A Step Forward

Lessons from Colombia's Temporary Protection Status for Venezuelans

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The International Rescue Committee responds to the world's worst humanitarian crises, helping to restore health, safety, education, economic wellbeing, and power to people devastated by conflict and disaster. Founded in 1933 at the call of Albert Einstein, the IRC is at work in over 40 countries and 28 U.S. cities helping people to survive, reclaim control of their future and strengthen their communities.





Executive Summary

Displacement has reached historic highs with over <u>35 million</u> refugees globally as of 2023. But the need for dignified and durable solutions continues to far outstrip available offers of legal protection and humanitarian assistance. Regularization can provide a pathway to legal status, create integration opportunities, and generate economic development for both hosted individuals and host communities. With eligibility for Colombia's offer of ten-year temporary status to Venezuelans largely closed as of June 2023, crucial lessons from this regularization process are already emerging. Policy makers, donors, and host governments seeking to develop and deploy safe, humane and orderly responses to displacement should take note of the successes of Colombia's approach while also understanding the considerable challenges that remain.

Colombia has been a lifeline for Venezuelans who have left their country due to insecurity, instability and violence. In 2021, facing significant humanitarian and protection needs for a population that included nearly <u>one million</u> Venezuelans in the country without migratory status, Colombia launched an ambitious <u>regularization</u> program for Venezuelans.

The initial results are clear: through regularization, legal status and accompanying expansions in integration opportunities can quickly be conferred to significant numbers of people. By mid-2023, with financial and logistical support from the international community and through partnerships with international, non-governmental and civil society actors, including Venezuelan groups in Colombia, nearly 2.5 million people had initiated the regularization process through Migration Colombia. To date, 1.7 million Venezuelans have been granted Permisos por Protección Temporal (PPTs – Temporary Protection Permits) under the Estatuto Temporal de Protección para Migrantes Venezolanos

Regularization is a means for people without immigration status or with precarious status to legalize or "regularize" their status. Regularization mechanisms (1) protect the rights of migrants and their families, especially those in particularly vulnerable situations, (2) form a key component of comprehensive migration policy; and (3) contribute to the achievement of other public policies in countries of destination. As the Special Rapporteur on Migrants recently noted, "[r]egularization is, therefore, a protection and inclusion tool that benefits migrants, their families, destination countries and communities."

(ETPV – Temporary Protection Statute for Venezuelan Migrants), entitling them to regular migratory status through 2031, guarantees of rights, access to essential services and labor markets, and the opportunity to apply for residency.

The international community has rightly lauded Colombia for its offer to regularize the status of so many of its neighbors in need in spite of complex social, economic and political realities – including massive internal displacement of more than <u>6.8 million</u> people. Most countries in Latin America and the Caribbean have taken steps to provide and/or extend <u>legal status</u> to Venezuelans, but Colombia's effort remain the most ambitious to date. The staggering <u>2.5 million</u> Venezuelans who Colombia currently hosts make up 5% of the country's total population.

Contrary to off-cited assumptions that offering or broadening temporary protections inevitably draws additional entries, the data does not show the ETPV, which includes eligibility cut off dates, generated a "pull factor." After its announcement, new entries of individuals who could still qualify for regularization remained 65% below prepandemic levels (see Table 1). Regularization's economic and social improvements for many in both hosted and host communities are significant. Analysis by the International Monetary Fund estimates that investment in integration could produce more than 3.5 percentage points growth in GDP in Colombia by 2030.

However, Colombia needs continued support to advance and update the ETPV. This includes support to ensure delays and barriers to issuing and delivering PPTs are resolved; respond to urgent humanitarian needs (both for Venezuelans in Colombia for years and more recent arrivals outside the ETPV); and strengthen long-term integration prospects, which remain precarious for many Venezuelans seeking to recover and remake their lives

in Colombia. In 2023 (through August), more than 200,000 Venezuelans left from or transited through Colombia to Panama, crossing the notoriously dangerous Darién Gap (more than the 150,000 Venezuelans who crossed in all of 2022) in search of more sustainable prospects elsewhere. July 2023 survey results by Colombia's national statistical agency found that nearly 15% of respondents from Venezuela were unsure of whether they would remain or leave Colombia in the next year. More assistance is needed to strengthen the regularization process and integration prospects generally for Venezuelans in Colombia and the region.

This report is based on the International Rescue Committee's (IRC) experience with the ETPV, IRC assessments of humanitarian needs and integration barriers for Venezuelans in Colombia, and interviews conducted in June 2023 with IRC clients and staff across Colombia, national and local government officials, U.N. agency staff, INGO, civil society and business leaders. It draws from published government data, academic studies, and assessments by international agencies and other humanitarian organizations.

The report analyzes the successes and challenges Colombia has encountered in turning its generous regularization offer on paper into a reality. These are instructive for governments, international organizations, regional bodies, donor and financial institutions, and civil society groups considering, implementing, or supporting regularizations. The IRC encourages other countries to pursue regularization as part of humane and orderly approach to migration, international protection, and integration.



Eyuli and her family arrived in Colombia from Venezuela in late 2020. The family registered together for the ETPV. While her mother, stepfather and sister received their PPTs, Eyuli had not received a decision on her application by the time she gave birth in early 2022. Without regularization, Eyuli could not access the public health system or get a formal sector job. Eyuli and her baby have been able to receive pre- and post-natal care through the IRC. Without these services it would take one to two weeks of Eyuli's earnings selling empanadas in the street to pay the cost of a pediatrician visit – about \$14 USD. Photo: Julián Ruiz for the IRC

Lessons from Colombia's regularization include the need to:

- A. prioritize community participation and invest in information provision and infrastructure to ensure accessible, fair, and efficient regularization processes;
- B. explain regularization effectively to provide accurate information and counter xenophobia;
- C. make regularization eligibility equitable and adaptable to changing dynamics;
- D. promote family unity and provide family reunification options;
- E. plan early for accessible government services and ensure humanitarian supports to fill gaps;
- F. address barriers to livelihoods and self-sufficiency while providing assistance to meet basic needs;
- G. harmonize regularization and refugee protection systems, and simplify residency processes; and
- H. generate learnings in collaboration with displaced communities to improve global approaches.

Taken together, these considerations highlight the need for: community participation in regularization design and implementation; sustained international response to humanitarian needs that can otherwise create barriers to longer-term integration; access to and strengthening of refugee protection systems; and flexibility to adapt to emerging dynamics, including continued displacement and migration.

To leverage the emerging lessons of the ETPV and ensure that regularization contributes to equitable and sustainable responses to displacement, donors and international financial institutions should:

- Donors should provide sustained, multi-year support to plan, build capacity, and carry out regularization
 processes, ensure harmonization of regularization and refugee protection systems, and meet continued,
 urgent humanitarian needs in the medium-term, which left unaddressed can undermine recovery and
 derail integration efforts.
- 2. The World Bank and regional development banks should coordinate and make available resources and technical assistance that enable host countries to adopt progressive regularization policies, address longer-term development needs, and develop inclusive financial systems.
- Governments and regional bodies should explore deeper coordination and harmonization on regularization policies. In particular, leaders in the Americas should act on existing <u>commitments</u> to improve regional cooperation mechanisms to facilitate regularization, guarantee human rights, provide international protection, and ensure access to and portability of social services.
- 4. The international community should redouble efforts to sustain and expand upon the successes of the Colombian regularization process for Venezuelans (while also addressing its challenges) and continue to evaluate and apply lessons learned with input from impacted communities.

The IRC's work with Venezuelans in the Americas

Since 2018, when the International Rescue Committee began its response for Venezuelans in the region, we have assisted more than 350,000 people in Colombia with health, education, livelihood, and economic development support, enrollment in government health and education systems, as well as protection and empowerment activities with women and children. IRC has helped nearly 10,000 individuals going through the ETPV registration and subsequent steps in the process. Our interactive information platform in the region, InfoPa'lante, was launched in 2020 to provide reliable information, including on the ETPV, and facilitate access to services. It has received more than 7 million visitors since its inception and currently receives 350,000 visits per month on average. Nearly 37,000 people have received individual orientations through InfoPa'lante's trained moderators.

Temporary Protection Statute for Venezuelan Migrants

In February 2021, Colombia announced its plan to regularize the status of what was then estimated to be some 1.7 million Venezuelans in Colombia (more than 37% of Venezuelans hosted in the region) – an offer the U.N. Refugee Agency (UNHCR) termed a "bold humanitarian gesture." To date, nearly 2.5 million Venezuelans have come forward to register for the regularization process and already more than 1.7 million have in hand regularization documents that confer temporary migratory status, the right to access essential services, and access to integration opportunities. At the same time, thousands continue to wait for a response to their ETPV application, for approved PPTs to be delivered, and for resolution of biometric capture problems, erroneous denials, and mistakes in printed cards.

Below are some of the essential elements of regularization, its benefits, and where the ETPV stands today.

Eligibility Criteria: Extended to Venezuelan citizens in Colombia holding a valid temporary permit¹ or a pending application for refugee protection as well as those without migratory status who could produce prima facie evidence (*prueba sumaria*) that they had entered Colombia prior to January 31, 2021, including, for example, rental contracts, proof of school enrollment, medical records, or a sworn declaration. In addition, regularization is available to some later-arriving Venezuelan citizens: those entering Colombia through an official border control point after May 29, 2021 but before May 28, 2023, as well as Venezuelan citizen children enrolled in Colombian schools or under government care.

Deadlines: Pre-registration for individuals in Colombia prior to January 31, 2021 with or without status closed on May 28, 2022. Pre-registration for individuals who entered regularly before the end of May 2023 will close on November 24, 2023. Venezuelan children (if enrolled in school or under government care) may register until May 30, 2031.

Application Process: Includes (1) an <u>online pre-registration</u> accompanied by an extensive (and required) socioeconomic survey (Single Registry of Venezuelan Migrants - *Registro Único de Migrantes Venezolanos* (RUMV)); (2) a subsequent biometrics appointment for applicants over seven years of age; (3) adjudication of the application by Migration Colombia with a response (approval, denial, request for additional information) delivered to the email address given during registration; and (4) distribution of approved *Permiso por Protección Temporal* (PPT – Temporary Protection Permit) identity cards. While the RUMV can be completed by family, applications are considered on a person-by-person basis.

Adjudication and Appeals: Once the registration process is completed with biometrics, Migration Colombia has 90 days to make a discretionary decision in whether to grant the application. If approved, a virtual PPT must be delivered within 30 days and the physical card within 90 days. As of March 2023, applicants can receive a PDF certificate of their PPT that is supposed to permit them to access services while awaiting the physical card. The ETPV does not include a specific appeal mechanism, but applicants can exercise the right of petition (*derecho de petición*) or bring an enforcement action (*acción de cumplimiento*) with Migration Colombia and/or file a judicial challenge to protect their fundamental rights (*tutela*) in cases of delay, erroneous decisions, or other problems.

Benefits (and Limits) of the Regularization Offer: Offers a 10-year period of status (through May 2031), which allows beneficiaries to enter the formal labor market, provides access to services (including government health, pension, and education systems, as well as financial services) and counts towards the five-year requirement to apply for a residency visa (Visa-R). Individuals with at least one-year of residency (and who meet other criteria) can apply for Colombian citizenship. PPT holders may leave the country for up to 180 days without losing their

¹ From 2015, Colombia issued a series of temporary permits to Venezuelans of shorter duration and more limited in scope to individuals who had entered the country in a regular manner, including the *Permiso de Ingreso y Permanencia* (PIP), *Permiso Temporal de Permanencia* (PTP) and various phases of the *Permiso Especial de Permanencia* (PEP).

status. The ETPV is not intended to and does not confer refugee status and, therefore, does not protect against *refoulement* (forcible return) to harm. Nor does the ETPV provide status to the family members of the applicant.

Roll Out: Began in May 2021 with the opening of virtual pre-registration through Migration Colombia's RUMV webpage followed by assisted, in-person procedures at certain government offices and during mass in-person events (*jornadas*). In addition to national, departmental, and local government entities, crucial assistance for pre-registration was provided by UNHCR, the International Organization for Migration (IOM), international and local NGOs and, importantly, Venezuelan groups. In September 2021, in-person biometrics appointments began first at set locations and later also through mobile biometrics units. PPT issuance began in October 2021. Documents are made available at established government offices based on the individual's registered address or may be delivered during mass PPT distribution events.

International Cooperation: Following the ETPV announcement in 2021, the World Bank approved a \$500 million (USD) loan and the Inter-American Development Bank authorized a \$300 million (USD) loan to support and promote integration of Venezuelans through regularization, as well as access to social services, protection against human trafficking, and promotion of work opportunities. Previously, the World Bank had provided loans to support migrant and host communities through the Global Concessional Financing Facility (GCFF), including for earlier more-limited regularizations. International donors (principally the United States, the European Union, Canada, Sweden, and Germany) alongside the Colombia government have funded humanitarian efforts aimed at Venezuelans in Colombia. But funds for the regional refugee and migrant response plan in Colombia have become increasingly limited – with only 21% of needs met for 2023.

By the Numbers: Through August 2023, nearly 2.5 million Venezuelans initiated the RUMV pre-registration with Migration Colombia, biometrics were completed for 2.1 million applicants, and 1.9 million PPTs were approved with 1.74 million distributed. The Colombian Ministry of Foreign Affairs' Chancellery (*Cancilleria*), which administers residency (and refugee protection) applications, does not provide public statistics on visa applications, but as of mid-2023, up to 180,000 Venezuelans may now have the requisite five years of temporary visa status through the PPT and earlier special permit regimes (*Permiso Especial de Permanencia* (PEP) - 1 & 11 to apply for residency. By the end of 2023, an additional 280,000 Venezuelans (registered in PEP III) could have sufficient temporary visa status to be eligible to request residency.

Current Context: As of June 2023, newly arriving Venezuelans are generally (apart from children) no longer eligible² for the ETPV and consequently have limited options to remain in Colombia, access socio-economic integration opportunities, and regain their self-reliance. Since May 28, 2023, Venezuelans arriving with passports through a migration control point are not eligible for regularization. The original January 31, 2021 cutoff for Venezuelans who arrived irregularly has not been extended to cover later arrivals – leaving many families in mixed legal status and facing uncertain prospects with children registered for regularization but older siblings, parents, grandparents, and other caregivers and relatives unable to do so. While the eligibility window for PEP was repeatedly expanded (for individuals who entered with a passport), to date, the Colombian government has not publicly discussed potential extension of the current regularization. Many Venezuelans who have left the country, including some who had not found stable labor and integration opportunities in host communities after years of displacement, are undertaking circular movements within the region to Ecuador, Peru, and Chile as well as onward movements to Mexico and the United States.

² Venezuelans may apply for international protection through Colombia's refugee system (discussed below), but with long delays in adjudication and no work authorization documents provided during the process, refugee protection can be a difficult route to pursue.

Lessons from Colombia's regularization process

The successes and challenges Colombia has encountered in implementing its generous regularization offer may provide important lessons in other contexts. These learnings are relevant to national governments, international organizations, regional bodies, donor and financial institutions, civil society groups, and other actors that may be considering and/or carrying out regularization programs. Overall, the learnings from Colombia's ETPV point generally to a need for: community participation in regularization design and implementation; sustained international response to humanitarian needs that can otherwise create barriers to longer-term integration; access to and strengthening of refugee protection systems; and flexibility to adapt to emerging dynamics, including continued displacement and migration.

Below are nine lessons that have emerged from the ETPV based on the experience of the IRC's clients, its staff, and the opportunities and challenges that Venezuelans striving to rebuild their lives in Colombia continue to face.

A. Prioritize community participation and invest in information provision and infrastructure to ensure accessible, fair, and efficient regularization processes

The significant logistical challenges of quickly registering and adjudicating potentially millions of regularization applications require an equivalently significant investment in community and civil society participation to ensure system accessibility and functionality and sufficient information, infrastructure, and technology to implement these processes fairly and efficiently.

The Colombian government took notable positive steps in designing and implementing the ETPV to account for the circumstances of Venezuelans in the country. For example, the criteria to establish presence in the country for Venezuelans who entered irregularly are broad, allowing for a wide range of documents as proof including, rental contracts, proof of school enrollment, medical records, confirmation of services from NGOs or international organizations, or a sworn statement from a Colombian citizen or visa holder attesting to the individual's arrival in Colombia. The ETPV provides a process for transgender persons to register in the RUMV and receive their PPT with the name and gender marker they use to identify themselves. PPT holders can leave Colombia for up to 180 days – a welcome feature that allows Venezuelans to visit family and seek temporary work opportunities in the region. While the ETPV understandably began with a heavily digital strategy as it rolled out during the COVID-19 pandemic, over time, the government adapted its registration, biometrics, and PPT entry methods to provide inperson attention for pre-registration, biometrics, and PPT distribution including, at its height, in 104 physical locations (*Puntos Visibles* – Visible Points) and during *jornadas* that draw on cooperation by government entities, international organizations, NGOs and civil society to provide assistance to large numbers of people in areas sometimes far from established *Puntos Visibles*.

While Colombia had experience through the PEP regimes in providing temporary visas to hundreds of thousands of Venezuelans, the ETPV's huge scope (anticipated at time of announcement at 1.7 million applicants), broadened eligibility to highly vulnerable populations not eligible for PEP, and rapid implementation timeline presented new but resolvable challenges. Additional initial investment in community and civil society participation and implementing technology could have helped to identify and alleviate information gaps and accessibility barriers and system faults that have given rise to delays, due process concerns, and diminished administrative efficiency. For instance, one international actor estimated that 10% or more of applicants in the department of Nariño (southwest of the country) have had to resort to administrative requests and/or legal acts to resolve their regularization process.

Providing individuals and civil society groups a role in regularization design both affirms the agency of displaced persons in shaping their own futures and can work to address anticipatable implementation challenges. In the case of Colombia, deeper consultation could have identified technology access, digital, and other literacy gaps, and the need for clarifications in instructions (31% of Venezuelans in Colombia lacked access to telephone and internet as of January/February 2022). These barriers resulted in reported exploitation by actors (some posing as

Colombian migration officials) requesting payment to complete the free pre-registration process, generated significant processing delays due to mistakes in spelling/numbering in registration forms, and added to administrative workloads to address duplication in files because of confusion around which identity document to use in pre-registration.

Similarly, consultation might have provided an opportunity for the ETPV to consider accommodations for other barriers, including gender-based violence and internal displacements that have prevented some qualifying Venezuelans from meeting the ETPV's registration deadlines, as well as to reconsider administrative/criminal bars that have been used to disqualify Venezuelans from PPTs for a range of survival-related acts (violations of quarantine lockdown to search for food, use of public transportation without payment, sex work, etc.).

The strain on the information platform Colombia adopted to carry out the ETPV and limited available physical infrastructure highlight the need for early investment (including concentrated international financial and logistical support) in regularization to develop and maintain functioning and efficient processes. For example, in September 2021, the biometrics registration system experienced a significant glitch leading to data and contact information errors for thousands of applicants that required Migration Colombia to create a specific verification process. Generally, applicants and actors involved with the ETPV reported that completing biometrics two or three times due to faults in the system was common. While *Puntos Visibles* provided in person attention, the limited number



of offices, particularly in less-urban departments, required hours-long journeys for many individuals least able to afford such travel. Avoiding such inefficiencies is crucial to prevent delays for applicants and resource waste by government agencies and implementing partners.

Candy is a trans woman from Venezuela who currently lives in Colombia. She is a community leader with Red Somos, an IRC partner that provides services—including gender-based violence prevention and response—for members of the LGBTQ+ community, especially from Venezuela. "It's important to support the LGBTQ+ community because, as human beings, we have the same responsibilities and rights. The more inclusion, the less discrimination [we'll experience]." Candy received a PPT through the ETPV process, which she found relatively simple, although long and exhausting to complete. Candy had a generally positive experience, but she initially experienced discrimination from an official reviewing her paperwork, as her identity document is not updated to reflect her name. She noted that a different official later assisted her and treated her with dignity. Photo: Alejandro Figueroa/Red Somos for the IRC

B. Explain regularization effectively to provide accurate information and counter xenophobia

Effective communication strategies that reach potential beneficiaries of regularization – as well as host communities – are crucial to ensure that eligible individuals timely submit applications and counter xenophobic narratives that undermine integration.

Ensuring individuals who may be eligible to apply for regularization actually receive information on the process requires leveraging accessible modes of communication. In Colombia, information dissemination about the ETPV largely focused on social media (Facebook, YouTube, Twitter, etc.) and television. InfoPa'lante, the IRC's online information platform for the region reach 350,000 users per month on average. Its most visited pages include a guide on the PPT approval verification process (with more than 550,000 visits) and information pages on the RUMV pre-registration process, how to retrieve the PPT identity card, and the Migration Colombia app to confirm ETPV appointments (with more than 100,000 visits each). In the first half of 2022, 36% of visitors to InfoPa'lante were looking for guidance on the ETPV. Survey results from Colombia's statistical agency DANE confirm that nearly 60% of Venezuelans who said they were aware of the PPT by mid-2021 had learned about it from social

media.³ But for thousands of Venezuelans without access to the Internet, particularly in rural areas where only 29% of households had access to the internet through broadband and/or smartphone in 2021, information on the ETPV via social media was more limited. In the context of Colombia, expansion of initial outreach might have been helped by an early focus on providing information by radio, which is listened to by more than 50% of rural households.

Colombia's experience points to the importance of early information on the process and its benefits in the uptake of the regularization offer. Lack of early information correlated strongly with lower ETPV registration rates. Of those Venezuelans who did not have information about the ETPV in July/August 2021 (5 to 6 months after it was first announced), nearly 27% still had not pre-registered by March/April 2022 (with the deadline for most individuals closing in May 2022) – double the rate of non-registration compared to those who said they were aware of the ETPV process shortly after its start.

Countering xenophobia should also be a crucial component of communication strategies to accompany regularization and counter misinformation among host communities. Following the announcement of the ETPV, online xenophobic messages reportedly spiked with false claims that regularization would provide Venezuelans with the right to vote in Colombian elections and that the regularization favored Venezuelans over Colombian citizens. A quarter of Venezuelans surveyed in early 2023 said they had experienced discrimination in Colombia based on migration status in the street (66%), at work (33%), and searching for housing (31%). Integration is undermined as discrimination creates barriers to basic needs.

C. Make regularization eligibility equitable and adaptable to changing dynamics

To provide effective responses to complex migration and displacement situations, regularizations should ensure equitable coverage (preferably not limited to a single country but, at a minimum, including protection for third-country nationals who were resident in the country of concern) and update eligibility requirements, registration deadlines, and other rules as dynamics change over time.

Regularizations limited to individuals of a particular nationality raise complicated citizenship issues and questions of equity. In Colombia, the ETPV's requirement of Venezuelan citizenship as an eligibility criterion has excluded from regularization both third-country nationals who were resident in Venezuela, including doctors and other professionals from Cuba unable to return there, as well as children born to Venezuelan nationals abroad whose parents have been unable to register them for Venezuelan citizenship.⁴ In addition, complex procedures to obtain Colombian identity documents for dual nationals (including <u>cross-border Indigenous peoples</u> and individuals previously displaced from Colombia and their descendants) have resulted in some individuals who are entitled to Colombian citizenship registering for the ETPV in hopes of receiving legal recognition and access to services.

In situations of continued movements, limiting regularization at a particular arrival cutoff date risks re-creating the circumstances of social and economic precarity and vulnerability to exploitation that motivate the creation of temporary protection regimes. Since the ETPV was announced in early 2021, many Venezuelans have continued to depart their country. The number of Venezuelan migrants and refugees in the world has grown by some 1.7 million between <u>June 2021</u> and June 2023 to an estimated <u>7.3 million</u>. Some have left other countries in the region due to deteriorating economic conditions and worsening xenophobia. Without an update to the ETPV cutoff dates for irregular and regular entries, thousands of Venezuelans in Colombia – some of whom have now been in the country for more than two-and-a-half-years – will be left without the security of legal status and opportunities for integration that would assist them in beginning to rebuild their lives.

³ This was followed by 27% who heard about the PPT from a family member and 23% who received information from television. Percentages do not sum to 100, as multiple responses were accepted.

⁴ In 2019, Colombia took an important step to address the risk of <u>statelessness</u>, by announcing that it would grant citizenship to the children of Venezuelan nationals born in the country after August 19, 2015.

At the same time, concerns are commonly expressed that offering (and/or broadening) temporary protections draws additional entries of individuals hoping to qualify for regularization. Colombia's experience with the ETPV regularization, however, does not appear to bear out these "pull factor" concerns. Government data confirms that the offer of regularization did not increase crossings of individuals actually eligible for the program and does not appear to have precipitated significant additional arrivals of Venezuelans in Colombia seeking to apply for temporary status through the ETPV.

Somewhat uniquely, the ETPV includes a provision that allows Venezuelans prospectively entering at a border control point with a passport between June 2021 and May 2023 to request regularization. If the ETPV were a draw for Venezuelans to Colombia, a surge in crossings at official border points would be expected. But data from Migration Colombia shows that the number of such crossings during the ETPV eligibility window (while rising compared to the period of pandemic border closures) remained 65% below pre-pandemic levels (see Table 1).

Table 1: Entries at Official Border Points by Venezuelans without residency or a PEP

Period	January 2018 to February 2020	March 2020 to May 2021 (pandemic border closures limit entry)	June 2021 to May 2022 (ETPV eligibility for official entries)
Average number of regular entries	97,000	5,300	33,900

Source: Migración Colombia, "Flujos Migratorios" – 2023, 2022, 2021, 2020, 2019, 2018, https://public.tableau.com/app/profile/migraci.n.colombia%0D

Applications for regularization similarly provide little evidence of a surge in arrivals of individuals intending to access the ETPV. For instance, the number of adults who pre-registered through the RUMV between June 2022 and June 2023 (when adults were eligible for the RUMV only if arriving with an official entry between June 2021 and May 2023) was just 1,900 per month on average (see Table 2) - making up less than 6% of the average number of official entries by Venezuelans during that period. While significant barriers to request Venezuelan passports might explain limited numbers of official entries, a Colombian statistical agency survey found that 28% of Venezuelans in Colombia had a passport in 2021, and such barriers would not explain the recent decline in entries.

Table 2: RUMV Pre-registrations for Adults and Children by ETPV Phase

ETPV Phase	Average Total Monthly Pre- registrations	Average Monthly Adult Pre- registrations	Percentage (adults)	Average Monthly Child Pre- registrations	Percentage (children)
May 2021 to May 2022 (all eligibility categories)	182,000	128,000	70%	54,000	30%
June 2022 to June 2023 (only children & regular entries)	8,300	1,900	23%	6,400	77%

Source: Migración Colombia, "Estatuto Temporal de Protecion – Preregistros en el sistema,"

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 $\underline{\text{https://public.tableau.com/app/profile/migraci.n.colombia/viz/EstatutoTemporaldeProteccin-Prerregistros/Pre-registrosPublic}$

D. Promote family unity and provide family reunification options

Regularization programs should promote family unity and provide pathways for family reunification to avoid situations of family separation that hinder integration and drive the unaccompanied migration of children.

While Colombia's ETPV contains a broad and generous offer of regularization to Venezuelan children, the lack of options for those children's parents, caregivers, and other relatives may result in family separation. For Venezuelan families who arrived after or missed the ETPV registration deadlines, only children enrolled in school (or under state care) can register through the RUMV and receive PPTs. Since June 2022, 77% of new ETPV registrations have come from over 83,000 children (see Table 2, above) — most of their parents are likely ineligible for the regularization and are left without access to the formal labor market, government services, and other integration opportunities. In the context of Colombia's complex public services system, children in mixed status families may be unable to access the public healthcare system. Generally only household heads can initiate the vulnerability assessment (Sistema de Identificación de Potenciales Beneficiarios de Programas Sociales — SISBEN) needed to confirm an individual's receipt of publicly subsidized healthcare, but Venezuelans without PPTs (or a pending application for refugee protection) do not qualify for public health coverage and therefore cannot initiate the study. Such gaps in access to essential services also dim integration prospects for children who receive regularization.

Reunification pathways for children, spouses and other family members should be considered in designing regularization programs. Studies of refugee well-being find that individuals separated from children and spouses report significantly lower life satisfaction which also has negative implications for integration. Many Venezuelans in Colombia have left close family members in Venezuela and other countries in the region. One survey found that 36% of Venezuelans in Colombia with children were separated from one or more of their children, and 22% of respondents to another DANE survey said that they had a family member in Venezuela planning to reunify with them in Colombia.

Unfortunately, the ETPV does not include a family reunification pathway for Venezuelans with PPTs. Only after obtaining a residency visa, which requires a minimum of five years continuous temporary visa status, can

individuals who have pursued regularization sponsor a family member.

Luisa holds figures made by her daughters during JuJú a la Calle, a play fair organized as part of the ¡JUJUÉGALO! (Play Movement) project, implemented by the IRC with support from The LEGO Foundation. In the two years that Luisa's family has been living in Colombia her daughters have not been able to attend school. Activities like JuJú provide a socialization opportunity. "I feel great, comfortable, at ease. Kids have fun, they enjoy." Donor: The LEGO Foundation / Photo: Julián Ruiz for the IRC



E. Plan early for accessible government services and ensure humanitarian support to fill gaps

Access to basic services such as health and education is crucial not only for immediate recovery but also long-term stability and local integration. Policy makers planning for regularizations should ensure that public services are prepared to attend to new users through appropriate regulatory changes as well as ensuring technical compatibilities, systems updates, staff training, and other advance preparations. At the same time, humanitarian supports will remain needed to fill gaps for particularly vulnerable individuals and in areas that remain outside institutional reach.

Advance planning to ensure regularization ID documents are accepted by public sector and private institutions as proof of identity and technically compatible with government information and public services systems is critical. In 2021, Colombian agencies issued <u>regulatory updates</u> and <u>guides</u> to provide for enrollment of Venezuelans in public services and <u>strengthening</u> of the institutional response. In 2022, Colombia issued a <u>presidential directive</u>

to all ministries reaffirming the validity of the PPT as an identity document and reminding public entities of their responsibility to "adopt necessary measures and make adjustments required to include the PPT as a valid identification document in their information systems, and in this way guarantee effective access to public and private services and procedures." Unfortunately, some institutions experienced technical complications in accepting PPTs due to the difference in the number of digits in PPTs compared to other Colombian identity documents and also because of system errors as PPT identity numbers appeared to match the national IDs cards of Colombian citizens. These malfunctions created serious and frustrating barriers for some Venezuelans trying to access essential services guaranteed by the ETPV. Delays in PPT approval have also exacerbated other barriers, including in access to education, as Venezuelan children are permitted to enroll in Colombian schools but cannot receive a diploma without presenting a valid PPT or other proof of status.

Beyond addressing identity document requirements, ensuring access to quality public services is a major challenge that requires targeted responses tailored to the socio-economic circumstances of the population and simplified procedures. Beginning in 2022, Colombia launched – with support from the US development agency, IOM and local governments – 11 "integration centers" (*Centros Intégrate*) in nine cities with large Venezuelan populations to provide a "one-stop-shop" for government-supported services that can bridge barriers in the health and education systems, offer employment supports, and provide access to other government entities. Despite this promising approach, gaps in health and education enrollment and service access remain, particularly in smaller cities, rural areas, and conflict-affected zones. For instance, in the most recent DANE survey of Venezuelans in Colombia from March/April 2023, 14.5% of households with children reported one or more children not enrolled in school and nearly 35% of respondents said they were not affiliated with the government health system.⁵

Through working with IRC clients and questions received through the InfoPa'lante platform and moderators, the IRC has detected various barriers to education and health. For school enrollment, these barriers include requirements at the level of the educational institution that are not contemplated under government rules such as presentation of documents/certifications that are costly and/or difficult to obtain, directions to return at the start of the school year, limited number of slots (particularly for students with disabilities or learning gaps in Venezuela or while in transit), and assignment to schools far from the student's home, which imposes significant transportation costs. A barrier to accessing health services in Colombia remains the SISBEN evaluation, which is required to affiliate with the health system. This assessment, which includes evaluation of the economic condition of the place where the applicants live, must be conducted within four months of registering with the social security system for health and determines eligibility for subsidized care. Many individuals are unaware of the need to complete the study and become disenrolled from the health system as a result, while others receive erroneous classifications of their resources because they, for example, live together with many families or live in the home of an employer,

which provides an inaccurate projection of their personal resources. Adjustments to the SISBEN evaluation to take these issues into account for

For almost 30 years, Maria worked as a nurse in a hospital in Venezuela before leaving to Colombia. She received primary care at one of IRC's health facilities in Soacha because she was unable to afford care in the Colombian public health system. Maria received her PPT through the regularization process, but her family was erroneously classified as having too many household assets to qualify for subsidized health care despite their humanitarian assistance needs. Photo: Julián Ruiz for the IRC



⁵ The Ministry of Health and Social Protection previously published frequent <u>circulars</u> on access of Venezuelans in Colombia to the public health system but updates have not been provided since December 2022.

Venezuelans would also likely benefit internally displaced and other Colombian households in similar circumstances. Many Venezuelans not eligible for the ETPV also remain without access to the public health system.

These gaps in access to essential public services, which Colombia has generously offered to extend to regularized Venezuelans in the country, point to the need for continued humanitarian assistance to meet these needs.

F. Address barriers to livelihoods and self-sufficiency while providing targeted humanitarian assistance to meet basic needs

Employment and entrepreneurship are important pathways to self-reliance and integration. Regularizations is an opportunity to break down barriers to economic empowerment and financial health. For individuals and families who continue to struggle, direct humanitarian assistance will remain critical not only to meet immediate needs but to make pathways to sustainable livelihoods more accessible and facilitate integration.

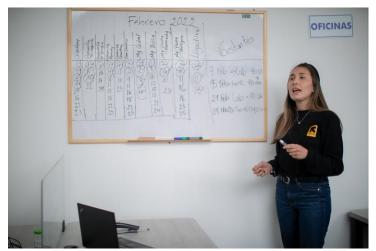
Regularizations can bring about major positive economic benefits for recipients and host communities alike. A study by the Inter-American Development Bank shows that the earlier PEP temporary permit program in Colombia resulted in a 10-percentage point increase in formal sector employment, a 30% increase in income for PEP holders, and 30 to 60% higher per capita consumption. Analysis by the International Monetary Fund estimates that investment in integration in the region could produce more than 3.5 percentage points growth in GDP in Colombia by 2030 compared to the situation without migration.

Access to financial services for displaced people is an important component of inclusive financial systems and individual financial health. Colombia's regulators have issued a series of circulars reminding financial institutions of the validity of the PPT and other forms of identification held by Venezuelans in Colombia to open accounts and purchase other financial products. However, many Venezuelans as well as prospective employers in Colombia report difficulty in opening of accounts and that financial products on offer to Venezuelans can be limited in scope. Only about 25% of Venezuelans in Colombia have a bank account. The lack of access to banking limits formal employment opportunities and lack of access to credit hinders business growth. Continued leadership by national authorities in coordination with international agencies and financial institutions is needed to combat the stereotypes, misconceptions, and unfounded risk presumptions that underly these decisions at the bank, branch, and employee level. Recognizing the credit history individuals have built in Venezuela would help to promote access to credit. Outreach and education to Venezuelans in Colombia is also needed to increase financial literacy and understanding of available financial services.

Simplifying the process to recognize foreign degrees can also help to reduce barriers to formal sector employment. A survey conducted by Norwegian Refugee Council in early 2022 found that nearly 20% of women had lost out on formal employment opportunities because they were not able to validate their degrees. Nearly 40% of individuals with university or higher professional training cited lack of required documentation and nearly 23% cited cost as the reasons they had been unable to validate their degrees. Apostille costs and requirements are frequently mentioned as a significant impediment. While PPT holders are permitted to validate degrees, cost and other requirements remain barriers. Simplifying and reducing costs of Colombia's complex degree validation process would reduce entry barriers for Venezuelans in the country but could also benefit Colombian nationals who studied abroad and face similar difficulties.

But livelihood approaches must be differentiated and adapted to the socio-economic conditions of host country. Strategies that overly concentrate on formal sector employment will not be effective where unemployment and labor informality are high. For Venezuelans in Colombia, an estimated 19% are unemployed and more than 80% of those with jobs have informal contracts, with women more likely to be in the informal sector. Comprehensive approaches that include cash transfers, access to micro-credit, and financial literacy and coaching can provide opportunities, particularly for women blocked from the formal labor market, to generate income through

entrepreneurship. When humanitarian cash assistance is provided through regulated financial accounts, including <u>digital platforms</u>, these programs hold the potential for <u>development interventions and to further promote financial inclusion</u>.



Mariangela is a Venezuelan-trained lawyer and protection officer for the IRC in Colombia. "Here in Colombia, I was synced to the immigration issue because I know about it from my own experience." It took Mariangela one-and-a-half years to validate her law degree from Venezuela and to take up her profession. "I really see that people's lives are changed with the little or much we can give them . . . helping them to take a step to stabilize, the same as I did." Photo: Julián Ruiz for the IRC

As regularization processes proceed, humanitarian needs will persist. Failing to provide for adequate food, water, housing, and other necessities undermines efforts to help people

recover their economic self-sufficiency and diminishes integration prospects. In Colombia, humanitarian needs for Venezuelans, including many who have been in the country for years and those who have received PPTs, remain significant. The Joint Needs Assessment conducted by UN agencies and partners for 2023-24 found that "[e]ighty-two per cent of [Venezuelan] households live in inadequate indoor housing conditions, 51 per cent eat two meals a day or less, [and] 92 per cent have insufficient or intermittent access to water." But donor pledges meet only 16% of these essential humanitarian needs for 2023.

G. Harmonize regularization and refugee protection systems, and simplify residency processes

Regularization is not a replacement for refugee protection but can provide complementary, interim status for displaced persons as they pursue requests for international protection. For individuals granted regularization that provides temporary status, requirements for residency should be simplified given vetting conducted during regularization and to reflect the political, social and economic realities for people displaced from their homes.

Because regularization is not a form of asylum, it must be harmonized to run in parallel with refugee protection systems. Under the ETPV individuals pursuing regularization in Colombia may continue their application for refugee status. However, once a PPT is approved, applicants must choose whether to continue the refugee process or to accept the PPT – in which case they must expressly and in writing inform the Ministry of Foreign Relations of their decision to abandon (*desistir*) the refugee status application. The ETPV <u>decree</u> and implementing <u>resolutions</u> expressly prohibit an individual from holding a PPT and the temporary protection permit for people seeking refugee recognition (*salvoconducto* SC-2).

This lack of harmonization forces refugees to make impossible decisions. The PPT provides work authorization and access to integration opportunities but does not protect the holder from return to persecution. On the other hand, the *salvoconducto* protects the bearer from return to potential persecution while they wait for adjudication of their refugee request but without authorization to work and in a process that could take years. In addition, in practice, many refugee protection applicants are pressured to withdraw their applications when they apply for the ETPV even before approval of the PPT. Given the different purposes and protections of regularization and the refugee system, it is consistent and, in fact, desirable to allow people seeking refugee protection to simultaneously receive temporary status through regularization. A harmonized approach to regularization and refugee protection would protect refugees from *refoulement* to harm, permit asylum seekers to regain self-sufficiency, and promote early integration of refugees.

Simplified requirements for residency should be developed to accompany regularization processes that reduce administrative burdens on adjudicators and recognize the resource and logistical limitations faced by many applicants who have been forced from their homes and are still working to rebuild their lives. Hundreds of thousands of Venezuelans in Colombia may now, or soon will, have the requisite five years of temporary status in order to apply for residency (see overview) and to place themselves on a pathway to Colombian citizenship. However, the accessibility of residency is questionable given requirements that do not reflect the difficulties many Venezuelans have faced. For one, because of PPT delays many individuals who timely applied for regularization currently lack "continuous and uninterrupted" five years of status required for residency because their prior temporary visas expired before the PPT was approved. In addition, the need to present a passport (which was not required for the ETPV) is another barrier to residency, particularly as only approximately 28% of Venezuelans in Colombia had a valid or expired Venezuelan passport as of 2021. Further, with still limited consular presence in Colombia and a \$200 USD passport fee, obtaining a passport can be logistically difficult and financially costly. The residency visa's costs (\$54 USD application fee and \$400 USD fee for visa issuance once approved) are prohibitive for many Venezuelans in Colombia even for those working in the formal sector at the monthly minimum wage of \$242 USD. For a family of four, residency visas would cost more than \$2,600 for filing and passport fees, not taking into account travel and other potential costs.

Given that individuals applying for residency will have already been vetted during the regularization process and may still not yet be in a position to pay the full suite of normal residency fees, requirements should be simplified and fees eliminated or generously waived.

H. Generate learnings in collaboration with displaced communities to improve global approaches

Regularization programs present opportunities to generate data, analyze the impact of public policies, and finetune best practices by a range of government, international and non-government actors. Learning from regularizations requires sharing of information and experience from responsible government entities, international organizations, and civil society groups, and investment in soliciting the input and participation of displaced people with direct experience of the regularization process.

The response to Venezuelans in Colombia has in many ways demonstrated best practices in public sharing of data on displaced populations. For instance, Colombia's national statistical agency DANE conducts and publishes regular <u>surveys</u> of Venezuelans in Colombia. <u>R4V</u> – the interagency coordination platform for the response to Venezuelan migrants and refugees – has served as a clearinghouse for statistics, surveys and other information collected and analyzed by UNHCR, IOM, and other partner agencies and organizations. However, to date, no report has been released analyzing the data Migration Colombia collected through the lengthy socio-economic survey that was a requirement for Venezuelans registering through the RUMV and it is unclear whether the information has been used, for example, to target employment programs based on reported education, training and experience levels. To ensure voluntary and informed participation in research, conducting such studies through statistical or social welfare agencies (when carried out by governments) would be preferable, and impacted communities should be included in study design and, ideally, in data collection and analysis. These forms of participation are crucial not only from the perspective of personal agency and representation but also provide for better informed research questions and tailored policy and aid responses.

Recommendations

Donors, international financial institutions, and host governments should act on the lessons emerging from Colombia's offer of temporary status to Venezuelans, which highlights regularization's potential in the development of safe, humane, and orderly responses to displacement. At the same time, challenges for Venezuelans to access the temporary status mechanism, use available public services, and find humanitarian supports underscore the need for continued international assistance as regularizations proceed. Premature reductions in humanitarian support risk undermining regularization's offer of access to labor markets, integration opportunities, and the possibility of permanency.

All donors should:

- provide countries considering and/or committed to regularization processes with sustained support to plan, build technical capacity, and carry out regularization processes and to ensure accurate information on regularization reaches displaced and host communities;
- direct supports that enable harmonization of regularization with refugee protection to leverage and promote the capacity of both systems and avoid potential discrepancies; and
- meet continued humanitarian needs as regularizations progress left unaddressed these gaps in access to basic necessities and essential services undermine individuals' recovery, ability to regain self-sufficiency, and derail long-term integration efforts.

The World Bank and regional development banks, alongside international organizations, should:

- coordinate and make available resources that enable host countries to adopt progressive regularization policies, including investments in technology, systems updates, technical support for needed legal and regulatory changes, and information dissemination to the private sector;
- address development needs of displaced and host communities while ensuring equitable access to funded services, including education systems and training programs; and
- promote development of inclusive financial systems through enabling regulatory environments, countering of misperceptions, encouragement of accurate risk and financial assessments of displaced communities, and focus on financial health of displaced communities.

Governments and regional bodies should:

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- explore deeper coordination on regularization, particularly where conditions push people on the move to make repeated crossings in search of sustainable protection and economic prospects for themselves and their families;
- leaders in the Americas should act on existing <u>commitments</u> made through the Los Angeles
 Declaration and Quito Process to improve regional cooperation mechanisms to facilitate
 regularization, guarantee human rights, provide international protection, and ensure access to and
 portability of social services; and
- continue to draw lessons from regularization processes by benchmarking again practices successfully scaled in other countries and enhancing dialogue among stakeholders, as has been modeled in the Roadmap to the Sustainable and Responsible Financial Inclusion of Forcibly Displaced Persons, which brings together a comprehensive set of key actions for relevant stakeholders to consider, while respecting national regulatory frameworks.

In the context of Colombia, the international community should redouble efforts to expand the successes and address the challenges of the regularization processes for Venezuelans by:

- meeting urgent humanitarian funding needs for basic necessities (food, water, housing, and protection), while also financing services aimed at longer-term development goals;
- providing funding and other support to enable an update to eligibility requirements under the ETPV to
 ensure all Venezuelans in Colombia have opportunities to access essential services, maintain family
 unity, and find integration locally; and
- continuing to evaluate lessons from the ETPV, with critical input solicited from individuals in displaced communities, and apply these learnings in the funding, technical and policy support provided in Colombia and elsewhere.

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