

The Venezuelan Displacement Crisis: Legal and Humanitarian Implications

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Abstract

The Venezuelan displacement crisis stands as one of the most consequential instances of forced migration in recent global history, carrying far-reaching humanitarian, legal, and regional implications. Prolonged political turmoil, economic breakdown, the weakening of democratic institutions, and persistent human rights abuses have collectively rendered everyday life increasingly untenable for large sections of the Venezuelan population. As a result, millions have been driven to leave their homes not as a matter of choice, but as a means of survival in search of safety, stability, and the basic conditions necessary for a dignified life. This paper undertakes a critical examination of the underlying structural factors that have fuelled mass displacement from Venezuela, alongside an analysis of the scale, patterns, and evolving nature of cross-border movement. Particular attention is devoted to the pressures borne by neighbouring Latin American states, which have emerged as primary destinations despite their own socioeconomic constraints. The study further evaluates the capacity of existing international refugee and human rights regimes to respond effectively to this unprecedented situation, revealing a persistent gap between formal legal recognition and the realities of protection on the ground. By situating the Venezuelan experience within wider discourses on forced migration, regional responsibility-sharing, and international solidarity, the paper contends that conventional refugee frameworks alone are insufficient. It advocates for a rights-based, cooperative, and forward-looking approach one that moves beyond narrow legal categorizations and prioritizes the long-term protection, inclusion, and dignity of displaced Venezuelans.

Keywords: Venezuelan displacement, forced migration, refugee law, regional protection, human rights

1. Introduction: Forced displacement has become one of the most pressing humanitarian concerns of the twenty-first century, shaped by the combined effects of political repression, economic disintegration, protracted instability, and

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failures of governance.² Within this broader global landscape, the Venezuelan displacement crisis occupies a distinctive position, both in its magnitude and in the complex forces that have driven it.³ Over the past decade, Venezuela has experienced a sustained erosion of democratic institutions alongside an economic collapse characterised by hyperinflation, severe shortages of food and medicine, and the systematic undermining of social welfare systems.⁴ These intersecting crises have profoundly compromised the enjoyment of fundamental rights and transformed internal deprivation into large-scale cross-border movement.⁵ In contrast to sudden refugee flows triggered by armed conflict, displacement from Venezuela has unfolded incrementally but persistently, gradually compelling millions to leave in search of safety and basic subsistence.⁶ This prolonged nature of movement has blurred conventional distinctions between refugees, migrants, and asylum seekers, challenging the adequacy of existing protection frameworks.⁷ Neighbouring countries including Colombia, Peru, Ecuador, Brazil, and Chile have emerged as primary destinations, often absorbing displaced populations despite limited institutional capacity and domestic socioeconomic constraints.⁸ The scale and duration of the crisis have placed extraordinary strain on regional protection mechanisms and exposed significant gaps in international refugee law, particularly in addressing displacement arising from structural collapse and generalized rights deprivation rather than individualized persecution alone.⁹

Adopting a multidimensional approach, this paper analyses the Venezuelan displacement crisis by examining its underlying causes, humanitarian repercussions, legal dimensions, and regional responses. It argues that the Venezuelan exodus cannot be understood merely as a question of migration management. Rather, it constitutes a profound human rights crisis that demands

² United Nations High Commissioner for Refugees (UNHCR), *Global Trends: Forced Displacement in 2023* (UNHCR 2024).

³ International Organization for Migration (IOM), *World Migration Report 2024* (IOM 2024) ch 2.

⁴ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Report on the Situation of Human Rights in the Bolivarian Republic of Venezuela* (A/HRC/48/69, 2021).

⁵ Inter-American Commission on Human Rights (IACHR), *Democratic Institutions, the Rule of Law and Human Rights in Venezuela* (OEA/Ser.L/V/II, Doc 209, 2017)

⁶ UNHCR and IOM, *Regional Refugee and Migrant Response Plan for Refugees and Migrants from Venezuela (RMRP)* (2023).

⁷ Alexander Betts, Louise Bloom and Nina Weaver, *Refugee Innovation and the Venezuelan Displacement Crisis* (Refugee Studies Centre, University of Oxford 2019).

⁸ World Bank, *Migrants from Venezuela: The Impact on Latin America and the Caribbean* (World Bank Group 2020).

⁹ Michelle Foster, 'The Implications of Venezuela's Mass Displacement for Refugee Law' (2018) 30 *International Journal of Refugee Law* 1.

coordinated international engagement rooted in principles of dignity, effective protection, and equitable responsibility-sharing.¹⁰

2. The Structural Causes of Venezuelan Displacement: The roots of Venezuelan displacement lie in the country's prolonged political and economic breakdown. The steady erosion of democratic institutions, diminished judicial independence, and growing concentration of executive power have weakened constitutional protections and accountability.¹¹ At the same time, sustained economic mismanagement, declining oil revenues, and international isolation have triggered hyperinflation, widespread unemployment, and the near collapse of essential public services.¹² Access to basic necessities such as food, healthcare, education, and utilities has become increasingly uncertain. Acute shortages of medicines and medical infrastructure have resulted in avoidable suffering and loss of life, while malnutrition has severely affected vulnerable groups, particularly children, pregnant women, and older persons.¹³ These conditions reflect deep violations of economic and social rights, forcing people to leave their country out of necessity rather than choice.¹⁴ Compounding these hardships are credible reports of political repression, arbitrary detentions, and the excessive use of force by state authorities, which have intensified fear and insecurity.¹⁵ In this context, displacement has emerged as a means of survival, underscoring the forced character of Venezuelan migration despite the absence of a formal armed conflict.¹⁶

3. Patterns and Scale of Displacement: The displacement of Venezuelans represents the largest movement of people in the history of Latin America.¹⁷ In contrast to many global refugee crises that unfold through routes toward the Global North, the overwhelming majority of Venezuelans have sought refuge

¹⁰ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, 2018).

¹¹ Inter-American Commission on Human Rights (IACHR), *Democratic Institutions, the Rule of Law and Human Rights in Venezuela* (OEA/Ser.L/V/II, Doc 209, 2017).

¹² International Monetary Fund, *Venezuela: Staff Report for the Article IV Consultation* (IMF Country Report No 19/45, 2019).

¹³ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Report on the Situation of Human Rights in the Bolivarian Republic of Venezuela* (A/HRC/48/69, 2021).

¹⁴ Committee on Economic, Social and Cultural Rights, *General Comment No 14: The Right to the Highest Attainable Standard of Health* (2000) UN Doc E/C.12/2000/4.

¹⁵ United Nations Human Rights Council, *Report of the Independent International Fact-Finding Mission on the Bolivarian Republic of Venezuela* (A/HRC/45/33, 2020).

¹⁶ Alexander Betts, Louise Bloom and Nina Weaver, *Refugee Innovation and the Venezuelan Displacement Crisis* (Refugee Studies Centre, University of Oxford 2019).

¹⁷ United Nations High Commissioner for Refugees (UNHCR), *Global Trends: Forced Displacement in 2023* (UNHCR 2024).

within neighbouring states.¹⁸ Many have undertaken long and perilous journeys often on foot exposed to physical hardship and insecurity along the way.¹⁹ Border regions and major urban centres across host countries have consequently absorbed sudden population increases, placing significant pressure on already strained systems of housing, healthcare, education, and employment.²⁰ The reliance on irregular routes has left displaced Venezuelans particularly vulnerable to exploitation and abuse, including human trafficking, unsafe labour conditions, gender-based violence, and social exclusion.²¹ These risks are especially acute for women, children, and indigenous communities, whose marginalisation is often intensified by precarious or uncertain legal status.²² As the crisis has endured, what initially appeared as temporary movement has increasingly taken the form of prolonged displacement, with diminishing prospects for safe, voluntary, and dignified return.²³

4. Legal and Protection Challenges: The Venezuelan displacement crisis has placed considerable strain on the traditional contours of international refugee law, which is largely premised on proof of individualized persecution linked to specific protected grounds.²⁴ Although some Venezuelans meet these criteria, many others find themselves excluded from formal refugee recognition despite fleeing conditions that pose serious threats to life, dignity, and basic survival.²⁵ In response to this mismatch, several Latin American states have turned to alternative forms of protection, including humanitarian visas, temporary residence schemes, and regional norms that acknowledge displacement arising from widespread violence and systemic human rights violations.²⁶ Yet, the lack of a coordinated regional approach has produced uneven standards of protection

¹⁸ International Organization for Migration (IOM), *World Migration Report 2024* (IOM 2024) ch 3.

¹⁹ UNHCR, *Venezuelan Refugees and Migrants in the Region: Needs and Vulnerabilities* (UNHCR 2022).

²⁰ World Bank, *Migrants from Venezuela: The Impact on Latin America and the Caribbean* (World Bank Group 2020).

²¹ International Organization for Migration (IOM), *Protection Risks and Needs of Venezuelan Migrants and Refugees* (IOM 2021).

²² UN Women, *Gender-Based Violence and Venezuelan Women in Displacement* (UN Women 2020).

²³ UNHCR and IOM, *Regional Refugee and Migrant Response Plan for Refugees and Migrants from Venezuela (RMRP)* (2023).

²⁴ Convention Relating to the Status of Refugees (adopted 28 July 1951, entered into force 22 April 1954) 189 UNTS 137, art 1A(2)

²⁵ Michelle Foster, *International Refugee Law and Socio-Economic Rights* (Cambridge University Press 2007) 45–48.

²⁶ Cartagena Declaration on Refugees (adopted 22 November 1984) OAS Doc OEA/Ser.L/V/II.66/doc.10, Conclusion III(3).

and persistent legal uncertainty.²⁷ Divergent documentation requirements, short-term legal statuses, and shifting domestic political considerations have frequently restricted access to healthcare, education, employment, and social security.²⁸ Rather than offering durable solutions, these fragmented responses often entrench vulnerability.²⁹ The Venezuelan crisis therefore highlights the pressing need to rethink and broaden existing protection frameworks so they are better aligned with the contemporary realities and structural causes of forced migration.³⁰

5. Regional and International Responses: Countries across Latin America have shown a significant degree of solidarity in responding to Venezuelan displacement, notably by maintaining relatively open borders and introducing innovative regularization and temporary protection schemes.³¹ Efforts at regional coordination have sought to harmonize responses and share responsibility; however, their impact has often been constrained by limited financial resources, institutional capacity, and mounting domestic political pressures.³² While international support has been forthcoming, it has not matched the scale or longevity required to address a crisis of this magnitude.³³ The Venezuelan situation thus highlights the central importance of genuine global responsibility-sharing.³⁴ In the absence of sustained financial, technical, and institutional assistance from the wider international community, host states face growing risks of social strain, restrictive policy shifts, and long-term protection fatigue.³⁵ An effective response must therefore move beyond short-term humanitarian measures and incorporate durable development-oriented strategies that foster

²⁷ United Nations High Commissioner for Refugees (UNHCR), *Legal Considerations on the Recognition of Refugee Status for Venezuelans* (UNHCR 2019).

²⁸ International Organization for Migration (IOM), *Regular Pathways for Venezuelan Migrants in Latin America and the Caribbean* (IOM 2021).

²⁹ Alexander Betts and Paul Collier, *Refuge: Transforming a Broken Refugee System* (Allen Lane 2017) 112–115.

³⁰ James C Hathaway and Michelle Foster, *The Law of Refugee Status* (2nd edn, Cambridge University Press 2014) 561–565.

³¹ United Nations High Commissioner for Refugees (UNHCR), *Good Practices in the Regional Response to the Venezuelan Situation* (UNHCR 2021).

³² UNHCR and International Organization for Migration (IOM), *Regional Refugee and Migrant Response Plan for Refugees and Migrants from Venezuela (RMRP)* (2023).

³³ World Bank, *A Development Approach to the Venezuelan Displacement Crisis* (World Bank Group 2020).

³⁴ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, 2018).

³⁵ Alexander Betts, 'The Normative Terrain of the Global Refugee Regime' (2015) 29 *Ethics & International Affairs* 363

inclusion, resilience, and mutual benefit for both displaced Venezuelans and the communities that receive them.³⁶

6. Conclusion: The Venezuelan displacement crisis represents a deep humanitarian and legal challenge that extends beyond conventional understandings of migration. Emerging from sustained political and economic breakdown, it has compelled millions to cross borders in search of safety, reshaping regional mobility patterns and exposing the limits of existing protection frameworks.³⁷ While current legal regimes provide important safeguards, they remain ill-equipped to respond to displacement driven by systemic deprivation and pervasive rights violations.³⁸ A durable response demands a move away from fragmented, short-term solutions toward a rights-based and cooperative approach anchored in international solidarity.³⁹ Enhancing regional protection mechanisms, broadening legal avenues for stay and integration, and guaranteeing access to fundamental rights are essential to upholding the dignity of displaced Venezuelans.⁴⁰ Ultimately, meaningful solutions to displacement are inseparable from efforts to address its underlying causes; without restoring democratic governance, economic stability, and respect for human rights in Venezuela, large-scale displacement will persist as an enduring reality rather than a temporary crisis.⁴¹

³⁶ Organisation for Economic Co-operation and Development (OECD), *Integrating Refugees and Migrants through Development Cooperation* (OECD Publishing 2019).

³⁷ United Nations High Commissioner for Refugees (UNHCR), *Global Trends: Forced Displacement in 2023* (UNHCR 2024).

³⁸ James C Hathaway and Michelle Foster, *The Law of Refugee Status* (2nd edn, Cambridge University Press 2014) 560–565.

³⁹ United Nations General Assembly, *Global Compact on Refugees* (A/RES/73/151, 2018).

⁴⁰ Cartagena Declaration on Refugees (adopted 22 November 1984) OAS Doc OEA/Ser.L/V/II.66/doc.10, Conclusion III(3).

⁴¹ Office of the United Nations High Commissioner for Human Rights (OHCHR), *Report on the Situation of Human Rights in the Bolivarian Republic of Venezuela* (A/HRC/48/69, 2021).