

SPECIAL REPORT

**MIGRATORY TENDENCIES IN VENEZUELA:
FROM A HUMAN RIGHTS APPROACH**

Caracas, August 2018

Sures is a Venezuelan civil association, dedicated to the study, promotion, education and defense of human rights, from a critical, emancipatory and alternative vision. It is an independent, non-partisan, non-denominational, nonprofit, nongovernmental organization.

The mandate of Sures extends to all the environmental, civil, cultural, economic, social and political human rights recognized in the Constitution of the Bolivarian Republic of Venezuela and in the international treaties ratified by that country. It prioritizes its action on groups and organizations of people in situation of major exclusion, poverty and discrimination.

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Author:

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PRESENTATION:

The purpose of this report is to provide a general approach to migration flows from Venezuela, viewed from a human rights perspective. To this end, basic concepts and references are addressed for interpretation under classical theories of migratory processes that seem more relevant to the Venezuelan case.

Likewise, it has been carried out a process of systematization of quantitative information from diverse sources associated with this process, paying particular attention to the organization of migratory flows according to the country of destination and establishing relationships with the origin of foreign communities historically settled in Venezuela.

In this first report, we provide an exploratory approach that collects secondary data from both public and private sources, as well as academic and multilateral recognized institutions, which describe the migratory issue in a comparative manner.

CONCEPT AND SCOPE OF MIGRATION

Migration is the geographical movement of people crossing a legally established border for the purpose of setting permanent residence in another territory. In this regard, the hierarchy or the type of the border characterize migration; when the movement involves crossing municipal or state borders within the same country, we are referring to internal migration and when an international border is crossed for the purpose of setting residence in another country, we observe an international migration process.

It is important to note that not all population movements that cross international borders can be defined as migration, due to the fact that when people do not intend to set permanent residence in another country these cannot be categorized strictly as migrants.

According to the Report of the Secretary General to the United Nations on international migration and development, published in August 2016, some categories that are necessary to define are established as the following:

Who are the international migrants?

Although there is no definition universally agreed upon the term, for statistical purposes the international migrant has been defined as any person who changes their country of regular residence. A long-term migrant is any person who moves to another country than the one in which he has his regular residence for a period of at least one year; whereas a short-term migrant is any person who moves to another country, different from the one in which he has his regular residence for a period of at least three months but less than year. In the cases in which the transfer to that country is made for the purpose of leisure, vacations, visits to relatives and friends, business, medical treatment or religious pilgrimage, those persons are not considered to be migrants.

In the case of transfers for a period of more than year, the reason for the change of residence does not influence the definition of international migrant. This is illustrated in the table describing the entry categories for international migrants in the Recommendations on International Migration Statistics adopted by the United Nations Statistical Commission in 1997. In the table seven categories are available, which describe all types of legal entry of foreign citizens: a) education or training; b) employment; c) family reunification or family formation; d) the right to freely establish yourself or to circulate; e) settlement for a prolonged or

unlimited period of time; f) humanitarian reasons; and g) regularization of the legal status (UN, 2016).

Based on this, efforts have been made to define and characterize the **temporary migration** that refers to "the migration due to a specific motivation or purpose with the idea of a later return to the country of origin or another movement". Similarly, they define **circular migration** as "the repetition of legal migration by the same person between two or more countries" (European Migration Network, 2011)

Considering the history of Venezuela as a country characterized as a recipient of migratory flows, the concept of return migration is particularly relevant, defined as: "a movement of reincorporation to the point of origin, whether these movements are national or international," or "the action of returning to one's country of origin, to a transit country or to a third country". (Jauregui & Recaño, 2014).

If we want to review it from a theoretical perspective, we can see that the greatest interpretive development of the migratory phenomenon comes from economic sciences, however, since the 80's new approaches have been incorporated that are aimed at making a broader understanding of the phenomenon. Thus, we can describe some theoretical approaches to migration:

- **The neoclassical theory of general economic balance:** argues that wage differentials between two points of space produce a transfer of Labor Force to achieve a salary balance. From this perspective, when labor is abundant (Supply), the price of labor (salary) decreases, whereas when there is a labor deficit, wages increase. This relationship can be exacerbated depending on the production costs of the labor force, workers with high levels of training and specialization can be scarcer and have a differential demand in different countries according to the costs and opportunities of training.

- **The dynamics of expulsion-attraction factors:** Contrast the "negative" elements of the place of origin (factors of expulsion) with the real or potential advantages of the place of destination (attraction factors), their impact on the volume of migratory flows at different moments of time. In addition to material factors such as the search for higher wages, better services and living conditions, the places of destination symbolically represent the idea of progress and modernization.

- **Migration Systems:** "Are spaces characterized by the relatively stable association of a series of recipient countries with a certain number of regions of origin. Such associations are not a mere result of migratory flows, but are reinforced by connections and links of a different nature: these links and their multiple associations constitute the most appropriate context for the study of migration.

- **Migration Networks:** As part of the development of systems theory, they are a conceptual contribution to the classical interpretation of migration processes from the economy. Social networks are pivotal in the orientation of migratory flows to certain destinations, of which more information is available, the support for the establishment in a place, in material terms, but also having relationships with people linked to the country of destination provides intangible benefits regarding emotional welfare terms. In the Venezuelan case, relationships with countries that formerly expelled part of their population, which then settled and integrated into our country, it becomes part of the social networks of Venezuelan migrants and is evident in the preferred destinations for migration.

Additionally, the migratory policies of the countries of destination can promote, dissuade, encourage or attract certain immigrants based on their national migratory policies; which may privilege the entry of immigrants of a certain origin or with certain occupational or educational characteristics that are of particular interest.

Frequently, bi-national migratory agreements exist based on histories of mobility of people between countries and often imply legislations inspired by reciprocity. These are some of the reasons why in the Venezuelan case, processes of emigration are facilitated towards countries that have historically produced migration flows towards Venezuela.

MIGRATION AND HUMAN RIGHTS

From the point of view of the human rights, migration inside and outside of the national territory implies the exercise of the right of free passage or circulation, recognized in the various international treaties. In this sense, the International Covenant on Civil and Political Rights provides:

Article 12

- 1. Everyone lawfully within the territory of a State shall, within that territory, have the right to liberty of movement and freedom to choose his residence.**
- 2. Everyone shall be free to leave any country, including his own.**
- 3. The above-mentioned rights shall not be subject to any restrictions except those, which are provided by law, are necessary to protect national security, public order, public health or morals or the rights and freedoms of others, and are consistent with the other rights recognized in the present Covenant.**
- 4. No one shall be arbitrarily deprived of the right to enter his own country.
(Emphasis added).**

Likewise, in October 25th, 2016, the Venezuelan State has ratified the United Nations international Convention on protection of the rights of all migrant workers and their families, whereby it regulates all the migration process of the migrant workers and their families, as well as the rights to which they are entitled.

At a regional level, the American Convention on Human Rights also recognizes this right, which although denounced by Venezuela continues into effect for the majority of the American States, many of them are countries of destination for Venezuelan migrants:

Article 22. Freedom of Movement and Residence

1. Every person lawfully in the territory of a State Party has the right to move about it and to reside in subject to the provisions of the law.
2. Every person has the right to leave ant country freely, including his own.
3. The exercise of the foregoing rights may be restricted only pursuant to law to the extent necessary in a democratic society to prevent crime or to protect national security, public safety, public order, public morals, public health, or the rights or freedoms of others.
4. The exercise of the rights recognized in paragraph 1 may also be restricted by law, in designated zones, for reasons of public interest.
5. No one can be expelled from the territory of the State in which he is a national, or be deprived of the right to enter it.
6. Any foreign lawfully in the territory of a State Party to this Convention may be expelled from it only pursuant to a decision reached in accordance with law.
7. Every person has the right to seek and be granted asylum in foreign territory, in accordance with the legislation of the State and international conventions, in the event he is being pursued for political offenses or related common crimes.
8. Under no circumstances may a foreigner be deported or returned to a country, regardless of whether or not it is his country of origin, if in that country his right to life or personal freedom is in danger of being violated because of race, nationality, religion, social status, or political opinions.

9. The collective expulsion of foreigners is prohibited. (Emphasis added).

On their behalf, the Constitution of the Bolivarian Republic of Venezuela explains this human right in its Article 50:

Article 50. Any person may freely and by any means transit throughout the country, change domicile and residence, leave and return to the Republic, to move their goods and belongings in the country, bring their goods into the country or take them out, without other limitations than those established by law. In case of granting a concession, the law shall establish the circumstances in which the use of an alternate route must be ensured. Venezuelans can enter into the country without any prior authorization.

No act of the Public Power may establish the penalty of banishment from the national territory against Venezuelans (emphasis added).

However, since migration, both inside and outside of the national territory, involves the rightful exercise of a right with constitutional hierarchy; the Venezuelan State is committed to comply with the general obligations in matters of human rights derived from the international treaties and provided in Article 19 of the Constitution of the Bolivarian Republic of Venezuela.

Article 19. The State shall guarantee to every person, in accordance with the progressive principle and without discrimination, the enjoyment and inalienable, indivisible and interdependent human rights. Respect for and guarantees are mandatory for public bodies in accordance with the Constitution, treaties on human rights signed and ratified by the Republic and the laws that implement them.

On this matter, first, it is obliged to “respect” the enjoyment and exercise of the right to free passage of the people who want to migrate. Initially, this involves the duty to

recognize the entitlement and free exercise of this right to all the people in equally conditions and without discrimination, aside from the limits established by Law. It also means not unduly preventing, hindering or restricting the exercise of this right, which leads to allowing the free mobilization inside and outside of our country. Thereunder, it is important to understand that the State shall avoid any act directed to stigmatize o discriminate the people that decide to exercise this human right.

Secondly, the State is in the obligation to “guarantee” the “unwavering, indivisible, and interdependent enjoyment and exercise of the human rights”. This obligation of making involves the adoption of all the necessary, opportune and adequate measures to ensure the effective force of the right to free passage. These measures extent to the legislative, juridical, administrative, educational, budgetary, among other areas, under Article 2 of the International Covenant on Civil and Political Rights and in Article 2 of the American Convention on Human Rights. From this perspective, it is relevant to comprehend that the State is obligated to take action to facilitate, support and protect the people that decide to exercise this right and move freely, responsibly and in accordance to the Law.

The obligations of the Venezuelan State regarding the protection of the human right to free passage extents to three moments: a) during the movement from a place inside and outside of the national territory; b) during the permanency in this place, and; c) during the return to the place of origin.

Due to these motives, the Venezuelan State is obligated to define and develop public policies directed to protect the right of free passage of the people that in lawful exercise of this right decided to migrate inside and outside of the national territory. Public authorities shall not remain oblivious to these situations; on the contrary, they have the duty to recognize the phenomenon, regulate it and take actions to comprehensively protect the rights of the moving people.

To conclude, we want to highlight that the right to free passage and to free human mobility in a world without borders constitutes an ideal of humanity in the 21st century. On this context, the most important international treaties of supranational integration of the world recognize the free human mobility among the member States, among them, Mercosur or the European Union. In fact, this includes one of the fundamental principles of these international agreements. But beyond that, in some States explicit recognition has already begun to be accorded regarding the human right to migration and human mobility, even at a constitutional level, as it happens in Ecuador whose Constitution provides:

Art. 40.- It is recognized to the people the right to migrate. It would not be identified nor considered any human being as an illegal for her or his migration status.

The State, through the correspondent entities, shall develop, among others, the following actions for the exercise of the rights of Ecuadorian people abroad, whichever their migration status might be:

1. Shall offer assistance to them and their families, whether they reside in the country or abroad.
2. Shall offer attention, advisory service and integral protection in order to enable them to freely exercise their rights.
3. Shall safeguard their rights when, by any reason, they have been deprived of their liberty abroad.
4. Shall promote their ties with Ecuador, facilitate the family reunification and, encourage the voluntary return.

5. Shall maintain the confidentiality of personal data found in the institutional archives of Ecuador abroad.
6. Shall protect the transnational families and the rights of their members.

We estimate that the path started by Ecuador regarding human mobility, resulting of a vast history of migration processes, may serve as a reference to our country, where emigration constitutes a recent phenomenon, about which we have limited experience, particularly from the perspective of the human rights.

DIFFERENCES BETWEEN ECONOMIC MIGRANTS AND REFUGEES: SOME DATA OF THE VENEZUELAN MIGRATION

For some years now, a public debate has been installed about the increase of migrating people of Venezuelan origin, the concept of economic migrant has been frequently mistaken with refugee, which is why it is necessary clarify such difference. On this context, “a refugee is someone who has had to abandon their place of origin or habitual residence for political, religious, social, racial reasons or for belonging to a particular group” (ACNUR, 2018, page 3); on the contrary, the people who migrates for economic reasons leave their birth countries or place of residence voluntarily, and this is done majorly by labor reason, seeking better job opportunities.

REFUGEES

They forcibly flee their countries
Armed conflicts or persecution are their main reasons to flee their countries of origin
They cannot be expelled from the welcoming country nor can be return to their countries of origin
They can't be sanction for not having the required documents to properly enter another country

MIGRANTS

They migrate voluntarily
They choose to move for economic and family related reasons, etc
They don't need special protection from the government
They are required to comply with the immigration laws and processes (having a passport and visa to lawfully enter a third country)

Source: UNHCR viewpoint: 'Refugee' or 'migrant' – Which is right?

In the case of asylum seekers, the UNHCR registers between 2014 and 2018 an increase of the applications of asylum of Venezuelan citizens in other countries, from which 62,042 were presented in the United States of America; 24,818 in Brazil; 17,851 in Spain and 36,997 in Peru, among other countries with a smaller number of applications such as Mexico, Canada and Costa Rica. (UNHCR, 2018).

Regarding the estimations on the volume of people that have migrated from Venezuela, various numbers have been given. We can point out that according to the one offered by researcher Freitez, it amounts to 1,421,000 people; while the applications of asylum presented by Venezuelan citizens during 2014-2018 registered by UNHCR rise up to 170,169. (ACNUR, 2018).

On this matter, it is important to point out that not all people who leave Venezuela can be considered a refugee, and even being an important number of people that requests this condition, these represent a reduced proportion of the total number of

migrants. Likewise, as it was indicated, not all people that apply for asylum obtain this condition finally, since there are cases that are just a juridical move to obtain a legal residence in another country.

BRIEF ANALYSIS OF THE MIGRATORY HISTORY AND MIGRATION POLITICS IN VENEZUELA

The migratory flows received by Venezuela during the 20th century, were principally due to the particularities of its economy, which functions as a pulling factor for international migration. Likewise, the politics of the Venezuelan State and the international conjunctures, such as war o dictatorial regimes in other countries, enhanced this social process, resulting in an impact on the demographic, ethnic and cultural features of our country.

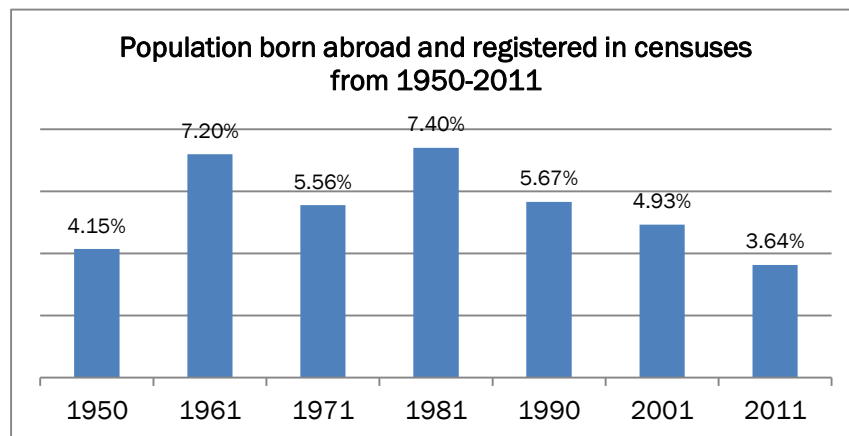
Historically the migratory policy of the Venezuelan State presents tendencies to the encouragement of immigration since the 19th century, but it is since the economic transformation derived from the oil exploitation during the 20th century, that can be evidenced the impact of such policy in the significant number of international immigrants in the national territory.

As of 1945, immigration is defined as an “open door policy”, and the requirements demanded by the Venezuelan State in that moment were lax, they consisted in being less than 35 years old, have good health and present good behavior. This opening was politically justified as a solidarity-based answer from Venezuela to the citizens of the world affected by the terrible consequences of World War II (Ramos, 1999, 37).

Despite that, since 1952 Venezuela is part of the International Organization for Migration (IOM), was only until 1976 where this participation is ratified, with the subscription of an agreement oriented to contribute with the socio-economic

development of the country, through recruitment, selection, transfer, collaboration and integration of human resources not available, and the execution of a “Selective Migration Program”. Subsequently, during the 80’s the Venezuelan Government, issued the General Registration for Foreigners, set forth in the General Law on Foreigners sanctioned in 1987, allowing the legalization of those immigrant people who recently remained undocumented.

By that time, the population born abroad residing in Venezuela reached the 7.40% of the total population with an important presence of people of nationalities from Latin American countries.



Source: National Census. OCEI, INE, own calculations

In 1999, with the adoption of the Constitution of the Bolivarian Republic of Venezuela, it contemplates the possibility for foreign-born individuals to acquire Venezuelan citizenship without renouncing to the nationality of their country of origin.

During the year 2004, the Identity Mission carried out a massive process for legalizing people of foreign nationality; this program included the naturalization over 216,000 long-period residents in Venezuela.

In the following chart, it is observed the number of immigrants according to their birth country during the second half of the 20th century and the early 21st.

Number of foreign-born people registered in Venezuela 1950-2011

Place of birth	1950	1961	1971	1981	1990	2001	2011
Total population	5,034,838	7,523,999	10,721,522	14,516,735	18,105,265	20,584,129	27,227,930
Total of population born abroad	208,731	541,563	596,455	1,074,629	1,025,894	1,015,538	989,923
America	76,021	152,648	237,967	667,519	686,716	766,441	835,102
Argentina	618	3,131	3,971	11,541	—	8,611	6,059
Chile	519	2,051	3,093	25,200	20,820	15,530	11,278
Colombia	45,969	102,314	180,144	508,166	529,924	609,196	695,873
Peru	776	1,683	2,183	21,116	28,267	35,871	31,207
Dominican Republic	1,242	1,470	1,801	17,719	—	14,109	11,037
Other countries	26,899	42,098	48,847	83,777	84,241	83,124	79,648
Africa and Oceania	471	2,000	2,843	4,564	3,357	2,411	1,819
Asia	4,662	17,523	23,464	35,386	32,492	34,927	34,452

Europe	126,966	369,298	329,850	349,117	255,899	197,387	118,058
Spain	37,887	166,660	149,747	144,505	104,037	76,648	44,210
Italy	43,938	121,733	88,249	80,002	61,800	49,337	29,498
Portugal	10,954	41,973	60,430	93,029	68,277	53,477	35,350
Other countries	34,187	38,932	31,424	31,581	21,785	17,925	9,000
Others / Nationality not declared	747	163	452	18,321	47,430	14,372	492

Source: National Census. OCEI, INE, own calculations

AVAILABLE DATA AND RESEARCHES ON VENEZUELAN EMIGRATION

In regard of Venezuela as a country that receives migratory flows of different origins, the current issue of emigration is groundless not only at an official level but within the academic world. Considering its emerging nature, this topic of research has been addressed from media, sectorial and circumstantial perspectives.

The public debate related to the migratory process of Venezuelan citizens is mainly oriented to seek the total number of emigrants and to describe the living conditions during their transit to the countries of destination. In this regard, and based on the available information from sources such as academic researches, polling firms, multilateral bodies and national statistics institutes of the destination countries, we will intent to present a comprehensive overview of Venezuelan migrations from a human rights perspective and provide some recommendations for addressing it.

Academic Research

The book called “La voz de la diáspora venezolana”, published in 2015, by the sociologist Tomas Paez, reconstructs a distribution map of the Venezuelan population over the world, through consular registries and data obtained from destination countries. This work is aimed at making visible the social capital of Venezuelan migrants with a particular focus on their educational level. According to recent statements by the above-mentioned author, the number of Venezuelan emigrants reaches 3,300,000. (Alonso, 2018).

Likewise, researchers Ivan de la Vega and Claudia Vargas have developed investigations about the topic of Venezuelan emigration, emphasizing on qualified migration and they set the total number of Venezuelan migrants abroad around 3,500,000. (Sarmiento, 2018).

The 2017 National Survey about Living Conditions (ENCOVI by its abbreviation in Spanish) has an emigration chapter coordinated by Anitza Freitez from the Universidad Católica Andres Bello. Through this survey with a representative sample of 6,168 Venezuelan homes, it was estimated that there is a total of 1,421,000 Venezuelans residing abroad and 815,000 of them migrated between the years 2012 and 2017, with greater migration intensity since 2014.

A significant contribution of this research is to remark the fact that not all entry and exit movement of Venezuelan territory can be considered migration, as many of the departures, especially by land, do not aim at establishing permanent residence in a different country, but correspond to commuting, due to several reasons, among them the border trade.

Polling Firms Researches

The polling firm Consultores 21 presented through social networks the result of an opinion poll with two thousand (2000) interviews. When asking people about the number of close relatives that had emigrated; the result is an average of 1.97 persons by “nuclear family” meets such condition, that is, almost two individuals per family have emigrated.

There are no methodological or conceptual details of this investigation, but it is inferred that the total of participant’s relatives who have emigrated do not necessarily follow the pattern of “nuclear family”, which is mother, father, children, brothers and sisters. This firm estimates the approximate number of people that have migrated from Venezuela during the last years is 4,000,000.

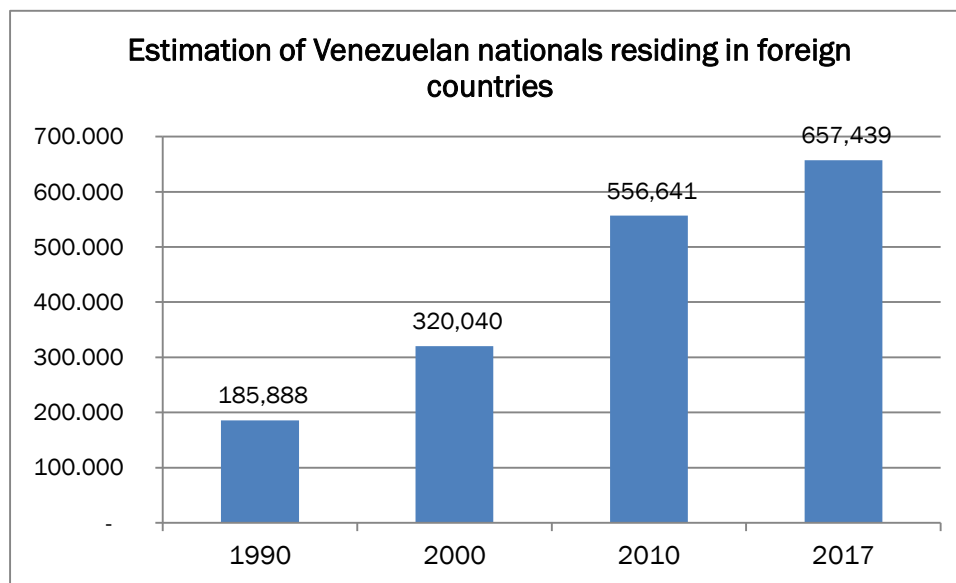
The director of Datanalysis, another polling firm stated in a textual manner: *“We have not certainty but at least 7% of the population is abroad and this migratory wave could be tripled in the next years. From the last Datanalysis survey, the most shocking number to us is the percentage of residents that are in migration procedures, it has increased from 12% in 2015 to 35% in 2017.”* Under these assumptions, 7% of projected population for 2018 is 2,227,968 people. (0800 Noticias, 2018).

Other Venezuelan polling firms such as Delphos and Hinterlaces, make descriptive depictions of some aspects of the phenomena and make statements on partial estimates; but likewise Datanalysis do not provide consolidated data. Nonetheless they acknowledge the complexity of quantify a current and dynamic phenomenon through opinion surveys. (Gomez, 2018).

Multilateral Agencies and National Statistical Institutes of destination countries

United Nations Population Division

In the last estimation of the international migrants stock performed by the United Nations Population Division in 2017, people counting were completed according the nationality in each country. The matrix origin-destination has detailed information to identify the number of Venezuelan citizens that are estimated to be in each country of the world; likewise, it allows identifying the number of people from different countries throughout the world who are estimated to be residing in Venezuela.



Source: United Nations Population Division

Following is a summary of selected countries of destination that represent 88% of estimated emigrants, the rest 12% is distributed in different countries whose concentration is relatively low.

The United States, Spain, Italy and Colombia are the main destination countries. It must be stressed that, exclusively, Venezuelans nationals are considered in the

estimation. Citizens of other nationalities who arrive and remain in the following countries are not considered in such estimation.

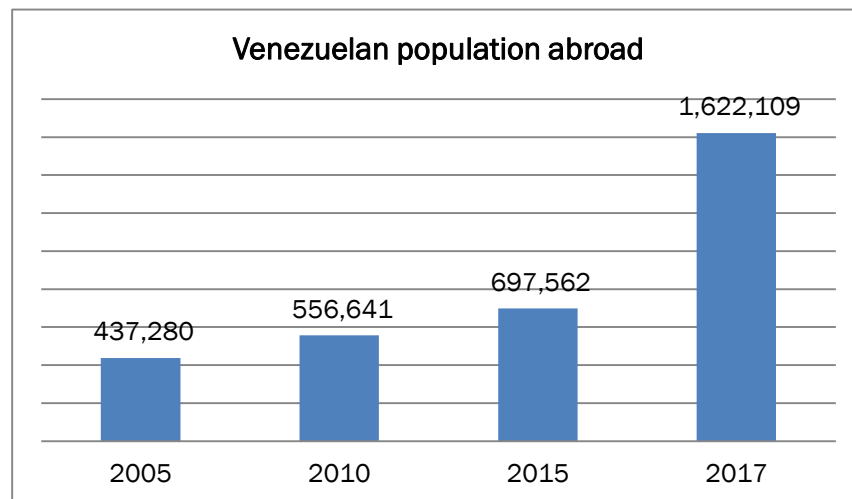
Selection of countries. Estimated number of emigrants of Venezuelan nationality and immigrants in Venezuela during 2017.

COUNTRY	Venezuelan citizens residing in countries of destination (EMIGRANTS)	Foreign citizens residing in Venezuela (INMIGRANTS)	Net migration rate
Argentina	1.286	10.098	8.812
Aruba	3.421	493	-2.928
Brazil	3.515	6.119	2.604
Chile	4.302	15.500	11.198
Colombia	49.829	988.483	938.654
Curaçao	1.824		-1.824
Dominican Republic	5.539	14.972	9.433
Ecuador	9.166	37.549	28.383
Italy	49.831	51.863	2.032
Mexico	16.373	3.890	-12.483
Panama	10.204	893	-9.311
Peru	3.318	47.739	44.421
Portugal	24.603	55.441	30.838
Spain	162.000	75.744	-86.256
United States of America	232.448	11.417	-221.031
Uruguay	588	4.869	4.281

Source: United Nations Population Division. Own calculations.

International Organization for Migration (IOM)

The report “Tendencias migratorias nacionales en América del Sur. República Bolivariana de Venezuela” (National Migratory Trends in South America: Bolivarian Republic of Venezuela) published in February 2018; where estimates on the evolution of the Venezuelan population abroad are shown, as well as the estimated migrant stock in selected countries to be identified as “popular destinations”



Source: International Organization for Migration

Especially remarkable are the strong differences between estimates of the United Nation Population Division and the International Organization for Migration (IOM), bearing in mind that both agencies are part of the United Nations system. In this regard, the entry of people from Venezuela with other nationalities could be suggested as an explanatory hypothesis of such differences.

For example, the migration dynamics between Venezuela and Colombia, considering that Venezuela was a traditional migratory destination for Colombians; some estimated Venezuelan citizens may be Colombians by birth or descendant, accordingly, Displacement Matrix specific analyses performed in border crossing in

2016 by the IOM showed 30% were Colombians, 40% were Colombian-Venezuelans and 30% were exclusively Venezuelans.

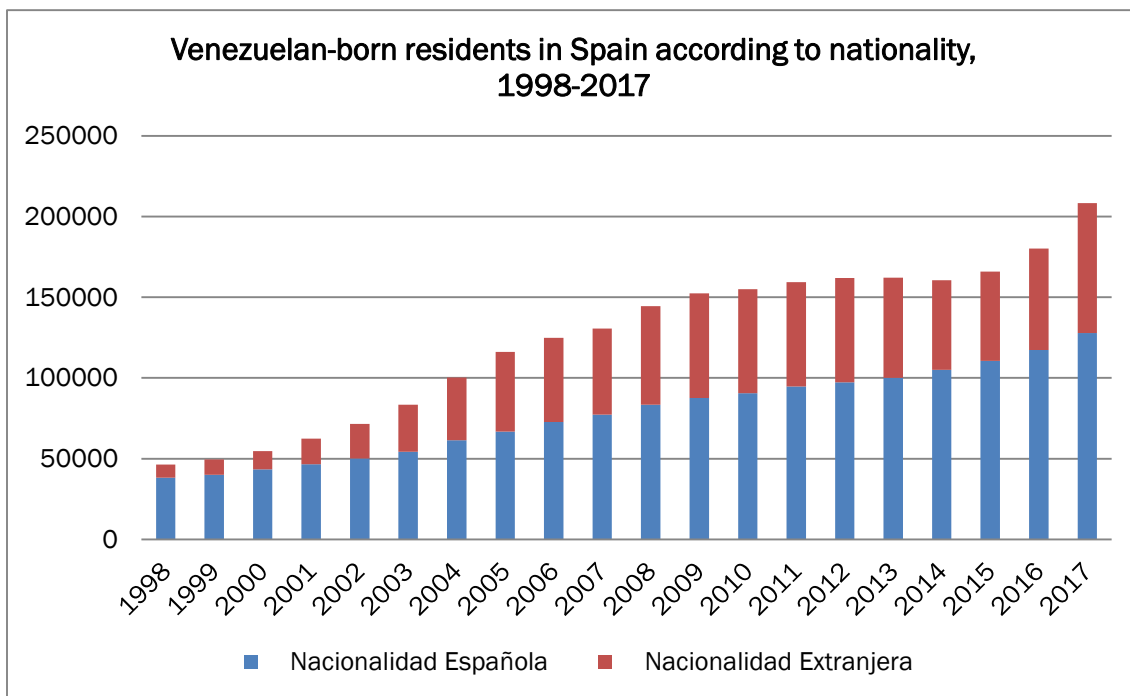
Estimated Venezuelan population residing in destination countries for the year 2017

Countries of destination (selection)	Estimated Venezuelan population
Colombia	600.000
United States of America	290.224
Spain	208.333
Chile	119.051
Argentina	57.127
Italy	49.831
Ecuador	39.519
Panama	36.365
Uruguay	35.000
Mexico	32.582
Peru	26.239
Portugal	24.603
Canada	18.608
Costa Rica	8.892

Source: International Organization for Migration

Case: Spain.

The National Statistics Institute of Spain, has information related to the population born in Venezuela, it is sorted according to their nationalities; this is useful considering the migration dynamics between the two countries, where return migration processes of Spanish or descendants of Spanish born in Venezuela



Source: National Statistics Institute of Spain.

The available data up to 2017 indicates that in Spain reside 208,333 people born in Venezuela, whose 127,825 are Spaniards, corresponding to the 61%; while 80,508 people who were born in Venezuela and reside in Spain may only have the Venezuelan nationality; however, these people may also have other nationality and still be residing in that country.

FINAL COMMENTS

International migration is a global reality, where human mobility is an inherent factor to the production schemes that we are observing in the world. The movement of people between countries is an opportunity for the development of individual, family projects and the promotion of the destination and origin countries' economies through the flow of remittances. Similarly, the international migration processes also involve risks to the people's integrity, security and human rights, which need to be cared for and protected through public policies specially designed for it.

In this context, within the framework of migration processes, some groups in conditions of greater vulnerability are more affected, such as children and adolescents, women and elders, since statistically they are more likely to be victims of serious violations of human rights, including trafficking in persons (especially women, and children and adolescents).

Likewise, migrant trafficking is generally associated with workers with low levels of training and specialization. In other words, the socio-demographic and labor characteristics are factors that can condition to the greater propensity of human rights violations of these groups, increasing when the migratory trajectories are undertaken with scarce information.

While it is important to recognize the positive effects of migration, it is also important to warn of the adverse effects in terms of loss of human capital in sectors of particular relevance in countries, such as health and education.

In the Venezuelan case, further research is needed on the relationship between origin and destination countries of migratory flows, in terms of the quantification of the volume of migrants, given the high proportion of people with dual nationality that move internationally and the return migration processes of former immigrants settled in Venezuelan territory.

In this sense, in Venezuela it is a topic that has not been profoundly explored or studied, which is why it is indispensable that the Venezuelan State strengthens the international and bi-national cooperation mechanisms to provide dignified conditions for proper human mobility, in accordance with the standards of protection of human rights.

IN CONCLUSION

1. Regarding the difficulties derived from the absence of a migration culture

The emigration of the population of Venezuelan origin is a relatively recent phenomenon, which has been observed with greater intensity since 2014. Unlike other national migrant groups, Venezuelans do not have a migratory tradition that would help consolidate integration schemes for migrants in destination countries, organizations and socialized strategies for the migratory process.

This situation linked to the limited information that migrants have about the risks and opportunities, the conditions of the places of destination, as well as strategies for incorporation into the labor market, often place them in conditions of greater vulnerability that makes it difficult to guarantee their human rights in front of other national groups in the region.

Likewise, the limited migration culture that confronts the Venezuelan State requires the organization of mechanisms, programs and policies that allow it to access to sufficient information for the design and execution of systematic actions of public policy in this matter, hence guaranteeing the human rights of those who decide to migrate.

In this sense, it is recommended to promote training and dissemination activities aimed at protecting the human rights of people in movement, among others, to prevent trafficking and smuggling of persons, identifying risks potentially associated with international migration.

2. Regarding the definition of migrant status

While from the United Nations perspective, attempts have been made to reach a consensus regarding the definition of migrant, such as the person who moves, crossing at least one international border, with the purpose of establishing their habitual residence for 12 months or more in another country than the one of origin, in practice there are a variety of situations that complicate the phenomenon, which must be addressed by the Venezuelan public authorities, in order to review the legal and political implications in each case. This has a direct relationship with the classification and measurement mechanisms, with the purpose to develop public policies aimed at the Venezuelan people in movement.

In the case of Venezuelan origin migration, the classification of migrants with dual nationality demands particular attention, since we can find cases of people who leave Venezuela and enter their destination countries as nationals of that country and not as migrants; as also the case of those who settle in the destination country as migrants with a different nationality than the Venezuelan one, since they have another nationality. These situations can generate migrant status categorization problems that should be paid attention to, and establish clear positions in this regard. To see it more clearly, we can exemplify this situation: how do we classify a child of Portuguese immigrants living in Venezuela who immigrate to Portugal with the nationality of their parents? Or, under what category do we place Portuguese citizens

who settle in another European destination, as Portuguese migrants, but come physically from Venezuela?

Additionally, if we think about it in political terms, the confusion between the definition of migrant and refugee involves challenges for international agencies as well as for destination countries, which implies a conflictive dynamic in migration management and at the same time can generate expectations in potential migrants, who will not be satisfied in accordance with international legislation. In this regard, it is essential to avoid the inadequate use of the refuge institution, since its massive use to achieve the legal residence of economic migrants in the destination countries can lead to denature this right and, above all, to the fact that States do not grant this condition in those cases in which its application is necessary to protect human rights.

3. Regarding the disparity of existing data

In the light of the few official data on migration, the traditional media, linked to the opposition sectors to the national government, as well as social networks, take advantage to divulge statistics of Venezuelan migrants that are often exaggerated, and overestimated.

Most of those offered by pollsters do not have adequate methodological strategies for estimating components of demographic dynamics, which respond to a demand for information in the market and pressure from some political and economic actors on an emerging reality and of great social impact. In the academic field there are interesting initiatives, but restricted and insufficient, which must be strengthened and promoted in order to have greater knowledge of the migration phenomenon. However, the disparity of the information is also significant.

From international organizations, especially the United Nations System, there are difficulties in establishing a measurement of migratory flows of Venezuelan origin, considering the weight of return migration and people with dual citizenship, which adds an additional difficulty for availability of a reliable and solid data.

4. Regarding the coordination of institutions involved in the subject

In order to respond the challenges of the migration phenomenon of Venezuelan origin, the State requires to strengthen inter-institutional coordination from different public agencies, such as the Administrative Service of Identification, Migration and Foreigners (SAIME), the People's Power Ministry for Interior, Justice and Peace (MPPIJP), the People's Power Ministry for Foreign Relations (MPPRE), together with specialized institutions such as the National Institute of Statistics (INE), among others, and the United Nations System agencies that work on the subject as UNHCR and IOM, in order to join efforts for the promotion of orderly migratory flows, the protection of the human rights of people in movement and the development of public policies aimed at the attention of migrants and their families.

5. Regarding the situation of families, children and adolescents

Within the framework of migration processes, it is important to emphasize the protection of families, both those that migrate and those that are separated within the framework of the migratory movement of one or several of its members. The comprehensive protection of children and adolescents in movement should be privileged over border control provisions, among others, to guarantee their right to remain and be cared for by their fathers and mothers.

Likewise, children and adolescents whose parents migrate must be subject to comprehensive protection in Venezuela, guaranteeing the full enjoyment of their human rights and their permanence with their family of origin.

6. Regarding the differentiated impact of emigration

The impact in the origin communities of the emigrants is differentiated, while in national terms the emigration represents less than 10% of the population, in certain localities its relative weight is much greater, especially when they were communities traditionally recipients of migrants, related to globalized labor markets with a high level of specialization (oil companies, computer development, etc.), proximity to the border and socio-demographic characteristics of people, such as age, sex, number of children, among others.

In this sense, it is very important to identify and address those communities that have been most affected by emigration, in order to develop actions for vulnerable groups, such as children, adolescents, elders and people with disabilities who may be left alone after the departure of relatives.

Also, there can be an impact on the real estate market and citizen security, as there are a large number of uninhabited houses in a community, which require attention from the State, to guarantee the protection of the patrimony of families and communities.

7. Regarding public policies for the emigrants' protection

Given the departure conditions of some migrants of Venezuelan origin, especially those who have less information, support and training networks, a growing number

of Venezuelan citizens are in vulnerable conditions regarding the protection of their human rights in destination countries, due to discriminatory behavior, xenophobia, poor access to health and education services, lack of employment, labor exploitation and human trafficking. In this sense, it is necessary for the Venezuelan State to develop public policies aimed at the migrants' protection, where the diplomatic missions of the Bolivarian Republic of Venezuela abroad redefine and expand their activities aimed at serving citizens, in a scheduled and systematic manner, and guided by common criteria.

In this sense, it is necessary to assess the academic and professional exchange, the mobility of specialized workers and the establishment of networks and migrants' associations when formulating public policies. All these aspects need to be treated in a positive way, recognizing the population of Venezuelan origin resident abroad, as part of a community of interests aimed at the general welfare.

Finally, it is important to highlight that migration involves risks and opportunities, not only with regard to individual and family development, but also for social development. The retribution of people living abroad through remittances to the country implies significant support for their families, so the challenge of public policies is to review this issue and evaluate the possibility that these resources derived from migration can be transformed into a source of development for the country without increasing economic inequality.

REFERENCES

0800 Noticias (February 02nd 2018). Luis Vicente León: La proyección migratoria es alarmante. [The migratory projection is alarming]. 0800 Noticias, page: <http://800noticias.com/luis-vicente-leon-la-proyeccionmigratoria>.

ACNUR (2018). <http://www.acnur.org>. Retrieved May 04th 2018, from: <http://www.acnur.org/a-quien-ayuda/refugiados/quien-es-un-refugiado/>

ACNUR (2018). ¿Cuáles son los derechos de los refugiados en el mundo? [Which are the rights of the refugees of the world?]. Retrieved April 05th 2018, from www.acnur.org: <https://recursos.eacnur.org/derechos-refugiados>

Alonso, A. (May 05th 2018). El Independiente. [The Independent] Retrieved May 19th 2018, from “Salimos de Venezuela porque no se puede vivir en un país donde matan a tus hijos” [We left Venezuela because you cannot live in a country where your children are killed]: <https://www.elindependiente.com/politica/internacional/2018/05/19/salimos-de-venezuela-porque-no-se-puede-vivir-en-un-pais-donde-matan-a-tus-hijos/>

Bolivar, M. (1994). Población y Sociedad en la Venezuela del Siglo XX. [Population and Society of the Venezuela of the XX Century]. Caracas: Tropikos FACES UCV.

Consultores21. (January 11th 2018). Diaspora Venezolana. Servicio de Análisis de Entorno Perfil 21. [Venezuelan Diaspora: Environment Analysis Service by Profile 21]. Caracas: twitter @consultores21sa.

De la Vega, I., & Vargas, C. (2014): Emigración Intelectual y General en Venezuela: Una Mirada desde dos fuentes de información. [Intellectual and general migration in Venezuela: A look from two information sources]. Bitacora-e, 66-92.

Freitez, A. (2017). Encuesta sobre Condiciones de Vida 2017. Emigración [Survey in Life Conditions 2017. Emigration]. Retrieved May 05th 2018, from www.ucab.edu.ve: <https://www.ucab.edu.ve/wp.../sites/.../Presentación-Emigración-ENCOVI-2017-1.pdf>

Gomez Walteros, J. A. (2010). La Migración Internacional: Teorías y Enfoques, una mirada actual. [International Migration: Theories and Approaches, a recent look]. Semestre económico.

Gomez, J. (March 27th 2018). Delphos: Al menos un millón de personas tendría fecha fija para dejar el país. [Delphos: At least one million people will have a set date to leave the country]. El nuevo país, web page. <http://elnuevopais.net/2018/03/27/delphos-al-menos-un-millon-de-personas-tendria-fecha-fija-para-salir-del-pais>

HINTERLACES. (February 16th 2017). En 17 años de Revolución “un millón y medio” de venezolanos han emigrado. [In 17 years of Revolution “a million and a half” of Venezuelans have migrated]. Retrieved from: <http://hinterlaces.com/durante-17-anos-de-revolucion-un-millon-y-medio-de-venezolanos-han-emigrado/>

Instituto Nacional de Estadística España. www.ine.es (2018). Principales series de población desde 1998. Población (españoles/extranjeros) por País de Nacimiento, sexo y año. [Principal series of population from 1998. Population (Spanish/Foreigners) by country of birth]. Retrieved April 27th 2018.

Instituto Nacional de Estadísticas de Venezuela. (2018). INE. Retrieved November 07th 2017, from www.ine.gob.ve: <http://www.redatam.ine.gob.ve/Censo2011/index.html>

Instituto Nacional de Estadísticas de Venezuela. (n.d). INE. Retrieved November 07th 2017, from: [www.ine.gob.ve:](http://www.ine.gob.ve)
<http://www.redatam.ine.gob.ve/Censo2011/index.html>

Jauregui, J. A., & Recaño, J. (2014). Una Aproximación a las Definiciones, Tipologías y Marcos Teóricos de la Migración de Retorno. [An approach to definitions, typologies and theoretical frameworks of return migration]. Revista Bibliográfica de Geografía y Ciencias Sociales. Universidad de Barcelona.

Ley Orgánica de los Consejos Comunales (National Assembly, March 03rd 2011)

OIM-IPPDH. (2017). Derechos humanos de las personas migrante. Manual Regional. [Human rights of migrant people. Regional Manual]. Argentina: Mercosur.

ONU. (2016). Migración internacional y desarrollo Informe del Secretario General. [International migration and development: Report of the Secretary-General]. New York: General Assembly of the United Nations Organization.

ONU. Consejo de Derechos Humanos. (2015). Informe de la Relatora Especial sobre cuestiones de las minorías, Rita Izsák. [Report of the Special Rapporteur on minorities affairs. Rita Izsák]. (A/HRC/28/64).

Organización Internacional para las Migraciones. (February 2018). Tendencias migratorias regionales en América del Sur. República Bolivariana de Venezuela. [Regional migratory tendencies in South America. Bolivarian Republic of Venezuela].

OIM

Paez, T. (2015). La voz de la diáspora venezolana [The voice of the Venezuelan Diaspora]. Madrid: Catarata

Papail, J., & Picquet, M. (1989). Ciudades y petróleo. Aspectos históricos y prospectivos de la población urbana en Venezuela. [Cities and oil: Historical aspects

and prospects of the urban population in Venezuela]. *Estudios demográficos y urbanos*, 161-196.

Red Europea de Migración. (2011). *Migración temporal y circular: pruebas empíricas, políticas actuales y futura*. [Temporary and circular migration: empirical evidences, current and future policies]. Stockholm.

Sarmiento, M. (April 27th 2018). La diáspora venezolana es "desordenada", deja familias monoparentales y refugiados. [The Venezuelan Diaspora is "disorganized", it leaves one-parent families and refugees]. *Crónica 1*, web page: <http://cronica.uno/la-diaspora-venezolana-es-desordenada-deja-familias-monoparentales-y-refugiados/>.

UNHCR. (2018). OPERATIONAL PORTAL. REFUGEE SITUATION. Retrieved February 20th 2018, from: <https://data2.unhcr.org/en/situations/vensit>

United Nations. (2018). <http://www.un.org>. Retrieved May 04th 2018, from: <http://www.un.org/en/development/desa/population/migration/data/estimates2/estimates17.shtml>

Venezuela: migración neta y delimitación de áreas de atracción y repulsión en el curso del siglo XX. [Venezuela: net migration of areas of attraction and repulsion during the 20th century] (1999). Mérida Venezuela: Universidad de los Andes, Instituto de Investigaciones Económicas y Sociales.