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Social protection and Venezuelan migration in Latin America and the Caribbean in the context of COVID-19

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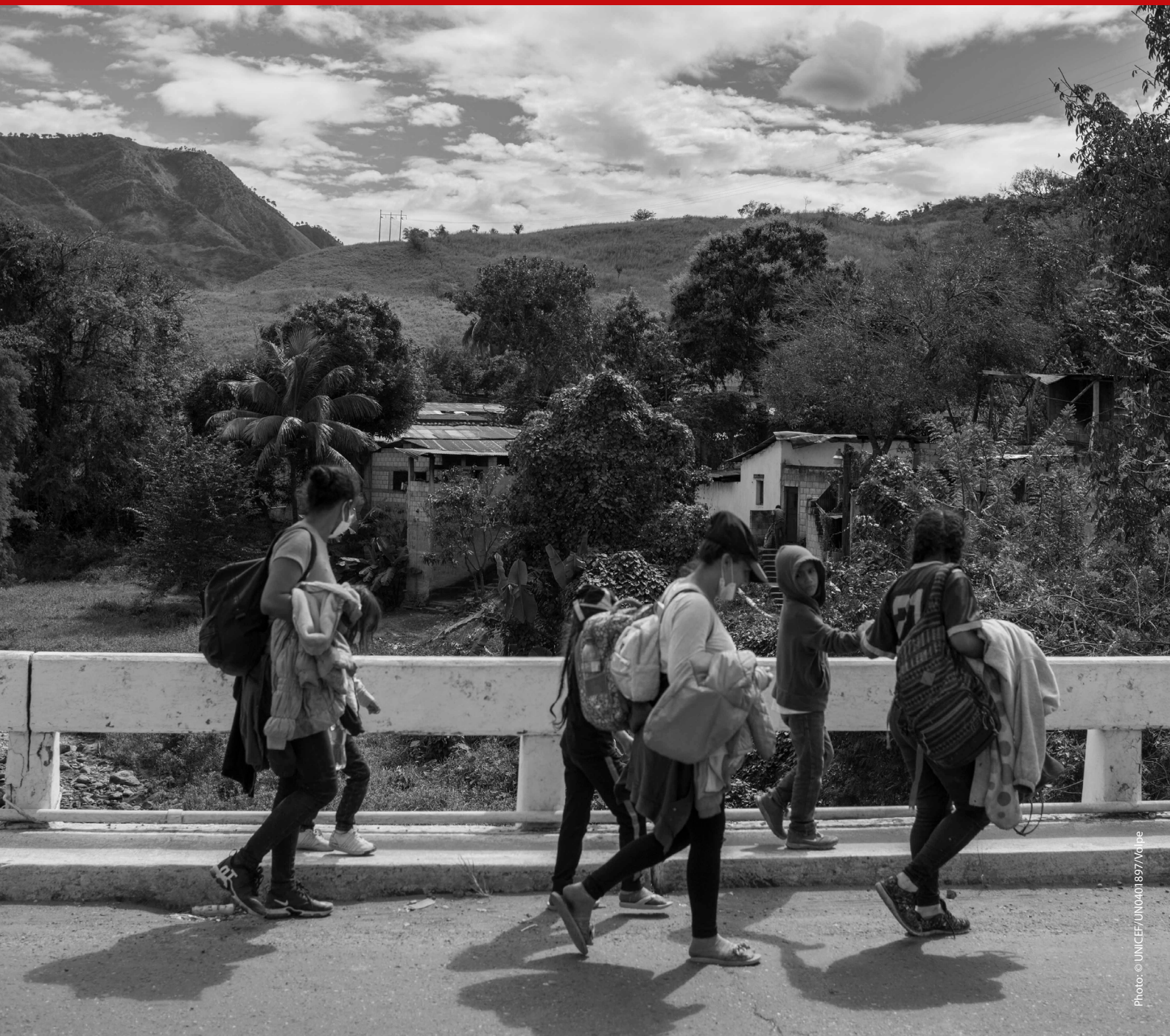


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International Policy Centre for Inclusive Growth (IPC-IG),
UNICEF—Regional Office for Latin America and the Caribbean and World Food Programme (WFP)



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By International Policy Centre for Inclusive Growth (IPC-IG), UNICEF—Regional Office for Latin America and the Caribbean and World Food Programme (WFP)

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**SOCIAL PROTECTION AND VENEZUELAN
MIGRATION IN LATIN AMERICA AND THE
CARIBBEAN IN THE CONTEXT OF COVID-19**

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ACRONYMS AND ABBREVIATIONS

CAN	Andean Community
CARICOM	Caribbean Community
CRC	Convention on the Rights of the Child
DTM	Displacement Tracking Matrix
ECLAC	Economic Commission for Latin America and the Caribbean
ILO	International Labour Organization
IOM	International Organization for Migration
LAC	Latin America and the Caribbean
MERCOSUR	Southern Common Market
PAE	School Feeding Programme [Spanish-language acronym]
R4V	Coordination Platform for Refugees and Migrants from Venezuela
UN	United Nations
UNHCR	United Nations High Commissioner for Refugees
UNICEF	United Nations Children's Fund
WFP	World Food Programme

1. INTRODUCTION

The COVID-19 pandemic represents an enormous challenge to all countries due to its public health consequences and its socioeconomic effects. Latin America and the Caribbean (LAC) is one of the most affected regions, with 12 million infected people (29 per cent of all reported cases) and 340,000 deaths (34 per cent of the total on a global level), by early November 2020 (ECDC, n.d.), which is a very serious situation, especially when we take into account that the region only represents 8.4 per cent of the population of the world (United Nations, 2019). In addition, the most recent forecasts of the impact of the crisis on employment and income levels are alarming. According to data provided by ECLAC, the regional GDP will shrink around 9.1 per cent in 2020, a development that would increase the percentage of the population living in poverty up to 37.3 per cent, and up to 15.5 per cent the population living in extreme poverty conditions (ECLAC, 2020a). On their part, UNICEF and Save the Children (2020) forecast that in this scenario of a contraction in GDP, monetary poverty could practically affect one out of every two children and adolescents (48.5 per cent) in the region, if there are not any mitigation measures implemented to protect incomes.

The current crisis may exacerbate vulnerabilities that already exist in the region, such as the case of Venezuelan migrants,¹ who are the focus of study of this document. This population consists of 5.4 million people, including 4.2 million currently living in 9 countries in Latin America and the Caribbean (Argentina, Brazil, Chile, Colombia, Ecuador, Guyana, Peru, Panama, and Trinidad and Tobago),² who have been severely affected by the COVID-19 pandemic and whose economies have been impacted by containment measures.

Migrants face various types of risks, tied either to the migration process or to their migratory condition, as well as others caused by the health emergency. The migrant population, both in transit and in the destination country, face barriers associated with access to key services, especially health and social protection which are fundamental when experiencing a crisis such as the current one. Their extreme vulnerability to the socioeconomic impacts caused by the measures implemented to respond to the COVID-19 crisis, coupled with their lack of protection, both profoundly jeopardizes their welfare and compromises the public health and the well-being of local populations. The overrepresentation of Venezuelans in the informal sector of the economy is also a factor that places them at greater risk of losing income and experiencing food insecurity and malnutrition during the pandemic. Said conditions contribute as well to a decrease in the remittances sent to their families in Venezuela, and in some cases they generate a return flow which many times takes place along informal crossings, due to the limitations imposed by sanitary barriers and border closures (R4V, 2020g).

Faced with this scenario, social protection may play a fundamental role in reducing the vulnerabilities of migrants and in helping to mitigate the impact of the crisis caused by the COVID-19 pandemic. Social protection is understood as the series of policies and programs that seek to prevent, reduce, and eliminate the social and economic risks and vulnerabilities leading to poverty and deprivation during the life cycle. Said risks, besides being of an economic nature (such as the risk of falling into monetary poverty) also include social aspects, such as exclusion or discrimination, to which the migrant population is especially exposed to (UNICEF, 2019).

Likewise, the lack of access to social protection by the migrant population may lead to a worsening of said vulnerabilities, such as the risk of transmission and increase of serious diseases at the regional or national level, greater gaps in social services and human rights, an increase in discrimination and xenophobia, and more violence against migrants, including women, and children, among others.

1. The term “migrants” used throughout this Technical Note includes regular migrants, undocumented ones, asylum seekers, refugees, and those who are in transit. The term is used to refer to people who leave their usual residence to travel to other countries in search of opportunities or in pursuit of a better life. This migration may be of a voluntary or forced nature, independently of its legal status. Please refer to the following link to learn more about this concept: <https://www.iom.int/> and <https://www.ifrc.org/en/what-we-do/migration/what-is-a-migrant/>.

2. Data from the [Coordination Platform for Refugees and Migrants from Venezuela \[R4V\]](#) through 5 October 2020.

The use of social protection systems to provide a robust response to the crisis caused by the pandemic has no recent precedent in LAC: practically all countries in the region have adopted at least one social protection measure, and most have implemented several by using various instruments (Gentilini et al., 2020; Rubio et al., 2020a, 2020b). The main goal of this technical note, which has been prepared jointly by IPC-IG, UNICEF, and WFP is to carry out a systematic review of the integration of the migrant Venezuelan population into social protection, as part of the response to the pandemic emergency. The review highlighted key factors for analysis, such as previous inclusion in regular programs, legal or documentation barriers, as well as components of political economics. A systematic review and subsequent analysis of information pertaining to the situation of the Venezuelan population in nine countries was carried out to achieve this goal: Argentina, Brazil, Chile, Colombia, Ecuador, Guyana, Peru, Panama, and Trinidad and Tobago. The information that was available up to the end of October 2020 was used to compile the data, and the more recent changes to the migratory flow due to the COVID-19 pandemic were considered for this purpose. Priority was given to survey reports undertaken by the Displacement Tracking Matrix (DMT) unit of the International Organization for Migration (IOM), remote surveys on Venezuelan migration in Peru, Ecuador, and Colombia conducted by WFP in 2020, publications by the Coordination Platform for Refugees and Migrants from Venezuela (R4V) and official government reports.

Several of the findings of this note show that LAC countries have employed the components of social protection by using programs of social assistance, social security, and the labor market to protect the affected population. Nevertheless, as of October 2020, there are few government programs that include the Venezuelan migrant population, being mostly social assistance programs, and, when they do, it is almost always those who have legal migratory status in the country.

The note is structured in the following manner: Section 1 provides an overview of the migratory flow in the nine countries of the study and shows the evolution of the Venezuelan migration. Section 2 also offers a reflection on the social protection needs of the migrant population, identifying the specific and inherent risks and vulnerabilities inherent to their condition. Section 3 highlights the main national and international regulatory frameworks that recognize the rights of the migrant population. These frameworks reflect the legal provisions of the countries for the protection of migrants, but they do not necessarily show actual access to their rights. Section 4 deals with the access that the migrant population had to social protection systems prior to the COVID-19 crisis, with a special focus on social assistance components such as cash transfers and school feeding programs. Section 5 presents the most relevant social protection programs used by the countries as measures for the mitigation of the impacts of the pandemic, from which the migrant population may benefit. The assistance received by this population, when it does take place, is provided by cash transfer programs, either through national or parallel systems with limited coverage. Section 6 summarizes the key finding and section 7 concludes the technical note with a set of recommendations to promote more inclusive social protection systems in the region.

2. CONTEXT OF THE MIGRATION CRISIS

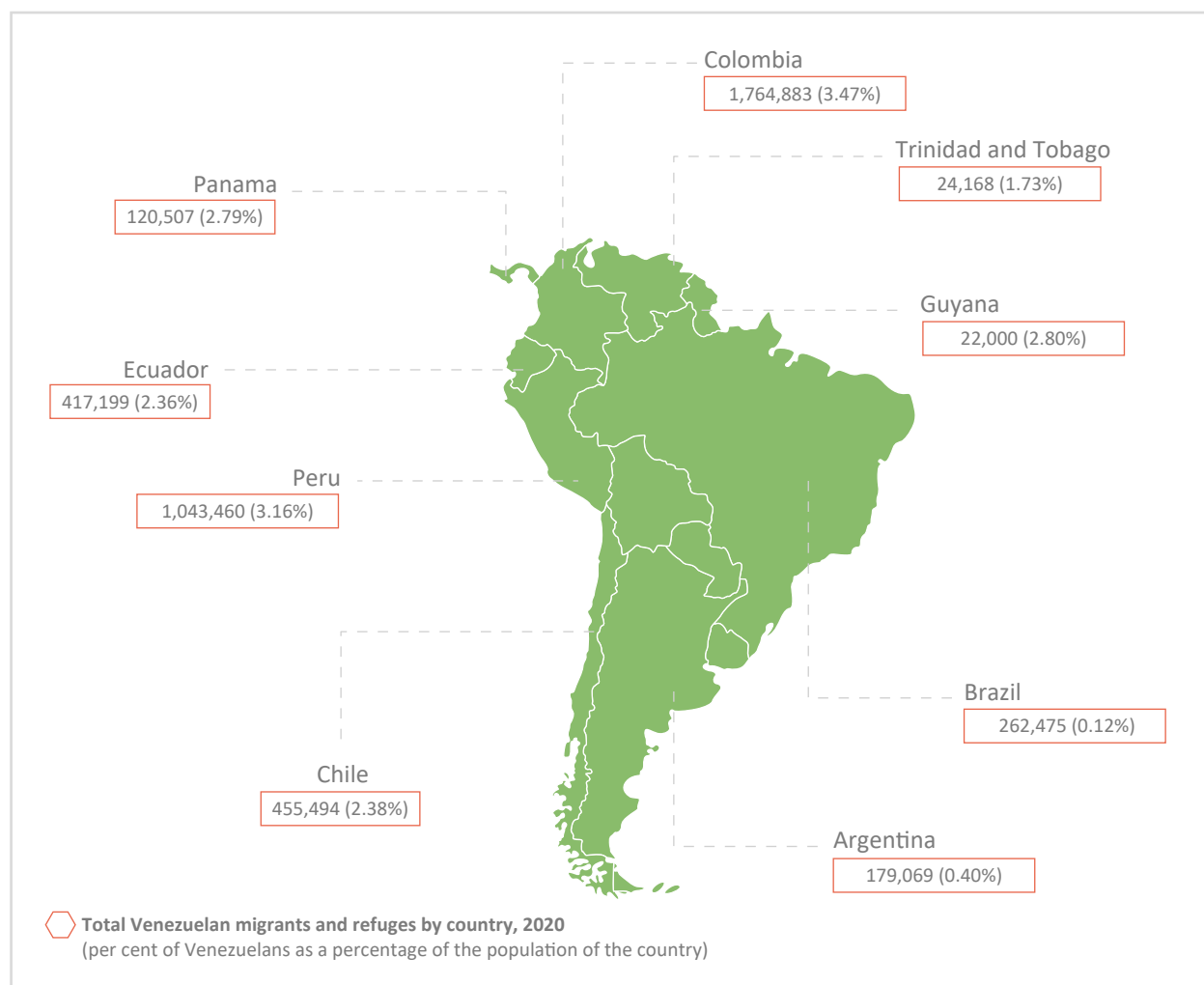
2.1 Description of the migratory flow

Due to the socioeconomic situation in Venezuela, millions of people have migrated since 2015 in search of food, security, and economic opportunities (R4V, 2020a). In the last three years alone and as the situation in the country worsened, the number of Venezuelan migrants increased from one million living abroad in December 2017 to 5.4 million in October 2020, causing the largest displacement in the recent history of the region (IOM, 2020).

Not only has the number of migrants increased in recent years, but also their condition of vulnerability. The first considerable flows of Venezuelan migrants corresponded of young people and adults in search of better working conditions and livelihoods. Since 2018, however, there are more children and adolescents, single women, and elderly people who are migrating mostly for family reunification purposes (USAID, 2019). The migratory flow coming from

Venezuela is heterogeneous. Some migrants seek to reside permanently in their host countries; others are circular migrants who cross temporarily into neighboring communities in order to access services. Then there are those who are in transit to another destination country³ and those who return to their country of origin.

Figure 1. Venezuelan refugees and migrants by country, expressed in millions and as a percentage of the population, October 2020



Note: The statistics shown correspond to the information reported by the receiving governments and is an estimate of the total of Venezuelan migrants, refugees, and asylum seekers published by the R4V Platform in October 2020.

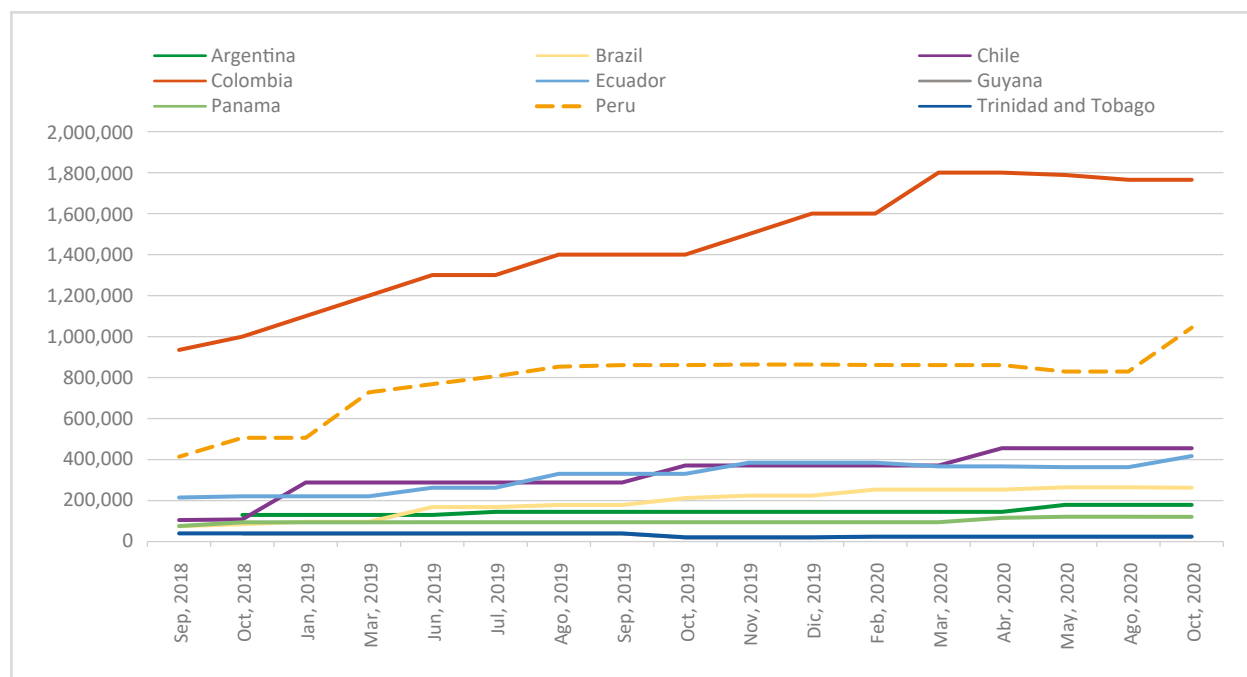
Sources: R4V Platform and UNDESA World Population Prospects 2019.

The nine countries featured in this Note concentrate the largest share of Venezuelan migrants living in the region. Colombia and Peru are the main host countries with the largest Venezuelan populations, with 1.76 and 1.04 million people, respectively (R4V, 2020a). Although the total number of Venezuelans in Ecuador, Panama, Guyana and Trinidad and Tobago is considerably lower, the number of migrants as a proportion of the local population is extremely high. Figure 1 shows the number of Venezuelans in each country, updated to October 2020, as well as its proportion in respect to the total local population, which ranges from 0.12 per cent in Brazil to 3.5 per cent in Colombia.

3. Although it is not the focus of this study, it is worth noting that there is a representative group of Colombians who returned from Venezuela. According to official statistics for September 2018, approximately 300,000 Colombians had returned, representing close to 30 per cent of the migratory flow with the intention of remaining permanently. With the corresponding documents, this allowed the returnees to also have access to available social programs, according to their level of vulnerability (World Bank, 2020b).

The Venezuelan migration has accelerated in the past two years until the second quarter of 2020, when mobility restrictions began to be implemented in response to the pandemic. The Venezuelan migrant population in all countries had grown approximately 116 per cent between September 2018 and the end of 2019. Chile, Brazil, and Peru are the countries where the number of migrant families from Venezuela increased more rapidly during the same period, as shown in Figure 2.

Figure 2. Evolution of the total of Venezuelan refugees and migrants by country (Sep 2018 – Oct 2020)



Source: R4V Platform for Latin America and the Caribbean, Venezuelan refugees, and migrants in the region.

There was a slight decrease in the migratory flow of Venezuelans in countries such as Brazil, Colombia, and Panama between the months of March and August 2020 due to border closures implemented as measures to contain the spread of and infection with the virus. The restrictions imposed by the pandemic not only made the Venezuelan migration more difficult or prevented it, but in some cases led to the return of migrants to Venezuela, as was the case in Colombia and Peru.⁴

2.2 Risk characteristics and profiles of the Venezuelan migrant population

The risks faced by migrants during the migration cycle are usually aggravated by socio-demographic factors, such as socioeconomic, gender, age, race, ethnic, and territory conditions, and those pertaining to family composition; political-institutional, such as migration status (legal or undocumented), and by market factors, such as their entry into the labor market, whether formal or informal (Maldonado et al., 2018). These risks, if not properly mitigated, lead migrants to a particular situation of vulnerability. Table 1 summarizes the main vulnerabilities according to risk factor for the Venezuelan migrant population, which are later addressed in greater detail.

4. Despite the closure of the border between Colombia and Venezuela, the Colombian government opened a humanitarian corridor along the Simon Bolivar International Bridge to facilitate an unimpeded return (IRC, 2020). According to the figures provided by Migration Colombia, approximately 105,300 Venezuelans had returned to their country between May and August 2020 (Government of Colombia, 2020a). A light flow of return to Venezuela may also be observed in Peru between April and May, which can be attributed in both cases to lack of opportunities and a worsening of the socioeconomic situation caused by the current crisis (R4V, 2020g). In October 2020, however, the number of Venezuelan migrants reported by the R4V Platform went from 830,000 to close to one million in Peru and from 360,000 to 417,000 in Ecuador. There was a progressive increase in entries with a view to permanence and transit in both cases (R4V, 2020a).

Table 1. Main risks faced by the Venezuelan migrant population

Socio-demographic risks	
Family structure and life cycle (early childhood, youth, adult, old age)	<ul style="list-style-type: none"> • Social exclusion or discrimination against certain age groups • Family structures: female heads of household or single parent households; households headed by adolescents (couples) or adolescents traveling alone • People with chronic diseases and differentiated needs or risks, such as children and adolescents; pregnant women; the elderly • Greater exposure of women, children and adolescents to gender-based violence • Risks to physical and mental health during the entire migratory cycle
Socio-economic condition	<ul style="list-style-type: none"> • Financial poverty • Multidimensional poverty • Food insecurity and malnutrition
Ethnic-racial sense of belonging	<ul style="list-style-type: none"> • Ethnic-racial discrimination detrimental to well-being and to the enjoyment of rights • Absence of adequate programs that consider their characteristics and traditions • Racism and xenophobia
Territorial dimensional	<ul style="list-style-type: none"> • Limitations and social conditions of inequality in their original territories and in those receiving them • Lack of access to basic services
Political institutional risks	
Migration status	<ul style="list-style-type: none"> • Lack of legal identification documents (visas, permits, safe conduct documents, etc.) • Exposure to sexual or labor exploitation, trafficking, or other risks arising from an undocumented migratory status • Lack of access to their rights and to the exercise of certain activities due to not having regular status (decent employment, social protection, health, education, among others)
Risks inherent to the labor market	
Employment	<ul style="list-style-type: none"> • Precarious and/or informal integration into the job market • Insufficient and unstable income exposes them to the exploitation of employees in forced and insecure jobs, to child labor • Exclusion from contributive and non-contributive mechanisms for social protection

Source: Prepared by the authors based on the vulnerabilities of migrants by Maldonado, Martínez and Martínez (2018), focus on the life cycle by (Cecchini et al., 2015) and (Wheeler-Sabates & Waite, 2003).

Socio-demographic risks faced by the Venezuelan migrant population

Family structure and life cycle

The lifecycle approach is relevant for the analysis of migration and social protection, since it refers to the different needs and risk levels for the stages of childhood, adolescence, adulthood, and old age. Age and gender factors may aggravate the vulnerabilities that already exist for some groups. Children and adolescents who are migrating may be affected by the lack of educational opportunities, health and nutritional deprivation, which will have a serious impact on other stages of the life cycle (Cecchini et al., 2015). Moreover, children who are unaccompanied or have been separated from their families are at greater risk of abuse and exploitation. Their vulnerability increases because they lack support networks that can advocate for their access to national child protection systems, basic services, and justice (R4V, 2020f). In addition, women and girls face greater exposure to the risk of being subject to violence and human trafficking during the migratory process. Access to social protection for migrant women is an essential part of the process of achieving greater equality in general and in relation to gender in particular.

Even though there is no consolidated information that allows to perform an accurate comparison of the age and gender profiles of Venezuelan migrants in the countries belonging to this study, it is possible to point out that the migratory flow consists of a population that is primarily young and of an economically active age, according to the information available for these countries. In Chile, for example, over 70 per cent of Venezuelans who were granted visas in the last 6 years are within the range of 18 to 40 years of age, while 15 per cent are younger than 18 years, and only close to 12 per cent are older than 40 years of age (Government of Chile, 2020). 58 per cent percent of Venezuelans in Colombia are between the age ranges of 18 and 39; 24 per cent are minors and 18 per cent are older than 40 years, according to government reports (Government of Colombia, 2020d). The same can be said of Peru, where Venezuelan migrants between the ages of 18 and 29 years constitute the majority with 42 per cent, followed by 29.8 per cent between the ages of 33 and 44, and 18.7 per cent between 0 and 17 years (Government of Peru, 2019). In Ecuador, half are between the ages of 19 and 35 (with a median age of 26 years), which makes this segment even younger than migrants of other nationalities, and one out of three Venezuelan migrants are children or adolescent (World Bank, 2020b).

In terms of gender, the migratory flow for Colombia and Peru tends to be 51-52 per cent male and 48-49 per cent female, respectively in each country (Government of Colombia, 2020d; Government of Peru, 2019). According to data compiled by the 2019 DTM⁵ surveys, 60 per cent of respondents were women in Guyana and Brazil, while in Chile and Trinidad and Tobago they were 42 per cent (Chaves-González & Echeverría-Estrada, 2020). In regard to the most vulnerable groups, international organizations have alerted of the presence of single parent families; pregnant and nursing women; families with young children; unaccompanied children and those who have been separated from their families; elderly adults, and disabled individuals (R4V, 2020h).

Socio-demographic risks worsened during the COVID-19 pandemic. An increase in the number of domestic violence cases was reported across the board, mainly against women and girls (UN Women, 2020), and in some countries belonging to this study, gender-based violence against migrant women increased significantly during the state of emergency declarations (R4V, 2020b). Also, as part of the containment measures against the new coronavirus, all countries in the region closed schools as of March, and as of October, many local governments had still been unable to adopt the required sanitary measures for a safe return to in-person classes. Migrant children and adolescents are among the groups with the most limited access to education and in the context of the pandemic, the gaps in obtaining technology and connectivity are barriers to their access to virtual education (UNESCO & ECLAC, 2020). These factors will have a considerable impact on learning and the development of school-age migrants. Furthermore, the adult and working-age population was clearly affected by the measures of suspension or reduction of economic activities, which were ordered as part of the actions enacted to contain the spread of COVID-19, as explained in a later section.

Socio-economic condition (poverty and food insecurity)

The vulnerability inherent in having insufficient and unstable income is an important consideration when an individual decides whether to undertake a migratory journey, in search higher-paid employment. In the destination country, variables such as income, schooling and access to education, housing conditions, and access to healthcare are among the determinant factors for conditions of poverty. The socio-economic condition of the migrant population and the vulnerabilities inherent to the migratory process tend to expose them to higher poverty levels than the average poverty of the host communities (Maldonado et al., 2018).

5. The IOM compiled data from 2018 to 2019 through surveys that monitored migration flows in transit locations and settlements for Venezuelan nationals, as part of its Displacement Tracking Matrix (DTM). The sample size varies for each country. There is a first group within the selected countries that are immediate neighbors (Brazil, Colombia, Guyana, Trinidad and Tobago), and a second group of receiving countries (Peru, Ecuador, Argentina, and Chile). Different datasets will be used throughout this Note to describe some of the characteristics of the Venezuelan population in the selected countries. The full document prepared by Chaves-González & Echeverría-Estrada (2020) is available at <<https://bit.ly/38zJEsS>>.

Poverty conditions of the Venezuelan population vary from country to country, as well as the available information and the method for its measurement. In Colombia, the official report on the incidence of poverty at the national level included for the first time a description of the economic conditions of the migrant population in 2018.⁶ The results highlight that in 2017, a total of 132,000 out of the 289,474 people identified as migrants from Venezuela, were living in poverty. In 2018, out of the 678,262 people arriving from Venezuela that year, 306,000 corresponded to a poor population, meaning that four out of every ten people who migrated from Venezuela were poor (ratio in 2017 and 2018). Regarding multidimensional poverty in 2018, 7.8 per cent of people living in multidimensional poor households were foreign migrants (a difference of 6.9 percentage points to those recorded in 2016) (Venezuela, 2019). In 2019, the share of households living in poverty, which had at least one foreigner increased from 8.8 per cent in 2018 to 10.7 per cent (La República, 2020). In Ecuador, according to data for 2019, 42.1 per cent of households with Venezuelan children and adolescents were in Unmet Basic Needs (Spanish language acronym NBI) poverty when they had at least one deprivation associated to housing quality, access to services, economic dependency, critical overcrowding, or children out of the educational system, and 11.2 per cent lived in extreme poverty according to the NBI index because their households had two or more deprivations (World Bank, 2020b). In Peru, 18 per cent of Venezuelans lived in conditions of income poverty, which includes 14 per cent living in moderate (or non-extreme) poverty and 4 per cent in extreme poverty, compared to 13 per cent of Peruvians, according to 2018 data and to the measurement for income-based poverty (World Bank, 2019).

The COVID-19 pandemic is exacerbating the situation for millions of families in LAC⁷ and, given the pre-existing vulnerabilities of migrants, it is expected that the effects on said population will be disproportionate and alarming: at least two-thirds of the 3 million Venezuelan migrants in Colombia, Ecuador, and Peru will see their food security situation worsen in 2020. According to WFP estimates, 1.9 million Venezuelan migrants were experiencing moderate to serious food insecurity in these three countries in June 2020 (WFP, 2020b). By August 2020, the number of people experiencing serious food insecurity in these countries increased from 493,900 in June to 650,000 (WFP, 2020a). In turn, 7 out of every 10 migrants (72 per cent) in these three countries were concerned about not having enough food in the previous 30 days, a substantial increase when compared with prior assessments. The number of migrants who had only eaten one meal, or who did not eat at all the day before the interview increased 2.5 times when compared to the period prior to COVID-19 (WFP, 2020b).

In Colombia, the strategies associated with food consumption implemented by the Venezuelan migrants display the most worrisome data with a significant decline in the well-being of this population. From April to September, there was a 50 per cent increase in the number of people who reported having spent at least one full day without eating in the previous month. Of this number, women report almost twice as many incidences as men (12 per cent versus 21 per cent) (WFP, 2020c).

Overall, the Venezuelan migrant population in the countries of the regions has needs that involve several dimensions. The main ones pertain to limited access to health services, education, adequate housing, food, and employment, which are key indicators in determining multidimensional poverty. Also, their income-based poverty levels exceed those of nationals of the host countries, which makes them even more vulnerable to the negative effects of the pandemic.

Ethnic-racial affiliation

The migrant condition is usually compounded with ethnic-racial discrimination, especially toward Venezuelan indigenous groups and people of African descent (Maldonado et al., 2018). Indigenous populations face more daunting challenges to integrate and meet their basic needs. Likewise, the ethnic-racial condition along with migratory status are constitutive

6. The National Administrative Department of Statistics (DANE) calculates financial poverty in the Great Integrated Survey of Households (GEIH) and the Index of Multidimensional Poverty (IPM) based on the National Survey of Quality of Life (ENCV). People returning or migrants from Venezuela are also polled in order to include Colombians who lived in Venezuela and have returned to the country.

7. WFP is forecasting a drastic increase in serious food insecurity in the region, which will bring it from 4.3 million people in 2019 to 16 million people in 2020 [World Food Programme, 2020].

drivers of social inequality. The degrees of inclusion or exclusion that migrant people face when it comes to their general well-being, rights, and migratory status are driven by racist and xenophobic practices (ECLAC, 2019).

Surveys performed in Boa Vista and Roraima in Brazil, for example, showed that Venezuelan indigenous children have higher rates of stunted growth when compared to non-indigenous peoples, that indigenous housing were overcrowded and unaligned with the cultures and traditions of the people living in them. And according to the response to the specific needs of this population, factors such as language or their nomadic culture are added to deficiencies in health, education, nutrition, and shelter, resulting in difficulties when it comes to planning for the fulfillment of their needs, since they are constantly moving (R4V, 2020f).

Within the context of Venezuelan migration, indigenous and minority populations are part of the vulnerable groups. In Colombia, the Venezuelan Yukpas, Wayuus, and Baré peoples seek care primarily along border areas. In Brazil, the displacement of ethnic communities is also a part of the migratory flow, with the Pemón, Warao, E'ñepá, and Kariña populations from Venezuela. Approximately 4,981 indigenous refugees and migrants lived in Brazil through May 2020, a number which tends to grow. The Warao ethnic group, with its nomadic cultural tradition, represents 66 per cent; the Pemón, 30 per cent; these are followed by the E'ñepá and Kariña with 1 per cent and 3 per cent, respectively. Of the total number of indigenous Venezuelans in Brazil, more than 65 per cent are asylum seekers and face difficulties such as access to housing, documents, and means to earn a living, among others (UNHCR, 2020). In Peru, according to sources in 2019 and through spontaneous statements made by those who were interviewed, 3.2 per cent of Venezuelan migrants considered themselves to be indigenous, and 6.7 per cent to be of African descent (Government of Peru, 2019).

Furthermore, migrants who belong to indigenous peoples require care and services that take into account their characteristics and traditions. Several aspects are needed for their protection, such as their right to self-determination, which influences their identification or binational indigenous identity; nomadic or semi-nomadic tradition; linguistic diversity, and organizational structure, among others.⁸ Despite representing a small percentage of the Venezuelan migrant population, the indigenous peoples, especially women and children, are one of the most vulnerable groups when it comes to facing risks such as labor or sexual exploitation, violence, diseases, and discrimination (R4V, 2020f). Within the context of the COVID-19 pandemic, the Venezuelan migrant population in Brazil (which includes over 4,000 indigenous) lives on the streets, in overcrowded facilities, and makeshift settlements, has been severely affected by the crisis (R4V, 2020g).

Territorial dimension

The difficulties faced by migrants may be compounded by the territorial conditions of both their origin and destination. The territory thus becomes one of the structural axes of the opportunities, limitations, and social inequalities for migrant people. The levels of development in each country are heterogeneous, and this results in the existence of different degrees of inequality. In this sense, the territory is identified as an axis that explains the disparity in incomes, opportunities, access to services, and for the exercise of rights (Maldonado et al., 2018).

It should be noted that Venezuelan migrants concentrate mostly in urban areas and along the borders of the host countries⁹ (R4V, 2020b). They face difficulties generated by an insufficient lack of services, or due to the limited access to

8. This is also emphasized in the study "*Soluções Duradouras para Indígenas Migrantes e Refugiados no Contexto do Fluxo Venezuelano no Brasil*" by Elaine and Marcelo, which was published by the IOM in 2020 and Highlights the importance of adopting culturally appropriate lasting solutions. Available at: <<https://repositoryiom.org/handle/20.500.11788/2293>>.

9. In Colombia, close to 350,000 Venezuelans (20 per cent of this population) have settled in the capital, Bogotá DC, and another 20 per cent in cities such as Cúcuta, Barranquilla, and Medellín (Government of Colombia, 2020d). In Chile, 69 per cent of Venezuelan migrants live in the Santiago metropolitan region, and there is a large concentration of this population in the northern region, specifically in Arica and Antofagasta (Government of Chile, 2020). In Brazil, the flow of Venezuelans is mostly concentrated in the municipality of Pacaraima in the northern state of Roraima, where the population crosses the border in search of healthcare, to buy food, and access services in general. Besides this transborder population in Roraima, the majority of the Venezuelans residing in Brazil live in the Sao Paulo metropolitan area (Government of Brazil and IOM, 2020). In Peru and through 2018, 85 per cent of the population residing in the country lived in the urban areas of the capital cities of the departments of Tumbes (point of entry into the country on the border with Ecuador), La Libertad, Lima-Callao, Arequipa, and Cusco (Government of Peru, 2019).

the locations in which they settle. Border cities tend to lack the infrastructure needed to receive the migrants, and the few resources that these areas have, which already affect the receiving communities, also influence their access to housing, healthcare, potable water and even basic sanitation. Within the context of COVID-19, this situation in large part makes it difficult to comply with basic sanitary conditions for the containment of the coronavirus, especially those related with hand hygiene and social distancing.

As for its impact on healthcare, it must be mentioned that even though there was limited access to specialized medical care for the more than 4.2 million Venezuelans in LAC, the COVID-19 pandemic represents a greater challenge for governments and a situation of growing vulnerability for the migrants. In a region in which Latin American countries spent on average USD 949 on healthcare services per capita –an amount that is four times less than the average spent by OECD member countries—the increase in care and the pressure exerted on their healthcare systems due to the crisis is without a doubt a challenge (Praag, 2020).

The pandemic also implies a deterioration in the humanitarian situation of the migrant population. For example, Panama was providing shelter at three Migration Receiving Stations to 2,500 in-transit migrants who were unable to mobilize due to the restrictions (IOM, 2020b). In Brazil, thousands of Venezuelans have passed through receiving and services stations that are part of Operation *Acolhida* in the northern cities of Pacaraima and Boa Vista in recent years. Despite the implementation of processes to transfer the migrants to other areas of the territory, so they can start to build a life in these other regions, many remain in these shelters. The pandemic currently presents extraordinary risks for this migrant population that remains in shelters (UNHCR, 2020).

Political-institutional risks

Migratory condition

For a migrant, the lack of legal migratory status is an additional vulnerability because it imposes a limitation for access to documentation, social protection, and other public services. The lack of legal migratory status is also associated with the exploitation of persons, in forced or unsafe jobs, and with human smuggling, trafficking, prostitution, and kidnapping (Maldonado et al., 2018). However, even with legal migratory status, if this is not accompanied by work permits or the legal possibility to access services, it may mean that the migrant will remain in a vulnerable situation. This is the case with migrants who have residence permits, but who are not allowed to work, study, or have access to other services, including public assistance programs.

In this regard and as addressed later on, the national and international regulatory dimensions become a basic legal framework that promotes access to the rights of migrants. This regulatory dimension contains principles enshrined in international human rights treaties,¹⁰ that determine the rights and duties of migrants, and create mechanisms for their identification or documentation. Their importance also lies in the incorporation of instruments at the national level that promote the protection, rights, and development of integration policies for the migrant population.

In the case of Venezuelan migration, the exact determination of the percentage of undocumented migrants is a complex and imperfect task. In fact, in most cases it is only possible to make an official identification of those who possess a migratory status defined by a visa or identification document. According to the 2019 DTM surveys,¹¹

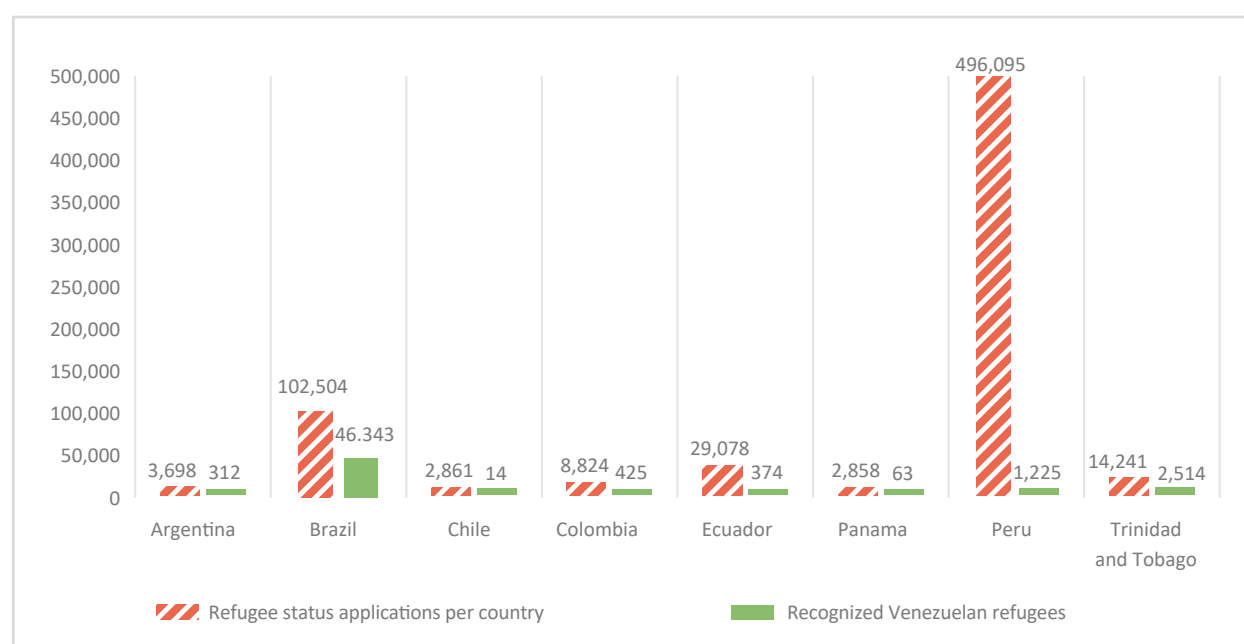
10. The Universal Declaration of Human Rights; the International Covenant on Economic, Social and Cultural Rights; the Convention relating to the Status of Refugees; the Protocol relating to the Status of Refugees; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, among others.

11. According to the tabulation performed for the Displacement Tracking Matrix (DTM) with data collected between January and December 2019, the sample consisted of 544 [Argentina], 2,403 [Brazil], 9,069 [Colombia], 1,169 [Costa Rica], 124 [Chile], 9,429 [Ecuador], 903 [Guyana], 373 [Paraguay], 3,998 [Peru], 2,049 [Trinidad and Tobago], and 681 [Uruguay].

which were carried out with a representative sample of displaced populations, 31 per cent and 46 per cent of Venezuelan migrants in Argentina and Brazil had obtained residence, respectively, which allows them easier access to the state programs and services that are offered. In general, residence visas grant longer permanence periods or authorized residence for an undefined period, which is key to compliance with other requirements of length of stay that allow access to social benefits. In other countries such as Chile and Guyana, close to 70 per cent of migrants hold a valid temporary visa (for tourism, students, among others), which guarantee their legal stay for a stipulated length of time and authorizes them or not to work or participate in professional programs (Chaves-González & Echeverría-Estrada, 2020).

The surveys disclosed that approximately 70 per cent of migrants in Ecuador lack legal migratory status. Official migration data show that through March 2020, close to one-fourth (28,000 out of 100,000) of the humanitarian visas¹² projected in 2019 by the Ministry of Foreign Relations and Human Mobility were granted (World Bank, 2020b). In Colombia, 650,000 Venezuelans held the Special Permanence Permit (PEP) through September 2020, which is a mechanism for regularization, after it was announced that 281,000 permits would be renewed (Government of Colombia, 2020e). Despite these mechanisms, migrants and their families, especially the poorest ones, still face challenges such as the high cost for the processing of documents, lengthy processes, and requirements that make regularization difficult.¹³ Access to mechanisms such as the PEP and Humanitarian Visa in both countries guarantee regular permanence and the opportunity to qualify for employment, education, and healthcare.¹⁴

Figure 3. Refugee status granted as a percentage of applications received by the countries under study (through October 2020)



Source: Prepared based on the information published on the R4V Platform. Pending applications for refugee status by country and Recognized Venezuelan refugees. Note: Data for Guyana are not available.

12. The humanitarian visa is a mechanism for regularization that is part of the Organic Law on Human Mobility of Ecuador, which was adopted in the Venezuelan case to be able to attain legal migratory status. Please refer to Decree 826 of 25 July 2019.

13. In this regard, Brazil is noteworthy for not charging fees for regularization processes for Venezuelans, and it exempts those who cannot afford the temporary residence visa or identity card for migrants from paying fees. However, fees for regularization processes are charged in countries such as Chile (the cost is USD 30 per person for the Democratic Responsibility Visa application) and Peru (for the Temporary Permanence Permit).

14. The process for granting special visas to Venezuelans, such as the Humanitarian Visa and PEP are explained further in the section on regulatory frameworks.

An analysis of the official data on the number of requests for refugee status and the number of recognized refugees (Figure 3) reflects the existence of several barriers to use refugee status as a strategy for regularization in most of these countries. On the one hand, the weak government structure in place for processing refugee status applications is acknowledged (as in the case of Brazil and Peru),¹⁵ and on the other, there are limitations placed on the applicants to access rights. In Colombia, for example, those who seek refugee status are not allowed to work, or they depend on the regularization permit that is granted to them¹⁶ (*Estoy en la frontera*, n.d.). Few cases can be regarded as exceptions. For example, in Peru, the number of refugee status applications that were processed increased after the regulations for entering the country were tightened in September 2018, when it became mandatory to present a passport to enter the country. In Brazil, in addition to the 124,000 active residence records in 2019, close to 100,000 refugee status applications from Venezuelans were received. This status was granted to 46,343 people through 2020 (Government of Brazil, 2020b). In Brazil, however, applicants for refugee status have the right to have access to documentation (which makes it easier to obtain public services) and to work legally.

Labor market risks

Employment

Employment is important to generate resources and income to earn a living in the destination country, thus becoming an important economic source for those members of the family who remain in the country of origin. Also, the integration of migrants into the labor market may become a doorway to a set of benefits and labor rights, especially in the case of employment in the formal sector (Maldonado et al., 2018). Nonetheless, migrants generally join the labor market in informal and precarious conditions of low productivity, and without labor rights or benefits. In this case, the worker is left at the mercy of non-contributive mechanisms that do not allow access in the destination country, and would also lack eventual coverage under political decisions and regulations.

Informal insertion can be associated with the lack of a migratory status that allows migrants to work, as well as with obstacles for the recognition and accreditation of professional degrees. For the most part, the migrant population also has few financial reserves. This makes it extremely difficult for them to withstand periods of unemployment and increases their vulnerability during times of crisis.

The labor scenario for the migrant population in the LAC region already showed the difficult situation of Venezuelans before the pandemic. Unemployment, lower wages than promised, and their high participation in the informal sector attested to this (ILO, 2020). Moreover, unsafe and unsanitary conditions are a characteristic of most of the informal jobs they perform. In many cases, they cannot claim basic labor rights or be paid the minimum wage in compliance with the regulations existing in the host countries (Chaves-González & Echeverría-Estrada, 2020). It must be mentioned that this informal insertion takes place even when Venezuelan migrants possess employment qualifications that are more pertinent than those of local citizens.¹⁷

The data for 2019 also shows that in Peru, 88.5 per cent of dependent Venezuelan workers did not have an employment contract, despite the fact that 59.1 per cent of the Venezuelan population belongs to the skilled labor category

15. In the case of Peru, this responsibility falls under the General Directorate for Peruvians abroad, which means that responsibilities were added to a directorate of the foreign ministry that are unaccompanied by more resources and technical staff, because no special capacities have been created to handle Venezuelan migration.

16. The Colombian government created the Special Complementary Permanence Permit (PECP) in 2019, which applies to refugee status applicants whose request was denied, or who were not recognized as having the condition of refugees. This document, which is granted for a period of 90 days, allows them to exercise any legal activity or occupation in the country, including those that are performed under an employment contract. In accordance with Resolution 3548 of 2019.

17. According to surveys conducted by the IOM for the Displacement Tracking Matrix (DTM), the educational level of Venezuelan migrants varied among the host countries. While in Argentina and Chile the Venezuelan population with a university or higher academic education is 50 and 70 per cent, it is close to 20 per cent in Ecuador and Peru, where 19 and 15 per cent hold technical degrees, respectively. In other countries such as Colombia, Brazil, Guyana, and Trinidad and Tobago, the highest educational level of the interviewed population is high school (Chaves-González & Echeverría-Estrada, 2020).

(Government of Peru, 2019). In Colombia, only 25 per cent of Venezuelan migrants have a standard employment contract, and informal employment and the lack of social security affect close to 90 per cent of Venezuelan workers (Farné & Sanín, 2020). The situation is not encouraging in Ecuador either, where almost 60 per cent of Venezuelan migrants who work do so without a formal contract (World Bank, 2020a). In Chile, of Venezuelans who work, 31.1 per cent do not have an employment contract, and only 29.6 per cent of the total number of foreigners who contribute to social security are Venezuelan.¹⁸ In 2018 in Argentina, 44 per cent of Venezuelan migrants who worked did so in jobs that involved a relation of dependence, that is, under an employment contract; 36 per cent were unregistered workers, and 20 per cent were freelancers (IOM, 2019a). In Brazil, according to IOM data and the results of surveys conducted in Roraima in 2019,¹⁹ 59 per cent of interviewed Venezuelans were unemployed; 11 per cent had jobs; 71 per cent stated that they had not signed a contract, and 29 per cent worked as freelancers (IOM, 2020). This scenario of high participation in the informal labor market by the migrant population allows us to understand the relationship and gap between inclusion in the formal labor market and the scant access to social security in the destination countries.

The lack of employment and low compensation for work performed threatens the ability of the migrant Venezuelan population to cover its basic needs. In Ecuador, for example, more than 85 per cent of the Venezuelan workers interviewed by the IOM earned less than the minimum wage (IOM, 2020). According to the WFP ESAE poll²⁰ published in February 2020, 78 per cent of Venezuelans who live in the 5 Colombian border departments are below the poverty line (WFP, 2020). In its regional survey, the United Nations High Commissioner for Refugees (UNHCR) reported that in 16 per cent of the families interviewed (1,274 out of 7,846), one adult had to reduce his/her food consumption to prioritize his/her children (UNHCR, 2019). In Peru, the situation of the Venezuelan migrant population was also critical: according to 2019 data, 88 per cent stated that they were unable to meet their needs. Among the latter, it is worth mentioning that 71 per cent required medical assistance; 54 per cent required a source of income/jobs, and 37.7 per cent education and training. Others stated that they needed to legalize their migratory situation, or needed shelter and food (Government of Peru, 2019).

Within the context of the COVID-19 pandemic, social distancing measures have affected the population of Venezuelan migrants mostly due to their overrepresentation in the informal sector, in small businesses, in the service sector (such as tourism, hotels, and transportation), and in the construction sector, all of which have been drastically impacted by the measures to contain the spread of the new coronavirus (ILO, 2020; R4V, 2020g).²¹ In the mid to long term, a prolonged economic depression would have an impact on employment opportunities for migrant workers who lack the same status as nationals (World Bank, 2020). Although there are few regional data on the impact on the employment of the migrant population, surveys showed that in Chile, the employment rate of migrants decreased 8.4 points (from 67.4 per cent to 59.0 per cent) between April and May 2020, when compared with the 3.6 percentage points (from 47.7 per cent to 44.1 per cent) of the decrease for nationals (ECLAC, 2020b).

Data from Colombia, Ecuador, and Peru also show that 7 out of every 10 Venezuelan migrants stated that their income decreased as a result of the pandemic. Moreover, 48 per cent of the interviewed migrants depend to a larger extent on unstable means of livelihood, such as informal market activities, humanitarian assistance, or help from family and friends, in comparison with 35 per cent of the national population that was interviewed. Seventeen percent (17 per cent) of migrants are unemployed, affecting mainly women (20 per cent in comparison with 14 per cent of migrant men) (WFP, 2020b).

18. Although Chilean workers and migrants have the same duties and rights pertaining to contributions to the system and qualification for benefits, only 38.4 per cent of foreigners contribute to social security as reported by the Pensions Superintendence of Chile (INE, 2020).

19. From 30 October to 18 November 2019, the IOM team conducted 1,767 interviews to supervise the migratory flow in 14 municipalities in the state of Roraima.

20. Evaluation of Food Security During Emergencies (ESAE) for the Venezuelan Migrant Population in Receiving Centers Along Border Departments.

21. It was observed that in several countries, the sectors in which the Venezuelan population works are mostly retail, hotels, and construction. In Peru, the highest rate of employment contracts was in services (restaurants and hotels) with 12.2 per cent; retail with 11.8 per cent, and construction with 10.3 per cent (Government of Peru, 2019). Between 2018 and 2019 in Colombia, 46.3 per cent of all who were employed worked in retail; 11.6 per cent in manufacturing; 11.3 per cent in construction, and 14.3 per cent worked in informal activities in social and personal services (Farné & Sanín, 2020). Argentina also recorded larger participation from Venezuelan migrants in retail with 14 per cent; 35 per cent in construction, transportation, storage, hotels, fine dining, and other related services, and 11 per cent working in other occupations such as healthcare and social services.

3. REGULATORY FRAMEWORK FOR ACCESS TO SOCIAL PROTECTION

The focus on human rights within regulatory frameworks is fundamental in guaranteeing access to the essential minimum conditions for all people, independently from their migratory condition. This focus is based on the **principles of universality, non-discrimination, and equality in treatment**, which imply granting access to rights and to promote the integration and social inclusion of migrants in transit and host countries. There is a set of international frameworks that establishes all the rights for the migrant population, and which offers fundamental guarantees that individuals have when they are not in their place of origin, or especially when they face situations of forced displacement, as is the case with refugees.

National frameworks are considered to possess a perspective with rights when the principles established at the international level are incorporated into the general migration regulations (ILO et al., 2015). Likewise, it is understood that the migrant population is covered by law when there is judicial recognition of these rights, and that it has effective coverage when it receives or has access to the services available.

Regulatory frameworks are particularly fundamental in guaranteeing access by law to social protection. When said frameworks are inadequate, they may emphasize the vulnerabilities and exclusion of migrants. This is the case when, for example, rights are recognized only for certain categories of migrants such as refugees or those who hold residence visas. This section offers a brief overview of the main international and national regulations for migration in the nine countries belonging to this study, to analyze the degree in which they establish these rights, and if they offer access by law to social assistance, social security, and services to Venezuelan migrants.

3.1 International frameworks for access by the migrant population to social protection

At the international level, there are regulatory instruments for human rights that signatory countries commit to implement on a national level. Two main types of legal instruments can be highlighted: binding instruments such as treaties and conventions which generate a formal commitment for their implementation by the States that ratify them, and non-binding instruments, which are understood to mean declarations and guiding principles. Adhering to the latter does not generate a legal commitment. Both are important because they are considered as references and guides for the implementation of national measures that will include migrants and refugees. The incorporation of these guidelines in national regulations constitutes, at least within the legal sphere, support for the access to rights.

Although there is a wide range of international frameworks pertaining to this topic, as highlighted on the Box 1, only those that, based on their recognition and application include access to social protection and rights, particularly social protection, education, healthcare, employment, and social security.²²

Regarding the countries under review in this study, it must be noted that not all of them have adhered to the legally binding instruments that are specific to migrants, as shown in Table 2. For those who did adhere to them, the formal commitment to apply them and guarantee the effective coverage and full exercise of these rights remains in the budding stages of implementation, as mentioned in a later section. In relation to the international legal frameworks for refugees, only Guyana has not ratified these agreements. In this country, the UNHCR undertakes the registration and determination of refugee status due to the absence of national legislation and processes pertaining to asylum and refuge.²³

22. There are other international conventions and legal frameworks related to employment and social protection such as the Convention on Migrant Workers [1949], Conven. No. 143 on Migrant Workers [1975] and the Convention on Social Security [Minimum Regulations], 1952 [No. 102] of the ILO, which have already been reviewed by other studies such as the one prepared by Valera, Pizarro and Martínez [2018].

23. To learn more about the UNHCR Report on Guyana, please see the following: <<https://www.refworld.org/pdfid/54c208514.pdf>>.

Box 1. Main international frameworks for the promotion of the right to social protection of migrants and refugees

Legally binding instruments

United Nations Convention relating to the Status of Refugees (1951) and its **1967 Protocol** are the most relevant legal instruments that establish the rules for offering refuge and the rights offered under this category. Regarding services, assistance, and legal dispositions for the access to employment, Article 17 reaffirms the right to compensated work; Article 22, the access to schooling, recognition of certificates, the waiver of fees and charges and awarding of scholarships; and Articles 23 and 24 stipulate that the States shall grant refugees the same treatment dispensed to nationals to receive public aid, benefits under the labor laws and social security. The countries that ratify this agreement acquire obligations for the protection of refugees, and must incorporate prerogatives into their national legislations to guarantee their rights.

International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (1990) offers a minimal legal framework for the employment conditions of migrant workers, and sets forth the responsibility of the countries that ratify it to offer guarantees and the protection of said rights. Art. 7 which deals with the principle of non-discrimination on the ground of nationality or origin is worthy of special mention; also Art. 25, 27, and 43, which allow access to the right of social protection; and Art. 52-55, which offer guarantees for the right to work and/or social security.

International Covenant on Economic, Social and Cultural Rights (1966) is an especially important international instrument which, under the principle of non-discrimination on the grounds of nationality or origin (Art.2 and 3) recognizes the right to work, and emphasizes that every person must have the opportunity to earn a living (Art. 6). Likewise, Art. 9 recognizes the “right of every person to social welfare and even to social security.”

Convention on the Rights of the Child (1989) is the main framework of the rights and guarantees of all children. The indivisible and interdependent nature jointly with other rights, such as human rights, are fundamental to the protection of migrant minors. Principles, especially those of non-discrimination, the higher interest of the child, and issues such as access to services guide actions related to children, which must be reflected in the enactment of policies, laws, and practices that affect them. Art. 2 ensures that the implementation applies to each child, without discrimination. Art. 26 specifically recognizes that all children have the right to Benefit from social welfare, including social security.

Non-legally binding instruments

Global Compact for Safe, Orderly and Regular Migration (2018) It is the most recent framework for cooperation in migration matters which, within its 23 objectives, not only emphasizes guaranteeing human rights independently of nationality, but also seeks to protect undocumented migrants. Item 15 defends the principles of non-regression and non-discrimination which are important for access to rights and services. Objective 6 highlights access to decent employment; Objective 7 emphasizes the need to address and reduce the vulnerabilities present in migration, and Objective 22 mentions the provision of mechanism for the transferability of the right to social security and benefits. All of these topics are important for the integration and inclusion of migrants in host countries, as well as for the development of cooperation mechanisms among countries, donors, international agencies, civil society, and academic institutions.

Cartagena Declaration on Refugees (1984) extends the concept of refugee as set forth in the 1951 Convention and 1967 Protocol to also consider people who fled because their lives, security or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, the massive violation of human rights, among other reasons. It also highlights in Item 2 the importance of strengthening protection and assistance programs for refugees, especially in the aspects of healthcare, education, employment, and security. It is an important instrument at the regional level to grant refugee status and for coordinated protection.

Source: Elaborated by the authors.

It must be mentioned that the 1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families was ratified by countries traditionally characterized by being the country of origin of emigrants, such as Colombia, Ecuador, Peru, and Guyana, and of host countries such as Argentina.²⁴ Several of these countries have also now become destinations for migrants, especially Venezuelans, to whom the application of the Convention should guarantee all rights. Of the non-binding instruments, the 2018 Global Compact for Safe, Orderly and Regular Migration was rejected by Chile since the start of negotiations; Brazil, which had previously signed it, withdrew in 2019.²⁵

Table 2. Adherence, signing or ratification of international legal instruments by country for the protection of the right to social protection of migrants and refugees

Title	ARG	BRA	CHI	COL	ECU	GUY	PAN	PER	T&T
1951 United Nations Convention relating to the Status of Refugees and its 1967 Protocol	✓	✓	✓	✓	✓		✓	✓	✓
1990 International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families	✓		✓	✓	✓	✓		✓	
1986 Convention on the Rights of the Child [CRC]	✓	✓	✓	✓	✓	✓	✓	✓	✓
1966 International Covenant on Economic, Social and Cultural Rights	✓	✓	✓	✓	✓	✓	✓	✓	✓
2018 Global Compact for Safe, Orderly and Regular Migration	✓			✓	✓	✓	✓	✓	✓

Source: Elaborated by the authors.

There are also agreements and recommendations issued by the International Labor Organization (ILO) such as the Convention on Migrant Workers (1949), Convention No. 143 on Migrant Workers (1975), and the Social Security Convention (Minimum Standards), No. 102 (1952), which in matters of social protection define the foundation for the promotion of a social policy that will allow migrant workers and their families to benefit from the same rights as national workers. The Social Protection Floors Recommendation, 2012 (No. 202) of the ILO is equally fundamental in guiding states to set up social security systems as a human right.

There are also bilateral and multilateral agreements through which countries can build coordination mechanisms related to social security. These include the free movement of people, portability of rights, and other guidelines that are common to migration policy. In LAC, in addition to the agreements that exist among countries, subregional agreements have been recognized, such as MERCOSUR—Multilateral Agreement on Social Security of the Southern Common Market—in force for Argentina, Brazil, Paraguay, and Uruguay; the proposal of the Andean Community of Nations (CAN) with Decision 583, the Andean Social Security Instrument; and the Caribbean Community (CARICOM) Agreement on Social Security are an example of the harmonization of legislation on social security among Member States.²⁶

24. Colombia recorded 2.9 million emigrants in 2019, in addition to more than 5.8 million domestic displaced persons (IOM, 2019b). Other countries with the highest number of emigrants are Ecuador with 1.2 million (versus 381,000 immigrants); Peru with 1.5 million (versus 782,200 immigrants); Guyana with 520,000 (versus approximately 16,000 immigrants). Only Argentina is relevant as a receiving country with close to 2.2 million immigrants, versus 1 million emigrants. Please refer to: [UN DESA, 2019].

25. For more information, please see for Chile <<https://bit.ly/320vlyx>> and for Brazil <<https://bit.ly/2FQMpkh>>.

26. To learn more, please see: <https://www.ilo.org/dyn/migpractice/migmain.showPractice?p_lang=en&p_practice_id=17>.

3.2 National Regulatory frameworks

This section analyzes the main frameworks and laws relevant to migration and refugee status in the 9 countries belonging to this study, with the goal of assessing the degree in which access by the migrant population to social protection and other social rights is guaranteed or not under the law. Other considerations associated with effective coverage are closely tied to the various mechanisms for regularization that are offered by the host countries, and to the availability of services.

An initial ascertainment is that despite the obligation of all countries to ensure and protect compliance with human rights for nationals and migrants, legal status is the factor that determines, in the majority of cases, the access to social rights in host countries. Even regular migratory status through the issuance of visas or permits to the migrant population does not guarantee by itself access to rights and public services. For example, people with temporary migratory status (such as tourists) usually have less established rights than foreigners with residence visas, while refugees with recognized status enjoy an even larger list of guarantees. The regulatory dimension with legal backing for the protection of migrants does not necessarily mean that there is effective access to those rights.²⁷

Within the context of the migration crisis in the region, several countries, besides offering various visa options which are part of their migratory regulations, also adopted *ad-hoc* regularization mechanisms to guarantee regular status for Venezuelan migrants. Colombia implemented this with the Special Permanence Permit (PEP).²⁸ This process went from holding specific calls for registration to one that is offered regularly and by demand. Peru did the same with the Temporary Permanence Permit (PTP);²⁹ Chile with the Democratic Responsibility Visa (VRD), and Ecuador with the Humanitarian Visa for Venezuelans (not in force). Among the prerogatives for these measures, the access to documentation that will facilitate the exercise of rights is noteworthy. This aspect will be addressed later on in this study. Trinidad and Tobago also undertook a registration process for Venezuelans in May 2019 (Venezuelan Migrant Registration Process), which granted identification documents to those immigrants who had entered the country as tourists and remained in the country (Government of Trinidad and Tobago, n.d.).

Other countries such as Argentina and Brazil have facilitated visas to Venezuelans. In Brazil, temporary residence can be requested using a passport or identification document, and they can apply for the temporary Residence Visa in Argentina. Visas are granted for two years in both countries, and after this period, they can apply for permanent residence, which in the Argentina case implies full access to several social protection programs that require a minimum period of residence in the country. In Brazil, permanent residence is not a prerequisite for access to the main assistance programs, such as the *Bolsa Família*.

A series of more flexible measures, such as submitting expired passports for migratory regularization processes were implemented in Argentina, Brazil, Chile, Colombia, and Ecuador. On a parallel level, however, the number of countries (Chile, Peru, Ecuador, and Trinidad and Tobago) that moved to require visas from Venezuelan nationals increased between 2018 and 2019. Before this time frame, Panama and Guyana already required visas; nowadays only Argentina, Brazil, and Colombia allow the free entry of Venezuelans who present only their passport or identification document. In Argentina, Venezuelan children under the age of 9 years who enter by land, with one or both parents, may present their birth certificate due to the impossibility of obtaining identity documents prior to that age in Venezuela, as well as the many obstacles faced for the issuance of passports (Provision DNM 520/2019). Less flexible measures have a direct impact on the most vulnerable migrant families. On the one hand, the requirements, conditions, and processes already pose a challenge for Venezuelans due to the difficulty for the issuance of passports and other documents, such as police records, in their country. On the other hand, it exacerbates the situation of in-transit migrants.

27. The effective access to services existing by law is sometimes limited by the availability, quality, capacity, etc., of the receiving centers, or even by eligibility requirements of the programs, which may affect migrants as well as the local community.

28. Resolutions 2502 and 2359 of 2020.

29. Supreme Decree No. 001-2018-IN.

Table 3. Regulatory adjustments due to the COVID-19 pandemic

Policies	Examples of measures
Extension of the validity of documents	<p>Argentina extended the validity of temporary residence and transit documents, as well as that of the documents granted to people applying for refugee status.³⁰</p> <p>Brazil extended the validity of the Registro Nacional Migratório (RNM) document.³¹</p> <p>Colombia suspended time keeping provisionally for temporary residence permits and the PEP for the duration of the health emergency period. It also authorized once more the renewal of the PEP for those migrants with documents close to their date of expiration.³² In March 2021, the Temporary Protection Statute for Venezuelan migrants was established (see Box 2).</p> <p>Ecuador extended the duration of the migratory amnesty period, as well as the process for the regularization of Venezuelans applying for the temporary residence visa on humanitarian grounds.³³</p> <p>Panama extended the validity of residence permits and other migratory documents.³⁴</p> <p>Peru The Peruvian Government decreed special emergency measures for the regularization of migratory status for the population whose PTP is set to expire.³⁵</p> <p>Trinidad and Tobago extended regular status for people with expired documents.³⁶</p>
Adjustments to migratory processes	<p>Argentina activated virtual service channels through telephone lines and email addresses for questions and to conduct migratory processes.</p> <p>Ecuador launched email systems for submitting asylum applications, for the renewal of documents, or to begin processes such as requests for family reunification.</p> <p>Peru created online application mechanisms for requesting and renewing the foreigner identity card and PTP.³⁷</p> <p>Trinidad and Tobago adopted the use of email to submit an extension request to the Ministry of National Security.³⁸</p>
Elimination of fines, no-fee documents	<p>Ecuador eliminated the fine for loss of legal migratory status.</p> <p>Peru eliminated the fees charged for the processes offered by the National Migration Superintendence.</p> <p>Panama suspended fines for expired documents.</p>
Protection mechanisms due to border closures	<p>Argentina allowed immigrant mobility to foreigners who were in the process of family reunification.</p> <p>Colombia established humanitarian corridors along the Colombia—Venezuela border for people suffering from critical or chronic health conditions.</p> <p>Chile Children and adolescents with fathers or mothers (Chilean) or legal foreign residents, born abroad with or without an application for nationality shall be able to enter the territory. Peru suspended orders for the expulsion of foreigners and authorized the entry of applicants for refugee status.</p>

Source: R4V Platform: Covid-19 good state practices; official documents, and government migration portals.

30. Disposition Number DI-2020- 1714-APN-DNM#MI of the Republic of Argentina – National Executive Authorization for the Extension of the validity of residence. Available at: <<https://www.argentina.gob.ar/sites/default/files/disp-1714-2020.pdf>>.

31. Ministry of Justice and Public Security/National Secretariat of Justice/Department of Migration, Directive No. 1 of 25 March 2020.

32. Resolution Number 1667 of 2020 issued by the Ministry of Foreign Relations of the Republic of Colombia. Available at: <<https://bit.ly/3pvA3tl>>.

33. This visa granted regular status to Venezuelans who entered the country in a legal manner prior to 26 July 2019, was valid for 2 years, and could be renewed only once. This process ended and all deadlines for administrative processes began to be implemented in accordance with the government's provisions.

34. Resolution No. 8189 of 2020 issued by the Ministry of Public Security/ National Migration Service of the Republic of Panama. Available at: <<https://bit.ly/35n1Fsu>>.

35. Information available at: <<https://elperuano.pe/NormasElperuano/2020/10/22/1895950-4/1895950-4.htm>>.

36. Information available at: <<https://bit.ly/36q9Hjw>>.

37. The certifications are "Certification of Issue of a Foreigner Identity Card," "Certification of Issue of a Foreigner Identity Card (Minors)," "Certification of Issue of PTP Card," and "Certification of Issue of PTP Card (Minors)". These apply to those who made the following process requests: "Registration in the Central Registry for Foreigners and Issue of a Foreigner Identity Card," "Foreign Identity Card Duplicate," and/or "Issue and Duplicate of the Temporary Permanence Permit for Venezuelans. The migrants would have been unable to obtain the foreign identity card or the PTP, due to the mandatory social isolation measure decreed within the framework of the Health Emergency due to COVID-19.

38. Ministry of National Security of Trinidad and Tobago. Available at: <<http://www.nationalsecurity.gov.tt/FAQ>>.

The measures adopted in 2020 by governments to prevent the spread of the new coronavirus, which include restrictions on mobilization and confinement, have had a direct repercussion in the free movement of people and affected the migratory flow in the region. All of the host countries established a series of measures that required adjustments to migratory regulations, some specifically addressed to the Venezuelan population.³⁹

Box 2. Colombia – Temporary Protection Statute for Venezuelan migrants

At the end of the analysis and drafting of this Technical Note, the Government of Colombia by Decree 216 of March 1 adopted the implementation of the Temporary Protection Statute for Venezuelan migrants, a complementary mechanism to the international refugee protection regime that will be valid for 10 years.

The temporary protection statute seeks to generate the registration of information of the Venezuelan migrant population and subsequently to grant a temporary benefit of regularization. This legal mechanism creates the Temporary Protection Permit (PPT) that authorizes Venezuelan migrants to remain in the country under conditions of special migratory regularity and to engage in any activity or legal occupation until the validity of the Statute and will not be extendable. It consists of a mechanism that allows Venezuelan migrants who are in the country to transition from a temporary protection regime to an ordinary immigration regime. In other words, Venezuelan migrants who participate in the measure will have a 10-year period to acquire a resident visa.

The measure applies to the migrant population holding the Entry and Permanence Permit (PIP), Temporary Permanence Permit (PTP) or a current Special Permanence Permit (PEP), whatever their issuance phase, including the Special Permanence Permit for the Promotion of Formalization (PEPFF); those who carried out an extension of stay, or with refugee proceedings; the irregular migrant population in Colombia as of January 31, 2021; and the population entering through the Immigration Checkpoints during the first two years of the Statute.

Among the benefits granted by this statute are the following:

- The creation of the Single Register of Venezuelan Migrants, through which information will be collected for identification and characterization for policy formulation and design.
- Protection of the migrant population in an irregular condition.
- Granting of regular immigration status and authorization to engage in any legal activity or occupation in the country, including those carried out by virtue of an employment relationship or contract.
- Access to public and private institutional offer and incorporation as an active member of society under conditions of equality.
- The possibility of transitioning to the visa regime.

In most countries under study, regular immigration status is a necessary condition to access the formal labor market, essential social services, and in particular the social protection system programs as seen throughout this analysis. The Temporary Protection Permit represents a breakthrough and milestone in the process of welcoming and integrating migrants into Colombian society. This mechanism places the country as a benchmark in the region in terms of the Venezuelan population migration process.

Source: ABC Temporary Protection Statute for Venezuelan migrants and Decree 216 of March 1.

39. For example, in Colombia, despite the closure of land and waterway borders with Venezuela, the transit of preschool, elementary, basic, middle, and high school students who resided in Venezuelan territory, but are registered in Colombian educational centers was allowed (Decree 402 of 2020). On the contrary, in Brazil, Venezuelans were excluded from the regulation that allowed the entry into its territory of certain exempt categories, by presenting residence documents as direct relatives of Brazilians, who carried documents issued by the National Migration Registry (RNM).

The loss of legal migration status may imply the lack of access to social assistance programs, to the right to formal work, and loss of employment benefits as a result. Within the context of the pandemic, the importance of the mechanisms and alternatives for the provision of migration services is key, in order to prevent the migrant population from being undocumented. Likewise and considering that the economic impact may be even more serious for the migrant population due to job loss, the elimination of fees for permits and visas, as well as the suspension of fines for prolonged stays, is primarily significant for the most vulnerable migrants. Table 3 details several of the most relevant measures.

Social rights of migrants within the framework of national regulations

Argentina, Brazil, and Ecuador distinguish themselves for having constitutions that provide wide guarantees to the rights of foreigners, offering legal coverage and *universal and/or equal access* to social protection, healthcare, and public education systems without specifying migratory condition. It is worth noting that legal coverage, despite determining by law the access to rights, does not guarantee effective access to migrants, since this depends on aspects such as the availability of services or whether social protection systems are designed for their integration. This is the case in Ecuador, where despite constitutional guarantees, migrants have only partial access to the components of their social protection system.

In other countries, limitations already begin with their legal status. This means that the migrant population cannot access public services if they only possess regular migratory status, such as in Peru, Guyana, and Trinidad and Tobago. Although the Political Constitution in Colombia mentions protection and equal rights without discrimination, it does not explicitly state the guarantee of social rights to the migrant population (Maldonado et al., 2018). This is evident in the limitations that exist to the access of Venezuelans to contributive social protection programs, even though some of them are included in social records and could qualify under the socioeconomic classifications, as we will show later on.

Upon reviewing migratory regulations, those that are identified as older maintain a perspective centered around national security and border control, as in Guyana (1947)⁴⁰ and Chile (1975),⁴¹ while more recent ones, such as the migration policies of Brazil, Ecuador,⁴² and Peru, who reformulated their laws in 2017, have a broader and more inclusive focus regarding guarantees of rights for these populations (Alonso et al., 2018).

Migration policies and laws constitute another group of regulations that are also key in establishing rights for migrants and refugees. Although Trinidad and Tobago has a regulation to protect refugees and asylum seekers,⁴³ it is not specific enough about the rights that they have access to. The main migration law (Immigration Act) dates from 1969, and despite having undergone several amendments since its publication, focuses on the regularization of migrants. Panama, on its part, has Executive Decree No. 5 of 2018, which approves the Convention and Protocol relating to the Status of Refugees, which has achieved important advances on the guarantee of fundamental rights. However, it still maintains several restrictions to effective access.⁴⁴ There is discussion in Chile and Colombia on proposals for the creation or reform of migration policies. In the meantime, both countries have adopted a set of resolutions,

40. Guyana, through work visas offered to Venezuelan migrants, grants access to healthcare and education (Immigration Act-work permit).

41. Law on Foreigners (Decree Law 1.094 of 1975).

42. The National Congress approved reforms on December 3rd 2020 to the Law of Human Mobility that would affect the deportation process (El Comercio, 2020).

43. Trinidad and Tobago, despite being a signatory of the Convention and Protocol relating to the Status of Refugees, still lacks a domestic policy for the implementation of international dispositions, and therefore all records and processes are made by UNHCR, with the risk that local entities and institutions will not recognize them fully. The application is processed by UNHCR, which has been the organization responsible for evaluating and determining the status of refuge, in collaboration with civil society (especially the Living Water Community NGO). The Government of Trinidad and Tobago issues refugees an "Order of Supervision" that prevents them from being returned or detained due to their migratory status (Nakhid & Welch, 2017).

44. Please refer to Executive Decree No. 5 of 2018.

decrees, and other legal instruments to respond to the Venezuelan crisis, since they currently lack a modern law that incorporates a focus based on rights.

The draft bill proposal⁴⁵ in Chile intends to modernize the current migration legal framework by establishing the promotion, protection, and respect for the human rights of foreigners who are in the country. It also recognized the principles of equal treatment, non-discrimination, and non-criminalization of undocumented migration (Carvacho, 2020). The new law represents an advance in migratory regulation, mainly due to its protection of migrant children and adolescents (by incorporating, for example, important guiding principles such as the higher interest of the child; the full exercise and enjoyment of rights; the impropriety of the expulsion of children and adolescents, and the prevention of statelessness). However, it does not establish an expansion of access to services, and some gaps persist, such as the inclusion of families in the principle of no-return and family reunification.⁴⁶

The Draft Bill Proposal⁴⁷ is currently being debated by Congress in Colombia. The document, which consists of eighty articles, seeks to provide integral assistance to Colombians abroad, to returnees and foreigners in Colombia. According to civil society organizations and to other analyses, the project does not make structural changes that would offer the undocumented and vulnerable population any paths to regularization that are permanent, accessible, and long term.⁴⁸ However, the permanent regularization of migrants could change with the recent adoption of the Temporary Protection Status for Venezuelan migrants, which was decreed by the government in March 2021 (please refer to Box 2 for more details).

Next, we present the access of migrants to the right to assistance and social security in accordance with constitutional laws and migratory frameworks. The specific access to rights by Venezuelan migrants is detailed based on the *ad-hoc* regularization mechanisms offered by the destination countries.

Social Assistance and Social Security

The Constitutions and migration policies offer legal support for access to social security in most countries, as detailed in the figure below. However, even though social security is a right, the benefits and services of the pension and occupational risk systems, among others, are subject to the existence of formal employment relations. They also depend on whether individuals are beneficiaries of state benefits and services that allow to make contributions to these systems.

It is important to emphasize that the implementation of this right also depends on the migration status of those who are present in the host countries, on the requirements of contributive and non-contributive regimes, and on bilateral and multilateral agreements on the topic.

In other countries such as Trinidad and Tobago, migrants are negatively impacted by a sizable regulatory gap that directly affects the exercise of their rights. The only agreement that has been identified, on CARICOM pensions systems, was signed in the year 1996 and guarantees contributive social security rights to immigrant workers from Caribbean countries (Robles & Vargas, 2012). Nevertheless, access by foreigners from other regions to the social security system is poorly regulated and extremely limited. A similar situation occurs in Guyana, where the Migration Law is extremely limited and does not establish the right to assistance or social protection.⁴⁹

45. Chile: Draft Bill Proposal for Migration and Foreigners [Bulletin No. 8.970-06].

46. Comments UNICEF Draft Bill Proposal for Migration and Foreigners. Second Constitutional Process. Bulletin No. 8.970-06.

47. Senate Draft Bill Proposal No. 36 of 2019 "Whereby an integral migration policy of the Colombian State is established."

48. "Analysis Draft Bill Proposal No. 036 – Integral Migration Policy of the Colombian State." 19 June 2020. Available at: <<https://bit.ly/3urZai7>>.

49. Immigration Act - Chapter 14:02.

Figure 4. Social assistance and social security policy frameworks by country



Source: Authors based on the national legal frameworks.

In the specific case of Venezuelans, the special visa issued by Colombia (PEP) grants work permits for two years to migrants. It also allows them to have access to the management and job placement services of the Special Administrative Unit of the Public Service for Employment. With the PEP, Venezuelans may obtain permits, even while their applications are being processed. To facilitate transborder and transit migration, Colombia offers the Border Mobility Card (Spanish language acronym TMF), which allows regular border crossings to residents of border areas to buy food, obtain medical care, or to study (Government of Colombia, n.d.). For refugee status applicants whose requests have been rejected, or who were not granted the status of refugee, there is the Special Complementary Permanence Permit (Spanish language acronym PECP), which allows them to perform any legal activity or occupation in the country for a renewable period of 90 days.⁵⁰ The Colombian government also seeks to promote the migratory regularization of Venezuelan nationals through the Special Permanence Permit for the Promotion of Regularization (Spanish-language acronym PEPFF), through employment contracts or contracts to provide services.⁵¹ Various residence options for Venezuelan migrants were also offered in Ecuador, such as the UNASUR visa, the Ecuador-Venezuela Migratory Status Temporary Residence Visa, and the Humanitarian Visa, which grant access to

50. Resolution 3548 of 2019.

51. The Ministry of Labor is responsible for the permit, and the Ministry of Foreign Relations allows Venezuelans to have access to employment through contracts issued under secured conditions. Please refer to the following link for more information: <<https://bit.ly/3rYB6lg>>.

rights that include work and employment benefits. These regularization options, however, entail many requirements and their financial cost is high.⁵²

The PTP in Peru and the Democratic Responsibility Visa in Chile grant the right to work for one year, and in both cases Venezuelan migrants have the option of seeking permanent regularization by applying for residence after one year. Permanent visas facilitate their inclusion in registries such as the SISFOH (Household Targeting System) in Peru and the Social Registry of Households in Chile. These registries are used to target cash transfer programs and to offer available public services. It must be noted that access to the registry does not make them beneficiaries, and that the rules that guide the programs determine their actual inclusion. As shown in Table 4, the main mechanisms for regularization have been key for access to rights.

Box 3. Access by the Venezuelan migrant population to healthcare and education

Healthcare

Basic healthcare, which offers access to emergency services without considering migratory status, is guaranteed in all countries except for Trinidad and Tobago, where free public primary and emergency room services are only offered to migrants with permanent visas, or to those who have a temporary registration card granted to Venezuelan nationals in 2019. The cases of Brazil, Chile, and Ecuador are noteworthy, where universal access to the Single Healthcare System (SUS) is offered to all migrants (with regular status or undocumented). Chile is also a case to be highlighted, where access is guaranteed to all children and adolescents, and pregnant women, independently of their migratory situation (Government of Chile, 2017). Peru is another relevant example, where all children under the age of 5 years, as well as pregnant women and individuals with the HIV virus are allowed the right to access public healthcare services at no cost, independently of their migratory situation (R4V, 2019).

The case of access to healthcare services in Colombia, Peru, and Chile by Venezuelan migrants draws attention to the possibilities offered by their public systems. The PEP issued in Colombia grants access to the contributive healthcare system to the migrant population that can afford to pay and is employed in the formal sector. It offers a subsidized system for the vulnerable, impoverished population that cannot afford to pay. In Peru, the PTP allows access to basic healthcare services; only migrants with resident status who have a foreigner identity card have access to the Integrated Health System (SIS), which provides care to low-income and extremely low-income patients. This population of migrants can also access the "Independent SIS," which is available to people who do not qualify as low-income or poverty level, but who lack medical insurance (Si, da Vida, 2019).

The Democratic Responsibility Visa in Chile and other permanence visas make it possible to obtain the *Rol Único Nacional* (RUN), which is the civil register identification number, a document that allows access to the National Health Fund (FONASA) and other services. Nonetheless and independently of migration status, people who do lack the economic resources to pay insurance contributions can request to register in FONASA Type A (without resources), which can be done in public health centers (Government of Chile, n.d.). The insured have access to primary healthcare centers, as well as to emergency services at private hospitals.

Despite having access, factors such as limitations in the capacity established for healthcare systems, the costs associated with care, and distrust in seeking medical care due to lacking documents have an influence on healthcare, as was identified in Colombia, Ecuador, and Peru (World Bank, 2018, 2019, 2020a; Government of Peru, 2019). Although it is not possible to make a detailed determination of the access to health that Venezuelan migrants have in all the countries, it is known that in Colombia, which has more than 1.7 million Venezuelans, only 7,589 participated



52. Processing and costs for UNASUR visas (approximately USD 50 for the application and USD 250 to obtain it), and for the Ecuador-Venezuela Migratory Status Temporary Residence Visa (approximately USD 50 for the application and USD 500 to obtain it). To learn more, please refer to: <<https://www.gob.ec/tramites/>>.

in the contributive healthcare system, while 35,548 were part of the subsidized system, according to 2018 data (Government of Colombia, 2018, p. 47).

On the other hand, and within the vaccination plan for COVID-19, several countries have stated the explicit exclusion of irregular Venezuelan migrants, which might add a factor of sanitary vulnerability to this population.

Education

Education is a fundamental right of every boy, girl, and adolescents without restrictions due to their migratory status or origin in Argentina, Brazil, Chile, Colombia, Ecuador, Guyana, Panama, and Peru. Actually, of all the countries studied, only Trinidad and Tobago limits access to education by requiring that a student permit be submitted, which is only available to the sons and daughters of immigrants who have a legal work permit. This measure excludes the undocumented from having access.⁵³ The right to education also provides, in the majority of cases, access to school feeding programs, although this depends on the target criteria for each program, as is explained further in section 4.1.

The recognition and accreditation of studies in regional countries is still a barrier to the full exercise of the right to education. Although countries such as Colombia, Chile, Ecuador, Peru, and Venezuela are part of the Andrés Bello Convention,⁵³ whereby member countries recognize primary and secondary studies by means of equivalency tables, the mandatory requirement of certain documents for the recognition process continues to pose a challenge for Venezuelan children and adolescents.

In spite of the right to access to education, administrative and practical restrictions for the full exercise of the right to education continue to exist. The lack of openings in schools, the costs of attending school for migrants, and problems with the recognition of certificates and accreditation of degrees can be listed among these barriers. The phase of the migration cycle that the children are in also has an impact. A 2019 UNHCR study conducted among Venezuelan migrant families in several regional countries revealed that 52 per cent of children did not attend school because they had just arrived in the destination country, or because they were in transit (UNHCR, 2019).

In Colombia, according to data of the Ministry of Education for 2019, the educational system had approximately 200,000 Venezuelan migrants registered at all the various levels (preschool, basic primary, primary, basic secondary, and secondary) in urban and rural areas, while 152,000 Venezuelan students benefited from the school feeding program offered in public institutions (Mineducación, 2020). Legal access notwithstanding, close to 260,000 Venezuelan children and adolescents remain outside the educational system (Renna, 2020). The educational system in Ecuador has yet to incorporate close to 56 per cent of Venezuelan children and adolescents (World Bank, 2020a). In Peru, the Survey Directed at the Venezuelan Population Residing in the Country (Spanish-language acronym ENPOVE) showed that in 2018, only two out of every five school-age children attended an educational facility. In 2019, out of the 118,000 school openings needed for this population, only 35,000 were granted to Venezuelan students within the public education system (World Bank, 2019).

However, good school inclusion practices were identified. In Brazil, the government of Roraima (with support from the Ministry of Education) conducts standardized remedial testing since 2019 for the corresponding grade in the Brazilian system and registers them in the corresponding level. In Chile, the government established a mechanism to facilitate the regularization of children by using the Provisional School Identification Number (Spanish-language acronym IPE) which grants access to the educational system. Among the measures for integration, a remedial test for children who lack school documentation is offered, and there are educational proposals that have a multicultural focus (Government of Chile, 2017b).

Source: Elaborated by the authors.

53. The Andrés Bello Convention was signed on 31 January 1970 and later replaced in 1990 by a new agreement with the purpose of generating strategies for Educational, Scientific, Technological and Cultural integration among the member countries. The Table of Equivalences, part of the agreement, favors the mobility of students abroad who have completed basic and secondary education in the member countries [Bolivia, Mexico, Colombia, Panama, Chile, Paraguay, Cuba, Peru, Ecuador, Dominican Republic, Spain and Venezuela].

Table 4. Main regularization mechanisms for Venezuelans and access to rights by country

Country	Legal instrument	Rights accessed legally	Visas and permits*
Argentina	Temporary Residence Visa – Mercosur and other categories. 2 years	Work, healthcare, education, social security	110,000 temporary residencies and 20,000 permanent ones
Brazil	Temporary Residence Visa. 2 years	Work, education, healthcare, social protection, social services	124,000 residencies
Colombia	Special Permanence Permit (PEP). 90 days, automatic renewal up to the completion of 2 years	Work and social security, healthcare, education, assistance services for children, adolescents, and pregnant women	612,449 Venezuelans have obtained the PEP
	Border Mobility Card (TMF). 2 years	Border transit	4.98 million TMFs have been issued
Chile	Democratic Responsibility Visa. 1 year (renewable for one more year)	Work and social security, education, healthcare	19,244 visas have been granted
	Special visa of a temporary nature for children and adolescents. 1 year (renewable for one more year)	Education and healthcare	N/A
Ecuador	Humanitarian Visa for Venezuelans. 2 years	Work, healthcare, and education	28,000 Humanitarian visas 178,246 residence permits
Guyana	Entry without a visa allowed (landing card). Application for a work visa. Valid for up to 3 years and renewable.	Work, education, healthcare, and emergency protection programs.	13,939 registered
Panama	General Migratory Regularization Process. It offers a provisional permanence card. 2 years	Healthcare, education, and work	17,344 regularizations 76,297 residence permits
Peru	Temporary Permanence Permit (PTP). 1 year	Work, education, healthcare, justice	477,060 permits
Trinidad and Tobago	Venezuelan Migrant Registration Process. 1 year (renewable for the same period)	Work (registration card)	16,000 registered

Note: Attachment 1. features the full table with the regulatory frameworks, requirements, sources, and other details on the main regularization mechanisms for Venezuelans and access to rights by country. *The years corresponding to the data for the visas cited within the table may vary by country (between 2018 and 2020).

Source: Prepared by the authors using information available in the national migration regulatory frameworks, government data, and the R4V platform.

4. ACCESS BY THE MIGRANT POPULATION TO REGULAR SOCIAL PROTECTION

National social protection systems typically consist of the integration of three components forcibly displaced populations have attracted enormous media attention as an increasing number of disasters and political conflicts push more and more people to move away from their homes and seek refuge and opportunities in other places. At the same time, political nervousness about the financial and institutional capability of ‘receiving’ locations to adequately respond to the needs of these large-scale population movements contributes to the shrinking space for thinking about the rights and needs of people on the move. It is precisely because of these global trends that the plight of forcibly displaced populations is becoming more precarious and vulnerable, yet standard social protection provision rarely attends to the plight of these people. The purpose of this paper is to elaborate the remit and implications for including a consideration of forcibly displaced populations (including internally displaced people, refugees and asylum seekers: social assistance, social security, and job market programs. This section reviews the access of the migrant population to these components of social protection in the countries under study, with special focus on cash transfers.

4.1 Social assistance

Social assistance as a component of non-contributive social protection—which, for example, is the umbrella for conditional transfer programs—is an important instrument of the policy to fight poverty in the region. As described in section 2.2, the migrants face additional risks to the vulnerabilities associated with the life cycle. Likewise, their low participation in the formal labor market makes access to the benefits and services offered by social security difficult. Therefore transfers are a central intervention for their protection. School feeding programs, transfers in kind, subsidies, and others are recognized within social assistance programs.

The 9 countries of the study feature **cash transfer programs** as pillars of their social protection systems, and access by the Venezuelan migrant population to them varies. Therefore, the main programs such as the Universal Allocation Per Child in Argentina, *Bolsa Família* in Brazil, the Ethical Family Income in Chile or the Disability Assistance Grant in Trinidad and Tobago (although this one is only available for disabled individuals) do anticipate access by migrants to the programs, as long as they fulfill the eligibility requirements which include legal migration status, identification documents, and socioeconomic classification. Other programs such as the Human Development Bonus in Ecuador are only available to nationals.⁵⁴

The above being said, certain requirements and conditions may make it difficult for migrants to have access to these programs. On the one hand, there are procedural and integration barriers with other services. For example, in order to obtain the Disability Assistance Grant in Trinidad and Tobago, the applicant must submit a certificate of permanent disability, which can only be issued by a physician with the Ministry of Health or Regional Health Authority. This is a requirement for all applicants, but it represents a heavier burden for Venezuelan migrants who, despite having access to public health services for basic and emergency care, have limited assistance within the tertiary care level and specialized services. The same happens when permanence criteria for these programs (especially cash transfers for families with children) are tied to health, education, and nutrition condition. The access to the latter is at times complex for migrants, as previously shown. Also, inclusion in certain social programs is not continuous, but depends on calls for registration. This is the case of Colombia, whose *Familias en Acción* conditional cash transfer program holds registration events based on lists of potential beneficiaries. Table 5 details the main cash transfer programs for families with children that are accessible for migrants.

On the other hand, there are barriers associated with their **migratory status**. The transfer programs that allow the access of migrants require them to have regular status. Other non-contributive system programs, such as social pensions depend on the length of residence. This is the case with social pensions in Trinidad and Tobago (the Senior Citizens' Pension); Argentina (Universal Pension for Elderly Adults), and Chile, (Basic Solidarity Old Age Pension), which require residence in the country for twenty years prior to applying for it. The Basic Solidarity Disability Pension in Chile asks for accreditation of residence in the country for five years, or programs for mothers or families with children such as the Pregnancy Allowance of Universal Allowance Per Child in Argentina, which require two years of residence in the country.

With regard to **school feeding programs**, access to education without restrictions due to migratory status as a fundamental right of children plays a determining role in the provision of this benefit, as is the case in Argentina, Brazil, Chile, Colombia, Ecuador, Guyana, Panama, and Peru. In the countries that are the subject of this study and as mentioned previously, only Trinidad and Tobago limit access to education by requesting the submittal of a student permit, which is only available to the sons and daughters of immigrants who hold a legal work permit. This requirement thereby excludes access by the undocumented.⁵⁵

54. Although Ecuador has a Constitution that guarantees access to social protection, effective access to social assistance continues to be limited by the actual design of the programs. The legal basis is available at: <http://www.inclusion.gob.ec/wp-content/uploads/2019/07/d_804_20190520180147-1.pdf>.

55. International and civil organizations that include UNHCR and UNICEF created an educational program called "Equal Place" as a temporary intervention that helps asylum seekers, refugees, and other children in need to gain access to an accredited education. To learn more about this program, please see: <<https://equal-place.com/>>.

Table 5. Preexisting cash transfer programs that include the migrant population

Country*	Argentina	Brazil	Chile
Program	Universal Allocation per Child (Spanish-language acronym AUH) and Universal Pregnancy Allowance (Spanish-language acronym AUE)	<i>Bolsa Família</i>	Ethical Family Income (Single Family Subsidy—Spanish-language acronym SUF)
Description	AUH and AUE are cash transfer programs for families with children. Their objective is to improve the quality of life and access of children and adolescents to health and education services. An extraordinary increase was offered to all program beneficiaries during the pandemic.	Cash transfer program for families in situations of poverty and extreme poverty. During the pandemic, new beneficiaries were included; blocked benefits due to non-compliance with conditionalities were suspended, and an extraordinary increase was provided.	Set of cash transfers for households living in extreme poverty. The program combines conditional and non-conditional transfers. An extraordinary increase was provided during the pandemic.
Amount	ARS 3,540 monthly per child (USD 44)	BRL 89 basic monthly benefit per family living in extreme poverty conditions (USD 33)	CLP 30,854 monthly amount per beneficiary (USD 62)
Main requirements	Must be a resident for a period of at least 2 years to have access to AUH; 3 years for AUE	Be registered in the <i>Cadastro Único</i> , possess a valid CPF	Be a part of the Social Registry of Households. Identification document.

Note: *Although the contributive and non-contributive regimes in each country have a diverse group of subsidies, the main conditional cash transfers for families with children are shown in the table. In Chile, for example, migrants have access to other bonuses and subsidies under the Intersectoral Social Protection System such as: the Healthy Child Control Bonus, Bonus for School Attendance, School Achievement Bonus, School Pro-Retention Subsidy, the Support Scholarship for School Retention (BARE) (Personal Communication UNICEF Chile, 2020). The amounts correspond to the conversion of the local currency in 2020 values to international dollars, according to the purchasing power parity (PPP), except for Argentina, where the value corresponds to the exchange rate (November 2020).

Source: Elaborated by the authors.

Access to and coverage under school feeding programs, however, also depends on the targeting criteria selected by the countries. Brazil and Ecuador have adopted universal targets, for the purpose of allowing all school-age children, independently of their migratory status, age, or socioeconomic condition to have free access to the program. In Ecuador, said universal coverage lasts up to the high school level (WFP, 2017). In certain cases, countries opt to follow geographic or individual targets, or a combination of the two, to offer nutrition at all school levels. In Peru, the national Qali Warma program offers nutrition to the early and primary levels at all public schools in the country, and only the indigenous Amazon populations receive it at the high school level.⁵⁶ The National School Feeding Programme in Guyana has a geographic focus, offering nutrition to all nursery and primary schools in specific regions.⁵⁷ In Argentina, the universality which characterized the school meals programs, and the Child and Maternal Nutrition Program (PROMIN), gave way in the 1990s to geographic targeting criteria, which resulted in PROMIN being implemented as a program targeting areas with a high urban poverty rate (Sordini, 2014).

In the cases of geographic targeting, the migrant students are initially eligible for the school feeding programs in the areas in which these are implemented. In the cases in which targeting is individual or is performed based on income levels or livelihood components, the students must belong to poor or low-income families to gain access to school feeding programs. This is the case with the School Nutrition Programme in Trinidad and Tobago, where the poverty level is subjectively evaluated by the schools.⁵⁸ It is also the case of Colombia, where schools select the students on

56. To learn more about the Qali Warma Program, please see: <<https://www.gob.pe/qaliwarmas>>.

57. In Guyana, targeting is directed at all nursery and primary schools for grades 1 and 2 in regions 1, 2, 3, 4, 5, 6, 10; and in Georgetown, targeting regions 7, 8, and 9 separately.

58. According to the Child Nutrition Program, the school principal assesses the participation of the student in the program. The recommendation is based on the socioeconomic level of the family. However, the condition of regularization that Venezuelan migrant students must comply with to enter the official school system has made it exceedingly difficult for them to gain access to education, and consequently to school nutrition programs. To learn more about the program, please see: <<http://www.tconnect.gov.tt/>>.

an individual basis among all levels, based on socioeconomic criteria. In the case of the PAE of the National Board of School Aid and Scholarships (Spanish-language acronym JUNAEB) in Chile,⁵⁹ geographic as well as individual criteria are used. Schools are selected according to an index of scholastic vulnerability, based on the socioeconomic data for the households. Secondly, students are individually selected from within the schools (WFP, 2017).

Table 6. Preexisting School Feeding Programs which include the migrant population

Country	Program	What requirements must be met?
Argentina	School Meals Programs	Be a student at the locations where the geographic targeting criterion is applied (geographic targeting)
Brazil	National School Feeding Program (Portuguese-language acronym PNAE)	Be a student at an early childhood, primary, or high school educational facility; or in the case of youths and adults, be a registered student at public schools, philanthropic or community entities (universal focus)
Chile	School Feeding Program (Spanish-language acronym PAE)—JUNAEB	Be registered in the Social Households Registry, and to fall within the 60 per cent of the most vulnerable families or those who face the greatest socioeconomic disadvantages (socioeconomic targeting)
Colombia	School Feeding Program (PAE)	Depends on program coverage at the local level (category and socioeconomic targeting)
Ecuador	School Feeding Program	Provide documents for the accreditation of the level (universal focus)
Guyana	National School Feeding Programme	Be a public-school student in the regions targeted by the program
Peru	Qali Warma	Early and primary levels at all public schools (in the entire country – universal focus); at the high school level, only indigenous populations in the Amazon receive this program
Trinidad and Tobago	School Nutrition Programme	Students registered in nursery, primary, secondary, and special schools (socioeconomic targeting determined by the schools)

Note: In Trinidad and Tobago, only migrants with student permits may be admitted into the educational system. In all other countries, access to education is universal, independently of migratory status.

Source: Authors, based on the information available for school feeding programs.

Social registries and access by migrants

In most countries, **social registries** are one of the gateways to social assistance programs destined to the poorest and most vulnerable, including migrants (please refer to Box 4 on Brazil). Said registries consolidate the socioeconomic and contact information of potential beneficiaries and provide this information for the targeting of social protection programs, such as cash transfers or other interventions such as access to subsidized health systems.

Although registration does not guarantee access to programs which have their own criteria for eligibility, compliance with the documentation required to enter the registry is relevant, as shown in Table 7.

Although the details of the programs that use said registries are not given, it is worthy of mention that in countries like Brazil, Colombia, and Peru, potentially eligible people and households are automatically excluded from the main transfer programs if they are not part of the registry. In the case of migrants, there are also barriers related with the

59. The PAE is offered to preschool, basic, and middle school students in conditions of vulnerability, whose family income falls within the poorest 60 per cent. It services the regular education, as well as night school, of adults both in public facilities and private ones that are subsidized. Migrant children also have access to school nutrition when they hold a Provisional School Identification card (Spanish-language acronym IPE), a document that allows access to education even in the absence of regular status.

actual rules of the programs. It must also be mentioned that registries such as SISBEN in Colombia⁶⁰ make it possible for Venezuelan migrants to enter the subsidized health system, and the Social Registry of Household in Chile⁶¹ is indispensable for children to access the school feeding program.

Table 7. Social registries and access by migrants

Country	Social Registry	Documentation and access details	Observations
Brazil	<i>CadÚnico</i>	At least one identification document (birth or marriage registry record; RG, CPF or employment records. Registration usually takes place at a social assistance center (Portuguese-language acronym CRAS) of municipal governments.	All foreigners residing legally in the country have the right to access the registry, and to be potential beneficiaries of social assistance programs.
Colombia	SISBEN (System for Selecting Beneficiaries of Social Programs)	Identification document for the foreign person, for persons with safe-conducts (Type M Visa) and PEP. The survey may be applied out in every municipality or city.	Refugees and Venezuelans who have a PEP, and who have minor children with valid identification documents, but no PEP may have access. Once they are registered in the SISBEN, they may only request access to the subsidized health system.
Peru	SISFOH (Household Targeting System)	People who have foreigner identification cards and the DNI [National Document for Identification] of all household members.	Migrants with regular status in the country can register. According to their socioeconomic classification, they can access the free Integral Healthcare System.
Chile	Social Registry of Households (Spanish-language acronym RSH)	It is necessary to have a RUN (National Unique Role) in order to register. The Executor for the commune in which the applicant resides fills out the application form for entry into the RSH.	A foreigner with regular status and a RUN may register. A socioeconomic classification assessment is performed to gain access to the programs.
Ecuador	Social Registry	To carry out the survey, a national identity/citizenship card or an identity document is required to be presented for all household members, as well as an electric bill for the home that is going to be processed. ⁶²	All people who fulfill the requirements may have access. Migrants and refugees with residence status may obtain a personal identity card.
Panama	National Registry of Beneficiaries	National personal identity card	Article 4 of Law 54 of November 2016 (which creates the national registry of beneficiaries) limits registration to Panamanians.

Source: Authors' estimation based on official government information and social registry portals.

Migrants may be excluded from social registries due to the design itself of the registries or for operational issues. Regarding their exclusion due to the design, cases exist in which eligibility requirements limit registration. As observed in Table 7, all the registries ask for the presentation of identity documents that are mostly tied to regular status. Regarding operational issues, the exclusion may be due to mobility; lack of information on how to register; to social and cultural factors (for example, stigma); to the high cost/complexity of the process; to the state-people relationship (for example, in the case of a relationship of distrust), and to the incentives of local actors to register migrants (Barca & Hebbbar, 2020). The SISFOH in Peru, for example, has a greater focus on rural areas, which are traditionally poorer, and less relative coverage in urban centers, where most Venezuelan migrants reside.

60. In this regard, it is important to mention that Decree 064 of 2020 of the Ministry of Health stipulated that the regular migrant population may register in the Healthcare System through municipal hospitals or municipal health secretariat offices “ex officio” without having to be registered in SISBEN. This is particularly important because it eliminates an initial process. However, the SISBEN survey must be submitted within a period of 4 months to verify their ability to pay, and to define if they will remain within the subsidized or contributed regime. To learn more, please see the Decree here: <https://bit.ly/31TMjsl>

61. In Chile, approximately 400,000 foreigners are part of the Social Registry of Households, which corresponds to 2.9 per cent of the total of those who make up the list. Further information is available at: <https://bit.ly/36uE9Jr>.

62. Document. Social Protection System Project. Adjusted Operations Handbook. Social Registry Unit. 2019. Available at: <https://bit.ly/3wtrToN>.

Box 4. Access by the migrant population to the *CadÚnico* Registry

The Unified Registry for Social Programs of the Federal Government (*CadÚnico*), which functions as an instrument for the characterization and identification of low-income families, allows the access of national and foreign families to the benefits of the Brazilian social protection system such as the *Bolsa Família* Program. The registry consists of the submittal of an application at the social assistance center that is closest to the place of residence. The applicant must also present the National Persons Register (CPF) or another identity document for the members of the family. The Reference Center for Refugees and Migrants on the campus of the Federal University of Roraima, built as a governmental initiative and supported by international organizations, was inaugurated in 2018. Specific processes to register Venezuelan migrants have been held at this center. Approximately 6,470 families with at least one member who was born in Venezuela appeared as being registered in the *CadÚnico* between January 2016 and February 2019.

The main conditional cash transfer program, *Bolsa Família* (Portuguese-language acronym PBF), directed at poor and extremely poor families, had thru March 2019 a registry of 10,618 Venezuelan beneficiaries throughout the country, according to data of the National Secretariat for Citizen Income (Portuguese-language acronym SNARC) (1). The program, however, presents several challenges to inclusion, 1) lack of openings in several municipalities and 2), difficulties for compliance with the conditions and support for the families that mobilize throughout the territory, since many of them do not remain in the location in which they registered. Other problems are added to these, such as the lack of recognition of the inclusion of the migrant population to programs at the municipal level, and an update to social assistance policies in certain states (2).

Sources: (1) Administrative database of the *Cadastro Único*—People Born in Venezuela (January 2016 to February 2019). National Secretariat for Citizen Income (SENARC)—Citizens' Ministry. (2) Access to Public Policies and Social Protection Services for Venezuelan Migrants in Selected Municipalities of Brazil, UNICEF Brazil, 2020.

4.2 Social security

In most social security systems, the principle of equal treatment only applies to migrants in regular situations. Under this premise, contributive benefits are intricately linked to formal employment, in accordance with the regulations established in the national labor legislations themselves.

Furthermore, and despite a regular migratory situation being fundamental, it does not, in and by itself, entail access to the formal labor market, work permits, and therefore to social security. For example, some visa categories (students, tourism, refugees, etc.), and depending on the legislation of each country, allow the holders to work or not. As well as the national population itself, migrants with work permits face several barriers to gain access to a formal job, in a region in which 60 per cent of active workers belong to the informal sector. However, and in their specific case, Venezuelan migrants face barriers ranging from lack of information, discriminatory practices, cultural barriers, lack of supporting documentation (for example, education certificates, accreditation of degrees, etc.), among others (Maldonado Valera et al, 2018).

Regarding the cases studied in this Note, only a small portion of the migrant population has been incorporated into the social security systems of the host countries in the region. In Brazil, Venezuelans with resident visas and a work history may have access to all labor rights ensured by law, which include safety, social security, the right to protection of mothers and children, and social assistance, in line with the stipulations of Art. 6 of the 1988 Federal Constitution.⁶³ In Trinidad and Tobago, on the contrary, Venezuelans with work permits and formal sector jobs are excluded from social security. The permits granted by the government to Venezuelans in 2019, which were extended in 2020,

63. In Brazil, its 1988 Constitution, based on the principles of equal treatment for Brazilians and foreign residents, promotes the protection and compliance with rights such as: universal and equal access to health services, public and free education, and to the social protection system. Law No. 13.445 of 2017 stipulates that the Migrant's Statute also reaffirms public access to health, social assistance, and social security without discrimination on the basis of nationality and migratory status.

established that said migrants were unable to enter the system (Beazley and Ciardi, 2020). This exclusion left migrants in formal sector jobs unprotected in the face of certain risks, and at the same time created questionable incentives: it is more advantageous for companies to hire qualified Venezuelan migrants than less qualified local citizens, because they do not have to make social security contributions for migrants, which may lead to social tensions.

In addition, there are access barriers due to the lack of portability of the rights and benefits acquired in the country of origin. In practice, migrants tend to lose these rights once they settle in a new country, due to the absence of bilateral or multilateral agreements on social security. There are cases in which there is no legal framework or operational mechanisms for the portability of the rights acquired in the destination country. The lack of knowledge about the eventual existence of said agreements, and of the administrative requirements to access them, also make it difficult to advance in this purpose (Maldonado Valera et al, 2018).

In this regard, despite the existence of bilateral or multilateral agreements such as Mercosur and the Andean Community (CAN), Venezuela has been suspended from one and withdrew from the other in 2011. Likewise, when these agreements are in place (for example, the Venezuela-Ecuador Agreement on Social Security),⁶⁴ procedural and administrative barriers exist such as a lack of coordination, requirements, and other operational issues that tend to make it difficult to fully exercise this right in destination countries.

4.3 Labor market programs

Regarding labor market programs, there is less information available on their accessibility by the migrant population, and there are also few programs that offer ample coverage for the countries under study. Of the programs that are known, we can highlight *Trabaja Perú*, whose objective is to generate temporary employment for the working-age population starting at age 18, and which finds itself in a situation of poverty or extreme poverty, or partially or fully affected by natural disasters or emergencies. This population participates in the program as unskilled labor. The entry by migrants into the *Trabaja Perú* program is subject to compliance with the requirement of qualifying as ‘poor’ or ‘extremely poor’ within the socioeconomic classification in the Peruvian social registry (SISFOH). Only migrants who have a regular migratory situation in the country may opt for inclusion into SISFOH and consequently, to the socioeconomic classification that is carried out.

In Argentina, migrants between the ages of 18 and 24 with residence visas may apply under the *Empleo Joven* policy to receive financial assistance for training, to complete their studies, gain access to employment training or to become entrepreneurs. Migrants also have access to job placement programs such as the Job Training Program (Spanish-language acronym EPT), which provides incentives to companies that incorporate trainees, and the Job Placement Program (Spanish-language acronym PIL), which grants financial assistance to companies to cover the wages of unemployed workers who face more difficulties in finding employment, as is generally the case with migrants.⁶⁵

In Colombia, Venezuelans who have a foreigner identity card and the PEP have access to the management and job placement services of the Public Employment Service (Spanish-language acronym APE) and to the National Training Service (Spanish-language acronym SENA).⁶⁶ In accordance with the national strategy to provide services to the migration originating from Venezuela (CONPES 3950), the SENA may provide training through complementary

64. Social Security Agreement with Venezuela. Official Registry Supplement 389 of 21-Feb-2011. Available at: <<https://bit.ly/37Ce9hk>>.

65. To learn more details about the comprehensive *Empleo Joven* policy in Argentina, please see <<https://www.argentina.gob.ar/trabajo/empleojoven/>>.

66. Newsletter 115 of 2019 of the National Training Service—SENA.

learning programs and certify the training and work experience of regular migrants.⁶⁷ There are other barriers, however, such as practical programs such as the accreditation of degrees, which have made its implementation difficult (Personal Communication WFP, 2020).

Political economy considerations

Behind the extremely limited integration and access of Venezuelan migrants to social protection systems in host countries are several political economy factors that underlie public policy decisions. These factors are fundamental, and future strategies for the integration of the migrant population must consider and resolve these underlying constraints. Several core factors are noticeable, which are not exclusive to the nine countries under study:

- i. The fiscal impact of integrating migrants into social protection systems. The significant number of Venezuelan migrants requires an increase in financial resources for their inclusion in the systems. Nevertheless, the budget for social protection is limited. The inclusion of many people who require assistance involves a social accord and the search for fiscal room or additional resources, such as taxes on consumption, rent, and investments, for example.⁶⁸ Said accords require extraordinarily strong political will and social support.
- ii. Migration may generate social tensions, and integration policies may lose social and political support. The arrival of the migratory flow could generate social tensions in some host communities, pressure in labor markets, outbreaks of xenophobia, stigmas, etc. These tensions affect political decisions at all levels of government.
- iii. In certain cases, there is fear that the policies of integration might attract more migrants, the so-called “beacon effect.” A frequent concern among policymakers is that improving assistance conditions in the country, in comparison with other receiving countries, could lead to an increase in the flow of migrants to said country, although there is no evidence that this is actually the case.

In turn, there are also difficulties or risks for social tension that are directly tied to the functioning of social protection programs, and with the acceptance of changes to the same in the communities in which they operate. Some of these are:

- i. With limited budgets and targeting programs that are characterized by the under-coverage of the eligible national population, the inclusion of migrants can generate social conflicts. The fact that migrants may receive social protection assistance, while certain national citizens in vulnerable situations do not, may become a source of social tension and therefore affects political decisions.
- ii. The vulnerabilities and humanitarian needs of some migrants are such that they require different assistance from the one provided by the usual social protection programs: higher cash transfer amounts, additional assistance in kind, etc. This differentiated support can create social tensions, in addition to the need for a higher budget.
- iii. In some host cities and communities, social protection and services programs are near their limit or saturated. The inclusion of the migrant population could have repercussions in the quality of the services provided to the entire population. Likewise, the investment needed to strengthen and prepare the systems to integrate the migrants could be a disincentive for decision-makers.

67. In 2018, the Public Employment Service of the SENA handled 1,646 placements of Venezuelans in formal jobs, and through pilot projects with other national entities and international organizations had undertaken consultation processes for an institutional offer for the migrant population [Government of Colombia, 2020b].

68. The evidence in Brazil indicates that the fiscal contribution of Venezuelan immigrants to that country in 2018 is in the same order as the additional current expenditures of the Brazilian State [both in the order of BRL 100 million]. The trend throughout time is for incomes to increase with the integration of Venezuelans into the labor market [FGV DAPP, 2020].

5. RESPONSE TO THE COVID-19 EMERGENCY THROUGH SOCIAL PROTECTION AND THE INCLUSION OF VENEZUELAN MIGRANTS

The use of social protection to help the population in response to the crisis caused by the COVID-19 pandemic has no precedent in the region. Practically all countries have adopted at least one social protection measure, and most have implemented several strategies (Beazley, 2020; Gentilini et al., 2020). Among the most frequently used interventions are strategies based on preexisting social assistance programs, such as the use of cash transfer and school feeding programs, in addition to temporary transfer programs created to support the incomes of families (Rubio et al., 2020a, 2020b).

As detailed in this chapter, the effective access of the migrant population to much of the transfer and other programs adopted in response to COVID-19 is limited. Factors such as their previous inclusion in regular programs, legal or documentation barriers, the requirement of minimum residence periods, or of residence status itself, in addition to factors of political economy make it difficult for the migrant population in need to enter the programs. Perhaps the most relevant exception is school feeding programs because, as previously mentioned, the right to education facilitates access not only to regular programs, but also to any adjustments adopted due to the pandemic. Although information on the exact number of Venezuelan migrants who actually receive benefits is not public, it was possible to identify the more relevant social protection programs that are not limited to nationals, and whose design includes migrants.

According to a review of the social protection responses to COVID-19 in the countries under study, it was possible to identify that, on the one hand, there were increases and advances in the amounts of their conditional cash transfer programs. Of these adjusted programs, only Argentina and Brazil allowed access to the migrant population prior to the crisis.⁶⁹ Due to the limited coverage of the preexisting programs, the countries expanded them so more people could benefit from the measures.

Table 8. Main programs used in response and countries that allow access to migrants

Components of Social Protection / Countries	ARG	BRA	CHI	COL	ECU	GUY	PAN	PER	T&T
1. Social Assistance									
Preexisting cash transfers	✓	✓	✓						✓
New temporary transfer programs	✓	✓	✓	✓					✓
School feeding	✓	✓	✓	✓	✓	✓		✓	
2. Social Security*	✓	✓	✓	✓	✓		✓	✓	
3. Job Market	✓	✓	✓	✓				✓	
4. Humanitarian assistance and social protection system programs		✓		✓		✓			

Note: All programs are strongly associated with the legal status of the migrants. The existing cash transfers include conditional and non-conditional ones. *Consideration is given to the legal right to social security and its benefits; only migrants with access to the formal job market can be regarded as eligible to access these measures.

Source: Elaborated by the authors.

69. Conditional transfer programs in Chile in which migrants also participated did not report significant adjustments due to the pandemic and are not included in this section for said reason.

Through the creation of new temporary transfer programs in at least 5 of the 9 countries in this study, the migrant population with regular status had access to them.⁷⁰ This highlights the key role of regularization in gaining access to social assistance. The social security and job market measures are only applicable to migrants with access to formal employment, which in general is tied to specific permits and visas that allow them to work. Table 8 summarizes the access to social protection responses in each country.

5.1 Response through preexisting social protection programs and inclusion of migrants

For preexisting programs, the following types of strategies by regional governments have been identified in response to the COVID-19 emergency.

- **Adjustments to their design.** This means changes to the design or implementation of programs that allow to respond to the crisis. These changes do not include increases in coverage or new services. They are basically the same service or benefit, for the same population, but adapted to the new needs and context.
- **Vertical expansion.** Additional assistance is offered to those who are already in the program. It generally consists of an increase in the amount, frequency, or duration of the transfers.
- **Coverage expansion.** New beneficiaries are assisted through an increase in the coverage of existing programs, or through the creation of new programs (horizontal expansion).

Preexisting cash transfer programs did not make adjustments to their design or horizontal expansions due to the pandemic to include the migrants if they were not previously part of them. Venezuelan migrants with regular status had access in only two of the countries in the study, and it is tied to access prior to the pandemic. The *Bolsa Família* program in Brazil and the Universal Allowance Per Child in Argentina made vertical expansions in which the beneficiaries, including the small percentage of migrants, received increases in the amounts offered for periods of at least 9 months.

On the contrary, preexisting cash transfer or social pension programs used in countries such as Colombia, Peru, and Ecuador do not take the migrant population into account, leaving them outside the main mechanisms used to supplement the incomes of families affected by the COVID-19 crisis. On one hand, practically all **school feeding** programs in the countries under study were adjusted to deal with the school closures that the countries adopted as part of the emergency response to COVID-19. Considering the access that migrant children and adolescents have to education in the destination country, one might suppose that those who attend school—and their families—may have benefited from the design adaptations and adjustments that were implemented.⁷¹ In Panama, the *Estudiar sin Hambre* [Studying Without Hunger] program was launched in 2020 as a pilot program. It was suspended with the closure of schools and transferred to the *Bolsa de Comida* [Food Bag] program of the *Plan Panamá Solidario* [Panama Solidarity Plan]. Resident migrants who possess a personal identity document card can apply for the *Bolsa de Comida*.

Of the countries in this study, it is acknowledged that most of the programs provided rations of raw or processed food instead of nutrition in schools. This was the case with the JUNAEB School Feeding Program in Chile, School Meal Programs in Argentina, Qali Warma in Peru, and the School Feeding Program in Ecuador. Overall, these rations should have been collected at the schools or other distribution points

70. This refers to temporary cash transfers that were created by the national governments of five countries for the general population, and not to specific programs for the migrant population.

71. Of the countries in this study, Trinidad and Tobago is the only one in which access to education is only allowed to migrant students with regular status. This condition, as well as the design of the program, make it difficult for Venezuelan migrants to become beneficiaries of the school feeding program.

(Beazley, 2020), with the existence also of the modality of direct deliveries of basic baskets to households as in the School Meal Programs in Argentina, that implemented both. Another adjustment to the design of school feeding programs was their conversion to the modality of transfers in cash. In Brazil, the states and municipalities deployed their own solutions and financial resources so that the more vulnerable families were not deprived of food due to the suspension of classes. Some states opted to convert the food deliveries of the National School Feeding Program into cash transfers. There were also mixed modalities that allowed a more flexible response. This is the case in Colombia, whose School Feeding Program allowed each territorial entity to adopt the best delivery method. The modalities included the delivery of food supplements, industrialized rations, or vouchers for the purchase of food.

The COVID-19 socioeconomic crisis led governments to also use components of their contributive social protection pillar. Regarding **social security and job market** measures, we can highlight those related to the protection of employment, early access to compensation due to terminations, the use of contributive pensions, and family allowances linked to formal employment that are also granted by health insurance (Rubio et al., 2020b). However, in all the countries in this study, the majority of Venezuelan migrants of working age are not employed in the formal job market. This translates into limited participation in contributions to said benefits, and therefore into exclusion prior to these measures. According to remote surveys conducted by WFP, 69 per cent of migrants were affected by the loss of income, which was worse for those working in the informal sector, where 83 per cent of the participants in the survey reported losing their incomes. There was also a sizable rise in unemployment. In August, 31 per cent of the migrants stated that they did not have a job, compared to 18 per cent in April (WFP, 2020b).

Moreover, within the framework of responses due to COVID-19 and as part of the active job market policies that Venezuelans have access to, there is recognition for a measure implemented in Colombia. The National Training Service (SENA) offers short virtual complementary training courses to the Venezuelan population in Colombia that holds a PEP. This measure, which was announced in August of 2020, may benefit the more than 500,000 Venezuelans between the ages of 18 and 69 years who hold said permit, and it could be an incentive for regularization (Government of Colombia, 2020f).

5.2 Response to COVID-19 through new temporary programs for social protection and the inclusion of migrants

A large part of the social protection response strategies of the countries consisted in the creation of temporary programs that included new and more groups to those that are traditionally covered by the preexisting programs (for example, informal workers or freelancers, vulnerable families who are not a part of existing social programs, special groups such as rural workers, etc.). The experiences pertaining to the inclusion of migrants in said programs are varied, as shown in Table 9 and explained later on.

In Brazil, the *Auxílio Emergencial* program offers a monthly subsidy of 600 reais (USD 223) destined to informal workers, individual micro business owners, freelancers, and unemployed workers affected by the pandemic. The program also includes refugees and migrants who live in the country, regardless of their migratory situation. Migrants who are beneficiaries of the *Bolsa Família* program, and those registered in the *CadÚnico* who belong to the eligible group receive the benefit automatically. Those who fulfill the requirements, but who are not part of the social registry, can apply through the online platform provided by the government.⁷² Although Law No. 13.982 which creates the program does not mention the eligibility of the migrant population, both the Brazilian Constitution and the Migration Law guarantee equal treatment for nationals and non-nationals, including the access to social assistance.⁷³

⁷² For more details on the *Auxílio Emergencial* program, please see: <<http://www.caixa.gov.br/auxilio/PAGINAS/DEFAULT2.ASPX>>.

⁷³ According to the Sistema Nacional de Informação do Sistema Único de Assistência Social, refugees and migrants have the right to receive the *Auxílio Emergencial*; please see: <<http://blog.mds.gov.br/redesuas/auxilio-emergencial-para-refugiados-e-migrantes/>>.

Table 9. Countries with temporary programs created due to COVID-19 that offer access to migrants

	Argentina	Brazil	Chile		Colombia	Trinidad and Tobago
Program /Characteristics	Emergency Family Income	<i>Auxilio Emergencial</i>	COVID-19 Voucher	Emergency Family Income	Solidarity Income	Assistance (COVID-19 Social Assistance)
Target group	The unemployed, informal sector workers, and domestic workers	Informal workers, individual micro business owners (Portuguese-language acronym MEI), freelancers, and the unemployed	People receiving the SUF [Single Family Subsidy], Families in the SSy00 [Securities and Opportunities Program], and Households within the 60 per cent most vulnerable sector who do not receive other benefits	Households that receive income from informal sources and an insufficient one from formal sources	Households in situations of poverty and vulnerability	Self-employed workers Vulnerable individuals
Amount or benefit offered	ARG 10.000 (a) (USD 331)	Monthly amount of BRL 600 (USD 223)	Variable amount (b) ARG 50.000 pesos (USD 103.6) per family in SSy00 and within the 60 per cent of most vulnerable households. Individuals receiving the SUF are given ARG 50,000 for each benefit causal.	Variable amount (b) 100.000 pesos (USD 207.297 per household member)	COP 160.000 (a) (USD 108.8)	Monetary subsidy Assistance for rent payments Food assistance
# Deliveries	3 deliveries	9 deliveries	Single delivery	Up to 6 deliveries	6 deliveries	3 deliveries
Frequency	Payments with irregular frequency	Monthly payments	Single Payment	Payments with irregular frequency	Payments with irregular frequency	Monthly payments
Requirements for migrants	Foreigner with legal residence for a period of at least two (2) years, naturalized, resident of the country	Registered in the Cadastro Único. Or in its web application. Over 18 years of age	Be registered in the Social Registry of Households. Be registered in the SUF or SSy00.	Be registered in the Social Registry of Households. Be a member of a family whose monthly income per person does not exceed half of the minimum salary	Be part of SISBEN	Registration certificate for permanent residents

Note: The amounts correspond to the exchange rate for the local currency in 2020 international dollar values, in accordance with purchasing power parity (PPP). (a) Granted per family. (b) Granted to each member of the family. The information of the programs covers the period through November 2020.

Source: Elaborated by the authors.

In Colombia, the Solidarity Income cash transfer program was created to reduce the impact of the pandemic on people and households in situations of poverty and vulnerability, who are not part of traditional cash transfer programs with coverage throughout the national territory, such as: *Familias en Acción* [Families in Action], *Jóvenes en Acción* [Youth in Action], *Colombia Mayor* [Elderly Colombia], or the subsidy called *Devolución del IVA* [VAT Refund]. The design of the program anticipates the eligibility of Venezuelan migrants. Although it only allows the inclusion as beneficiaries of those who hold a PEP and are registered in SISBEN, close to 40,000 migrant households garnered benefits, resulting in 2 per cent of the total number of beneficiaries of the program

(Migravenezuela, 2020). To identify the beneficiaries of the Solidarity Income, the government has embarked on an ambitious project to consolidate an expanded master database, formed by data from the SISBEN III and IV registries, that has been cross-referenced with other registries of existing beneficiaries, and with the administrative registries of other public entities (including the civil registry, Social Security, and the supervising entity for the financial sector, the Financial Superintendence of Colombia). This process of identification and registration can become a barrier for migrants, because they are often not included in updates pursuant to territorial sweeps, or those arising from requests due to difficulties encountered when trying to contact them, or due to frequent telephone number changes by people who are in a situation of vulnerability.

In Argentina, the Emergency Family Income offers an extraordinary cash transfer of ARS10.000 pesos (USD 331) to the unemployed, informal sector workers, and domestic workers affected by the pandemic. It includes naturalized persons or foreign residents with legal residence in the country for 2 or more years. The program, which is only offered to one member of the family group, included 7.85 million beneficiaries in the first IFE, and 8.9 million in the second and third IFE. Access to the benefit consisted of two ways: on one side, it was automatic for AUH beneficiaries (which is granted to people without formal employment who have children under the age of 18, as previously mentioned); on the other, by a direct request that is filtered. Foreigners with more than two years of residence in the country and with an Argentine DNI can enter the AUH. These criteria represent an obstacle for many Venezuelan migrants who arrived recently in the country.⁷⁴ According to estimates, approximately 372,000 migrants and refugees will not have access to said subsidy despite being eligible for it. Of this number, the Venezuelan population represents 32.8 per cent.⁷⁵

In Chile, the Emergency Family Income was implemented to grant monthly economic assistance of CLP 100.000 pesos (USD 122) for each member (up to a total of 4) of households whose formal and informal incomes decreased due to the pandemic. Although it does not explicitly mention the inclusion of migrant families, the Emergency Socioeconomic Indicator created to measure the short-term socioeconomic vulnerability of families registered in the Social Registry of Households grants the benefit automatically to those who are registered. It also allows the submittal of applications by those who registered recently and possess a Unique Key--the password to access state services--or a personal identity card number (RUT), which is the identification number in the country.⁷⁶

In Trinidad and Tobago, the Ministry of Social Development and Family Services, in collaboration with the Ministry of Labor (Ministry of Labour and Small Enterprise Development) has adopted various measures to support people affected by the crisis, including foreigners who are permanent residents of the country. Among the programs, those directed at self-employed workers and vulnerable individuals are noteworthy.⁷⁷ Said programs included cash assistance, food assistance, and rent subsidies for three months, prioritizing families with children and adolescents younger than 18 years of age. Foreigners must, among other requirements, have a Registry Certificate for permanent residents. Although migrants can benefit from said measures, the residence requirement is complex for the Venezuelan population in the country. On the one hand, migrants with regular status have only received temporary visas; on the other, the majority arrived in the country recently.

Several of these new temporary cash transfers that were created in response to the crisis used social registries for the selection of beneficiaries (mainly databases of eligible groups that were part of them, or who had graduated from the social programs), and others initiated calls for selection. As previously shown, however, migrants have limited access to said registries, with exceptions in Argentina, Brazil, and Chile, where preexisting programs with access

74. Details on the AUH requirements are available at: <<https://www.argentina.gob.ar/tramitar-la-asignacion-universal-por-hijo-auh>>.

75. Please refer to the initial analysis of the United Nations on COVID-19 in Argentina: "impacto socioeconómico y ambiental" [Socioeconomic and environmental impact]. Available at: <<https://www.onu.org.ar/stuff/Informe-COVID-19-Argentina.pdf>>.

76. For more details about the Emergency Income program in Chile, please see: <<https://www.ingresodeemergencia.cl/faq>>.

77. Government of the Republic of Trinidad and Tobago measures. Available at: <<https://bit.ly/3dJK0eg>>.

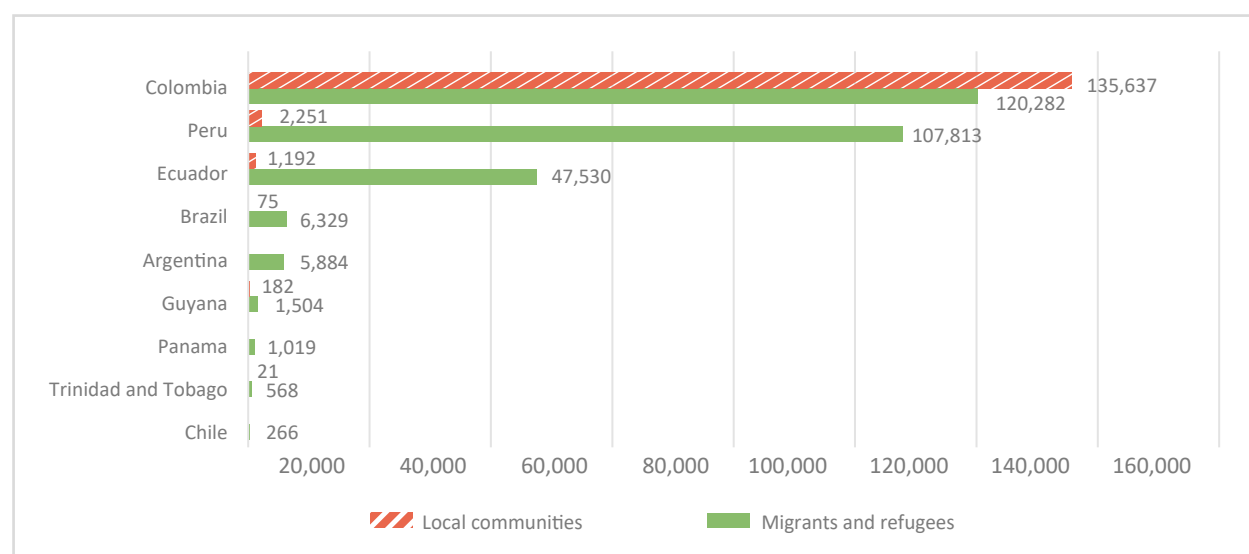
to migrants automatically benefited migrants who were registered and fulfilled the eligibility requirements. In certain cases such as in Colombia, the Solidarity Income temporary program⁷⁸ reached approximately 40,000 Venezuelans registered in the SISBEN (Migravenezuela, 2020). It must be mentioned that Venezuelans who apply to the SISBEN to be considered for the subsidized health system are not part of the transfer programs such as *Familias en Acción*. Although Venezuelan families who form part of the SISBEN registry could be targeted, issues pertaining to the design of the programs and lack of changes to their requirements still block their entry (Personal Communication WFP, 2020). For example, the recognition of other types of identity documents has been identified as a barrier.

Regarding **labor market** programs, the most noteworthy ones are those created to protect the incomes and jobs that were broadly impacted by the pandemic. Of the programs that were created and used in the countries of this study, salary subsidies in Brazil, Chile, Colombia, and Peru⁷⁹ are recognized. Through these programs, workers with employment contracts whose hours were reduced or were temporarily suspended could receive financial support to complement their incomes. It must be pointed out that only those migrants who participate in the formal job market could benefit from this measure. Likewise, given the characteristics of Venezuelan workers, some requirements could represent an obstacle, such as contributions to social security, length of employment, and the type of contract.

5.3 Response through humanitarian assistance for migrants and its ties to social protection

When the incorporation of migrants to the social protection system is not possible in the face of an emergency such as COVID-19, temporary assistance for migrants provided by international cooperation and non-governmental humanitarian organizations becomes fundamental to support migrants in fulfilling their basic needs.

Figure 5. Humanitarian assistance as multipurpose cash transfers (30 October 2020)



Note: The graph only depicts information for the 9 countries of interest to this study. The total numbers also include data from Costa Rica, Bolivia, Paraguay, Uruguay, Mexico, Aruba, Curaçao, and the Dominican Republic.

Source: Prepared by the authors with information from the R4V Platform.

78. In Colombia, a limited group of Venezuelans who were part of the System for Selecting Beneficiaries of Social Programs (Sisbén) and complied with the socioeconomic classification for the program created due to the pandemic (Solidarity Income) received the benefit. It must be noted that the Strategy for Assistance to the Migration from Venezuela (Conpes 3950) anticipated the access to the Sisbén survey.

79. Brazil: Benefício Emergencial de Preservação do Emprego e da Renda (BEm); Colombia: Formal Employment Support Program (Spanish-language acronym PAEF) and the Program to support employees with suspended contracts; Chile: Unemployment Insurance AFC; Peru: Subsidy for the payment of payrolls of private sector employers for the preservation of jobs.

In the region, the Coordination Platform for Refugees and Migrants (R4V), established in 2018, has the objective of addressing the needs for protection, assistance, and integration of refugees as well as those of Venezuelan migrants, by complementing and strengthening the national and regional responses of governments. R4V is formed by 41 organizations, including 17 UN agencies; 15 Civil Society Organizations; five donors; two international financial institutions; and the Red Cross Movement. It includes interventions in the areas of education; food security; health; transportation; integration; protection; water and sanitation; shelter and cash transfers, among others.

In 2019, humanitarian assistance provided through cash transfers⁸⁰ reached 151,364 Venezuelan migrants, men and women of all ages, as well as inhabitants of host communities (R4V, 2020e). Of these interventions, half of the transfers were offered in Peru, 37 per cent in Colombia, and 4 per cent in Brazil.

As part of the response to the COVID-19 pandemic, the planning of activities based on cash transfers increased considerably:⁸¹ through 30 October, 438,348 people had received assistance in the form of multipurpose cash transfers, 68 per cent of them Venezuelan migrants and refugees (almost 300,000 people), and the rest in host communities (97 per cent of them in Colombia). The distribution according to country can be seen in Figure 5.

It must be pointed out that the food security sector⁸² delivers food coupons to migrant Venezuelan families who are not considered under the multipurpose cash transfers framework.

There still are, however, gaps in cash transfers to cover the 4.2 million Venezuelan migrants and refugees in the region. Furthermore, if it is considered that close to a third of the interventions are directed at host populations and not at migrants.

Conversely, there are also challenges for humanitarian assistance to be as closely aligned as possible to the response of national governments. The international humanitarian community increasingly supports a complementary working focus in emergency situations, advocating for the inclusion of vulnerable groups in social protection systems, instead of the parallel creation of cash transfer programs. This collaboration can be implemented in practice, not only through the coordination of different interventions, but also by sharing and aligning processes, systems, and operational capacity in general (O'Brien et al 2018).

An example of the harmonization and coordination with international cooperation is the Common Cash Statement (CCS): In December 2018, representatives for OCHA, UNHCR, WFP, and UNICEF at the global level signed a declaration reaffirming the commitment to offer cash transfers through a common system, with the purpose of avoiding parallel systems or the duplication of financial instruments, thus ensuring an efficient and effective delivery of aid. The CCS operates in Ecuador, where WFP, UNHCR, and UNICEF are carrying out a joint contracting process with providers of financial services to aid people affected by the migratory crisis. The objective is to create a common payment platform, and at the same time work on aligning other programmatic aspects of the response (for example, targeting, a monitoring system, a system for complaints and feedback, etc.). There is hope that this process will contribute to maximize the benefits of assistance, and to provide improved conditions that complement social protection efforts in response to impacts.

Currently, national and regional groups who work with cash transfers in currency within the structure of the platform, are trying to increase the number of coordination experiences between humanitarian assistance and social protection systems. This effort brings the international community closer to government actors who are responsible for the

80. In addition to cash money, this modality also considers coupons, electronic cards or wallets, mobile currency, and other similar payment mechanisms.

81. A budget of USD 154 million was projected, with the goal of reaching 1 million beneficiaries, to be implemented by 38 partners in 17 regional countries.

82. Although to a lesser degree, the health, integration, and protection sectors also have sectorial interventions in cash that are considered to be under multipurpose transfers.

public response. Multi-sector interventions are also pursued, which advocate for multipurpose cash transfers which, in emergency situations, are much more effective than sectorial transfers in contributing to fulfill the various service needs of vulnerable people, while at the same time protecting their dignity and avoiding conditions and restrictions.

In Colombia, for example, the objective was set before the COVID-19 pandemic of harmonizing the contributions offered by international cooperation with the amounts provided at the state level. These amounts were articulated with local coordination mechanisms and local authorities in such key aspects as: the objective of the transfer; selection criteria; duration; value; frequency; conditions (if any exist); manner of payment/delivery; reasons for suspension; request mechanisms; complaints; and claims (Government of Colombia, 2018).

Furthermore, **piggybacking strategies** have been deployed in the region to support migrants during the crisis due the pandemic, in which humanitarian assistance uses some aspect of the administrative capacity of the social protection system, such as databases, registries, or payment systems:

- **In Guyana:** The Ministry of Social Protection, along with UNICEF, grants a transfer in cash currency of USD 230, the Shock Responsive Cash Grant, directed at Venezuelan migrants and the host population. It covers 1,600 households, of which 90 per cent are migrants, and it is implemented primarily in Georgetown. The role of UNICEF is to grant financing and technical advice, as well as complementary services for delivering the cash at child protection centers, while the implementation and handing out are carried out by the Ministry of Social Protection.⁸³ This collaboration is part of a joint initiative with the Ministry that already existed, and that although it was not directed at migrants in the beginning (and did not depend solely on the Ministry of Social Protection), has facilitated coordination and understanding for an agile response.
- **In Colombia:** In Arauca, WFP is implementing a pilot jointly with the national government to provide aid to the migrant population and host communities. This experience is an example of coordination between social protection and humanitarian assistance in relation to information, measures for the identification of beneficiaries, operational processes, etc. At the national level, the design was agreed upon with Social Prosperity, the Unit for the Management of Risks and Disasters, and Border Management. It was agreed from the beginning that the intervention would be supported by the official registries. WFP had access to 23,800 records of families (65,485 people) who were not beneficiaries of preexisting cash transfer programs, and who according to SISBEN were classified in situations of extreme and moderate poverty. Databases containing 16,500 records of people and migrant families in regular and undocumented situations in the department were received. This information was validated, and the people with whom contact was established receive two cash transfers. If they are unable to access the cash transfers due to the limitations of financial operators, or because they are an undocumented population, they receive food assistance in kind. Since the targeting of the intervention originated from official sources, outreach messages to the community that gave information on the humanitarian assistance were also coordinated with the national authorities. The coordination with local authorities proved to be fundamental. Since the families change their contact information frequently, and they do not necessarily update the official registry, municipal governments provided WFP with new databases with the records for 21,122 families and people, which had been consolidated through their own deliveries in kind. As a last alternative for contacting families, WFP and the local and national authorities organize an active search strategy beginning with the geo referencing data that SISBEN has, and by working closely with community leaders.
- **In Brazil:** Humanitarian assistance organizations helped Venezuelan migrants to facilitate their access to social protection and the temporary measures created for the pandemic such as the *Auxílio Emergencial*. The UNHCR and ILO, in collaboration with government institutions, provided handbooks in seven languages

83. This is one of the reasons why it is only being implemented in Georgetown for now, since it requires greater administrative capacity.

for the inclusion of migrants and refugees in the country.⁸⁴ UNICEF, in coordination with the National Social Assistance Association of City Managers, prepared a manual to inform potential migrant beneficiaries at local entities.⁸⁵ Female migrants and refugees also had a handbook to gain access to the *Auxílio Emergencial*, which was prepared by the UNHCR, ILO, UN WOMEN, UNICEF, and the *Ministerio da Cidadania* (one of the institutions responsible for the program).⁸⁶

The joint and complementary work between the humanitarian response and social protection can result in a more sustainable solution for a humanitarian response that targets migrants, which is completely parallel to the social protection system (UNHCR 2019). It is more cost-efficient in financial terms and response time, generates incentives for the government to take care of this population, and opens the opportunity for access to other rights (such as education, health, and employment).

6. MAIN FINDINGS

This section summarizes the main findings common to the nine countries in this study.

In recent years, the number of Venezuelan migrants in the nine countries studied has been increasing, as well as their conditions of vulnerability. An extremely high incidence of poverty and exclusion; precarious integration into the job market; a high incidence of undocumented migration; less access to basic services; overcrowding and insalubrity; as well as the absence of mechanisms for legal and judicial representation are part of the context of vulnerability of Venezuelan migrants.

The pandemic has exacerbated these vulnerabilities in an alarming manner. The COVID-19 pandemic has affected an already challenged economy in LAC, and it is probable that this will have a disproportionate effect on the Venezuelan migrant population, given its preexisting vulnerabilities. At least two-thirds of the 3 million Venezuelan migrants in Colombia, Ecuador, and Peru will experience worsening food security in 2020 as a consequence of the pandemic. The participation of the Venezuelan population in the employment sectors most affected by the crisis, as well as in the informal market, restrictions to circulation, and the saturation of certain basic services have a drastic impact on the wellbeing of the migrant population.

- i. Access to social protection by the migrant population prior to the pandemic

The important effort for the integration of the migrant population into social protection made by the receiving governments and communities of the countries must be recognized. In the 9 countries studied, there were statutory guarantees for emergency healthcare and access to basic education. Health and education are primordial areas and facilitate gradual progress toward their inclusion in social protection systems. Nevertheless, the latter as a function of public policy that takes care of the risks and vulnerabilities of the population is still limited for the Venezuelan migrant population.

The legal condition of the migrants is a determining factor for access to social protection. The access to social security is tied to formal labor relations, which in turn require a regular migratory status, and work permits in certain cases. Access to cash transfer programs and to the job market is also subject to a regular condition.

84. According to the *Sistema Nacional de Informação do Sistema Único de Assistência Social*, refugees and migrants have the right to receive the *Auxílio Emergencial*. Please see: <<http://blog.mds.gov.br/redesuas/auxilio-emergencial-para-refugiados-e-migrantes/>>.

85. “*Auxílio Emergencial durante a Pandemia do Coronavírus. Como funciona e quem pode receber?*”. UNICEF. Available at: <<https://uni.cf/3sZh4si>>.

86. “*Como acessar o Auxílio Emergencial do Governo Federal e outros apoios em tempos de COVID-19*”. UNHCR, IOM, UN WOMEN, UNICEF and the Ministerio da Cidadania. Available at: <<https://bit.ly/3IXP9Fq>>.

The same happens with social registries, which are the gateway to social assistance programs. In general, only regular migrants have access to the registries, although said registration does not guarantee eligibility for social programs. School feeding programs are the exception to this trend because access to them is linked to access to education, independently of the migratory status that is granted to all migrants in the countries studied, except in Trinidad and Tobago (where only regular migrants have this right).

Regular migratory status is a necessary condition for access to most social protection programs, but it is not enough. For example, the main cash transfer programs in Argentina, Brazil, Chile, and Trinidad and Tobago offer access to regular migrants, while those in Colombia, Ecuador, and Peru do not do so in practice. Also, the percentage of regular migrants with formal employment and social security is generally low.

Access to a legal identity and to the documentation issued by the civil registry is central to obtain services, including social protection, and this begins with the certification of birth. The difficulty in registering a birth is a barrier for access to services, and to the eventual regularization of the migration status of people, especially of children. The Legal Identity for All strategy of the United Nations is also tied to the prevention of a situation of statelessness.⁸⁷ Children who have been separated from their families, or who are unaccompanied face a situation of special vulnerability. They lack a father or mother who will register them, allow their access to healthcare or treatments, or facilitate their school registration. For this reason, initiatives such as the “Regional collaboration protocol for the protection of the rights of children and adolescents within a context of human mobility,” which is currently under discussion as part of the Quito Process, are key while other concepts such as the cooperation of border countries regarding the rights of children, and the eventual portability of those rights, advance.

The eligibility of regular migrants for social protection programs faces obstacles in many cases due to various design and operational barriers. There are programs that have demanding requirements in terms of the minimum length of residence (as in the AUH in Argentina). The access to social registries is also hindered by the mobility of the migrant population, lack of information, social and cultural factors, the high cost or complexity of the process, and incentives for local actors to register migrants.

Finally, and despite being beyond the scope of this study, it is important to highlight that even before COVID-19, migration represented an extreme situation of socioeconomic vulnerability for families. It even represented a situation of violation of rights (such as child labor, trafficking, and exploitation). Their restitution requires collaborative action on protective measures, including social protection.

ii. Access of the migrant population to social protection during the response to the pandemic

The COVID-19 pandemic implied an unprecedented public response from social protection, which has brought to light the importance of having flexible and adaptable systems. The coverage of emergency cash transfer programs reached up to 75 per cent of the population in countries such as Peru. The most common strategies on the part of governments were adjustments to the design or implementation of the programs, the vertical expansion of the programs, and expanded coverage for existing programs or the creation of new temporary programs of social protection.

As for the use of preexisting programs, the responses replicated the patterns of inclusion/exclusion prior to the pandemic. In other words, the programs generally were not made more flexible to include those migrants that they excluded before the crisis. For example, preexisting cash transfer or social pension programs in Colombia, Peru, and Ecuador did not include the migrant population before the pandemic, and they did not do so in response to it. In contrast, the focus on rights in Brazil, which offers universal and equal access to social protection, has allowed the Venezuelan migrant population to gain entry to emergency programs such as the

87. For more information, please refer to: <<https://unstats.un.org/legal-identity-agenda/>>.

Auxílio Emergencial. The registration of migrant families in the *CadÚnico* social registry also represents a point of entry to the benefits of the Brazilian system, which included the expansion of transfers of the *Bolsa Família* program during the pandemic.

One of the main response strategies to the pandemic consisted of the creation of temporary cash transfer programs that would reach populations that were traditionally excluded from social protection (for example, informal workers, the self-employed or families that are vulnerable, but not poor). In the countries that were studied, the inclusion of migrants in these types of programs varied: Certain countries, such as Ecuador and Peru, explicitly excluded migrants (regular and undocumented). Even in countries where regular migrants were eligible, as in the case of Argentina and Colombia, additional requirements such as a minimum period of residence, or being registered in the social registry, led to the exclusion of many migrant families.

Although some of the response measures to the pandemic reached the migrants, social protection systems must still find effective and sustainable means to integrate this population and to offer assistance to it, according to its vulnerabilities. There are several factors of political economy that underlie the lack of integration of migrants, from the potential fiscal impact to social and political tensions, including the fear of a beacon call that better conditions will attract more migrants.

The magnitude of the crisis led, in some cases, to the need for **complementing social protection responses with aid from humanitarian and international cooperation actors to support the migrant population**. Facing this context, the coordination efforts by humanitarian actors in LAC were identified, to harmonize the criteria and mechanisms for assistance, and to link and align the programs with the responses of the national social protection system in the cases of Colombia and Guyana.

Finally, **the migratory measures that were adopted to facilitate the regularization and documentation of the migrant population** are recognized as part of the response. This is a key condition for access to social protection programs and services. In the face of restrictions to movement and confinement, the host countries provided mechanisms for protection, alternatives in the offer of migration services, extensions of permits and residence, and the elimination of fees.

7. FINAL RECOMMENDATIONS

The findings presented in this study can provide information for the work of national governments and international cooperation to achieve the integration of Venezuelan migrants to social protection, with a view to contributing to the attainment of their rights, reducing their vulnerability and social exclusion, promoting the development of human capital, and their eventual participation in the economic activity of the host country. The following are a series of common recommendations for the nine countries under study, to promote inclusive social protection systems and leave no one behind:

Access to basic rights

1. The first step is to **map the access of Venezuelan migrants to basic rights**, which include among others: documentation; permits and visas; access to health and education; employment; freedom of movement; access to financial services, among others. These elements affect directly or indirectly the access and impact of social protection and must, therefore, be confronted. In this respect, the development of a favorable legal framework is fundamental in the interest of the rights of migrants.
2. The **progressive regularization of the migrants is recommended, as well as the elimination of fees for permits and visas, and the suspension of fines for prolonged stays**, considering the great vulnerability that these migrants without regular migratory status already have, and the financial impact that the crisis will entail.

3. It is therefore necessary to **strengthen the capacities of the national entities that handle the corresponding migratory processes** for the regularization, legalization, and other administrative processes associated with Venezuelan migrants. In the context of the crisis, the importance of mechanisms and alternatives for the regularization and offer of migratory services has been key in preventing the migrant population from becoming undocumented, and without access to basic services.
4. **A multisector strategy must be developed to advocate for the removal of barriers to the access by migrants to other basic services** such as health, education, social promotion, and labor policy. In addition to legal coverage, the administrative, informational, operational, cost, and procedural barriers in these sectors must be addressed.

Access to and increase of social protection coverage

5. An analysis should be made of the operational barriers to access by Venezuelan migrants to standard social protection and to the response programs to the pandemic that were identified in this study. **Mitigation strategies should be generated**, such as: making requirements for participation and documentation more flexible; including eligibility by irregular migrants; flexible and accessible registration, identification, and validation; accessible payment mechanisms that safeguard the protection and safety of the migrants, among others.
6. **Investing in the social registries of social assistance programs** is recommended. Although they do not guarantee entry to social programs, they are an important foundation for the identification of potential beneficiaries, including Venezuelan migrants.
7. Another recommendation calls for **promoting the development of several scenarios for the coverage, costs, and effectiveness that are expected from a progressive incorporation of Venezuelan migrants to standard social protection**. These scenarios should consider the technical aspects related to the implementation and full consideration, of gaps in services and protection that the national populations of the countries still face.
8. **The progressive integration of migrant populations with the intention of permanence, as allowed by fiscal possibilities**, is also suggested. Likewise, to integrate those Venezuelan migrants who received temporary aid from emergency programs due to COVID-19 into regular programs, or to consolidate said temporary aid into permanent programs.
9. When the full inclusion of Venezuelan migrants into regular programs is not possible, the recommendation calls for an **integration of the emergency programs developed by the national governments** as an initial gateway, considering the investment necessary for emergency preparedness through social protection.

Investment and Strengthening of the Capacities of the Social Protection System

10. **Another recommendation calls for strengthening the capacities of the national social protection system to avoid its oversaturation and eventual collapse due to the increase in coverage**. To achieve this, investments must be made in the registry, targeting and delivery systems, as well as in the system for monitoring and evaluation. This must be accompanied by more human resources and specialized technical personnel, in order to handle the added administrative load due to the increase in coverage.
11. **Investments must also be made to strengthen the capacities of local governments in host communities**, through the allocation of resources and enhancement of the capacity for social work, as well as monitoring the delivery and quality of social protection services and their impact on the families affected by migration.

12. **The development of a financial planning strategy for social protection that is sustainable, and which may support the expansion of coverage in the medium and long term, as well as the consolidation of temporary programs** is also suggested. To achieve this, it will be necessary to consider several sources for financing, including domestic fiscal instruments by increasing resources (through higher tax revenue, for example) or the reallocation of resources. This does not imply a reduction of the budgets for other basic services. It is also important to consider the role of public-private partnerships in financing some of this aid, as well as the role of International Financial Institutions (IFIS).

Support for Host Communities and Communication with communities

13. Another suggestion is to consider the **extension of social protection assistance to host communities**, to avoid tensions and conflicts arising from the participation of Venezuelan migrants in social protection programs.
14. The **preparation of comprehensive communication strategies with migrant and host communities is recommended, to facilitate the access of migrants to social protection**, with the goal of providing information in a timely and relevant manner that focuses on rights, pertaining to available social protection programs. To achieve this, the recommendation calls for looking for innovative information and communication strategies, and for integrating mechanisms for accountability and social oversight.

Economic and financial inclusion of migrants

15. To mitigate the socioeconomic impact of COVID-19 for Venezuelan migrants, and to guarantee productive inclusion, **fiscal measures and economic incentives will be needed in order for private companies to promote the employment of the migrant population and achieve its socioeconomic inclusion in the medium and long term.**
16. It is recommended that **cash currency transfer programs be linked to financial inclusion initiatives**, according to the measure in which Venezuelan migrants are included in social protection programs. To this end, it is important to understand the barriers to access, including the needs and preferences of users associated with the acceptance and use of financial products and services, as well as the various barriers themselves.

Role of international cooperation

17. **The complementary role of international cooperation is critical to ensure access by Venezuelan migrants to basic services, and to support them in fulfilling their basic needs and attaining their rights.** In this way, humanitarian aid through technical assistance, financial support, and direct operations should complement and support national efforts for social protection, with the goal of contributing to strengthening the system and eventually, to facilitate the transition of humanitarian aid to development and the eventual incorporation of migrants to the social protection system.
18. It is recommended that whenever possible, **humanitarian assistance programs be supported by established social protection systems, through the use of existing mechanisms** such as registries, targeting, and delivery systems among others, while keeping in mind the specific aspects of each context. The alignment of transfer modalities and values, eligibility and targeting criteria must also be considered.

19. The **coordination and collaboration efforts of humanitarian and international cooperation actors such as R4V and REDLAC should continue to be strengthened** as a common resource bank, to harmonize these efforts, align strategies, and define common technical criteria that contribute to the enhancement and advocacy for inclusive social protection systems.
20. Along the same lines, **the joint work of international cooperation with civil society and local governments should be strengthened**. These are the entities that play a fundamental role in liaising with migrants in the field. Social protection and humanitarian assistance policies must be supported by proper collaboration with local organizations.
21. In accordance with humanitarian principles and faced with the magnitude of the migratory phenomenon in the region, the ultimate goal of international cooperation should be to **advocate for measures for the integration, as well as the regular and sustainable inclusion of Venezuelan migrants in the national social protection system**.
22. The development of a **strategy for the integration of migrants into social protection systems should be built upon broad political and social consensus**. This is the only way in which the strategies will be effective and long term, and in which they will be able to resolve the political economy factors that have hindered more progress in this area.
23. To achieve this, it is recommended to **hold a high-level regional dialogue among international cooperation, national governments, the IFIS, academia and civil society, based on evidence**, to advance the agenda for the integration of migrants into the social protection system.

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ANNEX 1—MAIN REGULARIZATION MECHANISMS FOR VENEZUELAN AND ACCESS TO RIGHTS BY COUNTRY

Country	Legal instrument	Duration	Rights that may be accessed	Regulatory framework	Requirements	Visas and permits
Argentina	Temporary Residence Visa – Mercosur or others	2 years. Can apply for permanence after this period	Work, Health, Education, Social Security	Migrations Law (No. 25.871) ⁸⁸	Passport with a validity of more than six (6) months. Venezuelan birth certificate with an apostille. Employment contract or Registration at an educational entity. Certificate of Criminal Record. Payment of fees.	110,000 temporary residencies and 20,000 permanent ones were processed by Venezuelans between 2004 and 2018 (1)
Brazil	Temporary Residence Visa	2 years. Can apply for permanence after this period	Work, education, health, social protection, social services	Interministerial Directive No. 9/2018 Interministerial Directive No. 15/2018 Law No. 13.445, Establishes the Migration Law /Decree No. 9.199, which regulates Law No. 13.445. Law No. 9.474 of 1997 Implementation of the Status of Refugees of 1951. Which recognizes, among other aspects, the violation of human rights as a criterion for the determination as refugee.	Identity document or passport; certificate of criminal record; Confirmation of payment of fees Processing fee BRL 168,13; Fee for the Issuance of the Immigrant Identity Card BRL 204,77. (1) Free for those who are unable to pay (1)	124,000 residencies (2)
	Special Permanence Permit (PEP)	90 days, which are automatically renewable until the completion of 2 years	Work and social security, Health, Education, Opening of bank accounts, Services that provide care to children, adolescents, and pregnant women ⁸⁹	Resolution No. 5.797, of 25 July 2017 Decree No. 1.288 of 25 July 2018 Resolution 2502 of 23 September 2020 and 2359 of 29 September 2020	Original Passport used to enter the country, and which bears the stamped immigration seal; Original Personal Identity Card, National Identity Document (DNI) issued by the Bolivarian Republic of Venezuela. Free (1)	Approx. 612, 449 have a PEP (3).
Colombia	Border Mobility Card (Spanish-language acronym TMF)	2 years, beginning on the date of registration or issuance. Once the term expires, the migration authority will determine its extension	Border transit	Resolution 3.167 of 2019	Identity card or birth certificate and voter registration. Must also have one of the following documents: certificate of residence in; property tax or utilities receipt; any document bearing the name of the holder for pre-registration Pre-registration is free; 20,000 pesos for the issuance of a TMF approved by the pertinent authorities	4.98 million Venezuelans have approved Border Mobility Cards (TMF) (3)



88. The Migrations Law establishes that native citizens of the Member and Associate States of Mercosur may request temporary residence for two years, renewable. The list of countries to which this criteria applies includes the Bolivarian Republic of Venezuela (IOM 2019).

89. Decree number 1.288 of 2018.

Country	Legal instrument	Duration	Rights that may be accessed	Regulatory framework	Requirements	Visas and permits
Chile	Democratic Responsibility Visa	1 year (renewable for one more year). Can apply for the permanent visa afterward	Work and social security, education, health.	Ministry of Foreign Relations, Bulletin No.96, 9 April 2018.	Certificate of Criminal Record; Photographs (passport size); Legalized birth certificate or with apostille (for children younger than 18 years of age).	19,244 have been granted [2]
	Special visa of a temporary nature for 1 year for children and adolescents who are in Chile The visa cannot be extended to family members	1 year (renewable for one more year)	Allows the granting of a regular migratory status to CHILDREN, and ADOLESCENTS independently from the situation of the parents and is free	Bulletin No.16 of 26 July 2017	Compliance with the general requirements with a temporary visa Must present birth certificates or another public or official document from the country of origin stating the place of birth and names of the parents, which is duly legalized or bears and apostille must be presented. CHILDREN, and ADOLESCENTS who are not accompanied by their parents: the applicants must present documentation that attests to the guardianship or custody of the applicant, must be duly legalized [3]	
Ecuador	Humanitarian Visa for Venezuelans	2 years	Work, multiple departures from and entries into the country	Decree No. 826 of 25 July 2019 [2]	Visa application form; Valid passport (or up to 5 years out of date); Criminal record certificate from the country of origin; birth certificates with an apostille, legalized, or validated by the Government of Venezuela (for children who are minors). The Visa has some associated costs, such as the value of the form established by the Consular and Diplomatic Tariff that is in force. [2] (approximately USD 50).	28,000 Humanitarian visas [1] 178,246 permits for and regular stay have been granted [3]
Guyana	No visa required for entry (landing card) Work visa request	Valid por up to 3 years, renewable.	Work, education for children, health, and emergency protection programs.	N/A	The document is obtained upon arrival and requires a letter from the employer. The cost of work visa is USD 140 [1]	13,939 have registered [2]
Panama	General Migratory Regularization Process. Offers a provisional permanence card.	2 years	Health, education, work	Executive Decree No. 167 of 3 June – Which establishes the General Migratory Regularization Process.	Authenticated copy of the entire passport; Sworn Statement of Responsibility or a Letter of Responsibility; Document that serves as proof of the residential address of the responsible party; Criminal background record from the country of origin or last country of residence; Personal history profile form. [3] Cost: B/.1,022.00 [1].	17,344 Venezuelans obtained regular status through extraordinary processes [2] 76,297 residence and regular stay permits were granted [3]



Country	Legal instrument	Duration	Rights that may be accessed	Regulatory framework	Requirements	Visas and permits
Peru	Temporary Permanence Permit (Spanish-language acronym PTP)	1 year (for Venezuelans who entered Peru through 30 June 2019). They can later on apply for the residence visa	Work, education, health, and justice (1)	Supreme Decree No. 023-2017-IN; Supreme Decree No. 001-2018-IN.	A simple copy of the passport or identity card; Confirmation of an electronic appointment; A no-cost form that must be filled out on the day of the appointment; Criminal background record certificate (at both the national and international levels); International Criminal Check Certificate issued by INTERPOL; Birth certificate or registration document with apostille (2). Cost: S. / 41.90 (for PTP processing); S./80.50 (International Criminal Check Certificate issued by INTERPOL). (2)	477,060 residence and regular stay permits have been granted (3)
Trinidad and Tobago	Venezuelan Migrant Registration Process	1 year (renewable for the same period)	Work (registration card)	N/A	Identity document, proof of place of residence.	16,000 have registered (1)

Sources: Argentina: (1) (IOM, 2019a). Brazil: (1) (Government of Brazil, 2020a) (2) (Government of Brazil, 2020a). Colombia: (1) (Government of Colombia, 2020c) (2) (Government of Colombia, 2020d) (3) (Government of Colombia, 2020d). Chile: (1) (Government of Chile, n.d.) (2) (Government of Chile, 2019) (3) (Carvacho, 2020). Ecuador: (1) (World Bank, 2020b); (2) Decree No. 826 of 25 July 2019; (3) (R4V, 2020d). Guyana: (1) Guyana's Foreign Policy - <<https://www.minfor.gov.gy/>>, (2) (R4V, 2020c). Panama: (1) Decree Law No. 3 of 22 February 2008; (2) (Gobierno de Panamá, 2019) (3) (R4V, 2020d). Peru: (1) (Government of Peru, 2020) (2) (Government of Peru, 2020); (3) (R4V, 2020d). Trinidad and Tobago (1) (Government of Trinidad and Tobago, n.d.). *Processes that are not exclusive to Venezuelans.



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