

**THE VENEZUELAN DISPLACEMENT CRISIS:  
REGIONAL PERSPECTIVES AND FUTURE  
OUTLOOK**

**Discussion Paper**

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## THE VENEZUELAN DISPLACEMENT CRISIS

### Regional Perspectives and Future Outlook

#### Executive Summary

The Venezuelan Displacement Crisis is often overlooked as it is a result of corruption, hyperinflation, and foreign exchange controls. Venezuela's ability to provide for its citizens has been on the decline since the late 1990s. Critics of the Venezuelan government maintain that Maduro's "dictatorial government" continues to perpetuate a dire situation in which there is a "complete disassociation from the people's problems" in addition to an "absolute inability" for the government to provide for the basic needs of its citizens.<sup>1</sup>

The number of Venezuelans leaving the country skyrocketed from 695,000 at the end of 2015 to more than 4.6 million by July 2019.<sup>2</sup> Between November 2018 and June 2019, the number of migrants leaving Venezuela increased by more than one million. Currently, Venezuelan's are one of the largest population groups displaced from their native country in the world. If the current trend of outward migration continues, there could be as many as 8.2 million Venezuelans living outside of the country by the end of 2020. Additionally, it is forecasted that by the end of 2020, the rate of mass migration in Venezuela is expected to surpass the rate of migration amongst Syrian refugees registered with the United Nations High Commissioner for Refugees.<sup>3</sup> If nothing is done within a timely

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<sup>1</sup> "Venezuelan Government: 'Thousands' of Migrants Want to Come Back." *DW.COM*, 30 Aug. 2018, [www.dw.com/en/venezuelan-government-thousands-of-migrants-want-to-come-back/a-45285540](http://www.dw.com/en/venezuelan-government-thousands-of-migrants-want-to-come-back/a-45285540).

<sup>2</sup> Throssell Nations, Liz, et al. *Refugees and Migrants from Venezuela Top 4 Million: UNHCR and IOM*. 7 June 2019, [www.unhcr.org/news/press/2019/6/5cfa2a4a4/refugees-migrants-venezuela-top-4-million-unhcr-iom.html](http://www.unhcr.org/news/press/2019/6/5cfa2a4a4/refugees-migrants-venezuela-top-4-million-unhcr-iom.html).

<sup>3</sup> Bahar, Dany, and Meagan Dooley. "Venezuela Refugee Crisis to Become the Largest and Most Underfunded in Modern History." *Brookings*, Brookings, 10 Dec. 2019, [www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/](http://www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/).

manner as the humanitarian crisis in Venezuela continues to worsen, the number of displaced Venezuelans outside of the country could reach as high as 7.5 to 8.2 million by the end of 2020.<sup>4</sup>

Despite increased financial support for Venezuelan refugees in recent years, the humanitarian and physical response to the Venezuelan Displacement Crisis has primarily been regional and generally slow. Venezuelan citizens dependency on regional support is heavily reliant on a state's willingness to open their borders and level of adherence International Legislation<sup>5</sup>. Prior to 2015, borders between Venezuela and other states in the region were relatively fluid. However, after the 2014 election of Nicolás Maduro, more Venezuelans began to flee the country out of fear, deteriorating conditions, and economic instability. Following this, tensions between states in Latin-America rose, in turn hindering the ability for migrants to enter neighboring countries. Peru, Ecuador, and Colombia, the countries with the largest number of Venezuelan refugees, have recently implemented legislation to require Venezuelan migrants to produce hard-to-obtain documents. These legislative changes from several countries in the region comes during a time when it is well known that the Venezuelan government is no longer issuing passports to its citizens.<sup>6</sup>

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<sup>4</sup> "Ensuring Solidarity with Displaced Venezuelans: Supporting Countries and Communities Hosting and Protecting Them – A Joint NGO Statement." *International Council of Voluntary Agencies*, ICVA, Oct. 2019, [www.icvanetwork.org/resources/ensuring-solidarity-displaced-venezuelans-ngo-statement-and-list-ngos-endorsements](http://www.icvanetwork.org/resources/ensuring-solidarity-displaced-venezuelans-ngo-statement-and-list-ngos-endorsements).

<sup>5</sup> United Nations 1951 Convention Relating to the Status of Refugees and Cartagena Declaration of 1984

<sup>6</sup> "Passport Issuance and Renewal Update." *Fragomen*, 2018, [www.fragomen.com/insights/alerts/passport-issuance-and-renewal-update](http://www.fragomen.com/insights/alerts/passport-issuance-and-renewal-update).

The objectives of this case study are to evaluate the ways in which the Venezuelan Displacement Crisis is being handled on an international level, taking a look into the various push factors, as well as a redefinition of the *extended refugee definition*.<sup>7</sup> *Non-refoulement* in the scope of social and economic rights, justification of regional solidarity, and the ratification and incorporation of International Legislation in state constitutions are recommended.

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<sup>7</sup> Extended Refugee Definition by the Cartagena Convention of 1984: "persons who have fled their country because their lives, security or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order"

## THE VENEZUELAN DISPLACEMENT CRISIS

### Regional Perspectives and Future Outlook

#### I. INTRODUCTION

Upwards of 16.5 percent of Venezuela's population has emigrated since the beginning of Hugo Chávez's Bolivarian Revolution; the political and economic consequences of establishing a 'cultural hegemony' in Venezuela led to more than 500,000 citizens leaving the country.<sup>8</sup> The citizens who left, were those who could afford to leave: intellectuals, lawyers, doctors, and engineers. The result of the mass migration following Hugo Chávez's Bolivarian Revolution resulted in a "Brain Drain."<sup>9</sup>

The Venezuelan Displacement Crisis is unique as it was not influenced by outside forces or internal unrest, it was completely composed by those in power, thus ultimately avoidable. Disparate from refugee crises seen around the world, although the Venezuelan Displacement Crisis is not the result conventional war or conflict, the conditions the average Venezuelans endure are comparable to those often seen in the outbreak of conventional war and conflict. Inflation rates soaring

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<sup>8</sup> "Chávez had a very unique style of political communication in connection with his populist ideologies and practices. President Hugo Chávez not only governed the people from a pedestal or position of elite superiority, he became the people and the people became him by associating themselves with him as a collective. Chávez's last electoral slogan "I am no longer Chávez! Chávez is the people! You too are Chávez!" Chávez morphed and created a "culture," that created a culture to forcefully displace formerly dominant groups. In this new society with an embraced "Chávez" culture, there is a strong focus on Chávez's ideals and "Chávez" hegemonic structure." Block, Elena. "PhD Thesis: Exploring Hugo Chávez's Use of Mimeticism to Build a Populist Hegemony in Venezuela." *The University of Queensland, School of Journalism and Communication*, 2013, [www.academia.edu/7710223/PhD\\_Thesis\\_Exploring\\_Hugo\\_Ch%C3%A1vez\\_s\\_use\\_of\\_mimetisation\\_to\\_build\\_a\\_populist\\_hegemony\\_in\\_Venezuela](http://www.academia.edu/7710223/PhD_Thesis_Exploring_Hugo_Ch%C3%A1vez_s_use_of_mimetisation_to_build_a_populist_hegemony_in_Venezuela).

<sup>9</sup> Brain Drain refers to the country's many educated, middle, and upper-class citizens emigrating in search of better living conditions and economic prosperity.

from 9.02 percent in 2018 to more than 10 million percent in late 2019 is evidence that the situation in Venezuela is dire.<sup>10</sup> As of January 2020, upwards of 4.8 million Venezuelans are currently living outside of the country. This number is only climbing as humanitarian conditions in Venezuela continue to worsen.<sup>11</sup>

This case study takes a look into the various push factors affecting displacement in Venezuela and what is currently being done in the region to mitigate the situation. In the *International Law Relating to the Venezuelan Displacement Crisis and its International Response* section, attention will be directed to international legislation and non-binding declarations as it relates to the Venezuelan Displacement Crisis. Finally, the case study will conclude with the *Future Outlook* and *Analysis* sections, analyzing the current situation, determining future implications of continued oversight by the world, and looking to next steps.

## II. DISPLACEMENT IN THE REGION

The international community has spent \$580 million in funding for the Venezuelan Displacement Crisis, translating into \$125 per Venezuelan refugee. While \$125 per person is not nearly enough, international recognition is improving; in November of 2019, the United Nations High Commissioner for Refugees and

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<sup>10</sup> Sanchez, Valentina. "Venezuela Hyperinflation Hits 10 Million Percent. 'Shock Therapy' May Be Only Chance to Undo the Economic Damage." *CNBC*, CNBC, 5 Aug. 2019, [www.cnbc.com/2019/08/02/venezuela-inflation-at-10-million-percent-its-time-for-shock-therapy.html](http://www.cnbc.com/2019/08/02/venezuela-inflation-at-10-million-percent-its-time-for-shock-therapy.html).

<sup>11</sup> "Venezuela: Disaster Assistance." *U.S. Agency for International Development*, 11 Mar. 2020, [www.usaid.gov/crisis/venezuela-regional](http://www.usaid.gov/crisis/venezuela-regional).

International Organization for Migration requested a \$1.35 billion regional appeal for the Venezuelan refugee response in 2020.<sup>12</sup>

Of the approximately 4.8 million Venezuelan migrants, approximately 3.7 million of them have stayed within the region. What follows is a breakdown of the number of Venezuelan migrants to countries in the region; since 2014 asylum claims by Venezuelan's have increased 2000.

### ***Push Factors***

Venezuelans are fleeing economic and political crisis; factors affecting the mass migration of Venezuelans narrow down to three main issues: corruption, hyperinflation, and criminality. These factors force Venezuelans to flee the country in search of better economic conditions, less corruption, and less criminality. 94 percent of Venezuela's population suffer from food insecurity, and water on a regular basis.<sup>13</sup> Impending famine, a deteriorating healthcare system, citizen insecurity, and massive violations of civil and political rights make everyday life difficult for the average Venezuelan. The upward mobility of Venezuelan citizens

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<sup>12</sup>Bahar, Dany, and Meagan Dooley. "Venezuela Refugee Crisis to Become the Largest and Most Underfunded in Modern History." *Brookings*, Brookings, 10 Dec. 2019, [www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/](http://www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/).

<sup>13</sup> "Ensuring Solidarity with Displaced Venezuelans: Supporting Countries and Communities Hosting and Protecting Them – A Joint NGO Statement." *International Council of Voluntary Agencies*, ICVA, Oct. 2019, [www.icvanetwork.org/resources/ensuring-solidarity-displaced-venezuelans-ngo-statement-and-list-ngos-endorsements](http://www.icvanetwork.org/resources/ensuring-solidarity-displaced-venezuelans-ngo-statement-and-list-ngos-endorsements).



in their society is severely hindered by factors outside of their control, leading them to claim political asylum abroad.<sup>14</sup>

### ***Inflation***

Alejandro Werner, the Director of the Western Hemisphere Department of the International Monetary Fund suggested that the rate in which the Venezuelan economy is contracting is beginning to slow down; in an press briefing where he stated he stated that “it is very difficult to think that a country can continue contracting at rates of 35 percent each year and basically we expect each year that the following year the drop in oil production will be less than what we saw during the year in course.”<sup>15</sup>

Despite anticipated slowing of the contraction of the Venezuelan economy, the International Monetary Fund further projects that in 2020 the Projected Real GDP is expected to decrease by 10%. The projected consumer prices are 500,000%.<sup>16</sup>

### ***Presidential Crisis***

The government of Nicolás Maduro and the opposition are currently in a power-struggle. Nicolás Maduro’s regime has historically barred opposition lawmakers from standing office, arresting some and forcing others into exile. Maduro’s re-

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<sup>14</sup> Van Praag, Oriana. “Understanding the Refugee Displacement Crisis.” *Wilson Center*, Wilson Center, 13 Sept. 2019, [www.wilsoncenter.org/article/understanding-the-venezuelan-refugee-crisis](http://www.wilsoncenter.org/article/understanding-the-venezuelan-refugee-crisis).

<sup>15</sup> “Transcript of the Western Hemisphere Department Press Briefing.” *International Monetary Fund*, IMF, 29 Jan. 2020, [www.imf.org/en/News/Articles/2020/01/29/tr012920-transcript-of-the-january-2020-western-hemisphere-department-press-briefing](http://www.imf.org/en/News/Articles/2020/01/29/tr012920-transcript-of-the-january-2020-western-hemisphere-department-press-briefing).

<sup>16</sup> “República Bolivariana De Venezuela and the IMF.” *International Monetary Fund*, IMF, 2020, [www.imf.org/en/Countries/VEN](http://www.imf.org/en/Countries/VEN).

election was not recognized by the opposition controlled National Assembly. Opposition leader, Juan Guaidó has declared himself acting president 23 January 2019. Guaidó made this move as an attempt to directly challenge Nicolás Maduro who had been sworn into his second six-year term 10 January 2019. However, although the Guaidó and the National Assembly has made attempts to shift the Venezuelan military's allegiance, they have primarily remained loyal to Maduro's regime. Despite more than 50 countries who recognize Juan Guaidó as president, including the United States and many countries in Latin-America, Russia and China continue to stand by Nicolás Maduro. Additionally, the National Assembly was rendered powerless with the creation of the Maduro-loyalist National Constituent Assembly in 2017. Although the National Assembly continues to meet, decisions by them have been ignored by Maduro, in favor of the National Constituent Assembly. Military forces continue to remain loyal to Nicolás Maduro, who offers pay raises, military control, and placement into key roles in intranational industries.<sup>17</sup>

### ***Solidarity in the Region***

Thousands of Venezuelans cross South American countries on foot. This subjects migrants to grueling conditions during their journeys. Migrants are confronted with dangerous terrain, safety issues related to xenophobia, and abuse by criminal networks and armed groups. Due to urgency and lack of access to formal documentation, Venezuelan migrants often leave their communities without

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<sup>17</sup> "Venezuela Crisis: How the Political Situation Escalated." *BBC News*, BBC, 13 Jan. 2020, [www.bbc.com/news/world-latin-america-36319877](http://www.bbc.com/news/world-latin-america-36319877).

formal documentation when crossing borders. Venezuelan migrants have left behind their communities, families, and loved ones in search of a better life; however, on their journey they are susceptible to increased violence and aggression. Women and children are particularly vulnerable due to increased sexual and gender-based violence, assault, and sexual exploitation. According to a gender analysis report on Venezuelan migrants and refugees in Colombia, “Almost all women and girls revealed that it was common for migrants to engage in transactional sex, while adolescent girls mentioned that mothers often encouraged their daughters to do so.” Various humanitarian organizations have reported that Venezuelan women and girls resort to transactional sex a survival mechanism due to their vulnerable situation.<sup>18</sup>

Historically, Latin-American countries such as Chile, Peru, and Ecuador have had “open-door” policies; however as of late, there are rising fears that “open-door” policy is coming to an end due to new entry restrictions. In Ecuador, recent legislation has been introduced to further require Venezuelans to produce a visa in addition to identity papers. Chile and Peru are now requiring Venezuelans to have a passport and visa in order to gain entry into their respective country. Peru’s President Martin Vizcarra defended the move for Peru to require new documentation by saying that it would “ensure more control.” Visas and passports, however, are difficult for many Venezuelan’s to produce due to cost and the Venezuelan Immigration Authority’s indefinite suspension of the issuance of new

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<sup>18</sup> Borachi, Aniqā, et al. “The Venezuela Displacement Crisis.” InterAction, 19 Dec. 2019, [www.interaction.org/blog/venezuela-displacement-crisis/](http://www.interaction.org/blog/venezuela-displacement-crisis/).

passports in 2017.<sup>19</sup> Xenophobic attacks directed towards Venezuelans in Latin-American countries are on the rise due to diminishing resources in communities; UNHCR's William Splinder reports that "local authorities are finding it increasingly difficult to justify things for refugees and migrants when the local population has their own needs." Surrounding countries were just not prepared for the outpour of millions of Venezuelan refugees through their borders.<sup>20</sup>

### ***Latin American Nations***

Ecuador has received more than 330,400 Venezuelan migrants since 2014. Peru has received 150,000 more than Venezuelans migrants during 2019, and 860,000 since 2014.<sup>21</sup> Brazil has received more than 212,000 Venezuelan migrants.

Colombia has received over 1.4 million Venezuelans. Prior to the regimes of Chávez and Maduro, the Venezuela-Colombia border was quite fluid; people and goods moved relatively freely between the two countries. According the Memorandum of Understanding between Venezuela and Colombia (2003), due to the daily deadly violence endured by Colombians, Venezuela accepted Colombian refugees; Venezuela provided basic necessities for Colombian

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<sup>19</sup> "Passport Issuance and Renewal Update." *Fragomen*, 16 Oct. 2018, [www.fragomen.com/insights/alerts/passport-issuance-and-renewal-update](http://www.fragomen.com/insights/alerts/passport-issuance-and-renewal-update).

<sup>20</sup> Moloney, Anastasia. "Is South America Closing Its 'Open Door' on Venezuelans?" *Reuters*, Thomson Reuters, 8 Aug. 2019, [www.reuters.com/article/us-venezuela-migration-analysis/is-south-america-closing-its-open-door-on-venezuelans-idUSKCN1UY27D](http://www.reuters.com/article/us-venezuela-migration-analysis/is-south-america-closing-its-open-door-on-venezuelans-idUSKCN1UY27D).

<sup>21</sup> Van Praag, Oriana. "Understanding the Refugee Displacement Crisis." *Wilson Center*, Wilson Center, 13 Sept. 2019, [www.wilsoncenter.org/article/understanding-the-venezuelan-refugee-crisis](http://www.wilsoncenter.org/article/understanding-the-venezuelan-refugee-crisis).

refugees.<sup>22</sup> However, after Maduro's election and the subsequent outpour of hundreds of thousands of citizens, the massive influx of Venezuelan refugees has put a strain on the current capabilities of the Colombian government. Rising tensions led to Maduro's incredibly pedagogical statement, referring to Colombia as a "failed state." Currently, tensions between the two countries are at a high and cooperation is at an all-time low.<sup>23</sup>

With the open border policy shifting in the country with the largest number of Venezuelan Refugees, more ought to be done to help Colombia provide protection to Venezuelan Refugees fleeing famine.

### ***Island Nations***

Although countries that share land borders with Venezuela bear the brunt of fleeing Venezuelan refugees, island nations within close proximity to Venezuelans have as a whole received over 150,000 Venezuelan refugees.

The Island Nations– Caribbean Community has received in total 150,000 Venezuelans since the 2014, including 40,000 in Trinidad and Tobago, 16,000 in Aruba and 26,000 in Curaçao. In Curaçao, and Aruba, Venezuelans represent more than 15 percent of the population. This creates intense

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<sup>22</sup> "MEMORANDUM DE ENTENDIMIENTO ENTRE LA REPÚBLICA BOLIVARIANA ..." *Refworld*, Refworld, 23 Apr. 2003, [www.refworld.org/pdfid/46d690ac2.pdf](http://www.refworld.org/pdfid/46d690ac2.pdf).

<sup>23</sup> Bahar, Dany, and Meagan Dooley. "Venezuela Refugee Crisis to Become the Largest and Most Underfunded in Modern History." *Brookings*, Brookings, 10 Dec. 2019, [www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/](http://www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/).

competition for employment and poses a significant challenge to government institutions.<sup>24</sup>

Hyperinflation in Venezuela has led some Venezuelans to take ferries or hire local boats to cross the seven kilometers separating Trinidad and Tobago, and Venezuela to buy groceries in Trinidadian stores.<sup>25</sup>

### ***International Organization for Migration***

The international Organization for Migration has taken steps along with the United Nations High Commissioner for Refugees, and other humanitarian government through: “timely data gathering, distribution of emergency kits and non-food items, provision of temporary accommodation, healthcare and food, relocation, family reunification” and “livelihood opportunities,” among other actions.<sup>26</sup>

## **III. INTERNATIONAL LAW RELATING TO THE VENEZUELAN DISPLACEMENT CRISIS AND ITS REGIONAL RESPONSE**

The factors driving Venezuelan migration are why it does not receive enough international attention nor funding; they defy the conventional understanding of what forces people to leave their country. The United Nations defines the plethora

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<sup>24</sup> Van Praag, Oriana. “Understanding the Refugee Displacement Crisis.” Wilson Center, Wilson Center, 13 Sept. 2019, [www.wilsoncenter.org/article/understanding-the-venezuelan-refugee-crisis](http://www.wilsoncenter.org/article/understanding-the-venezuelan-refugee-crisis).

<sup>25</sup> Bahar, Dany, and Meagan Dooley. “Venezuela Refugee Crisis to Become the Largest and Most Underfunded in Modern History.” *Brookings*, Brookings, 10 Dec. 2019, [www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/](http://www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/).

<sup>26</sup> “Venezuelan Refugee and Migrant Crisis.” *International Organization for Migration*, 23 Oct. 2019, [www.iom.int/venezuela-refugee-and-migrant-crisis](http://www.iom.int/venezuela-refugee-and-migrant-crisis).

of Venezuelan's leaving their home country as a "mixed flow" of migrants and asylum seekers. As a result, the United Nations created a joint platform of the United Nations High Commissioner for Refugees and the International Organization for Migration in order to assist the Venezuelan "mixed flow." Making use of the 1951 Refugee Convention Relating the Status of Refugees, a refugee is defined as someone who has a:

*"well-founded fear of persecution for reasons of race, religion, nationality, membership in a social group or political opinion."*

The United Nations High Commissioner for Refugees duly defines migrants as those who:

*"choose to move not because of a direct threat of persecution or death, but mainly to improve their lives by finding work, or in some cases for education, family reunion, or other reasons. Unlike refugees who cannot safely return home, migrants face no such impediment to return. If they choose to return home, they will continue to receive the protection of their government."<sup>27</sup>*

The United Nations defines the stream of Venezuelan Refugees leaving the country as a "mixed flow" because migrants who seek to leave Venezuela do not all fit into the definition expressly defined by the 1951 Refugee Convention, nor do they all fit into the definition of a migrant by the United Nations High Commissioner for Refugees. A number of Venezuelan migrants are in a grey area which suggests that the definition of a refugee ought to be extended to include victims of economic issues, food insecurity, and lack of protection by the government.

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<sup>27</sup> United Nations. "UNHCR Viewpoint: 'Refugee' or 'Migrant' – Which Is Right?" *UNHCR*, 2019, [www.unhcr.org/news/latest/2016/7/55df0e556/unhcr-viewpoint-refugee-migrant-right.html](http://www.unhcr.org/news/latest/2016/7/55df0e556/unhcr-viewpoint-refugee-migrant-right.html).

### ***Convention on the Rights of the Child***

The Convention on the Rights of the Child, in which 196 nations are signatories (including Venezuela), is legally-binding and lays out the civil, political, economic, social and cultural rights of every child, regardless of their race, religion or abilities.<sup>28</sup> Due to the particular vulnerabilities of women and children, outlined in the *Solidarity in the Region* section, urging states to maintain proper migrant processes, and management centers is of the utmost importance. Facilities must take steps to maintain culturally, age, and gender appropriate responsive practices.<sup>29</sup>

### ***Cartagena Declaration***

The Cartagena Declaration on Refugees of 1984 was created in order to serve as a regional protection instrument for refugees in the region.<sup>30</sup> The Cartagena Declaration has its principles based on its “commitments with regards to refugees,” based in the 1951 Refugee Convention and the 1967 Protocol.

Commitments expressly defined in the Cartagena Declaration had the objective to:

- (a) "To carry out, if they have not yet done so, the constitutional procedures for accession to the 1951 Convention and the 1967 Protocol relating to the Status of Refugees."

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<sup>28</sup> “UN Convention On The Rights Of The Child.” *Save the Children UK*, [www.savethechildren.org.uk/what-we-do/childrens-rights/united-nations-convention-of-the-rights-of-the-child](http://www.savethechildren.org.uk/what-we-do/childrens-rights/united-nations-convention-of-the-rights-of-the-child).

<sup>29</sup> “Protect the Human Rights of Venezuelan Migrants, UN Expert Committees Urge States - Venezuela (Bolivarian Republic of).” *ReliefWeb*, 5 Sept. 2018, [reliefweb.int/report/venezuela-bolivarian-republic/protect-human-rights-venezuelan-migrants-un-expert-committees](http://reliefweb.int/report/venezuela-bolivarian-republic/protect-human-rights-venezuelan-migrants-un-expert-committees).

<sup>30</sup> Belize, Colombia, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, Nicaragua, Panama, and Venezuela



(b) "To adopt the terminology established in the Convention and Protocol referred to in the foregoing paragraph with a view to distinguishing refugees from other categories of migrants."

The Cartagena Declaration sought to encourage Latin-American States to do more to implement constitutional procedures pertaining to the United Nations 1951 Refugee Convention in order to elevate themselves on the world stage. Among the several commitments, there was a general acknowledgement that steps need to be taken to help refugees.

In the 1984 Cartagena Declaration, an *Extended* Refugee Definition was enlarged to include:

*"persons who have fled their country because their lives, safety or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order"*.

The 1984 Cartagena Declaration's principles seek to provide extended protections for refugees. The 1984 Cartagena Declaration, however, is non-binding; it at best a recommendation as to what countries *should* do. This non-binding status of the Cartagena Declaration does not require all Latin-American "member states" to adhere to the declaration nor be subject to any consequences if they choose not to abide by the commitments outlined by the declaration.

### ***1951 Refugee Convention and its 1967 Protocol***

Of the Latin-American countries included in the 1984 Cartagena Declaration, all but Venezuela are signed onto the 1951 Refugee Convention and its 1967 Protocol. Venezuela is the only nation who is solely signed onto the 1967 Protocol.<sup>31</sup> With regard to International Law, Venezuela can only be held responsible if they do not respect the principle of non-refoulement. According to the 1951 Refugee Convention Relating to the Status of Refugees, a refugee is:

*“is someone who is unable or unwilling to return to their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion.”*

Latin-American signatories to the 1951 Refugee Convention who are also included in the Cartagena Declaration must abide by the principles set forth by the 1951 Refugee Convention, with regard to the Cartagena Declaration. The Memorandum of Understanding between Venezuela and Colombia (2003), outlines protection for Colombian refugees, but does not explicitly suggest the same for Venezuelan refugees.<sup>32</sup>

#### **IV. FUTURE OUTLOOK**

Maduro has taken unconstitutional steps to remain in power, such as blocking a constitutionally stipulated recall referendum against the president, and the elimination of key opposition leaders through imprisonment. Furthermore, Maduro

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<sup>31</sup> “The 1967 Protocol.” *The 1967 Protocol | Kaldor Centre*, UNSW Sydney, 8 Oct. 2018, [www.kaldorcentre.unsw.edu.au/publication/1967-protocol](http://www.kaldorcentre.unsw.edu.au/publication/1967-protocol).

<sup>32</sup> “MEMORANDUM DE ENTENDIMIENTO ENTRE LA REPÚBLICA BOLIVARIANA ...” *Refworld*, Refworld, 23 Apr. 2003, [www.refworld.org/pdfid/46d690ac2.pdf](http://www.refworld.org/pdfid/46d690ac2.pdf).

continues to keep a “close eye” on the military and took steps to ensure that military leadership were pro-regime, through a series of appointments.

In 2017, *Wall Street Reporter* John Forrero reported that seventy-two percent of Venezuelan’s have suffered weight loss due to the food shortage. Due to the lack of necessities in stores, Maduro placed the military in charge of the distribution of food. The military being in control of this basic necessity in which there is a shortage is thus another way of how Maduro is maintaining his grip on the military. The likelihood of the Venezuelan Military reestablishing constitutional order is low due to pro-regime loyalists embedded in military leadership. The National Guard has duly become deeply engrossed in narcotrafficking, and other illegal activities to maintain power.

The United States anticipates that there are “solid criminal cases against a significant number of persons in that government,” which could in turn lead to their extradition in the United States. It is unlikely to see an international physical intervention until there is a way effectively hold accountable members of Maduro’s regime.

The current “presidential crisis” plaguing the country is further indicative that there is a need for international cooperation to improve the conditions in Venezuela—perhaps by the likes of Juan Guaidó. Although Juan Guaidó claims Venezuelan Presidency, Nicolás Maduro maintains that Juan Guaidó does not pose a threat to

the administration; the military, government, leftist Venezuelan community organizations who support Maduro (colectivos), do not recognize Juan Guaidó as president.

There are several possible outcomes for the current situation: (1) the country will continue on its unsustainable course, and the acceptance of criminal statehood will follow, (2) continued violence, criminality, and insurgency, or (3) the overthrow of the current regime, and establishment of a “pseudo democratic” regime. The most preferable course of action for nations such as the United States is to avoid direct physical intervention, and instead, work with nations such as: Colombia, Curaçao, Brazil and Island Nations in order to minimize the possible threat that Venezuela poses to the region. With recent attacks on Juan Guaidó and his supporters, it is difficult to determine which direction Venezuela will go in the next year.<sup>33</sup>

## V. ANALYSIS

The unconventionality of the Venezuelan refugee presents several challenges due to the fact they are not fleeing “conventional conflict.” In comparison to the Syrian Refugee Crisis, which primarily affects European countries, the Venezuelan Displacement Crisis affects Latin-American countries; Latin-American countries not being members of the “global north” lead to less precedence being placed in

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<sup>33</sup> Bahar, Dany, and Meagan Dooley. “Venezuela Refugee Crisis to Become the Largest and Most Underfunded in Modern History. *Brookings*, Brookings, 10 Dec. 2019, [www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/](http://www.brookings.edu/blog/up-front/2019/12/09/venezuela-refugee-crisis-to-become-the-largest-and-most-underfunded-in-modern-history/).

terms of global media coverage. The Venezuelan Displacement Crisis is the largest migration crisis that Latin-America has ever seen, and despite the incredible figures of displacement, sparse media coverage makes it so that the public remains ill-informed on the situation in Venezuela. The Venezuelan Refugee takes a “backseat” in terms of precedence regarding current refugee crises. Increased attention is paid to the Syrian Refugee Crisis, although displacement figures of Venezuelan citizens are beginning to outpace those of the Syrian refugee crisis.

The situation in Venezuela is unpredictable, and its effects will undoubtedly pan out over the course of several generations. Large numbers of Venezuelans will continue to leave the the country due to continually deteriorating conditions. With outward migration estimates as high as 7.5 to 8.2 million by the end of 2020, it is imperative and of the utmost importance to take the steps necessary to protect Venezuelan citizens and assist bordering nations.

Venezuelan officials maintain that Venezuela is safe, however this could not be further from the truth. Maduro’s regime alleges that United States is trying to justify an intervention in order to divulge oil assets; this invalidates claims that there is truly any crisis. The Venezuelan government maintains that *only* 600,000 Venezuelans have left the country, and that frequent power outages are the result of cyber-attacks by the United States. This continual pattern of misinformation by

the government is what locks loyalists into the regime's mentality, and further perpetuates diminishing economic conditions.

The Venezuelan government's role in the Venezuelan Displacement Crisis suggests that more needs to be done in order to hold countries accountable for their citizens. There ought to be increased international cooperation to provide an adequate humanitarian response for the Venezuelan Displacement Crisis, and a minimum requirement that determines if a state is fulfilling its obligations to its citizens. The minimum requirement will act as a benchmark to decide what justifies humanitarian or physical intervention by regional powers. Intervention by regional powers is particularly important due to Venezuelan's uneasiness with non-regional intervention by foreign powers such as the United States. Furthermore, the Venezuelan Displacement Crisis's unconventional nature requires that there be a universally recognized redefinition of *who is a refugee*, *who is an Internally Displaced Person*; an extended refugee definition ought to include violations of social and economic rights during generalized civil unrest and rising criminality. Additionally, open border policies, of which include access to family reunification should be re-implemented throughout the region. The principle of *non-refoulement* should be embraced, along with the redefinition of *who is a refugee*. These amendments ought to be made to the Cartagena Declaration, and moreover, ratification and incorporation of said modifications in the constitutions of its member states. These changes will ensure that Latin-American countries can take steps to mitigate the effects of the Venezuelan Displacement Crisis.

Word Count: 3815

Total Word Count: 4628