

Common messages for the Caribbean R4V Sub-Regional Coordination Platform

These messages constitute a brief explanation of the current situation with regards to Venezuelan refugees and migrants and the response of R4V to their needs and vulnerabilities. They can be used to inform public opinion and advocate with all relevant stakeholders, including media and governments.

Overall Context

The current situation in Venezuela has led to a mixed outflow of refugees and migrants (regardless of legal status) into neighbouring countries and beyond, with over 5.4 million Venezuelans to date¹ having left their country. The displacement of Venezuelan nationals within a short period of time is the largest population movement in the recent history of Latin America and the Caribbean. This flow comprises both refugees and migrants from Venezuela and returning Guyanese.

Venezuelans continue to leave their country for many reasons, including insecurity, violence, persecution, threats, lack of access to food, medicine and essential services, as well as loss of livelihoods and lack of effective national protection systems resulting from the current political and socio-economic situation in the country. Specific groups of Venezuelans are particularly vulnerable during displacement, including unaccompanied and separated children (UASC), survivors, or those at-risk of gender-based violence (GBV), single women, people living with physical or mental disabilities, as well as victims of human trafficking (VoTs).

Inter-Agency Coordination Platform

In April 2018, the United Nations Secretary General tasked the International Organization for Migration (IOM) and the United Nations High Commissioner for Refugees (UNHCR), in accordance with their respective functions and mandates, with establishing a Regional Inter-Agency Platform for Refugees and Migrants from Venezuela to lead and coordinate the response, including analysis, strategic planning and operational interventions. Within the framework of the Regional Inter-Agency Platform, the Sub-Regional Platform was established for the Caribbean in April 2019, covering Aruba, Curaçao, the Dominican Republic, Guyana, and Trinidad and Tobago.

Caribbean Sub-Regional Context

Since 2017, the Caribbean continues to experience increasing numbers of arrivals despite the introduction of restrictions to access territories. Measures include visa requirements and temporary closure of borders with Venezuela in most sub-regional countries and have been more strictly enforced during the COVID-19 pandemic. In December 2020 a total of 195,800 Venezuelan refugees and migrants are living in the region. Varying responses to the influx of refugees and migrants from Venezuela have been adopted by different Caribbean states, and take into consideration their geography, language, legal and socioeconomic background, limited size and absorption capacity. Growing concerns about the number of refugees and migrants from Venezuela arriving in the Caribbean, coupled with the continuing deterioration of the situation in Venezuela, have led to pushbacks in the region. This includes cases of non-admission, removals and deportations without granting access to asylum procedures or protection screenings in many instances. Limited or no access of partners to immigration detention facilities also remains a concern.

Arrivals in the Caribbean

¹ Latest information about the number of displaced Venezuelans can be found on the R4V website (r4v.info).

The Caribbean sub-region is hosting an estimated 195,800 refugees and migrants from Venezuela at the end of 2020. Of this number, 124,000 Venezuelans are in need of assistance, along with 66,100 other persons from host communities in countries of the sub-region. Current trends suggest that new arrivals will be predominant in Caribbean countries that share a land or sea border with Venezuela. Some onward movements among the Caribbean islands may also continue to be seen, thus further increasing risks of human trafficking and smuggling. Boat incidents of Venezuelans trying to reach countries in the Caribbean will continue to occur and likely increase throughout the year with the introduction of visa requirements in four out of the five concerned Caribbean countries².

Key messages

R4V is supporting Governments in the region to address the protection and essential needs of Venezuelan refugees and migrants most at risk. Interventions are needs-based rather than status-based. The beneficiaries of the RMRP are:

- Venezuelan refugees and migrants;
- Refugees and migrants who were living in Venezuela and who are now returning to their countries of origin or moving to a third country;
- Stateless, in particular children born in hosting countries and who have no access to the citizenship of these countries;
- Host communities.

Adoption of simplified mechanisms to regularize the temporary stay of Venezuelans currently residing irregularly in host countries. Requirements of existing migratory pathways are often difficult for Venezuelans to meet and there are no alternative legal pathways that take into consideration the specific situation of people arriving from Venezuela in most countries within the region. Refugees and migrants from Venezuela who are in an irregular migratory situation face greater protection threats and risks, and are at heightened risk of exploitation, abuse, and deportation. Lack of documentation frequently hinders their access to rights and services, including education, healthcare and livelihoods. This situation can increase risks of displaced populations' resorting to negative coping mechanisms, including survival sex, trafficking or illegal/criminal activities. Partners recommend that states in the sub-region adopt **simplified mechanisms to regularize the temporary stay of Venezuelans**, such as these successfully implemented in Guyana and other countries in Latin America, or globally (i.e. humanitarian admissions programs, temporary protection regime).

Venezuelans should enjoy the right to apply for asylum without undue barriers, regardless of their migratory status. Access to asylum remains limited across the Caribbean, mainly due to gaps in the regulatory framework, or lack thereof, and the capacity of asylum systems. It is important that countries develop and/or **continue to strengthen their national asylum systems**, improving procedural fairness, timely screening and access to information so that people with a well-founded fear of returning to their country of origin or habitual residence are identified; they are counselled and provided access to international protection. Asylum-seekers should also have a fair opportunity to appeal against negative decisions. All States that have not yet done so, are encouraged to **accede to the 1951 Convention Relating to the Status of Refugees** and other international treaties and agreements that protect the rights of refugees, asylum-seekers, migrants and stateless persons.

Venezuelans seeking asylum should enjoy freedom of movement. Limited freedom of movement affects every aspect of Venezuelans' lives in host countries, including access to rights and services such as education, livelihoods and health, not to mention that this is in breach of Article 13 of the Universal Declaration of Human Rights and

² Trinidad and Tobago (July 2019), the Dominican Republic (December 2019) and Aruba and Curacao (first half of 2020).

Article 12 of the International Covenant on Civil and Political Rights³. Detentions must be justified under legitimate purposes, with access to legal aid, and alternatives to detention should always be considered, especially for children and persons with specific needs (i.e. elderly, pregnant women, persons with medical needs and/or mental health conditions).

The international community stands ready to support hosting countries to ensure that refugees and migrants from Venezuela have access to rights and public services in their territories. Venezuelan refugees and migrants have been extended access to some services in some countries of the Caribbean, including public emergency and primary healthcare, as well as formal education. However, language, administrative and financial barriers remain in place and more restrictions exist in terms of access to specialized health care and tertiary education. **Partners commend efforts of Caribbean countries in providing services to Venezuelans, in particular COVID-19 testing and treatment,** and they encourage host governments to remove restrictions that prevent Venezuelans from accessing rights and public services in order to allow them to become self-sufficient and reliant. **Partners stand ready to support the capacity of local service providers** to cope with the increased demand for services with the influx of refugees and migrants, so Venezuelans can have adequate access to essential services alongside host communities. Such access and promotion of refugee and migrants' skills and resilience is aligned with the Grand Bargain and the Global Compact on Refugees (GCR)⁴.

Promote livelihoods and access to formal employment to refugees and migrants. The level of self-reliance of Venezuelan communities varies among the R4V Caribbean countries, as Venezuelans are not allowed to formally work in most countries of the sub-region⁵. Requirements to obtain work permits are often lengthy and cumbersome. Those with work permits often do not find jobs commensurate with their skill-level as host countries do not recognize their academic and professional credentials from Venezuela. In the context of the economic downturn, following the outbreak of the pandemic, partners encourage countries in the region to **facilitate the issuance of temporary work permits** to Venezuelans and **facilitate recognition of academic and professional credentials of Venezuelans in order to promote self-reliance** and reduce risks of exploitation and abuse. This will also contribute to the host country's development in line with Sustainable Development Goals (i.e. SDG 8 on decent work and economic growth) and uphold the GCR objective of enhancing refugees' self-reliance.

Increase outreach, communication and engagement of host Governments, partners, the private sector, host community and other stakeholders with Venezuelans. Refugee and migrant communities offer specific skills to host countries and can become valuable and productive members of society. **Partners encourage Governments in the region to establish consultative bodies with Venezuelan communities** and build partnerships in order to benefit displaced and receiving communities. Partners stand ready to support efforts towards better communication with communities, with a view to ensure accountability to affected populations and improve access to clear and reliable information to Venezuelan communities across the Caribbean.

Promote integration of Venezuelans in host countries and foster peaceful coexistence. The sudden increase of the Venezuelan population in the Caribbean has heightened/escalated pressure over public resources of host countries, particularly straining already vulnerable host communities. This, coupled with cultural and language barriers as well as the negative impact of the COVID-19 pandemic, have led to discrimination and xenophobic sentiments in some Caribbean countries, where Venezuelans who enter host countries via irregular channels and who are not subject to COVID-19 testing, are being blamed for spreading the virus.

³ Universal Declaration of Human Rights, www.refworld.org/docid/3ae6b3712c.htm. International Covenant on Economic, Social and Cultural Rights, www.refworld.org/docid/3ae6b36c0.htm.

⁴ Grand Bargain, <https://interagencystandingcommittee.org/grand-bargain>. Global Compact on Refugees, https://www.unhcr.org/gcr/GCR_English.pdf.

⁵ Except for those that have registered with the Government of Trinidad and Tobago during the government-led two-week registration exercise that took place in June 2019.

Local integration is impacted by the lack of legal migratory status of the majority of the Venezuelan population, and the consequent lack of access to the right to work. Partners encourage stakeholders to foster social cohesion, support both receiving and host communities, and implement English-as-a-Second Language (ESL) initiatives to promote integration and relationship building amongst Venezuelan and local communities.

Increase prevention and response against GBV and trafficking. Human trafficking networks continue to operate in the sub-region⁶, and GBV remains a concern across the Caribbean⁷. However, survivors of GBV, victims of trafficking, and other persons in circumstances of extreme vulnerability, including unaccompanied and separated children (UASC)⁸, often lack access to specific protection, legal, psychological, shelter and medical services. Lack of legal status also prevents some Venezuelans from reporting incidents to the authorities, due to real or perceived fear of arrest, detention and deportation. **Partners encourage host Governments to strengthen their capacities to provide adequate and quality services to survivors of GBV and victims of trafficking, regardless of their legal status and provide protection against deportation of these vulnerable persons.** Partners stand ready to provide capacity building for government officials, including law enforcement and judicial bodies, to address the specific needs of this population. In addition, partners will continue to carry out interventions to prevent and respond to GBV and trafficking such as the organization of community-based protection activities and direct assistance, among others.

Emphasize the principles of responsibility-sharing and international solidarity. Partners recognize the need for **increased support to host Governments in the Caribbean** to enhance their reception capacity and public services considering the increased demands these refugee and migratory flows have cast on their territories. Support and cooperation from other states individually, jointly, or through partners and resettlement of refugees to third countries are an example of responsibility sharing, and of the relevance of working with partners, which is clearly outlined in the Grand Bargain and the GCR.

Ensure that returns to Venezuela are not forced. Additional socioeconomic hardships brought by the COVID-19 pandemic prompted some Venezuelans to return to their home country in the absence of other options. Starting in September 2020, some Caribbean host countries and Venezuelan authorities facilitated return flights which included detainees for immigration reasons. The voluntariness of these returns raised **concerns regarding potential cases of refoulement and forced returns.** It is important to note that returning to one's home country is a human right, and often the most desirable durable solution for many refugees, hence it is commendable that governments are making efforts to facilitate the return of those wishing to return in the context of closed borders (in particular stranded visitors). However, the R4V sub regional platform advises that **the current conditions in Venezuela remains to be problematic and not conducive for a dignified and safe return.** At this point, returns should continue to be only for those who truly wish to voluntarily return and are not forced. In the current context, none of the R4V partners have issued a position to facilitate or support air or sea transportation or any other logistical arrangements (including COVID-19 testing for the purpose of return). The R4V Caribbean sub regional platform would like to reiterate the importance of ensuring that Venezuelans make an **informed decision** when they decide to return to their home country, including one that is not influenced by push factors faced in the host country, and are thus provided with updated and accurate information on how their return might affect their migratory status, asylum claim and re-entry conditions. Conditions upon arrival to Venezuela in relation to COVID-19 protocols, access to services and rights, and safety measures should also be made clear to them in a language they understand. In general, R4V partners will strive to mitigate hardships faced by Venezuelans in host countries that push them to return to Venezuela. They will continue to provide available assistance to the most vulnerable

⁶ US Department of State, Trafficking in Persons Report, June 2020.

⁷ See, among others, R4V, Inter-Agency rapid Gender-Based Violence Assessment Report in Guyana, April 2019, Guyana; UNHCR, Findings from Participatory Assessments with Population of Concern in Trinidad and Tobago, August 2018, Trinidad and Tobago; Comité Coordinador de la Diáspora Venezolana en RD, Situación Personas Venezolanas en República Dominicana, May 2018, Dominican Republic.

⁸ E.g. UNICEF, Migration Flows in Latin America and the Caribbean, August 2019.



and advocate for access to services provided by national institutions. Additionally, they will continue to **advocate against forced returns and the signing of consent forms for those who do not wish to return**. For asylum seekers, refugees and individuals who may face threats in Venezuela, whether they have applied for asylum or not, extreme caution should be exercised and R4V partners should follow up with the authorities and intervene to prevent their return, since this would amount to refoulement which is a serious human right violation.

Sub-Regional R4V Platform (Caribbean)

26 November 2020