	74	0%
10	Bangladesh	691	1%	28	Eritrea	73	0%
11	India	595	1%	29	Bolivia	67	0%
12	Brazil	559	1%	30	Benin	64	0%
13	Vietnam	548	0%	31	Burkina Faso	60	0%
14	Nepal	401	0%	32	Guyana	59	0%
15	Cameroon	399	0%	33	Sudan	57	0%
16	Somalia	299	0%	34	Egypt	52	0%
17	Ghana	263	0%	35	Mal	49	0%
18	Cuba	252	0%	36	Other Countries	383	0%

Though they travel through Colombia and the Darién Gap, many migrants from outside the Americas are less visible because they take so-called “V.I.P. routes,” longer boat journeys that go further up the Panamanian or Central American coast to minimize the number of miles they would have to walk through the Darién jungle. Smugglers’ “V.I.P.” fees just for the Colombia-to-Central America leg of the trip can range from about \$1,500 to as much as \$8,000 per person.²⁴ The existence of these alternatives is making the Darién trail more of a “poor people’s route,” as an international humanitarian organization official put it.²⁵

The “V.I.P.” route carries its own, quite serious, risks. The Caribbean Sea can be very rough, and shipwrecks of migrant vessels are becoming common.²⁶ Colombia’s government reported 12 shipwrecks involving vessels carrying migrants between May 2021 and September 2023.²⁷ It is impossible to estimate because the entire enterprise is clandestine, but the *Guardian* reported in November 2023 that “at least 74 migrants have vanished at sea and the [Colombian] navy has rescued a total of 1,102 migrants along the V.I.P. routes between 2022 and 2023.”²⁸ As a percentage of the total population taking it, this costlier route could carry a larger death rate than the overland jungle route.²⁹

Another danger is scams. Migrants with means, who do not know the territory or the language, are easy targets for unscrupulous smugglers, transport companies, and merchants, who routinely overcharge them and, in some documented cases, abandon the migrants far short of their destinations—even on deserted cays in the Caribbean and Pacific near Panama.

Ecuadorian citizens passing into Colombia barely get noticed at the common border: they can cross with their identity cards under an Andean Community of Nations arrangement. Ecuador, however, is the number-two nationality (far behind Venezuela) of migrants passing through the Darién Gap. The number of Ecuadorians passing through the Darién began increasing in

2022 after Mexico, at U.S. suggestion, imposed a visa requirement for Ecuadorian citizens arriving by air. As noted above, Mexico did the same for citizens of Venezuela in January 2022.

In May 2024 Mexico imposed a similar visa requirement on citizens of Peru, many of whom had been arriving by air and traveling to the U.S. border. Past patterns indicate that the number of Peruvian citizens transiting Colombia and Darién Gap by land will soon increase. Citizens of Colombia may still travel to Mexico visa-free, though they now must furnish evidence, like vacation packages, that they do not intend to migrate further north.

No good data exists about migrants’ ethnic identities. However, an International Organization for Migration (IOM) project asks migrants to fill in a few survey questions in order to access one of 62 wi-fi hotspots around Colombia. Of 51,939 surveys encompassing 133,009 people, 15 percent of respondents identified as Indigenous, 15 percent Afro-descendant (including 4 percent Raizal and 3 percent Palenquero), and 2 percent Romani.³⁰

According to Panama’s migration agency, women (26 percent) and girls (10 percent) made up 36 percent of the 520,085 people who passed through the Darién Gap during 2023. 52 percent were men, and 12 percent were boys.³¹ UNICEF estimates that half of the children passing through the Darién are under five years old.³²

Unaccompanied minors are a growing portion of the flow of Venezuelans making the long journey.³³ As of October 2023, an international organization official said, Panama had counted 1,300 children traveling unaccompanied that year, without parents or guardians.³⁴

REASONS FOR FLEEING: VIOLENCE, POVERTY AND HUNGER

Often, the same person migrates for more than one reason. At least 10 percent of the time (judging from the IOM wi-fi survey data), the first reason for fleeing that people migrating through Colombia cite is violence: generalized violence, organized crime violence, a threat of violence from an authoritarian state, or domestic or gender-based violence.³⁵ Of 109 migrants interviewed by UNHCR in the Darién Gap in April 2024, a much higher share—61 percent—cited attacks, threats, or general insecurity as reasons for fleeing. 68 percent also cited lack of employment or low income.³⁶



Darién Gap-bound people bathing in the Gulf of Urabá in Necoclí. Photo by Adam Isacson.

Somewhat more commonly, at least for people fleeing Latin American nations, migrants cite economic desperation, especially hunger. International organization officials cited recent survey data indicating that only 29 percent of migrants had been able to eat three meals per day

in the previous week.³⁷ Many migrants “do need protection,” and perhaps 20 percent have such needs, an international organization official in northern Ecuador said. “But the majority are more driven by the desire for more stability and quality of life.”³⁸

Venezuelan people living in Colombia consider moving on—often to the United States—due to problems with security, xenophobia and “fitting in,” and documenting their status (see below). However, unmet economic needs predominate among their stated reasons for fleeing northward. A survey by the Colombian government’s statistics agency (DANE) found that only 60 percent of migrant households living in Colombia eat three meals per day, 36 percent eat two, and 3 percent only one. 60 percent said they faced difficulty buying food, usually for lack of income. 41 percent considered themselves to be poor.³⁹

Venezuelans leaving Chile, Peru, and Ecuador, an international organization official explained, are fleeing a similar inability to integrate, including obstacles to documentation and xenophobic sentiment.⁴⁰ The same factors have led hundreds of thousands of Haitians to depart from Chile and Brazil. Other, more recent, factors include Peru’s political turmoil; Ecuador’s security situation, with the region’s fastest-growing violent crime rates; and Ecuador’s COVID-battered economy, which is suffering knock-on effects from the security crisis.⁴¹ The impact of climate change, including a severe El Niño-influenced drought in much of South America, is an exacerbating factor.⁴²

2. ORGANIZED CRIME CONTROLS COLOMBIA’S MIGRATION ROUTES

In Colombia, as a journalist explained to WOLA, migrant smuggling “is basically legalized.”⁴³ It is difficult to cross the country, and impossible to take the overland Darién Gap route, without the paid permission of organized crime groups.

In Urabá and the gateway to the Darién Gap in northwest Colombia, the criminal group dominating migrant smuggling is the Gulf Clan, the country’s largest drug trafficking organization, descended from the pro-government paramilitary groups that terrorized Colombia in the 1990s and 2000s. Also known as the Gaitanistas (Gaitanista

Self-Defense Forces of Colombia or AGC) and the Urabeños, the Gulf Clan operates with a stunning degree of openness in the Colombian Darién, and is a constant factor in migrants' movements.



Gulf Clan (AGC) graffiti in Turbo. Photo by Adam Isacson.

Along the Ecuador border, the organized crime presence is more dispersed: if the Darién is a bottleneck, Colombia's southwest border is more of a sieve, making migration less visible by scattering it geographically. People pass through more than 110 irregular border crossings, each controlled by one of several armed or criminal groups. Some of those groups are nationally influential, like "dissident" bands led by the fraction of ex-FARC guerrillas who rejected a 2016 peace accord, or the Tren de Aragua, a fast-growing Venezuela-based criminal syndicate.⁴⁴ Other groups are small bands whose influence barely extends beyond their home municipalities.

THE GULF CLAN IN COLOMBIA'S DARIÉN GAP: A MONOPOLY

Glancing at a map of the Gulf of Urabá, one might wonder why Darién Gap-bound migrants would need to take boats from the Gulf's eastern shore in Turbo or Necoclí. Why not avoid the Gulf entirely, traveling over land through Chocó, the department that stretches from the Pacific to the Atlantic and occupies Colombia's entire land border with Panama?



A partial answer is that the road network on the Gulf's western shore, leading up to Chocó's Darién Gap municipality of Acandí, is very poor, while the eastern shore has a fast-moving, paved highway connecting Medellín to Apartadó, Necoclí, and towns further north. But bad roads don't usually pose that much of an obstacle to determined migrants.

The larger answer is "organized crime." The Gulf Clan prohibits migrants from taking this western route. The group wants no interference on these shores, a jumping-off point for boats carrying cocaine into the Caribbean and up the coast of Central America.⁴⁵ The criminal group also prefers that migrants travel through the Acandí bottleneck in order to identify who has paid them.⁴⁶ (InsightCrime points out that Panama's border force, SENAFRONT, also determines routes, as agents prevent migrants from taking safer, ancestral indigenous trails that go overland from Chocó, frequently pushing them back into Colombia.⁴⁷)

From the late 2000s until 2021, the Gulf Clan's maximum leader was a former guerrilla and former paramilitary fighter named Dairo Antonio Úsuga, alias "Otoniel." Colombian forces captured Úsuga in October 2021 in a rural area of Necoclí, his native municipality. He was extradited to the United States in May 2022.

Since then the Gulf Clan's command, which was always loose, has become less hierarchical and

more dispersed, even as its territorial control has expanded. Its illicit activities, which were already moving beyond drug trafficking, have diversified further into migrant smuggling, human trafficking, precious metals mining, and other income streams. Its nationwide membership appears to have grown: estimates of its personnel strength now converge at about 9,000.⁴⁸



Boarding boats in Necoclí. Photo by Sergio Ortíz Borbolla.

In Urabá, the Gulf Clan maintains a monopoly of illicit activity with no real armed or criminal competitor. “All boat transport is controlled by organized crime,” a non-governmental humanitarian agency official explained: the companies not only make migrants pay double for a round-trip fare, but the Gulf Clan demands an additional payment alongside each ticket.⁴⁹ Estimates of this payment ranged, in U.S. dollars, from \$160 to \$400 per person.⁵⁰

This includes boat fares, which are exorbitant for a passage of just a few miles. The two boat companies running the Necoclí-Acandí route, Katamaranes and Caribe, are enjoying immense profitability. Between February 25 and 29, 2024, the two companies showed their clout after two boat captains were arrested on charges of transporting migrants without proper documentation. They responded with a work stoppage that caused the number of migrants stranded in Necoclí to balloon into the mid-to-upper thousands.⁵¹

Service resumed “after a meeting between representatives from the boat companies, local

governments, the Colombian national migration office and other agencies, including someone from the U.S. Embassy in Colombia,” the *New York Times* reported. They resolved that henceforth, all Darién-bound migrants would have to have to fill out a form on a mobile phone app called “Secure Transit.”⁵² (Colombia’s government reported 113,004 uses of “Secure Transit” during January–March 2024, but does not report its use in prior years.⁵³)

Those who pay the “tax” or “tour package fee” have a sticker affixed to their identity documents (earlier, they were issued disposable bracelets).⁵⁴ Without this sticker, a migrant who arrives in Acandí will be prohibited from proceeding and must board a boat back to Necoclí.⁵⁵ However, Colombian government and international organization officials said that the criminal group allows some migrants to proceed if they agree to carry drugs, or if they carry out forced labor or sexual relations.⁵⁶

In addition to these fees, the criminal group encourages the use of authorized “guides” and porters on the Colombian side of the trail, and levies taxes on the profits of all businesses catering to migrants in the area. Panamanian Security Minister Juan Manuel Pino estimated in February 2024 that smugglers—both those in the Gulf Clan’s orbit and those operating in Panama—made \$820m in 2023 from moving people through the Darién Gap.⁵⁷



A Necoclí humanitarian aid post offers water purification tablets and mosquito spray for the jungle journey. Photo by Adam Isacson.

There are no migrant shelters in Necoclí. This is the only major or mid-sized town on the entire U.S.-bound migration route, of many that WOLA has visited, that has zero shelters. (An exception since late 2023 is Nuevo Laredo, Mexico, where the Northeast Cartel is banning shelters that do not make payments to the group.⁵⁸) This is because the Gulf Clan prohibits such services, which would weaken its control of the business, and control of migrants' access to information.⁵⁹

For those lacking funds for boat fare and organized crime taxes, the wait in Necoclí can last for weeks or even months of scraping resources together. Many migrants, unable to pay hotel fees

and lacking available shelters, live on the street or on the beach in a town that intends to be a tourist destination, with a string of beachside hotels.

About 300 were sleeping on the beach, in tents, when WOLA visited Necoclí in late October, according to a local official's estimate.⁶⁰ In those conditions, most are suffering from respiratory and gastrointestinal illnesses. Women and children living in this situation are especially vulnerable to violence. Sexual exploitation and human trafficking, though under-reported, are frequent, sources confirmed. Thefts and rapes are common. Some women in these conditions are pregnant, and a few have given birth on the beach.⁶¹



Migrants who can't pay the boat fare, and fees charged by organized crime, sleep on the beach until they can get enough money together. There are no migrant shelters in Necoclí. Left: Sergio Ortiz Borbolla. Right: Adam Isacson.

Once they cross from Necoclí to Acandí, migrants are in the Gulf Clan's firm embrace all the way to the Panama border. In exchange for this hefty payment, the Gulf Clan has created its version of a safe corridor along this part of the route. Local people work as "guides" helping people to carry their bags for tips. (A non-governmental humanitarian worker said that young people in Acandí are abandoning school because they can earn decent money as guides.⁶²) Stairs have been cut into steep hillsides. "Rest stops" along the way sell meals and food, and some even have nurses providing first aid.⁶³



Migrants lacking boat fare wait in tents near the dock in Turbo. Top: Adam Isacson. Bottom: Sergio Ortíz Borbolla.

With undisputed criminal control, a “*Pax Mafiosa*,” comes a measure of safety. The Gulf Clan has killed people who assault migrants who have paid their fees, a local journalist told us.⁶⁴ Everyone who begins the journey must undergo a full search for weapons, which are prohibited.

Once migrants enter the Panama side of the Darién trail, usually after about eight hours of mostly uphill walking, the Gulf Clan’s criminal governance fades and the threat climate worsens. For the rest of the journey, banditry—usually carried out by small, violent gangs—is a high risk. Often, the gangs are made up of members of nearby Panamanian indigenous communities, though we heard that some are Colombian and Venezuelan criminals living in the jungle.⁶⁵

The criminals murder migrants and are carrying out a horrific and increasing wave of rapes and

sexual assaults. More than half of migrants UNHCR interviewed in Panama in March and April 2024 reported experiencing abuse, and in some cases attacks, on the trip.⁶⁶ Nearly a fifth reported seeing between one and six cadavers along the route.



Necoclí before sunrise. Photo by Adam Isacson.

Doctors Without Borders (MSF), which maintained health posts in reception centers in Panama, at the end of the jungle trail, reported treating 676 people who suffered sexual assault during 2023, the majority during the final quarter of the year, and another 233 during January and February 2024 alone.⁶⁷ MSF considers the actual number of victims to be greater.

In March 2024, days after MSF published an alarming denunciation of rising sexual violence cases, Panamanian authorities suspended the organization’s presence at the Darién Gap reception centers. MSF reported that Panama’s Health Ministry failed to renew a collaboration agreement, despite months of requests.⁶⁸ This has left a gaping vacuum not just in health services, but in knowledge of the extent of sexual violence against migrants, which was already increasing beyond emergency levels.

CARE provides elaborate kits—privacy covers for changing clothes, absorbent underwear for menstruation, morning-after pills, a funnel to urinate standing up, a changing tent, whistles—to mitigate risk for sexual violence. “Many of the most dangerous moments are while going to the bathroom” at night in the jungle, a humanitarian worker said.⁶⁹

Migrants often lack information about these risks, and indeed about the entire route that lies ahead, because the Gulf Clan actively discourages sharing information. Even international humanitarian group personnel avoid sharing information outside on the street about risks, geography, alternative pathways, asylum law requirements, or similar questions, for fear of the group declaring them a “military target.”⁷⁰ Taking photos by the boat dock is strongly discouraged.

THE 110+ INFORMAL CROSSINGS BETWEEN ECUADOR AND COLOMBIA

The 364-mile land boundary between Colombia and Ecuador is porous. The two countries maintain four ports of entry (official border crossings); the busiest is the Pan-American Highway between Tulcán, Carchi, Ecuador, and Ipiales, Nariño, Colombia.



However, officials’ and international organization representatives’ estimates of the number of informal or illicit crossings (known as “*trochas*”) ranged well over 100 just in Nariño, the more populated of the two Colombian departments bordering Ecuador.⁷³ One non-governmental humanitarian organization official cited a figure of 114 illegal crossings between Ecuador and Nariño.⁷⁴

As a result, many migrants in Necoclí are traveling with very poor information about what lies ahead, much of it gleaned from social media. Some even think the United States lies immediately after the Darién jungle. Lack of information about what things cost also enables criminal groups and unscrupulous businesspeople to carry out rampant price-gouging.⁷¹ “Illegal actors are winning the information war,” a non-governmental humanitarian worker put it.⁷²



The Rumichaca border crossing on the Pan-American Highway between Tulcán, Carchi, Ecuador and Ipiales, Nariño, Colombia. Photo by Adam Isacson.

“All are controlled by armed or criminal groups,” said a local official on the Colombian side, noting that there have been periodic violent disputes between groups for control of the crossings.⁷⁵ They include local criminal bands, ex-FARC dissident factions, or elements of the Tren de Aragua, an organized crime syndicate that emerged from Venezuela’s prisons. “Now, you can’t just do regular business along the *trochas*,” the official added. “It’s arms, drugs, and things like that. Now, the *trochas* are dangerous. you could be in trouble if you’re in the wrong place.”

Human smuggling is one of the illicit businesses thriving along the *trochas*. Migration along the Colombia-Ecuador border is hard to count or even estimate accurately. It is dispersed among the many crossings, and migrants being smuggled are all but invisible.

“Those who can afford a coyote, we hardly see them,” said a non-governmental humanitarian official in Ipiales.⁷⁶ “Many pass through the Ipiales

bus terminal or already have their coyotes, and you don't see them," added a municipal official in Ipiales.⁷⁷ Though Colombia started ordering bus companies to withhold tickets from people without documented status, this is only sporadically enforced, a non-governmental humanitarian organization official observed, but even that measure was enough to spur "a boom in private vehicles taking people directly to the north [Necoclí]."⁷⁸



The bus terminal in the border city of Ipiales, Nariño. Photo by Adam Isacson.

A portion of the migrant population transiting this zone is visible, often because they are not traveling with smugglers or because, like the people stuck in tents on the beach at Necoclí, they lack funds, health, or other conditions needed to proceed on the next legs of their trips.

Unlike Necoclí, some migrant shelters exist for this population, run by charities or local government, with support from international agencies. Tulcán, Ecuador has two, and there is one in Lago Agrio, Ecuador. There are seven in Ipiales, Colombia, and three in Pasto, Colombia.⁷⁹ One of the largest, run by Caritas in Ipiales, attends to over 2,000 people per month. All are nearly always full, even as they limit most migrants' stays to a few days each. "There are always people on the streets," said an international organization official in Lago Agrio and a shelter director in Ipiales.⁸⁰



Migrant shelter run by Pastoral Social (Caritas) in Ipiales. Photo by Adam Isacson.

Most people in transit through the Colombia-Ecuador border zone do not use shelters. They are more likely to be passing through quickly, in private vehicles.⁸¹ "It is common to charge about \$300 per person to take people from Ipiales to Medellín," which is a few hours' drive south of Necoclí, a shelter director said.⁸² Some transports leave from the Ipiales bus terminal, while others simply pick people up near the border crossings.⁸³

Some who lack funds, a non-governmental humanitarian official said, will even walk the 750 miles across Colombia, often spending long periods in cities along the way.⁸⁴ A Colombian scholar cited examples of Haitians who "run out of money and get stuck in places like the marginal *barrios* of Cali," where most of the population is Afro-descendant.⁸⁵

WOLA encountered many citizens of the People's Republic of China in Tulcán, Ipiales, and on a flight from Pasto, Nariño, to Bogotá. All appeared to be wealthier than most migrants fleeing Latin American countries—wealthy enough, at least, to fly to South America and pay smugglers to get them to the Darién, in most cases taking the above-mentioned "V.I.P. route" with less walking.



Families—almost certainly Darién-bound, as they’re traveling with sleeping gear and minimal backpacks—at the bus station in the border city of Tulcán, Ecuador. Photo by Adam Isacson.

3. COLOMBIA SHOULD BOLSTER STATE PRESENCE AND COORDINATION

A visitor to either the Colombia-Panama or Colombia-Ecuador border zones is struck by the remarkable absence of Colombia’s state. Interviewees used terms like “abandonment” and “neglect” to describe this historical condition. “Colombia has zero control of its borders,” a U.S. official told us.⁸⁶



Recently established Migración Colombia office in Necoclí. Photo by Adam Isacson.

The sum total of national government presence we witnessed in Necoclí was a police checkpoint several miles south of the town, fewer than five uniformed police near the docks, and an office of the national migration agency (Migración Colombia)—established recently, with U.S. support—in a part of the docks that was roped off and inaccessible to the public because of ongoing construction.⁸⁷ At the Ecuador border, we saw a significant Colombian police and Migración Colombia presence at the Rumichaca crossing (Pan-American Highway) and just a police vehicle at the San Miguel-Lago Agrio crossing.



Looking into San Miguel, Putumayo, Colombia from the Ecuador side of the border bridge. Here, one must register with authorities at nearby migration offices, but there is little other evident state presence. Photo by Adam Isacson.

Acandí, the municipality across the Gulf from Necoclí where the Darién Gap land route begins, has a total of 20 police to patrol its 600 square miles, though agents rarely leave the towns and venture into the countryside.⁸⁸ Near the Ecuador border, authorities put up infrequent checkpoints on the highway, “but nothing seems to happen,” said an international organization official in Nariño.⁸⁹

The result is that the national government’s role has long been “to let everyone through” (*dejar pasar*), as an international organization official put it.⁹⁰ “The national government hasn’t wanted to intervene at all,” a municipal official told us in Necoclí.⁹¹ “The Petro government has never sent anyone with decision-making power here, just photo opportunities.”

In this climate, no entity exists even to verify that an adult traveling with a child is that child’s parent.⁹² “It could be that some children are trafficking victims,” a national government official told us.⁹³ Meanwhile, “there is not even a government-run place in Necoclí to take children who are traveling unaccompanied,” an international organization official pointed out.⁹⁴ During our visit, we saw a tent from the Colombian government’s Family Welfare Institute (ICBF), but it was closed and no personnel were working, though we were there on busy weekdays.

PLANS TO INCREASE STATE PRESENCE

To the extent that plans to improve Colombian government presence are being executed, these appear to favor using the military. Colombia’s armed forces have been carrying out a campaign, “Operation Hephaestus,” to target the Gulf Clan throughout a broad sector of northwestern Colombia including Urabá.⁹⁵

In October 2023 the Defense Ministry created the “Northwest Joint Command No. 5,” a new unit based in Carepa, in Urabá south of Apartadó and Necoclí, that will operate in a large swath of northwestern Colombia, covering over 15 percent of the country’s municipalities and a fifth of its population. The unit lists combating human trafficking among its roles, but not management of migration, which is not a task requiring military expertise.⁹⁶ The unit and Operation Hephaestus “seek to avoid direct involvement in migration,” a U.S. official explained.⁹⁷

“On the security pillar, since the end of April,” U.S. Southern Command Commander Gen. Laura Richardson told an August 2023 Center for Strategic and International Studies event, “the Colombian military and the Panamanian public security forces have been conducting operations, security operations, to go after the transnational criminal organizations who are doing the human smuggling.”⁹⁸ Gen. Richardson specified, “the intent is not for the security forces [to be] going after the migrants. It’s to go after the smugglers and the human trafficking piece of that.”

Local officials and humanitarian workers in Urabá expressed misgivings about deploying military and police personnel along migration pathways. Because much of Acandí, where the Darién land route begins, is land collectively held by Indigenous communities, some called for a civilian, human rights-based response that involves those communities.⁹⁹ Others warned that migrants are often victimized by corrupt or Gulf Clan-tied police in the Darién area, who mistreat them or shake them down for money. “So why would they [migrants] want to go and show up and be visible to the state?” asked an Urabá municipal official.¹⁰⁰

We heard of no similar plans to increase military and police operations along migration routes in the Colombia-Ecuador border zone. A municipal official in Ipiales lamented the lack of a meaningful presence of any national government entities along the border, including those in uniform.¹⁰¹

Migración Colombia, the country's migration management agency, has about 1,600 employees nationwide, mainly at airports and land border crossings.¹⁰² Now located in the Foreign Ministry, the agency for decades was part of the Administrative Security Department (DAS), which was the Colombian Presidency's intelligence or secret police service until 2011, when it was disbanded amid numerous human rights and corruption scandals.

Nearly everyone we spoke with viewed this agency as suffering serious management flaws at worst, or undergoing a transition at best. President Gustavo Petro has placed it under the direction of a longtime colleague who, like him, was a member of the M-19 guerrilla organization in the 1970s and 1980s.

Migración Colombia is moving slowly to increase its presence in Urabá, as evidenced by the new U.S.-backed office in Necoclí. Along the Ecuador border, an international organization official said, the agency is rolling out plans to open an office in the Pacific border municipality of Tumaco and improve its coverage of the *trochas*.¹⁰³ That, in turn, would require a level of coordination with the Defense and other ministries that remains uncertain.

The justice system's presence along migration routes is at least as scarce. Human Rights Watch (HRW) noted that the national Prosecutor-General's Office (*Fiscalía*) had set up a working group for human trafficking and migrant smuggling in 2022, but as of August 2023 this unit has only four prosecutors working full-time on such cases nationwide, and had achieved just eight convictions for human trafficking or migrant smuggling.¹⁰⁴ Despite the Gulf Clan's dominion of Urabá, the *Fiscalía*, HRW reported, has only one prosecutor focused on organized activity in the

entire region, based in Apartadó south of Turbo and Necoclí.

At the municipal level, local governments have proved either unwilling or unable to address the migration and related organized crime issues. Colombia ranks municipalities' unmet basic needs according to a six-level system, and Necoclí, a level-six municipality, lacks resources even for a municipal migrant shelter, which the Gulf Clan strongly discourages anyway.¹⁰⁵ In the Colombia-Ecuador border city of Ipiales, the outgoing mayor "has not assigned resources" to address migration-related needs during his four-year term, a humanitarian organization official said; a local official put it more bluntly: "he didn't want to deal with the problem."¹⁰⁶

Humanitarian workers in Necoclí recommended that all levels of government assist not just with shelters and greater information about who is migrating, but with the establishment of areas, which one called "reception points," where migrants can be identified—going back at least as far as Medellín and other hub cities—and their needs assessed.¹⁰⁷ One compared this idea to the facilities that Panama, with international support, maintains at the other end of the Darién trail. While these are very rustic and under-equipped, they do allow for registration and some basic medical and psycho-social assistance.

A local official recommended that municipal governments be given the capacity to establish an office to manage in-transit and integrating migration, along with a mobile immigration unit to assist people on the move and a "rights house" (*casa de derechos*) that would allow human rights ombudsmen to document and seek justice for cases of abuse.¹⁰⁸ The Necoclí municipal government, the Foreign Affairs Ministry, and UN and humanitarian agencies were discussing plans to establish such a "Border Assistance Center" in 2023, but these stalled in part because of disagreements with the Necoclí municipal government about its location.¹⁰⁹

While virtually everyone we interviewed agreed that more state presence and coordination is urgently needed, very few favored deploying the

Colombian state to block or hamper in-transit migration, or other measures that would cause large numbers of people who did not desire to be in Colombia to find themselves stranded there.

Proposals focused instead on making the transit—viewed as inevitable for most migrants—more humane. A Bogotá-based humanitarian agency official suggested creating a “humanitarian corridor” that would allow in-transit migrants, after receiving a safe-conduct status, to pass safely through Colombia and the Darién, with access to basic services and without having to interact with organized crime.¹¹⁰

The idea of green-lighting migrants headed toward the United States, though, would be certain to raise objections from Washington. In its early months, the Petro government reportedly floated a proposal along these lines but received no encouragement from either the U.S. or Panamanian governments.¹¹¹

INSTITUTIONAL ARCHITECTURE

Among Colombia’s national government’s shortcomings, officials and scholars both inside and outside of government repeatedly mentioned a lack of “*articulación*”—communication, coordination, and joint effort—between agencies with overlapping responsibilities throughout the bureaucracy. Several national agencies have offices or units with migration mandates, but they do not appear to interact frequently enough.¹¹²

The administration of President Gustavo Petro’s predecessor, Iván Duque (2018–2022), had established a Border Management office (*Gerencia de Fronteras* or Office for the Socioeconomic Integration of the Migrant Population), which reported directly to the president and coordinated all agencies’ border and migration management. Petro eliminated this *Gerencia de Fronteras* office, moving its responsibilities to the Ministry of Foreign Affairs, which lacks the Presidency’s government-wide convening power. Now, “nobody is managing the border policy,” a few non-governmental humanitarian officials separately lamented.¹¹³

As a result, the Colombian government data about migration flows and needs fell behind between August 2022, when President Petro took over, and January 2024, when the OM3 started reporting numbers. Efforts to integrate the Venezuelan migrant population have also slowed as a result of what a November 2023 Refugees International report called a “leadership vacuum.”¹¹⁴

COOPERATION WITH OTHER STATES

Solutions for managing in-transit migration depend on cooperation between countries that is lacking right now. Colombia and Panama engage in frequent diplomatic discussions about migration management, but cooperation—including years-old memoranda of understanding to combat human trafficking—“gets kicked up to the foreign ministries,” which respond slowly to crises, an international organization official explained.¹¹⁵ With both states largely absent from the Darién zone (Panama’s SENAFRONT border force has about 84 agents assigned to its entire Darién province¹¹⁶), agreements to coordinate enforcement or migration management do not filter down to day-to-day coordination or resource investments.¹¹⁷

In fact, Panama has been vocally and publicly critical of Colombia’s laissez-faire approach to migration entering the Darién. Officials particularly voice frustration that Colombia is unable even to alert them about who is coming and how large the flow is. “There has been no agreement, no information sharing, nor any effort that might help Panama manage the unregulated flow,” Panamanian Immigration Service Director Samira Gozaine said in August 2023. “Unfortunately, we have not been able to reach any agreement with Colombia, which continues to indiscriminately send us not only people from other countries, but Colombians as well.”¹¹⁸

Responding to criticism from Panama, Migración Colombia Director Fernando García said in October 2023 that Colombia is fully complying with information-sharing commitments in an April 2021 memorandum of understanding, including the delivery of 772 reports to Panama’s migration

service between April 2021 and September 2023.¹¹⁹

Investigations carried out on Panama's side of the Darién Gap, including important work by Human Rights Watch, the International Crisis Group, and the *New York Times*, have identified deep flaws in the Panamanian government's response, which it calls a "controlled flow" policy. These reports found frequent attacks on migrants passing through Panama's side of the Darién trail, while noting allegations of harsh treatment or abuse at the hands of authorities.

José Raúl Mulino, whom Panamanians elected to their country's presidency in early May 2024, made a campaign promise to close the Darién route, mainly by stepping up deportations.¹²⁰ This is a geographic and mathematical impossibility. Even if Panama were to fill one aircraft per day with deportees—unlikely, as that is nearly one-quarter of the far larger U.S. government's entire worldwide deportation capacity—that would amount to only about a tenth of the overall Darién flow, only modestly affecting the probability of removal for migrants from the most nearby countries.¹²¹

President Petro told the *New York Times* that he has no intention of "chasing migrants" in the Darién and forcing them into "concentration

camps." Instead, he proposed efforts to address the root causes of migration.¹²² While making people less inclined to abandon their homes is an appropriate long-term response, Petro's short-term approach to in-transit migration is hands-off.

Through trilateral discussions that intensified during the first half of 2023, the United States has sought to increase the tempo of Colombian and Panamanian operations—both joint and parallel—against organized crime in the Darién region. In April 2023, DHS announced that "Panama, Colombia, and the United States reached a historic agreement to launch a 60-day surge campaign to address the unprecedented migration through the dangerous Darién corridor."¹²³ That "surge campaign" reportedly began on April 20, 2023, but by June and later we saw no reports—official, in media, or anecdotal—about significant blows dealt to organized crime or even a significantly increased operational tempo of security forces in the Darién, at least not on the Colombian side.

A February 2023 statement from Colombia's Defense Ministry also cited an agreement to build, with U.S. support, a "binational observation post" in the village of Cabo Tiburón and a military base in the village of Sapzurro, both in Acandí municipality.¹²⁴ We have not been able to confirm whether construction of these sites ever began.

4. COLOMBIA IS BECOMING LESS WELCOMING TO VENEZUELAN MIGRANTS

As of January 31, 2024, according to the Colombian government's OM3 program, there were 2,857,528 Venezuelan migrants in Colombia. This represented a slight decrease from the peak number recorded in December 2022 (2,896,748). The majority (80.24%) of these migrants had documentation of their status, or were in the process of doing so.¹²⁵

Colombia has taken important steps to integrate these migrants and refugees, and to respond to their basic needs; its response has been more welcoming than that of most of its neighbors. Still, integration remains a challenge. Legally, much has been done, but strong barriers remain.¹²⁶



Necoclí. Photo by Sergio Ortíz Borbolla.

THE TEMPORARY PROTECTION PERMIT

In 2021, the government of Iván Duque (2018–2022) launched a program to ease Venezuelan refugees' documentation in Colombia. The Temporary Protection Permit (PPT) initiative ended up being “a bright spot of the Duque government,” an international organization official put it.¹²⁷

A 10-year status that allows Venezuelans to work and register with Colombia's national health, education, and social security systems, the PPT is not a form of international protection, but it grants a temporary status and “guarantees all rights except voting,” a U.S. diplomat explained.¹²⁸ In fact, though, the PPT does not guarantee the protection of non-refoulement, reserved only for asylum seekers and refugees. Unlike asylum, the PPT can expire.

As a state with little prior experience offering protection to other nations' citizens, Colombia has a badly underdeveloped asylum system. Though Colombia keeps asylum decisions secret as a national security matter, “the asylum approval rate currently is about zero percent,” a U.S. official said.¹²⁹ The rate is just a bit higher than that: according to Colombia's Foreign Ministry, more

than 55,000 people applied for refugee or asylum status in Colombia between 2017 and 2023, a period when applications increased by 1,168 percent. However, only 1,475 people were recognized as refugees, 92 percent of them Venezuelan.¹³⁰

This is so even though Colombia has included in its laws the definition of refugee under the 1984 “Cartagena Declaration,” which is much less strict than the U.S. standard. The Cartagena Declaration broadens the definition of refugee to encompass people who have fled their countries because their life, security or liberty have been threatened due to generalized violence, international aggression, internal armed conflicts, massive human rights violations or other circumstances that have grossly affected public order.

Still, because of low approval rates, long adjudication processes, and the difficulty of working legally, “asylum is just a last, last option” in Colombia, a non-governmental humanitarian organization official said.¹³¹ That leaves the PPT program as Venezuelan migrants' best choice for integrating within Colombia rather than seeking to migrate to the United States or elsewhere.

However, the PPT program is stalled. “Pre-registration for individuals in Colombia prior to January 31, 2021 with or without status closed on May 28, 2022,” the International Rescue

Committee explained. “Pre-registration for individuals who entered regularly before the end of May 2023 will close on November 24, 2023.”¹³² This means that everyone who came into the country without a Venezuelan passport through an official port of entry after January 31, 2021, has had no option to regularize their status other than to seek asylum. Since June 2023, newly arriving Venezuelans are no longer eligible for the PPT “and consequently have limited options to remain in Colombia, access socio-economic integration opportunities, and regain their self-reliance.”

As of January 31, 2024, 1,908,694 Venezuelans in Colombia had an authorized PPT, while 384,312 more were still in the regularization process. Nearly half a million more (499,974) were in Colombia irregularly.¹³³ Most missed the deadline for PPT applications, and some came to Colombia irregularly after January 2021 or regularly after May 2023.¹³⁴

The Petro government has exhibited reluctance to reopen the PPT program to new Venezuelan applicants. The director of Migración Colombia, Fernando García, had said in August 2023 that a new regularization process would begin implementation in October of that year.¹³⁵ As of May 2024, nothing has happened. García says that the decision on how to proceed is not up to his agency, but to the “National Migration Council, which includes the Ministry of Defense, the Ministry of Commerce and Tourism, the Ministry of Foreign Affairs and Migration Colombia, of course, together with the Ministry of Foreign Affairs.”

Numerous observers have noted that the Petro administration’s slow response may owe in part to its renewal of diplomatic and trade relations with the Maduro regime.¹³⁶ It is politically complicated to pursue rapprochement with a government while at the same time offering protected status to people fleeing that government’s misrule.

The Petro government’s first, since-departed ambassador to Venezuela, Armando Benedetti, raised alarm by referring to Venezuelan migration as an “exodus that supposedly exists.”¹³⁷ On his

Twitter account and elsewhere, President Petro has lauded efforts to “return home many Venezuelans who emigrated”—the language he used to celebrate the first U.S. deportation flight to Caracas in many years, in October 2023.¹³⁸

An international organization official was quick to point out that this rhetoric has not translated into state policy. Though the PPT program is not taking new entrants, “the rapprochement has not led to people having to return” to Venezuela.¹³⁹ While some Venezuelans do return home, much larger numbers are seeking to stay in Colombia or to continue migrating north. As Venezuela measured 193 percent inflation in 2023 and has a minimum wage equivalent to \$33 per month, it is unrealistic to expect many people to return there.¹⁴⁰

Colombia’s government does remain rhetorically committed to preserving, if not expanding, existing programs. “Colombia announced a plan for regularization of irregular migrants through special permits for parents and legal guardians of children with valid Temporary Protective Status” at a May 2024 gathering of foreign ministers to discuss migration, read a White House fact sheet. “Colombia also announced a new special permanent visa for Latin American and Caribbean migrants without regular status in the country. The Colombian government estimates these actions will benefit up to 600,000 individuals.”¹⁴¹ While welcome, however, these steps fall far short of a reopening of the PPT program or a solution for the half-million Venezuelans in Colombia who lack documented status.

“What we have now,” a Bogotá-based scholar observed, “is PPT by inertia, no new initiatives.” As a result, “When people arrive without any document, they often end up in bureaucratic snarls that lead people just to give up and take the Darién route,” said an international organization official in northern Colombia.¹⁴²



Haircut on the beach, Necoclí. Photo by Sergio Ortiz Borbolla.

BARRIERS TO INTEGRATION IN COLOMBIA SPUR U.S.-BOUND MIGRATION

Even having a PPT may not be enough to keep a Venezuelan citizen in Colombia. Humanitarian agency officials in Necoclí told WOLA that the Darién Gap saw “a big increase in people crossing with a PPT” in October 2023.¹⁴³

An international organization official in Bogotá cited three reasons for some Venezuelans’ failure or inability to integrate.¹⁴⁴

- **Economics:** even with work permits, Venezuelans have difficulty finding formal employment and do not earn enough to cover their needs. In a country in which 56.3 percent of the employed population works in the informal sector, people remain in precarious conditions.¹⁴⁵
- **Inability to access government services:** More than 1 million Venezuelan migrants in Colombia have registered with SISBEN, the national social security and health care service, but only about 20 percent are paying into it yet via formal-sector employment, the official said.
- **The lure of the United States:** “The ‘American Dream’ is a big factor, and they see it on social media,” which also shows that the Darién Gap route, though arduous, is now possible, the official pointed out.

Xenophobia is not open or aggressive, and officials we interviewed sought to downplay it.¹⁴⁶ Resentment of Venezuelan migrants is common, though, in neighborhoods or areas where poor Colombians must compete with Venezuelan newcomers for meager informal-sector incomes. However, it is still rare to see officeholders or candidates, at any level of government, whipping up anti-Venezuelan sentiment. (A prominent exception is the new mayor of Bucaramanga, Colombia’s sixth-largest city, who frequently blames crime on Venezuelans and has sought to expel arrested migrants.¹⁴⁷)

In Colombia’s Ecuador border-zone departments of Putumayo and Nariño, **violence** is a big threat to integration. These departments comprise one of Colombia’s principal coca and cocaine-producing zones, and are under the heavy influence of a few competing armed and criminal groups.



At a supermarket in the small town of Orito, Putumayo, a sign advertises money transfers to Venezuela. People who have fled Venezuela live all over Colombia, even in places like Orito that are far from Venezuela and have a strong presence of coca cultivation and armed groups. Photo by Adam Isacson.

Analysts speak of Venezuelan migrants in this area getting caught up in “*doble afectación*” or “double jeopardy”: they flee Venezuela, get involved in illicit economies like coca-picking in order to make money, and then are newly displaced by Colombian armed groups. Young Venezuelans in these areas are also at high risk of being recruited by armed groups; this happens hundreds of times per year.¹⁴⁸ This happens, too, in the conflictive Colombia-Venezuela border zone.

Despite difficulty integrating, most Venezuelans in Colombia tell surveys that they have no intention of leaving Colombia. Of respondents to a World Bank-Universidad del Rosario poll, 82 percent said that they plan to remain.¹⁴⁹ “They’re not far from their relatives [in Venezuela] and are fine here,” a humanitarian NGO official said, especially along the Caribbean coast, where it’s hard to tell them apart” due to similar accents.¹⁵⁰ “Most Venezuelans in Colombia are firmly settled,” added a U.S. official, using a term in U.S. refugee law.¹⁵¹

5. THE U.S. WANTS TO PREVENT MIGRANTS FROM COMING OVERLAND

The Biden administration is not promoting “safe corridors” or other proposals that might make transit through Colombia and the Darién safer and less dependent on organized crime. At a time when an average of well over 150,000 migrants per month are entering U.S. custody at the U.S.-Mexico border, few U.S. officials and legislators would back a policy that further eases U.S.-bound transit. Instead, as a Bogotá-based NGO researcher put it, visits from State, Homeland Security, and White House officials have been “focused on keeping people in Colombia.”¹⁵²

At the same time, though, the U.S. government—mainly through the State Department’s Bureau for Population, Refugees, and Migration (PRM)—is easing migration through access to legal pathways and is a principal supporter of UN and non-governmental humanitarian agencies offering protection, information, nutrition, and health care to some migrants along the route.

U.S. officials insist that their “state presence” aid to Colombia targets migrant smugglers rather than aiming to round up and block migrants. Other U.S.-backed programs meanwhile seek to help Colombia and other countries along the U.S.-bound route be more welcoming to migrants who

might wish to settle there instead of coming all the way to the United States.

U.S. SUPPORT FOR INTEGRATION AND LEGAL PATHWAYS

Even more than “state presence,” which is more of a long-term “root causes” objective, integration of migrants throughout the region has been a principal U.S. focus for the short and medium term. It is a cornerstone of the June 2022 Los Angeles Declaration on Migration and Protection signed by the United States and 20 other Western Hemisphere countries. Signatories pledged to strengthen asylum systems and other efforts to integrate migrants into their territories. These pledges have been reinforced at follow-up meetings, including a gathering of foreign ministers in Guatemala in May 2024.

“Integration” describes a wide range of efforts, from providing documentation and work permits, to enrolling migrants in schools and the healthcare system, to combating xenophobic disinformation and encouraging coexistence. The State Department’s PRM bureau and USAID provide over \$100 million per year in migrant integration assistance to Colombia, much of it via UN agencies, the International Committee for the

Red Cross, and 14 non-governmental organizations.¹⁵³

In Colombia, an immediate integration priority is to reopen and extend registrations into the PPT program for Venezuelan migrants, a U.S. official said.¹⁵⁴ Colombia, in turn, “is always asking for more integration support” to help cover the cost of welcoming large numbers of migrants. Other U.S.-backed integration efforts include a UNHCR-led initiative to modernize Colombia’s asylum system, which currently receives little use and needs basic improvements, such as a move from paper files to digital databases.

Meanwhile, the Biden administration has been rolling out an effort to make dangerous overland migration unnecessary for some migrants who would qualify for legal pathways to the United States that, unlike asylum, do not require migrants to be physically on U.S. soil.

These pathways include the U.S. Refugee Admissions Program, which the Trump administration had reduced to nearly zero but the Biden administration aims to increase to 125,000 worldwide in 2024, including an unprecedented 35,000–50,000 from Latin America.¹⁵⁵ The Biden administration also offers a humanitarian parole program with two-year renewable documented status for a combined 30,000 citizens per month from Cuba, Haiti, Nicaragua, and Venezuela who have passports and U.S.-based sponsors. Other pathways include temporary U.S. work visa programs and small family reunification programs for citizens of Colombia (as well as from Cuba, El Salvador, Guatemala, Haiti, and Honduras).

The administration seeks to make these legal pathways more available by opening what it calls “Safe Mobility Offices” (SMOs) around Latin America. The SMOs, which work in close coordination with UNHCR, IOM, the World Health Organization, and host governments’ migration agencies, aim to make the overland trip to the United States unnecessary for at least some migrants. The administration announced the SMO program in April 2023.

In June 2023, the U.S. and Colombian governments launched SMOs in Bogotá, Cali, and Medellín. The three offices are open only to citizens of Cuba, Haiti, and Venezuela who were in Colombia before June 11, 2023. This constraint reflects Colombian concerns that the SMOs’ existence might attract migrants from other countries.

The SMOs are accessible via an online appointment process at a website, movilidadsegura.org, bearing the logos of UNHCR and IOM. When available appointment slots get filled—as has happened within hours or a few days—the site takes down its registration form until further notice. Online applicants who appear to meet protection requirements get interviews at the SMOs, with UNHCR personnel helping to “filter” them. After three rounds of interviews, people who qualify for legal pathway programs get permission to fly to the United States. The program also channels a few people to refugee programs in Spain, and may soon include Canada.¹⁵⁶

The SMO program now operates in Colombia, Costa Rica, Ecuador, and Guatemala. In all four countries, the *Voice of America* reported on February 27, 2024, the program had referred 19,300 people to the U.S. Refugee Admissions Program since it launched in June 2023, of whom 5,900 had arrived in the United States. It referred another 12,700 people to other legal channels for admission to the United States, like humanitarian parole. This is out of a total online applicant pool of 147,000 for all four offices.



Necolí. Photo by Sergio Ortiz Borbolla.

DETERRENCE

The Biden administration's migration efforts in Colombia go beyond integration and "legal pathways": they also include a strong dose of deterrence.

"The United States wants us to do more migratory control, to mitigate the flows," said a national government official with migration responsibilities.¹⁵⁷ "The U.S. government wants [Colombia] to add more security force personnel (*pie de fuerza*), more immigration officials," said a local official in Urabá.¹⁵⁸

A humanitarian NGO official pointed to a potential contradiction. Some U.S. support goes to humanitarian groups devoted to alleviating suffering along the migrant route, especially in the Darién. Yet "the Department of Homeland Security doesn't want services for in-transit migrants to be seen as stimulating border crossings."¹⁵⁹

Much "migrant deterrence" aid so far, though, is aspirational or incipient. Announcements during the first half of 2023, like the above-mentioned two-month campaign with Colombia and construction of bases in Acandí, were followed by no subsequent announcements during the second half of 2023. We know of no U.S.-backed counter-migration efforts along the Colombia-Ecuador border, though aid has increased for units interdicting cocaine crossing that border southbound, en route to Ecuador's Pacific.

The U.S. State Department's Narcotics and Law Enforcement Bureau (INL) and advisors from U.S.

Customs and Border Protection (CBP) are principally focusing on efforts to counter smugglers.¹⁶⁰ INL is encouraging Colombia and Panama to crack down on *lancheros*, the people and communities who charge migrants hefty fees to board boats to the Darién; in May 2024, the State Department announced visa restrictions on executives of several Colombian maritime transportation companies. With INL support, Colombia's National Police carry out several dozen arrests of migrant smugglers each year, though reporting does not indicate the arrested individuals' importance within their criminal enterprise.

"The law enforcement side has to produce results on this, to show arrests" of smugglers, a Bogotá-based international organization official said. This official also mentioned ongoing efforts to dismantle financial networks behind the smuggling, but we have no information about what these efforts look like or what results they may have achieved.¹⁶¹

U.S. assistance supports most of Panama's border and migration control operations in the Darién region, including the Panamanian security forces' "Shield Campaign" and "Operation Chocó" surges. In January 2024, Panama's minister of security, Juan Manuel Pino, announced the launch of the U.S.-backed "Operation Chocó II" along the Colombia border on January 12, 2024, promising increased patrolling of the Darién region and "improved aerial capacities with the acquisition of eight twin-engine helicopters with night flight capacity" for border control missions.¹⁶²

6. RESOURCES ARE SCARCE

Many humanitarian groups and UN agencies are present in Necoclí and Urabá, and to some extent in Ipiales, Pasto, and other points along the Colombia-Ecuador border like Putumayo, Tumaco, Lago Agrio, and Tulcán. They provide

protection, psychosocial support, WASH (water, sanitation, and hygiene), "kits" of essentials, and assistance in handling emergency situations. When they can, groups offer protection messaging and information.¹⁶³ Some of the same

organizations support development programs to integrate communities of Venezuelan migrants.

They do this on a minimal, and shrinking, budget. Throughout the Americas, the Inter-Agency Coordination Platform for Venezuelan Refugees and Migrants (R4V), a body led by UNHCR and IOM, estimated that it would cost \$1.72 billion in 2023 just to address Venezuelan migrants' food security, protection, integration, health, education, and other needs.¹⁶⁴ Of that amount, the Platform counted \$387 million in international donor contributions—about 22.6 percent of what was needed.¹⁶⁵

Of that region-wide amount, nearly three-quarters (\$258.05 million) came from the U.S. government. Colombia was to account for \$664.87 million of R4V's estimated region-wide 2023 needs, but agencies and organizations operating there only received \$180.19 million.¹⁶⁶ This is a sharp decrease from the \$638.1 million in contributions (36 percent of needs) that the R4V platform reported for 2022, \$366.2 million of it for Colombia (45.6 percent of needs).¹⁶⁷

These percentages, Refugees International has observed, "fall way below the global average" for responses to worldwide UN humanitarian appeals. Citing these numbers in April 2024, Ronal Rodríguez of the Universidad del Rosario's Venezuela Observatory laid some of the blame on the Petro government's "lack of leadership and direction in the coordination of migration and integration policies."¹⁶⁸

"International donor funding" in Colombia "is far from enough, and not increasing," a non-governmental humanitarian agency official warned.¹⁶⁹ European donors, diverted by nearby wars in Ukraine and Gaza, have reduced their contributions for migration and refugee needs in the Americas. Most resources, however, come

from the U.S. government, including about 60 percent of UNHCR's operating budget in Colombia.¹⁷⁰ That assistance, too, is under strain when the dollar weakens, reducing contributions' value in local currency, and as a significant share of U.S. funding gets diverted to the Safe Mobility Offices strategy.¹⁷¹

As funding declines, some services are being cut back. In December 2023, UNHCR closed its field office in Ipiales. An official explained that because most migrants tend to leave Ipiales quickly, there was "no longer an emergency" in the Colombia-Ecuador border city, and the decline in available resources forced the UN agency to re-evaluate its priorities.¹⁷²

Needs, meanwhile, remain acute. In Necoclí, where organized crime makes it impossible to operate a migrant shelter, the Fundación Compartir, an organization of Diocesan Sisters based in Apartadó, wishes at least to found a dining area (*comedor*) where migrants can have nutritious meals in a setting that allows them to sit and eat. Their plans—about \$50,000 for construction, plus two or three staff members—are stalled for lack of support.¹⁷³

Some organizations and humanitarian workers had fewer project-specific recommendations. In addition to a renewed call for more international donor support, NGO experts noted that the need now goes well beyond that of the two-thirds of migrants who come from Venezuela. "The R4V has helped, but we need a comprehensive platform for many nationalities now."¹⁷⁴ While push factors of migration remain, funds will continue to be insufficient.

"Our big overall message is, 'don't abandon this now,'" said an international organization official in Bogotá. "You will lose all prior progress."¹⁷⁵

CONCLUSION

Many of the recommendations below are “least bad” options. Ultimately, managing migration manages the effects of larger problems with which Colombia, its neighbors, expelling countries, and the United States have not dealt. They include classic “root causes” like poverty, lack of state presence, corruption, and impunity even for acts of unspeakable cruelty. They include more recent worsening factors like some states’ collapse, climate change, the COVID-19 pandemic, and the opening of new trans-continental migration routes. And they include outdated U.S. laws making the backlogged asylum system, which requires presence on U.S. soil, many nationalities’ most viable migration pathway.

Addressing these causes is the work of generations and a prime motivating factor for WOLA’s continued work on democracy, migration, climate, and gender and racial justice. In the immediate moment, though, the humanitarian situation at key points along the U.S.-bound migration route has become so outrageous that there is no choice but to urgently take more forceful, courageous, politically risky, and costly measures to manage the effects.

The Washington Office on Latin America is deeply grateful to the dozens of people and organizations who offered us their time, their guidance, their information, and their support as we gathered the information and images in this report. As promised, we have preserved the confidentiality of those exchanges, and we hope that we have conveyed their views and insights well. We look forward to continuing this collaboration.



Photo by Sergio Ortíz Borbolla

RECOMMENDATIONS

The horrors of travel through the Darién Gap, and often elsewhere in Colombia, should inspire all states to adopt policies that would make this travel unnecessary, and to do so on an urgent and heavily funded basis. These policies must begin with the recognition that this desperate northbound migration is not “detractable”; it can only be made manageable and safer.

TO THE DONOR COMMUNITY AS A WHOLE:

- No decreases in funding for integration, or for meeting the humanitarian and protection needs of in-transit migrants. **Wars in Europe and the Middle East are straining donor nations’ generosity, but that is the cost of alleviating human suffering in the 2020s, one of the worst moments of conflict and human need since World War II.** Wealthier nations must give more to alleviate human suffering, even if only for the selfish reason that greater suffering will lead to greater lawlessness and conflict, and thus heavier migratory flows.
- **Heavy investment in the integration of migrants** who might choose to reside in Colombia and elsewhere along the migration route, which starts with **establishing robust legal pathways for the regularization of their migratory status and the recognition of their status as refugees.** U.S. programs to help Colombia and other countries along the migration route integrate migrants are worthwhile and deserve to be expanded. More resources should go directly to local governments and local, community-based NGOs.
- More aggressive implementation of **aid programs and diplomatic activities that address the reasons why so many choose to abandon their homes.** Chief focuses should be employment creation and education, public safety and rule of law, climate resilience, and both protection and opportunities for women. In countries governed by regimes that are authoritarian, or otherwise poor partners for rule of law and citizen security programs, focus on strengthening and protecting reformers.
- **Resources and technical support for local governments along the migration route.** They have their own managerial and corruption challenges, but they know communities and their needs and should receive a large share, perhaps the majority, of resources aiming to build state presence along the migration route. They cannot afford to help manage in-transit migration on their meager budgets.
- Particular investment to **local organizations that are willing to operate in difficult environments,** even in the face of obstacles posed by armed and criminal groups. Very instructive examples include the Fundación Compartir in Urabá or the Pastoral Social in Ipiales, which request relatively small amounts for very concrete projects.

RECOMMENDATIONS

TO ALL GOVERNMENTS, PARTICULARLY COLOMBIA AND ITS NEIGHBORS:

- Facilitation of **alternative humanitarian corridors**, with strong and consistent state presence and registry of all who pass through, when migrants remain determined to pursue the overland journey despite these other measures. “It is time to establish humane, safe mobility routes and, why not, talk internationally about an ‘Andean protection route,’” wrote Cúcuta-based expert Fernando Mario Sánchez Castañeda of the organization Construyendo Fronteras Solidarias in April 2024.¹⁷⁶
- This corridor should include the re-establishment of **visa-free travel** to Costa Rica, Mexico, and other countries north of the Darién Gap. There is a lamentable cause-and-effect relationship between Mexico’s imposition of visa requirements on a nationality, and sharp increases in that nationality’s migration through the Darién route. We fear that Mexico’s May 2024 decision to impose visa restrictions on Peruvians will bring a greater flow of Peruvians through the Darién in the second half of 2024.¹⁷⁷
- **Much more frequent meetings, and constant communications, between mid-level officials in all Colombian and Panamanian agencies with migration or state presence-building responsibilities.** They should be mapping out emerging criminal activity hotspots near the other country’s border and alerting them to humanitarian trends. They need to build working relationships and make full use of formal and informal tools for information-sharing.
- The same recommendation applies to neighboring countries throughout the region experiencing in-transit migration on a large scale. **Summits are not enough.** True coordination happens at the middle level and in detailed exchanges on communications apps—not at high-level photo ops.
- All governments, including major donors like the United States, must provide **transparent updates** in a more systematic manner about:
 - Known migration flows and trends
 - Reported crimes committed against migrants
 - Assistance to state agencies: at least dollar amounts; types of equipment, training or other services; and recipient units’ names
 - Operational results, such as arrests of smugglers
 - Candid assessments of challenges faced and necessary course changes

RECOMMENDATIONS

More data means faster, and more cost-effective and collaborative, responses to emerging humanitarian challenges.

- Echoing a recommendation made by Human Rights Watch, the governments of Colombia and Panama urgently need to beef up search-and-rescue capacity by forming a joint mechanism to rescue missing people and recover migrants' remains.¹⁷⁸
- The government of Panama must **permit Doctors Without Borders (MSF) to resume providing health services, and reporting on sexual violence trends that it detects, at the Darién Gap's reception posts.** In general, Panama needs to work more collaboratively with humanitarian groups offering services, and officials should refrain from accusing them of enabling illegal migration without evidence.
- **Panama's president-elect should fundamentally rethink campaign promises to block or shut down Darién migration;** the medium and long-term result of such a policy would be to scatter migration into even more remote, dangerous, and ecologically fragile pathways through the jungle.

TO THE GOVERNMENT OF COLOMBIA:

- Opening **legal pathways** for the roughly half-million people who were not covered by the frameworks created under earlier programs, and who now remain in an irregular status in Colombia. Also, opening pathways for the regularization of migrants from nationalities other than Venezuela, who face similar difficulties in their countries of origin (for example Haiti).
- **Continued publication of regular, up to date and reliable data on migration,** an effort that began in 2024, in order for policy and decision makers to have available information to make more accurate decisions.
- Establishment of **a legal timeframe within which the Ministry of Foreign Affairs must issue asylum decisions,** while abiding by the right to due process. While decisions are pending, asylum seekers must have authorization to work legally. The Foreign Affairs Ministry should adopt practical and effective measures to solve its asylum case backlog; a possible response is *prima facie* recognition of groups of applicants that fall into the categories contained in the Cartagena Declaration.

RECOMMENDATIONS

- Countries routinely offer asylum to citizens fleeing states with whom they maintain good relations. (The United States, for instance, has approved tens of thousands of cases for citizens fleeing Mexico, Colombia, and northern Central America, all of which maintain cordial U.S. relationships.) **The Petro government's rapprochement with Venezuela's regime should continue to have no bearing on its offer of protection to Venezuelan citizens.**
- While integration programs are important to help smooth arriving Venezuelans' transition, their presence highlights the larger need for government, at all levels, to provide public goods—including security, dispute resolution, and enforcement of rules—for all residents of historically neglected municipalities and urban neighborhoods. **Entire communities need assistance, investment, and state presence—not just their newest arrivals. Colombia should issue regulations to implement Law 2136 of 2021, especially Chapter V on socioeconomic and productive integration of migrants, and work closely with the private sector to create opportunities for their effective integration, and to overcome xenophobia and other barriers.**
- Ungoverned areas along the migration route need **a large-scale effort to build up state presence.** Granted, the lack of Colombian state presence is not a problem limited to border transit zones. Vacuums of government that get filled by armed groups have been a hallmark of Colombia's security landscape for decades. The statelessness along the migration route, which enables much criminal activity and criminal governance, is part of a much larger phenomenon.

Colombia has a framework for addressing this statelessness: the first chapter of the 2016 peace accord between the government and the demobilized FARC guerrilla group, entitled "rural reform." That chapter prioritized 170 of Colombia's 1,100 municipalities or counties as territories where the government would invest billions of dollars in establishing state presence, working with community leaders, under "sectoral plans" and an effort called "Territorially Focused Development Programs" or PDET. Most of the Colombia-Ecuador border, and all of the Colombia-Panama border, is comprised of PDET municipalities.

Due to economic shortfalls including the pandemic, some governments' flagging political will, and a good deal of disorganization and lack of coordination, the PDET program is well behind its 15-year schedule. An impunity-free state presence has not grown appreciably in the PDET zones along the in-transit migration route, as evidenced by new armed groups' ability to establish themselves.¹⁷⁹

RECOMMENDATIONS

The **state presence-building commitments in Colombia's peace accord** require vastly more resources and managerial capacity if they are to improve the lives of both citizens and migrants and loosen organized crime's grip on transit routes. This needs to be done from a human rights approach, taking into consideration the differentiated impact of organized crime on migrant vulnerable groups, especially women and girls.

While the security forces have a role, "state presence" along the migration route, as elsewhere, must be more than just law enforcement, migration enforcement, or the armed forces. It means the presence of the entire government at all levels, including entities charged with providing basic services and defending human rights.

- Even as state presence is being built, the Colombian government should:
 - **Re-establish the *Gerencia de Fronteras* office under the Presidency** in order to improve internal coordination.
 - **Establish the above-mentioned "humanitarian corridor" through, or around, the Darién** with basic services and the constant presence of the Colombian and Panamanian states. This would acknowledge the new reality of migration's inevitability through the Darién region, while vastly reducing incentives for migrants or smugglers to seek alternative routes through this fragile ecosystem.
 - As part of that corridor, give serious consideration to reported **plans to reduce Gulf Clan control by building a road**—from cobblestone, to minimize environmental impact—from Acandí to the Panama border. This road would have a permanent state presence along it, allowing Colombia's state to have greater control over the flow of people. So would **docks just for migrants' use in Necoclí and Turbo**, a proposal that Migración Colombia is considering.¹⁸⁰
 - In Necoclí, pursue the proposal, which ran aground in 2023, to **establish a "Casa de Derechos" or "Border Assistance Center"** with government at all levels and non-governmental service providers. This facility would provide information and basic services. Contrary to opponents' arguments that it fosters migration, offering credible information can discourage more would-be migrants from taking the treacherous journey. While they are still in Colombia—not thousands of miles later, and not filtered through social media—migrants should know about the dangers and length of the route, about the U.S. government's stringent asylum requirements, and about the availability of alternative legal pathways.

RECOMMENDATIONS

TO THE U.S. GOVERNMENT:

- Even without badly needed changes to existing U.S. immigration law—which are unlikely in a deadlocked U.S. Congress—the **Biden administration should continue using executive authority and resources to expand legal immigration and protection pathways** that make the dangerous journey to the U.S.-Mexico border unnecessary. Asylum, which requires presence on U.S. soil, should not be the only option available to most people who need to migrate.

The Refugee Admissions Program, humanitarian parole, temporary work visas, Temporary Protected Status, and a few smaller programs are the only tools currently available to the Biden administration to align U.S. immigration policy and labor needs with the region-wide reality of historically high migration. There is room to expand these programs further and help migrants—many of them children and other vulnerable populations—to avoid a harrowing, traumatic journey.

(We issue these recommendations for executive action, not changes in law, in full knowledge that a future administration could easily reverse them. In 2024, though, executive action is the only option.)

- The **Safe Mobility Offices (SMOs)** effort can be an important means of making these legal pathways available to people who might qualify, reducing crossings through the Darién Gap and other dangerous corridors. Right now, though, they are too small to make a difference, and their inaccessibility threatens the credibility of the entire effort among people who might use them.

Colombia and other governments should approve the SMOs' renewal and expansion. In Colombia and elsewhere, agencies coordinating the SMOs should accommodate host countries' concerns, like sovereignty or the possibility of having to integrate migrants who do not pass their SMO interviews.

- **U.S. and other donors' funding for the SMOs should be additive to existing assistance.** The offices' operating costs should not result in cuts to other badly needed programs for humanitarian aid and migrant integration managed by PRM or USAID.
- **U.S. assistance to the Colombian state in border territories must be holistic.** It must seek to increase a low-impunity state presence without focusing entirely on the armed forces, police, and Migración Colombia.

RECOMMENDATIONS

- The U.S. government must be tolerant of countries establishing “safe corridors” and easing channels of in-transit migration, if carried out in ways that increase safety and cut organized crime and corrupt officials out of the picture. This tolerance, though, should be contingent on countries that have the resources to do it—like middle-income Colombia—carrying out robust, well-funded, long-term efforts to integrate large numbers of migrants in their own territory, while actively coordinating and communicating with their neighbors.
- At a time of historic migration, the U.S. government should not pressure a state to “block” or otherwise hinder or increase the misery of in-transit migrants, if that state has a demonstrated commitment to integrating foreign-born populations at a level similar to or greater, on a percentage basis, than the United States’ own integration of those populations.
- The Biden administration’s security assistance and migration-management assistance programs need to be clear in distinguishing between efforts to dismantle smuggling networks and efforts to “block” migrants. A crucial variable here is the measures of mission success that U.S. officials and programs convey to their counterparts in countries like Colombia and Panama.

Is “success” measured by an increase in the number of migrants apprehended, detained, or deported? If so, the result could be large numbers of people from around the world stranded in Colombian or Panamanian territory. That not only strains those countries’ resources and worsens suffering for migrants: it creates new opportunities for smugglers, while the added difficulty of transit gives them new incentives to raise their rates.

Is “success” measured by the number of smugglers brought to justice? If so, the success measures must include these smugglers’ importance to the trade. Are they low-level people offering a service? Or are they well-connected nodes on criminal networks upon whom much of the smuggling industry depends?

Obviously, the latter category matters much more for success, but pursuing them will inevitably lead investigators to these “nodes” **corrupt counterparts in government and the security forces**. Confronting those putative allies—which can be diplomatically uncomfortable—would require large amounts of political will, bolstered by generous investments in investigators’ security, manpower, technology and other needs.

Efforts to combat smuggling bear some resemblance to counter-drug strategies. Security agencies’ press releases and social media accounts are cluttered with accounts of individual drug seizures and mugshots of dealers and smugglers who are clearly among the poorest and weakest, while traffickers with deep connections in government and the licit economy continue to move hundreds of tons of product per year. Similarly, captures of “mom and pop” smugglers—which carry little risk of running afoul of wealthy criminal networks and their state allies—are of little value.

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