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Unsupported Innovation in Migration Governance:

Comparing Colombian and Brazilian State Responses to Venezuelan Mixed Migration

Benjamin Stevenson and Colin Zentmeyer

Introduction

In an increasingly globalized world, in which migration remains a polarizing issue, deference to state sovereignty generally outweighs humanitarian concerns. The outsized focus on sovereignty keeps states in control of managing regular and irregular flows of migration relatively unobstructed from international norms – including those seeking asylum from persecution, economic migrants seeking opportunity, or those trying to reunite with family (hereafter referred to as mixed migration). Remaining cognizant of state and international actors and their respective roles in global migration governance, this paper will offer a comparative analysis of two contemporary and innovative state responses – those of Colombia and Brazil – to the rise of Venezuelan mixed migration since 2014. In attempting to understand the differences between Colombia and Brazil's responses, and defining what constitutes an effective "state response," we emphasize actions that offer protection, assistance, or support to migrants and refugees. The roles of actors in the international system in responding to this crisis will also be examined, including bodies like the United Nations High Commissioner for Refugees (UNHCR), non-governmental organizations (NGOs), and religious organizations.

We argue that the differences in state response between Colombia and Brazil are driven by the specific domestic and international conditions of each state. After outlining these conditions, we analyze the response of each country and the associated implications for the safety and well-being of Venezuelan refugees. We then dissect engagement from the international community through a critical lens, noting how international actors are responding and the comparative lack of international attention given to a crisis of this scale. Finally, we suggest areas for improved international engagement and connect implications of this crisis to future mass displacement events.

Historical Background

Venezuela: Driving Factors of the Displacement Crisis

The Venezuelan refugee crisis is the largest recorded refugee crisis in the Americas, with an estimated 5.4 million Venezuelans having fled the country since 2014.[i] The main issues driving emigration initiated in 2010, during the final years of Hugo Chávez's presidency. A "maelstrom" of hyperinflation and chronic shortages of food and medicine, combined with a rise in crime and mortality, disease, corruption, and violence, has driven over 5 million Venezuelans into neighboring countries, including Colombia, Brazil, Ecuador, Peru, and Chile.[ii] Although Venezuela possesses the world's largest oil reserves, mismanagement, underinvestment, and poor maintenance stifled oil production to the lowest point in decades. This occurred at the same time as an astronomically high inflation rate – reported as high as 10,000,000% in 2019.[iii] As opposed to other mixed migration events, explicit conflict or war was not a driving force in the grand-scale emigration of Venezuelan migrants. Rather, the overspending of leaders such as Chávez and Maduro, and the lack of attempts to restore economic balance, have contributed to the widespread poverty throughout the Venezuelan population.[iv]

Alongside the economic push factors influencing emigration, the crime rate of Venezuela ranks among the highest in the world and the second-highest in the region, with an all-time high of 82 homicides per 100,000 people.[v] Major driving factors of increased crime and insecurity include government corruption, a weak and ineffective judicial system, the dissolving healthcare sector, and poor gun control policies.[vi] Additionally, state violence via government repression and human rights violations is also widespread, with allegations against Venezuelan state forces for arbitrary detention, excessive force, and torture of political opponents.[vii]

A "simultaneous reduction" of food imports and production has contributed to a decrease in food supply of over 60% between 2014 and 2018, according to the Venezuelan Health Observatory.[viii] Alongside the negative effects of undernourishment and malnutrition, the scarcity of food and astonishingly high prices have forced people to increasingly rely on the state to provide food.[ix]

These harrowing conditions have induced a wave of mixed migration from Venezuela since 2014. However, the plight of Venezuelan mixed migrants, as well as local, national, and regional efforts to adequately respond, has been largely ignored by the international community, exacerbated by the lack of regional cooperative support in South America. This is reflected in a lack of media coverage in the Global North, as well as an inferior system of international aid when compared to the response to the Syrian refugee crisis.

Country Conditions: Colombia and Brazil

The inflow of Venezuelan migrants in Brazil is dramatically smaller in scale relative to the magnitude of Venezuelan migrants in Colombia. Around 900,000 migrants have crossed the Brazilian border since 2018, and while many have traveled instead to other Spanish-speaking countries in Latin America, around 300,000 remain in Brazil, constituting only 0.14% of the total population of around 213 million.[x] By contrast, over 1.8 million Venezuelan migrants now live in Colombia.[xi] Differences in migration pathways can be explained in part by the specific nature of the border regions and the language barrier between Portuguese-speaking Brazilians and Venezuelans who speak Spanish and/or indigenous languages.[xii]

There is an extensive, 2,219 km-long border between Colombia and Venezuela, with bridges facilitating traffic to and from Venezuela over a largely open border. As a result, over 35% of the six million migrants and refugees leaving Venezuela have arrived in Colombia, with close

to half a million of the poorest migrants remaining in regions that have been characterized by protracted conflict among guerilla groups, the informal trade of coca crops, and long-term state neglect.[xiii] Alongside increased competition for jobs and a downward economic shift, this has led to an increase in tension, animosity, and xenophobia towards the mixed migrants.[xiv]

Many informal settlements have emerged because of this.[xv] It is important to note that, alongside thousands of Venezuelan mixed migrants, these settlements also provide shelter for internally displaced Colombians as well as returning Colombians who had previously been in Venezuela.[xvi] Lacking access to resources, including healthcare, childcare, and education, these migrants are further vulnerable to sexual violence, exploitation, or becoming victims of human trafficking.[xvii] Criminal networks and drug cartels are the primary perpetrators of trafficking, but in 2019, law enforcement officers in Cúcuta and Norte de Santander were also found to be implicated in trafficking networks.[xviii]

Regarding Brazilian border characteristics, the most sparsely populated Brazilian province of Roraima borders a number of Venezuelan national parks, with the Amazon rainforest covering large areas on both sides of the border.[xix] As a result, there is only one main crossing at Paracaima – a town in the Roraima province that lies on the border with its Venezuelan sister city of Santa Elena de Uairén.[xx] Venezuelan migrants generally settle in Boa Vista, the isolated provincial capital of Roraima. Since the burden of the migrant inflow disproportionately affected this underequipped province, its governance structures were unable to support them and its capacity was quickly overwhelmed.

Brazil maintained a leading role in refugee policy following the promulgation of its *Lei de Migração* (Migration Law) in 1997.[xxi] Brazil's state-led National Committee for Refugees (*Comitê Nacional para Refugiados*, or CONARE), which was also established in 1997, worked with

international organizations—most notably UNHCR—as well as subnational actors such as religious organizations and NGOs.[xxii] During this time, Brazil's refugee response was generally humanitarian in focus. Brazil's policy shifted from a humanitarian to security focus after the large influx of refugees from Haiti in 2010, the Syrian refugee crisis in 2014, and an economic downtown from 2014-2017.[xxiii] Former President Michel Temer revised immigration law in 2017 to reflect this shift.

The Brazilian government's initial response was marked by a hesitancy to request international support other than minor operational collaboration with UNHCR.[xxiv] Resolution 126, passed by the Ministry of Labor in March 2017, set up a system where Venezuelans could stay up to two years in Brazil after entering by land, paying a low fee, presenting documentation, and withdrawing their asylum applications.[xxv] However, because most migrants were in extreme poverty and did not have the required documentation, this resolution was largely unsuccessful.

In 2018, the Brazilian Government closed the border with Venezuela, citing increased pressure on security, prison, health and education services.[xxvi] This act (*Decreto* 25.681-E/2018) violated of a number of national and international humanitarian laws and obligations.[xxvii] National legislation includes *Lei* 13.445/2017, which demands the universality of human rights; repudiation and prevention of xenophobia, racism, and discrimination; non-criminalization of migration; humanitarian assistance; and clauses against expulsion and deportation of migrants.[xxviii] In addition, the 1997 Migration Law (*Lei* 9.474/1997) guaranteed migrants equal rights to those of Brazilian Nationals, including access to health and social services.[xxix]

The Colombian and Brazilian responses to the protracted Venezuelan migrant crisis reflect two distinct and paradoxical attitudes; a distaste for the Maduro government generating fraternity with those fleeing the regime, which operates in parallel to the increasing xenophobia that targets

Venezuelan migrants. On the one hand, the case of Venezuela has been packaged as a case study for failed left-wing policies, and this positioning has been exploited for political victories by the Brazilian right, most notably in the election of Jair Bolsonaro in 2018.[xxx] At the beginning of the crisis, this attitude led to positive Brazilian engagement with Venezuelan refugees because their flight served the narrative that Venezuelans were leaving an oppressive and ineffectual far-left regime. On the other hand, Colombia has designated the Maduro government as an enemy, and many Colombian politicians have viewed the migrants as "victims" of Maduro's regime.[xxxi] Much like Colombia and the United States, Brazil does not formally recognize the Maduro government as legitimate, but instead supports the opposition leader: Juan Guaidó, with whom Bolsonaro maintains contact.[xxxii]

Analysis of State Responses

Colombian State Response: Temporary Statute of Protection for Venezuelan Migrants

Colombia's response has been considered "innovative" in the standard of migration management, in that no other state in the region has coordinated action on the same scale or to the same extent as Colombia. This has been the case since the initial influx of mixed migrants in 2014 and has continued on-and-off since then.

Before 2021, Colombia employed two key practices in formulating a state response. The first was known as a "Border Mobility Card," granted to almost 500,000 migrants, allowing for circular migrants to remain in Colombia for one week at a time.[xxxiii] This initially enabled Venezuelan migrants to procure food and groceries, medical supplies, and other resources from Colombia. However, the practice was eventually halted in March 2020 when countries around the globe closed their borders as part of the international reaction to the COVID-19 pandemic.

Unfortunately, this left more than 5.2 million people who had previously been issued a card without even temporary documented access to Colombia.[xxxiv]

The second practice had been known as a "Special Stay Permit," a renewable two-year document that enabled access to residence and regular labor in Colombia.[xxxv] This permit was renewed twice, allowing almost 700,000 migrants to receive documentation by the end of 2020. However, a key challenge of this permit was its lack of connection to a more long-term or permanent transition, leaving migrants in a worrying state of limbo as they struggled to access resources, housing, and employment.

In February 2021, President Ivan Duque announced – to widespread international acclaim – that temporary legal status for up to ten years was being extended to over 1.8 million Venezuelan mixed migrants. Provided they had arrived in Colombia prior to January 31 of the same year, this documentation extended to those in both regular and irregular migrant situations.[xxxvi] Combining a mix of attention to social and security policy, Duque justified the "necessity" of conducting this act by listing a multitude of ways the policy may benefit Colombia while providing much-needed assistance and support to a group that the international community has otherwise neglected. Despite its promise, the so-called "Open Door Policy" is rife with challenges in both its makeup and implementation.[xxxvii]

To begin, Duque argued that the lack of information about the more than 1.8 million Venezuelan mixed migrants, many of whom were entirely undocumented, presented lapses in both social and national security. He asserted that access to proper documentation through biometric data tracking benefits the state by allowing it to monitor those that it has allowed into the country. He also argued that documentation benefits migrants by allowing them access to Colombian healthcare, education, and other social resources.[xxxviii]

The policy extends access to social resources including education and healthcare: two sectors that had increasingly suffered under deteriorating domestic conditions in Venezuela. The decade-long temporary legal status will also enable many of these mixed migrants to become eligible for work, a move signaled by Duque as attempting to capitalize on the "brain drain" of Venezuelan doctors, lawyers, teachers, engineers, and other high-skilled workers that have fled the country.[xxxix] The primary issue with this declaration, however, is the lack of simultaneous investment in Colombia's state and social resources.

Investigation into some of Colombia's domestic conditions reveals a worrying environment, one that is demonstrably unequipped to handle an additional 1 million or more individuals requiring support or assistance. There are over 7 million internally displaced Colombians, and an estimated 10% of the population is designated as "needing direct humanitarian assistance."[xl] Tensions between existing paramilitary groups and drug traffickers, part of the decades-long armed conflict, in the areas Antioquia, Chocó, Catatumbo, and Nariño present a compounding threat to Venezuelan refugees, where further forced displacement have emerged because of conflict.[xli] These populations' vulnerabilities include increased nutritional deficiencies as well as lowered access to education, decent housing, and healthcare. This is driving mortality rates, especially among women and children. The UNHCR alleges that "conflict and armed violence continue to uproot Colombians and, in a growing and worrying trend, also Venezuelans," with the primary cause being clashes and confrontations among different armed groups.[xlii]

Further, an additional domestic concern affecting Venezuelan mixed migrants is the cultural linkage between Colombia and Venezuela and the varied effect it has had throughout the duration of Venezuelan movement into Colombia. Some have considered Duque's decision to extend temporary legal status to Venezuelan migrants as an act of "reciprocity"; Venezuela had

similarly settled many Colombians fleeing from guerilla violence during the 1980s and 1990s, giving them a safe haven and enabling them to seek employment.[xliii] However, personal accounts of Venezuelan mixed migrants depict rising levels of xenophobia, violence, and discrimination from Colombian nationals, who blame Venezuelans for rising crime levels, skyrocketing unemployment, and the further spreading of COVID-19.[xliv] Throughout the duration of the COVID-19 pandemic, there has been a global trend of rejecting the migrant "other," who is constructed as disease-spreading and crime-inducing.

Brazilian State Response: Operação Acolhida

As a result of growing public pressure to address the debilitating strain on food, healthcare, and education systems in the Roraima province, the Brazilian government introduced *Operação Acolhida* (Operation Welcome or Shelter) on April 5, 2018.[xlv] As in Colombia, this innovative system garnered acclaim from the international community as a humanitarian response to the mixed migration flows from Venezuela.[xlvi] *Operação Acolhida* is a collaborative effort between the CONARE, the Brazilian Military, UNHCR, IOM, the UN Population Fund and over 100 additional NGOs and Civil Society Actors.[xlvii] One notable innovation is the *interiorização* (internalization) program which redistributes Venezuelan Migrants throughout Brazil—a move that lessens the economic and capacity strains on the Roraima province.[xlviii] Between 2018 and 2020, 46.5 thousand migrants were internalized in 645 Brazilian cities including Manaus, Curitiba, and São Paolo.

The response is focused on three parts:[xlix]

1. Border Security: addressing documentation needs and vaccinating the migrants
2. Reception: securing shelter, food, and medical attention for migrants

3. *Interiorização* (Internalization): voluntary transportation to other Brazilian states with the ultimate goal of socio-economic inclusion.

Operação Acolhida can be described as "humanitarian infrastructure," and consists of reception, triage, and shelter facilities supported by data exchange systems, partially digitized information, and logistical nodes.[l] It operates alongside Operation Control with a focus on increased border security and military presence around Paracaima.[li] This allows for border inspections to coincide with cross-border crime-fighting operations and frames military involvement under the auspices of humanitarian aid, giving the policy more popular support.

There is a legal distinction between asylum seekers and humanitarian migrants in Brazil, creating a strong divide in the mechanisms of *Operação Acolhida*.[lii] "Migrant for humanitarian reasons" institutionalized a quasi-refugee status, and was used to offer temporary residency to those who fled for human rights violations but did not meet the requirements for "well-founded fear of persecution."[liii] The goal of this designation was to safeguard asylum mechanisms from fraudulent claims.[liv]

The distinction between these two classes of migrants has informed the infrastructure of the reception response. Upon arrival at the *Posto de Recepção e Identificação* (Reception and Identification Post, or PRI), Venezuelan migrants first meet with military members who check their documents. They then wait in either a blue (for asylum seekers) or a red (for temporary resident applicants) line according to the designation they are seeking.[lv] IOM handles processing for humanitarian migrants, while the UNHCR is responsible for those seeking refugee status by claiming asylum. Many partnering NGOs and local government agencies work together to distribute work permits, food, and other necessary supplies.[lvi] According to the Brazilian government, the migrants receive three meals a day, sanitary kits, Portuguese classes, telephone

communication with Venezuelan relatives, and 24-hour security.[lvii] Charities run by religious organizations, including evangelical Christians, Mormons, and Catholics, have also assisted by building shelters and offering aid.[lviii] Migrants are housed in one of thirteen shelters in Roraima before beginning the *interiorização* process. [lix]

However, there are notable faults in this militarized humanitarian program. Host states can reportedly exclude low-income migrants by running background and skill checks.[lx] The camps are also well-known for their degrading humanitarian conditions.[lxi] The strict military administration of the camp requires migrants to surrender their autonomy to authorities, who determine when they eat, when they can access medical treatment, and dictate the asylum process.[lxii] This has been especially distressing for the more than 5,000 indigenous people born in Venezuela who have been subjected to militarized violence after migrating to Brazil.[lxiii] There were also at least 2,500 unaccompanied minors who crossed into Brazil in 2020; a population at increased risk with specific governance concerns.[lxiv] Non-state actors, such as religious groups, try to fill the gaps in state response, but do not have the funding or influence to support the entire migrant population and remain largely unsupported by the international community.

Analysis of International Responses

State centrality in global migration governance has resulted in limited jurisdiction for international organizations. However, the rise of complexity in migration issues and multilevel responses to critical challenges has resulted in a wide-reaching international role in several areas, and increased non-state participation in on-the-ground activity.

One of the most significant international organizations in this domain is the United Nations High Commissioner for Refugees (UNHCR), whose original mandate was to monitor states' implementation of the 1951 Refugee convention and the 1967 protocol.[lxv] In the flurry of

institution-creation during the latter half of the 20th century, UNHCR has faced more competition over the domain of refugees.[lxvi] As a result of new competition, UNHCR has voluntarily expanded beyond its original mandate to increase its relevance to states.[lxvii] It increasingly partners with NGOs, states, and other formal IOs to increase its efficiency, leading to the creation of a refugee regime complex.[lxviii]

The legal recognition of refugees in Brazil differs from the situation in Colombia, where migrants have been granted temporary legal status through different documentation systems. Since they are already authorized to live and work in Colombia, albeit temporarily, they do not necessarily need additional legal protections of refugee designation. However, the temporary legal status comes with its own challenges. For example, there are limitations placed on the date entered and the manner in which they enter the country.[lxix] Irregular entry through informal border points often results in deportation (which is a violation of the principle of non-refoulment), forcing migrants to repeat the application process.[lxx] Moreover, the *ad hoc* dimensions of status-granting by Colombia could be viewed as a means to avoid further state responsibility that would come with assigning refugee status to Venezuelan migrants, enabling them to grant fewer protections to a large portion of migrants.[lxxi]

To respond to the myriad issues in the region, the 2021 Refugee and Migrant Response Plan (RMRP) was released at the end of 2020. The RMRP is described by the UN as "the result of field-driven planning," between over 150 organizations, host governments, civil society organizations, and local communities, with the common objective of "addressing the overarching humanitarian, protection, and socioeconomic integration needs of refugees and migrants from Venezuela".[lxxii] This plan includes a regional analysis of population projections of 2021, people in need, financial requirements, and RMRP-affiliated partners based in the country of focus.

Colombian figures are generally the most severe in the region by wide margins. The Plan indicates that over 4 million people are in need in the country, and $641 million is projected to be required "for regularization and integration in a complex external environment.[lxxiii] However, the plan only projects a "targeted response" to aid 1.7 million people, with no explicit distinction of whether these are Venezuelan migrants, refugees, asylum seekers, or some other group.[lxxiv] Brazil, by contrast, identifies 379,000 people in need in the country, with 184,000 of those people targeted for response in the Plan.[lxxv] Brazil's financial requirements are also significantly lower than Colombia's, with a total estimate of $98.1 million USD.

The goals of the 2021 RMRP urge "maintain[ing] a balance," by focusing on both responding to urgent humanitarian needs and "bridging the humanitarian-development-peace nexus" by re-orienting state responses to be mindful of longer-term projects, such as local integration or the eventual discontinuation of detention.[lxxvi]

The IOM, the principal intergovernmental organization working in migration, also assisted in the Regional Response Plan by calling for on-the-ground action and multilevel advocacy dialogue. IOM recommendations include increasing private-sector assistance, strengthening national and regional responses in key sectors such as health, shelter, food, and sanitation, and – to the extent possible – engaging in integration measures, especially for women and children.[lxxvii]

Though international financial support remains scarce, the multiplicity of actors participating in on-the-ground activities represent a general lack of coordination and cooperation.[lxxviii] Duque asserted that too many groups conducting similar actions were minimizing the efficiency of the multi-level response in Colombia. Duque's call for international cooperation shed the traditional narrative of an overwhelmed state operating beyond capacity in favor of a narrative depicting an innovative governor championing a novel humanitarian act, one that remains

entirely unconventional within the context of global migration governance.[lxxix] This re-framing asserts the state's chiefdom in global migration governance and re-establishes state power in formulating responses to movement.

UNHCR integration in national response is clearly observable in the operations of *Operação acolhida*. UNHCR partners with IOM, NGOs, religious institutions, the Brazilian government, and the Brazilian military to document mixed migrants, provide services, and process their asylum claims.[lxxx] UN agencies have overseen the coordination and delivery of humanitarian aid; they use largely American and European funding to construct and maintain shelters, to purchase medicine and food, and to pay wages for workers who sort migrants into asylum seekers and humanitarian migrants.[lxxxi] However, UN operations can seem rudimentary and quickly backlog. For example, at the reception center in Paracaima, only one contracted UNHCR employee and two interns scan asylum requests individually to send to CONARE.[lxxxii]

In Brazil, Venezuelan migrants were officially recognized as refugees on June 14, 2019, when the CONARE declared the Venezuelan crisis as a situation of grave and generalized human rights abuses in line with both the Cartagena Declaration of 1986 and the Interamerican Court on Human Rights.[lxxxiii] The Cartagena declaration is a regional legislation that expands the traditional refugee definition from the 1951 Refugee Convention and 1967 protocol to include generalized violence, foreign aggression, internal conflicts, and gross human rights violations.[lxxxiv] In practice, this decision will incrementally increase capacity for refugee claims but will not grant immediate access.[lxxxv] Colombia, despite also being a signatory to the Cartagena Declaration, has gone the route of temporary legal status as an expedited response strategy rather than engaging in the asylum process to label Venezuelan mixed migrants as refugees, leaving the Declaration generally inapplicable as a mechanism for refugee governance in the country.[lxxxvi]

The international response appears to be strengthening, with USAID offering $4 million in January 2020 to construct a new program in tandem with IOM that aims to assist Brazil in long-term resettlement for tens of thousands of Venezuelan migrants.[lxxxvii] On December 10, 2020, the UN invested an additional 1.44 billion dollars[lxxxviii] which will be applied to the RMRP to assist Latin American Countries struggling to meet the needs of the almost 5.4 million mixed migrants from Venezuela.

Comparative Analysis of Mutual Challenges for Colombia and Brazil

While the international community has lauded both systems of refugee governance as innovative, the failures on the ground demonstrate that reform is still needed to ensure a sustainable livelihood for Venezuelan migrants. Moreover, there are several factors that impede the success of these governance strategies for both countries: lack of funding, growing anti-immigration sentiment, and the COVID-19 pandemic.

A tremendous gap in funding and international attention must be addressed. Two areas of financial needs are of the utmost importance in developing an appropriate international response: humanitarian aid and local capacity-building.[lxxxix] Supporting these two areas would encourage local integration and enhance access to the formal labor market. However, this funding must support those involved in informal labor as well, providing access to resources or other support that may be necessary for their survival. States in the Global North have propagated a narrative of Colombian and Brazilian success, allowing them to largely ignore their funding needs. As post-colonial power dynamics continue to have consequences in global governance, it is not surprising how little international attention this crisis has garnered despite the massive scale of displacement.

For Colombia, these deficiencies raise the question of whether "innovative governance" as a trend possesses a normative influence on the actions of other states in the region, particularly after the exaltation from the international community. The paltry international response to the Venezuelan situation highlights the distinction between government commitment and government action. Colombia's social services are not equipped for access by hundreds of thousands, if not millions, of Venezuelans in addition to current Colombian citizens. Without proper investment to address domestic social problems in Colombia, Venezuelan migrants, despite possessing temporary status, are still needlessly suffering.

In Brazil, the once innovative response has been undermined by military violence, exploitation of laborers, and perennial underfunding.[xc] The government-issued emergency basic income was reduced by half in September 2020, causing difficulties for the 42,519 migrants who were relying on these funds to meet their basic needs.[xci] More than half of mixed migrants do not have access to adequate water and sanitation, with 73% of migrants in Paracaima and 56% in Boa Vista lacking access. The socio-economic situation in Venezuela is expected to deteriorate further, with 400 migrants predicted to enter Brazil daily via Paracaima in 2021.

Colombia and Brazil are examples of rising center-right and right-wing governments. Their messaging has seen a paradoxical development, with anti-Venezuelan, anti-leftist ideology growing in parallel with protectionist and anti-immigrant ideology. With the election of Duque in 2018, Colombia ushered in a rising wave of right-wing populism and a rebuke of traditional politics, alongside a rise in nationalist and xenophobic tendencies.[xcii] Crossings into Brazil of up to 550 migrants per day increased strain on local supply and resulted in a spate of xenophobic attacks against Venezuelan migrants by Brazilian nationals in 2018-2019.[xciii] While anti-immigrant

sentiment was rising during Temer's presidency, it has proliferated after the election of Bolsonaro.[xciv]

Lastly, the effects of the COVID-19 pandemic have added yet another strain on resources and exacerbated the health and security situation for migrants in both states. In Brazil, the COVID-19 pandemic has exacerbated economic challenges, forcing the closure of many essential services to refugees and has led to a backlog in renewed residence and asylum permits.[xcv] While identity documents that expired after March 2020 are still recognized as valid, this impasse creates barriers for Venezuelans attempting to access housing and employment. A movement known as *Regularização Já* (Regularization Now) has begun advocating for implementing existing laws and other reforms, namely mass regularization for immigrants whose asylum applications have been tabled due to the pandemic.[xcvi]

The Brazilian government's response to COVID-19 has been criticized on multiple levels, and the incessant denial of the severity of the pandemic by Bolsonaro has resulted in the collapse of public health infrastructure as Brazil experienced one of the world's worst COVID-19 outbreak.[xcvii] Hospitals are pushed beyond capacity, the vaccine rollout has been incredibly inefficient, and Bolsonaro and some locals have heavily criticized efforts by local governments to enact public health legislation. Migrants often live in situations where they cannot effectively socially distance or practice proper hygiene, leaving them at an increased risk of infection and serious disease.[xcviii]

The situation in Colombia regarding the COVID-19 pandemic, while not quite as severe as in Brazil, still presents a number of issues. Two months before announcing the temporary legal status for mixed migrants, Duque asserted that Venezuelan migrants would not receive a COVID-19 vaccine should it become available, despite arguments that this would lead to increased

infections in Colombia.[xcix] After an extensive wave of criticism from humanitarian organizations, Duque eventually walked back on this proposal, and vaccinations were included with the establishment of temporary legal status. A primary observation in many South American responses to the intersecting COVID-19 and Venezuelan mixed migrant crises references the exclusion of migrants from a cohesive COVID-19 response. This exclusion undermines the efficacy of the state to provide not only those who have migrated into the country but also for its own citizens.[c]

Addressing these three issues: chronic underfunding, rising xenophobia, and failures in health governance to address the COVID-19 pandemic have interfered with the successful implementation of the innovative governance structures designed and implemented by Colombia and Brazil to manage the Venezuelan migrant crisis. If the lack of international attention continues, the negative trajectories of the state responses in Colombia and Brazil will continue to worsen.

Conclusion

Colombia and Brazil have received international recognition for their responses to the massive displacement of Venezuelan mixed migrants, and many international actors are calling for these models to be implemented in other crises. Both systems appear to address the humanitarian concerns of migrants with dignity and offer opportunities for socioeconomic integration. Colombia's innovative strategy of long-term legal status is unparalleled in modern-day global migration governance and may offer an example for other states experiencing high rates of migrant influx. Brazil's *Operação Acolhida* is a trailblazing response towards relieving the burden on the Roraima Province, which does not have the capacity nor infrastructure to handle the scale of incoming mixed migrants on its own. These signal innovations in refugee governance, and the humanitarian motivation in these policies has been rightfully applauded.

When deployed, however, there is a great discrepancy between the humanitarian intent and the effectiveness of the strategies employed. In Colombia, primary restraints on a more thorough implementation stem from the government's financial issues, polarization in the country, and a high unemployment rate as well as high informal economic participation.[ci] This limits access to benefits that were initially promised to Venezuelan migrants as a result of their legal status – directly blocking their ability to open a bank account, seek healthcare or education, or properly register for formal employment in certain parts of the country.

The militarized nature of the Brazilian regime has resulted in harassment and violence towards indigenous migrants and led to psychologically damaging conditions in camps. Additionally, access to healthcare, education, sanitation, and regular employment remain distant for many Venezuelans, visible in the 243% rise in homeless Venezuelans living in Paracaima after the reopening of the border in June 2021.[cii]

These state responses are being employed in highly specific cultural contexts. Despite a long history of camaraderie with Colombia, and the past extension of goodwill to fleeing Colombian migrants, Venezuelan migrants are also experiencing a rise in xenophobia, hate crimes, and discrimination. The military continues to lead efforts in this region with General Sérgio Schwingel assuming command of the Operation in September, 2021.[ciii] A similar rise in xenophobia can be seen in Brazil, and although *Operação Acolhida* and its redistributive efforts through *interiorização* are an innovative response, they have not adequately addressed the crisis in practice.

Policymakers should consider these factors when taking lessons from these governance responses; they should not simply apply these strategies to other crises without first making significant changes to increase adaptability to the crisis at hand. Mutual language, historical and

cultural ties, specific border conditions, and proportional impact on host populations must all be considered when planning refugee response.

In applauding the efforts of Colombia and Brazil, the Global North cleansed its hands of the crisis, resulting in low international attention and low funding compared to the refugee crises in the Mediterranean and at the US border. Nations of the Global North are not dramatically affected by the Venezuelan migrant crisis, allowing them to largely ignore it without repercussions. However, this exacerbates the situation for Latin American countries and greatly undermines the effectiveness of their innovative governance structures. Recent initiatives to increase funding and detailed response plans may help, but increased attention from the Global North to this crisis and a stronger attitude of burden sharing could help ensure stability for millions of displaced Venezuelans. By adequately supporting the innovative humanitarian goals of Colombia and Brazil, and applying pressure on governments to resolve lingering issues therein, the world's second-largest displacement crisis could be effectively managed to ensure security, dignity, and prosperity for both Venezuelan migrants and their host communities.

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