

## The Venezuelan Refugee Crisis and the Re-Legitimacy of the United Nations High Commissioner for Refugees\*

Yang Jingmin Chen Minhao

**Abstract:** By the end of 2021, more than 6 million Venezuelans have emigrated to other countries, of which Colombia alone has received more than 1.84 million. The Venezuelan refugee problem has caused the international refugee crisis to reach another climax, and a global solution is urgently needed. However, global refugees The key actor in the composite governance network, the United Nations High Commissioner for Refugees (UNHCR), faces problems such as insufficient national authorization, weakened professional authority, and unsatisfactory implementation of its purposes. It also encounters a crisis of legitimacy. Is the traditional international refugee system implemented by the UN Refugee Agency suitable for this refugee crisis? Total failure in the crisis? Can UNHCR regain legitimacy? This is an issue that requires special attention in current global refugee governance. From the perspective of norms and compliance, this article examines the path of UNHCR's participation in responding to the Venezuelan refugee crisis. After examining After the localization process of the international refugee system in Colombia, the largest host country for Venezuelan refugees, it was found that although the leading role is no longer, the UNHCR is still deeply involved in the governance of Venezuelan refugees by actively leveraging the regional coordination mechanism. UNHCR has long-term interaction with Colombia and has established It has established a normative foundation and promoted the localization of the international refugee system in Colombia. Although affected by the competition of overlapping systems, the dual-headed coordination system formed by UNHCR and the International Organization for Migration is more suitable for governing the increasingly complex and mixed global population

migration issues. Its effectiveness has contributed to the reconstruction of the UNHCR's legitimacy in a complex, diverse and multi-layered governance network. **Keywords:** Venezuelan

refugee crisis, Colombian international refugee system, UNHCR legitimacy, composite governance network. About the author: Yang Jingmin, Party Committee, School of Government, Shenzhen University Researcher at the Internal Regulation Research

Center, Chen Minhao, Master student at the Institute of International Relations

and Development (IHEID) in Geneva. CLC number: D815 6 Document identification code: A Article number: 1002 - 6649 (2022) 03 - 01 18-23

\*\* This research is supported by the Youth Project of the National Social Science Foundation "Research on the International Refugee System" (No. 16CGJ032) and the General Project of the Humanities and Social Sciences Planning Fund of the Ministry of Education "Research on the Generation Mechanism and Dissolution Path of the 'Fragmentation Phenomenon' of Urban Social Governance" (No. : 19YJA810002). We would like to thank the editorial department of "Latin American Studies" and anonymous reviewers for their revision suggestions.

Due to the large number of people trapped in the humanitarian crisis, the widespread impact on the country, and the strong continuity, the refugee crisis in Venezuela has attracted worldwide attention. Almost all types of refugees who were forced to migrate can be found in this crisis, and it is difficult to identify their identities. Governance is difficult. Between 2015 and 2018, the number of Venezuelans who have been forced to migrate has increased from about 700,000 to 3 million. As of February 2022, there are 604 170,000 registered Venezuelan refugees and immigrants around the world, of which only about 260 Thousands of immigrants have obtained legal residence in other countries. Even without the outbreak of large-scale wars and conflicts, the domestic social and public security order in Venezuela continues to deteriorate, resulting in a large number of Venezuelans having to leave their homes and seek livelihoods in neighboring countries. The crisis migration of Venezuelans is mixed. Repeatedly, there are both transnational refugees, asylum seekers, irregular migrants and internal migration.

Venezuela's annual inflation rate continued to rise from 56.2% in 2013 to 1.30000% in 2018. In January 2022, its inflation rate increased by another 472% over the same period. See "Inflation Rate End of Period Cons" by the International Monetary Fund (IMF) January 22, 2022. [https://take-profit.org/en/statistics/inflation-rate/venezuela/\[2022-02-04\]](https://take-profit.org/en/statistics/inflation-rate/venezuela/[2022-02-04]) The main host countries for Venezuelan refugees are Colombia (1.74 million), Peru (1.04 million), Chile (450,000), and Ecuador (430,000) and Brazil (260,000).

The definition of a refugee is based on the 1951 Convention Relating to the Status of Refugees (hereinafter referred to as the "Refugee Convention") and the 1967 Protocol Relating to the Status of Refugees (hereinafter referred to as the "Protocol"). Article 1 of the 1951 Refugee Convention stipulates that refugees refer to "persons who before January 1, 1951, were outside the territory of their country of origin and were unwilling or unable to return to their country of origin and who had sufficient grounds to be threatened with persecution because of their race, religion, nationality, membership of a special social group, or political opinion." The 1967 Protocol eliminated the limitation on the time of refugee formation in the definition of a refugee. In 1984, the Cartagena Declaration adopted by some American countries expanded the definition of a refugee to include "residents and refugees due to generalized violence, foreign aggression, internal conflict, massacre, "People who flee their country because of large-scale violations of human rights or other circumstances that seriously disrupt public order, and whose life, safety or freedom are threatened". This definition has also been recognized by the Executive Committee of the United Nations High Commissioner for Refugees, the Organization of American States and the United Nations General Assembly. That is, "expansion of refugees". See Yang Jingmin: "Analysis of the Dilemma of Global Refugee Governance from the Perspectives of

Sovereign States and the United Nations High Commissioner for Refugees", published in "International Relations Research", Issue 5, 2017, pp. 47-64, "Asylum Seekers" Refers to a person who has made an asylum application but has not yet processed it. The national asylum system determines who is eligible for international protection. However, usually after conflicts and violence, when large-scale refugee movements occur, it is generally not possible or necessary to apply for asylum for every person who crosses the border. Asylum seekers at the border are interviewed one by one. These groups of asylum seekers are often referred to as preliminary refugees. Not all asylum seekers are eventually granted refugee status. See the UNHCR website (<http://www.unhcr.org/asylum-seekers.html>) and the International Organization for Migration website (<https://www.iom.int/key-migration-terms>) (2021-11-07)

"Irregular migration" refers to the movement of persons into or out of a country of origin, transit or destination that occurs outside of laws, regulations or international agreements. Although there is no universally accepted definition of irregular migration, the term is commonly used to identify persons who have migrated outside regular migration channels. The fact that they have migrated irregularly does not relieve States from their obligation to protect their rights. Furthermore, categories of migrants who have no alternative but to use irregular migration channels may also include refugees, human traffickers victims or unaccompanied migrant children. The fact that they use irregular migration routes does not mean that States are not obliged to provide them with some form of protection under international law in certain circumstances, including those fleeing persecution, conflict or Providing international protection to asylum seekers against widespread violence. See the International Organization for Migration website <https://www.iom.int/key-migration-terms> [2021-11-07]

Displaced persons, people who have returned to their hometowns, etc. There have always been frequent exchanges of people between Venezuela and neighboring Colombia. This has caused a large-scale influx of Venezuelan refugees due to the war. Colombia, as the main refugee host country, has been screening for asylum seekers. The situation faced by asylum seekers is extremely complex, and it is particularly difficult to identify group nationalities. In response to the mixed migration crisis, the world has formed a diverse and multi-level composite global refugee governance network. However, this network is complicated by the diversity of actors and the complex overlapping of institutions. The authority of the United Nations Refugee Agency (UNHCR) (hereinafter referred to as "UNHCR"), the executive agency of the traditional international refugee system, has been greatly weakened. In addition, the wave of conservatism has set off around the world, resulting in insufficient national authorization for multilateral international organizations. The UNHCR, at the core of this network, is experiencing a crisis of legitimacy and urgently needs to work on a new round of institutional innovation related to refugee protection.

Under the influence of the composite global refugee governance network, has the international refugee system represented by UNHCR failed in the response to the Venezuelan refugee crisis? Suffering a legitimacy crisis and losing its leading ability, what is the path for UNHCR to exert its initiative and participate in the response to the Venezuelan refugee crisis? As a How does the host country Colombia, a compliance member of the international refugee system, interact with the UNHCR? Is its refugee protection behavior still regulated? Furthermore, is Colombia's domestic discourse, legal system and bureaucracy consistent with the international refugee system? Remaining effective and consistent? Can UNHCR regain legitimacy in this crisis?

In order to answer the above questions, the first part of this article analyzes the legitimacy crisis encountered by UNHCR in the global refugee composite governance network. The second and third parts analyze the interaction between UNHCR and Colombia's "norms and compliance" during the Venezuelan refugee crisis. The foundation and participation methods of UNHCR's intervention, re-examining UNHCR's role and governance approaches in crises, and tracking the various stages of Colombia's crisis response and its interaction with UNHCR. The fourth part evaluates the effectiveness of crisis governance and the role of the international refugee system in The process and motivations of localization in Colombia. The last part is a summary.

### A Global Composite Refugee Governance Network and UNHCR's Legitimacy Crisis

In global governance, the actors governing refugees inherit the salient features of global governance—diversity and multi-level complexity. On top of sovereign states are supranational organizations, transnational intergovernmental organizations and international organizations.

---

According to the United Nations document "Guiding Principles on Internal Displacement" (E/CN.4/1998/53/Add.2/6), "Internally Displaced Persons" (Internally Displaced Persons, IDPs) refers to the consequences of or in order to avoid the effects of armed conflict, widespread violence, violations Individuals or groups who are forced or forcibly displaced from their homes or habitual residence in the context of human rights, natural or man-made disasters, and their flight does not cross internationally recognized national borders. Although the Guiding Principles on Internal Displacement are not binding, they have It has become an authoritative reference for countries to deal with internal displacement. See the International Organization for Migration website <https://www.iom.int/key-migration-terms> [2021-11-07]

Liu Zhenye: "Global Governance Actors", edited by Cai Tuo, Yang Xuedong and Wu Zhicheng: "Introduction to Global Governance", Beijing: Peking University Press, 2016, p. 94.

Non-governmental organizations. There are still actors involved in governance under the state. There may also be a governance network composed of national political parties, social organizations, churches, professional groups, enterprises and other actors. Local government agencies also participate in independent identities and roles. When it comes to specific issues of global governance, the sovereign states and international intergovernmental organizations involved in international refugee governance are diverse and complex, including specialized organizations represented by UNHCR, the closely related International Organization for Migration (IOM), and the International Labor Organization (ILO), the United Nations Human Rights Office (OHCHR), the United Nations Children's Fund (UNICEF), the World Bank (WB), etc., as well as the United Nations General Assembly (UNGA), the United Nations Department of Economic and Social Affairs (UNDESA), and the United Nations, which have a profound impact on governance decision-making. Latin America Economic Commission (ECLAC), etc. In addition to the United Nations system, regional international organizations also play a vital role, such as the Organization of African Unity that promoted the conclusion of the "Organization of African Unity Convention on Certain Specific Aspects of Refugee Problems in Africa" (OAU), as well as the European Union (EU) and the Association

of Southeast Asian Nations (ASEAN), etc. With the diverse participation of sovereign states, supranational actors and sub-national actors, the background of refugee governance is multi-layered and complex. It is not only a composite of actor types, but also a composite of similar actors at different levels, constituting a complex network of "global-regional-local" interactions of actors at all levels and categories. In the context of the international system, an authoritative international intergovernmental organizations - "vertical and horizontal" intertwined and nested governance led by the United Nations. In the United Nations system, the relationship between decision-making departments and professional organizations is not a top-down authorization and obedience relationship. Each organization has its own field. In the context of the national governance system, a "vertical" nested governance led by the national government has been formed to achieve participation from the central government to local government agencies at all levels. In the context of global governance, multiple It is jointly initiated by international organizations of different categories, forming a "composite network" nested governance of mutual collaboration and competition. That is, to address the refugee issue in a certain region, except for sovereign countries, it usually requires the cooperation of multiple professional authoritative organizations inside and outside the United Nations system (such as UNHCR) and regional international organizations, international humanitarian agencies (such as the International Committee of the Red Cross), religious charities, rescue and other transnational non-governmental organizations, as well as local non-governmental organizations in a country, and play a coordinated but independent role at the same time. International conservation action

The global composite governance network of refugees is an institutional and mechanistic response to the complex global refugee crisis in the 21st century. However, its formation not only challenges the status of the country, but also challenges the legitimacy of traditional international refugee systems and organizations. First, traditional The international refugee system and executive agency, UNHCR, has encountered a legitimacy crisis in the complex network of global refugee governance. First, the coverage of its members is insufficient. Refugees

---

<sup>y</sup> [English] David Held et al. Translated by Yang Xuedong et al.: «Global Change: Politics, Economy and Culture in the Era of Globalization», Beijing: Social Sciences Literature Press, 2001.

page 5, [English] Written by Hedley Bull, translated by Zhang Xiaoming: «Anarchic Society: A Study of World Political Order», Beijing: World Knowledge Press, 2003, page 224.

The representativeness of the UNHCR has been questioned. Currently, there are still countries that have not signed the Refugee Convention and Protocol, and the countries that have signed are unwilling to fully implement the convention due to various concerns. Secondly, the authority of the UNHCR has been weakened, and various types of complex governance networks have emerged. The functions of professional organizations and the UNHCR often overlap and compete. The UNHCR is no longer able to lead protection actions. Refugee governance bodies also adopt alternative rules to bypass refugee protection responsibilities. Third, in terms of refugee protection, the mission of the UNHCR (Achieving a permanent solution to the refugee problem) is difficult to achieve, and there are differences in values and policies with its member states or non-member states and with other international organizations, leading to an identity crisis for UNHCR in the international community. Fourthly, UNHCR's financial and resource problems have limited its actions. Changes in the world's political situation, funding issues, and lack of cooperation from countries have become normal problems for agencies in the United Nations system. The global governance deficit is highlighted in all aspects of global issues, especially the refugee issue. The execution capacity of multilateral international organizations (especially the UNHCR), which was originally intended to coordinate policies among countries and promote shared responsibility for refugee protection, has been threatened by the financial crisis and insufficient authorization. Although the UNHCR's budget for responding to the Venezuelan refugee problem has increased from 2017 to It began to increase dramatically year by year, but the biggest challenge it faced was still insufficient financing. Compared with the golden development stage of UNHCR (responding to the Hungarian refugee crisis in 1956 and the Indo-China Refugee Action Plan in the 1990s), at this time, the The agency has lost its ability to lead governance, and a large number of transnationally displaced persons are unable to obtain formal refugee status and permanent resettlement as required by UNHCR's charter.

Second, another round of innovation in the refugee protection system in response to the legitimacy crisis - the 2018 Global Compact on Refugees (Resolution 73/151, hereinafter referred to as the "Compact") has not been effective. The authority of UNHCR has been further weakened. In order to respond to this round of global refugee crisis, the United Nations General Assembly adopted the Compact in 2018, which is intended to reduce the pressure on host countries. Although it is a strong statement of political commitment, it is not legally binding. "Compact "The reality in the three years since it was signed is that its advocacy function is greater than its governance function. The desire for solidarity and responsibility sharing that is the basis of the international protection system has rarely been translated into concrete and meaningful arrangements or actions. The core basis for refugee protection still dates back to 1951. The Refugee Convention and the 1967 Protocol, as well as regional documents signed by countries in the region. As the implementing agency of the compact, UNHCR

[Canada] Edited by Steven Bernstein and William Coleman, translated by Ding Kaijie and others: «Uncertain Legitimacy: Globalization Political Community, Power and Authority in the Era» Beijing: Social Science Literature Press, 2009, pp. 4-5.

[US] Authored by Michael Barnett and Martha Fennimore, translated by Bo Yan: "Setting the Rules for the World: International Organizations in Global Politics", Shanghai: Shanghai People's Publishing

House, 2009, pp. 29-41. Thomas Weiss and David Korný Internal Displacement and the Role of the UNHCR: A Review of the UNHCR's Work in the 2010s

2010 <https://www.unhcr.org/protection/basic/3b66c39e1> [2021-11-18] United Nations Conventions

and Declarations Retrieval System: «Global Compact on Refugees» <https://www.unhcr.org/refugees/compact/> / A - 73 - 12 shtml [2021 - 11 - 17]

Mentioned a total of 32 times in the "Action Program" of the Compact, its role is no longer the leading role in refugee crisis response and protection operations, but more active in professional support, action evaluation and coordination. Not only that, the Compact is in "Funding Arrangements to Comprehensively Respond to Specific Refugee Situations" clearly states that "the country must play a leading role". Regardless of the way it responds to crises, the results of the implementation of the UNHCR's mission, or the latest normative documents, UNHCR's work on refugees Its authority in crisis response and governance has been deeply weakened, and its dominant position in refugee protection practice has been almost lost.

Looking back at sovereign states, there is an obvious return trend of authoritarian politics. State-centrism is returning strongly in global governance. Contracts are increasingly emphasizing the leading role of the state. However, countries, as the main bearers of refugee hosting responsibilities, are under tremendous pressure and are unable to perform the contract. For example, Colombia has received 1.8424 million transnationally displaced Venezuelans, accounting for 358% of the total population of Colombia. In addition to the huge financial pressure brought by hosting large-scale refugees, the deep-seated pressure on refugee-hosting countries also stems from: The country The tension between the concept of sovereignty and national autonomy and international responsibilities and commitments to international institutional norms; the conflict between cultures is stronger than multiculturalism; the tension between domestic national and ethnic cultural composition and social security and cohesion after the influx of refugees and immigrants and the tension between individual rights (human rights awareness awakening) and border control and national citizenship access.

These come from the trade-off between the country's response to international conflicts and the maintenance of domestic order, and provide a domestic rationalization basis for the country not necessarily making a commitment to refugee protection or not necessarily complying with the agreement after making a commitment. Colombia is a signatory to the Refugee Convention and has already It has made a commitment to the international refugee system, so the compliance link is crucial. In order to deal with the refugee crisis, which is an issue that is "international in scope and nature", in the process of commitment and compliance, Colombia's domestic system has undoubtedly It is closely related to the international refugee protection system (and the UNHCR that implements the system). This not only has a profound impact on the Venezuelan refugee crisis, but also relates to the effectiveness of the international refugee system in regulating the protection behavior of sovereign states, which is the fundamental source of UNHCR's legitimacy. —Authorization (see Table 1). The intuitive manifestation of compliance is the domestication of international norms, that is, the international refugee system needs to be institutionally consistent with Colombia's domestic discourse, legal system and bureaucratic institutions.

United Nations Conventions and Declarations Search System: « Global Compact on Refugees » / files/ A - 73 - 12 shtml [2021 - 11 - 17] "Refugees and Migra" nts from

Venezuela" y R4V February 8y 2022 https://www.r4v.info/en/

yyyyyyyyyyyyyyyyyyyy [yyyy y yy y yy] yyyyy

y yy yyyyyy "yy yyyyyy yyyyyy yy yyyyyy: y yyyyyy yyyyyyyyyy "y yy yyyyyyyyyyy

Migrationy Vol 57y No 6y 2019 For

y related discussions on the domestication of international norms, see Jeffery T Che ckely "Normsy Institutes and National yyyyyyy yy yyyyyyyyyyy yyyyyy" yy yyyyyyyyyyy yyyyyy yyyyyyyyyyy yy yy yyyyy yy yy y yy

Table 1: UNHCR's legitimacy crisis and its causes

Sources of legitimacy* Legitimacy	crisis types	Legitimacy crisis manifestations	reason
State authorization	Insufficient member coverage, authorized representativeness is questioned	There are still countries in the world that have not signed the 1951 Refugee Convention. The contracting parties have not complied with the Convention.	Some sovereign countries are unwilling to make commitments on refugee protection responsibilities or are unwilling to fulfill their obligations
Moral and professional authority weakened		UNHCR is unable to lead protection actions. Refugee governance bodies adopt alternative rules to bypass refugee protection responsibilities.	The functions of the international refugee system overlap with those of related systems and organizations (such as the International Organization for Migration)
given task identity crisis		Differences in values and policies between UNHCR, its member states or non-member states, and other international organizations or institutions*	Unable to achieve its purpose - to protect refugees and ultimately achieve a permanent solution to the refugee problem
Compensating for the limitations of individual member states	Movement restricted	UNHCR no longer focuses on financial support for refugee protection operations in individual countries	Financial gap, limited self-raised funds

Source: Compiled and drawn by the author. \*See Jean-Marc Kojcau: «International Organizations and International Legitimacy: Constraints, Issues and

Possibility», Published in "International Journal of Social Sciences", Issue 4, 2002, pp. 21-33.

## 2. The basis and approach of UNHCR in responding to the Venezuelan refugee crisis

The Venezuelan refugee crisis has a wide spillover scope, involving many countries in Latin America. As mentioned above, when dealing with the global refugee crisis, the authority of the UNHCR has been weakened, and its financial situation is no longer sufficient to support one-on-one traditional refugee protection with regional countries. Action. In the context of the global composite governance network, based on the commitment and compliance of the region and the country to refugee protection, the UNHCR's approach to responding to the Venezuelan refugee crisis is bound to be different from the traditional approach. This new approach not only reflects the global The new trend of refugee governance also reflects the role positioning of UNHCR under the challenge of legitimacy. (1)

### Regional-national basis of UNHCR's participation

The reason why UNHCR, which is facing a legitimacy crisis, can effectively participate in responding to the Venezuelan refugee crisis is due to the localization and development of the international refugee system in Latin America. The refugee protection principles implemented by UNHCR The legal and asylum systems have institutional foundations in Latin America at both the regional and national levels.

At the regional level, the regional institutional arrangements in Latin America have inherited and developed the international refugee system. The 1969 American Convention on Human Rights reaffirmed the two most basic principles concerning asylum seekers in the 1951 Refugee Convention in the form of regional law, namely Right to seek asylum (Article 22, paragraph 7, "all

"Everyone has the right to seek asylum in foreign territories in accordance with international conventions") and the principle of non-refoulement (Article 22, paragraph 8, which stipulates that "the right to life or personal freedom of any citizen shall not be affected by reason of his race, nationality, religion, social status or political status"). However, when the country of origin is threatened, they cannot be pushed back to their country of origin." Among them, the most groundbreaking one is to change the definition of refugee in the 1951 Refugee Convention from "a person who fears persecution on account of race, religion, nationality, membership of a particular social group or political opinion and who is unable or unwilling to return to his or her place of origin" "Persons from the country" "Expanded to "people who have fled their country due to widespread violence, foreign aggression, internal conflicts, large-scale violations of human rights or other situations that seriously disturb public order" "This addition will further expand the reasons for refugees and provide for future It provides a legal basis for the unified identification of refugees based on nationality. At the same time, the declaration includes the cooperation mechanism with UNHCR in the text. This not only reflects respect for the international refugee system, but also recognizes UNHCR's leading role in handling refugee affairs. "The "San Jose Declaration" issued in 1994 serves as a supplement to the regional refugee convention and mainly focuses on the issue of internally displaced persons. "

After entering the 21st century, with the further development of regional cooperation in the Americas, the Organization of American States adopted the "American Democratic Charter" in 2001, which stipulates that when a country's democracy and human rights are violated on a large scale, any member state or the Secretary-General The Council can be called upon to convene a meeting to collectively assess the situation and make a decision it deems appropriate. This provision lays the foundation for joint responsibility for the subsequent influx of large numbers of refugees into neighboring countries due to war or economic crisis and human rights violations in their own countries. Latin America The "Mexico Declaration and Action Plan to Strengthen International Refugee Protection in Latin America" adopted by the country in 2004 has guided countries in the region to begin to truly improve domestic legislation based on the regional refugee system, transforming the international system that has no mandatory binding force on the country itself into an effective one. binding domestic legislation to ensure regional

---

“The right to seek asylum in foreign territories in accordance with international conventions” and the principle of non-refoulement (Article 22, paragraph 8, which stipulates that “the right to life or personal freedom of any citizen shall not be affected by reason of his race, nationality, religion, social status or political status”). However, when the country of origin is threatened, they cannot be pushed back to their country of origin.” Among them, the most groundbreaking one is to change the definition of refugee in the 1951 Refugee Convention from “a person who fears persecution on account of race, religion, nationality, membership of a particular social group or political opinion and who is unable or unwilling to return to his or her place of origin” “Persons from the country” “Expanded to “people who have fled their country due to widespread violence, foreign aggression, internal conflicts, large-scale violations of human rights or other situations that seriously disturb public order” “This addition will further expand the reasons for refugees and provide for future It provides a legal basis for the unified identification of refugees based on nationality. At the same time, the declaration includes the cooperation mechanism with UNHCR in the text. This not only reflects respect for the international refugee system, but also recognizes UNHCR's leading role in handling refugee affairs. “The “San Jose Declaration” issued in 1994 serves as a supplement to the regional refugee convention and mainly focuses on the issue of internally displaced persons. “



Sharing responsibilities for refugees within the country. On this basis, Latin American and Caribbean countries adopted the "Brazil Declaration and Action Plan" in December 2014, proposing to adhere to the highest international law and regional protection standards and provide innovative services for refugees and other displaced persons. solutions and plans to end the plight of stateless people in the entire region within 10 years. As a large number of Venezuelan refugees continue to flow into neighboring countries, Latin American countries have formed a diplomatic negotiation mechanism on the refugee issue, and in September 2018 In September, the "Quito Process Trilogy" including the Quito Declaration, Quito Action Plan and the Quito Conference was established

At the national level, UNHCR has a solid foundation for cooperation with Colombia, the main host country for Venezuelan refugees. This not only comes from Colombia's recognition and commitment to the international refugee system as a party to the 1951 Refugee Convention, but also from the UNHCR's advocacy of other countries. A new exploration of the protection of non-refugee groups. The problem of internally displaced persons in Colombia is prominent. UNHCR has been carrying out substantive cooperation with the Colombian government since 1997, mainly by updating Colombia's domestic legal framework and improving Colombia's monitoring and response to internal displacement issues. capabilities and strengthen citizen participation in the formulation of public policies for internally displaced persons. Under the guidance of UNHCR, the Colombian government passed the Law on the Protection of the Rights of Internally Displaced Persons in 1997, substantively adopting international refugee law and international human rights law. and the provisions of international humanitarian law. This law is therefore considered to be ahead of other countries in the same type of law.

Colombia's domestic situation requires the country's government to obtain support from the international community. Therefore, the Colombian government basically holds a positive attitude towards refugee affairs, and its cooperation with the UNHCR is relatively harmonious. Regarding The exploration of the protection system for internally displaced persons is an extension and expansion of UNHCR's own functions and tasks. It also overlaps with the functions of the International Organization for Migration and human rights-related organizations, and promotes the work of UNHCR. A multi-faceted complex working with Colombia and relevant organizations to address the issue of transnational displacement in Venezuela The development of the system has laid a foundation of institutional and practical experience. (2) The participation approach of UNHCR: The global composite governance network and regional coordination mechanism are based on the regional-national institutional foundation. Under the reality of the global refugee composite governance network, UNHCR is organized as a dual-professional organization. Joint advancement, participation in regional coordination processes, and establishment of multi-functional, cross-agency coordination

“ ” / / / / [ ] ”

“ ” / / / / [ ] ”

“ ” / / / / [ ] ”

“ ” / / / / [ ] ”

The platform integrates participation channels into the four-level mechanism of "global-regional-national-local".

1 "UNHCR-IOM Joint Special Representative" System and the "Quito Process"

In September 2018, in order to promote communication and coordination among countries hosting Venezuelan refugees and immigrants, a number of Latin American countries jointly launched a multilateral consultation initiative, with Colombia, Argentina, Chile, Costa Rica, Ecuador, Paraguay, Peru and Uruguay as member states. Refugees As member organizations, the Department and the International Organization for Migration jointly signed the "Quito Declaration on the Movement of Venezuelan Citizens in the Region" (hereinafter referred to as the "Quito Declaration"), a regional coordination mechanism for resolving the Venezuelan refugee crisis - the "Quito Process" "I" was officially launched. In November of the same year, the UNHCR-IOM Joint Special Representative provided technical support for the "Regional Refugee and Migrant Response Action Plan" (RMP), the "Quito Process II", and in April 2019 "At the Quito Conference" (the "Quito Process III"), countries' implementation reports on the "Regional Refugee and Migrant Response Action Plan" were submitted (see Figure 1). Including Colombia, the signatory countries of the plan committed to promote Venezuelan refugees and immigrants are integrated into the socio-economics of the host country. More importantly, this is of great significance for countries to allow Venezuelan refugees and immigrants to obtain legal status in the host country.

The "Quito Declaration" was signed in the same month. In order to support the implementation of the Declaration, UNHCR and the International Organization for Migration established the "UNHCR-IOM Joint Special Representative" (JSR) system, and Eduardo Stein was appointed. The first joint special representative to promote collaboration between national governments, international organizations and other stakeholders. The joint special representative system was established to support UNHCR and the International Organization for Migration in their efforts to promote regional cooperation in a spirit of humanity and regional solidarity. Venezuelan refugees and migrants

protection mechanisms and implementation of solutions to such problems. In order to follow up on the priorities of the Quito Action Plan and respond to the impact of the refugee crisis on host countries, the Joint Special Representative first visited countries including Colombia on response measures. The joint special representative also worked with teams from UNHCR and the International Organization for Migration to provide support to the host governments. Provide technical support for the implementation of the "Quito Action Plan", including conducting comparative studies on the practices of regional countries in accepting and staying compliant Venezuelan immigrants, and holding technical seminars with the governments of receiving countries to discuss refugee registration and document issues, and cooperating with the Southern Common Market (MERCOSUR) ) coordinates with regional organizations such as UNICEF to carry out child protection work (see Figure 1).

---

1 "UNHCR-IOM Joint Special Representative" System and the "Quito Process"

2 "UNHCR-IOM Joint Special Representative" System and the "Quito Process"



International Health Organization, Pan American Health Bureau and UNAIDS), food security (responsible by World Food Program) and education (responsible by UNICEF and Save the Children) (see Figure 2).

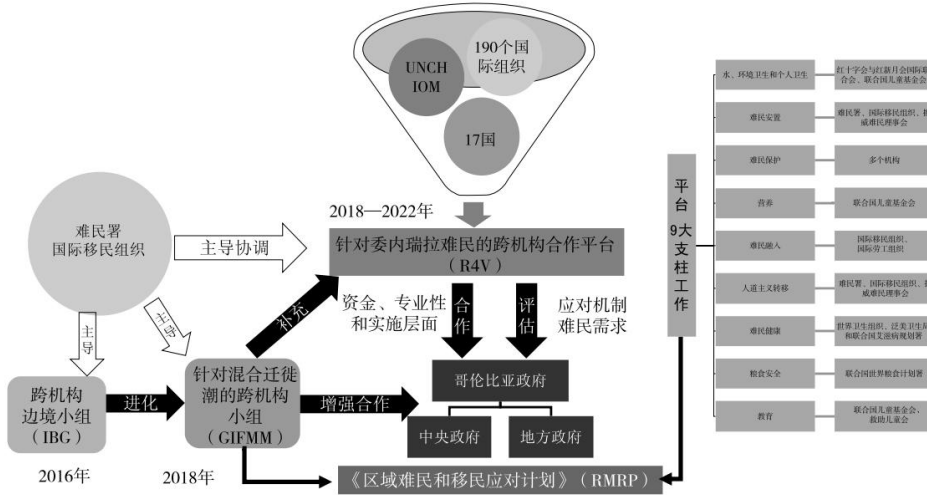


Figure 2 UNHCR-IOM composite overlay "cross-agency" platform

Data source: The author draws based on the following information. "Regional Inter-agency Coordination Platform: Regional Coordination

Platform for Venezuelan Refugees and Migrants" website: // www.r4v.info/en/

At the national and subregional levels, inter-agency cooperation platforms for Venezuelan refugees and migrants are complemented and supported by local coordination mechanisms, in particular the Inter-agency Group on Mixed Migration Flows (GIFMM), led by UNHCR and the International Organization for Migration. Taking into account the continued increase in the number of Venezuelan refugees, UNHCR and the International Organization for Migration established the "Inter-Agency Border Group" (IBG) in 2016. The purpose is mainly to coordinate and organize humanitarian assistance in border areas for refugees entering Colombia. In September 2018, UNHCR and the International Organization for Migration expanded the inter-agency border team into the "Inter-agency Team on Mixed Migration Flows" with the participation of 75 international organizations, strengthening cooperation with the central and local governments of Colombia and promoting "Regional Refugee Affairs" and Migration Response Plan» The inter-agency group will release the "Regional Refugee and Migration Response Plan" every year, making detailed plans for the group's overall work for the next year. «2022

See the website "Regional Inter-Agency Cooperation Platform for Venezuelan Refugees and Migrants" website: // www.r4v.info/en/

"Regional Inter-agency Cooperation Platform for Venezuelan Refugees and Migrants" website: // www.r4v.info/en/

The 2022 Regional Refugee and Migrant Response Plan» (RMRP 2022) has brought together 192 international organizations. These plans first evaluate the status of refugee influx and reception situation at the regional level, and then propose regional plans based on the nine pillars mentioned above. priority needs and response strategies, and finally rely on regional platforms to propose specific responses to the special needs faced by different countries and national groups. Based on these identified needs, the main organizations responsible for the issue and the leaders of the organizations in the inter-agency group Other non-governmental organizations will use their expertise to cooperate with local governments to provide relevant funds and project implementation support for refugees. The inter-agency team not only provides guidance and support to the Colombian government from the financial, professional and implementation levels, but also provides annual Assess the existing refugee response mechanism in Colombia and the needs of Venezuelan refugees in the country, and propose assistance priorities and implementation plans by field. (3) The weakening of the authority of the UNHCR: loss of leading capabilities and organizational competition in the process of participation in the composite governance network The legitimacy of UNHCR still faces unavoidable challenges. First, the "inter-agency team on mixed migration flows" and the implementation of the "Regional Refugee and Migration Response Plan" are insufficiently funded. Due to the continued deterioration of the situation in Venezuela, the protection of refugees It is a foreseeable long-term resource consumption war with relief. The UNHCR's budget for solving the Venezuelan refugee problem in Colombia has increased sharply year by year since 2018 (see Table 2). However, the biggest challenge facing the cooperation group is still insufficient financing. Taking 2020 as an example, by December 2020, the inter-agency group had only raised 379% of the total amount raised for the regional refugee coordination and assistance work.

Table 2 UNHCR's budget for Colombian refugee affairs (2014-2022)

(Unit: 10,000 US dollars)

	2014	2015	2016	2017	2018	2019	2020	2021	2022
UNHCR Colombia Refugee Affairs Budget	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5	1.5

Source: Figures for 2022 represent the current budget approved by the UNHCR High Commissioner as of January 2022, pending submission to the UNHCR Executive Board Standing Committee. Figures for 2021 represent the interim final budget approved by the UNHCR High Commissioner, which will be Report to the next Standing Committee of the Executive Committee. Budget data for other years are final figures from UNHCR. See [http:// ia? yearar = 2014#toc-financials](http://ia? yearar = 2014#toc-financials) [2022-02-05]

Second, UNHCR has never been able to achieve formal "refugee" status for the Venezuelan forcibly displaced people in the region. Although the refugee protection plan has received support from countries in the region, regional international organizations and other professional organizations, it is still compared to the final results of UNHCR. Purpose——To solve the problem of Venezuelan refugees

1. The 2022 Regional Refugee and Migrant Response Plan (RMRP 2022) has brought together 192 international organizations. These plans first evaluate the status of refugee influx and reception situation at the regional level, and then propose regional plans based on the nine pillars mentioned above. priority needs and response strategies, and finally rely on regional platforms to propose specific responses to the special needs faced by different countries and national groups. Based on these identified needs, the main organizations responsible for the issue and the leaders of the organizations in the inter-agency group Other non-governmental organizations will use their expertise to cooperate with local governments to provide relevant funds and project implementation support for refugees. The inter-agency team not only provides guidance and support to the Colombian government from the financial, professional and implementation levels, but also provides annual Assess the existing refugee response mechanism in Colombia and the needs of Venezuelan refugees in the country, and propose assistance priorities and implementation plans by field. (3) The weakening of the authority of the UNHCR: loss of leading capabilities and organizational competition in the process of participation in the composite governance network The legitimacy of UNHCR still faces unavoidable challenges. First, the "inter-agency team on mixed migration flows" and the implementation of the "Regional Refugee and Migration Response Plan" are insufficiently funded. Due to the continued deterioration of the situation in Venezuela, the protection of refugees It is a foreseeable long-term resource consumption war with relief. The UNHCR's budget for solving the Venezuelan refugee problem in Colombia has increased sharply year by year since 2018 (see Table 2). However, the biggest challenge facing the cooperation group is still insufficient financing. Taking 2020 as an example, by December 2020, the inter-agency group had only raised 379% of the total amount raised for the regional refugee coordination and assistance work.

There is still a long way to go to achieve a permanent solution. In May 2019, the domestic situation in Venezuela further deteriorated. At the same time, the United Nations and other organizations clearly condemned the threat to public order, widespread violence and human rights violations in Venezuela. UNHCR New guidance notes are issued based on the 2018 Guidance Note on the Outflow of Venezuelans, emphasizing that most of the outflows of Venezuelans meet the definition of refugees in the Cartagena Refugee Declaration, as they are responsible for their influx. The reasons cited by other countries are consistent with the characteristics of "widespread violence", "large-scale human rights violations" and "public disorder".<sup>5</sup> Although countries in the region have repeatedly condemned the large-scale violations of human rights in Venezuela, except for Brazil and Mexico, other countries None of them defined Venezuelans who had left their homeland as refugees. Colombia announced in November 2019 that it would consider the issue of refugee recognition for Venezuelans, but ultimately implemented new immigration management methods in January 2020. In view of the fact that the Colombian government is giving Venezuelans Due to the hesitation on the issue of refugee status, the UNHCR continues to make further efforts to protect the rights of refugees on the basis of the Special Residence Permit (PEP) system. Due to the inability to recognize Venezuelans who have been forcibly displaced on a large scale as official "refugees", cross-border The agency team proposed a compromise in the 2020 plan, which will ensure the provision of health, food, drinking water, sanitation, shelter, education and other services in the short term. In the medium term, it will reduce obstacles for immigrants to enter the labor market and promote the integration of immigrants into the host country. The national medical and education system enhances the integration of Venezuelan immigrants from the public policy level.<sup>6</sup>

Third, in crisis response, UNHCR and international organizations formed a "double-headed, multi-layered" response mechanism, which weakened UNHCR's leading position on the Venezuelan refugee issue and brought more complexity to work coordination. On the one hand,<sup>7</sup> The inter-agency team is composed of one person in charge each from UNHCR and the International Organization for Migration, who jointly carry out the overall coordination work of the team. In fact, it presents a "double-headed" management model of the team. UNHCR and the International Organization for Migration are each responsible for There seems to be a significant difference between the objects "refugees" and "immigrants". However, with the expansion of the definition of "refugee" and the groups of concern of UNHCR, the functions of the two organizations overlap when it comes to the issue of forced displacement (especially internally displaced persons).<sup>8</sup> Since 2018, the International Organization for Migration (Immigration) has been included in the United Nations system. It shares the United Nations development concept with UNHCR, but there are obvious differences in the definition of the purpose and purpose of population migration. The purpose of UNHCR is to protect refugees, and ultimately achieve A permanent solution to the refugee problem. The International Organization for Migration targets population migration in a general sense and aims to promote "safe, orderly and regulated migration." It has overlapping functions and jurisdictions, but its goals are related to its purpose.

---

<sup>5</sup> [UNHCR, "Guidance Note on the Outflow of Venezuelans," 2018](#), [https://www.unhcr.org/refugees-and-returnees/2018/05/1544222222.html](#).  
<sup>6</sup> [UNHCR, "Guidance Note on the Outflow of Venezuelans," 2018](#), [https://www.unhcr.org/refugees-and-returnees/2018/05/1544222222.html](#).  
<sup>7</sup> [UNHCR, "Guidance Note on the Outflow of Venezuelans," 2018](#), [https://www.unhcr.org/refugees-and-returnees/2018/05/1544222222.html](#).  
<sup>8</sup> [UNHCR, "Guidance Note on the Outflow of Venezuelans," 2018](#), [https://www.unhcr.org/refugees-and-returnees/2018/05/1544222222.html](#).

There are differences in purpose, which will inevitably affect the efficiency of decision-making and implementation of the inter-agency team. On the other hand, the humanitarian coordination mechanism and the refugee and immigration protection coordination mechanism coexist to form a "double network", which increases the difficulty of the work of participating organizations. In terms of the characteristics of receiving assistance from the international community, Colombia is the only country in Latin America that has a humanitarian assistance structure. In view of the country's long-term civil war, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) led other United Nations agencies to establish a humanitarian assistance structure. The Assistance System (HCT), which consists of five departments operating at the national level and a coordination network at the regional level, ensures that Colombians affected by the conflict receive basic humanitarian assistance. This network is an inter-agency organization led by UNHCR. The team provides empirical support and facilitates work in areas where internally displaced persons and refugee influxes overlap. However, there are overlaps between the two systems that may complicate the work of participating NGOs.

The Colombian localization of the three international refugee systems and the reconstruction of legitimacy of the UNHCR

Colombia has shown a welcoming and generous attitude towards Venezuelan refugees, making the country the main country hosting Venezuelan refugees. As of February 2022, there were 604.17 million Venezuelan refugees and immigrants in the world, and Colombia had received 1.8424 million, accounting for approximately 358% of the country's population accounts for 37% of the total number of admissions in Latin America (4.9922 million). The composition of the Venezuelans who have poured into Colombia is relatively complex. In addition to Venezuelans (who use Colombia as their final destination or transit country), there are also Colombians who have returned from Venezuela, as well as border indigenous people with dual citizenship of Venezuela. Colombia and Venezuela have a land border of more than 2,200 kilometers. The people on both sides of the border are closely connected and have frequent exchanges. Many people live on both sides. Relatives, there are even many people who work in Colombia during the day and return to Venezuela to rest at night.

Colombia's refugee hosting behavior is not only due to its inseparable personnel exchanges with Venezuela, but also the process of regulating Colombia's international refugee system implemented by UNHCR - from commitment (signing of the convention) to compliance (localization of the refugee system). For a long time, as a country of origin for refugees, Brother

---

There are differences in purpose, which will inevitably affect the efficiency of decision-making and implementation of the inter-agency team. On the other hand, the humanitarian coordination mechanism and the refugee and immigration protection coordination mechanism coexist to form a "double network", which increases the difficulty of the work of participating organizations. In terms of the characteristics of receiving assistance from the international community, Colombia is the only country in Latin America that has a humanitarian assistance structure. In view of the country's long-term civil war, the United Nations Office for the Coordination of Humanitarian Affairs (OCHA) led other United Nations agencies to establish a humanitarian assistance structure. The Assistance System (HCT), which consists of five departments operating at the national level and a coordination network at the regional level, ensures that Colombians affected by the conflict receive basic humanitarian assistance. This network is an inter-agency organization led by UNHCR. The team provides empirical support and facilitates work in areas where internally displaced persons and refugee influxes overlap. However, there are overlaps between the two systems that may complicate the work of participating NGOs.

There continues to be an outflow of refugees from Colombia, and not many refugees have taken refuge. Even as a signatory to the 1951 Refugee Convention and multiple regional refugee systems, its domestic legal regulations on protection and asylum systems have been blank. Until 2013, When a considerable number of Venezuelans entered the country to seek asylum, Colombia cooperated closely with the UNHCR and began to gradually accelerate the localization process of the international refugee system, that is, to integrate the international refugee system into the country's legal system and establish specialized agencies. (1 ) The localization

process of the international refugee system in Colombia. In 2013, the

Colombian government's Decree No. 2840 followed the definition of refugees in the "Cartagena Declaration on Refugees" and regulated the application steps for refugee status. However, in the actual implementation process, foreign countries If a citizen wants to apply for refugee status, he must apply to the Colombian Ministry of Foreign Affairs and the processing time may take up to two years. At the same time, people applying for refugee status are not allowed to work or move out of the area where they apply during the application period, resulting in very few applications. Some people apply for refugee status from the Colombian government. From the outbreak of the Venezuelan refugee crisis to the present, Colombia's response can be roughly divided into two stages.

1 A low-key period (2013-2016) affected by the domestic peace negotiation process. In the early days

of the large-scale influx of Venezuelan displaced persons, Colombia was experiencing a conflict between the central government and the largest non-governmental armed force in the country, the Revolutionary Armed Forces of Colombia (FARC). During the peace negotiations, since the Venezuelan government has always maintained a delicate relationship with the Revolutionary Armed Forces of Colombia, at the beginning of the negotiation process in 2012, the Colombian central government believed that Venezuelan President Chavez could have a greater influence on the negotiators of the Revolutionary Armed Forces of Colombia. Because it needs Venezuela's support for peace negotiations, the Colombian central government adopts a low-key attitude toward Venezuelan refugees and tries its best to regulate the entry of Venezuelan refugees by adjusting domestic policies.

Although a considerable number of Venezuelan refugees have entered Colombia since 2013, the Colombian government did not publicly raise concerns about the flow of Venezuelan refugees before the end of 2016. Increasing the international attention to the Venezuelan refugee issue would actually be tantamount to Accusing the current Venezuelan government of ineffective governance is obviously contrary to Colombia's original intention of seeking diplomatic support. At the same time, according to

---

1 The localization process of the international refugee system in Colombia. In 2013, the Colombian government's Decree No. 2840 followed the definition of refugees in the "Cartagena Declaration on Refugees" and regulated the application steps for refugee status. However, in the actual implementation process, foreign countries If a citizen wants to apply for refugee status, he must apply to the Colombian Ministry of Foreign Affairs and the processing time may take up to two years. At the same time, people applying for refugee status are not allowed to work or move out of the area where they apply during the application period, resulting in very few applications. Some people apply for refugee status from the Colombian government. From the outbreak of the Venezuelan refugee crisis to the present, Colombia's response can be roughly divided into two stages.

1 A low-key period (2013-2016) affected by the domestic peace negotiation process. In the early days of the large-scale influx of Venezuelan displaced persons, Colombia was experiencing a conflict between the central government and the largest non-governmental armed force in the country, the Revolutionary Armed Forces of Colombia (FARC). During the peace negotiations, since the Venezuelan government has always maintained a delicate relationship with the Revolutionary Armed Forces of Colombia, at the beginning of the negotiation process in 2012, the Colombian central government believed that Venezuelan President Chavez could have a greater influence on the negotiators of the Revolutionary Armed Forces of Colombia. Because it needs Venezuela's support for peace negotiations, the Colombian central government adopts a low-key attitude toward Venezuelan refugees and tries its best to regulate the entry of Venezuelan refugees by adjusting domestic policies.

Although a considerable number of Venezuelan refugees have entered Colombia since 2013, the Colombian government did not publicly raise concerns about the flow of Venezuelan refugees before the end of 2016. Increasing the international attention to the Venezuelan refugee issue would actually be tantamount to Accusing the current Venezuelan government of ineffective governance is obviously contrary to Colombia's original intention of seeking diplomatic support. At the same time, according to





At the end of April 2017, as an extension of the immigration border transit card function, Colombia simultaneously launched two rounds of issuance of Border Migration Cards (BMC). Venezuelans who wish to enter Colombia can use this card to stay in Colombia for up to 7 days. By April 2020, In March, a total of about 4.94 million Venezuelans were approved for the card. The second is to

merge the immigration and refugee management systems and implement a temporary asylum residence permit policy.

Because there are too many people pouring into Colombia from Venezuela, and Colombia does not have a complete asylum system to handle them. For separate asylum applications, the Colombian government no longer distinguishes between immigrants or refugees from Venezuela. Instead, it uniformly grants temporary protection status to eligible Venezuelans in order to quickly deal with the legality of the influx of refugees. Colombia will initially focus its response on Regarding border acceptance, as the number of refugees increased and they settled in different cities, the Colombian government began to provide assistance to Venezuelan immigrants scattered in various cities. Starting in July 2017, the Colombian government officially provided temporary asylum-like residence for Venezuelan refugees. Permit: Special residence permit. This residence permit allows refugees to stay in Colombia for up to two years (can apply for renewal) and enjoy basic rights to employment, health care and education. At the same time, Colombia does not restrict the freedom of movement of Venezuelan refugees, allowing them to be free . Choose a place to live

The third is to carry out large-scale identity registration of Venezuelans. The Colombian government carried out large-scale registration of Venezuelans (RAMV) from April to July 2018, mainly for Venezuelan immigrants who have no supporting documents and are in irregular status. Through registration, These immigrants without identity documents can have the opportunity to obtain legal status. According to statistics in July 2018, a total of about 442,000 Venezuelan immigrants have registered and obtained special residence permits issued by the Colombian Immigration Service. By 2020 As of November, even though the Colombian government is actively carrying out refugee registration work, the large-scale influx of Venezuelans in a short period of time has left a large number of refugees in an irregular status. After 9 rounds of special residence permits being granted, there are more than 700,000 Venezuelans in total. people have obtained legal status (the proportion of other Latin American countries granting special residence permits is much lower than Colombia), which means that there are still about 1 million transnational forcibly displaced people without legal status.

(2) The reasons for the localization of the international refugee system in Colombia

can be seen from Colombia's policy process in response to the Venezuelan refugee crisis. The international refugee system

“ ” / / [ ]

“ ” / / [ ]

“ ” / / [ ]

There are multiple reasons for localization in the country.

First, the long-term cooperation between UNHCR and Colombia has enabled Colombia to accept the norms of the international refugee system and the dissemination of professional knowledge by UNHCR. As a signatory of the 1951 Refugee Convention and the 1967 Protocol, Colombia was still a signatory of the 1951 Refugee Convention and the 1967 Protocol before the outbreak of the Venezuelan refugee crisis. A domestic system that is connected to the international refugee system has not yet been established, but it has been relatively well prepared in terms of professional knowledge reserves, humanitarian values, and protection practices.

Second, although Colombia has reservations about the recognition of refugee status, out of utilitarian considerations, the Colombian government hopes to obtain assistance from UNHCR and other international agencies to legalize a large number of irregular Venezuelan refugees. At the same time, Colombia itself is also facing Serious domestic problems. Although the central government has signed a peace agreement with the largest anti-government armed forces in the country, it still faces various social problems, including ethnic conflicts, social injustice, and the wide gap between rich and poor. Since November 2019, Colombia has Two rounds of large-scale protest marches began, and peaceful marches against tax reform in April 2021 turned into violent conflicts in many cities. According to the latest poll data, only 43% of locals believe that promoting the integration of Venezuelans will Colombia brings more benefits. Legalizing and normalizing the forced displaced Venezuelans can reduce the domestic threats to Colombia in the short term and is also beneficial to the country's medium and long-term development. The Colombian government spends on managing irregular migration. The cost is high, and a large number of Venezuelans without legal status will also pose a threat to Colombia's domestic stability. Since the reconstruction of Venezuela's domestic economic system is a long-term project, this means that the outflow of a large number of forced displaced persons will be a long-term phenomenon. If they are not legalized, these long-term displaced people will become the labor force of gray industries in Colombia, forming a vicious circle. Under this logic, the Colombian government strives to regularize illegal refugees instead of restricting their entry. At the same time, Colombian society Economic development can benefit from the influx of talents from Venezuela, obtaining professional and technical talents such as teachers, doctors and engineers.

Third, the two countries have historical ties on the issue of forced displaced persons. They have formed a regional tradition and common understanding of sheltering forced transnationally displaced persons. Venezuela's experience in sheltering Colombian displaced persons can easily arouse the concern of the Colombian government and people. Empathy and understanding for Venezuelan refugees. The Colombian government's rhetoric towards Venezuelan refugees is often shaped as "repaying the neighbors who have provided shelter to a large number of Colombian refugees", forming a discourse that is easily accepted domestically.

---

“ ¿ por qué se refugian los venezolanos en Colombia? ¿ por qué se refugian en Colombia? ¿ por qué se refugian en Colombia? ¿ por qué se refugian en Colombia? ”  
“ ¿ por qué se refugian los venezolanos en Colombia? ¿ por qué se refugian en Colombia? ¿ por qué se refugian en Colombia? ¿ por qué se refugian en Colombia? ”  
“ ¿ por qué se refugian los venezolanos en Colombia? ¿ por qué se refugian en Colombia? ¿ por qué se refugian en Colombia? ¿ por qué se refugian en Colombia? ”  
“ ¿ por qué se refugian los venezolanos en Colombia? ¿ por qué se refugian en Colombia? ¿ por qué se refugian en Colombia? ¿ por qué se refugian en Colombia? ”



It is not satisfactory. It seems that the norms of the international refugee system have not achieved optimal results. However, judging from the cooperation practice of UNHCR with various refugee-hosting countries in previous refugee crises in the world, Colombia has already responded to the refugee issue in both actions and words. "Permanent solution" is fully explained. Although temporary protection is a compromise option for refugee protection, it is expected to become a road to a permanent solution, that is, to allow refugees to successfully integrate into the host society (including but not limited to return home), naturalization), realize third-party resettlement, or voluntarily return to one's hometown.

On the one hand, the President of Colombia and the High Commissioner of the UN Refugee Agency jointly announced a new policy on February 8, 2021, which will grant legal residence status to all Venezuelan immigrants who have poured in since 2016, especially for the nearly 1 million irregular immigrants living in Colombia. For regular immigrants, the Colombian government will provide them with temporary protection status for 10 years. This means that irregular Venezuelan immigrants can obtain education, medical and work rights through registration. UNHCR and the International Organization for Migration will assist the Colombian government in funding, professional and personnel support. On the other hand, although the legal right of residence has a fixed period, the residence systems of various countries have been developing towards "medium and long-term" time limits. This has largely resolved the legal and rights issues for the forced displaced persons. The potential risks involved in the transition from irregular status to legal temporary status in Colombia provide the possibility for them to obtain long-term regular status in the country or to return home safely and voluntarily in the future.

Generally speaking, Colombia has maintained a positive attitude towards Venezuelan refugees. From initial reservations to gradually exploring the establishment of a refugee management agency, the scope of granting legal status has also been extended from the initial Colombian-Venezuela border residents to all Venezuelan refugees. Legal status The period of residence has also grown from the temporary 7 days and 30 days at the beginning to the two years of special residence permit in 2017. The temporary protection system has been continuously improved with the

upgrading of refugee affairs practice. Of course, it should also be noted that due to the influx of refugees, The requirements for refugee status documents and the limited ability of the Colombian government to register refugees mean that many refugees living in Colombia have not actually obtained legal status. At the same time, the special residence permit does not provide enough provisions for refugees' rights to medical care, employment and education. In detail, the rights protection of Venezuelan refugees still faces great

risks. (4) Challenges faced by Colombia and limitations of governance

innovation. Although Venezuelan refugees who have obtained special residence permits have the rights to medical care, employment and education, these rights cannot be obtained during the implementation process. Effective protection. For example, the special residence permit stipulates that all Venezuelan refugees enjoy the right to emergency medical treatment. However, it is not clear which medical projects fall into the category of "emergency". In terms of education, even though primary education should be provided to all immigrants, in fact it is difficult for refugee children without identity documents to obtain educational resources. In terms of employment, although holders of special residence permits

“ ”

Some people can work legally in Colombia, but employers are still skeptical about hiring immigrants. According to statistics, about 93% of employed Venezuelans work in informal industries.

As for the temporary protection system itself, the special residence permit, on the one hand, it gives legal status to Venezuelan refugees, and to a certain extent, it also guarantees the refugees' demand for basic services, and helps the Colombian government better manage the influx of refugees. Refugee, on the other hand, is an emergency response provided by the Colombian government without a complete asylum legal system. After a special residence permit is granted, there is no system that provides for asylum seekers to apply for refugee status, or to transition to obtaining permanent residence and citizenship. status, which limits the possibility for refugees to further integrate and obtain long-term rights. In addition, although the special residence permit can be renewed in practice, it cannot guarantee the complete implementation of the "non-refoulement" principle in the system. More importantly, When the two-year validity period of the special residence permit expires, Venezuelan refugees will lose their legal residence status in Colombia if they fail to apply for renewal in time due to various reasons.

The implementation of the special residence permit is conditional. Although its issuance is based on nationality, it is only available to those who enter Colombia through regular border inspections and hold Venezuelan passports. This results in more than half of Venezuelans still living in the country in an irregular way. Colombia's

#### Four conclusions

From the perspective of the way it responds to crises and the results of its implementation of UNHCR's mission, the authority of UNHCR, which is in a pluralistic and multi-level composite governance network, has been deeply weakened. Compared with its golden development period, UNHCR has lost its ability to lead governance. In global refugee governance, the UNHCR's ability to implement refugee protection and directly influence and regulate national protection behaviors is insufficient. It is also difficult to realize the refugee protection principles of the 1951 Refugee Convention and the 1967 Protocol. The financial situation of the UNHCR cannot guarantee its support to refugees. Full support from host countries. The traditional basis of legitimacy from the UN mandate has been questioned as the authority of the UN itself has been weakened. The legitimacy of the UNHCR is in crisis. However, in response to the Venezuelan refugee crisis, it exactly shows that the legitimacy of the UNHCR is at present. The possibility of reinvention

First, the international refugee system implemented by UNHCR has been "localized" in Colombia, which has strengthened Colombia's performance. Although UNHCR's dominant identity and authority are in Latin America and even the world,

“The international refugee system implemented by UNHCR has been “localized” in Colombia, which has strengthened Colombia's performance. Although UNHCR's dominant identity and authority are in Latin America and even the world, the possibility of reinvention

Most regions have been weakened. However, judging from the two-way transnational refugee crisis response in Venezuela and Colombia, the protection of refugees in both countries is indeed governed by normative ethics, forming a cultural understanding of refugee protection as well as common beliefs and actions. Logic. On the one hand, hosting a large-scale influx of forcibly displaced citizens from other countries is understood and recognized by both the government and the people. On the other hand, the international refugee system continues to use a series of asylum systems in the domestic systems of Venezuela and Colombia. Localization of laws, identity registration rules, residence policies and protection measures.

Second, UNHCR leverages the regional coordination mechanism to actively increase the coverage of regional countries of the international refugee system. The reason why Latin America is a pioneer in the implementation of the refugee system, shared asylum responsibilities, and system innovation is mainly due to the region's support for the international refugee system. The process of absorbing and internalizing the refugee system and expanding it according to regional characteristics. The 1951 Refugee Convention and the 1967 Protocol, which have long been implemented by UNHCR, have taken root and grown in the region. Except for Cuba and Guyana, all countries in the region have adopted the 1951 Refugee Convention. It is a party to the 1967 Refugee Convention and the 1967 Protocol. At the current historical stage, although UNHCR is not the leader of the new process, it is still actively participating in the key links of coordinating and assisting the establishment of the regional international refugee system. This is reflected in the "Quito Process". Not only did UNHCR participate in the establishment of the process, the design of action plans, technical support and evaluation of implementation effects, it also directly contacted the governments of relevant countries and persuaded countries that had not joined the "Quito Process" to sign the "Quito Declaration" Commitment obligations. Although this is carried out in the form of a joint special representative, it still reflects the behavioral tradition of "good offices" by UNHCR. From this, it can be found that the international refugee system represented by UNHCR has evolved from rules, principles to norms. It has formed a refugee protection behavior that is rooted in the regional system and fully coordinates the refugee protection behavior of the countries in the region, making Latin American countries more generous and active compared with other regional countries, and providing rich experience and models for international refugee governance. The UNHCR's Legitimacy is demonstrated from this.

Third, the UNHCR-IOM dual-headed system in the governance coordination of the composite network has strengthened the effectiveness of global migration governance, reshaped UNHCR's professional authority, bridged differences in values and policies, and alleviated the identity crisis. Although This response mechanism creates competition between UNHCR and the International Organization for Migration, which makes implementation difficult. However, overall, the high correlation between refugee and immigration affairs makes the two form an organic alliance, which has become an important tool for managing forced migration issues. Development trend. The regional response mechanism jointly established by the two is closer to the real situation of the global mixed transnational population flow. This new institutional sprout will surely spread to the world and become the dominant method of global population migration (refugees and immigrants) governance in the future. At the same time, the differences in values and policy tendencies between UNHCR and various international organizations, including the International Organization for Migration, on refugee governance will promote the continuous integration and integration of this new institutional model and coordination mechanism, and become the basis for UNHCR's work in refugee governance. Another possibility to recreate legitimacy in

composite governance networks (Editor-in-Chief Wang Shuai)