



# Betting on Legality

## Latin American and Caribbean Responses to the Venezuelan Displacement Crisis

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LATIN AMERICA AND CARIBBEAN INITIATIVE

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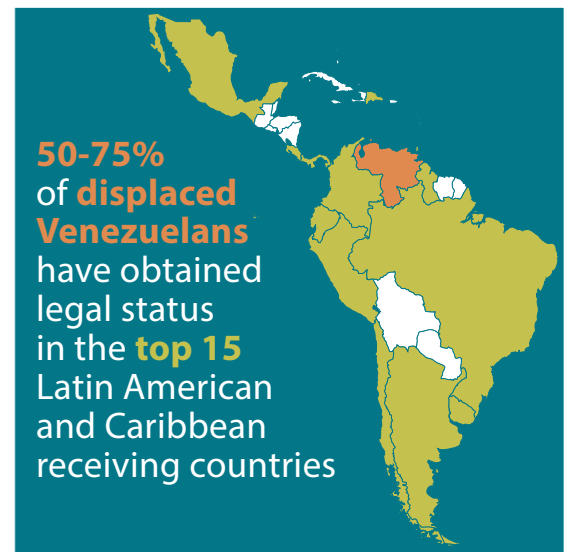
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## Executive Summary

Between 2016 and 2022, more than 7 million Venezuelans, almost one-quarter of Venezuela’s population, fled political and economic turmoil in that country, with more than 6 million settling in other countries in Latin America and the Caribbean. Overall, most countries have responded with highly pragmatic measures that have ensured that most displaced Venezuelans have some form of legal status, the ability to enter the labor market, and access to basic education and emergency health care. The measures implemented are uneven and often not fully institutionalized, but they have been surprisingly generalized across Latin America and the Caribbean.

Most governments across the region—despite their relative lack of experience with large-scale immigration, much less displacement crises—have made a strategic bet that investing in these newcomers’ access to legal status, education, and basic health care would benefit both displaced Venezuelans and their own citizens. Initially, many of the decisions were made out of a sense of solidarity or as way of showing opposition to the regime in Venezuela. However, over time many government leaders realized that they needed mechanisms to know who was in the country, formalize labor market access, and provide at least a minimum level of access to public services in order to integrate new arrivals in local communities.



Looking closer at responses in the region, specific findings are:

- ▶ **Through a variety of measures, Latin American and Caribbean countries have provided legal status to at least half and probably a majority of displaced Venezuelans in the region.** Based on publicly available data, this study estimates that between 50 and 75 percent of all displaced Venezuelans have obtained some type of legal status in the 15 principal receiving countries in Latin America and the Caribbean (where 99 percent of Venezuelans in the region have settled). Some countries have used regional mobility and residence agreements to receive displaced Venezuelans, while others have strengthened their asylum systems (as a way to provide protection but also to offer legal status) or adapted existing visa policies. And many countries have created ad hoc temporary status measures when the usual institutions for migration and protection could not meet demand. In fact, most countries have used two or three different approaches to provide legal status to displaced Venezuelans, adapting existing institutions and creating new ones in the process. Although ad hoc temporary status programs have received much of the attention in the literature to date, existing institutional mechanisms for legal status and humanitarian protection (including visa regimes, regional mobility and residence agreements, and asylum processes) have in many countries been the primary route through which Venezuelans have accessed status, with ad hoc temporary status measures playing a complementary role.

- ▶ **However, many Venezuelans still have precarious, short-term forms of legal status, and some have no legal status at all.** This analysis of data from across the region suggests that 25 to 50 percent of Venezuelans in Latin American and Caribbean countries do not have a legal status. Given that many of the statuses available are temporary, lasting between a few months and a few years, it is likely that some Venezuelans who initially obtained status have since lost it, while others likely spend a great deal of time trying to renew their status. In addition, these temporary statuses do not always offer a path to permanent residency, which can make it difficult for Venezuelans to plan their future more than a year or two ahead.
- ▶ **Many governments have also imposed visa requirements on Venezuelans since the displacement crisis began, which has complicated the management of ongoing displacement as well as family reunification processes.** The initial period of significant openness to Venezuelan arrivals in most countries has given way to a period of newly introduced barriers to entry in many, though not all, countries. The requirements for these new visas are often out of reach for many Venezuelans, who cannot easily obtain a passport or apply for a visa from within their own country. It is thus hardly surprising that irregular entries increased noticeably in many countries after these visa requirements were imposed. Overall, efforts to provide access to legal status to Venezuelans who have already arrived in a country have often come in tandem with efforts to slow future arrivals, with increased irregular migration as an unintended consequence.
- ▶ **The vast majority of receiving countries have provided access to basic education and some health-care services to displaced Venezuelans, but significant barriers remain to access in practice.** Almost all countries in the region have provided displaced Venezuelans, regardless of legal status, with the right to access public education (at least at the primary and secondary levels), often by modifying existing regulations and procedures. Most governments have also ensured all Venezuelans have a right to access emergency medical services (and often, care for pregnant women and/or young children), and a few have provided access to even more extensive public health-care services. Many have also made significant efforts to affiliate newcomers who have received legal documents to their national health-care systems. However, even when laws and regulations grant access to education and health care, practical barriers prevent many Venezuelans from exercising their rights. Obstacles include the documentary requirements for school enrollment and limited understanding in public health facilities about what services different groups of migrants can access.

Taken together, the set of measures Latin American and Caribbean governments have implemented has been a highly pragmatic and mostly effective approach to receiving and integrating newcomers in the middle of a massive displacement crisis. This is particularly noteworthy because only a few of these countries had experience with managing significant numbers of immigrants, much less a displacement crisis, and most had to quickly adapt their policies and institutions to meet this challenge.

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But as Venezuelan displacement continues and receiving countries plan for the future, these measures will not be enough. It is becoming increasingly clear that most displaced Venezuelans will probably never return to Venezuela, and as a result, there is an urgent need to think about legal status for those who never received it and to figure out ways to allow those with temporary status to transition to permanent (or longer-term) status. Significant challenges also remain in terms of ensuring that Venezuelans are able to exercise their existing rights to access public services, as well as to improve their access to higher education, the recognition of educational and professional credentials earned abroad, and to broaden their access to health care. There is much to celebrate about how Latin American and Caribbean countries have responded to this first regionwide mass displacement crisis, even as significant effort will be needed to finish the work that they have started.

## 1 Introduction

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More than 7.4 million Venezuelans have left their country, most since 2016, in one of the largest displacement crises anywhere in the modern world. Of these, around 6.4 million have stayed in countries in Latin America and the Caribbean—more than 86 percent of the total.<sup>1</sup> Few countries in the Americas have not been transformed by this displacement crisis, and the impact is particularly large in Colombia, Peru, Ecuador, Chile, Brazil, Argentina, Panama, Dominican Republic, Mexico, Trinidad and Tobago, Costa Rica, Guyana, Aruba, Curaçao, and Uruguay, the 15 countries where more than 99 percent of all Venezuelan migrants in the region now live (see Table 1).<sup>2</sup>

Venezuela's political and economic situation had begun to deteriorate long before the mass displacement crisis, which started around 2016, but it took on new dimensions at that time, when millions of Venezuelans abandoned their country. Repression against dissidents and protesters spiked during this period,<sup>3</sup> and the economy spiraled into chaos. In 2019, inflation was more than 1 million percent, and many basic goods and services fell out of reach for average Venezuelans. According to one World Bank study, Venezuelan adults had already lost an average of 22 pounds by 2017, infant mortality skyrocketed, and many basic health-care services became unavailable for those with medical conditions.<sup>4</sup>

Most countries in Latin America and the Caribbean, with only a few exceptions, took explicit measures to welcome Venezuelans who fled their country during this period. A few countries used their asylum systems to provide refugee status for those arriving. Many others, however, sidestepped the question of whether

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- 1 The Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V) maintains updated numbers that are tabulated by host governments, the International Organization for Migration (IOM), and the United Nations High Commissioner for Refugees (UNHCR). The figure in Latin America and the Caribbean as of December 2022 was 5.99 million. See R4V, "[Refugiados y Migrantes Venezolanos en la Región](#)" (fact sheet, R4V, December 2022). However, the Colombian government recalculated the number of Venezuelans in Colombia from 2.48 million to 2.89 million in a document released in December 2022 (but not added to the R4V figures in December 2022), which leads to a calculation of more than 7.4 million Venezuelans displaced, with 6.4 million in Latin America and the Caribbean. Migración Colombia, "Distribución de Venezolanas y Venezolanos en Colombia" (official document with data for October 2022, shared with the authors in December 2022).
  - 2 Almost every country of Latin America and the Caribbean has a Venezuelan population, but more than 99.5 percent live in the countries mentioned, which are the focus of this study. See R4V, "Refugiados y Migrantes Venezolanos en la Región." The countries are listed in the order of the size of their Venezuelan population, starting with the largest.
  - 3 Catalina Lobo-Guerrero, *Los restos de la revolución: Crónicas desde las entrañas de una Venezuela herida* (Bogotá: Aguilar, 2021).
  - 4 World Bank, "[Beyond Borders: A Look at the Venezuelan Exodus](#)" (fact sheet, World Bank, Washington, DC, 2019). See also Moody's Analytics, "[Venezuela - Economic Indicators](#)," accessed December 4, 2022.



Venezuelans were refugees and pursued other avenues for providing legal status. Some countries did this by making existing visas accessible for arriving Venezuelans. Others used residence provisions that were part of regional mobility agreements. And still others implemented special temporary status measures to provide some form of residence permit. Most adopted at least two or three of these approaches.

TABLE 1

**Venezuelan and Overall Foreign-Born Populations in Principal Receiving Countries for Displaced Venezuelans in Latin America and the Caribbean, 2022**

Country	National Population (2022)	Foreign-Born Population (2020–22)	Foreign-Born % of National Population	Venezuelan Population (2022)	Venezuelan % of Foreign-Born Population
Colombia	51,874,000	3,097,005	6%	2,894,593	93%
Peru	34,050,000	1,820,000	5%	1,490,673	82%
Ecuador	18,001,000	909,000	5%	502,200	55%
Chile	19,604,000	1,462,000	7%	444,717	30%
Brazil	215,313,000	1,080,000	1%	388,120	36%
Argentina	45,510,000	2,281,000	5%	171,050	7%
Panama	4,409,000	479,098	11%	146,400	31%
Dominican Republic	11,229,000	685,000	6%	115,283	17%
Mexico	127,504,000	1,198,000	1%	87,152	7%
Trinidad and Tobago	1,531,000	79,000	5%	35,314	45%
Costa Rica	5,181,000	670,000	13%	30,100	4%
Uruguay	3,423,000	108,000	3%	23,400	22%
Guyana	809,000	31,000	4%	19,600	63%
Aruba	106,000	54,000	51%	17,000	31%
Curaçao	191,000	57,000	30%	14,000	25%

Sources: National population data are from the United Nations Economic Commission for Latin America and the Caribbean (ECLAC), “*América Latina y el Caribe: Estimaciones y proyecciones de población*,” accessed December 15, 2023. Data on the Venezuelan-born population in each country are from the Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela (R4V), “*Refugiados y Migrantes Venezolanos en la Región*” (fact sheet, R4V, December 2022). The total foreign-born population has been adjusted from the ECLAC numbers to include the latest estimates of the Venezuelan population, since many countries made special efforts to count these populations in 2021 and 2022, and the new numbers reflect less a growth in that population (although there was a little growth) than better methodologies for estimating who was already in the country. A more extensive discussion of these calculations can be found in the methodological appendix at the end of the report.

Perhaps no country was more ambitious in its efforts than Colombia, which is home to more than 40 percent of all displaced Venezuelans in the region<sup>5</sup> and has now offered ten-year legal status to most Venezuelans in the country, with the possibility of transitioning to permanent residency through the regular visa system after five years on a temporary permit. However, almost all countries have sought to provide mechanisms to achieve legal status or international protection in some way. Based on a review of data from across the region, this report estimates that somewhere between 50 percent and 75 percent of all Venezuelans have obtained some form of legal status in the Latin American and Caribbean countries in which they have settled.<sup>6</sup>

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In addition, all countries in Latin America and most, but not all, in the Caribbean have allowed Venezuelans access to primary and secondary education, although doing so often required significant adjustments to existing regulations and procedures. And most countries have facilitated access to emergency health care for Venezuelans regardless of status and full health-care access for those with legal status. Ecuador stands out for offering full access to education and health care to displaced Venezuelans regardless of legal status.

Together, this set of responses constitutes a surprisingly pragmatic, if often disjointed, response to a major displacement crisis that has involved almost every country in the region. It represents a strategic bet that it makes far more sense to incorporate displaced migrants and refugees through measures that allow access to the labor markets and public services than to leave them in irregular status. This bet was, in most cases, not single conscious decision, but rather a set of decisions made gradually over time to respond to humanitarian, foreign policy, and economic concerns.

At first, many countries received Venezuelan nationals because they had humanitarian needs and were few in number. But as the numbers increased, foreign policy concerns became increasingly important, with those governments opposed to the Venezuelan regime seeing reception of displaced Venezuelans as an extension of their foreign policy positions. Finally, many governments began to grapple with the reality of having large irregular migrant populations, and many sought to make existing measures for legal status and asylum more flexible or create ad hoc regularization programs, and to find ways of incorporating children and families in the education and health-care systems. This process played out differently across different countries, often with decisions made iteratively for one or more of the reasons above, without a central guiding strategy. Pressure from civil-society groups, including Venezuelan-led migrant associations, and international organizations also provided ideas and, in some cases, financing, thus helping shape some of these decisions. And while there was almost certainly a significant demonstration effect among countries in the region, with policy innovation in one country influencing others, and some collective consultation processes helping share ideas across countries, there was no central coordination or even common

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5 R4V, "Refugiados y Migrantes Venezolanos en la Región."

6 Those who received asylum (or refugee protection) are included in the analysis of legal status while acknowledging that the roots of refugee status—which is a right guaranteed under international convention—are different from other legal statuses, which are discretionary. The calculations are explained in the Section 2 and in more detail in the methodological appendix.



decision-making. While regional fora for sharing ideas have been strengthened in recent years, often as a result of this crisis, no common decision-making institutions exist across the region.<sup>7</sup>

The iterative and ad hoc nature of the decision-making was both the greatest strength of this approach—allowing countries to gradually adapt their institutions and policy frameworks, which were initially not fit for the challenge of dealing with a massive displacement crisis—but also its greatest weakness, with a patchwork of different decisions across countries and often a gap between policy decisions and implementation capacity. Indeed, while many of the measures taken show creativity and innovation, many are also fragile, incomplete, and insufficiently institutionalized. After all, few countries in the region had prior experience with large-scale migration, much less a major displacement crisis, so many of the measures that were implemented were designed quickly and adapted over time.<sup>8</sup>

Moreover, not all governments had the same political will to implement ambitious efforts to integrate displaced Venezuelans, especially as public opinion in some countries grew less favorable over time.<sup>9</sup> And in a few countries, foreign policy considerations probably influenced decisions in the opposite direction, as countries tried to maintain more fluid diplomatic relations with the Venezuelan government.<sup>10</sup> Indeed, many countries have coupled measures to provide legal status with visa requirements that have made it more difficult over time for Venezuelans to arrive, which has in practice pushed many newer arrivals into irregular migration channels.<sup>11</sup> This shows a trend in the region toward a combination of coexisting measures of openness, generally to those already in the country, and closure, in particular to future arrivals, though with significant variation from country to country.<sup>12</sup>

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7 As will be discussed later in the report, these regional consultative platforms include the Quito Process, which brought governments together to deal with issues around the Venezuelans displacement crisis; R4V, which has helped coordinate international support and is run by UNHCR and IOM; and various pre-existing forums for migration discussions. See Luciana Gandini and Andrew Selee, “Crisis within a Crisis: Mobility and International Cooperation on Migration in South America in a Time of Pandemic,” Migration Policy Institute (MPI) Latin America and the Caribbean Migration Portal, November 2020.

8 The number of immigrants in Latin American and Caribbean countries more than doubled between 2010 and 2022, from 7.5 million to 15.1 million. That was largely, but not exclusively, because of the Venezuelan displacement crisis. Still, Venezuelans constitute the majority of immigrants in only a few countries (Colombia, Peru, Ecuador, and Guyana, though only slightly so in Ecuador). This suggests that other patterns of mobility have also been significant over the past few years. See Table 1 for a country-by-country breakdown of the Venezuelan share of the foreign-born population in the 15 countries of study, and for sources of these data.

9 See James F. Hollifield and Neil Foley, eds., *Understanding Global Migration* (Stanford, CA: Stanford University Press, 2022), especially the first chapter by the editors, for a discussion on the liberal paradox of modern states, which depend on immigrant labor and develop repertoires around immigrant solidarity but also generate pushback against further immigration.

10 This was particularly true in Trinidad and Tobago, which has maintained fluid diplomatic relations with the Venezuelan government, but to a lesser extent with Curaçao and Aruba, which had to negotiate practical issues with Venezuela, a much larger country next door (with a few kilometers of ocean in between), and probably Bolivia at an early stage as well (although this report does not address Bolivia, which has had comparatively few Venezuelan arrivals).

11 See Luis Eduardo Thayer Correa, “Puertas cerradas y huellas abiertas: migración irregular, trayectorias precarias y políticas restrictivas en Chile,” *Migraciones Internacionales* 12, no. 22 (2021), in which the author shows how the imposition of the consular visa requirement in Chile had the effect of increasing irregular entries.

12 Luciana Gandini, “Between Openness and Closure? Migration Governance in Latin America in the Context of Venezuelan Displacement,” in *The Routledge Handbook on Latin American Migration*, eds. Andreas E. Feldmann, Xóchitl Bada, Jorge Durand, and Stephanie Schütze (New York: Routledge, 2022).

Today, there is an urgent need to revisit the original bet on legality, and whether governments are still committed to offering legal status and access to education and health care to Venezuelans living in their countries. On one hand, it is highly impressive that countries with limited prior experience with immigration and displacement could develop such measures in the first place for the large displaced populations that arrived at their borders. On the other hand, many Venezuelans still lack legal status, and a large number of those who do have legal status have a status that is precarious and temporary, making it difficult for them to plan for the long term. And access to education and health care, while often quite extensive in law, remain incomplete in practice in many cases. As it becomes increasingly evident that the situation in Venezuela may not improve sufficiently that most Venezuelans nationals who left would be willing to return, completing this process of providing legal status and access to basic services becomes an urgent task for the future well-being of both the displaced migrants and receiving communities.

This report examines the response to Venezuelan displacement in Latin America and the Caribbean. It analyzes what happened between 2016 and 2022 as countries sought to respond to an unprecedented displacement crisis in the region. This report synthesizes the measures adopted across the 15 principal host countries in Latin America and the Caribbean, listed in Table 1. It looks at mechanisms for providing legal status and humanitarian protection; policies to allow or restrict entry; and access to education and health care. The report concludes with a look at steps the region's governments could take to consolidate, adjust, and deepen existing efforts in order to help displaced Venezuelans integrate fully into their new countries and communities in ways that provide equitable access to livelihoods and public services.

## 2 Mechanisms to Provide Humanitarian Protection and Legal Status

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Most countries in Latin America and the Caribbean sought to provide some form of legal status to displaced Venezuelans in the period from 2016 to 2022. The approaches varied significantly from country to country and sometimes changed over time, even within the same country. Although many Latin American and Caribbean countries have a tradition of defining refugee protection broadly for displaced populations, and many had updated their legal frameworks in the early 2000s to reflect this,<sup>13</sup> only a few countries used asylum as the primary way of recognizing displaced Venezuelans. Instead, most pursued a mixture of other measures, from adapting regional mobility agreements to expanding visa access to implementing special temporary status measures (often called “regularization programs,” although this report uses the term “temporary status measures” since all of these different approaches lead to regularization). Most governments also used more than one approach over time.

For each of these approaches, this section offers estimates of the number of people covered by the different measures in each country. However, there is quite a bit of ambiguity in the data sources because not all governments make the same data publicly available or for the same time periods, and data often count the number of applications rather than unique individual applicants—an important distinction because one

13 Lilitiana Lyra Jubilit, Marcia Vera Espinoza, and Gabriella Mezzanotti, *Latin America and Refugee Protection: Regimes, Logics, and Challenges* (New York: Berghahn Books, 2021); David James Cantor, Luisa Feline Freier, and Jean Pierre Gauci, eds., *A Liberal Tide? Immigration and Asylum Law and Policy in Latin America* (London: University of London, Institute of Latin American Studies, 2015).

individual may file more than one application for the same or for different measures. Efforts to calculate the share of Venezuelans in a country who have applied for or received legal status are also complicated by the fact that official statistics estimating the total number of Venezuelans in the country may not be accurate (they are, after all, estimates) and that some Venezuelans who received legal status may have since left the country.

Even though great care has been taken to present the best data available and to make reasoned assumptions when carrying out these calculations, most of the numbers presented here should be considered reasoned estimates that shed light on the scale of these policies' impact rather than completely accurate counts. In many cases, this section lists ranges for the data rather than specific numbers precisely because of these limitations. The notes in this section describe the assumptions the authors made in carrying out these calculations based on the existing data sources, and the report's methodological appendix provides even greater detail.

## A. *Providing Refugee Protection through Asylum Systems*

Many Latin American and Caribbean countries are signatories of the Cartagena Declaration on Refugees, a 1984 statement that expanded the definition of a refugee for the region, and many countries have included this broader definition in their immigration and asylum laws.<sup>14</sup> In theory, it would be possible to include most, if not all, of those who left Venezuela within this broader definition of refugee.<sup>15</sup> Despite this, faced with the first truly regional displacement crisis, there was no consensus on whether and how to activate protection systems to respond. Only a few countries have viewed displaced Venezuelans primarily as refugees in need of protection, whereas most others have seen them as migrants, with a few countries doing both.<sup>16</sup>

According to the information registered by the United Nations High Commissioner for Refugees (UNHCR), between January 2016 and June 2022, Venezuelans filed 901,373 asylum claims in another country in Latin America and the Caribbean.<sup>17</sup> That is roughly equivalent to 15 percent of all Venezuelans who moved to another country in the region.<sup>18</sup> Of these asylum applications, 19 percent had been resolved (168,863) as of June 2022, and another 80 percent were

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*Faced with the first truly regional displacement crisis, there was no consensus on whether and how to activate protection systems to respond.*

14 Jubilut, Vera Espinoza, and Mezzanotti, *Latin America and Refugee Protection*.

15 See Cécile Blouin, Isabel Berganza, and Luisa Feline Freier, "The Spirit of Cartagena? Applying the Extended Refugee Definition to Venezuelans in Latin America," *Forced Migration Review* 63 (February 2020): 64–66.

16 Gandini, "Between Openness and Closure?"

17 The figures in this paragraph are for all countries in the region, not only the 15 principle receiving countries shown in Table 2. However, the differences are minimal because, as already mentioned, 99 percent of Venezuelan migrants in the region live in the 15 studied countries. UNHCR, "Refugee Data Finder," accessed December 2022. This report uses the information reported by UNHCR because there is a disparity between different national refugee commissions in the region in terms of the updating of information and access to it. Although it is possible to obtain more recent information in some countries, it would not be possible to make comparisons across the region.

18 R4V, "Refugiados y Migrantes Venezolanos en la Región."

still pending. Half of those whose applications were decided received refugee protection (84,948), which represents about 1.4 percent of all displaced Venezuelans.<sup>19</sup>

However, these numbers hide many differences across countries. For example, Peru has the largest number of pending applications, with more than 500,000 applications received and only 10,538 decided as of June 2022, from which 4,172 people received refugee status (see Table 2). Thus, 98 percent of the applications in Peru remained unresolved.<sup>20</sup>

Only a few countries had less than half of asylum applications pending as of June 2022. These included Panama (18 percent), Mexico (39 percent), and Costa Rica (47 percent), as outlined in Table 2. In some cases, governments have pursued other measures—usually temporary status measures—that redirected people away from pursuing their asylum applications. But in other cases, asylum systems have been overwhelmed, something that the COVID-19 pandemic exacerbated, since it slowed down asylum processing in most countries. Many countries, other than Uruguay and Mexico, also closed their borders to asylum seekers during part of the pandemic.<sup>21</sup>

In many cases, asylum applicants get a legal permit that allows them to work while waiting for the resolution of their cases, such as in Argentina, Brazil, Costa Rica, Mexico, Peru, and Uruguay. However, in many cases, these documents need to be renewed frequently, and employers or even government agencies do not always fully recognize them. And although being a refugee claimant theoretically protects an individual from deportation in most countries, this is sometimes not the case.<sup>22</sup> Thus, long waiting times and delays may leave those awaiting a resolution in a vulnerable situation.

There are three countries where asylum systems have been broadly used to provide protection and legal status to large numbers of Venezuelans: Brazil, Mexico, and to a lesser extent Costa Rica (see Table 2). Of these, Mexico and Brazil have particularly high recognition rates because those governments decided to apply the Cartagena Declaration standard to asylum applications from Venezuelan



19 UNHCR, “Refugee Data Finder.”

20 It is worth noting that prior research suggests that the Peruvian government used asylum as a means of providing legal entry to displaced Venezuelans, who otherwise would not have been eligible to enter the country because of visa restrictions. However, the numbers vastly outpaced the asylum system’s capacity to process them. Technically, anyone with a pending asylum application in Peru cannot be deported, and initially all asylum applicants received a temporary work permit that lasted a few months. It is impossible to know how many of the work permits continue to be in circulation and up to date. For the purposes of this study, an asylum application is not considered a sign of legal status, but many of those who initially applied for asylum have since obtained other forms of legal status, mostly through a series of regularization programs, as detailed in Section 2.D. See Andrew Selee and Jessica Bolter, *An Uneven Welcome: Latin American and Caribbean Responses to Venezuelan and Nicaraguan Migration* (Washington, DC: MPI, 2020).

21 Gisela P. Zapata, Luciana Gandini, Marcia Vera Espinoza, and Victoria Prieto Rosas, “Weakening Practices amidst Progressive Laws: Refugee Governance in Latin America during COVID-19,” *Journal of Immigrant and Refugee Studies*, Special Issue “Towards a New Migration and Asylum Research Agenda for the Americas” (forthcoming).

22 Luciana Gandini, *Protección social de las personas refugiadas y solicitantes de la condición de refugiado en México: Un análisis de oportunidades y capacidades institucionales* (Mexico City: International Labor Organization, 2021).

nationals. The Cartagena Declaration on Refugees expanded the definition of refugees that was set out in the 1951 Refugee Convention and 1967 Protocol and that guides refugee policies in most countries around the world. Under this expanded definition, refugees also include all “persons who have fled their country because their lives, safety, or freedom have been threatened by generalized violence, foreign aggression, internal conflicts, massive violation of human rights or other circumstances which have seriously disturbed public order.”<sup>23</sup> Several of these causes are manifest in the generalized crisis engulfing Venezuela.

Brazil hosts the largest number of recognized refugees from Venezuela in Latin America and the Caribbean. Between 2016 and mid-2022, Venezuelan citizens constituted the largest group of asylum seekers in Brazil, with 168,039 applications and 74,632 cases resolved, of which 67 percent were approved. This high recognition rate came about starting in mid-2019, when Brazil began applying a criterion of *prima facie* recognition, which simplified and accelerated the process of determining refugee status for Venezuelans, and most applications have been approved since that date. Brazil is the only country in the region to use this expedited procedure.

Mexico has the second largest number of recognized refugees from Venezuela and was the first country to apply the Cartagena Declaration’s standard to Venezuelan asylum applicants.<sup>24</sup> Between 2016 and mid-2022, Venezuelans filed a total of 35,123 asylum applications in Mexico, 21,400 were resolved, and 18,514 Venezuelans were recognized as refugees under the expanded definition, mostly using the declaration’s clause on “massive violation of human rights” to justify providing protection to this population.<sup>25</sup> During this period, Venezuelans moved into the top five nationalities seeking asylum in Mexico and had the highest rate of recognition as refugees (87 percent).<sup>26</sup>

In Costa Rica, 16,462 Venezuelans applied for asylum between 2016 and June 2022, but only 1,612 were recognized as refugees.<sup>27</sup> The recognition rate for Venezuelan asylum seekers for 2016 to 2022 overall was only 18 percent, but it was 68 percent in the first seven months of 2022, suggesting that the recognition rate has increased substantially over time. This is likely due to a decision by the country’s asylum commission to be informed by the Cartagena Declaration standard when considering Venezuelans’ cases, even though Costa Rica is not a signatory of the declaration and does not include its standard within national refugee law.<sup>28</sup>

23 See “Cartagena Declaration on Refugees,” Conclusion III, No. 3, November 22, 1984.

24 See Table 2 on recognition rates and also Selee and Bolter, *An Uneven Welcome*.

25 “Cartagena Declaration on Refugees,” Conclusion III, No. 3.

26 UNHCR, “Refugee Data Finder.” It is worth noting that a new group of Venezuelans arrived in Mexico on their way to the United States, and many were forced to remain in Mexico when the U.S. government closed the border in October 2022 to Venezuelans who did not have a visa. Several thousand had applied for asylum in Mexico, but it remains to be seen if they will have the same high rate of recognition or remain in Mexico until their cases are concluded.

27 UNHCR, “Refugee Data Finder.”

28 Costa Rican General Directorate of Migration and Foreigners, “Solicitudes y aprobaciones y denegatorias de refugio a Julio de 2022,” accessed February 19, 2023. Although the Costa Rican government is not a signatory to the Cartagena Declaration, an opinion by the Administrative Migratory Tribunal, which handles appeals of asylum cases, recommended taking into account the Cartagena Declaration standard in adjudicating applications from Venezuelans. See Selee and Bolter, *An Uneven Welcome*; Diego Chaves-González and María Jesús Mora, *The State of Costa Rican Migration and Immigrant Integration Policy* (Washington, DC: MPI, 2021).

Notably, in December 2020, the Costa Rican government issued a special rule, called complementary protection, that allowed Venezuelans, Nicaraguans, and Cubans who are denied asylum to receive a two-year temporary permit to stay and work in the country legally, renewable for another two years. During its implementation between February 2021 and March 2022, 1,445 Venezuelans applied and 1,359 (94 percent) received the special permit.<sup>29</sup> Even though this was called complementary protection, it is similar to other temporary status measures carried out in the region, except that it required migrants to have previously submitted an asylum application; as such, this report will touch on this rule again in Section 2.D. on temporary measures.<sup>30</sup> It should also be noted that applicants for asylum in Costa Rica enjoy a legal status while awaiting the resolution of their cases, allowing them to work and remain in the country. Since asylum applicants are fairly widely recognized as having a legal status and those denied refugee status had access to another legal pathway,<sup>31</sup> this report includes all Venezuelans asylum applicants as having legal status in its calculations. However, the forms of status offered to both asylum applicants and via complementary protection are temporary, unlike recognition as a refugee, which confers permanent status.

On paper, it appears that Trinidad and Tobago should be included with Brazil and Mexico in the list of countries with high refugee recognition rates for Venezuelans. An estimated 77 percent of Venezuelans in Trinidad and Tobago have applied for refugee status, with a recognition rate of 92 percent between 2016 and mid-2022. However, the government does not have an asylum system. Instead, UNHCR conducts refugee status determination screenings and designates people as refugees (both Venezuelans and nationals of other countries), but the government does not recognize these designations.<sup>32</sup> As a result, an asylum application in Trinidad and Tobago—and even designation as a refugee—does not confer any direct benefits for employment, education, health care, or access to other public services. As described below in Section 2.D., the government conducted a registration campaign in June 2019 of Venezuelans present in the country, including those who entered irregularly or overstayed. Most Venezuelans were issued permits allowing them to remain and work in Trinidad and Tobago for a short period, and these have since been renewed several times.<sup>33</sup> However, Venezuelans' options for regularization and documentation remain limited.<sup>34</sup> As a result, even people with UNHCR-granted refugee status continue to face significant challenges to their integration, including reduced job opportunities, exacerbated by the pandemic.<sup>35</sup>

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29 Costa Rican General Directorate of Migration and Foreigners, Refugee Unit, “Estadísticas de Refugio al 30 de septiembre de 2022” (document shared with the authors, 2022).

30 In October 2022, many Venezuelans who were on their way to the United States found themselves trapped in Costa Rica when the U.S. government closed the border to Venezuelan nationals without visas, and many applied for asylum in Costa Rica. As with Mexico, it remains to be seen whether they will have the same high recognition rates as other recent Venezuelan applicants.

31 Selee and Bolter, *An Uneven Welcome*; Chaves-González and Mora, *The State of Costa Rican Migration and Immigrant Integration Policy*.

32 R4V, Caribbean Refugee and Migrant Response Plan (RMRP), “Legal Framework: Asylum and Migration” (fact sheet, March 2021). See also Melanie Teff, *Forced into Illegality: Venezuelan Refugees and Migrants in Trinidad and Tobago* (Washington, DC: Refugees International, 2019).

33 R4V, RMRP, “Legal Framework.”

34 R4V, RMRP, “Trinidad and Tobago” (fact sheet, February 2022).

35 Elizabeth Thomas-Hope, *Migración en Trinidad y Tobago: Tendencias y políticas actuales* (New York: United Nations Development Program, 2022).



TABLE 2

**Refugee Applications and Status Decisions for Venezuelans in Principal Latin American Receiving Countries, January 2016–June 2022**

Country	Total Asylum Applications	Resolved	Recognized	Offered Complementary Protection	Rejected	Otherwise Closed	Recognition Rate	Rejection Rate	Pending Share of Applications
Peru	539,224	10,538	4,172	0	1,033	5,333	40%	10%	98%
Brazil	168,039	74,632	50,081	0	28	24,523	67%	0%	56%
Colombia	43,166	16,477	1,280	0	35	15,162	8%	0%	62%
Ecuador	38,658	15,584	1,137	10	11,680	2,757	7%	75%	60%
Mexico	35,123	21,400	18,514	26	392	2,468	87%	2%	39%
Trinidad and Tobago*	22,999	3,727	3,447	0	0	280	92%	0%	84%
Costa Rica**	16,462	8,761	1,612	0	4,109	3,040	18%	47%	47%
Panama	11,196	9,141	43	0	211	8,887	0%	2%	18%
Argentina	7,527	797	317	0	5	475	40%	1%	89%
Chile	7,958	1,452	30	0	605	817	2%	42%	82%
Uruguay	3,539	810	507	0	5	298	63%	1%	77%
Curaçao	729	64	54	0	0	10	84%	0%	91%
Aruba	530	0	0	0	0	0	0%	0%	100%
Dominican Republic	319	23	0	0	10	13	0%	43%	93%
Guyana	5	0	0	0	0	0	0%	0%	100%

\* In Trinidad and Tobago, refugee recognition was exclusively through the United Nations High Commissioner for Refugees (UNHCR) and not recognized by the national government.

\*\* Costa Rica offers a category called “complimentary protection,” but it is not exactly complementary protection as defined by UNHCR and is, therefore, not reflected in UNHCR’s data as such. In this report, Costa Rica’s complementary protection is discussed in the section on temporary status measures, since it most closely resembles other temporary status measures in the region.

Note: Colombia’s 2022 data on applications reflect cases, not individuals, and an application may represent either an individual or a family group composed of multiple people. In all other cases, one application equals one person.

Source: UNHCR, “[Refugee Data Finder](#),” accessed December 2022.

In summary, in the majority of countries in the region (except for Brazil, Mexico, and to a lesser extent Costa Rica), asylum systems have played a subsidiary role to other means of providing protection and legal status to displaced Venezuelans.<sup>36</sup> In some, such as Peru, few cases are ever resolved. In others, such as Ecuador and Chile, cases may be resolved more quickly, but only a small percentage receive refugee status (7 percent in Ecuador and 2 percent in Chile between 2016 and mid-2022).<sup>37</sup> And in other cases, such as Trinidad and Tobago, the designation of refugee status carries no legal weight with the government.

There also remains no single, regionwide consensus on whether all Venezuelans should be considered refugees. Even UNHCR created a special category for displaced Venezuelans in a “refugee-like situation,”

<sup>36</sup> Gandini, “Between Openness and Closure?”

<sup>37</sup> UNHCR, “[Refugee Data Finder](#).”

recognizing that although most Venezuelans could be considered forcibly displaced, there has been no agreement on whether they were all refugees.<sup>38</sup> And countries other than Brazil, Mexico, and to some extent Costa Rica have largely pursued other measures to provide legal status to displaced Venezuelans, rather than allowing large numbers to go through the asylum system.

## B. Offering Legal Status through Mobility and Residence Agreements

Latin American and Caribbean countries have signed several different mobility agreements, some of which have provisions for long-term residency.<sup>39</sup> The most important of these for the response to the Venezuelan displacement crisis has been the Mercosur Residence Agreement, originally signed in 2002 among the governments of Argentina, Brazil, Paraguay, and Uruguay but any other countries in the region can elect to become an associate of Mercosur, and most in South America have.<sup>40</sup> In theory, the Mercosur Residence Agreement requires the signatories and associate members to create easy pathways to residency for the nationals of other members and associates. In practice, only Argentina and Uruguay have fully enacted the agreement in their legislation, allowing any citizen of a member or associated country to live and work temporarily for two years and then transition to permanent status.<sup>41</sup> In Argentina, 84 percent of foreign-born persons living in the country in 2020 were from Mercosur member or associate countries.<sup>42</sup> The legislation also simplifies the paperwork needed to obtain temporary residency and minimizes the cost and waiting time.

In 2017, shortly after the Venezuelan displacement crisis began, the Argentinian and Uruguayan governments both decided to unilaterally continue to apply the Mercosur Residence Agreement to Venezuelan nationals, even though Venezuela had been suspended from Mercosur.<sup>43</sup> As a result, in Argentina, Venezuelan nationals can request temporary residency for two years immediately on arriving,

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38 Zapata, Gandini, Espinoza, and Prieto Rosas, "Weakening Practices amidst Progressive Laws." The emergency of the special category for displaced Venezuelans in a "refugee-like situation" is not without its critics. Freier argues that even though the Venezuelan exodus is the second largest international forced displacement, after that of Ukrainians, using this new category avoids recognizing them as refugees. This is paradoxical since people fleeing Venezuela fall within the expanded refugee definition of the Cartagena Declaration, to the extent that they meet some of the grounds stipulated in the definition, such as fleeing because they are threatened by generalized violence, because of massive human rights violations, or because of other circumstances that have seriously disturbed public order. In sum, Freier argues that the use of this category is an obstacle for Venezuelan nationals' recognition as refugees. See Luisa Feline Freier, "The Power of Categorization: Reflections on UNHCR's Category of 'Venezuelans Displaced Abroad,'" in *Measuring Migration Conference 2022 Proceedings*, eds. Christina Pao and Maksim Zubok (N.p.:Transnational Press London Ltd. 2022), 51–54.

39 These agreements include the Mercosur Residence Agreement (discussed in this section); the Andean Migratory Statute of the Andean Community of Nations (CAN), which went into effect in 2021; the Caribbean Community and Common Market (Caricom) Mobility Agreement; and the Central America-4 Free Mobility Agreement. There was also a brief mobility pact regarding UNASUR, a South American union, discussed in this section. For a discussion of residence agreements in the Americas and across the world, see Diego Acosta Arcarazo, "The Expansion of Regional Free Movement Regimes: Towards a Borderless World?," in *Caught in between Borders: Citizens, Migrants, and Humans*, eds. Paul Minderhoud, Sandra Mantu, and Karin Zwaan (Nijmegen, The Netherlands: Wolf Legal Publishers, 2019).

40 In 2006, Venezuela became the fifth member of Mercosur, which was founded in 1991 by Argentina, Brazil, Paraguay, and Uruguay.

41 Diego Acosta, *The National versus the Foreigner in South America: 200 Years of Migration and Citizenship Law* (Cambridge, UK: Cambridge University Press, 2018).

42 Natalia Debandi, Julieta Nicolao, and Ana Paula Penchaszadeh, *Anuario Estadístico Migratorio de la Argentina 2020* (Buenos Aires: Consejo Nacional Investigaciones Científicas Técnicas - CONICET, 2021).

43 Brazil did something similar in March 2017 and used the pathway for a while; see Gisela P. Zapata and Vicente Tapia Wenderoth, "Progressive Legislation but Lukewarm Policies: The Brazilian Response to Venezuelan Displacement," *International Migration* 60, no. 1 (2021). However, Brazil made less systematic use of this approach than Argentina and Uruguay and diversified its strategy by granting refugee status, as described in the previous section.

a process that requires only limited paperwork. After two years, a Venezuelan immigrant covered by the agreement can then request permanent residency status.

Between 2016 and the middle of 2022, 337,178 residence visas were extended to Venezuelans in Argentina, of which 146,559 were permanent (see Table 3). The overall numbers often reflect the same individual counted twice, especially as people transition from temporary to permanent residence, but the permanent residence numbers do align with individuals.<sup>44</sup> In fact, the data between 2016 and 2022 suggest that Venezuelans are moving from temporary to permanent status over time. Only an estimated 15 percent of Venezuelans in Argentina were in irregular status, and of these, only 2 percent were irregular because they had not applied for the residence visa; the remainder were irregular because their visa had expired and not yet been renewed.<sup>45</sup> However, almost all Venezuelans who were out of status had an easy way to obtain it again (and many, if not most, were likely in the process of doing so).<sup>46</sup>

In Uruguay, immigrants coming from other Mercosur countries can apply directly for permanent residency without passing through temporary residency, and they can apply before they arrive in the country if they choose. Both elements make the procedure even easier in Uruguay than it is in Argentina. Between 2016 and the end of 2022, Venezuelans applied for more than 20,329 residence visas (both temporary and permanent) in Uruguay.<sup>47</sup>

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*In Uruguay, immigrants coming from other Mercosur countries can apply directly for permanent residency without passing through temporary residency, and they can apply before they arrive in the country if they choose.*

Both the Argentinian and Uruguayan governments also provided special measures to help Venezuelans obtain residency permits and access the labor market and education system. For instance, in Argentina, the National Migration Directorate issued special regulations that facilitated the use of expired documents (as Venezuelans may find it difficult to acquire new ones) and encouraged the recognition of professional educational credentials earned in Venezuela. In Uruguay, the University of the Republic waived a rule for foreigners that requires three years of residence in Uruguay before attending the national university.<sup>48</sup> Thus, in both Argentina and Uruguay, the vast majority of Venezuelans have attained a legal status.<sup>49</sup>

44 Data shared with the authors by the Argentine National Migration Directorate in September 2022. Note that residencies are events and are not directly equated to persons. The same people who applied for temporary residency frequently apply for permanent residency two years later.

45 Ana Paula Penchaszadeh, Julieta Nicolao, and Natalia Debandi, *Diagnóstico sobre la situación de los derechos humanos de las personas migrantes y refugiadas venezolanas en la república Argentina* (Buenos Aires: R4V, 2021).

46 Debandi, Nicolao, and Penchaszadeh, *Anuario Estadístico Migratorio de la Argentina 2020*.

47 Data were obtained by the Observatorio de Movilidad, Infancia y Familia (part of the Population Program in the Faculty of Social Sciences at the University of the Republic) through a freedom of information request to Uruguay's National Migration Directorate within the Ministry of the Interior and Ministry of Foreign Affairs, and shared with the report's authors in September 2022.

48 University of the Republic, General Legal Directorate, "Ordenanza sobre ingreso a la Universidad de la República de personas que hayan cursado estudios preuniversitarios en el extranjero," 2021.

49 Marcela Cerrutti and Ana Penchaszadeh, "Regularización migratoria y acceso a derechos de la población venezolana en la Argentina: el caso de la Ciudad de Buenos Aires," *Notas de Población* 115 (July–December 2022): 23–48.

TABLE 3

### Residence Visas for Granted to Venezuelans in Argentina and Uruguay as a Result of Regional Mobility and Residence Agreements

Country	Temporary Visas	Permanent Visas	Total	Time Period
Argentina	190,619	146,559	337,178	2016–June 2022
Uruguay			20,329	2016–December 2022

Note: The number of residence visas shown in this figure may be more than the total number of individuals involved because the same person may have been granted a visa more than once during this period.

Sources: Data for Argentina were shared with the authors by researchers who obtained it from the Argentine National Migration Directorate in September 2022. Data for Uruguay were obtained by the Observatorio de Movilidad, Infancia y Familia (part of the Population Program in the Faculty of Social Sciences at the University of the Republic) through a freedom of information request to Uruguay's National Migration Directorate within the Ministry of the Interior and Ministry of Foreign Affairs, and shared with the report's authors in September 2022. The information between 2016 and 2021 corresponds to Venezuelans who initiated an application for temporary or permanent residency in Uruguay; these data are not necessarily positive resolutions, although the correspondence between filed and approved applications is very close. The authors also complemented the Uruguayan data with information on the number of completed residence procedures for Venezuelans for the year 2022, from Fabián Cambiaso, "Casi 80.000 ciudadanos del Mercosur obtuvieron residencia permanente en Uruguay en la última década," *El País*, February 9, 2023. Further information about the estimate can be found in the annex.

In contrast to Argentina and Uruguay, the Ecuadorian government used a different (and far less enduring) mobility agreement to provide legal status to Venezuelans. From 2008 to 2017, a series of declarations by the countries in the Union of South American Nations (UNASUR) stressed the desire to create a common mobility framework for South America.<sup>50</sup> Ecuador was the only country that adopted in its legislation a special UNASUR visa, which provided a relatively expedited way for some Venezuelans to obtain legal status in that country. However, the visa cost \$250, which was prohibitive for many arriving Venezuelans. Overall, several tens of thousands of Venezuelans obtained this visa before it was abolished in January 2021 when the Ecuadorian government decided to leave UNASUR.<sup>51</sup> Although on paper this instrument was similar to the Mercosur residence visas, in reality, it functioned much more like a regular visa because it was not based on a real regional mobility agreement (although it was informed by principles expressed within UNASUR) and because other countries did not reciprocate. As a result, this report includes the Ecuadorian UNASUR visa along with other regular visa categories, which will be discussed in the next section, rather than considering it truly part of an active regional mobility agreement.

Still, the use of the Mercosur Residence Agreement is proof that regional mobility pacts can play a role in managing displacement crises. They can provide clear, predictable, and low-cost mechanisms for displaced populations to adjust status on arrival, along with full access to the labor market, education, health care, and other public services on par with the native born. In addition, the mechanisms provide legal certainty in the medium and long terms, unlike other measures created ad hoc in the region and with short timeframes, which will be discussed further below.<sup>52</sup>

50 Lucila Nejamkis Rubellin, "Mercosur y UNASUR: Una Aproximación al Tratamiento de La Movilidad de Personas," *Revista ABRA* 37, no. 54, (2017): 1.

51 Gioconda Herrera, *Migración y política migratoria en el Ecuador en el período 2000–2021* (New York: United Nations Development Program, 2022).

52 Luciana Gandini, Fernando Lozano, and Victoria Prieto, eds., *Crisis y migración de población venezolana: Entre la desprotección y la seguridad jurídica en Latinoamérica* (Mexico City: National Autonomous University of Mexico, 2019).

### C. *Facilitating Access to Regular Residence Visas*

A surprisingly large number of displaced Venezuelans have accessed existing residence visas in the countries to which they have moved, even beyond those prescribed by regional mobility agreements—a topic that is often overlooked. In some cases, governments have made specific adjustments to facilitate this, but in most cases, Venezuelan migrants themselves have found ways to access existing visa categories, usually (but not always) through employment, and sometimes through family relationships, study, or investment (see Table 4).

While the existing legal frameworks in most countries were overwhelmed by the sheer number of Venezuelans arriving, and most displaced Venezuelans could not meet the criteria for the existing visas, a considerable number did in certain countries. This has proved to be a particularly important pathway to legal status for displaced Venezuelans in a few countries, including Chile, Costa Rica, the Dominican Republic, Ecuador, Mexico, Panama, and possibly Curaçao.

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The Chilean government's 2014 decision to create an employment-based visa category that required only a short-term contract and could be obtained by those who had already entered the country on a tourist visa was particularly notable. However, it was suspended in 2018, and the employment-based visas still available require a long-term contract and an application from a consulate outside the country, criteria that are much harder to meet.<sup>53</sup> The Chilean government also implemented a special Democratic Responsibility Visa for Venezuelan nationals in April 2018, and from that date until June 2022, 67,981 of these visas were approved (although the approval rate was only 14 percent).<sup>54</sup>

Overall, Chile issued about 680,000 visas to Venezuelan nationals between 2016 and 2022, the vast majority temporary.<sup>55</sup> A little more than 100,000 of those were issued as part of two temporary status measures, discussed in the next section, so about 444,000 visas were likely obtained by Venezuelans outside of these ad hoc mechanisms (see the methodological appendix for exact calculations). Even if some individuals who renewed their visas were counted more than once, these figures suggest that access to the visa system is the primary way that most Venezuelans have obtained legal status in Chile. It is probably not a coincidence that Chile is also the country with the highest level of formality in employment in the region, which makes it easier to obtain legal status through employment than in countries with mostly informal labor markets. And of course, widespread formality in employment also enhances the importance of having legal documentation to work.

53 Álvaro Bellolio and Gonzalo Valdés, *Gestión de la Migración en el Siglo XXI: El caso de Chile* (Santiago: Chilean Undersecretary of the Interior, 2020).

54 Jesuit Migrant Service, "Migración en Chile," accessed January 2022.

55 Chilean National Migration Service, "Registros Administrativos," accessed September 2022.



Even though Mexico and Costa Rica have used their asylum systems to provide protection to displaced Venezuelans (Mexico by providing asylum; Costa Rica by providing work permits to asylum applicants and much more infrequently asylum itself), significantly more Venezuelans have likely obtained legal status in these countries through regular visas.<sup>56</sup> It is difficult to be certain of the exact numbers because an

individual may solicit a visa multiple times, but the difference between the number of asylum applications (16,462) and the number of visas granted in Costa Rica (42,272) in 2016–21 is notable.<sup>57</sup> The same is true in Mexico, with 35,123 asylum applications compared to 27,684 temporary visas and 50,590 permanent visas granted between 2016 and 2022.<sup>58</sup> These findings suggest that many more Venezuelans may have pursued employment, education, family, and investor visas than have sought asylum in both countries. In Mexico, about 40 percent of the visas appear to be through family relationships, almost one-quarter are for employment, and the rest are for study and other reasons.<sup>59</sup> The use of visas in both Mexico and Costa Rica may also reflect the fact that many of the Venezuelans who arrived in these countries were professionals who could access employment-based and student visas and later apply for family members to join them, a different profile than those who moved to countries closer to Venezuela, who often had fewer resources and less formal education.<sup>60</sup>

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*Even though Mexico and Costa Rica have used their asylum systems to provide protection to displaced Venezuelans ... significantly more Venezuelans have likely obtained legal status in these countries through regular visas.*

Similarly, Ecuador issued more than 150,000 visas to Venezuelan nationals between 2016 and June 2022, which again may include some double counting of individuals but still suggests that this has been

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56 In contrast to the findings in Selee and Bolter, *An Uneven Welcome*, which in 2020 described the asylum system (if not always asylum recognition) as the principal avenue to legal status in both Mexico and Costa Rica.

57 UNHCR, “Refugee Data Finder”; Costa Rican Department of Migration and Foreigners, “Informe Anual,” 2016–2021.

58 These data do not include the number of renewals, but only the number of permits obtained for the first time, in order to reduce the probability of double counting. The data come from the Mexican Commission for Refugee Assistance (COMAR), “Estadísticas generales,” accessed December 2022; Mexican Secretariat of the Interior’s Migration Policy, Registration, and Identity of Persons Unit, “Boletines Estadísticos—2022 estadístico mensual and 2016–2021 estadístico anual,” accessed December 2022.

59 Immigrants to Mexico must apply for an employment-based visa from outside the country and have a valid offer of employment in the formal sector to obtain the visa. In practice, some Venezuelans who had the economic resources to do so hired lawyers who applied for the visa and helped obtain an offer of work. In some cases, these are real offers of employment, but in other cases, they are not, and the Venezuelan immigrants must still look for work on arrival. The visas can be obtained for one year or four years, with the latter often preferred by those with the resources to pay for the more expensive four-year process. Citizens of Ibero-American countries can apply for naturalization after two years. See Luciana Gandini, Fernando Lozano Ascencio, and Yolanda Alfaro A., “Aprender a ser migrante: Bondades y tensiones que enfrenta la comunidad venezolana en México,” in *Crisis y migración de población venezolana: Entre la desprotección y la seguridad jurídica en Latinoamérica*, eds. Gandini, Fernando Lozano, and Victoria Prieto (Mexico City: National Autonomous University of Mexico, 2019).

60 In general, there is a socioeconomic difference between Venezuelans who arrived in countries further from Venezuela and those who moved to closer countries; this reflects the cost of traveling longer distances and often the possibilities of having a passport in the first place. See Diego Chaves-González, Jordi Amaral, and María Jesús Mora, *Socioeconomic Integration of Venezuelan Migrants and Refugees: The Cases of Brazil, Chile, Colombia, Ecuador, and Peru* (Washington, DC: MPI, 2021). However, this seems to be changing, especially with the recent increases in Venezuelan arrivals to Mexico through irregular points, as a result of Mexico’s imposition of a tourist visa requirement for Venezuelans at the end of January 2021. During 2021, Venezuelan irregular migrants were registered 4,360 times in Mexico, and this figure rose sharply to 97,078 in 2022. This increase appears to be continuing: while 11 such registrations occurred in January 2021, 2,733 did in the same month of 2022, and 5,314 did in January 2023. See Mexican Secretariat of the Interior’s Migration Policy, Registration, and Identity of Persons Unit, “Boletín Mensual de Estadísticas Migratorias,” accessed March 2023.



the primary pathway for Venezuelans to obtain legal status in Ecuador.<sup>61</sup> The most common visa has almost certainly been the UNASUR visa, mentioned above, because it has the lowest cost and the fewest requirements. However, Venezuelans have also accessed a variety of other visas offered by the Ecuadorian government.<sup>62</sup>

In Peru, the government estimated that 36,854 Venezuelans had current residence visas in April 2022, far fewer than the more than half a million who had legal status through special temporary status measures but still a significant number.<sup>63</sup> It was certainly not the principal way that Venezuelans achieved legal status, but it was still significant at the margins.

Similarly, the Colombian Ministry on Foreign Relations registered 63,944 temporary residence visas and 26,630 permanent visas from 2016 to 2022.<sup>64</sup> And in Panama, slightly more than 47,000 Venezuelans had been legalized through ad hoc temporary status measures as of 2022, but 33,639 visas were granted to Venezuelans, suggesting that other kinds of visas have also been important pathways to legal status in the country.<sup>65</sup>

This pattern is also replicated in the Caribbean. While slightly more than 40,000 Venezuelans are on their way to legalization in the Dominican Republic through that country's first regularization program, a smaller but nonetheless notable population has been able to attain legal status through other means; between 2018 and mid-2022, more than 20,000 visas (more than 90 percent of them temporary) were issued to Venezuelan nationals—not an insignificant number, even if some individuals may have been counted more than once in this total if they applied for a visa more than once.<sup>66</sup>

Similarly, in Curaçao, more than 4,000 Venezuelans out of 14,000 present in the country have visas, according to the Curaçao government; a small number, but one that represents about one-third of the reported Venezuelan population.<sup>67</sup> It was unclear from the data whether all of these visas were through the ordinary visa system or whether some were obtained through an ad hoc temporary status measure implemented in Summer 2022.

The authors could not obtain public information on visas in Aruba or Trinidad and Tobago. However, in one International Organization for Migration survey of Venezuelans in Trinidad and Tobago, 18 percent of

61 Ecuadorian government sources register a little more than 200,000 visas issued to Venezuelan nationals from 2015 to June 2022, with 190,513 in the period from January 2016 to June 2022. Of these, 40,407 are the result of the special regularization program carried out in 2019–20, so the authors calculate 150,106 visas issued to Venezuelans in the period from 2016–June 2022, exclusive of those who were regularized. A significant number of the visas (but not all) were the UNASUR visa. For data from 2012–19: National Council for the Equality of Human Mobility, *Agenda Nacional para la Igualdad de la Movilidad Humana, 2017–2021* (Quito: Ecuadorian Ministry of Foreign Affairs and Human Mobility, 2021), 59. For data from 2020, 2021, and 2022: Ecuadorian Ministry of Foreign Affairs and Human Mobility, “Boletín Estadístico,” accessed September 4, 2022.

62 Publicly available Ecuadorian government sources do not break out the categories of visas, but prior studies suggest that the UNASUR visa was the most frequently used. See Selee and Bolter, *An Uneven Welcome*.

63 Peruvian Directorate of Migration Policies, National Superintendence of Migration, “Información del Perfil Sociodemográfico de los Migrantes, Abril 29, 2022” (official document shared with the authors in June 2022).

64 Data from the Colombian Ministry of Foreign Affairs, shared with the authors via email, December 26, 2022.

65 National Migration Service of Panama, “Estadísticas,” accessed October 2022.

66 Dominican National Institute of Migration, “Residencias,” accessed September 6, 2022.

67 Data were provided to the authors by the IOM office in Curaçao, September 2022, based on data received from the government of Curaçao. As of this writing, the authors were not certain whether some of those visas are from the temporary status measure conducted by the government of Curaçao in 2022. For the purposes of this report, they are listed as regular visas, but in the future, it may be possible to separate between regular visas and visas via the temporary status measure.

respondents reported having an employment-based visa or permanent residence in 2021. Because the survey was not fully representative of all Venezuelans in the country, it would be premature to conclude that this is the exact percentage of Venezuelans who have visas, but a small percentage likely does, numbering in the hundreds or perhaps even the thousands.<sup>68</sup>

**TABLE 4**  
**Visas Issued to Venezuelans in Principal Latin American and Caribbean Receiving Countries, 2016–22**

	Temporary Visas	Permanent Visas	Not Specified
Chile	482,289	198,389	
Colombia	63,944	26,630	
Costa Rica*	23,263	19,009	
Curaçao			4,600
Dominican Republic**	18,505	1,678	
Ecuador***			150,106
Mexico	27,684	50,590	
Panama			33,639
Peru****			36,854

\* 2022 data for Costa Rica had not yet been published at the time of writing, so these figures are for 2016–21.

\*\* Data for the Dominican Republic were only available for 2018–June 2022.

\*\*\* For Ecuador, the data are January 2016 to June 2022.

\*\*\*\* For Peru, the data are for those with current visas as of April 2022.

Notes: These figures represent the total number of visas issued, not unique individuals. The number of individuals is almost certainly significantly less because the same individual may apply for more than one visa.

Sources: Colombian visa statistics shared with the authors by the Ministry of Foreign Relations in December 2022; Ecuadorian National Council for the Equality of Human Mobility, *Agenda Nacional para la Igualdad de la Movilidad Humana, 2017–2021* (Quito: Ecuadorian Ministry of Foreign Affairs and Human Mobility, 2021), 59; Ecuadorian Ministry of Foreign Affairs and Human Mobility, “Boletín Estadístico,” accessed September 4, 2022; Peruvian Directorate of Migration Policies, National Superintendence of Migration, “Información del Perfil Sociodemográfico de los Migrantes, Abril 29, 2022” (official document shared with the authors in June 2022); Chilean National Migration Service, “Registros Administrativos,” accessed September 2022; Dominican National Institute of Migration, “Residencias por Nacionalidad, 2018–2023,” accessed February 24, 2023; National Migration Service of Panama, “Estadísticas,” accessed October 2022 and February 2023; Costa Rican Department of Migration and Foreigners, “Informe Anual,” 2016–21; Mexican Secretariat of the Interior’s Migration Policy, Registration, and Identity of Persons Unit, “Boletines Estadísticos,” 2022 estadístico mensual and 2016–21 estadístico anual, accessed December 2022; Curaçao data provided to the authors by the International Organization for Migration (IOM) office in Curaçao, September 2022, based on data received from the government of Curaçao.

## D. Ensuring Legal Status through Temporary Status Measures

By far, the largest number of Venezuelans have obtained legal status through special temporary status measures that governments have implemented to provide temporary residency. Overall, at least 2.7 million Venezuelans have received temporary permits through these measures (see Table 5), and around 700,000 are in the process of receiving permits.<sup>69</sup>

<sup>68</sup> IOM, “Monitoring Migrants Presence: Trinidad and Tobago” (Displacement Tracking Matrix, IOM, Geneva, December 2021).

<sup>69</sup> For this calculation, the authors have tried not to double count those who received temporary permits more than once. The Peruvian data are fairly clear on this, but for Colombia and Trinidad and Tobago, it required counting only the most recent temporary status measures, since most applicants (all in the case of Trinidad and Tobago) had previously applied for regularization through other temporary status measures.

Latin American and some Caribbean countries have a long history of using small-scale temporary status measures (often called “regularization programs”) to grant legal status to irregular migrants,<sup>70</sup> but such measures have never been used on such a large scale as over the past few years with displaced Venezuelans. Indeed, almost all countries have used some version of temporary status to deal with the massive displacement from Venezuela, which overwhelmed immigration and refugee protection systems. However, they have been particularly important in certain countries, including Colombia and Peru, which have received the largest numbers of Venezuelans. In other countries within the region, existing institutional mechanisms (asylum, regional mobility agreements, and regular visas) have played a more prominent role in providing Venezuelans legal status, though temporary status measures have been used to a more modest extent too.<sup>71</sup>

The Peruvian government implemented the first large-scale temporary status measure for Venezuelan migrants in January 2017.<sup>72</sup> It offered a two-year temporary status (known as the Permiso Temporal de Permanencia, or PTP) to Venezuelans, with the possibility of applying for a more permanent status after a year. More than 460,000 Venezuelans received their temporary residence, with 315,268 eventually receiving permanent residency (which required a separate application). The Peruvian government has since implemented two more temporary status measures, one of which is on course to offer temporary status to 217,017 Venezuelans (Carné de Permiso Temporal de Permanencia, or CPP) and another that confers a humanitarian permit on those who have pending asylum applications, with 32,458 receiving the permit as of April 2022.<sup>73</sup>

**Colombia** has run the most ambitious regularization program, offering 10-year residency. By October 2022...



**2.3 million** Venezuelans had applied



**1.6 million** were approved

The Colombian government offered a temporary status measure in August 2017, initially available only to those who had entered the country legally. Between 2017 and 2021, six such measures (all called Permiso Especial de Permanencia, or PEP, and consolidated into a single category in Table 5) covered different groups of displaced Venezuelans in Colombia, including eventually those who had entered through irregular routes. More than 707,000 Venezuelans

received two-year temporary residency permits via PEP.<sup>74</sup> In January 2021, the government announced a far more ambitious program to grant ten-year residency to all Venezuelans in the country who wanted to apply, regardless of their current status.<sup>75</sup> Approximately 2.3 million applied, and 1.6 million were approved by

70 Two books that cover the history of Latin American migration policy and touch briefly on this are Acosta, *The National versus the Foreigner* and Cantor, Freier, and Gaudi, eds., *A Liberal Tide?* On this point, see also Charles P. Gomes, “The Migration State in Latin America,” in *Understanding Global Migration*, eds. James F. Hollifield and Neil Foley (Palo Alto, CA: Stanford University Press, 2022).

71 In most countries, temporary status measures are referred to as “regularization programs,” but this report uses the term “temporary status measures” for all specific ad hoc measures to provide legal status outside of usual visa systems, residence agreements, and asylum systems, since “regularization” may also refer to the broader concept of granting legal status through those existing mechanisms.

72 Selee and Bolter, *An Uneven Welcome*.

73 Peruvian Directorate of Migration Policies, National Superintendence of Migration, “Información del Perfil Sociodemográfico de los Migrantes.”

74 Selee and Bolter, *An Uneven Welcome*.

75 Natalia Banulescu-Bogdan and Diego Chaves-González, “What Comes Next Now that Colombia Has Taken a Historic Step on Migration?” (commentary, MPI, March 2021).

October 2022.<sup>76</sup> After five years with a temporary permit (which can include different permits), Venezuelans can apply directly for a permanent residency visa from within the country.

After Peru and Colombia launched their first temporary status measures, the Ecuadorian government introduced one with a much smaller scale in 2019–20. This measure reached 45,148 Venezuelans. In May 2022, the government announced a new regularization program, the Visa de Residencia Temporal de Excepción (Virte), for all Venezuelans who had entered the country legally, to be followed by one for nationals of other countries who had arrived legally, and then a third phase for Venezuelans who had entered through irregular routes.<sup>77</sup> As of April 7, 2023, 59,341 Venezuelans had applied for the first stage of the temporary status measure, with 46,976 permits already approved.<sup>78</sup>

Chile also implemented two temporary status measures, in 2018–19 and 2021–22, for foreign nationals of any country who had entered the country legally but overstayed their visas. Through these measures, 255,171 immigrants received legal status.<sup>79</sup> There is no breakout of how many of them were Venezuelan nationals (many Haitians, Peruvians, Bolivians, and nationals of other countries also applied), but it was likely about 61,700 in the first program and 96,500 in the second, based on the weight of different nationalities in other visa categories issued in that period.<sup>80</sup>

Panama offered a series of ad hoc temporary status measures between 2010 and 2022, open to all nationalities, as in Chile. Through these different measures, 47,658 Venezuelans qualified for legal status.<sup>81</sup> Costa Rica pursued a different approach, using the asylum process to address the protection needs of many arriving Venezuelans (and Nicaraguans, Cubans, and other populations), but it also offered “complementary protection” to asylum seekers from those three countries who received a negative decision, which allowed them to stay in the country for a renewable two-year period. A total of 1,445 Venezuelans accepted the complementary protection.<sup>82</sup>

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76 Migración Colombia, “Distribución de Venezolanos en Colombia” (document presented at a public forum announcing the results of the ten-year regularization process, Bogotá, July 19, 2022).

77 Ecuadorian Ministry of Foreign Affairs and Human Mobility, *Plan Integral para la Atención y Protección de la Población Venezolana en Movilidad Humana en Ecuador, 2020–21* (Quito: Government of Ecuador, 2020), 24.

78 Data on permit applications and approvals are from the Ministry of Foreign Relations and Human Mobility, “Reportaría de Información del Proceso de Regularización—Visas VIRTE,” accessed February 2023.

79 Bellolio and Valdés, *Gestión de la Migración en el Siglo XXI*, for the first regularization; data for the second regularization were received by a Chilean researcher based on a freedom of information request to the Chilean Vice Minister of the Interior, shared with the authors in September 2022.

80 From 2018 to June 2022, Venezuelans represented 46 percent of both temporary and permanent visas issued by the Chilean government, so the authors have assumed an estimated 117,000 Venezuelan nationals (46 percent of all immigrants who received status via the temporary status measures) were among those regularized. The exact number may be slightly higher or lower, but it is likely close to this number. Data on visas by nationality are available from Chilean National Migration Service, “Registros Administrativos.” See the methodological appendix for a more extensive discussion of this calculation.

81 National Migration Service of Panama, “Estadísticas.” Panama has frequently used ad hoc regularizations to supplement its visa system. See the chapter on Panama in Andrew Selee et al., *Laying the Foundation for Regional Cooperation: Migration Policy and Institutional Capacity in Mexico and Central America* (Washington, DC: MPI, 2021). It is impossible to disaggregate the data from 2010–18, but most Venezuelans in Panama probably applied for regularization in the period from 2016 on, as they have in other countries (and this later period aligns with the one this publication focuses on); however, there could be a slight overcount, given the longer date range.

82 Redacción Confidencial, “32.593 nicaragüenses solicitaron refugio en Costa Rica entre enero y mayo de 2022,” *El Confidencial*, June 21, 2022.

More recently, the Dominican Republic has launched a temporary status measure for Venezuelans that has received more than 42,000 applications, of which 30,000 were approved by March 2023 (the rest were pending).<sup>83</sup> Curiously, this would appear to be a small fraction of the 115,000 Venezuelans living in the Dominican Republic. Even adding in those who might have visas (from the prior section) would suggest that most Venezuelans remain in irregular status, which would seem unusual since the temporary status measure's requirements were fairly easy to meet for most Venezuelans, who largely entered the Dominican Republic by air and with a passport. It is very likely that the number of Venezuelans in the Dominican Republic is much smaller than the current estimate of 115,000, but no data are available to provide a basis for different estimate.

Trinidad and Tobago also carried out a very fast temporary status measure in 2019 that provided six-month legal status to Venezuelans, for which 19,000 Venezuelans qualified.<sup>84</sup> These permits were extended during the COVID-19 pandemic, but Venezuelans had to reapply for a new program in 2021, and about 13,500 received the new permits. Another round of permits is planned for early 2023. The National Security Ministry states that many Venezuelans have opted to return to their country as the pandemic has eased, and it estimates that there are 9,133 Venezuelans with updated registration cards.<sup>85</sup>

Curaçao offered a temporary status measure in 2022, but no data on approvals were publicly available as of early 2023. Some potential beneficiaries complained that the program had requirements that most Venezuelans residing in Curaçao could not meet, including a cost of \$350 to \$365 dollars per applicant, a stamped birth certificate, a current passport (or passport application), proof of life and medical insurance, and a sponsor in the country.<sup>86</sup>

The governments of Guyana and Brazil have pursued regularization by a different means, adapting measures that allow them to regularize all Venezuelans as they arrive in the country. The government of Guyana offers temporary legal status to all Venezuelans who arrive and request it. This permit, which needs to be renewed every three months, does not allow holders to work but does provide access to education and emergency medical services.<sup>87</sup> However, because most Venezuelans settle in remote parts of the country, they have significant de facto access to the informal labor market.

Similarly, the Brazilian government issued a resolution in March 2017 that allowed nationals of neighboring countries to access temporary residence permits for two years, with the possibility of requesting a permanent visa afterward if they could prove solvency—a measure usually reserved for countries in the Mercosur Residence Agreement.<sup>88</sup> Although broader in scope, this measure was designed largely to facilitate the granting of legal status to displaced Venezuelans. In March 2018, the Brazilian government replaced this mechanism with a new two-year temporary residency permit for Venezuelans that could be converted into

83 Data are from an announcement by the director of migration, cited in *Diario Libre*, “Migración desmiente que haya reiniciado proceso de regularización para Venezolanos ilegales,” *Diario Libre*, March 16, 2023.

84 Selee and Bolter, *An Uneven Welcome*.

85 Grevic Alvarado, “Venezuelans’ Work Permits Extended Again,” *Newsday*, January 16, 2023.

86 Jordi Amaral, “Regularization Initiatives for Venezuelan Migrants in the Dominican Republic and Curaçao Are Step Towards Inclusion,” MPI Latin America and the Caribbean Portal, July 2021; *Curaçao Chronicle*, “Venezuelans Call for Ease Legalization Procedure,” *Curaçao Chronicle*, August 25, 2021.

87 R4V, RMRP, “Legal Framework.” See also Selee and Bolter, *An Uneven Welcome*.

88 Zapata and Tapia Wenderoth, “Progressive Legislation but Lukewarm Policies,” 141.

permanent residency after two years. Through these measures, 229,218 Venezuelans have received legal status.<sup>89</sup>

Each of the temporary status measures developed in these Latin American and Caribbean countries has followed a slightly different institutional design, had distinct requirements, and provided different kinds of rights. Colombia’s ten-year residency permit stands out as the most comprehensive of the measures, alongside Brazil’s most recent measure, which guarantees a pathway to permanence. Yet several other countries have also crafted successful efforts to provide legal status to displaced Venezuelans who apply, including Chile, Costa Rica, the Dominican Republic, Ecuador, Panama, and Peru.

*Each of the temporary status measures developed in these Latin American and Caribbean countries has followed a slightly different institutional design, had distinct requirements, and provided different kinds of rights.*

The temporary legal status measures in Curaçao and Trinidad and Tobago appear to have offered far more tenuous access to legal status. And the process in Guyana—though easily accessible—does not officially allow for employment, although given the size of the informal economy and Venezuelans’ concentration in rural areas, that may be less important in this case. Still, even these less ambitious efforts provide a minimum of legal status to some Venezuelans in those countries.

**TABLE 5**  
**Number of Residence Permits Issued to Venezuelans via Temporary Status Measures in Principal Latin American and Caribbean Receiving Countries**

Country	Round 1	Round 2	Round 3	Round 4
Brazil	<i>Ongoing residency permit process:</i> 229,218			
Chile*	<i>2018–19 regularization:</i> 61,700	<i>2021–22 regularization:</i> 96,500		
Colombia**	<i>Six PEP processes:</i> 707,000	<i>Ten-year residency:</i> 1,627,005		
Costa Rica	<i>Complementary protection:</i> 1,445			
Curaçao	<i>2022 process:</i> No public data			
Dominican Republic	<i>2021–23 process:</i> 30,000			
Ecuador	<i>2019–20 measure:</i> 45,148	<i>2022–23 measure:</i> 46,976		

89 Zapata and Tapia Wenderoth, “Progressive Legislation but Lukewarm Policies.”



TABLE 5 (cont.)

**Number of Residence Permits Issued to Venezuelans via Temporary Status Measures in Principal Latin American and Caribbean Receiving Countries**

Country	Round 1	Round 2	Round 3	Round 4
Guyana***	<i>Ongoing residency permit process:</i> 25,650			
Panama	<i>2010–22 via several processes:</i> 47,658			
Peru	<i>PTP:</i> 460,000	<i>PTP holders who obtained residency:</i> 315,268	<i>CPP:</i> 217,017	<i>Humanitarian permit:</i> 32,458
Trinidad and Tobago	<i>2019 process:</i> 19,000	<i>2021 process (only for those with valid permits):</i> 13,500		

\* The numbers for Chile are estimates based on existing data, which do not disaggregate the recipients of these permits by nationality. The estimates were made based on the weight of different nationalities in other categories of visas issued in that period (see the methodological appendix for details).

\*\* In the case of Colombia's ten-year residency permit, 2,293,636 Venezuelan nationals had applied by October 2022 and 1,627,005 had received the permit. The current number of recipients is almost certainly much higher, but no new data had been released as of early April 2023.

\*\*\* For Guyana, the number is all of those who have obtained a permit on entering the country, which is granted automatically entry and is likely the same as the total number of Venezuelan arrivals. However, some Venezuelans may have expired permits, as discussed in the next section.

Sources: Data on Colombia are from Andrew Selee and Jessica Bolter, *An Uneven Welcome: Latin American and Caribbean Responses to Venezuelan and Nicaraguan Migration* (Washington, DC: Migration Policy Institute, 2020) and Migración Colombia, "Distribución de Venezolanas y Venezolanos en Colombia" (official document with data for October 2022, shared with the authors in December 2022). Data for Peru are from the Directorate of Migration Policies, National Superintendence of Migration, "Información del Perfil Sociodemográfico de los Migrantes." Data for Ecuador are from the Ecuadorian Ministry of Foreign Affairs and Human Mobility, *Plan Integral para la Atención y Protección de la Población Venezolana en Movilidad Humana en Ecuador, 2020–21* (Quito: Government of Ecuador, 2020), 24, and Ecuadorian Ministry of Foreign Relations and Human Mobility, "Reportaría de Información del Proceso de Regularización—Visas VIRTE," updated March 19, 2023. Data for Chile are from Álvaro Bellolio and Gonzalo Valdés, *Gestión de la Migración en el Siglo XXI: El caso de Chile* (Santiago: Chilean Undersecretary of the Interior, 2020) and data received by a Chilean researcher based on a freedom of information request to the Chilean Vice Minister of the Interior, shared with the authors in September 2022. Data for Brazil are from Gisela P. Zapata and Vicente Tapia Wenderoth, "Progressive Legislation but Lukewarm Policies: The Brazilian Response to Venezuelan Displacement," *International Migration* 60, no. 1 (2021): 132–51. Data for Guyana are from R4V, "CIFRAS CLAVE," accessed December 2022. Data for the Dominican Republic are from an announcement by the Director of Migration cited in *Diario Libre*, "Migración desmiente que haya reiniciado proceso de regularización para Venezolanos ilegales," *Diario Libre*, March 16, 2023. Data for Panama are from the National Migration Service, "Estadísticas." Data for Costa Rica are from Redacción Confidencial, "32.593 nicaragüenses solicitaron refugio en Costa Rica entre enero y mayo de 2022," *El Confidencial*, June 21, 2022.

## *E. Understanding the Reach of Efforts to Provide Legal Status*

Most countries in Latin America and the Caribbean that have received large numbers of displaced Venezuelans have, as the prior sections illustrate, made significant efforts to provide legal status. Each country has done so with a different mix of tools.

Argentina and Uruguay are unique in using one primary mechanism, the Mercosur Residence Agreement, because it allows for simple and expedited temporary legal status with an easy transition to permanent status after two years. Costa Rica and Mexico used a mix of existing visas and asylum processes, both parts of their national migration and protection architecture. These four countries are the exception for having used primarily their institutional architecture for migration and protection without conducting ad hoc measures. Nearly all other countries combined some ad hoc measures with their existing institutional mechanisms.

Brazil, for example, used its asylum system effectively to provide protection to almost half of all Venezuelans who arrived, but the government coupled this with a decree to provide temporary protection to Venezuelans who preferred that path, a mechanism that allowed for easy transition to permanent residency after two years. Similarly, Chile, Ecuador, and Panama all tried to use their existing visa systems to accommodate displaced Venezuelans but ended up creating ad hoc temporary status measures to complement existing visas for those who could not access the visas. In Panama, occasional ad hoc temporary status measures were already common, but these were exceptional measures in both Chile and Ecuador.<sup>90</sup>

Not surprisingly, the two countries with the largest number of Venezuelans arrivals, Colombia and Peru, relied heavily on temporary status measures, with several different iterations in each case, to deal with the sheer number of newcomers, even though some Venezuelans accessed legal status through existing visas and, in far fewer cases, asylum. Colombia eventually offered a massive long-term residency permit, while Peru has relied on multiple smaller programs.

Similarly, Guyana developed its own temporary residency permit specifically for Venezuelans, which allowed recipients to remain in the country legally for up to three months, with indefinite renewals. Several Caribbean countries—Curaçao, the Dominican Republic, and Trinidad and Tobago—have also used regularization programs to provide legal status, although these appear to be more limited in scope in Curaçao and Trinidad and Tobago.

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<sup>90</sup> Chile had implemented other temporary status measures in prior years, but those were quite spaced out.

Based on the available data (discussed above and shown in Tables 2–5), an estimated 50 to 75 percent of Venezuelans living in other Latin American and Caribbean countries have obtained some form of legal status (see Table 6). The lower bound of 50 percent is conservative and almost certainly too low,<sup>91</sup> while the upper bound of 75 percent may be too high; the truth likely lies somewhere between the two.<sup>92</sup> The existing data do not allow conclusions on an exact number, and the authors acknowledge that calculating this figure required making a series of assumptions, which are noted throughout this section, with more detail available in the methodological appendix. Still, this is a helpful exercise to get a sense of the reach of these varied efforts to grant legal status to displaced Venezuelans, and the challenges to close existing gaps.

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*Based on the available data ... an estimated 50 to 75 percent of Venezuelans living in other Latin American and Caribbean countries have obtained some form of legal status.*

The share of Venezuelans with legal status varies widely by country. A few countries—Argentina, Brazil, and Uruguay—have succeeded in achieving almost universal access to legal status for the Venezuelans who arrived. Some anecdotal evidence shows Venezuelans falling out of legal status by not renewing their residency permits in time, but generally the processes in these three countries are so streamlined that most Venezuelans can access legal status (and those who have fallen out of status can recover it).

A few other countries have high rates of legal status among Venezuelans as well. Colombia's combination of offering a ten-year residency permit along with some access to regular visas (especially through family connections) has led to somewhere between 60 to 90 percent of Venezuelans in Colombia having regular status (close to 90 percent if you count those on track to receive legal status, in addition to those who already have it).<sup>93</sup>

Costa Rica and Mexico have also made it particularly easy for Venezuelans to obtain some form of legal status. Both countries have issued significant numbers of visas to Venezuelan nationals, and both grant work permits to those who apply for asylum (and have high recognition rates for asylum). Chile has also ensured significant access to legal status through its existing visas and the two temporary status measures. How many individuals accessed these visas (or the exact number of Venezuelans regularized) is impossible to say based on publicly available data. The upper bound estimate for Chile in Table 6 (90 percent) seems unrealistically high, but even the lower bound estimate (75 percent), which may be more accurate, suggests significant advances in access to legal status.

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91 This lower bound is based on the most conservative assumptions. For example, it does not reflect the Venezuelans in Colombia who have received temporary permits since October 2022; the process of approving permits has been moving quickly, but official data are not available past that date.

92 The upper limit uses the most optimistic assumptions, including the total number of permits expected to be approved in the current legal status process in Colombia.

93 The data Colombian's government has published indicate that a majority of those who apply for permits are obtaining them. The implementation of the Temporary Permanency Statute has made it possible to reverse the irregularity of a large part of the Venezuelan population. According to a survey of 2,161 Venezuelans conducted in June 2021, 68 percent reported not having regular status. See R4V, Interagency Group on Mixed Migration Flows (GIFMM), *GIFMM Colombia: Evaluación Conjunta de Necesidades* (N.p.: R4V, 2021).

Guyana has issued temporary residency cards to any Venezuelan who enters the country, but it is likely that many fall out of status along the way because the permits need to be renewed every three months. Overall, Venezuelans can easily obtain legal status in Guyana, but it is unclear if they always stay in status, though it is relatively easy to acquire the status again if it lapses.<sup>94</sup>

Three countries with large Venezuelan populations—Ecuador, Panama, and Peru—are intermediate cases that have invested in legal status but have been unable to ensure as much access as the countries mentioned above. In Panama, the mixture of frequent regularization campaigns with easy visa access for some of the earlier arrivals has resulted in one-third to half of Venezuelans having legal status (and the share could be higher). The exact number is hard to know because one individual may have obtained different visas and be counted more than once in the official statistics. In Ecuador and Peru, special temporary status measures and existing visa systems have not been able to keep up with demand, and the percentage of Venezuelans with legal status is probably between 30 and 45 percent in Ecuador and 30 and 50 percent in Peru.

Finally, Venezuelans have struggled to obtain legal status in several countries in the Caribbean. But even there, many Venezuelans are finding ways to access legal documents. At least one-third of Venezuelans in Curaçao have legal status through the visa system or through a temporary status measure, and that number could rise once data are released on approvals for the most recent temporary status measure. In Trinidad and Tobago, more than one-third of Venezuelans have legal status through the most recent temporary status measure, and it is possible that a small number of Venezuelans (likely one-fifth or less) may have other work visas, so the total share with legal status may be slightly more than half.

In the Dominican Republic, the government also carried out a regularization program in 2021–22, to which a little more than 42,000 Venezuelans applied. More than 30,000 had received their temporary permit by March 2023.<sup>95</sup> In addition, approximately 20,000 visas were issued to Venezuelans in the Dominican Republic between 2018 and mid-2022, although the exact number of individual recipients with current visas is unknown. Together, an estimated 30 to 40 percent of Venezuelans in the Dominican Republic appear to have legal status.

Only Aruba, which does not have publicly accessible data on visas, has not had a temporary status measure of some sort, suggesting that Venezuelans' rates of acquiring legal status are likely quite low. However, as a result of this lack of data, it is impossible to provide an estimate of the extent to which this is the case.

Looking across all of these countries, the figures suggest that most have made a major commitment to providing legal status to displaced Venezuelans. Different countries have done so with different levels of determination and success, but most have made some effort, and several countries have achieved very high levels of access to legal status.

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94 This calculation is a cautious one, assuming that at least a few Venezuelans either never acquired their temporary permit or may have let it lapse, so the lower and upper bound estimates are 60 and 90 percent, respectively.

95 Data are from an announcement by the director of migration, cited in *Diario Libre*, "Migración desmiente que haya reiniciado proceso de regularización."

TABLE 6

**Estimated Share of Venezuelans with Legal Status in Principal Latin American and Caribbean Receiving Countries, 2022**

Country	Venezuelan Population	Share of Venezuelans with Legal Status	
		Lower Estimate	Upper Estimate
Colombia	2,894,593	60%	90%
Peru	1,490,673	30%	50%
Ecuador	502,200	30%	45%
Chile	444,717	75%	90%
Brazil	388,120	90%	95%
Argentina	171,050	85%	100%
Panama	146,400	35%	50%
Dominican Republic	115,283	30%	40%
Mexico	87,152	75%	90%
Trinidad and Tobago	35,314	30%	55%
Costa Rica	30,100	80%	90%
Uruguay	23,400	90%	100%
Guyana	19,600	60%	90%
Aruba	17,000	No public data	No public data
Curaçao	14,000	30%	45%
<b>Total</b>	<b>6,362,602</b>	<b>50%</b>	<b>75%</b>

Note: Although this table lists a number for the Venezuelan population in Aruba, that number is excluded from the final calculation of the share of Venezuelans across the region with legal status, given the absence of data on that population's legal status.

Sources: These data and estimates are based on the data presented in Tables 2–5. See those tables for sources. The upper and lower estimates of the share of Venezuelans with legal status in each country are based on a mix of official data and assumptions by the authors based on various other sources. These are discussed within this section of the report, with even more extensive explanations in the methodological appendix.

This finding requires two notes of caution, however. First, not all efforts to provide legal status are equally robust, long term, or recognized by local employers, landlords, financial institutions, and the public at large. As such, the meaning of legal status varies to some extent across countries (and sometimes among holders of different statuses within the same country). Although it is positive that a majority of displaced Venezuelans have received legal status of some sort, the reality remains that some of the temporary measures need to be renewed frequently, have no pathway to permanence, and may not confer in practice as significant a set of benefits as they are supposed to on paper. Second, legal status in highly informal economies, though important, may sometimes have fewer short-term, tangible benefits than it would in highly formalized labor

*Not all efforts to provide legal status are equally robust, long term, or recognized by local employers, landlords, financial institutions, and the public at large.*

markets, even if it may produce other, less tangible benefits (and perhaps significant long-term, tangible benefits).<sup>96</sup>

These two challenges certainly affect the overall impact that legal status has in the region, at least for some recipients. But it does not diminish the importance of the bet that countries have made on legal status as a first step toward integrating displaced Venezuelans into receiving societies.

### 3 Imposing Entry Requirements

At the very start of this period of Venezuelan migration, which began between 2013 and 2015, Venezuelans could enter many Latin American countries without visas and with minimal requirements. Regional agreements allowed them to enter some countries, especially in South America, without needing a passport. In those cases, a national identity document was often sufficient.<sup>97</sup> Many countries continue to accept expired passports, including Argentina, Colombia, Ecuador, and Peru, recognizing that it may be difficult for many Venezuelans to renew these documents.

As the number of Venezuelans on the move increased and countries faced some difficulties in managing their arrival, governments began to impose more requirements to limit and control those arrivals. Some countries now require visas obtained before leaving Venezuela or, in some cases, in a consulate abroad. Others require presenting documents to facilitate a criminal record check or apostilled documents, which are both extremely difficult for most Venezuelans to obtain.

Many countries have also imposed a tourist visa requirement for Venezuelans, especially since 2019. As of 2022, 11 of the 15 principal receiving countries in Latin America and the Caribbean had tourist visa requirements for Venezuelans (see Table 7), while others required other visas for those who intend to stay in the country.<sup>98</sup> Obtaining a visa is a difficult task because of the cost and requirements, such as proving formal employment, obtain a criminal background check, or having high balances in bank accounts—all of which can be difficult for Venezuelans to meet or prove.



In short, the broad set of mechanisms deployed by Latin American and Caribbean countries to grant some type of legal status to Venezuelans were eventually accompanied by other strategies, such as the imposition of visa requirements, to attenuate or control new

<sup>96</sup> Luisa Feline Freier and Bernarda Zubrzycki, “How Do Immigrant Legalization Programs Play out in Informal Labor Markets? The Case of Senegalese Street Hawkers in Argentina,” *Migration Studies* 9, no. 3 (September 2021): 1292–1321. The case of the Senegalese street hawkers in this study may have some unique characteristics, as the authors note, but there is little doubt that legal status often has fewer benefits, at least in the short term, when those obtaining legal status need to work in the informal economy. However, the benefits may still be significant over the long term (and for a few who have opportunities to move into the formal sector of the economy, it could have significant benefits in the short term as well).

<sup>97</sup> Selee and Bolter, *An Uneven Welcome*.

<sup>98</sup> Looking at the entire Latin America and Caribbean region, not just the 15 principal receiving countries that are the focus of this report, 18 countries had tourist visa requirements for Venezuelans.



arrivals. In some cases, this may be a rational tradeoff to ensure public support for regularization efforts. In other cases, however, the restrictions may generate significant new patterns of irregular movement, particularly if the requirements to obtain a visa are out of reach for many of those seeking to move to other countries in the region. Although the number of Venezuelans leaving their country has diminished, there are still many who move out of fear of specific forms of persecution, generalized violence, or the absence of basic services, and many more move to join family members who have already settled in other countries. One of the challenges going forward is to figure out the balance of reasonable entry requirements that creates orderly arrivals without generating incentives for irregular migration.

TABLE 7

### Tourist Visa Requirements for Venezuelan Citizens in Principal Latin American and Caribbean Receiving Countries, 2015–22

Countries	Visa Requirement	Date Established
Argentina	No	—
Aruba	Yes	2021
Brazil	No	—
Chile	Yes	2019
Colombia	No	—
Costa Rica	Yes	2022
Curaçao	Yes	2021
Dominican Republic	Yes	2019
Ecuador	Yes	2019
Guyana	Yes	2021
Mexico	Yes	2022
Panama	Yes	2017
Peru	Yes	2019
Trinidad and Tobago	Yes	2019
Uruguay	No	—

Sources: Argentine Ministry of the Interior, “Ingreso y egreso al país,” accessed December 2022; Government of Aruba, “Verplicht visum voor Venezolanen die naar Aruba reizen,” updated February 22, 2021; Brazilian Ministry of Foreign Affairs, “Viaje de nacionales venezolanos a Brasil,” updated April 4, 2022; Chilean Ministry of the Interior and Public Security, “Decreto 237: Establece Visto Consular de Turismo a nacionales de la República Bolivariana de Venezuela,” *Diario Oficial de la Republica de Chile*, June 22, 2019; Colombian Ministry of Foreign Affairs, “Resolución 5488,” July 22, 2022; Government of Costa Rica, “Circular DG-0001-02-2022-DG-AJ,” February 17, 2022; Government of the Netherlands, “¿Necesito un visado para las partes caribeñas del Reino?,” accessed October 2022; Dominican Ministry of Foreign Affairs, “Resolución 006/2019,” December 2, 2019; Constitutional Tribunal of Ecuador, “Decreto 826,” *Registro Oficial*, July 25, 2019; Guyanese Ministry of Foreign Affairs and International Cooperation, “Visa Entry Requirements (Countries),” updated April 4, 2017; Mexican Secretariate of the Interior, “Acuerdo DOF: 060122,” *Diario Oficial de la Federación*, January 6, 2022; Panama Ministry of Public Security, “Decreto 473,” August 23, 2017; Peruvian Ministry of Foreign Affairs, “Resolución 000177-2019,” May, 30, 2019; Ministry of National Security of Trinidad and Tobago, “Visa Application Instructions,” December 17, 2019; Uruguayan Ministry of the Interior, “Visas,” accessed December 1, 2022.

## 4 Ensuring Access to Education and Health Care

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The rights to access education and, to some extent, health care are guaranteed for immigrants in the vast majority of Latin American and Caribbean countries, and to a stronger extent than other social and economic rights.<sup>99</sup> This pair of rights is recognized in many national legal frameworks, including constitutions and laws on migration and refugee protection, and steps have been taken to overcome practical barriers to access, particularly in the past decade. However, some ambiguities remain, sometimes resulting in confusion over access for migrants with different legal statuses and affecting the extent of their inclusion in practice.<sup>100</sup> Table 8 shows the rights Venezuelans have to access health care and education under law in each of the 15 countries in this study.

Most countries have provided access to primary and secondary education, regardless of migrants' legal status. In several countries, universal access is enshrined in the constitution, while other countries have specific laws that ensure access to schooling for all children. The one notable exception is Trinidad and Tobago, which restricts access to education for most children who cannot prove their legal status;<sup>101</sup> all other countries have ensured that Venezuelan migrant children can enroll. Aruba and Curaçao are partial exceptions, in that they require students to have a sponsor who is legally present in the country and to submit proof of insurance if they cannot show legal status.<sup>102</sup> It is perhaps no coincidence that both legal status and access to education are more difficult for Venezuelans to obtain in these three Caribbean countries, which have small populations, are extremely close to Venezuela, and where fears of a rapid influx of Venezuelans have often dominated discussions on how to respond to the displacement crisis next door.

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*The rights to access education and, to some extent, health care are guaranteed for immigrants in the vast majority of Latin American and Caribbean countries.*

In other countries, legal barriers existed that made it hard for foreign-born students to enroll if they did not have legal residence, but most governments have overcome them, often in creative ways. For example, in Chile, where students need a special national identification number to enroll, the government created an alternate identification number for foreign-born students without legal status that can be used instead.<sup>103</sup> Similarly, in Colombia, where students needed to prove legal status to graduate from high school, the government issued a decree in 2020 to change the rules.<sup>104</sup> Argentina and Mexico have both changed requirements that students coming from schools abroad present transcripts for their prior year

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99 Marcia Vera Espinoza et al., "Towards a Typology of Social Protection for Migrants and Refugees in Latin America during the COVID-19 Pandemic," *Comparative Migration Studies* 9, no. 52 (2021).

100 Vera Espinoza et al., "Towards a Typology of Social Protection."

101 R4V, Caribbean Subregional Platform, "Education" (background note, June 2021); Selee and Bolter, *An Uneven Welcome*.

102 R4V, Caribbean Subregional Platform, "Education."

103 author interview with Chilean Education Ministry official, August 9, 2022.

104 Andrew Selee and Diego Chaves-González, "Support a Holistic Migration Strategy," in *Allies: Twenty-Seven Bold Ideas to Reimagine the US-Colombia Relationship*, eds. Jason Marczak, Camila Hernández, and Cynthia J. Arnson (Washington, DC: Atlantic Council, 2022).

in basic education.<sup>105</sup> Recent data indicate that in Argentina, almost nine out of every ten Venezuelan children and youth are enrolled in school,<sup>106</sup> and they exceed the educational attainment of the native-born population.<sup>107</sup> In Uruguay, access to basic education is guaranteed, even for children without an identity card, and similarly high attendance levels have been documented among migrant children and adolescents.<sup>108</sup>

Although governments have worked to address some of the most visible barriers that can hinder Venezuelan students' school enrollment, many Venezuelans do still appear to face de facto barriers to education access, especially when it comes to providing the right documents to enroll. For example, while most governments have found alternate ways for foreign nationals to register, even if they do not have all their documents in order, not all schools know how to implement these measures.<sup>109</sup>

Access to postsecondary education tends to be much more restricted across the region for those without legal documents. This remains a particularly acute challenge for many young Venezuelans who want to continue to higher education but lack legal status. Among the few countries taking steps to address the issue, Uruguay has eliminated the requirement that foreign-born students must have lived in the country for three years to attend the national university.<sup>110</sup>

Most countries in the region have also made some form of basic public health care accessible to all migrants, regardless of legal status.<sup>111</sup> In some countries, such as Argentina, Brazil, Ecuador, Guyana, Mexico, and Uruguay, migrants have a right to access all public health care on equal terms with native-born residents.<sup>112</sup> However, even in these cases, barriers persist in practice that result in less than universal access, including disparities between different parts of a country.<sup>113</sup> In Uruguay, anyone can access the health-care system. Very high levels of coverage have been reported among the foreign population: more than 90 percent of immigrants in Montevideo, including Venezuelans, had some type of health coverage.<sup>114</sup> In Argentina, migrants' right to health care, regardless of their immigration status, is guaranteed. As of

105 Argentine Ministry of Education, "Resolución E 232/2018 Reconocimiento de estudios de la educación obligatoria—República de Venezuela," February 2018. In Mexico, the change was made to accommodate Mexican students returning from the United States, but it has helped with foreign-born students, including Venezuelans, as well.

106 Penchaszadeh, Nicolao, and Debandi, *Diagnóstico sobre la situación de los derechos humanos*.

107 Marcela Cerrutti and Georgina Binstock, "Migración, adolescencia y educación en Argentina: desentrañando las brechas de aprendizajes," *Revista Latinoamericana de Población* 13, no. 24 (2019).

108 For example, one study found that nine out of ten children and adolescents of Cuban, Peruvian, Dominican, or Venezuelan origin attended an educational center in 2015–19, particularly in Montevideo. See Vanessa Anfitti, Camila Montiel, and Victoria Prieto Rosas, *Trayectorias educativas y acceso a la educación de niños, niñas y adolescentes migrantes en Montevideo* (Montevideo: University of the Republic, Faculty of Social Sciences, Population Program and UNICEF Uruguay, 2021).

109 Victoria Prieto Rosas, Camila Montiel, Julieta Bengochea, and Delia Dutra, "Derechos sociales y económicos de las personas migrantes y refugiadas durante la pandemia por COVID-19. El caso de Uruguay" (working document CAMINAR N°1, June 2021), 28–29; Cécile Blouin, Irene Palla, Cristina Zamora, and Yazmine Ruiz, "Inclusión social de personas migrantes y refugiadas durante la pandemia por COVID-19 en Perú" (working document CAMINAR N°2, August 2021), 21–22; Gandini, *Protección social de las personas refugiadas y solicitantes de la condición de refugiado en México*, 47, 51, 73–74, 130.

110 University of the Republic, General Legal Directorate, "Ordenanza sobre ingreso a la Universidad de la República."

111 Vera Espinoza et al., "Towards a Typology of Social Protection."

112 This is guaranteed by the constitution in Ecuador and Mexico. In Argentina, Brazil, Guyana, and Uruguay, decisions that facilitated legal status allowed for full health-care access.

113 Gandini, *Protección social de las personas refugiadas y solicitantes de la condición de refugiado en México*.

114 Soledad Bonapelch, Cecilia Reolon, and Victoria Prieto Rosas, *La salud de las personas migrantes en Montevideo* (Montevideo: University of the Republic, Faculty of Social Sciences; Mobility, Childhood, and Family Observatory; and UNICEF, 2021).

2020, 63 percent of Venezuelans did not have any coverage other than what was provided by the public health system, a figure that is nearly double the share for the national proportion (around 33 percent) and also higher than the share for migrants in general (estimated at around 46 percent).<sup>115</sup> In other countries, governments have made certain services available, often including emergency care, services for pregnant women, and care for young children. Only Aruba and Curaçao do not allow migrants without legal status to access public health services at all.<sup>116</sup>

In several countries with public health-care systems that require affiliation to national health systems with monthly fees, governments have experimented with ways of affiliating migrants. The Colombian government has been gradually increasing registrations for the two public health-care plans among Venezuelan migrants who have received temporary protected status (both prior status and the ten-year status); as of June 2022, a little more than 800,000 out of almost 2.5 million had affiliated.<sup>117</sup> The Costa Rican government has partnered with UNHCR to affiliate asylum seekers and recognized refugees with particular health vulnerabilities to the public health-care system by covering their monthly fees.<sup>118</sup>

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*Overall, access to health care—even where it exists on paper—remains a challenge in several countries.*

Overall, access to health care—even where it exists on paper—remains a challenge in several countries. Most governments have sought to make at least some services available in the context of the mass displacement crisis and the COVID-19 pandemic, but various factors have made accessing care challenging for Venezuelans in practice. These include longstanding capacity shortages, the lack of clear rules governing migrants' and refugees' health-care access (including in frontline health centers and hospitals), and incomplete harmonization between laws and regulations (including with secondary laws and care protocols).<sup>119</sup>

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115 Debandi, Nicolao, and Penchaszadeh, *Anuario Estadístico Migratorio de la Argentina 2020*.

116 R4V, Caribbean Subregional Platform, “*Integration*” (background note, May 2021).

117 Presentation by the Colombian Vice Minister of Health at the launch of the data from the regularization program, Bogotá, Colombia, July 11, 2022.

118 Chaves-González and Mora, *The State of Costa Rican Migration and Immigrant Integration Policy*.

119 See Gandini, *Protección social de las personas refugiadas y solicitantes de la condición de refugiado en México*; Vera Espinoza et al., “Towards a Typology of Social Protection.” In the case of Brazil, Zapata and Moulin argue that, although access to basic health and education rights is guaranteed by the constitution, problems related to the visibility of migration issues, dissemination of information, and training of public agents lead to “discrimination by omission.” See Gisela P. Zapata and Carolina Moulin, “Discriminación por omisión: dinámicas de in/exclusión social de la población migrante y refugiada en Brasil,” in *Movilidades y COVID-19 en América Latina: inclusiones y exclusiones en tiempos de “crisis”*, eds. Gisela P. Zapata, Marcia Vera Espinoza, and Luciana Gandini (Mexico City: National Autonomous University of Mexico, 2022).

TABLE 8

**Venezuelans' Access to Education and Health Care under Law in Principal Latin American Receiving Countries, as of 2022**

Country	Education	Health Care
<b>South America</b>		
Argentina	Full access with Mercosur temporary or permanent residency permit	Full access with Mercosur temporary or permanent residency permit
Brazil	Access to primary and secondary education for all, full access with temporary status or approved asylum	Access to basic health care on arrival, full access with temporary status or approved asylum
Chile	Access to primary and secondary education regardless of legal status. The government created a special registration number for those without a national identification number.	An estimated 89 percent of immigrants are believed to be affiliated with the national health-care system, which includes all those with permanent and temporary visas. For those without legal status, the government has gradually extended health coverage (originally only for pregnant women and children under age 18) to cover most treatment.
Colombia	Access to primary and secondary education regardless of legal status, full access with legal status	Those with legal status need to affiliate with the national health service. Those without legal status have access to emergency services, prenatal care, and some health care for children.
Ecuador	Full access for all	Full access for all
Peru	Access to primary and secondary education regardless of legal status	Those with permanent residence, including those with the Carné de Permiso Temporal de Permanencia (CPP), the Humanitarian Migrant Visa, and Special Resident status. Those with Permiso Temporal de Permanencia (PTP) or no status can access emergency services, plus there are special allowances for pregnant women, children under age 5, and migrants with certain chronic health problems.
Uruguay	Full access with Mercosur temporary or permanent residency permit	Full access with Mercosur temporary or permanent residency permit
<b>The Caribbean</b>		
Aruba	Education is open to everyone, but immigrants need to pay a special insurance and have a native-born sponsor, and only those with legal documents can obtain diplomas.	Public health care is only accessible to those with legal status.
Curaçao	Education is open to everyone, but immigrants need to pay a special insurance and have a native-born sponsor, and only those with legal documents can obtain diplomas.	Public health care is only accessible to those with legal status.

TABLE 8 (cont.)

**Venezuelans' Access to Education and Health Care under Law in Principal Latin American Receiving Countries, as of 2022**

Country	Education	Health Care
Dominican Republic	Access to primary and secondary education for all, access to tertiary education for those with legal status	Primary health care is accessible to all regardless of legal status, but long-term care is not always accessible.
Guyana	Access to education regardless of legal status	Access to health care regardless of legal status
Trinidad and Tobago	Access to education only for those with permanent legal status; this does not include those with temporary permits through regularization	Primary health care is open to everyone. Specialized treatments are not open to those without permanent residency.
<b>Central America and Mexico</b>		
Costa Rica	Access to primary and secondary education for all, regardless of legal status	Those with legal status (including asylum seekers) can affiliate with the national health-care system. Those without legal documents can obtain primary health care.
Mexico	Access to primary and secondary education for all, regardless of legal status	All persons can access primary care in public hospitals, but in practice they do not necessarily have access to long-term treatment.
Panama	Access to primary and secondary education for all, regardless of legal status	Primary health care is open to all at a low cost (and is free for prenatal care and for children under age 5), but affiliation with the public health-care system requires legal status.

Sources: author interview with Chilean Education Ministry official, August 9, 2022; Carolina Stefoni et al., *Inserción Sociolaboral de la Población Migrante en Chile* (Santiago: Data Lab—COES, 2022); R4V, Caribbean Subregional Platform, "Integration" (background note, May 2021); R4V, Caribbean Subregional Platform, "Education" (background note, June 2021); R4V, Caribbean Refugee and Migrant Response Plan (RMRP), "Legal Framework: Asylum and Migration" (fact sheet, March 2021); UNHCR, "Accessing Healthcare in Trinidad and Tobago," accessed March 2023; Nicole Waddick, "Migration, Displacement, and Education in the Dominican Republic: Education and Inclusion of Haitian People, Stateless People, and Undocumented People" (background paper prepared for the 2020 GEM Report, UNESCO, 2020); R4V, RMRP, "Dominican Republic" (fact sheet, January 2020); IOM, UNHCR, United Nations Children's Fund (UNICEF), and Organization of American States (OAS), *Situación de la Población Refugiada y Migrante en Panamá* (Panama: IOM, UNHCR, UNICEF, and OAS, 2019).

## 5 Conclusions and Prospects for the Future

Overall, Latin American and Caribbean countries have displayed enormous innovation in responding to one of the world's largest displacement crises. An estimated half to three-quarters of displaced Venezuelans have been able to obtain some type of legal status in the countries in which they have settled, with the actual share probably somewhere in between. Almost all countries have provided displaced Venezuelan children, regardless of their status, with access to primary and secondary education, and most have provided access to either primary or emergency health care, with some countries providing access to even more extensive health services.



These measures have helped displaced Venezuelans to restart their lives in their new countries of residence, enter the labor market, obtain housing, pursue education, and get basic medical services. The ways that countries have approached the challenge of providing legal status and access to public services have been immensely creative, although in many cases they have been built on existing asylum systems, visa processes, and regional mobility and residence agreements. One surprising finding from this report is the extent to which these usual ways of providing protection and legal status actually worked in many of the countries where Venezuelans arrived, and special measures to grant temporary status played a subsidiary role in some countries rather than being the principal avenue to legal status.

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*These measures have helped displaced Venezuelans to restart their lives in their new countries of residence, enter the labor market, obtain housing, pursue education, and get basic medical services.*

Two countries—Argentina and Uruguay—extended their Mercosur residence permits to Venezuelans, even though Venezuela was suspended from the agreement, which allowed an almost seamless legal integration process. Others tried to use existing visa systems (especially Chile, Costa Rica, Ecuador, and Mexico), although in most countries, these proved not to be sufficiently agile to respond to the number of people arriving and their particular needs. Two countries—Brazil and Mexico—made extensive use of their asylum systems. And Costa Rica, although less expansive in granting refugee status, has provided work permits to asylum applicants and complementary protection to those whose asylum claims are not approved, thus offering an alternative pathway to legal status.

However, for the countries closest to Venezuela that received the largest number of Venezuelan arrivals—Colombia, Peru, and Ecuador—ad hoc temporary status measures ended up being particularly important. And in many other countries, such measures have played an important complementary role, especially as the numbers of Venezuelans increased. Brazil and Guyana instituted temporary legal status measures that were accessible to any Venezuelan arriving, while Chile, Curaçao, the Dominican Republic, Panama, and Trinidad and Tobago used ad hoc, time-bound measures to expand the capacity of overburdened visa systems that could not adjust sufficiently to deal with the arrival of displaced Venezuelans.

For the most part, governments in Latin America and the Caribbean have bet on legality—that access to legal status, education, and health care for displaced Venezuelans is to the advantage not just of the new arrivals but society at large. Most have gone to great lengths to make the bet pay off by innovating within their existing immigration and protection systems, education policies, and health-care systems to strengthen newcomers' inclusion. At the same time, however, restrictive entry measures implemented to control new arrivals (such as visa requirements) as well as pandemic-era border closures have in some places pushed Venezuelans to enter countries through irregular routes.

As the displacement crisis stretches on, efforts to make good on this bet on legality remain incomplete. An estimated 25 to 50 percent of Venezuelans have never received any form of legal status, and many among the 60 to 75 percent who have done so only have precarious and temporary statuses, making it difficult to integrate fully into their new communities. Many governments have yet to come to terms with how to include all Venezuelans in existing legal status measures and how to transition Venezuelans from temporary

to permanent status, even as it becomes evident that most will probably never return to Venezuela. Full access to health care and education, including higher education, similarly remains an ongoing challenge, though many countries have advanced quite far in laying the foundation for their education and health-care access. And there are many more steps that could be taken to promote Venezuelan’s active integration into receiving countries’ labor markets and financial institutions and the recognition of education credentials earned abroad.

Countries now have an opportunity to build on their existing efforts to promote integration and inclusion. Over time, studies predict that the arrival of millions of Venezuelans in other Latin American and Caribbean countries will contribute to those countries’ economic growth, but the extent to which this happens will depend on how well Venezuelans are integrated into labor markets and public services.<sup>120</sup> Indeed, while the pace of displacement from Venezuela has slowed, secondary movements appear to be increasing, in part because of integration challenges Venezuelans are encountering in countries of first arrival. Gaining a regular immigration status is a crucial starting point, but more permanent status and full access to education, health care, employment, and financial systems will play critical roles in the medium and long term.

As countries look ahead, they can learn a great deal from their experiences over the last few years. Latin America and the Caribbean has had the greatest increase in international migration of any region in the world over the past decade,<sup>121</sup> and human mobility is likely to be a feature of the region’s future, even if on a smaller scale. This is the moment to reinforce mobility and residency agreements, adapt visa policies, and invest in asylum systems, both to meet current needs and to be prepared for possible future displacement crises.

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*Latin American and Caribbean countries’ response to mass displacement from Venezuela has been both eminently creative and clearly imperfect.*

Latin American and Caribbean countries’ response to mass displacement from Venezuela has been both eminently creative and clearly imperfect. Countries have provided most Venezuelans with legal status but left others out; granted broad access to primary and secondary education, but have yet to fully address higher education and credential recognition; and ensured emergency and primary health-care access but not always full inclusion. The details have varied significantly across countries with different degrees of political will, foresight, and capacity. But overall, there is much to recognize in the region’s proactive responses to Venezuelan displacement, even as there is much still to do.

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120 Marco Arena, Emilio Fernandez Corugedo, Jaime Guajardo, and Juan Francisco Yopez, “Los migrantes venezolanos brindan oportunidades económicas a América Latina,” International Monetary Fund, December 12, 2022; World Bank, *Una oportunidad para todos: Los migrantes y refugiados venezolanos en el desarrollo del Perú* (Washington, DC: World Bank, 2019); Central Bank of Chile, “Impacto de la Inmigración en Chile: Lecciones de Casos Comparables” (Informe de Política Monetaria, June 2019).

121 Marie McAuliffe and Anna Triandafyllidou, eds., *World Migration Report 2022* (Geneva: IOM, 2022).

## Appendix. Methodological Considerations in the Data Tables

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Estimating the rates of legal status acquisition by a displaced population across 15 countries is a difficult endeavor in a region where few countries publish extensive migration statistics and there is no common set of data standards among them. The authors of this study have sought to be as rigorous as possible with the data that exist, and this appendix explains the sources for the data and methodological assumptions made in calculations on legal status. In the future, more rigorous and consistent public data may become available, but for the time being, this report uses and adjusts the data that exist to reach reasonable conclusions, given these limitations.

### Table 1

The information on the number of Venezuelans in each country comes from the Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela ([www.R4V.info](http://www.R4V.info)), using the data published December 12, 2022. The authors made only one change to these population figures, which was to include updated data for Colombia published by Migración Colombia in October 2022 and shared with the authors in December 2022.<sup>122</sup>

For other countries' data, R4V was the best and most up-to-date source, although the data have quite a few limitations, including over- and underestimates of the Venezuelan population in many countries. For example, the Colombian data in R4V have been updated as the number of applications for the country's ten-year temporary status measure has demonstrated that existing estimates of the Venezuelan population were far short of reality. In contrast, applications for the current temporary legal status program in the Dominican Republic appear to indicate that estimates of the Venezuelan population in that country may be inflated. In general, few countries in the world have precise estimates for populations of immigrants when some are in irregular status (including countries in Europe and North America, where there is a long history of producing extensive migration data), so it is hardly surprising that the existing estimates are far from perfect.

For the overall foreign-born populations in the 15 study countries, this study uses estimates from United Nations Economic Commission for Latin America and the Caribbean (ECLAC).<sup>123</sup> These estimates may contain their own inaccuracies, but they have the benefit of being a consistent dataset that is somewhat homogenized across the entire region. The authors supplemented the ECLAC data, which are for 2020, with the latest Venezuelan population data in each country (from the R4V estimates in December 2022). For most countries, other foreign-born populations did not grow quickly between 2020 and 2022, but estimates of the Venezuelan population in several countries changed dramatically. The actual numbers of Venezuelans also probably rose slowly in this period, but the estimates were improved multiple times as countries found ways of estimating their Venezuelan population with more precision. Combining 2022 Venezuelan

<sup>122</sup> Migración Colombia, "Distribución de Venezolanas y Venezolanos en Colombia."

<sup>123</sup> United Nations Economic Commission for Latin America and the Caribbean (ECLAC), "América Latina y el Caribe: Estimaciones y proyecciones de población," accessed December 15, 2023.

population estimates with 2020 data for other foreign-born populations is hardly unproblematic, but it was preferable to using the 2020 Venezuelan calculations, which were often quite far off from reality, when better estimates were available.

As with almost all data in this report, these numbers should be taken as reasoned estimates and understood in light of these caveats about the unreliability of the underlying data sources and the methodological assumptions made by the authors, which aim to improve, but do not fix, these imperfections.

## Table 2

The source for the information in Table 2 is a high-quality dataset from the United Nations High Commissioner for Refugees (UNHCR), the Refugee Data Finder ([www.unhcr.org/refugee-statistics/](http://www.unhcr.org/refugee-statistics/)), with data through June 30, 2022. It was accessed by the authors in December 2022 and rechecked in February 2023. The data depend on government reporting, but researchers generally consider them to be fairly accurate. The one crucial anomaly is that Trinidad and Tobago does not have a national asylum system, so the numbers in the table represent individuals who applied for protection and were recognized (or not) by UNHCR in Trinidad and Tobago, not by the country's government, which does not recognize these decisions.

## Table 3

The data used in this table for both countries came from government entities (the Argentine National Migration Directorate and Uruguay's National Migration Directorate within the Ministry of the Interior and Ministry of Foreign Affairs) via information requests made by other researchers, who shared the data with this report's authors in September 2022.

The counts of residence visas represent *events*, not *individuals*. It is likely that many of the same individuals are represented more than once, as they move from temporary residence visas to permanent residence visas (or renew their temporary visas). No public data are available that show how many individuals received this total number of visas.

However, there is research that suggests that almost all, if not all, Venezuelans in Uruguay have either a temporary or permanent resident visa. According to figures from IOM's Displacement Tracking Matrix, 94 percent of Venezuelans in Uruguay had some legal status in 2021 (temporary or permanent residence, granted or in process, refugee status) and 5 percent had a valid tourist visa, possibly as a prelude to acquisition of residency. Thus, less than 1 percent were irregular.<sup>124</sup> In addition, it is important to note that 75 percent of the Venezuelans surveyed had either been granted permanent residency (58 percent) or were in the process of applying for it (17 percent), which shows that a significant portion had robust legal status. The situation for Venezuelans in Argentina is similar: only 2 percent were irregular because they had not applied for the residence visa and another 13 percent were irregular because their visa had expired and not yet been renewed.<sup>125</sup> Both governments made Mercosur residence visas easy to access for nationals

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<sup>124</sup> IOM, *Impacto de la COVID-19 entre la población venezolana en el Uruguay - DTM Ronda 3 (Diciembre 2020- Enero 2021)* (Montevideo: IOM Uruguay, 2021).

<sup>125</sup> Penchaszadeh, Nicolao, and Debandi, *Diagnóstico sobre la situación de los derechos humanos*.

of countries included in the agreement, and both decided early on to include Venezuelans despite the country's suspension from Mercosur.

#### Table 4

The most important caveat for all visa data, in this table as in Table 3, is that they represent events not individuals; one individual may request and receive more than one visa, either by renewing temporary visas or moving from temporary to permanent visas, and the likelihood of this being the case is higher over longer time periods. In Table 4, the data are separated into three columns: temporary visas, permanent visas, and visas whose length was not specified in the underlying data sources.

Data for Colombia were shared with the authors by the Ministry of Foreign Relations in December 2022. The permanent visas category in this table includes resident visas (*visa de residente*) and "transfers" (*traspasos*), which are five-year, routine renewals of resident visas. There may be some double counting of the same individuals between resident visas and transfers, though there were fewer than 1,500 transfers in the 2016–22 period, so the overlap is probably minimal. The temporary visa category includes both the migration visa (*visa de migrante*) and the visitor visa (*visa de visitante*), which generally permits employment during a period of time. Some individuals may have applied for more than one temporary visa or moved from temporary to permanent status during the multiyear period in this table and thus be counted in the data more than once. It is also worth noting that from 2013 to 2015 (not shown in this table), significant numbers of Venezuelans received temporary and permanent visas in Colombia, which is not surprising given that it was one of the first countries to receive a large number of Venezuelan arrivals.

It is worth noting that there is a discrepancy in the data from Migración Colombia and the visa numbers from the Ministry of Foreign Relations. The data Migración Colombia made available in October 2022 list 2,894,593 Venezuelans in Colombia, with 1,627,005 who had obtained the ten-year residence status, 666,631 in the process of obtaining it, 289,228 with other forms of regular status, and 311,729 in irregular status. The visa statistics, obtained by the authors from the Ministry of Foreign Relations, which manages most visas, suggest that only slightly more than 90,000 Venezuelans obtained residence visas between 2016–22, with a total of slightly more than 113,000 if the period is extended to 2013–22. There may be others who obtained residence visas before 2013, but the totals would still be far fewer than the 289,228 listed by Migración Colombia. It is possible that the discrepancy is owed to other legal statuses (naturalization, prior temporary permits, and others). Given the discrepancies in the data, the authors have chosen to use the temporary status data from Migración Colombia, since they are responsible for that; the visa data from the Ministry of Foreign Relations, since they are responsible for visas; and the total number of Venezuelans from Migración Colombia, recognizing that the latter figure is an estimate, since there is no easy way to know how many Venezuelans may be in irregular status. For the visa table, the authors use only the official visa data, and in the estimates of those with legal status (Table 6), they provide a range that reflects the different possible scenarios from the two calculations.

Data for Ecuador are from two publications of the Ecuadorian Ministry of Foreign Relations and its Vice Ministry of Human Mobility. For the number of visas given to Venezuelan nationals from 2012–19, see National Council for the Equality of Human Mobility, *Agenda Nacional para la Igualdad de la Movilidad*

*Humana, 2017–2021* (Quito: Ecuadorian Ministry of Foreign Affairs and Human Mobility, 2021), page 59. For data from 2020–22, see Ecuadorian Ministry of Foreign Affairs and Human Mobility, “[Boletín Estadístico](#),” accessed September 4, 2022. These sources state that a little more than 200,000 visas were issued to Venezuelans from 2015 to June 2022, with 190,513 of those being issued in January 2016 to June 2022. Of these, 40,407 are the result of the special regularization program carried out in 2019–20, so the authors calculate that 150,106 other visas were issued to Venezuelans in 2016–June 2022. A significant number of the visas (but not all) were the UNASUR visa.

Data for Peru are from an official document from the Directorate of Migration Policies, National Superintendence of Migration, entitled “*Información del Perfil Sociodemográfico de los Migrantes, Abril 29, 2022*,” which was shared with the authors in June 2022. This document gives the number listed in the chart as the number of Venezuelans with up-to-date residence visas, but it does not give a breakdown of what visas they hold or whether they are temporary or permanent. These data are also from an earlier date (April 2022) than most of the other data in this report, but they provide the clearest picture of legal status in the country since the document was created to explain what legal status the Venezuelan population has.

Data for Chile are from the Chilean National Migration Service, “[Registros Administrativos](#),” accessed September 2022 and February 2023. The data source breaks down the number of temporary and permanent visas for every year. It should be noted that Chile created two ad hoc temporary status mechanisms for foreign nationals (2018–19 and 2021–22), and the temporary visas issued through these regularization programs are included in these official visa numbers. For this table, the authors have taken out the estimated number of visas issued to Venezuelans through these temporary status measures, and included these instead in Table 5 on temporary status measures, since they were visas acquired via ad hoc special measures, not existing visas. Because official data sources do not provide a breakdown by recipient nationality for the temporary visas issued through the regularization measures, the authors calculated an estimate of how many were issued to Venezuelans based on the share of the overall visa pool that went to Venezuelans during the two years for each of the regularization programs. A total of 155,707 foreign nationals were regularized in the 2018–19 regularization program, and Venezuelans received 39.6 percent of all temporary visas in those years, so the authors estimate that around 61,660 Venezuelans likely received their temporary visas through the special temporary status measure. In 2021–22, 212,652 foreign nationals received temporary visas under the special regularization measure, and Venezuelans received 45.4 percent of all temporary visas in those two years, so the authors estimate that 96,544 Venezuelans received their visas through the temporary regularization program.

Data for Curaçao were provided to the authors by the IOM office in Curaçao in September 2022, based on data that office received from the government of Curaçao, and they were confirmed again in December 2022. The dataset did not provide information on whether the visas were issued through the ordinary visa process or via a special temporary status measure (regularization) that was carried out in Summer 2022. The authors have chosen to list them all as regular visas, since they were reported as such to the authors and because it is not possible to disaggregate this information, but it is unclear whether some of the visas might be the result of the temporary status measure.



Data for the Dominican Republic are from the Dominican National Institute of Migration, “[Residencias por Nacionalidad, 2018-2023](#),” accessed February 24, 2023. Note that these data do not include visas issued in 2016 and 2017, years included in the calculations for other countries, but it is likely that these were small numbers, since most Venezuelans in the Dominican Republic appear to have arrived after 2017.

Data for Panama are from the National Migration Service of Panama, “[Estadísticas](#),” accessed October 2022 and February 2023. Table 4 includes only the numbers for Visas Ordinarias, which represent regular visas, and not those in the data source under Visas Extraordinarias, which are those issued through ad hoc temporary status measures and thus included in Table 5.

Data for Costa Rica are from the Costa Rican Department of Migration and Foreigners’ “[Informe Anual](#)” for each year from 2016 to 2021; data had not yet been published for 2022 at the time of writing, so the table’s total only includes visas from 2016–21. The temporary visa figure in the table includes both those visas classified as “temporary visas” and those classified as “special categories.” However, this latter category, which includes several relevant temporary visas, also includes residence visas issued to individuals who receive asylum, so the authors subtracted the number of asylum approvals in these years from the number of temporary visas to avoid double counting between this section and the earlier section on asylum.

For Mexico, the data are from the Mexican Secretariat of the Interior’s Migration Policy, Registration, and Identity of Persons Unit, “[Boletines Estadísticos](#),” 2022 estadístico mensual and 2016–21 estadístico anual, accessed in December 2022. The authors used data on permanent and temporary visas: Temporary Resident Cards (TRT) and Permanent Resident Cards (TRP). They did not add the data on refugee claimants, refugees, or Visitor Cards for Humanitarian Reasons (TVRH) because 89 percent of TVRHs correspond to applicants for refugee status, who after having this status mostly move to another category. If refugee status is granted, it is exchanged for a permanent permit, TRP (most are in this situation given Mexico’s high recognition rate, 88 percent in the period). If refugee status is not granted, migrants may be able to access a regularization process that provides a temporary visa (TRT) renewable for four years and with the possibility of later accessing a permanent visa.

### **Table 5**

The data on ad hoc temporary status measures—what are commonly called regularization programs—are variable in quality across countries and do not always make it possible to tell who has which status. Several of these mechanisms are also ongoing, which raises the question of which counts to use: all those who have applied, those who have been approved, or those who have both been approved and already received their status. In addition, existing data do not make it possible to tell whether all those who have received some form of legal status remain in the countries that granted that status; in fact, there are indications in several countries that some Venezuelan status recipients (possibly a relatively small portion) have since left.

Table 5 takes a cautious approach and includes only those who have received their temporary status documents. However, in Table 6, which estimates how many Venezuelans have legal status across the region, the authors opt for a broader approach, using the number of approved applicants as the lower bound and the total number of applicants who are on track to receive status as an upper bound. This is

especially relevant in the case of Colombia, where the data are from October 2022, and it is likely that many of those who had applied as of that date will have already received their permits by the time of publication.

Data for the first set of Colombian temporary status measures (six rounds all called Permiso Especial de Permanencia, or PEP) are drawn from official data and analyzed in a prior Migration Policy Institute publication.<sup>126</sup> Data on the six rounds of PEP are consolidated in this table to show the overall number of recipients of the status. Some individuals may be counted more than once. For the current temporary status measure, which provides a ten-year temporary status (Estatuto Temporal de Protección para Migrantes Venezolanos), data from Migración Colombia state that 2,293,636 Venezuelans had applied by October 2022, with 1,627,005 approved and 666,631 pending.<sup>127</sup> No updated numbers have been released since, but the process appears to be proceeding rapidly, so most of these applications will likely have been approved by the time of publication. Table 5 includes those who had been approved as of October 2022, whereas Table 6 uses this number for the lower bound and uses the total number of applicants for the upper bound, since it is possible that many or most of them will have received their permit by the time of publication.

In Ecuador, the data for the prior temporary status measure come from the Ecuadorian Ministry of Foreign Affairs and Human Mobility, *Plan Integral para la Atención y Protección de la Población Venezolana en Movilidad Humana en Ecuador, 2020–21* (Quito: Government of Ecuador, 2020), page 24. For the current measure, data come from the Ministry of Foreign Relations and Human Mobility's data page "[Reportería de Información del Proceso de Regularización](#)," in the section on Visas VIRTE. For a program that started in September 2022, these data suggest rapid rates of approval and issuance. However, since this program and the data are still very new, Table 5 shows only the number of approvals (rather than all applications) as reported on March 19, 2023.

For Peru, the Peruvian government shared an internal document with this report's authors in June 2022 that presented data on the number of Venezuelans the government believed to have active legal status.<sup>128</sup> The country has had four temporary status programs. The first (Permiso Temporal de Permanencia, or PTP) covered at least 460,000 Venezuelans, but only 315,268 completed the second part of the process, which gave them an identification card (Carné de Extranjería) that allows them to stay permanently in the country; this second part of the PTP process is listed as the second mechanism in this table. The third mechanism, Carné de Permiso Temporal de Permanencia (CPP), covered 217,017 Venezuelans as of April 2022, according to this government analysis. A fourth mechanism, which allowed Venezuelans with applications for refugee status to apply for an expedited humanitarian visa, covered 32,458 Venezuelans as of April 2022. The authors do not have data beyond that date.

In Chile, 155,707 foreign nationals were regularized through the 2018–19 temporary status measure, and another 212,652 in the second measure in 2021–22. Official data do not break these figures down by the nationality of the immigrants who received legal status through these two measures, so the authors calculated estimates based on the Venezuelan share of temporary visa recipients in those years (39.6

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126 Selee and Bolter, *An Uneven Welcome*.

127 Migración Colombia, "Distribución de Venezolanas y Venezolanos en Colombia."

128 Peruvian Directorate of Migration Policies, National Superintendence of Migration, "Información del Perfil Sociodemográfico de los Migrantes."

percent in 2018–19 and 45.4 percent in 2021–22): 61,660 and 96,544, respectively. Because these are the authors' estimates, rather than precise figures, Table 5 rounds these numbers to 61,700 and 96,500.

For Brazil, the data are from Gisela P. Zapata and Vicente Tapia Wenderoth, "Progressive Legislation but Lukewarm Policies: The Brazilian Response to Venezuelan Displacement," *International Migration* 60, no. 1 (2021): 132–51. The data only cover the period through 2021, and there some additional Venezuelans may have gained temporary status since then.

For Guyana, the number shown in Table 5 is the total number of Venezuelans in the country, drawn from Table 1 (and based on R4V data), since all Venezuelan nationals are issued a temporary permit on arrival. However, in Table 6, the estimate of those who have current visas is lower to account for the fact that some unknown number have likely had their permits expire because they must be renewed every three months.

Data for the Dominican Republic are from an announcement by the Director of Migration cited in "[Migración desmiente que haya reiniciado proceso de regularización para Venezolanos ilegales](#)," *Diario Libre*, March 16, 2023.

Data for Panama are from the National Migration Service, "[Estadísticas](#)," with the data drawn from the tables for "Permisos Extraordinarios" from 2016 to 2022.

Data for Costa Rica are from Redacción Confidencial, "[32.593 nicaragüenses solicitaron refugio en Costa Rica entre enero y mayo de 2022](#)," *El Confidencial*, June 21, 2022. It is likely that others have been approved since that date, so these numbers represent a conservative estimate.

## Table 6

The figures in Table 6 are drawn entirely from the data in the previous five tables and thus have the same sources and data limitations. However, to produce an estimate of the share of Venezuelans who have a current legal status in each country, it was necessary to make additional assumptions, which are detailed below. The authors elected to create a lower and an upper bound estimate for each country, rather than a single estimated share, because of the uncertainties within the data.

A number of data limitations prompted this cautious approach. In many cases, this study analyzes a period of time (2016–22) using annual information that reports data at a point in time and there is no diachronic follow-up of the data. Furthermore, in some cases, the information corresponds to events (e.g., visas issuances) and not to unique individuals. Additionally, the accuracy of population counts for the universe of Venezuelans in a country is affected by the irregular entry of people into its territories (often difficult to measure, although this study takes into consideration the available estimates) as well as by attrition resulting from returns, remigrations, and death. While recognizing these limitations, the cautious use of data to produce the estimates presented in this report nonetheless sheds light on a topic that has not been previously explored in this way. The estimates are rounded to the nearest five to avoid giving the impression of precision. In a few cases, the lower-bound estimate is rounded down out of an excess of caution.

For Colombia, the authors estimate that between 1,627,005 and 2,293,636 Venezuelans have legal status through the ten-year temporary status measure. The upper bound is the total number of applicants, while the lower bound is the number who had been approved as of October 2022. Migración Colombia has further calculated that 295,000 Venezuelans have other forms of legal status besides the ten-year temporary status, including regular visas, prior forms of temporary status, and naturalization, so the upper bound estimate reflects this number plus the total number of applicants for the regularization program, or 2,588,636, representing 89 percent of the estimated Venezuelan population in Colombia. The authors could not independently verify this figure, so in their lower bound estimate uses the total number of permanent visas (26,630) issued in 2016–22 plus half the total number of temporary visas (31,972) from the same period, assuming that some have expired; this produces a total of 58,602. This number is probably an underestimate (it does not include those who naturalized, obtained permanent visas before 2016, have refugee status, or have other temporary statuses), but it provides a safe lower bound. The authors then added the small number recognized as refugees in 2016–22 (1,280) to the conservative estimates for those regularized through the ten-year temporary status measure and those with other forms of legal status to produce a total of 1,686,887 Venezuelans with legal status in Colombia (58 percent of all Venezuelans in the country). The final, rounded estimate is that 60 to 90 percent of Venezuelans in Colombia have legal status, with the lower bound almost certainly a significant underestimate of the actual share.

In Ecuador, 1,137 Venezuelans received refugee status in 2016–22. Another 92,124 had received legal status through the two regularization campaigns as of early April 2023 and are presumed to still have status. Meanwhile, another 150,106 visas were issued in 2016–22, though official data do not offer a breakdown between temporary and permanent visas. Prior research<sup>129</sup> and the authors' conversations with government leaders, civil-society organizations, and international organizations suggest that the UNASUR visa was the primary visa type requested by Venezuelan nationals during the 2016–22 period, and this was often (but not always) a permanent visa. As a result, the authors estimate that somewhere between half and three-quarters of the 150,106 visas were likely permanent, or a range of between 75,053 and 122,580. Taken together, this produces a lower bound estimate of 167,177 and an upper bound estimate of 214,704—equivalent to a rounded estimate of between 30 and 45 percent of Venezuelans in Ecuador having legal status.

For Peru, the authors have simply taken the estimate of the population with legal status provided by the Peruvian government in their analysis of this issue in April 2022, which is also used in the previous tables. According to that document, 564,743 Venezuelans had legal status as of early 2022, through three of the four temporary status measures; the first one, PTP, required a second application for the identity card, which is the second legal status measure in Table 5, so the calculation of the total population with legal status only includes those with PTP who solicited the identity card through the second measure, plus those who received status in the third and fourth measures (the CPP and humanitarian visa). These numbers are added to those with regular visas (36,854) and those who have received refugee status (4,172) for a total of 605,769. It is possible that the official calculations may not be fully accurate, and some Venezuelans may have gained or lost legal status since April 2022, but this analysis based on government information provides an official count of Venezuelans with legal status in Peru, which is lacking in other countries. As a result, the authors estimate that between 30 to 50 percent have legal status, a range that straddles the government's estimate of 41 percent.

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129 Selee and Bolter, *An Uneven Welcome*.

In Chile, a total of 198,389 Venezuelans have permanent residency, and the authors assume that in this case, the number of visas corresponds to the number of individuals who possess them; this represents roughly 45 percent of all Venezuelans thought to live in Chile. Another estimated 158,204 Venezuelans have received temporary legal status through the country's two ad hoc temporary legal status programs (see explanation above for Table 5), and a further 482,289 temporary visas have been issued to Venezuelans through the ordinary visa process. It is likely that many Venezuelans who gained temporary status through these two channels have renewed their temporary visas or obtained permanent residence visas. In other words, while it is safe to assume that 198,389 permanent residence visas issued equates to 198,389 individuals with permanent residence, it is impossible to know based on publicly available data how many people are represented in the 640,493 grants of temporary status via ad hoc and existing measures. Temporary visas are of particularly short duration in Chile, usually only a year, which suggests that Venezuelans may have renewed their visa multiple times during the 2016–22 study period. And many Venezuelans arrived in Chile early in this period, from 2016 to 2019, so may have renewed temporary visas multiple times over the years. For the lower bound estimate in Table 6, the authors take only one-quarter of the total number of temporary status grants (160,123), which produces a total estimate of 358,512 Venezuelans with status in the country, while for the upper bound estimate, the authors take one-third of temporary status grants (213,498), which produces an of 411,887. This would have produced a range of 80 to 90 percent with legal status. However, the upper bound estimate seems unrealistically high in this case, since research has suggested that many Venezuelans who arrived through irregular crossings or after the last temporary status measure do not have legal status.<sup>130</sup> This may reflect the fact that there are more Venezuelans living in Chile than the government has registered (and, therefore, more in irregular status). To take a conservative approach, the authors reduced the lower bound estimate slightly, so that the final estimate is 75 to 90 percent of Venezuelans holding legal status in Chile.

For Argentina, Table 6 uses the information reported by Ana Paula Penchaszadeh, Julieta Nicolao, and Natalia Debandi in *Diagnóstico sobre la situación de los derechos humanos de las personas migrantes y refugiadas venezolanas en la república Argentina* (Buenos Aires: R4V, 2021) to decide on criteria for the upper and lower bound estimates. Based on the National Migrant Survey in Argentina, the authors of that R4V report identify that 22 percent of the Venezuelans surveyed had permanent residence in Argentina, 49 percent had temporary residence, 13 percent had a precarious status, and 1 percent had been naturalized. Only an estimated 15 percent of Venezuelans were in irregular status, and of these, 2 percent were because they had not applied for the residence visa, and the others were because their visa had expired and not yet been renewed. In the present study's Table 6, the authors apply irregularity percentages (between 15 percent and 2 percent) to the total number of Venezuelan residents in the country to establish a lower and upper limit of Venezuelans with some legal status. The authors used these percentages as criteria to estimate the lower bound (145,393) and upper bound (167,393) of Venezuelans with regular status, for an estimated range of 85 to 100 percent.

130 Carolina Stefoni et al., *Inserción Sociolaboral de la Población Migrante en Chile* (Santiago: Data Lab—COES, 2022); Rodrigo Azócar et al., *Desafíos y propuestas para la regularización e inserción laboral de migrantes en Chile* (Santiago: Pontifical Catholic University of Chile, 2022).

In Uruguay, there are many regular channels for Venezuelans to obtain residency in a fast, safe, and simple way.<sup>131</sup> Among them is the possibility of receiving an express residence permit from the Migrant Department within the Ministry of Social Development for people in economically vulnerable conditions. Thus, Venezuelans in an irregular situation are truly rare in this country. The authors take as a lower bound estimate the number of residence visas granted (20,329), but it is certain that there are more than 4,000 permanent residence visas in process. It is important to note that it is possible for Venezuelans and nationals of other MERCOUR member states to obtain permanent residency directly. Therefore, the authors take as an upper bound the total number of Venezuelans residing in Uruguay (23,400), according to R4V. This leads to an estimate of 90 to 100 percent of Venezuelans in Uruguay having legal status.

For Brazil, many Venezuelans who arrived in the country have subsequently left, due to the impact of the pandemic and other conditions not favorable for their integration. The most accurate figure for the number of Venezuelans with a residence permit in Brazil is the one reported by R4V,<sup>132</sup> which estimated 354,209 as of February 23, 2023. This data point is slightly higher than the data from the Brazilian Ministry of Justice showing that 112,260 Venezuelans had received temporary residency in the country and 72,334 had obtained indefinite residency,<sup>133</sup> plus 74,632 who were recognized as refugees and about 50,081 who were asylum seekers; however, that data point is from February 2022. The authors have taken the R4V estimate of the total number with legal status as a lower bound (354,209). For the upper bound, they have taken the numbers of regularizations (229,218) and refugees (74,632), plus 62,582 refugee claimants who the authors estimate are likely to gain refugee status (based on the number of pending applications and the 67 percent recognition rate shown in Table 2); this produces a total figure of 366,432. This leads to a final range of 90 to 95 percent.

For Guyana, all arriving Venezuelans receive a temporary permit that allows them to stay in the country. However, it needs to be renewed frequently, leading some to fall into irregular status. The authors were unable to locate data on how many Venezuelans have a current valid temporary permit. So, while Table 5 lists all Venezuelans as having received legal status, Table 6 estimates a broad range of between 60 and 90 percent as having a currently valid status, assuming some drop-off.

For Trinidad and Tobago, 13,500 Venezuelans received temporary permits issued through the second regularization mechanism, which provides the lower bound estimate for the number with active legal status in the country. In a 2021 nonrepresentative IOM survey of Venezuelans in Trinidad and Tobago, 35.8 percent reporting having a Minister's Permit (the temporary status document), while another 18 percent reported having a work permit, 2.5 percent other legal status, and less than 1 percent permanent residence, for a total of 57 percent with legal status.<sup>134</sup> However, since this is a nonrepresentative survey, there is no way to know what exact share of Venezuelans in the country have legal status. Still, it suggests that some Venezuelans may have regular work permits and other forms of legal status beyond the temporary status document. As a result, the authors take 57 percent as the upper bound, and the 13,500 figure for those with temporary

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131 Victoria Prieto Rosas et al., "Informe de resultados de la Etnoencuesta de Inmigración Reciente en Montevideo (ENIR 1, 2018)" (working document, University of the Republic, May 2022).

132 R4V, "Brazil," accessed February 23, 2022.

133 Subcomitê Federal para Recepção, Identificação e Triagem dos Imigrantes, "Migração Venezuelana, Janeiro 2017 – Fevereiro 2022" (fact sheet, February 2022).

134 IOM, "Monitoring Migrants Presence: Trinidad and Tobago."



status as the lower bound, or 30 percent. This produces a final estimate that between 30 and 55 percent of Venezuelans in Trinidad and Tobago have legal status, a broad range given the lack of public data.

For Curaçao, the only data point available is that 4,600 Venezuelans had a visa in the country as of 2022, a figure shared with the authors by the IOM office in Curaçao and based on information they received from the government. That serves as the lower bound estimate. It is possible that a few additional Venezuelans were regularized through the temporary status measure implemented in Summer 2022, but they may also have already been counted in the 4,600. However, for an upper bound estimate, the authors include an additional 2,000 who might have been regularized through the temporary status measure, recognizing that the lower bound estimate is probably more likely in this case. This produces an estimate range of 30 to 45 percent of Venezuelans in Curaçao holding legal status.

For Aruba, the authors could not obtain any data on the number of Venezuelans with legal status and thus did not attempt a calculation. The total Venezuelan population in Aruba is included in the table's first column but excluded from the final calculation of the share of Venezuelans across the region with legal status, given the absence of data on that population's status.

For the Dominican Republic, at least 30,000 Venezuelans have received temporary status through the current temporary status measure, according to a statement from the director of migration in March 2023. In addition, 1,678 Venezuelans have received a permanent visa since 2018 (the first year for which data are publicly available on visas) and are assumed to still be in the country with legal status, while another 18,505 temporary visas have been issued to an unknown number of Venezuelan nationals. For the lower bound, the authors estimate that one-third of those with temporary visas still have them (6,168), and they estimate that two-thirds have them for the upper bound (12,337). Therefore, the lower bound estimate of those with legal status is 37,846, while the upper bound estimate is 44,015. Since the requirements for the ongoing temporary legal status measure are fairly accessible (and most Venezuelans entered the Dominican Republic with a passport), there is good reason to believe that the total population count of 115,000 Venezuelans living in the Dominican Republic is too high. However, the authors have followed the same practice here as with other countries and used the published numbers. As a result, this calculation suggests that a relatively low percentage of Venezuelans have legal status in the Dominican Republic (30 to 40 percent).

For Panama, 47,658 Venezuelans obtained extraordinary visas through special regularization campaigns between 2016 and 2022, and 43 received refugee status. Another 33,639 residence visas were issued to Venezuelan nationals, but there is no way of knowing from the data how many individuals are represented in these numbers and whether they overlap with some of those who were later given legal status through one of the regularization campaigns. To calculate a lower bound estimate of Venezuelans with legal status, the authors assume that the number of individuals who received residence visas is one-third of the total number of visas issued, and to calculate the upper bound, that it is two-thirds. That provides a total range of 58,914 to 70,127, which is rounded out as 35 to 50 percent of Venezuelans in the country holding legal status. The actual number might be slightly higher in this case, since the last temporary status measure is still quite recent and some may be in process of receiving status.

For Costa Rica, 1,612 Venezuelans had received refugee status by June 30, 2022, according to UNHCR (see Table 2), while another 7,701 still had pending asylum applications (the total minus those approved, denied, and otherwise closed). In Costa Rica, all applicants for asylum have a fairly robust temporary permit, which allows for employment while awaiting a final decision, so the authors count these asylum seekers among those who have legal status in this case. (In only a few other countries—Mexico and Brazil, in particular—does having applied for asylum confer a relatively robust form of legal status, so the authors have generally not counted this population in their legal status calculations in most other countries.) In addition to this, 1,445 Venezuelans who were denied asylum had been given complementary protection as of June 2022. Costa Rica has also issued 19,009 permanent resident visas to Venezuelan nationals plus another 23,263 temporary visas. Adding all of the above, minus the temporary visas, equals 29,767 with some form of legal status. With temporary visas, however, it is harder to know who still has legal status. Following the practice for other countries, the authors estimate that anywhere from one-third to two-thirds of the number of temporary visas issued might be currently valid (7,754 to 15,508). However, there is a possibility that some of those awaiting asylum decisions (7,701 in all) might have since applied for temporary or permanent residency, so for the lower bound estimate, the authors assume that all of them (7,701) have done so, thus reducing the lower bound estimate by that numbers, to 29,820. The upper bound estimate assumes that two-thirds of the temporary visas went to unique individuals and that asylum applicants with pending cases are separate from those who have received temporary or permanent residence visas. This number would be greater than the 30,100 Venezuelans estimated to be in Costa Rica, so it is likely that the lower bound is closer to the truth or that the number of Venezuelans in Costa Rica is higher than estimated. For the purpose of Table 6, an upper bound of 99 percent seems unusually high, even though it is likely that most Venezuelans in Costa Rica have access to at least some form of temporary status through either the immigration or asylum system. As a result, the authors have lowered this slightly to produce a conservative estimate that between 80 and 90 percent of Venezuelans have legal status.

For Mexico, the authors used the data on permanent and temporary visas presented in Table 4, keeping in mind the data considerations described earlier in this appendix for that table. Because this is a proxy estimate, the authors assume the possibility of over- or underestimation. Therefore, for the calculation of the upper bound, the authors added together the data for permanent and temporary permits (78,274). This calculation does not take into account data on temporary permit renewals, meaning it does not count those who received their first permit prior to 2016 and who continue to live in the country by renewing this permit; this may counterbalance to some extent any double counting of temporary permit recipients in this upper bound calculation. For the lower bound, the authors added the permanent permits and half of the temporary residence permits, under the assumption that some temporary permit recipients became permanent residents during this period (64,432). Individuals are required to spend four years as a temporary resident in order to obtain permanent status, with the exception of refugees. These calculations produced an estimate of between 75 and 90 percent of Venezuelans in Mexico holding a legal status.

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