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Venezuela: Treatment by the authorities and pro-government groups of failed refugee claimants who return to the country (2016-December 2017)

Research Directorate, Immigration and Refugee Board of Canada, Ottawa

Information on the treatment by the authorities and progovernment groups of failed refugee claimants who return to the country was scarce among the sources consulted by the Research Directorate within the time constraints for this Response.

According to an article published in July 2017 on the UNHCR website, in 2016, there were some 27,000 Venezuelan refugee claimants worldwide, and nearly 50,000 had already applied for asylum in 2017 (UN 14 July 2017). According to an article published by Reuters in October 2017, 36,000 Venezuelans enter Colombia daily, and 2,000 do not immediately return to Venezuela (Reuters 12 Oct. 2017). An article published on the website of the International Organization for Migration (IOM) indicates that, according to a study carried out by the IOM at the end of 2016, of the individuals crossing the border into Colombia, most of whom are Venezuelan, [IOM English version] "69 per cent indicated that they intend to return to Venezuela the same day" and "5 per cent expressed their intention to stay in Colombia" (IOM 7 July 2017). According to an article published by *The Guardian*, 1,956 Venezuelans were deported from Colombia in 2016 (*The Guardian* 17 July 2017).

1. Treatment by the Authorities

In correspondence with the Research Directorate, the coordinator of the international research team "Voice of the Venezuelan Diaspora" (La voz de la diáspora venezolana), whose research focuses on the Venezuelan diaspora [1], explained that failed refugee claimants who return to Venezuela may face, among other things, the following consequences: not being able to find employment, having their passport cancelled or being imprisoned [translation] "without a regular trial, since the judicial system is subordinate to the executive power" (La voz de la diáspora venezolana 19 Dec. 2017). According to the same source, a person who opposes the government [translation] "runs the risk of being imprisoned and even disappearing" (La voz de la diáspora venezolana 19 Dec. 2017).

The information in the following paragraph was provided in a telephone interview with the Research Directorate by an assistant professor at La Trobe University in Melbourne, Australia, whose research centres on law and politics in Venezuela:

The treatment of failed refugee claimants who return to the country depends on the situation of the claimant: why did they leave the country, what was their role or occupation, and what was the nature of the conflict with the government. For example, a lawyer or judge who leaves Venezuela because they "are literally on the wrong side of the regime" could face difficulties upon their return, such as being monitored. If the failed refugee claimant was charged with a crime before leaving Venezuela, that would be a more obvious "scenario of problems." In the case of a person who worked for the government but not in a politically sensitive area, they might not be monitored when they return, but they might not be able to find a job in the same sector or within the government (assistant professor 13 Dec. 2017).

The coordinator stated that [translation] "the government only hires people allied to the government and does everything possible to expel workers who criticize or disagree with the government from public organizations" by using "various mechanisms and lists," of which "the most known" are the Tascón and Maisanta lists (La voz de la diáspora venezolana 19 Dec. 2017). According to the same source, a person who is not a [translation] "friend" of the government cannot integrate into the public sector (La voz de la diáspora venezolana 19 Dec. 2017). For additional information on the treatment of suspected whistle-blowers or former government employees, by the government or progovernment groups, including exclusion lists, see Response to Information Request VEN105784 of May 2017.

2. Access to Services

According to sources, there are no government assistance programs for the reintegration of failed refugee claimants (La voz de la diáspora venezolana 19 Dec. 2017; assistant professor 13 Dec. 2017). In correspondence with the Research Directorate, an operations and movements coordinator from the IOM in Bogotá indicated that, to his knowledge, the government does not have any specific programs to assist repatriated persons, but Venezuelans can apply for social programs and benefits (operations and movements coordinator 28 Dec. 2017). According to the assistant professor, not having the documents required can affect a repatriated person's ability to access government services (assistant professor 13 Dec. 2017). According to the same source, it is very difficult to obtain a passport from abroad, and the national identity card (*cédula*), which is required "for everything," including obtaining a passport, is available only in Venezuela (assistant professor 13 Dec. 2017). Similarly, the coordinator from La voz de la diáspora venezolana indicated that the government does not allow Venezuelans in the diaspora to obtain identity documents, including national identity cards and passports (La voz de la diáspora venezolana 19 Dec. 2017). According to the website of the Embassy of Venezuela in Canada, a Venezuelan citizen cannot obtain a *cédula* from abroad (Venezuela n.d.). According to sources, it is very

difficult for Venezuelans to obtain passports, including because of a lack of necessary materials (assistant professor 13 Dec. 2017; Bloomberg 8 Mar. 2017; PanAm Post 11 Oct. 2017). Without providing further details, the assistant professor stated that it is "a big hassle" for a repatriated person to acquire a new identity card (assistant professor 13 Dec. 2017).

According to sources, there is a new card called the "national card" (*carnet de la patria*), which manages access to certain social and government services (assistant professor 13 Dec. 2017; *Perfil* 7 Jan. 2017), including food and basic necessities (*Perfil* 7 Jan. 2017). According to the assistant professor, if a person living abroad does not have that card, it may be difficult for them to access those services when they return (assistant professor 13 Dec. 2017). According to the coordinator of La voz de la diáspora venezolana, the national card is used to control food rations and has become necessary [translation] "for everything" (La voz de la diáspora venezolana 19 Dec. 2017). The same source indicated that it is part of a [translation] "relatively stringent social control system" and is used "to facilitate access to all services for friends of the government and to prevent access for opponents" (La voz de la diáspora venezolana 19 Dec. 2017).

According to the operations and movements coordinator, no NGO offers assistance programs for repatriated persons (operations and movements coordinator 28 Dec. 2017). Corroborating information could not be found among the sources consulted by the Research Directorate within the time constraints of this Response.

This Response was prepared after researching publicly accessible information currently available to the Research Directorate within time constraints. This Response is not, and does not purport to be, conclusive as to the merit of any particular claim for refugee protection. Please find below the list of sources consulted in researching this Information Request.

Note

[1] The research group "Voice of the Venezuelan Diaspora," coordinated by a university professor with training in sociology and planning, uses questionnaires, in-depth interviews and focus groups, among other methodological approaches, and works with universities and organizations of Venezuelans throughout the world, which has allowed the research group to come into contact with at least 4,000 Venezuelans abroad (La voz de la diáspora venezolana 19 Dec. 2017).

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Venezuela. N.d. Embassy of Canada. "[¿Por qué es necesaria la Cédula de Identidad?](#)" [Accessed 18 Dec. 2017]

Additional Sources Consulted

Oral sources: Academics whose research focuses on Venezuela; International Crisis Group; journalist specializing in Venezuelan emigration; Programa Venezolana de Educación Acción en Derechos Humanos (Provea); United Nations High Commission for Refugees; university researchers whose research focuses on Venezuelan emigration.

Internet sites, including: Asia News Monitor; BBC; Caracol; CNN; The Conversation Canada; *El Mercurio*; *El Nacional*; *El Norte*; *El Tiempo*; *El Universal*; Factiva; Freedom House; Human Rights Watch; International Crisis Group; International Federation for Human Rights; *La Libertad*; *LatinNews*; *Noticia al Día*; Radio France internationale; Radio Free Europe/Radio Liberty; Revista Venezolana; *Semana*; TeleSUR; Transparency International; United Nations – Refworld; United States – Department of State.

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