

July 7, 2009

Contacts:  
Andrea Lari and Sean Garcia

# COLOMBIA: CRISIS BUBBLING OVER

## COLOMBIANS SEEKING REFUGE IN ECUADOR AND VENEZUELA

The impact of Colombia's internal armed conflict on Ecuador and Venezuela is destabilizing border regions while thousands of Colombians continue to flee their country in search of sanctuary. Because of the growing presence of Colombian guerrilla and reorganized paramilitary groups engaged in trafficking narcotics in border areas, host governments have militarized these regions with security forces to combat violent spillover. In this context, humanitarian agencies and local administrations are struggling to assist more people in need, and providing documentation for asylum seekers is a crucial first step to enhance their physical protection and freedom of movement. Donor governments should urgently support policies of documentation and socio-economic integration for Colombians in their host communities.

Patterns of violence in Ecuadorian and Venezuelan border areas are starting to mirror Colombian trends where illegal armed groups are conducting criminal activities, terrorizing local populations, and exercising social control over entire communities. Death threats, selective assassinations, kidnappings and extortion are on the rise and now also affect communities that are hosting refugees. In both Ecuador and Venezuela, there are reports of domestic citizens being forced to leave their areas of residence because of these threats. The scope of this new and worrisome phenomenon should be investigated.

Bilateral diplomatic relations, which are currently severed between Colombia and Ecuador and frequently tense between Colombia and Venezuela, can provide little resolution to the region's spillover problems. As a result, a multi-lateral regional effort to address the humanitarian and protection dimensions of the Colombian refugee crisis is indispensable. This would include supporting and facilitating the exchange of analysis and refugee policy discussions between Ecuador and Venezuela, increasing the international humanitarian presence in border areas and dedicating resources to sustainably integrate refugees into host communities.

### POLICY RECOMMENDATIONS

- International donors should support Ecuadorian refugee policy reform, especially the Enhanced Registration Process.
- International donors should support a greater presence of international humanitarian actors in border areas and provide resources for basic services and infrastructure expansion which would benefit host communities and refugees alike.
- The governments of Ecuador and Venezuela should collaborate and share their respective experiences in addressing the needs of Colombian refugees. Registration processes, public awareness campaigns and training of security forces in refugee issues could be a starting point.
- The government of Venezuela should strengthen and expand pilot field-based registration campaigns.
- UNHCR should start to investigate and document instances of forced internal displacement of Ecuadorian and Venezuelan nationals from border areas.

## ECUADOR

Colombians are crossing into Ecuador because of fighting between armed groups, personal threats from armed actors, Colombian army operations and aerial fumigation of illegal and legal crops. These Colombians are approaching the offices of the United Nations High Commissioner for Refugees (UNHCR) for registration, and the number of people seeking refugee status has doubled every year since 2007. Humanitarian agencies are providing assistance to recently arrived asylum seekers, but officials have reported that their capacity to respond is at the limit due to the large increase in beneficiaries. In some cases, agencies have had to turn people away from assistance.

Ecuadorian authorities have recently taken a more proactive role in addressing the needs of the Colombian refugees. The new Constitution of 2008 specifically includes refugee rights. There is now a National Directorate for Refugees, composed of officials from key ministries, and new national refugee policies have included consultations with stakeholders as part of the policy making process. The plan of action for the implementation of these reforms includes an “Enhanced Registration Process” and will strengthen institutional capacities to help refugees integrate socially and economically into Ecuadorian communities. It also envisions public awareness campaigns to educate government officials and the broader public about the humanitarian needs of refugees and foster respect, acceptance and inclusion. Though these reforms face resistance from the Ecuadorian military and some local authorities, the national government is currently moving these plans forward, and should receive the international support it is actively seeking to ensure their proper implementation.

### ***The Enhanced Registration Process***

The major concern for Colombians that RI interviewed was the lack of proper documentation in Ecuador, and the consequent prohibition of legal work opportunities. From 2000 to 2008, almost 70,000 Colombians requested asylum in Ecuador. Only 20,000 received official refugee status, while more than 80,000 Colombians have not approached either institution for several reasons, including lack of knowledge of the process or fear to present themselves to the authorities. The overall number of Colombians in need of international protection is estimated at 135,000.

In 2008, the government of Ecuador decided to change existing refugee screening procedures and, with the cooperation of UNHCR and civil society actors, developed the “Enhanced Registration Process,” a groundbreaking initiative

that is unique in all of Latin America. It condenses all application and registration infrastructure in a one-day process that includes:

- Applicant interviews;
- An on-site eligibility commission that makes immediate decisions on each case;
- Issuing refugee visas;
- Orienting applicants about their rights and responsibilities under the law; and
- Providing space for service providers to screen individuals for additional vulnerabilities and needs.

The registration team is fully mobile, works over a period of a month in any given location, and plans to cover all northern bordering states through the end of the year with a goal of registering 50,000 people.

RI observed the registration process in the city of Esmeraldas and has found that the initiative is working well just three months after it became operational. Problems that arise are dealt with in a flexible and efficient manner. Most importantly, Colombians who went through the day-long procedure and shared their opinions with RI were impressed by the professionalism of officials and thankful for the respect they were accorded throughout the process. Many were very proudly showing their new refugee card with big smiles. “After years of hiding, I can finally walk the street with my head up,” one refugee said. Others expressed their state of relief and hope for the future with phrases like “I feel I am born again” and “I can now work legally.”

Though the registration is mobile, it is attracting people from all over the country who do not want to wait until the Registry comes to their cities. The results are equally as impressive, with the process registering roughly 1,000 people per week.

As with any new process, there remain several shortcomings. For example, refugee visas currently being issued are valid for only one year. Similarly, there are no provisions for how to include recent arrivals who have missed the registration team after it has moved to a different location. Presently, there is only one government office in states along the border, forcing people to travel to Quito to file new applications or renewals. Officials from the General Directorate assured RI that they are aware of these challenges, and there are plans to address some of these concerns in a forthcoming Presidential Decree. However, a lack of funding may also jeopardize the system. The “Enhanced Registration

Process” is projected to cost \$1.8 million, and will be paid for jointly between the government and UNHCR. Because of the global economic crisis and its impact on Ecuador, the government has reduced its budget for the process and is only contributing a fraction of its commitment.

### ***Fund Local Integration Projects***

For refugees, documentation is only the first step to regaining a dignified life. Given the current conflict dynamics and insufficient security conditions in Colombia for refugees to return, local integration into Ecuadorian society is an important alternative.

The deteriorating security situation and the increased numbers of refugees are straining health facilities, schools and other weak or insufficient social services in border areas. In the northwestern province of Esmeraldas, tensions have not yet reached the tipping point and host communities have been welcoming towards refugees. This is mainly due to the historic, social and cultural affinities between those crossing the border from Colombia’s Nariño department and the area around the town of Tumaco.

However, in the northeastern region of Ecuador, there are frequent reports of xenophobic and discriminatory treatment of Colombians by Ecuadorians, including harassment and arrest by police forces. RI interviewed a number of Colombians in Quito who shared their experiences as victims of abuse, including a woman who was arrested in a public park by the police, accused of being a prostitute, and held in jail for days. In the end, she was forced to pay the policeman who repatriated her to Colombia. Her two children remained unaware of her whereabouts for weeks.

The government of Ecuador has set out development plans to support the expansion and improvement of basic infrastructure and social services in border areas, which suffer from historic neglect and are extremely poor. The government currently envisions \$23 million worth of development activities in this region from 2009 to 2011, though implementation has not yet begun due the poor coordination between central and local governmental agencies, as well as a lack of sufficient resources.

As one humanitarian official told RI, “There is a need to restructure the entire economy of the area and support initiatives that create a wider demand for labor. This will benefit the local population and absorb Colombian refugees.” Donor governments should respond to this request and support host government and international humanitarian actors who could develop these services.

## **VENEZUELA**

With a population of Colombian nationals ranging anywhere from one to three million, Venezuela has long-standing cultural, social, and economic ties to Colombia. As the Colombian conflict has intensified along Venezuela’s borders over the course of this decade, the number of Colombians seeking refuge in Venezuela has continued to increase, and is now estimated at between 120,000 and 200,000. The population is largely concentrated in border regions, though many Colombians do seek more security in other parts of the country.

There are clear signs that the Colombian conflict is directly impacting Venezuelan territory. The presence of illegal armed actors is discussed openly in the communities throughout Táchira and Apure states that RI visited. These groups’ ability to threaten, extort, kidnap, and assassinate was a major concern for many people throughout the region. Smuggling and trafficking of a wide range of goods, including drugs, is widespread, and RI observed a number of unofficial border crossings between the two countries where illicit trade was the primary goal.

In response, the Venezuelan government has put the region under military command, and the presence of the army throughout the region is apparent at frequent road checkpoints and community patrols. There are frequent reports of security forces harassing Colombian refugees after they have crossed the border. As a result, many refugees live in a highly controlled environment where, oftentimes, the people that were the cause of their flight from Colombia are still present in their communities in Venezuela.

As in Ecuador, RI has received reports of the internal displacement of Venezuelan citizens who are threatened by armed actors on Venezuelan soil. Though the phenomenon has not been documented in any way, RI is concerned that repeated stories of internal displacement could constitute a significant trend and urges UNHCR to begin investigations.

### ***Strengthen the Registration Process***

The government of Venezuela is not adequately responding to the need for proper identification and documentation amongst Colombian refugees, unlike Ecuador. As a result, their ability to transit freely throughout the county is severely restricted, and they are left vulnerable to harassment or extortion by military and police forces, as well as potential deportation to Colombia. Given the strong presence of illegal armed groups in Venezuela’s border regions, the inability to travel out of the area makes it extremely difficult for Colombian refugees to find adequate protection and safety.

The refugee policy in Venezuela is managed by the inter-ministerial National Commission for Refugees. The Commission is based in Caracas and has three field offices throughout the border. Currently, all refugees must present a claim to one of the four offices and go through three interviews before receiving a provisional letter stating they are an asylum seeker. The paperwork is then sent to Caracas for review, where the Commission studies each case and issues a final decision on whether or not to grant refugee status to the applicant. This process should be completed in 90 days by law.

Lack of resources and political will have caused serious delays to the process described above. The three field offices are severely understaffed, and can only attend to a few dozen new cases per week. As a result, many refugees do not have access to the process. Many refugees that have entered the process indicate that the initial screening phase is lengthy and repetitive, and it often takes up to six months before they can even qualify for a provisional letter as an asylum seeker.

Further complications exist at the national level, which is also severely under-resourced. Despite the legal mandate to resolve refugee claims expeditiously, the National Commission now faces a backlog of 10,000 cases out of 12,000 – a clear sign that the system is overwhelmed. Most disturbingly, RI verified that many refugees have been waiting as many as six years for their refugee claims to be resolved.

The National Commission's field office in the city of Guasdalito, Apure has recently begun a promising initiative in collaboration with UNHCR and local civil society that could help reduce delays in the registration process. Currently, National Commission staff travel into rural communities around Guasdalito, accompanied by personnel from UNHCR and NGOs, to register Colombians who would otherwise have difficulty accessing the official registration process. To date, these field registration visits have been successful in increasing the number of applicants to the refugee process. The National Commission should explore formalizing this process and expanding it to its other field offices.

While the majority of Colombian refugees voluntarily stay in the border region, an important minority of refugees who face direct, personal threats from illegal armed actors is jeopardized by the lack of mobility caused by their undocumented status. Because of the pervasive presence of Colombian paramilitaries and guerilla groups in the border region, individuals who face direct threats often flee inland towards major cities. RI met with many refugees in Caracas who had come there in search of greater safety – all

came without documentation under threat of detection and deportation. Many were in the process of applying for refugee status in Caracas, and expressed fear and a continued sense of insecurity.

Despite the serious problems in access to identification and official refugee status, Venezuelans show minimal xenophobia. Due to longstanding cultural, social, and economic ties, most Colombian refugees have been welcomed into their new communities with few problems. All the refugees that RI spoke with reported steady access to schools and health services. Employment was not difficult to find, and RI heard no cases of wage discrimination against undocumented workers. In the best of cases, RI also met refugees who had access to property, land and credit to begin small businesses. As a result, Venezuela continues to be a welcoming place for Colombian refugees. This is all the more reason why the country should ensure that they receive official documentation, as more refugees will continue to seek safety there.

## CONCLUSION

As Colombia's internal conflict rages on, refugees will continue to seek safe haven in neighboring countries. Until now, both Ecuador and Venezuela have been places where refugees could find some degree of safety and are trying to start a new life. As the number of Colombian refugees continues to grow, governments will have to be more pro-active in addressing their needs. Ecuador is well on its way to making this a reality. Host governments and UNHCR should coordinate their responses within a regional framework and learn from positive models. This approach could ensure that refugees enjoy better protection and assistance. It will also prevent Colombia's conflict from spilling over any further.

*Andrea Lari and Sean Garcia assessed the situation for Colombian refugees in Ecuador and Venezuela in May and June.*