CASE STUDY:
Exiled Venezuelan Human Rights Defenders in Colombia
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TABLE OF CONTENTS

Executive Summary ........................................................................................................ 1
Venezuelan Human Rights Defenders in Colombia: Brief Context ......................... 4
The Case of Venezuelan Human Rights Defenders .................................................. 7
Some Emerging Lessons and Challenges for the Future ......................................... 14
Strategic Recommendations for Programming ......................................................... 15
Annex 1: List of Interviews ......................................................................................... 18
Annex 2: Bibliography ................................................................................................. 19
Endnotes ..................................................................................................................... 25

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RESEARCH AND EDITORIAL TEAM

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ON THE COVER
Venezuelan migrants cross in boats from La Victoria, in Venezuela, to Arauquita, Arauca in Colombia, March 26, 2021. The number of people who have fled from Venezuela to the Colombian town of Arauquita due to armed clashes between the Bolivarian National Armed Force (FANB) and apparent dissidents of the FARC rose to 3,961, according to Colombian authorities. (Image credit: Jebrail Mosquera Contreras/EPA-EFE/Shutterstock)
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Executive Summary

Introduction
In the face of rising human rights violations and repression and persecution of opposition voices by authoritarian regime, human rights defenders (HRD) in Latin America face mounting challenges. Repression by authoritarian regimes have forced many to flee their home countries, especially in Venezuela and Nicaragua. Freedom House recognizes the gap between what support exists currently and the needs of this growing exiled community and believes in the necessity of programming that offers holistic protection, support, and services tailored to the needs of HRDs in their host countries.

Venezuela is facing the region’s most serious political, human rights, and economic crisis. Since 2015, President Nicolas Maduro and his government’s authoritarian and corrupt policies have driven the country into economic freefall and an unprecedented humanitarian crisis. Venezuela faces the highest inflation rate in the world and a nearly valueless currency (the Bolivar), extreme shortages of food, medicine, and basic services. The United Nations stated that 9.3 million people inside of Venezuela are classified as food insecure. Meanwhile, the Maduro regime and its Special Action Forces (FAES—las Fuerzas de Acciones Especiales) employ arbitrary arrests, detentions, disappearances, and extrajudicial executions to intimidate and silence any opposition to its authoritarian rule.

To compound the political, economic, and human rights crises, in 2020 COVID-19 ripped through the country taxing its flailing healthcare system, already severely lacking medical equipment and medicine. Moreover, Venezuelans faced job loss and further economic hardship, along with stringent restrictions on movement and access to information and already scarce basic services. Venezuelan migrants who had left before borders closed in March 2020, found themselves in increasingly vulnerable situations in their host countries, particularly as shelters shuttered during lockdowns.

According to the UNHCR and the International Organization for Migration (IOM), Colombia is host to more than 1.7 million Venezuelans—more than 35 percent of all Venezuelan refugees and migrants in Latin America and the Caribbean. Moreover, Colombia is now home to almost 845,000,000 Colombian returnees with dual nationality, who have returned due to the crisis in Venezuela. Most migrants end up in the capital, Bogotá and many have arrived during the past five years. The influx of Venezuelans, who often arrive with limited financial resources and psycho-emotional trauma, among other challenges, has taxed the Colombian government’s ability to respond.
Purpose of the Case Study

This case study seeks to explore the experiences and needs of Venezuelan HRDs exiled in Colombia and to provide recommendations to strengthen and expand integrated and comprehensive support and protection approaches for them, including psychosocial, legal, employment, housing, and security. The case study analyzes existing programs offering assistance to Venezuelan HRDs in Colombia, as well as the host government’s policies toward and response to exiled HRDs. Together with a parallel case study of Nicaraguan HRDs exiled in Costa Rica, Freedom House hopes to contribute to the growing policy dialogue on how to support those forced to flee their countries due to the nature of their work and how best to continue that work once they are relocated.

The focus on these specific cases will highlight how key actors interact and collaborate with each other to support and protect HRDs. The actors are: 1) the host government institutions in Colombia and Costa Rica, at the national and local levels; 2) the Venezuelan and Nicaraguan HRD communities in the host countries; 3) the Colombian and Costa Rican HRDs and CSOs in host countries; and 4) the international governmental and non-governmental organizations in the host country. Moreover, the two cases will help to identify existing approaches to shelter HRDs and democracy activists, the services they receive, and their needs. Furthermore, the analysis of these two cases will provide initial inputs to develop comprehensive approaches to address HRDs’ needs and guide host governments and non-governmental organizations to use their resources more effectively. At the same time, the focus on these two cases from the perspective of the HRDs will highlight their needs related to health, livelihoods, psychological, education, citizen security, family links, and advocacy opportunities.

Methodology

This case study focused on HRDs and CSOs that specifically defend human rights. Under the definition of the United Nations, a HRD is a “A person who acts to promote or protect human rights in a peaceful manner, whether they are an individual or a group, is a defender of human rights.” The methodology guiding the research used to produce this case study included: First, an initial desk study and literature review to synthesize information available in written documents (more than 100 documents, see Annex 2). Second, twenty (20) semi-structured interviews (between January-March 2021) with 21 key informants and stakeholders (activists, journalists, and human rights organizations) for a non-representative sample.

Third, a targeted survey in May 2021 with 18 Venezuelan human rights defenders who are currently living in Colombia. Finally, based on the information collected, Freedom House produced the case study. Throughout the process, the team met several times to outline themes, review and discuss information and finalize the report.

Although not exhaustive, the case study serves as a starting point to document recent trends, approaches and potential entry points for future Venezuela HRD activities and support in Colombia. Given time and resources limitations, the case study was limited in its scope. As such, it is not intended to be an impact or capacity assessment; much less an evaluation of specific programs and/or initiatives. Rather, it describes (based on secondary information available and time constraints) the state of needs to increase support and protection for vulnerable Venezuelan activists and HRDs in Colombia and highlights major areas that merit programmatic attention. It maps out priorities and recommendations.

The interviews and survey were guided by a list of questions centered on understanding the profile of the HRDs, as well as their needs. The case study research inquiry focused on topics related to how HRDs settle into a safe environment, how they support their families left behind; if they receive training involving extra security precautions, networking, and career development; if they receive medical and psychosocial attention; and if they are able to find sustainable employment to continue their human rights work throughout the time they are unable to return to their home countries.

The 20 interviews mentioned above were conducted through different digital platforms, characterized as follows:

- 6 activists from civil society organizations and human rights defenders (in exile in Colombia),
- 9 human rights organizations and civil society organizations (5 Venezuelan organizations and 4 Colombian organizations)
- 5 journalists

Of the total of the interviews, 10 were women and 10 were men.

Interviews took place with the following:

- Colombian Non-governmental organizations (NGOs): Juntos Se Puede Colombia, Fundación Nuevos Horizontes, Dejusticia - Centro de Estudios de
Derecho, Justicia y Sociedad, CODHES - La Consultoría para los Derechos Humanos y el Desplazamiento, and ASOVENCOL (Asociación de Venezolanos en Colombia)

- **Venezuelan Non-governmental organizations (NGOs):** Centro para Defensores y Justicia (CDJ), Fundación Futuro Presente, and PROVEA - Coalición por la Democracia y los Derechos Humanos

- **University organizations:** Centro de Derechos Humanos de la Universidad Católica Andrés Bello (CDH-UCAB), Movimiento estudiantil Universidad de Los Andes, Mérida, Venezuela, El Centro de Estudios en Migración (CEM) / Clínica Jurídica para Migrantes, and UNES - Universidad Nacional Experimental y de la Seguridad, sede Zulia.

- **Media outlets:** VPI TV (venezolanos por la Información), Punto de Corte, Televen, and Armando.INFO

- **Former government officials:** Fiscalía General de la Nación / Ministerio Público de Venezuela, Magistrado del TSJ, and Asamblea Nacional.

All participants were asked for consent before agreeing to the interview, as well as for consent to be recorded and have their information utilized in the report anonymously.

The Freedom House Team members who produced the case study included expert and specialist Juan Navarrete Monasterio; Gerardo Berthin, Freedom House Director for Latin America and Caribbean Programs; Alessandra Pinna, Freedom House Deputy Director for Latin America and Caribbean Programs; Caitlin Watson, Senior Program Officer; and Olivia Magnanini, Freedom House Research/Program Associate.

**Findings in brief**

This case study focused on the most recent wave of migration of HRDs and CSOs who were forced to flee from Venezuela to Colombia after the heavily contested election of Nicolas Maduro in 2018 and the rapidly closing civic space and sharply deteriorating humanitarian conditions that followed. Exiled HRDs fled in part due to violence, threats, and intimidation they experienced for doing their work. However, 50 percent of those interviewed for this assessment, indicated that basic survival and economic necessity primarily drove their decisions to leave.

Colombia has taken commendable strides to accommodate Venezuelan migrants legally. First through the PEP (Permiso Especial de Permanencia, enacted in 2017) and the TMF (Tarjeta de movilidad fronteriza). Second, in February of 2021, Colombia’s President Iván Duque unveiled a program called the “Temporary Protection Statute for Venezuelan Migrants,” which would allow Venezuelan migrants the right to work and live in Colombia under the protection of the law for a period of up to ten years. Legal status affords Venezuelan migrants identification documents, access to government services, social security, and access to bank accounts. Such integration measures are crucial for all migrants to be able to establish themselves in a host country, and especially for HRDs seeking to continue to work from exile.

Several organizations provide aid and services to recently arrived Venezuelan HRDs in Colombia, including the United Nations (UN) agencies, Colombian CSOs, and faith-based-affiliated organizations. Support includes temporary shelter or housing, cash assistance for food, clothing, and other basic needs, medical and legal services, as well as educational support.

Despite these efforts to secure Venezuelans’ integration in the host country, major gaps in supporting Venezuelan migrants, particularly HRDs or part of CSOs that work to defend democracy, exist. Many HRDs must seek work to help cover their basic needs, which often forces them to turn their focus away from human rights work. Security (financial and physical), family reunification, and access to psychosocial support all continue to be largely out of reach for exiled Venezuelan HRDs. Although there are Colombian government agencies, international institutions, and various Colombian NGOs and Venezuelan NGOs working to help HRDs, there is generally a lack of coordination among actors. Some Venezuelan HRDs have expressed wanting to return to Venezuela, but others recognize Colombia as their new home and are open to permanently resettling.

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Venezuelan Human Rights Defenders in Colombia: Brief Context

Historic attacks against HRDs and CSOs

Since taking office in 2013, the Maduro regime has administration has systematically harassed, arbitrarily detained, and imprisoned key opposition figures and those seeking to defend democracy and human rights. This policy of hostility heightened in the wake of a 2018 presidential election, which Maduro won, that was widely rejected as illegitimate by the international community. Since then, human rights organizations have documented extrajudicial killings, arbitrary detentions, the use of excessive force, and killings at the hands of security forces (including colectivos). The UN’s independent Fact-Finding Mission for Venezuela (FFM) corroborated these accounts in two reports on the human rights situation in Venezuela. Particularly at risk are human rights defenders (HRDs), journalists, and representatives of civil society organizations (CSOs).

Specific laws enacted during the preceding Hugo Chavez regime (1999-2013), have been reengaged recently against opponents or critics of the regime, particularly HRDs. This includes the Decree with Rank, Value and Force of Organic Law of Security of the Nation (2002), which criminalizes activities that may disrupt the operation of military, civil, industrial facilities, or communication routes. Similarly, the Law against Organized Crime and Terrorism Financing, enacted in 2005 and amended in 2012, ambiguously defines the crimes of terrorism, terrorist financing and organized crime, offering an opening to identify and prosecute those who work in defense of human rights.
These legal measures, violence and intimidation all demonstrate a systematic effort to silence HRDs and CSOs who defend democracy. The closing of democratic spaces is part of a larger policy of squeezing out those who challenge the regime. According to Freedom House, since 2006, Venezuela has seen the largest decline in political rights and civil liberties in the Americas and the second largest in the world, dropping a total of 40 points.11

**Closing democratic spaces—key areas of repression**

The systematic disregard for human rights by the regime in Venezuela is observed in the violation of social, individual, economic, civil, and cultural rights. Some key areas that show this disturbing trend are:

**Freedom of expression:** According to the National Union of Press Workers - SNTP, Espacio Público, Caracas Press Club and PEN Venezuela, “Between 2013 and 2018, 115 media outlets were closed in Venezuela. During those five years, 65 stations, 41 print media have closed and eight television channels are not available in the open signal.” The stigmatization, harassment, and operations campaigns against the media in Venezuela constitute an attack against freedom of expression and information and undermine the important contribution that these media outlets make in shedding light on the human rights violations committed by Venezuelan authorities.12

**Control of social media and cyberspace and:** During 2019, CSO Espacio Público, denounced blockades and restrictions on the Internet imposed by the State and mainly from the National Anonymous Telephone Company of Venezuela (Cantv), preventing access to digital platforms, media, and social networks. The Venezuelan government has applied selective blocks of critical informational digital portals, selectively censoring 25 journalists, according to the Institute of Press and Society and Public Space.13

**Anti-opposition legal framework / Weakening of the Justice System in Venezuela**

Since December 2015, the Supreme Court of Justice (TSJ) has sought to deprive the National Assembly (AN)6 of its functions through various rulings. To date, there are 145 sentences by the TSJ against the Legislative branch, greatly impacting its ability to function. The following laws have been wielded against opposition figures and HRDs:

- National Security Law7
- Law for the Defense of Political Sovereignty and National Self-Determination8
- Law Against Organized Crime and Terrorism Financing9
- Law of Registration and Enlistment for the Comprehensive Defense of the Nation10
- Decree of Exception and Economic Emergency11
- Constitutional Law against Hate, for Peaceful Coexistence and Tolerance12
- Creation of the National Anti-Terrorism Corps13

Since 2016, more than 25 states of emergency have been declared across the country, authorizing the President to adopt comprehensive economic, social and security measures. All have been confirmed as legitimate by the

"There is a concerted effort to portray and prosecute HRDs and CSOs as ‘dangerous’ and to hinder or stop their human rights work in Venezuela.”
Constitutional Chamber of the Supreme Court, despite not having been approved by the National Assembly, as required by Article 339 of the Constitution. The combined attempts by the Judicial branch to conspire with the Executive branch against the Legislative branch, the use of specific laws to charge opposition figures, and the use of states of emergency are all designed to restrict freedoms. All of these measures demonstrate a concerted effort to portray and prosecute HRDs and CSOs as “dangerous” and to hinder or stop their human rights work in Venezuela. In September 2021, The United Nations Independent Fact Finding Mission for Venezuela released a report highlighting that Venezuela political leaders have deployed the country’s judicial system as an instrument of repression against opponents and critics. Growing political interference in the judicial system has eroded its independence and created an apparatus that provides legal cover for abuses that include extrajudicial killings, torture, sexual violence and enforced disappearances.24

Rise in migration since 2015

Until 2015, Latin America had not experienced migrant outflows at the scale of the Venezuelan crisis. Many countries adopted an informal “open door” approach, allowing Venezuelans to enter on an interim basis and receive legal status via existing visa categories and special regularization programs, as well as apply for traditional asylum. The largest receiving countries are bordering countries including Colombia, Brazil, Guyana and Trinidad and Tobago (by sea). Migrants who stay in these countries tend to be younger, poorer, and less educated and many arrive on foot (“caminantes”) or by boats (Trinidad and Tobago). For some, these countries offer a launching point to getting to wealthier host countries such as Panama, the United States, and Spain. Others migrate to Ecuador and Peru by foot or by bus. Southern Cone countries such as Argentina, Chile, Uruguay, and Paraguay, as well as Costa Rica, tend to receive Venezuelan migrants who are better educated and, overall, send the most in cash remittances to their families.25 Host countries and communities in Argentina, Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico, Panama, Peru, and the southern Caribbean have received Venezuelans generously, but they are increasingly overloaded. Today, Colombia has received more than 1.7 million Venezuelans, and almost a million (983,000) maintain irregular legal status. Approximately 20% percent of the total migrant population is in the capital and largest city, Bogotá.26 In addition, Colombia has welcomed 845,000 repatriated Colombians with dual nationality from Venezuela. The two countries have enjoyed a país hermano relationship for decades, as Venezuela welcomed hundreds of thousands of Colombian refugees during the 50+ year civil war. In September of 2019, the Duque administration passed legislation to recognize the 24,000 children born in Colombia to Venezuelan parents, granting them Colombian citizenship independent of the migration situation.27 On March 1, 2021, the President Duque signed the Decree of the “Temporary Statute of Protection for Venezuelan Migrants Under the Temporary Protection Regime and other provisions on immigration matters,” affording the right to Venezuelan migrants to gain legal residency and work permits for up to ten years.

UNHCR reports that most refugees and migrants from Venezuela who arrive in neighboring countries include vulnerable populations such as families with children, pregnant women, elderly people, and people with disabilities. Often forced to take irregular routes to reach safety, they may fall victim to smugglers, traffickers, and various armed groups. More and more families arrive with increasingly scarce resources and have an immediate need for documentation, protection, shelter, food, and medicine. In her annual report, the United Nations High Commissioner for Human Rights, Michelle Bachelet signaled to the Government of Venezuela that “if the situation does not improve, the unprecedented exodus of migrants and refugees leaving the country will continue, and the living conditions of those who remain will worsen.”28 If the current migration flows continue, the UNHCR estimates there will be more than 6.2 Venezuelans who have left the country by the end of 2021.29
Understanding the historical context of Venezuela and recent waves of migration since 2015 helps to put into perspective the case of Venezuelan HRDs in Colombia. In this section, we will highlight trends, models, and approaches to defend and protect Venezuelan HRDs and pro-democracy CSOs who have recently settled in Colombia.

There is no public data available about the profiles of Venezuelan HRDs in Colombia, but through analysis, interviews, and a targeted survey of Venezuelan HRDs in Colombia conducted as part of the case study, here are the most important characteristics we found:
Initial Profile of Venezuelan HRDs in Colombia

- Both men and women
- Both young and old
- They are journalists, independent media, members and leaders of civil society organizations, academics, and human rights advocates.
- Some crossed illegally, others used formal channels and human rights networks in Colombia for assistance.
- Most have no intention of returning to Venezuela until the situation changes.

A significant number of HRDs, before the temporary protection program announced by the Government of Colombia, saw Colombia as a temporary stop on their way to another country (e.g., the United States, Spain, Panama, Peru, Brazil).

Many HRDs went into exile as a last resort in the face of reprisal for their work. The interviews with 20 HRDs and the survey conducted with 18 Venezuelan HRDs in Colombia revealed that the vast majority experienced direct threats. HRDs surveyed most commonly confronted harassment, intimidation, surveillance, and threats against their families (see Graph 1 below).

How do HRDs settle in Colombia?

Going into exile is often a decision made swiftly, which makes it difficult to carry out a detailed plan of departure and leaving Venezuela as a victim of persecution presents serious logistical and security challenges. Most HRDs said that they did not have time to decide carefully about to which country they would go. As a result, due to its extensive shared border with Venezuela, Colombia is often the country with the easiest and immediate access. Other countries with relatively easy access include Brazil, the Dutch Antilles, and Trinidad & Tobago (by boat). Many of the HRDs left the country by land to the border and were forced to cross through “las trochas” (irregular border crossings) to reach Colombia.

Many HRDs leave the country by land to the border, and often are forced to cross through “las trochas” (irregular border crossings) to reach Colombia. Some Venezuelan organizations assist HRDs in leaving the country, by providing financial or logistics. In addition, due to high risk and vulnerability, some international and Colombian organizations target specifically young student leaders and journalists and assist them to reach Colombia.

Once in Colombia, the priority for HRD leaders, journalists and defenders is to find a way to become gain legal status.

**GRAPH 1: REASONS FOR VENEZUELAN HRDS EXILE IN COLOMBIA**

<table>
<thead>
<tr>
<th>Reason</th>
<th>Number of Responses</th>
</tr>
</thead>
<tbody>
<tr>
<td>Other threats</td>
<td>9</td>
</tr>
<tr>
<td>General context of violence</td>
<td>7</td>
</tr>
<tr>
<td>Harrassment and/or Surveillance</td>
<td>6</td>
</tr>
<tr>
<td>House/Office Search</td>
<td>5</td>
</tr>
<tr>
<td>Threats to Family Members</td>
<td>4</td>
</tr>
<tr>
<td>Warning</td>
<td>3</td>
</tr>
<tr>
<td>Arrest Warrant or Arrest</td>
<td>3</td>
</tr>
<tr>
<td>Physical Attack</td>
<td>2</td>
</tr>
</tbody>
</table>
in the country, so they can find work and better integrate into the host community. However, even with the help of international organizations like the UNHCR, this process can be cumbersome and lengthy. HRDs highlighted that although there has been a boom in social and humanitarian organizations that work with Venezuelans in Colombia, the focus of these organizations is on assisting migrants in general, not specifically on the needs and requirements of HRDs.

WHO OFFERS SUPPORT SERVICES FOR VENEZUELAN MIGRANTS AND HRDS IN COLOMBIA?

**The Center for Migration Studies (CEM) / Legal Clinic for Migrants:** Operates out of the University of the Andes, and provides research, education and advocacy strategies to the challenges posed by the governance of the migratory phenomenon that is occurring today in Colombia and in the Latin American region. Today, they increasingly serve migrants and HRDs with very low resources. At the beginning, the target audience had a profile more focused on exiled civil society leaders, but more and more cases come from very humble people with unsatisfied needs, a high level of vulnerability, and have crossed into Colombia on foot. The CEM collaborates closely with UNHCR.

**Dejusticia** is an organization located in Bogotá, dedicated to strengthening the rule of law and promoting human rights in Colombia and the Global South. As an action-research center, they promote social change by conducting rigorous studies and solid proposals for public policies, carrying out advocacy campaigns in high-impact forums, public interest litigation, and designing and delivering educational and training programs. Their initiative, Enlaza Venezuela, focuses on connecting Venezuelan civil society organizations - that have a project, idea, or initiative of social transformation that needs a boost - with foundations, cooperation agencies, companies, universities and other agents of change interested in supporting their proposals to make them come true.

**Juntos se Puede:** is an NGO created to support Venezuelans in a condition of forced displacement and guarantee respect for their fundamental rights and effective integration into society. They offer comprehensive services to the Venezuelan migrant population and host communities in Colombia, such as healthcare, education, and legal assistance for documentation.

**Program to Strengthen Venezuelan Youth:** In 2020, the Ávila Monserrate Civil Association, the National Endowment for Democracy (NED), the KAS (Konrad Adenauer Stiftung) and the Universidad del Rosario, through the Venezuela Observatory, created a program to promote the empowerment of young Venezuelan leaders and activists of social and political organizations in Colombia who migrated or were exiled. Based on their leadership and activism experience of the youth back in Venezuela and in Colombia, the program provides them with training, tools and spaces for interaction so that they can build synergies, strengthen their networks and support activities in areas such as, culture, politics, migration, humanitarian management, social work, communication, defense of women’s rights and the LGBTIQ+.

“In Colombia I applied for refugee status, but they informed me that the procedures were very expensive and long and the second option, which was the one that I took, was a courtesy visa that is a complementary measure to the refugee status.”

(Venezuelan HRD in Colombia)
Regularization process for Venezuelan HRDs in Colombia

According to the Interagency Platform for Refugees and Migrants of Venezuela, and the UNHCR in early 2021, Colombia remained the country that welcomed the largest number of refugees and migrants from Venezuela (more than 1.7 million as of February 2021), in addition to those that are in transit and “pendular” migrants—those who cross back and forth over the boarder to work and return home with their earnings or to seek basic necessities like food, and medicine. Despite the government’s recent commitments to support regularization, the government estimated that more than 56 percent (almost one million) of Venezuelans in Colombia have not achieved regularized work status.31

Settling into Colombia can involve significant bureaucratic hurdles, such as whether the entry stamped in their passports is original. If is not, it could be considered a crime in Colombia and can further complicate the process for legalization. In other cases, before requesting refugee status, HRDs need to request complementary and temporary courtesy visas.

In 2017, the Government of Colombia created the Permiso Especial de Permanencia (PEP), a temporary and ad hoc special permit granting Venezuelans two years of regular status, work authorization, and access to public services, and could be renewed once. The PEP benefited both mass migrants and HRDs, as they can work legally and contribute to the Colombian health system. The PEP facilitated not only the legalization of HRDs in Colombia, but also allowed the space for economic and social entrepreneurship. The new temporary protection statute announced in February 2021, will make Venezuelan migrants who are in Colombia illegally eligible for 10-year residence permits, and allow migrants currently on temporary residence to extend their stay. If they do not register under the new status migrants will eventually be subject to deportation. Migrants who arrived in Colombia before Jan. 31 are eligible, as are those who will enter legally during the first two years that the policy is in effect. This will provide migrants and Venezuelan HRDs in Colombia an opportunity to regulate their status. This measure will eventually replace the PEP.

What factors have contributed positively to your work in Colombia as a HRD in exile?

- “My experience is valued. I have a contract with the same organization with which I worked in Venezuela that covers 50% of my financial needs.”
- “I have managed to register my children in school.”
- “I founded an organization in Colombia that assists and helps the Venezuelan migrant community.”

Are the HRDs able to find sustainable employment as a means to continue their human rights work throughout the time they are unable to return to their home countries?

A second priority for Venezuelan HRDs when arriving in Colombia is to find a way to generate income. Before the temporary program was announced in February 2020, some Venezuelan HRDs reported missing out on the PEP due

“I currently live in Cúcuta, and thanks to the PEP I am able to work on a platform that I created for training for entrepreneurs and business growth. I also worked in an NGO on the issue of formulating social projects and I have done some collaborations for the media in Venezuela.”

(Venezuelan HRD in Colombia)
to prohibitive requirements. These include specific time windows to apply and ineligibility to apply for the PEP or a work permit based on irregular status. Even with the PEP and the new temporary stay measures, like all Venezuelan migrants, HRDs face many barriers in finding formal and sustainable employment, more so in the human rights area. Without formal work authorization, many HRDs are pushed into the informal sector, and are forced to accept lower salaries in spite of the fact that they may have high professional and academic credentials.

My life project is to stay in Colombia, make a family, put down roots. I have always said that I will return to Venezuela to contribute, perhaps as a tourist, and thereby help Venezuela to get ahead when the situation allows it. But for now, I see myself here in Colombia as a resident and I hope to do so for many years.”

(Venezuelan HRD in Colombia)
More than 80 percent of HRDs who responded to our non-representative survey, said they have been able to continue work in Colombia as HRDs. Below are some of the factors they mentioned to be key when living and working in exile:

In some cases, HRDs interviewed mentioned the role of churches and international cooperation organizations or humanitarian aid in supporting HRDs with funds for basic needs and to start modest ventures.

However, while 80 percent of those Venezuelan HRDs who responded to the survey said they were able to work and access some assistance, Venezuelan HRDs interviewed for the assessment highlighted many difficulties and challenges. For example, many HRDs noted that they had limited access to information about employment opportunities upon arriving to Colombia, especially outside of Bogotá. When they did find human rights-related work, often it was unpaid. HRD also noted that upon arriving in Colombia they felt compelled to “make themselves invisible,” due to fear of transnational persecution by the Maduro regime. This low profile prevents articulation and engagement with support networks and strategies. The case study identified one potential instance of transnational aggression in Colombia against a former Venezuelan prosecutor, Zair Mundarai, who was attacked in a failed kidnap attempt in the streets of Bogotá.32 More in-depth analysis is needed to determine the spread and depth of transnational repression practices, yet even its perceived threat has a chilling effect on exiled HRDs.

In our survey of 18 Venezuelans HRDs, we asked them to rank by priority the actors who offer support and resources to them while in Colombia. As can be seen in Graph 2 on the preceding page, international multilateral/governmental or intergovernmental organizations were ranked as primary providers, followed by CSOs and NGOs, Church and faith-based organizations, with government institutions coming in last. As we can see in Figure 1 on the preceding page, Venezuelan HRDs in Colombia identified multiple urgent and immediate needs, such as: financial support, humanitarian assistance, medical and psychological services, networking, physical and digital protection, professional development, and human rights resources. Yet, the assessment confirmed that the demand for these services far exceeds supply.

**Do the HRDs receive medical and psychosocial attention?**

Medical and psychosocial care are a high priority for most Venezuelan HRDs in Colombia, given the pressures of their work, including the constant threat of persecution, and the psychological and physical tolls of migration. Moreover, many of them experienced scarce access to medical and psychosocial attention in Venezuela, even before migrating, given the country’s acute humanitarian crisis. Despite this urgent need, as can be seen in Graph 3 only 28 percent of the HRD respondents said they received both medical and psychosocial attention, while 33 percent said they did not
receive either. Similarly, 22 percent of the HRD respondents said they received only medical services, while 17 percent said they received psychological services only. Moreover, the providers of these services are diverse. Care ranges from private doctors, affiliated social services (e.g., EPS compensar), local NGOs (e.g., Fundación Malteser en Riohacha), international NGOs (e.g., Heartland Alliance International), and international organizations (e.g., IOM, UNHCR).

How do HDRs support their families left behind?

Many HRDs highlighted the difficulty of leaving their families behind in Venezuela for logistical, security, or financial reasons. Yet, many HRDs were the breadwinners of their families before they were forced into exile, making it urgent for them to find paid work to send back to their families. According to interviews and the survey results, those who are able to reunite with their families still face challenges in exile such as supporting them and providing for basic costs, such as food, housing, health care, and school fees. Support for HRDs who are relocated abroad, rarely includes support for family members. When Venezuelan HRDs in Colombia were asked, the needs of the family members that were left behind, their responses were:

- Financial support to cover basic needs and psychosocial care
- Helping them to get out of the country, as they can be targets of retaliation
- Security and support
- Guidance on their legal rights and who they can ask for help in the country
- Humanitarian assistance
- Family reunification

HRDs in exile try to send money, resources, and what they can to help their families who continue to live in Venezuela, but the reality is that it is difficult. Some HRDs have had problems sending funds to Venezuela to continue supporting family members, and were unable to continuing to work in defense of human rights in the country. Of the sample that were able to continue working in defense of human rights, many of them receive financial aid from organizations to sustain their economic needs. Also, some have brought together Colombian organizations working with the Venezuelan refugee population and migrants. One person highlighted the struggle between supporting themselves and their family and the desire to continue their work in defense of human rights:

“I can’t have a fight, when I have to have sustainability.” (Venezuelan HRD)
Some Emerging Lessons and Challenges for the Future

HRDs and organizations interviewed for the case study were reticent to discuss their experiences with exile. Some hesitated to offer details of their work on human rights, social or political initiatives out of fear. Others expressed a “hopelessness” to continue such work, particularly younger defenders.

Below we list in order of importance, some of the needs that emerged from the testimonies of Venezuelan HRD exiles interviewed in Colombia, which coincide with the results from the survey to HRDs:

- Legal and political recognition of exiled individuals
- Clearer channel to access immigration and regularization processes
- Stronger support and assistance networks to guide exiled HRDs on steps toward resettlement
- Better coordination between organizations that defend human rights in Venezuela and those in Colombia
- Access to livelihoods, especially work related to human rights
- Opportunities for HRDs to tell their stories and expose the situation they fled and the challenges of exile.
- Greater access to psycho-emotional support
- Reciprocity of professional and academic degree programs

The case study confirmed that there are not yet adequate support mechanisms from Colombian state institutions, CSOs and NGOs for Venezuela HRDs. In addition, the various agencies of the United Nations, such as the UNHCR and IOM, provide indispensable resources for Venezuelan migrants, but their mandate does not specifically address HRDs. The Temporary Protection mandate signed in Colombia by the Duque administration in March 2020 will certainly offer an opportunity to regularize and incorporate Venezuelan migrants and refugees, it will not address specifically the needs of HRDs in exile. There is a need to support strategic programming that responds to the needs of the exiled HRDs to find stability in their new country and to continue the necessary human rights work.

Based on the findings from the case study, any future strategy would have to be responsive to ever changing conditions and to targets of opportunity. In addition, for Venezuelan HRDs in Colombia it would have to consider the following:

- Specific protocols for HRDs (political leaders, journalists, scientists, athletes, doctors), who have left the country due to persecution by the national government.
- Identify Venezuelan HRDs in Colombia, creating a database with their life stories, their profiles, their profession, their abilities and what they have to contribute to the host country. They could also be a source to engage in focus groups, through surveys, and capacity building, to continuously understand their needs and design complementary protection measures and services.
- Make Venezuelan HRDs more visible as a special group within the larger migrant population, and design differentiated protection and support approaches. Advocate for HRDs to be recognized by international organizations, human rights organizations, and civil society organizations in Colombia.
Strategic Recommendations for Programming

The need for a sustainable strategy and programs to support Venezuelan HRDs and CSOs in Colombia is essential. Venezuelan HRDs in Colombia expressed their desire to continue promoting and defending human rights of their compatriots back home as well as the rights of others in their host country of Colombia. There are already some ongoing programs and initiatives in Colombia, many funded by international donor organizations. The recommendations presented in this section are meant to be complementary to existing initiatives, and should help donors, international organizations, and the government to establish programmatic and funding priorities; identify coordination mechanisms; and find appropriate entry points for supporting HRDs. One of the most important activities or options is the need to identify appropriate methodologies to assess and measure quantitatively and qualitatively the impact of programs and activities.

The following are some strategic recommendations for future programming based on our findings from the case study.

**HRD “exile roadmap”**

When HRDs leave Venezuela, there is no information collected in a coordinated manner on support they can access to leave the country safely and find the necessary support in Colombia. An NGO or CSO already working with Venezuelan migrants in Colombia could be identified to lead this process and when needed engage with pertinent government authorities.

**Illustrative Activities**

- Coordinate with human rights organizations to create a practical document with pertinent information for HRDs.
- Create an informational platform and/or pamphlet outlining important logistical information related to migratory requirements and assistance support that exists.
- Offer rapid legal guidance and support for relocation options and best alternatives to enter Colombia legally (PEP, Temporary Protection Statute, types of visas, and requesting refugee status).
- Document each HRD case and maintain contact when they settle.

**Continue to Streamline Procedures**

Even though Colombia has made progress in the regularization of Venezuelan migrants, there has not been yet a significant effort to institute specific programming for HRDs. Advocacy to continue to streamline procedures and a more targeted focus on HRDs could be an important step forward. An NGO or CSO already working with Venezuelan migrants in Colombia could be identified to lead this process and when needed engage with pertinent government authorities.

**Illustrative Activities**

- Develop concrete proposals to streamline regularization processes (time and documentation) for HRDs.
- Explore how to reduce legal obstacles when it comes to homologate degrees. While this applies to the larger migrant populations, it is particularly relevant for HRDs, who want to continue working in the human rights field. Most HRDs were forced to depart abruptly, and they do not have the possibility of apostilling their studies (both due to the high cost of the process in Venezuela and the time required).
- Establish an advocacy strategy from human rights defenders and civil society organizations to stimulate and strengthen initiatives of the institutions of the Colombian State.
- Influence public policies based on the principle of people with international protection needs with an approach directed to the protection and care of human rights defenders, civil society organizations, and journalists from independent media.
• Coordinate actions to design a program for the care and protection of HRDs, CSOs and journalists in exile, with the institutions of the Colombian State, with special emphasis on the Office of the Attorney General of the Nation, the Office of the Ombudsman, the Foreign Ministry, and the Ministry of the Interior.

• Take advantage of the opportunity provided by the Temporary Statute of Permanence of Venezuelan Migrants recently approved by the Colombian government to promote public policies with a differential approach for the care and protection of Venezuelan exiles, human rights defenders, civil society organizations and independent media journalists.

Integrated Support, Networking and Protection

HRDs do not decide to leave the country of their own volition, they are forced to leave jobs, families, and the country merely for defending rights and liberties and denouncing the violation of human rights—they “flee” without having committed a crime. Many HRDs experience severe trauma and stress not only in the process of leaving the country, but from years having suffered persecution for their work. Psychosocial, networking and protection support is paramount for HRDs to access and should be built into an integrated strategy, even when they are awaiting to regularize their status. Local NGOs and CSOs and international organizations should take the lead and coordinate efforts.

Illustrative Activities

• Promote and support contacts and collaboration between organizations that defend human rights in Venezuela and in Colombia to create an information and support network for incoming HRDs in Colombia.

• Explore support, expansion and or the creation of platforms for HRDs to access care programs nationwide, that explain existing organizations and the integration experience, specifically for HRDs.

• Engage existing initiatives of human rights organizations and universities (e.g., Enlaza Program of the Dejusticia organization, the Center for Migration Studies (CEM) / Legal Clinic for Migrants, Juntos se Podemos and CODHES) that work with Venezuelan migrant populations, to identify opportunities and initiatives directed to HRDs that can be further supported.

• Expand national and international programs for the protection of HRDs and CSOs.

• Expand and strengthen national and international coverage of HRDs and CSOs on risk mitigation.

Capacity Building and Training

According to findings from this case study, the majority of Venezuelan HRDs who come to Colombia do not have the knowledge or resources to access to information, networks, and services. Capacity building and training is important for these HRDs and CSOs to be able to continue their work in Colombia. It is challenging to evaluate the capacity of HRDs when they arrive in Colombia. Our case study found that some HRDs have experience managing their own initiatives, generating ideas, small business startups, operations, and logistics, and engaging directly with donors and international organizations. However, they mentioned that often there are not opportunities to put these skills and experience into practice. Local NGOs, CSOs, and universities already working with the larger migrant Venezuelan population could take the lead in both identifying skills and experience among HRDs, and capacity building and training needs as well.

Illustrative Activities

• Create a databank with information on skills and needs among Venezuelan HRDs to be the basis of a referral system.

• Offer practical seminars and workshops targeting HRDs on topics such as management, fundraising and crowdfunding.

• Promote the possibilities to continue with their journalistic and informative work and thus collaborate with the guarantee of human rights in Venezuela.

• Increase awareness and monitoring of human rights violations both in Colombia and Venezuela. This includes documenting violations, enhancing visibility of the situation of HRDs at risk, listing relevant legislation and monitoring case law, developing support networks and research; and offering spaces for information sharing and awareness-raising.

• Hold meetings with human rights defenders from other countries to update themselves on the issues and learn how different challenges and opportunities for HRDs in exile are being addressed in other countries.
Historical, social, cultural integration into Colombia

To promote integration between exiles and the host society, it is necessary for HRDs to understand the historical, political, cultural, and social context of the new society to which they are arriving. Local NGOs, CSOs, and universities already working with the larger migrant Venezuelan population could take the lead.

Illustrative Activities

- Promote spaces for HRD dialogue and meetings, where Venezuelan and Colombian HRDs can exchange and share. Human rights organizations should be invited as well.

- Further examine the role of universities in promoting integration of HRDs. Build on the expertise and resources of current and exiting programs and initiatives.

- Establish alliances with the Colombian media and human rights organizations to serve as sources of information about Colombia, as well as to raise awareness about the need to protect HRDs, highlight collaboration and exchange as means to further integration.
## Annex 1: List of Interviews

<table>
<thead>
<tr>
<th>No.</th>
<th>Interviewees</th>
<th>Sector/Organization</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Mariana Romero</td>
<td>Centro para Defensores y Justicia</td>
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<tr>
<td>2</td>
<td>Jaime Aguilera</td>
<td>Fundación Futuro Presente</td>
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<tr>
<td>3</td>
<td>Ana Karina García</td>
<td>Juntos se Puede</td>
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<td>4</td>
<td>Ramón Aguilar</td>
<td>Abogado defensor de DDHH vinculado a la defensa del Caso Albán</td>
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<tr>
<td>5</td>
<td>Saverio Vivas</td>
<td>Editor del medio digital Punto de Corte</td>
</tr>
<tr>
<td>6</td>
<td>Gilber Negrin</td>
<td>Fundación Colombia Nuevos Horizontes</td>
</tr>
<tr>
<td>7</td>
<td>Gaby Arellano</td>
<td>Activista política y social en derechos humanos</td>
</tr>
<tr>
<td>8</td>
<td>María José Villasmil La cruz</td>
<td>Activista de derechos humanos y social</td>
</tr>
<tr>
<td>9</td>
<td>Mónica Bollet y Manuel Fajardo</td>
<td>Coordinadores del medio independiente digita VPI TV</td>
</tr>
<tr>
<td>10</td>
<td>Eduardo Trujillo</td>
<td>Centro de Derechos Humanos UCAB</td>
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<td>11</td>
<td>Laura Dib</td>
<td>Clínica de Migrantes, Universidad de los Andes</td>
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<td>12</td>
<td>Joaquín Machado</td>
<td>Periodista</td>
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<td>13</td>
<td>Zair Mundaraín</td>
<td>Embajada de Venezuela en Colombia (Gobierno Interino)</td>
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<td>14</td>
<td>Gonzalo Oliveros</td>
<td>Ex Magistrado TSJ en el exilio</td>
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<tr>
<td>15</td>
<td>Lucia Ramírez</td>
<td>Dejusticia</td>
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<tr>
<td>16</td>
<td>Katiuska Meléndez Mendoza</td>
<td>Activista social en organizaciones de base</td>
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<tr>
<td>17</td>
<td>Patricia Marcano</td>
<td>Armando Info Coordinadora de Redacción</td>
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<tr>
<td>18</td>
<td>Teolindo Rodríguez</td>
<td>(periodista gráfico y activista de derechos humanos</td>
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<tr>
<td>19</td>
<td>Martha Tineo</td>
<td>Justicia Encuentro y Perdón –JEP-</td>
</tr>
<tr>
<td>20</td>
<td>Ana Leonor Acosta</td>
<td>Coalición por la Democracia y los Derechos Humanos</td>
</tr>
</tbody>
</table>
ANNEX 2: BIBLIOGRAPHY


CASE STUDY: EXILED VENEZUELAN HUMAN RIGHTS DEFENDERS IN COLOMBIA


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