

## The Global Compact for Migration and the Venezuelan Migration Crisis in Colombia, Ecuador, and Peru. A Comparative Approach

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**Abstract:** Since 2015 the Venezuelan migration and refugee crisis has become a central issue in the Latin American political agenda. Hyperinflation, high rates of poverty and violence, and the lack of infrastructure have triggered the exodus of millions of Venezuelans to countries throughout the region, most in need of humanitarian assistance. This essay explores how Colombia, Peru, and Ecuador, the primary host countries for the Venezuelan migration within the region, have implemented the Global Compact for Migration. Once considered ‘sending’ migrant countries, the three countries of this study have had to come up with strategies to handle the large numbers of migrants coming from Venezuela. By adopting the Compact these countries agreed upon treating migration as a common challenge, and to that extent, to join forces to replace domestic, individual efforts to deal with migration with coordinated actions to reinforce the rights-based approach to migration proposed by the Global Compact. And yet, such a statement does not mean that Colombia, Peru, and Ecuador have uniformly implemented the Compact. The recent tightening of the refugee and immigration procedures in some countries of Latin America, including Peru and Ecuador, illustrates the variety of public discourses regarding the Compact within the region. While further research is desirable to clarify the role of public aid agencies, NGOs, and foundations in implementing the Compact, this article aims to describe the particularities of the national political debate in Colombia, Peru, and Ecuador when adopting the Compact and seeks to assess to what extent the Compact has transformed the domestic migration policies in these countries in light of the Venezuelan migration crisis.

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strategies to handle the large numbers of migrants coming from Venezuela. By adopting the Compact these countries agreed upon treating migration as a common challenge, and to that extent, to join forces to replace domestic, individual efforts to deal with migration with coordinated actions to reinforce the rights-based approach to migration proposed by the Global Compact. And yet, such a statement does not mean that Colombia, Peru, and Ecuador have uniformly implemented the Compact nor the concrete migration policies adopted always comply with the GCM's Objectives. This article seeks to analyse the particularities of the national political debate in Colombia, Peru, and Ecuador when adopting the Compact and aims to assess to what extent the Compact has transformed the domestic migration policies in these countries in light of the Venezuelan migration crisis. After a brief introduction into the Venezuelan migration crisis (A.), we will examine the take of Colombia, Ecuador and Peru on the GCM, the role the GCM played in developing domestic migration policies and recent trends towards a more restrictive migration policy towards Venezuelan migrants (B.). This will then form the basis of a context-sensitive comparative analysis of the role of the GCM in the three countries (C.). A brief conclusion will summarize the main arguments and give an outlook to future developments in the region (D.).

### A. The Venezuelan Exodus: a common challenge for Latin America

Latin America has always been a dynamic territory regarding migration. During the first half of the 20th century, the region became an important destination for Italians, Spaniards, Chinese and Japanese communities that settled down in Argentina, Brazil, and Peru<sup>1</sup> and after the 1960s, many Latin Americans left their countries seeking a better life in North America and Europe.<sup>2</sup> However, despite the long history of Latin American migration, the subcontinent was not prepared to handle the Venezuelan migration crisis. Described as “the largest exodus in the region’s recent history,”<sup>3</sup> the Venezuelan crisis exploded in the region in 2015<sup>4</sup> and refers to the flight of millions of Venezuelan citizens due to the political turmoil and socio-economic instability in their home country.<sup>5</sup> People walk long distances

- 1 *Jorge Durand*, *Processes of Migration in Latin America and the Caribbean (1950-2008)*, United Nations Human Development Research Paper 24 (2009), pp. 2-4.
- 2 *Jorge Durand/Douglas Massey*, *New world orders: Continuities and changes in Latin American migration*, *The Annals of the American Academy of Political and Social Science* 630 (2010).
- 3 The United Nations Refugee Agency, *Venezuela Situation*, <https://cutt.ly/YhOshZA> (last accessed on 24 November 2020).
- 4 *Diego Acosta/Cécile Blouin/Luisa Feline Freier*, *La emigración Venezolana: respuestas latinoamericanas*, *Documentos de trabajo (Fundación Carolina)* 3 (2019), p. 3.
- 5 Although addressing the particular circumstances that triggered the Venezuelan humanitarian crisis is beyond the scope of this article, this unprecedented exodus is rooted in a ravaged economy – by 2019, hyperinflation in Venezuela reached 10,000,000%, and 9 out of 10 Venezuelans were living in poverty – and in the diligent dismantling of the democratic institutions by the administration. Besides, being Venezuela’s economy almost exclusively import-dependent, sanctions imposed by developed countries, such as the total economic embargo from the United States government in

with very few or no possessions under unfavorable weather conditions without food, sanitation, or shelter in an attempt to escape poverty, high rates of violence, or political persecution.<sup>6</sup> Since the Venezuelan health system has collapsed, some undertake the road in sickness. Additionally, women and girls are an easy target for sexual exploitation as they are labeled with hyper-sexualized stereotypes.<sup>7</sup> According to the World Bank, since 2016, more than 4.6 million persons have fled from Venezuela, and between 4,000 and 5,000 Venezuelans leave their country every day, sometimes on foot, without knowing where they will end up.<sup>8</sup> By December 2020, it is expected that the total number of Venezuelan refugees and migrants worldwide will increase up to 6.4 million.<sup>9</sup>

This exodus is rapidly changing the face of the region. Between 2015 and 2017, the number of Venezuelan nationals outside the country rose from 700,000 to more than 1,600,000, and the number of Venezuelan nationals in the sub-continent increased from 89,000 to 900,000 during the same years.<sup>10</sup> Furthermore, migrants are not equally distributed within the region. Colombia hosts the largest number (1.4 million), followed by Peru (860,900), Chile (371,200), and Ecuador (330,400).<sup>11</sup> Consequently, host countries experience enormous pressures in terms of health care, education access, employment opportunities, sanitation network, and housing availability, and although local governments have enacted special or temporary permits to integrate migrants<sup>12</sup>, labor markets remain

2019, exacerbated the precarious pre-existing situation to the point that many Venezuelans fled the country is their only chance to have a dignified life. Organization of American States, Third Report on the continuing crisis in Venezuela, Washington 2017, pp. 38 – 39; The Conversation, Venezuelan migrants face crime, conflict and coronavirus at Colombia's closed border, <https://cutt.ly/KhkKFWS> (last accessed on 22 October 2020); United Nations Human Rights Council, Preliminary findings of the visit to the Bolivarian Republic of Venezuela by the Special Rapporteur on the negative impact of unilateral coercive measures on the enjoyment of human rights, <https://rb.gy/ihm0uo> (last accessed on 2 October 2021).

- 6 Human Rights Council, Report of the United Nations High Commissioner for Human Rights on the situation of Human rights in the Bolivarian Republic of Venezuela A/HRC/41/18, 5 July 2019, p. 14.
- 7 Human Rights Council, note 6.
- 8 The World Bank, Venezuelan Migration: The 4,500-Kilometer Gap Between Desperation and Opportunity, <https://cutt.ly/KhOsk2o> (last accessed on 31 October 2020).
- 9 Eduardo Stein, Refugee and Migrant Response Plan 2020, for refugees and migrants from Venezuela (January–December 2020), <https://cutt.ly/FhOsIPR> (last accessed on 22 October 2020).
- 10 International Organization for Migration, Regional Action Plan, 2018, p. 1.
- 11 *International Monetary Fund*, Regional Economic Outlook. Western Hemisphere: stunted by uncertainty, Washington D.C. 2018, p. 18.
- 12 Lucy Pedroza/José Luis López Noriega, Las políticas migratorias en América Latina ante los recientes flujos intra y extrarregionales, p. 7, <https://cutt.ly/sbFrHvc> (last accessed on 22 April 2021).

incapable of absorbing the large size of this labor force.<sup>13</sup> As it becomes clear that the mass outflows from Venezuela will continue, the initial openness toward the newcomers tends to be replaced by restrictive measures such as visas and new passport requirements,<sup>14</sup> and the initial solidarity of the nationals progressively turn into mistrust, even xenophobia.<sup>15</sup>

## B. The Global Compact in Latin America: an answer to Venezuelan migration?

The Global Compact for Migration (from now on, “the Compact” or “the GCM”) appears as a step forward in addressing the Venezuelan crisis. Described as “the first, intergovernmentally negotiated agreement, prepared under the auspices of the United Nations, to cover all dimensions of international migration in a holistic and comprehensive manner,”<sup>16</sup> the Compact was adopted by representatives from 156 countries gathered in Marrakech in December 2018 and advocates for migration as a main component of development and for the protection of the human rights of migrants. Latin American countries had a positive view of the Compact even before it was approved.<sup>17</sup> The final document was widely endorsed within the region: except for the Dominican Republic and Chile, which refrained from signing the Compact arguing that migration is not a human right,<sup>18</sup> the rest of the countries supported the GCM as a necessary plan for the comprehensive treatment of migration. Colombian representatives pointed out that “*ningún país solo puede hacerle frente al fenómeno migratorio*”<sup>19</sup>; in the same spirit, Peruvian government invoked the necessity of respecting migrants’ human rights and insisted on the aspiration to achieve equal societies.<sup>20</sup> Ecuador went further when assuming the chairmanship of the Global Forum on Migration and Development in 2019, a consultative space to exchange experiences and

- 13 Stefano Farné/Cristian Sanín, Panorama laboral de los migrantes venezolanos en Colombia 2014-2019, Observatorio del Mercado de Trabajo y la Seguridad Social – Cuaderno de Trabajo 18 (2020).
- 14 Andrew Selee/Jessica Bolter, An Uneven Welcome: Latin American and Caribbean Responses to Venezuelan and Nicaraguan Migration, MPI Research Report, Washington 2020, p. 1.
- 15 Oxfam Research Report, Yes, but not here. Perceptions of xenophobia and discrimination towards Venezuelan migrants in Colombia, Ecuador and Peru, 2019.
- 16 United Nations, Global Compact for Migration, <https://cutt.ly/uhOCOas> (last accessed on 30 October 2020).
- 17 XXXIII General Assembly of the Latin American and Caribbean Parliament (PARLATINO), Report on Results of the High-Level Parliamentary Dialogue on Migration in Latin America and the Caribbean: Realities and Commitments towards the Global Compact, pp. 15–18, <https://cutt.ly/vbFySSC> (last accessed on 19 April 2021).
- 18 Alejandro Fernández, Global Compact for Migration: Chile and its fear of the unknown, <https://cutt.ly/LhOCPNV> (last accessed 30 October 2020).
- 19 “No country alone can tackle the migratory phenomenon”, Presidencia de la República de Colombia, Canciller de Colombia firmó el Pacto Global para una Migración Segura, Ordenada y Regular, <https://cutt.ly/ghOgcp5> (last accessed on 1 November 2020).
- 20 Ministerio de Relaciones Exteriores del Perú, Perú adoptó el “Pacto Mundial para la Migración Segura, Ordenada y Regular”, <https://cutt.ly/xhOCA7G> (last accessed 2 November 2020).

discuss policies on the implementation of the Compact.<sup>21</sup> Furthermore, the Compact was endorsed by regional organizations: the Economic Commission for Latin America and the Caribbean stated that “this Compact will contribute with responses and by creating the capacity to anticipate when facing this complex migratory reality.”<sup>22</sup>

While on the international front most of Latin American countries celebrated the Compact, a closer examination of the domestic debate about migration reveals that there is no unanimity in considering migration as “a source of prosperity, innovation and sustainable development”<sup>23</sup>. On the contrary, for some political representatives in the region a welcoming attitude toward migrants is inconvenient and costly for nationals.<sup>24</sup> This paper argues that to assess the role of the Compact in the transformation of the migratory policies in Latin America more attention needs to be paid to the domestic debates on migration. Implementing the Compact in each country relies, after all, on the political will. More precisely, this essay aims to explore the extent to which Colombia, Peru, and Ecuador—the main recipients of Venezuelan migrants in Latin America— have implemented the Compact and to assess its role in transforming their internal migratory policies. As these three countries have endorsed the Compact as a necessary instrument to deal with large numbers of Venezuelans crossing borders, their governments face common challenges when implementing the Compact. First, Colombia, Peru and Ecuador have traditionally been considered “migrant producers” rather than attractive destinations for migrants. Consequently, the measures adopted to cope with the situation are not the expression of a sophisticated approach to the advantages of migration but rather temporary solutions.<sup>25</sup> A second obstacle shared by all three countries is the common perception of the citizens regarding migration. Rather than considering migration as a key factor for development, as the Compact proposes, nationals from Colombia, Peru and Ecuador are reluctant to integrate the newcomers in productive activities and underestimate the advantages of receiving migrants.<sup>26</sup> The question remains whether the international discourse of these

- 21 Global Forum on Migration & Development, The 2019 Ecuador Chairmanship, <https://cutt.ly/ThOCDPq> (last accessed 2 November 2020).
- 22 *Alicia Bárcena*, Latin America and the Caribbean vis-à-vis the Global Compact for Safe, Orderly and Regular Migration, <https://n9.cl/0hxx> (last accessed 2 November 2020).
- 23 United Nations General Assembly, Global Compact for Safe, Orderly and Regular Migration, <https://cutt.ly/KbJRWqs> (last accessed on 28 April 2021).
- 24 *Voz de América*, Perú: legisladora pide a presidente expulsar a venezolanos, <https://cutt.ly/FbGKFGs> (last accessed on 5 May 2021). See also: *Karina Martín*, Polémica sobre migración venezolana en Perú y los mitos sobre una invasión laboral, <https://cutt.ly/7bH1ALF> (last accessed on 5 May 2021).
- 25 *Omar Hammoud Gallego*, Here to stay: Latin America must face up to the reality of long-term Venezuelan migration, <https://cutt.ly/vbGKxCN> (last accessed on 2 May 2021).
- 26 The Yale Review of International Studies, A “Growing Concern”: The Public’s Xenophobia Toward and Discrimination Against Venezuelan Migrants in Ecuador, <https://cutt.ly/nbGHVFW> (last accessed on 22 April 2021). See also: BBC News, Fears stoke backlash against Venezuelans in Peru, <https://cutt.ly/fbGJZM8> (last accessed on 22 April 2021).

countries about the benefits of the Compact coincides with their national policies to cope with migration.

As it will be pointed out in this paper, it would seem that the actions taken by domestic authorities to implement the Compact are not entirely coordinated, and despite the positive discourse adopted by Colombia, Peru, and Ecuador on the benefits of the Compact, they have pursued different agendas on migration. Colombia, the main recipient of Venezuelan migrants, has made remarkable efforts to adapt its national migrant policy to the GCM guidelines, whereas Peru and Ecuador seem to prefer a restrictive approach to achieve a regular and ordered migration. Moreover, Ecuador has made efforts to become a regional leader on the implementation of the Compact, but despite its international discourse on the advantages of migration, the Ecuadorian domestic policies do not necessarily reflect the Compact's Objectives. The main argument of this essay is that the implementation of the GCM in Colombia, Peru, and Ecuador has not been a homogenous process, on the contrary, the domestic debate on migration has shaped how the Compact has been interpreted in each country. To unfold the argument, the remainder of this section will examine the impact of the GCM on the migration policies of the three countries respectively. For each country, we will first identify the political and historical background in which the current Venezuelan migration crisis unfolds. We will then describe the attitude by the respective governments towards the GCM and finally provide an assessment of the concrete migration policy measures in the context of the Venezuelan migration crisis in the light of the Objectives set out by the GCM.

### *1. Colombia: The GCM as a vehicle to address historic challenges in a complicated context*

Colombia hosts the greatest number of Venezuelan migrants within Latin America. The governmental reaction to the Venezuelan migration crisis is strongly influenced by the shared post-colonial history of the two countries (1.). Acknowledging the need for further regional and international cooperation in migration matters, Colombia strongly supported the GCM (2.). The concrete policy measures in regard to the Venezuelan migration crisis to a considerable extent reflect Objectives of the GCM and explicitly use the Compact to justify decisions (3.).

#### 1. Historical origins of the Venezuelan-Colombian migration relation

Venezuela and Columbia share a 2,219 kilometer-long border – the longest border that they share with any other nation – and are connected not only by their language and cultural sensibility but also by a common republican history. Between 1819 and 1831 Colombia and Venezuela were merged in *La Gran Colombia*, a single nation whose main purpose was reinforcing a military alliance to end the Spanish rule in the territory. But even if after the independence *La Gran Colombia* was dissolved and conflicts of representation, borders,

and national identity arouse, the population from both countries never assumed the border as a rigid line but rather as a porous limit.<sup>27</sup> Later, from the middle of the twentieth century and until the eighties, intra-regional migrants mainly from Colombia and to a lesser extent from Ecuador and Peru came to Venezuela attracted by the oil boom.<sup>28</sup> This long story of migration is behind the choice of Colombia as a natural main destination for Venezuelan migrants in the current migratory crisis.

According to the Colombian government, the number of Venezuelan migrants quintupled after 2017, increasing from 171,783 in May 2017 to 1,032,016 in September 2018.<sup>29</sup> In August 2020, this number rose to 1,722,919, with irregular migrants calculated at 956,623.<sup>30</sup> These numbers slightly decreased in 2020 because of the COVID-19 outbreak, but once the situation improves, the return of those who have left is inevitable.<sup>31</sup> Thus, the Colombian-Venezuelan border is overwhelmed, and the Venezuelan exodus has become a priority in the Colombian political agenda. The magnitude and the mixed character of the Venezuelan migratory wave have tested the responsiveness of Colombian institutions; care for migrants costs Colombia about \$1.5 billion annually, and it is estimated that the country will need \$1.35 billion in 2020 to finance services such as health care, education and nutrition for Venezuelan migrants.<sup>32</sup> These numbers are explained by the welcoming policy enacted by the government since the beginning. Despite unresolved problems at home — a profound inequality and social devastation caused by more than 50 years of internal armed conflict — the Colombian government established an open borders policy under the assumption that welcoming measures are not an incentive for Venezuelan migrants to cross the borders but the best course of action to deal with a migratory flow that will arrive in the country regardless.<sup>33</sup> Expressions of this policy are the ‘Permiso especial de permanencia’ (PEP), a temporary permit created in August 2017 to allow migrants to legally stay in the country up to two years and develop any legal activity, and the ‘Tarjeta de movilidad fronteriza’ (TMF), a document introduced in 2016 to allow the holder to

27 Sarah Pearce, *Colombia and Venezuela: A Tense Relationship Has Hopes for Cooperation, Perspectives in Business and Economics* 31 (2013), p. 62.

28 Durand, note 1, p. 3.

29 Departamento Nacional de Planeación de Colombia, *Documento CONPES – Estrategia para la Atención de la Migración desde Venezuela*, Bogotá 2018, p. 3.

30 *Migración Colombia, Distribución de Venezolanos en Colombia corte a 31 de Agosto de 2020*, <https://cutt.ly/khkHKnj> (last accessed 4 November 2020).

31 The Conversation, note 5.

32 Carlos Vargas, *Venezuelan migrants need \$1.35 bln in 2020 for basic services: NGOs*, <https://cutt.ly/chkLneV> (last accessed on 4 November 2020).

33 Dylan Baddour, *Colombia’s Radical Plan to Welcome Millions of Venezuelan Migrants*, <https://cutt.ly/PhkLJy7> (last accessed on 4 November 2020).

transit in the frontier zone. Furthermore, regulations to obtain Colombian citizenship have been simplified to protect children born to Venezuelan mothers.<sup>34</sup>

## 2. The Global Compact and the need for cooperation in Colombia

The evidence that a migratory wave of such proportions would require international support, was at the basis of the Colombian discourse when endorsing the Compact.<sup>35</sup> As Venezuela's situation has worsened and migration continued to rise, Colombian authorities started to promote the idea that domestic policies are insufficient and do little more than postpone the outbreak of a refugee crisis in the country.<sup>36</sup> In the Marrakech conference in 2018, the Colombian chancellor Carlos Holmes Trujillo stressed in both formal and informal interventions that “the way Colombia deals with the Venezuelan migration coincides with the major outlines of the Compact,”<sup>37</sup> and that migration being a global phenomenon, no country can manage it as a mere domestic matter.<sup>38</sup> Furthermore, the chancellor highlighted that the Compact is not a legally binding instrument but rather a concurrence of wills to favor cooperative action toward migration, allowing the states to define their own migratory policy.<sup>39</sup> Finally, the adherence of Colombia to the Compact was justified by the benefits that Colombian citizens living abroad would obtain from a more collaborative scheme to improve migrant conditions.<sup>40</sup>

The media barely mentioned the Compact and the government did not promote it, but some critics stated that the endorsement would open the way to recognize medical care and education for migrants as concrete rights, which would prove excessively onerous.<sup>41</sup> Removing obstacles for irregular migrants to obtain medical assistance and education and facilitating a safe and dignified return for those deported, as proposed by the Compact, would also be overly burdensome for Colombia both economically and politically.<sup>42</sup> Critics also stressed that, if the major destinations for Colombian migrants did not endorse the

- 34 The Washington Post, Colombia grants citizenship to 24,000 children born to Venezuelan mothers, <https://cutt.ly/IhkMIKD> (last accessed on 6 November 2020).
- 35 Cancillería de Colombia, “Colombia adopta el pacto para una migración ordenada, segura y regular porque ningún país solo puede hacerle frente al fenómeno migratorio”: Canciller Carlos Holmes Trujillo, <https://cutt.ly/gjKEtLK> (last accessed on 15 November 2020).
- 36 The Atlantic, Colombia Is Losing the Race Against the Venezuelan Migrant Crisis, <https://cutt.ly/WhkMX7k> (last accessed on 6 November 2020).
- 37 La Vanguardia, Holmes: Colombia adoptó Pacto de Marrakech ante crisis de migrantes Venezuela, <https://cutt.ly/Ihk2mdA> (last accessed on 6 November 2020).
- 38 Cancillería de Colombia, Colombia adopta el Pacto Global para una Migración Segura, Ordenada y Regular de Naciones Unidas, <https://cutt.ly/Vhk2Uiv> (last accessed on 6 November 2020).
- 39 Cancillería de Colombia, note 38.
- 40 Cancillería de Colombia, note 38.
- 41 *Marcela Angola*, Pacto Mundial para la Migración: ¿cómo afecta a Colombia?, <https://cutt.ly/xhltJs4> (last accessed on 5 November 2020).
- 42 *Angola*, note 41.

Compact, the benefits for Colombian nationals would be non-existent. Moderate voices insisted on endorsing the Compact based on a balance between the rights of migrants and the real capacity of government to guarantee protection.<sup>43</sup>

### 3. Toward the implementation of the Compact in Colombia

The Compact was expressly mentioned in a legislative proposal of 2019 aiming to establish an integral state policy on migration. The proposal considered the Marrakech conference an important experience to address migration in all its dimensions, and the Compact was quoted as the source of concrete compromises regarding the guarantee of a dignified treatment for migrants.<sup>44</sup> Also, the expressions "safe, orderly, and regular" were used to describe the objectives that any migratory policy should aim to achieve.<sup>45</sup> Furthermore, a document submitted by the Colombian government to the Permanent Mission of Colombia to the United Nations listed the efforts made to realize the Compact. Permits to regularize migrants – the PEP and the TMF – are considered an important step toward implementing Objectives 4 and 5 of the Compact, which respectively aim at ensuring documentation and legal identity for all migrants and enhancing legal pathways to migration. The 'Registro Administrativo de Migrantes de Venezuela', a process of massive registration of Venezuelan migrants, is mentioned as an improvement in the pursuit of Objective 1 emphasizing the need for collecting data to formulate policies based on evidence.<sup>46</sup>

Regarding Objective 15 of the Compact, providing migrants with basic services, the Colombian government has taken measures to provide children with free access to public education and to guarantee migrants free access to the public health system regardless of their migratory status. For instance, the Ministry of Health decree 064/2020 recognizes the PEP as a valid identification document to access the health system, and migrants lacking the capability to pay can benefit from the subsidized health scheme.<sup>47</sup> To realize Objective 15, migrant children were granted access to the services provided by the 'Bienestar Familiar', the state agency charged with addressing malnutrition and family instability.<sup>48</sup> Regarding migrant population in transit, the government has taken action by coordinating governmental and non-governmental actors to provide services, for example, by identifying the most transited routes over the territory and mapping the focal points.<sup>49</sup>

43 *Angola*, note 41.

44 Gaceta del Congreso de Colombia, Senado de la República – Proyectos de actos legislativos No. 658, Bogotá 2019, p. 24.

45 Gaceta del Congreso de Colombia, note 44, p. 22.

46 Misión Permanente de Colombia ante la Organización de las Naciones Unidas, Insumos del Estado Colombiano para la elaboración del informe "Derechos Humanos de los Migrantes", DCHONU No. 344/20, p. 9.

47 Misión Permanente de Colombia ante la Organización de las Naciones Unidas, note 46, p. 9.

48 Misión Permanente de Colombia ante la Organización de las Naciones Unidas, note 46, p. 12.

49 Misión Permanente de Colombia ante la Organización de las Naciones Unidas, note 46, p. 14.

For Objective 6 of the Compact (“Facilitate fair and ethical recruitment and safeguard conditions that ensure decent work”), Colombia has formulated 82 specific actions to facilitate the migrant population’s access to employment opportunities and entrepreneurship. Among the main points are measures for migrants to become subjects of labor law, measures to generate incentives for the private sector to hire this population, and the removal of obstacles to facilitate migrant access to financial sources for small business-owners.<sup>50</sup> Although the document does not mention any improvement in developing cooperation strategies within the region to provide migrants integral solutions, Colombia is part of the ‘Proceso de Quito’, a forum established in 2018 as a space for the countries to discuss cooperation strategies to deal with Venezuelan migration.<sup>51</sup> In 2019 the proposals included the launch of a technological platform for the exchange of relevant information of migrants and the adoption of a regional protocol for protecting migrant children.<sup>52</sup> Overall, Columbia has taken a number of steps to implement the GCM in the context of the Venezuelan migration crisis. Although the GCM did not play a dominant role in public discourse, it features prominently as an argumentative basis for concrete policy measures.

## *II. Peru: Between the Compact and a new backlash against Venezuelan migration*

Until the first decade of the 21st century, Venezuelans were present in Peru in very low numbers —in 2012, they represented only 2.0 % of the total immigrants<sup>53</sup> — but as of 2017 they became the first foreign community in Peru.<sup>54</sup> Consequently, Peru became the second-largest recipient of Venezuelan migrants after Colombia and the main host country for refugee applications.<sup>55</sup> Two factors explain the preference for Peru as a destination: first, the high degree of informality in the Peruvian economy facilitates rapid labor integration of newcomers; second, migration to Colombia is becoming increasingly difficult because of the large number of migrants already residing there. Since Ecuador has dollarized its economy, Peru remains the preferred option for Venezuelans. Despite an initially welcoming attitude towards migrants from Venezuela, Peru has meanwhile introduced a number of restrictive policies (1.). While Peru initially embraced the GCM rhetorically, it played a negligible role in public discourse and policy making on migration matters (2.).

50 Misión Permanente de Colombia ante la Organización de las Naciones Unidas, note 46, pp. 11–12.

51 *Luisa Feline Freier/Nicolas Parent*, *The Regional Response to the Venezuelan Exodus*, <https://cutt.ly/cbJaqc4>, p. 61 (last accessed on 23 April 2021).

52 Proceso de Quito, Declaración conjunta de la V reunión técnica internacional sobre movilidad humana de ciudadanos venezolanos en la región, <https://cutt.ly/FbJsstn> (last accessed on 29 April 2021).

53 Instituto Nacional de Estadística del Perú, *Estadísticas de la emigración internacional de peruanos e inmigración de extranjeros 1990 – 2012*, Lima 2013, p. 68.

54 Instituto Nacional de Estadística del Perú, note 53, p. 85.

55 The United Nations Refugee Agency, *Fact Sheet – Peru*, <https://cutt.ly/MhziHv> (last accessed on 9 November 2020).

## 1. Progress and backlash in Peruvian migration policy

At first, and similarly to Colombia, in an attempt to make a gesture in favor of migrants the Peruvian government approach to migration was non-restrictive. In 2017, Pedro Pablo Kuczynski's administration approved the 'Permiso Temporal de Permanencia' (PTP), a document that would allow Venezuelan citizens to regularize their migratory status for one year, and that could be automatically renewed.<sup>56</sup> The PTP also authorizes migrants to develop economic activities. The initial hospitality is also exemplified in programs such as 'Lima aprende', a program from the Minister of Education launched in 2018 to help students that arrive in the capital after the beginning of the school year to reach the level of the regular students.<sup>57</sup>

The welcoming measures had a significant social impact and some tensions arose between Venezuelan migrants and the local residents. The Peruvian economy has been the most successful in the region over the past decade, but the informality is still high, and the arrival of Venezuelans is sometimes perceived as undesirable competition.<sup>58</sup> Furthermore, misconduct and crimes involving Venezuelan citizens have been overexposed in the media and instrumentalized to legitimate the discourse associating criminality to the Venezuelan migratory wave.<sup>59</sup> As a result, the government could not ignore the claim for tougher migratory measures from the public and in 2016, under President Martín Vizcarra's administration, the passport became compulsory for Venezuelan citizens entering the country – until that date, the identification document had been enough to cross the border. In June 2019, the Peruvian humanitarian visa came into force.<sup>60</sup> Even if exempted from the consular fee, the procedure for applying for the visa is a *de facto* obstacle to entering the country since gathering the mandatory documents is extremely difficult for Venezuelan migrants.<sup>61</sup> The government also adopted a mechanism to expel in the shortest time those with a criminal record in their country of origin.<sup>62</sup> The lapse between the detention and the deportation is insufficient to exercise the right to defense.

56 Decreto Supremo No. 002-2017-IN. Aprueba lineamientos para el otorgamiento del Permiso temporal de permanencia para las personas de nacionalidad venezolana.

57 Ministerio de Educación del Perú, Más de 6 mil niños culminaron su año escolar 2019 gracias al programa Lima Aprende, <https://cutt.ly/ZhElxk6> (last accessed on 11 November 2020).

58 Brian Winter, The Backlash to Venezuelan Migration is Here, <https://cutt.ly/lhzi0X> (last accessed on 9 November 2020).

59 Winter, note 58.

60 Agencia EFE, Perú exigirá visado a los venezolanos a partir del 15 de junio, <https://cutt.ly/obJgNaA> (Last accessed on 28 April 2021).

61 BBC News Mundo, Crisis de Venezuela: En qué consiste la visa humanitaria que pide Perú a los venezolanos y por qué genera polémica, <https://cutt.ly/7hEOy4O> (last accessed on 13 November 2020).

62 Ministerio del Interior del Perú, Cerca de 200 venezolanos con antecedentes en su país han sido expulsados del Perú, <https://cutt.ly/NbJhOv7> (last accessed on 28 April 2021).

For the critics, the restrictive approach assumed by the Vizcarra administration was a turning point.<sup>63</sup> The open-door policy enacted by the previous government has been dismantled by bureaucratic ways, such as the requirement of new migratory documentation to enter the country, but also by more subtle ways, such as encouraging the belief that there is a correlation between the increasing crime and the Venezuelan migration.<sup>64</sup> The new requirements had the expected effects: by mid-2019, the official rate of Venezuelan migration flow decreased for the first time, and in 2020, Peruvian authorities denied 63.1 % of entry requests from Venezuelans.<sup>65</sup> Although President Vizcarra justified these measures as "a way to assure an orderly and secure migration," his words also sent the citizens an important message: the government understands their concerns regarding the newcomers and will defend the interest of the Peruvians.<sup>66</sup> The media reported that most of the public endorsed the measure.<sup>67</sup>

## 2. Peru and the GCM: hesitant endorsement and limited impact

In this context of mistrust and social unrest regarding the Venezuelan migration, Peru adopted the Compact. In his speech, the Peruvian representative in Marrakech highlighted the compromise of the country with migration as a positive force for development while prioritizing the fundamental rights of migrants, especially those in a vulnerable position.<sup>68</sup> He listed the coincidences between the GCM and the national migratory policy's purposes: both the Compact and domestic Peruvian migratory policy recognize the links between migration and sustainable development, and both promote international and regional cooperation as a strategy to face the challenges of migration in a globalized context.<sup>69</sup> The Peruvian representative stated that the government also made compromises when endorsing the Compact, particularly to ensure that domestic policies respect the Compact guidelines.<sup>70</sup> On the other hand, and contrary to the Colombian representative, the Peruvian delegate did not mention the Venezuelan crisis in his intervention.

63 *Mirelis Morales*, Solicitar refugio en Perú: un trámite que toma hasta 4 años, <https://cutt.ly/VhEOIyx>, (last accessed on 13 November 2020).

64 *Morales*, note 64.

65 Organización Internacional para las Migraciones, Monitoreo de flujo de la población venezolana en el Perú – DTM reporte 7, Lima 2020, p. 10.

66 BBC News Mundo, note 61.

67 La República, El 66% de peruanos respalda exigencia de pasaporte y visa, <https://cutt.ly/khEPwwR> (last accessed on 13 November 2020).

68 Ministerio de Relaciones Exteriores del Perú, Intervención del jefe de delegación del Perú en la sesión plenaria para la adopción del Pacto Mundial, <https://cutt.ly/zhEPV41>, p. 2 (last accessed on 13 November 2020).

69 Ministerio de Relaciones Exteriores del Perú, note 68, p. 3.

70 Ministerio de Relaciones Exteriores del Perú, note 68, p. 5.

Unlike Colombia and Ecuador, the Peruvian government's endorsement was preceded by a national consultation about the convenience of the Compact. Diverse public institutions and civil society organizations such as universities, NGOs, and the Peruvian Episcopal Conference debated on the need to promote the human rights of migrants, prevent irregular migration, and introduce mechanisms of regularization; the dialogue also emphasized the relationship between migration and development.<sup>71</sup> Besides, the national consultation opened the way for civil society to express its concerns: the possible lack of reciprocity of the Compact, and the possible negative effects that absorbing migration would have on the performance of an already weak economy.<sup>72</sup> To the critics, signing the Compact was a positive decision as long as the host countries of Peruvian migrants also agreed to adopt it, otherwise it would create asymmetric obligations for Peru. Critics also pointed out that the Peruvian economy was not strong enough to receive a large flow of migrants without suffering significant distortions. Even if the country became the recipient of international resources, this cooperation would remain insufficient, given the magnitude of the migratory wave.<sup>73</sup>

The unanimity of the national consultation on the advantages of the Compact contrasts with the speech of the Peruvian chancellor, Nestor Popolizio, before the Commission on Foreign Relations of Peru. His speech justifying the adherence of Peru to the Compact did not focus on migration as a key factor for development, but on the fact that the Compact is a mere recommendation that by no means can it be considered as a direct intervention in the sovereignty of the state to dictate migratory policy.<sup>74</sup> In other words, the chancellor did not insist on the benefits of migration but rather stressed that the Compact is a non-binding framework of cooperation that does not impose enforceable rules or regulations.<sup>75</sup> Nevertheless, some domestic political groups were worried about the legal implications of the Compact. For instance, congresswoman Lourdes Alacorta remarked that, unlike other countries such as Chile, whose analysis on the convenience of the Compact led it to retire from the conference, Peru "signs everything."<sup>76</sup>

The role of the Compact in the policies adopted to handle migration in Peru has been discrete. Some of the policies reflect the Objectives of the Compact, even if it is not ex-

71 Organización Internacional para las Migraciones, Perú realizó Consulta Nacional frente al Pacto Mundial para la Migración Segura, Ordenada y Regular, <https://cutt.ly/SheP7OH> (last accessed on 13 November 2020).

72 Alan Fairlie, Pacto mundial migratorio: el Perú primero, <https://cutt.ly/0hEA0V7> (last accessed on 14 November 2020).

73 Jaddi N. Leyva Carbonel, Pacto mundial migratorio y su impacto en Perú, <https://cutt.ly/ajXbqNv> (last accessed on 20 November 2020).

74 El Heraldo, Pacto Mundial para la Migración no es vinculante, <https://cutt.ly/ehEAgHF> (last accessed on 15 November 2020).

75 *Andina*, Pacto facilita que migración sea ordenada y segura, afirma Canciller, <https://cutt.ly/bbDaH2c> (last accessed on 11 May 2021).

76 El Heraldo, note 74.

pressly mentioned. In April 2020, the government introduced the ‘Registro de Información Migratoria’ (RIM), a system to register the citizens’ and migrants’ information, “to facilitate to the state’s management of migration in an orderly, secure and regular way, as well as the design and implementation of public policies to integrate migrants.”<sup>77</sup> Furthermore, the ‘Superintendencia Nacional de Migraciones’ recognizes the human rights of migrants as the cornerstone of any public policy regarding migration. The efforts to modernize the border control are considered important progress toward an orderly and secure migration<sup>78</sup> and the operative measures to expel the Venezuelan migrants with criminal records in their home country are an expression of a secure policy migration.<sup>79</sup> In sum, the GCM did not feature prominently in the concrete governance of the Venezuelan migration crisis in Peru and the government stressed in particular the formally non-binding character of the GCM after endorsement.

### *III. Ecuador and the international leadership role on migratory matters*

Ecuador has played a particularly active role in initiating the process leading to the adoption of the GCM. This can be partly explained by the country’s own migration history (1.). Despite this active role on the international level, Ecuador has recently introduced a number of measure posing significant obstacles to migration from Venezuela (2.).

#### 1. Ecuador as a country of mixed migration experiences and a strong human rights approach

Since the 1990s, Ecuador has been at the center of mixed migratory processes. Toward the end of the 1990s, a great number of citizens left for Europe and North America because of the then ongoing economic crisis while people from other nationalities, mostly Colombians requiring international protection, entered the country.<sup>80</sup> For Ecuador, 2018 was a turning point in terms of migration. The migratory flow from Venezuela, which saw sustained growth since 2015, reached its peak in 2018, and the country faced the consequences of the Colombian peace process: the mutation of some demobilized guerrilla members into drug traffickers operating at the border<sup>81</sup> and the presence of indigenous communities fleeing

77 Superintendencia Nacional de Migraciones del Perú, Resolución N° 000117-2020-MIGRACIONES.

78 Superintendencia Nacional de Migraciones del Perú, Transformación digital y modernización del Estado Memoria 2018-2019, Lima 2019, p. 12.

79 Superintendencia Nacional de Migraciones del Perú, note 78, p. 74.

80 *Nicole Ledesma*, Ecuador Migration Trends, <https://cutt.ly/LhUAOCK> (last accessed on 15 November 2020).

81 Real Instituto Elcano, Implementación de la paz: el desafío para la relación bilateral en materia de narcotráfico entre Colombia y Ecuador, <https://cutt.ly/dbDdcKX> (last accessed on 29 April 2021).

to Ecuador because of the violence in the border zone.<sup>82</sup> Simultaneously, the country has firmly defended secure human mobility. In 2008, Ecuador became the first country in the world to promote the universal protection of migrant rights by introducing the concept of universal citizenship in the Constitution of 2008 — meaning that everyone in a country should enjoy the same rights as citizens — and by creating a Vice-Ministry of Human Mobility to protect the rights of all persons in mobility.

In his speech in Marrakech, the Vice Minister of Human Mobility of Ecuador, Santiago Chavez, stressed the active participation of Ecuador in the Compact negotiation and, similarly to Colombia, stated that the Compact coincided with the migration policy previously adopted by the country.<sup>83</sup> He focused on the connection between migration and sustainable development and mentioned the constitutional achievements on the protection of migrants, for instance, the guarantee for foreigners and Ecuadorian citizens to be treated as equals and the state's commitment to an inclusive narrative of migration. The Ecuadorian representative also mentioned the government's efforts to alleviate the crisis: in 2018 the country hosted the 'Proceso de Quito'<sup>84</sup> and the 'Plan de Acción de Quito'<sup>85</sup>, two regional meetings enhancing the need for cooperation between countries to treat massive migration. Unlike Peru and Colombia, the Ecuadorian representative did not mention the Compact's benefits for Ecuadorian citizens abroad.

## 2. The Global Compact in Ecuador: between international engagement and domestic restrictions

The Compact has played an active role in the design of migration policy. It is mentioned as a guideline in at least two important documents of Ecuador's migration policy: the 'Agenda Nacional para la Igualdad y la Movilidad Humana 2017–2021' (the Agenda), and the 'Plan Nacional para la Igualdad y la Movilidad Humana 2017–2021' (The Plan). The Agenda is a public policy instrument proposing mechanisms to guarantee the rights of migrants, to reduce inequality gaps, and to eradicate discrimination against migration. According to the Agenda, the Ecuadorian state policy on migration has embraced the Compact's idea that human mobility happens in new contexts and is an opportunity for development.<sup>86</sup>

82 *Sindy González Rodríguez*, *Migración indígena en la frontera Colombia-Ecuador: del conflicto armado a la Agenda de Seguridad Binacional*, OPERA 23 (2018), p. 12.

83 Ministerio de Relaciones Exteriores y Movilidad Humana del Ecuador, *Intervención del Embajador Santiago Chávez "Conferencia Intergubernamental encargada de aprobar el Pacto Mundial para una Migración Segura, Ordenada y Regular"*, <https://cutt.ly/whUGJTt> (last accessed on 20 November 2020).

84 France 24, *Declaración de Quito logra compromiso regional para seguir acogiendo a los migrantes venezolanos*, <https://cutt.ly/EbDWBy9> (last accessed on 20 April 2021).

85 Agencia EFE, *Ocho países aprueban un "Plan de acción" para facilitar la migración de venezolanos*, <https://cutt.ly/7bKdtZf> (last accessed on 24 April 2021).

86 Ministerio de Relaciones Exteriores y Movilidad Humana del Ecuador, *Agenda Nacional para la Igualdad de Movilidad Humana 2017–2021*, Quito 2018, p. 10.

Regarding Venezuelan migration, the Agenda states that the answers to such a complex phenomenon should promote orderly, safe, and regular migration, as established by the GCM, and mentions the Compact as a part of the international legal framework supporting the Agenda. The GCM also appears as one of the four guiding policies of the Agenda's intervention proposal and the 23 Objectives of the Compact are included in the document.<sup>87</sup> Likewise, the Plan, a document formulated by the Minister of Foreign Affairs in 2018 to translate the compromises and principles of the Constitution into public policies, especially the promotion of universal citizenship and women migrant workers' human rights,<sup>88</sup> promotes the creation of conditions for an orderly, safe, and regular migration, confirming the importance of the Compact in the formulation of policies addressing migration in Ecuador. Moreover, the Declaration of New York—the instrument on which the Compact is based on—and the Compact are mentioned as part of the normative and conceptual frame guiding the Plan.<sup>89</sup>

On the international front, Ecuador reinforced its approach to migration when hosting the 'Foro Global sobre Migración y desarrollo' in 2019 (the Forum). During the forum, the Ecuadorian government highlighted its will to implement the Compact and described the forum as a space to facilitate the consensus-building around the Compact and to evaluate the alternatives and capacities of the states to realize the Compact Objectives.<sup>90</sup> After the event ended, a space was opened for states and interested parties to participate in a voluntary dialogue around their GCM implementation plans, showing gain to the international audience how compromised the Ecuador is with the realization of the Compact.<sup>91</sup>

The Ecuadorian international discourse on the benefits of migration contrasts with the measures adopted to restrict the entrance of Venezuelans to the country.<sup>92</sup> In August 2018, a valid passport became mandatory to cross the borders<sup>93</sup> and although a national judge ordered the elimination of this requirement<sup>94</sup>, the government later announced that

- 87 Ministerio de Relaciones Exteriores y Movilidad Humana del Ecuador, note 86, p. 75–76.
- 88 Ministerio de Relaciones Exteriores y Movilidad Humana del Ecuador, Plan Nacional de Movilidad Humana, Quito 2018, p. 6.
- 89 Ministerio de Relaciones Exteriores y Movilidad Humana del Ecuador, note 88, p. 16.
- 90 Global Forum on Migration & Development, Closing Speech of Mr. Santiago Javier Chavez Pareja, Vice Minister for Human Mobility, Ecuador – ES 11 December 2018, <https://cutt.ly/0hUJztS> (last accessed on 15 November 2020).
- 91 Global Forum on Migration & Development, Member States advance efforts to implement the Global Compact for Migration at the national level, <https://cutt.ly/ohUXC6o> (last accessed on 17 November 2020).
- 92 *Jacques Ramirez Gallegos*, De la era de la migración al siglo de la seguridad: el surgimiento de "políticas de control con rostro (in)humano", URVIO Revista Latinoamericana de Estudios de Seguridad 2 (2018), p. 17.
- 93 El Universal, Ecuador exigirá a venezolanos la presentación de pasaporte para ingresar al país, <https://cutt.ly/JbDc77g> (last accessed on 24 April 2021).
- 94 France 24, Ecuador: un tribunal anuló la solicitud de pasaporte a venezolanos, <https://cutt.ly/wbDvWJs> (last accessed on 24 April 2021).

Venezuelan citizens could enter the country with an ID only if accompanied by a certificate of validation delivered by the Venezuelan Republic, a document difficult to obtain for migrants.<sup>95</sup> This measure adds up to other policies aiming to reinforce control. For instance, deportations increased from 26 persons in December 2017 to 191 during the first four months of 2018.<sup>96</sup> For some critics, despite the international discourse, the government distrusts migration benefits and, similarly to Peru, the policies based on control and security continue to be the main strategy to deal with irregular migrants.<sup>97</sup> It is remarkable that Ecuador has on the outset actively promoted the endorsement of the GCM and relied on it in designing parts of its migration policy, but has ultimately also introduced restrictive measures towards refugee migration from Venezuela that is hardly compatible with the GCM's Objective to enhance legal pathways to migration.

### C. The role of the GCM in comparative perspective: discrepancies between international aspirations and domestic policy

The three countries of this study consider the Compact as a necessary framework to confront the Venezuelan migration crisis. Their international discourse about the benefits of the Compact relies on the impossibility of dealing with massive migration solely through national migratory policies. However, despite these coincidences, the role of the GCM in shaping the migration policy in Colombia, Peru, and Ecuador has not been homogenous and seems to be closely related to domestic politics. Colombia has pursued the most ambitious agenda: the country has maintained its open-border policy and the Compact has been recognized in official documents as a policy-making guideline. Both measures coincide with the Compact's Objective to foster inclusion and suggest that the Compact has played an active role in Colombian migration policy. Political and historical reasons explain this openness toward the Compact. As the presidential campaign of 2018 was based on highlighting the dangers of becoming a leftist country<sup>98</sup>, a non-restrictive approach to the Compact would send the message that Colombia deals with crisis as a true democracy (as opposed to a dictatorship): by enacting internal policies to alleviate migrants while using diplomacy to overthrow the authoritarian regime.<sup>99</sup> Besides, the enactment of a regularization plan shifts the international focus from the poor results of the government in the implementation of the

95 El Universal, Venezolanos imposibilitados de entrar a Ecuador, <https://cutt.ly/KbDv8F7> (last accessed 22 on April 2021).

96 *Ramirez Gallegos*, note 92.

97 Plan V, La respuesta "frágil e inconsistente" del Ecuador frente a la migración venezolana, <https://cutt.ly/fbDbWxZ> (last accessed on 24 April 2021).

98 Clarin. "Castrochavismo", el término de moda en la campaña electoral colombiana, <https://rb.gy/elgqqr> (last accessed on 4 October 2021).

99 *Daniel Pardo*, Colombia y Venezuela: por qué Duque se "arriesga" ahora con la ambiciosa medida de regularizar a los migrantes venezolanos, [shorturl.at/imALR](https://shorturl.at/imALR) (last accessed on 25 September 2021).

peace agreement of 2016 towards its will to treat migration from a modern, humanitarian perspective.<sup>100</sup>

In contrast, the role of the GCM in Peru and Ecuador has been modest. In these countries, migration policy has focused on introducing restrictive measures to achieve an orderly migration, while Objectives of the Compact related to flexibilizing pathways for regular migration (Objective 5), facilitating decent work (Objective 6), empowering migrants to realize full inclusion (Objective 16) and promoting evidence-based public discourse to shape perceptions of migration (Objective 17) have received less attention. In both countries the initial welcoming measures — exemplified in Peru by the PTP in 2017 or the ‘Lima Aprende’ program — were counterbalanced by dissuasive measures such as the requirement of a humanitarian visa to enter the country, suggesting that they have not entirely ruled out of a restrictive approach when treating migration. Humanitarian visas do not outright contradict the Compact but have a restraining effect. They were justified as an expression of sovereignty and as a mean to reinforce orderly migration, which is the Objective 11 of the Compact, but in practice are dissuasive. For migrants obtaining a humanitarian visa is expensive and the troubles associated with meeting the requirements pushed them to cross the borders irregularly, thereby losing the opportunity to fully integrate, as the Compact intends. Thus, Ecuador and Peru differ from Colombia in having taken advantage of the non-obligatory nature of the Compact to introduce restrictions. This approach can be explained by the strong tendency of the governments in these countries to validate populist beliefs, specifically during the elections period. For instance, Peru held presidential elections on June 2021 and although neither of the candidates —right-wing Keiko Fujimori and socialist Pedro Castillo— referred to the Compact during the campaign, their views on migration seemed to foster the idea that restrictions are necessary to protect nationals against the criminality that follows migration.<sup>101</sup> If the Compact’s Objectives are perceived as unpopular in these countries, politicians could be excessively cautious in granting the Compact a more active role when approaching migration as they would not be willing to risk their political capital to fully realize of a document that is not even a treaty.

Moreover, unlike Colombia and Peru, Ecuador has paid particular attention to the possibilities of the Compact as an instrument to reinforce its leadership on migration at the regional level. But despite its international discourse on migration, Ecuadorian domestic policies do not reflect compliance with the Compact’s Objective to regularize migrants.<sup>102</sup> Nevertheless, in the Regional Meeting of the Implementation of the Compact, held in April

100 *Santiago Torrado*, La regularización de 1,7 millones de venezolanos en Colombia impulsa la agenda internacional de Duque, <https://rb.gy/omufdz>, (last accessed on 2 October 2021).

101 *El Nacional*, Candidato de izquierda de Perú propone ley para expulsar a inmigrantes que cometen delitos en su país, <https://cutt.ly/RbDQwKV> (last accessed on 26 April 2021). See also: *Canal N*, Fujimori: Es altamente peligroso fomentar la violencia hacia ciudadanos de otras nacionalidades, <https://cutt.ly/HbDQQNW> (last accessed on 20 April 2021).

102 *Refugees International*, A Fragile Welcome – Ecuador’s Response to the Influx of Venezuelan Refugees and Migrants, Field Report 2019, p. 16.

2021, Ecuador and Colombia were considered as “champion countries”, meaning that their practices on migration are reference points.<sup>103</sup> For Ecuador, these practices included the introduction of tools to help migrants to find employment, and the inclusion of administrative systems to identify gaps in the processes of inclusion; for Colombia, the introduction in 2021 of the ‘Estatuto Temporal de Protección’, a mechanism that complements the international refugee protection framework, is noteworthy.<sup>104</sup> Peru did not answer the *Questionnaire* on which the report is based.

#### D. Conclusion

The three countries discussed in this essay have endorsed the Compact as a desirable instrument to handle Venezuelan migration. In the international discourse, all three countries agree that the Compact is a necessary framework to cope with the crisis. Underlying the speeches of the representatives of Colombia, Peru, and Ecuador in Marrakech is the idea that cooperation is needed to deal with migration, as it is not possible for each country to address the crisis through national policies. The three countries also consider it advantageous that the Compact is not legally binding, letting the space to each country to define its migratory policy. Nevertheless, a close view on the implementation of the Compact shows different interpretation paths. In Colombia, the Compact has played an active role in the definition of the domestic migration policy, especially in terms of legalization and social integration of migrants, while Peru and Ecuador have preferred a restrictive interpretation, exemplified in the introduction of dissuasive measures. Moreover, the Peruvian process of endorsement had some particularities. First, unlike Colombia and Ecuador, the adoption of the Compact was preceded by a national consultation, thus civil organizations express their views and concerns and the Compact garnered legitimacy. Second, when explaining before the Senate the reasons to endorse the Compact, the government emphasized that the GCM is not a treaty but a mere roadmap on how to treat migration and that no international obligation stems from it.

For the future, close monitoring of the domestic debate about migration is necessary to understand to what extent the governments are willing and able to further implement the Compact. To the moment, cooperation between the three countries has not been properly deployed. Besides, the fact that Peru and Ecuador rely on administrative requirements for legally entering the country suggests that their understanding of a regular and orderly migration entails the adoption of restrictive measures. In Peru, President-elected Pedro Castillo, whose campaign was criticized for promoting xenophobia<sup>105</sup>, received a proposal

103 The United Nations Network on Migration, Preliminary Report on the Review of the Implementation of the Global Compact for Safe, Orderly and Regular Migration in Latin America, <https://cutt.ly/1bLqac2> (last accessed on 4 May 2021) p. 36.

104 The United Nations Network on Migration, note 103, pp. 23 and 34-35.

105 *Juliana Gil*, Migración en la era de Pedro Castillo, <https://rb.gy/xmvsbre> (last accessed on 2 September 2021).

from Venezuelan government to cooperate in a plan to return migrants<sup>106</sup>, and in Ecuador, elected-President Guillermo Lasso promised a wider regularization for Venezuelan migration although the details have not yet been specified.<sup>107</sup> It remains therefore a challenge to detach the Compact from the particularities of domestic politics and foster its advantages when designing migration policies.

106 Agencia EFE, Maduro propuso a Castillo un plan de retorno de migrantes venezolanos en Perú, <https://rb.gy/24ztm6> (last accessed on 29 September 2021).

107 Europa Press, Lasso promete regularizar a los migrantes venezolanos en Ecuador, <https://cutt.ly/wbDQXTr> (last accessed on 22 April 2021).