



Refugee Law & Migration Studies Brief

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Dear Reader:

The world seemingly grows more complex with each passing day. This complexity is particularly apparent within the legal fields of immigration and refugee law. As more people cross borders around the globe seeking safety and refugee from war, poverty, violence, and climate change, the need for a dedicated publication on these issues only grows. Seeing this need, students at American University Washington College of Law have collaborated to publish the *Refugee Law & Migration Studies Brief* with the aim of collecting articles on varied subjects unified by the theme of human migration.

This inaugural issue presents articles from practitioner and student writers on subjects such as the advancement of migrant rights through local government initiatives, the effectiveness of the European Union Agency for Asylum in Greek refugee hotspots, comparative treatment of Palestinian and Syrian refugees in Lebanon, and a circuit split over the inclusion of “Guatemalan women” as a particular social group to claim refugee status.

The founding and launch of this publication would not have been possible without the help of our faculty advisors Professor Anita Sinha and Professor Jayesh Rathod who provided invaluable advice and editorial assistance. I would also like to thank Ariel Rawls, recent WCL alumna and Co-Founder of this publication, for her vision and dedication to this endeavor. Thank you to our authors who made this first issue possible by agreeing to collaborate on this brand-new publication and to our articles editors for their work guiding the students during the writing process.

Sincerely,

Isabella Zink
Founder and Editor-in-Chief

LOCAL HUMAN RIGHTS GOVERNANCE TO ADVANCE MIGRANTS' RIGHTS

By Camilo Mantilla¹

ABSTRACT

Attitudes towards migration and immigrants vary among jurisdictions between friendly and hostile, contributing to perceptions about how immigrants are received and integrated into host communities. There are several instances of this around the world, with many well-known examples in jurisdictions across the Americas. North American nations are traditionally described as countries of immigration, having historically encouraged immigration for “permanent settlement on a significant scale that was essential for the countries’ founding and development,”¹ and many of these nations are also home to numerous examples of migrant reception and integration. Meanwhile, in Latin America, a region with a history of emigration, recent and sudden mass movements of people fleeing crises have tested the capacity of Latin American and Caribbean countries and governments.²

This article discusses how examples of incorporation of international human rights law standards by local jurisdictions into their own rules can contribute to making local spaces and communities increasingly “immigrant and human rights friendly.” Local spaces are not always welcoming for immigrants, but incorporating human rights standards in jurisdictions that are receiving increasing numbers of migrants can make these localities more welcoming environments for immigrants.

Local governments and communities have an important role in protecting the human rights of

migrants and are uniquely situated to do so, through the use of local domestic law and rules. Important migrants’ human rights, such as the right to identity, are primarily enforced and protected on the local level—in the communities in which migrants work and live. As such, the rights of migrants should be acknowledged at the local level so they can participate in their local communities and benefit from local services.

INTRODUCTION

While international human rights law centers on international legal frameworks and institutions,³ its application and enforcement require consideration of a country’s domestic law as well as judicial and administrative mechanisms for implementation of international legal norms. In many instances, international human rights law is most effective when human rights rules and standards are incorporated into domestic legal systems.⁴ The international community and United Nations treaty bodies have encouraged local governments to do precisely this; national governments should aspire to incorporate human rights standards upon signature or ratification of an international or regional human rights instrument. After all, “[c]oncern for human rights rarely begins or ends at any single nation’s boundaries, and effective action to protect and promote human rights, whether at home or abroad, can be furthered by the imaginative use of both national and international techniques.”⁵

¹ Camilo Mantilla is currently at John Jay College of Criminal Justice, overseeing the adaptation of public safety and law enforcement strategies in domestic and international jurisdictions. Prior to this, he served as a legal advisor and project manager for the United Nations International Organization for Migration in Central America, North America and South America, responsible for humanitarian and migration management responses in complex settings and jurisdictions. Mr. Mantilla’s expertise in migration management encompasses international migration, forced and irregular migration, including the Colombian armed conflict and unaccompanied minor crisis in Central America. He has contributed research on geopolitical issues in the Americas relating to migration, public safety, and comparative and international law. Mr. Mantilla holds a law degree from the Universidad de Los Andes in Colombia and an LL.M. from The Fletcher School at Tufts University in Boston. He recently completed an LL.M. in U.S. Legal Studies at Cardozo School of Law, Yeshiva University in New York.

Under international human rights law, human beings are inherently entitled to fundamental rights and freedoms—rights which governments must protect through the application of international law through comporting domestic legal standards.⁶ Under traditional human rights practice, nations are principal entities incorporating, enforcing, and protecting human rights; however, there are increasing examples of city and local government authorities adopting and applying human rights autonomously and voluntarily to tackle challenges of all sorts at the local level, through a human rights lens.

This article discusses through examples and analysis, how local jurisdictions can contribute to more “immigrant friendly” communities and jurisdictions by independently adopting international human rights law standards into their own rules and frameworks; and in turn, how this can influence broader political action at the national level, for humane and tailored responses to shifting and increasing global trends in migration. The author examines Colombia as a case study. Other lessons developed in the hemisphere are also referenced.

I. ANALYSIS

A. THE ROLE OF LOCAL GOVERNMENT IN IMPLEMENTING AND PROTECTING HUMAN RIGHTS FOR MIGRANTS

National governments are not the only entities with a duty to acknowledge and protect human rights—the United Nations Human Rights Council (“UNHRC”) has established that different levels of government, such as cities and local governments, carry a duty to protect human rights.⁷ A 2015 report produced by an Advisory Committee to the UNHRC illustrates the relationship between local governments and human rights:⁸ illegal acts of any public authority, including local governments, under international human rights principles, are attributable to the State, even if these contravene domestic laws.⁹ Central governments usually have the primary responsibility to promote and protect human rights, while local governments have a complementary role to play; a state may delegate implementation to lower tiers of government, including local authorities.¹⁰ Local

government organization and structure varies from place to place, but ultimately, local governments have common and specific attributes that help shape and define their roles and responsibilities as local political and governing institutions dealing directly with communities, and with the duties and responsibilities in human rights protection and promotion.

The UNHRC report defines local government as typically “the lowest tier of public administration within a given State.”¹¹ The Organization for Economic Co-operation and Development (“OECD”) defines local government as institutional units with fiscal, legislative and executive authority that “extends over the smallest geographical areas distinguished for administrative and political purposes.”¹² Many governments and constitutions around the world adopt similar definitions of local government, or at least use a similar framing for reference. A more “familiar” definition of local government for reference, from the United States White House, describes local governments in different tiers: counties, boroughs parishes, municipalities, or cities/towns.¹³ Many municipal or local governments carry different names and are organized around population centers or geographical designations established and/or used by local authorities. In many instances, these municipal and local governments correlate to population concentration and statistics.¹⁴ Regardless of their nomenclature, local governments deliver critical services to communities to enable the participation of citizens in daily decision making and public administration.

For this purpose, local governments operate closely with citizens and are better positioned than central governments to understand and address matters that require *local* knowledge, capacity, and rules on the basis of *local needs and priorities*.¹⁵ Local governments in many instances manage and implement central policies in addition to local policies and programming, with varying scope and degrees of autonomy, based on different powers usually delegated by national governments and constitutions. By way of illustration, domestically, the White House indicates that “[m]unicipalities vary greatly in size . . . [and] generally take responsibility

for parks and recreation services, police and fire departments, housing services, emergency medical services, municipal courts, transportation (including public transportation), and public works (streets, sewers, snow removal, signage, and so forth).¹⁶

Important day-to-day circumstances that concern migrants and communities are largely defined at the local level. Indeed, actions by local governments directly affect individuals and communities, given the aforementioned powers that these governments wield. For instance, while the right to healthcare is in many cases determined or affected by the national government, local or decentralized forms of governments have autonomy to further regulate, develop, implement, expand and even challenge these national mandates.¹⁷

Governments at the local level have an ultimate responsibility to meet the needs and concerns of the specific community. This largely manifests through the administrative provision of goods and services for communities and cultivation of representation and involvement of citizens. Within this dynamic, local government powers are extremely important given local authorities' unique reach, their ability to respond in a targeted manner to local needs, as well as their expertise on local issues. In this way, local government powers complement and counterbalance national authority as expression of local government autonomy.

Local authorities, as opposed to central and national governments, have a principal and direct stake when it comes to migrants that arrive and settle in their communities, regardless of legal or immigration status. Local governments provide services to locals and can adjust city infrastructure to accommodate newcomers, while migrants become part of and impact the communities where they settle. Immigrant families send their children to local schools, find jobs in local industries, engage with locals, and receive health, policing, and other local services; therefore, this is where human rights of migrants become "tangible," at the local level. In situations like these, the legal status of an immigrant determines if they are afforded rights within a community and consequently, how authorities interact with them.

Migrants face varying hardships when they arrive in new settings, including difficulties with accessing social services, vulnerability due to legal status, and limitations on their ability to interact freely within a community.¹⁸ Unfortunately, time has shown that practical and humane responses are not common in the immigration field. This is why local governments and authorities can and should step up to address this proactively.

B. THE HUMAN RIGHT TO IDENTITY AND ITS RELEVANCE IN CONTEMPORARY MIGRATION TRENDS

The right to an identity is one of many human rights recognized and protected by international human rights law regularly adopted into a domestic policy, for various reasons, including humanitarian.¹⁹ As such, this right is interpreted as an enabler for other rights to function,²⁰ a normative prerequisite, manifested in different ways under international human rights law that acknowledges a person's existence, identity, and right to be recognized as a person before the law to exercise other rights.²¹ Originally emanating from Article 8 of the Convention on the Rights of the Child, the right to an identity is considered inalienable, regardless of immigration status.²² The right to an identity is foundational for cohesion, equality, and tolerance within a community, and a legally recorded identity grants people rights to participate in society and to benefit from social and other public services, among others. Ultimately, a person's identity goes beyond mere government requirements; it transfers to social, legal, and psychological spheres, and asserts an individual's uniqueness.

This is particularly important for migrants, given its relevance in the movement of people within and between jurisdictions. Governments provide different forms of identification, which in the migration realm is manifested through formal identification, used by individuals to move across borders, access services, and to have rights before an authority such as law enforcement. This unique legal relevance situates the right to an identity under complex government oversight and scrutiny, as it relates to the exercise of sovereignty and equality of individuals before the law. In principle, any

individual must retain an identity across jurisdictions and international law imposes obligations on states to take measures to preserve and develop an individual's identity.²³

A denied right to identity excludes migrants from a formal economy, forcing many to work in low-skilled and unregulated sectors and industries, in jobs that can be dangerous, difficult, inhumane, or unpleasant.²⁴ Some of these jobs place migrants in harm's way and can subject them to exploitation.²⁵ Without a recognized identity, individuals are denied other critical rights and privileges, and risk exclusion from ordinary life and community activities.²⁶ Without the human right to identity migrants are deprived of their human nature, ultimately impeding access to lawful and safe jobs, basic health care, housing, education, and many other essential social services.

Within a broader societal context, the right to an identity is important to support acceptance, respect, and opportunities for individuals. A denied identity could open the door to prejudice and abuse that fuel intolerance, discrimination, persecution, and stigma. Unfortunately, migrants easily fall victim to these and other crimes on the basis of race, sexuality, gender, religion, appearance, and opinion.²⁷ This situation is frequently worsened due to a reluctance from migrants to seek help out of fear of deportation and other legal consequences.²⁸

First, it is important to promote conditions that develop and acknowledge the rights of migrants, like the right to an identity for viable assistance and services to be meaningfully provided. Conditions that could be mitigated include lack of legal status, discrimination, hardship, inability to access services, etc. Second, migrants, as individual rights bearers, carry international human rights with them, including into their host communities. Migrant rights are implicitly and explicitly expressed in international human rights and public law instruments.²⁹ Accordingly, local governments can and have sought guidance from the international legal order to interpret and apply human rights in a specific context.³⁰ The international community and government authorities have traditionally relied on multiple international human rights sources, bodies

and instruments, to address specific issues regarding the human rights of migrants, including customary law or widely accepted practice. This interpretation of the universe of human rights of migrants is referred to as a "rights-based" approach.³¹

Ultimately, acknowledging the human rights of migrants stretches beyond one traditional source of law, and necessarily includes, but is not limited to, other branches of public international law, like refugee law, transnational criminal law, humanitarian law, and labor law.³² Combined, these norms and standards provide a framework for the human rights of migrants, including fundamental rights that are particularly relevant today, such as the right to an identity.³³

The relevance of the right to an identity goes beyond the specific human rights instruments, transcending into a humanitarian conception. The international community pledged to uphold and enforce its universality, by committing to it as a United Nations Development Goal, under Goal 16³⁴ to: "[p]romote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels . . . [and to] provide legal identity for all, including birth registration."³⁵

A right to an identity in the context of migration is an example of tangible human rights and how they "translate" into practice. International human rights law recognizes the right of migrants to an identity and reinforces it to the point where a migrant's right to identity is acknowledged from the moment they are born.³⁶ Paradoxically, in situations of irregular migration,³⁷ a right to an identity is largely not recognized where the granting of legal status is concerned, but is recognized for the purpose of deportation and other administrative sanctions in turn depriving individual of fundamental rights like due process.

Large-scale movements of migrants around the world continue and some examples include the crisis in Venezuela and the conflict in Ukraine, where people are fleeing crises to different countries including neighboring states, in some cases only in transiting through to reach a third country. There are

also many reports of stranded migrants on different routes; one recent example to note is Ukrainian and Russian nationals arriving in Mexico seeking asylum and attempting to get to the U.S.³⁸ These situations have prompted changes in traditional migration trends, including challenges unforeseeable by governments and communities; one recent example with substantial impact on the trends of vulnerability of migrants was the inability to access and issue formal travel identification of Venezuelans by the government authorities: A considerable number of Venezuelan nationals have been moving around the world for several years now, with expired or without official travel documents.³⁹ This was the result of the government's limitations and "unofficial actions" in restricted issuing of passports to citizens; along with gradual and unanticipated closing of consulates and embassies over the past years.

Some national governments have addressed situations around status attributed in part to the events above, by recognizing the need for identification and protection; for example eligible Venezuelans in the U.S. were granted temporary legal status,⁴⁰ with certain rights and immigration privileges, including authorization documents that acknowledge lawful identification for immigration purposes. Additional recent measures of the federal U.S. Temporary Protected Status ("TPS")⁴¹ include Ukrainian nationals for a need to protect vulnerable migrants seeking safety.⁴² Measures like this address specific migration flows, even when the drivers of migration at the country of origin differ (i.e., conflict or natural disasters).

In addition to federal or national government initiatives, we find examples of local autonomous initiatives from U.S. cities that recognize and protect the right to an identity regardless of an individual's immigrant status. These examples vary in complexity, level of sophistication, and adaptation in a specific context. In New York City, New York, the IDNYC identification program is a card for "all New Yorkers, from all backgrounds, and from all five boroughs. Immigration status does not matter. The free, municipal identification card for New York City residents, ages 10 and up, provides access to a wide variety of services and programs offered by the [c]ity."⁴³

Another example of targeted ID initiatives in the U.S. is the collaboration between civil society, law enforcement, and the city of Greensboro, North Carolina, to provide residents (including immigrants, regardless of status) an ID that enables access to certain services. The FaithAction and FaithAction ID network partners in North Carolina "have provided over 30,000 ID cards to individuals who may not currently have access to government issued forms of ID, including new immigrants and refugees, homeless and elderly individuals, those recently returning from jail, and others who believe in a diverse and inclusive community."⁴⁴ This network operates in several states, including North and South Carolina, Florida, Virginia, Iowa, Ohio, and Oregon.⁴⁵

Temporary and permanent solutions by different levels of government, like the examples above, are helpful in providing relief to migration challenges at large. These examples can be replicated through tailored adaptation at different levels of geographies and government, where local communities and governments can look to innovate through tools that contribute to effectively and humanely hosting migrants regardless of their legal status.

C. LOCAL GOVERNANCE, NATIONAL AUTHORITY, AND ENFORCEMENT

i. Local Governance and National Authority

National governments usually enforce the protection of borders and determine immigration laws as they exercise state sovereignty.⁴⁶ In contrast, local authorities, including law enforcement, tend to take a more neutral stance on the enforcement of immigration laws.⁴⁷ Interestingly, U.S. immigration enforcement dynamics between federal and local authorities are unique and sometimes adversarial, when contrasted with traditional centralist state-governments. U.S. federalism that influences state and city self-governance and autonomy has prompted scenarios where cities and states challenge and develop their own criteria for immigration enforcement.⁴⁸

From these dynamics, we find scenarios where national and federal governments ignore the needs of irregular and vulnerable migrants at the community level and tend to focus on national immigration enforcement or criminal matters, despite applicable international obligations. This leaves local authorities and governments with a duty to acknowledge or protect economic, social, or cultural rights of citizens and residents. National or central government approaches towards the inclusion and protection of immigrants rarely go beyond immigration enforcement and do not always consider the impact of migrants in the sectors and communities they settle in. In other words, they do not address the “bulk” of the human rights of migrants, and ultimately this is up to local authorities.

When migrants enter a country and remain without authorization it tends to spark policy debate and confrontation at different levels of government and within a community;⁴⁹ it becomes a contentious issue in public and political fora and conversations. The adversarial debate over immigration and immigration status tends to undermine existing bodies of law that recognize and validate the human rights of migrants and their protection. Some argue that the “only morally legitimate policy goal is to find ways to reduce the vulnerability of the ‘undocumented,’ and to challenge their official exclusion from the . . . community.”⁵⁰ Although this discussion seems primarily about legal rights, it is not; it also carries moral, ethical, and practical concerns. Many legal rights, including international legal rights, stem from moral and humanitarian considerations.

The exclusion of migrants from administrative and social rights is problematic from a moral and practical stance. Governments regularly acknowledge administrative and social rights of citizenship along with the ability to be part of a host community and many of these rights derive from basic human rights, although some are made tangible through administrative actions or permissions connected to government regulatory functions.⁵¹

ii. Enforcement

Local governments can rely on nuanced actions to materialize human rights, privileges, and entitlements within a community:

Governments in general do not need to need to be parties to a treaty to recognize and protect human rights. However, it is proven that human rights are extremely effective when relevant international and regional human rights treaties are incorporated into domestic norms; commitments to treaties can have a noticeably positive consequences . . . [treaties and law affect] how governments behave.⁵²

Examples like the ones above along with other, more traditional measures like issuing residency certificates or permits at the local level, are just a few of the many existing tools local authorities have access to recognize and make tangible specific rights. In addition to these, human rights frameworks can enable basic rights even if these do not encompass all the entitlements and services originally derived from them.

The United States has historically championed human rights efforts abroad and in the realm of migrant rights, some U.S. cities have even gone beyond, by instituting “forward-looking” efforts like “sanctuary cities,” or even locally issued forms of identification, which represents a locally owned and driven effort to protect and acknowledge the rights of migrants.⁵³

In principle, authorities at all levels have the power to devise a range of initiatives that remove or alleviate social, administrative, and legal barriers that obstruct and deter migrants from participating in economic and social life of a community. The premise is simple: give local governments and communities a framework and tools to host, service, and relieve any pressure or tension attributed to irregular migration, based on a human rights framework. Local governments and governing

bodies have the access and capacity to associate with international legal, constitutional, regulatory, administrative and political tools and address issues attributed to migration flows, including their interaction with human rights.⁵⁴

Continuous escalation of conflicts around the world, environmental crises, and economic fragility caused by the COVID 19 pandemic among others make this an extremely relevant time to look for solutions to this issue. Different drivers of migration will continue to evolve, and governments as well as international organizations must push for broader collaboration and new debates and innovations in this field. National governments generally, but increasingly local governments as well, must adapt and modify their behavior and approach towards different and more contemporary notions of immigration, nationality, and identification. More generally, how notions of national sovereignty interact with immigration, human rights protection and inclusion; something that goes beyond the still very strong, 17th Century Westphalian system and view of sovereignty.⁵⁵

Governments, particularly local governments, should aspire to prevent harm and hardship of migrants by facilitating access to available local resources. To do this, local authorities should acknowledge human rights, ideally as a first step, through a lawful form of identity or one that resembles and acknowledges immigrants and their humanity.⁵⁶ Local governments can address these issues without necessarily allocating or creating new funding programs.

D. LOCAL MIGRANT INTEGRATION THROUGH HUMAN RIGHTS IMPLEMENTATION

Migrants, by virtue of their inherent human and individual condition derived from international human rights law, are entitled to their most basic rights throughout their journey, including at their final destination. As such, a right to an identity is crucial for ordinary day-to-day interactions, such as conducting business or entering in transactions with the government.⁵⁷ It is hard to hide that even irregular migrants exercise their right to an identity on a daily basis one way or another, even if this is formally

denied. Migrants use their identity, or a similar expression of such, while conducting routine and daily activities to access services and interact within a community.⁵⁸ Even a basic acknowledgement of human rights helps protect migrants from harm or extreme vulnerability, which otherwise, unprotected migrants would put more pressure on other parts of the government and institutional public systems, such as courts, police, immigration enforcement, emergency services, hospitals, and others.

Traditional human rights practice has shown that influencing government behavior to adopt human rights is extremely challenging in many circumstances, despite a government's ability to adopt intermediate and less burdensome measures of this nature. Human rights solutions do not require embracing a "traditional" measure, which in turn might require the strict adoption of an international human rights instrument. Tools are available to help governments adopt and incorporate human rights norms through different means, without resorting to a traditional and stricter "view" of human rights issues and solutions. For example, integrating transitional or intermediate immigration measures to distinguish between citizens and non-citizens, or between different groups of non-citizens such as a TPS-type of protection measure described above or some other immigration status with limited rights and benefits; the UN Human Rights Committee has explained that not every form of differential treatment constitutes discrimination.⁵⁹ If it does, it should not be detrimental to the affected/objective population, it must be consistent with international human rights obligations, and have a legitimate objective that is proportionate and reasonable, ideally based on dignity.⁶⁰

There are many lessons that demonstrate how "regularization," or measures of a similar nature geared to recognize a migrant's right to identity alleviate pressure on communities, institutions, and systems that facilitate integration of migrants into a community's social and economic life. Human rights offer a valuable tool to tackle persistent disparities and address factors that perpetuate discrimination and inequity. "When local governments embrace a human rights-based approach ...[t]hey signal that core human rights principles, including non-

discrimination, equality, participation, accountability, and transparency will inform local law, policy, and practice.”⁶¹ Governments must take proactive steps to respect, protect, and fulfill the full range of human rights, including civil, political, social, economic, and cultural rights. This means not interfering with a person’s enjoyment of rights and take steps to prevent human rights violations.⁶²

The regional migration of Venezuelan nationals to different Latin American countries, beyond traditional destinations, has left many facing hardship, rejection, and difficulty finding fair jobs and pay among other conditions. Venezuelans transited through and settled in different-sized Latin American cities driving communities, in particular governments, to act and respond to situations they have not encountered before. Some measures adopted by governments in the region reflected a more “traditional” stance towards immigration, like granting a “traditional” visa category that excludes certain important rights and benefits; several failed to incorporate new or forward-thinking tools⁶³ to address the situation in a sustainable manner for Venezuelans abroad.⁶⁴

Provided below are examples of measures, adopted in response to the recent migration of Venezuelan nationals, that went beyond solely issuing a more traditional type of immigration status to newcomers. Together, these case studies reflect how locally led initiatives address an influx of large-scale migration by providing more immediate and more sustainable solutions that rely on local context and not entirely on the exercise of regular immigration rules and powers. These examples have a unique common factor: they were each founded on international commitments and international human rights law. The Special Status granted to Venezuela was the result of Colombia’s international human rights commitments recognized by the country’s constitution. In Bogotá, local authorities went beyond constitutional human right standards and directly relied on international human rights law as the source and foundation of decisions regarding Venezuelan migrants.⁶⁵

E. CASE STUDY: THE CITY OF BOGOTÁ FOR VENEZUELAN

The city of Bogotá, under the 2016-2019 administration, instituted a comprehensive assistance program for Venezuelan migrants.⁶⁶ This was a city-owned and -managed initiative that provided Venezuelans with access to services from different government institutions, including welfare, health care, education and even temporary shelter for primary cases.⁶⁷ While an in-depth discussion is beyond the scope of this article, this measure was carried out with non-traditional legal and administrative actions,⁶⁸ many based on international human rights treaties which the city adopted and had learned to use in other cases of assistance to vulnerable groups.

Bogotá never imagined becoming host to a refugee crisis;⁶⁹ it had contemplated other emergency scenarios and protocols based on international human rights, but never a massive immigration emergency. The threat and risk of increasing vulnerability of immigrants due to serious crime prompted the city government to take initial steps towards acknowledging Venezuelans in Bogotá. In this case, an emergency and reactive measure drove Bogotá to innovate in the human rights realm.

Despite legal obstacles for assistance to individuals without a legal immigration status, the then mayor pushed for provision of local social services. There were no legal avenues to provide assistance to vulnerable migrants and victims of crime, but the city government insisted and facilitated assistance to them, as arrivals to Bogotá increased.⁷⁰ The mayor’s office instructed the city government “to do everything possible and lawful” that opened social services to migrants. The city needed to be creative and introduce legal “maneuvers, to navigate a legal vacuum.”⁷¹

The government of Bogotá enacted and instituted city decrees and actions by citing international human rights treaties and developed a legal framework that allowed the city to make decisions. City officials considered this effort “ethical and pragmatic,”⁷² given existing obligations outlined in international treaties. Legal assistance to migrants,

schools, foster homes, and other services were gradually available for Venezuelans, made possible through the growing body of city rules enacted from international human rights norms.

This effort expanded humanitarian measures to facilitate eventual citizenship, health services, and work permits to many migrants; the city pushed forward, with the belief that facilitating access to basic services was vital to enable migrants to thrive and contribute to their new home, while adopting measures and policies to reduce discrimination and tensions within host communities.⁷³ Keeping migrants in a legal limbo hindered integration and strained local cohesion as they remained in a precarious state of temporariness. The mayor at the time advocated publicly for “naturalization” or granting special immigration status to Venezuelans.⁷⁴

F. INTEGRATION CHALLENGES REMAIN: COLOMBIA MOVED TO GRANT VENEZUELAN WITH SPECIAL STATUS

Venezuelan migration continued and represented an unfamiliar challenge to local authorities, including the national government. Migration into Colombia continued and despite the nascent body of rules in the city of Bogotá sourced from international human rights obligations, complex migration challenges remained. As the problem lingered and Colombian cities increasingly hosted migrants from Venezuela, in 2021 the Colombian national government moved to grant lawful protection status to an estimated 1 million Venezuelan migrants in response to the increasing, evolving and almost protracted challenges presented by the influx of foreign nationals, with no apparent end in sight.⁷⁵ This move towards special status for Venezuelans was in part consistent with the debates and calls for regularization between Bogotá and the national government, given the overall challenges this represented to the country.

This initiative was described by the UN as bold and “first-of-its-kind” in Latin America, “the most important humanitarian gesture” in decades,⁷⁶ where Venezuelans in Colombia were granted temporary-type residence, with access to a lawful Colombian

identification, hence rights as lawful immigrants.

This is, of course, not the ultimate solution, but was intended to bring relief to what seemed a protracted situation endured by migrants and cities. A measure of this sort becomes even more relevant now, considering the effects of the COVID pandemic, where vulnerabilities in general heightened, in particular for migrants lacking access to health care or shelter. Solutions of this nature are definitely the first step towards broader relief and protection, because this helped bring many Venezuelans “out of the shadows” and allowed them to gain legitimate and safe jobs and better pay while alleviating social tensions and facilitating social and economic life and integration. Senior World Bank officials described this solution as “progressive, innovative, and comprehensive”:⁷⁷

[R]ather than viewing the Venezuelan exodus as a threat, sees this phenomenon as an opportunity. In the short term, this could mean increased state spending, of around half a percentage point of GDP per year. However, as Venezuelans are regularized and enter the labor force, economic growth could experience a boost of almost one percentage point in the medium to long term. In other words, for every dollar that Colombia invests in the integration of its migrants, it can gain up two dollars of benefit to society.⁷⁸

This case study shows how transitional measures (towards a permanent solution) were adopted by the local city government, to address a specific situation and concern; ultimately contributing to the discourse and adoption of more permanent measures by the national government. In situations like these, countries can already look to other jurisdictions for tools and examples, which can be adapted and integrated to each specific context.

G. LOCAL HUMAN RIGHTS GOVERNANCE AND LESSONS FOR IMPLEMENTATION

Examples like the ones described previously vary around the world and sometimes include instances of more forward-looking measures such as “sanctuary cities” in the U.S., from where we can draw lessons. Local initiatives to adopt human rights in the U.S.⁷⁹ and Latin America provide opportunities and lessons for governments in the region at different levels, in applying human rights norms tailored to their unique and local circumstances.⁸⁰ This can open avenues for research, human rights advocacy, and technical assistance to governments and communities in further developing practices and tools that enable communities and leaders to protect fundamental human rights. Case studies as described above, with a human rights-based approach of government-led initiatives to assist migrants, can be adapted towards locally driven solutions that respond to migration challenges in Latin America and the broader continent. These are extremely valuable lessons to pilot and expand in Latin American jurisdictions that currently host communities of Venezuelans, as well as other nationals that arrive to transit countries.

In the U.S., the Columbia Law School Human Rights Institute works in advancing international human rights at the local level, through the project *Gender Equity Through Human Rights: Local Efforts to Advance the Status of Women and Girls in the United States*.⁸¹ The project works with local governments around the country to advance gender equity and women’s rights, based on human rights principles (largely based on the Convention on the Elimination of All Forms of Discrimination Against Women (“CEDAW”)), to incorporate human rights into local efforts that strengthen local policy-making in this area. This offers concrete suggestions for state and local agencies and officials in the United States, to use human rights standards and strategies, that improve outcomes and opportunities for women:

San Francisco led the way in using human rights to advance women’s rights in 1998, when the Board of Supervisors passed a CEDAW-based ordinance. Other cities and

counties have followed suit. . . . Over a dozen other jurisdictions have made formal commitments to use CEDAW principles in local law and policy through resolutions and proclamations. . . . In 2014, the U.S. Conference of Mayors (USCM) joined with these individual jurisdictions to signal that CEDAW is a valuable tool for local governance. The USCM adopted a resolution that encourages cities to implement CEDAW principles and highlights that ‘city and county governments have an appropriate and legitimate role in affirming the importance of international law in communities as universal norms and to serve as guides for public policy.’⁸²

By adopting human rights into local ordinances, San Francisco incorporated international standards from the CEDAW. This laid the foundation for local work on “human rights issues [such] as freedom from gender-based violence and the right to a workplace free of gender discrimination not only in terms of working conditions, but also in budgeting and providing services.”⁸³

In Miami-Dade County, Florida, a local human rights ordinance monitors the status of women and girls in health, education and economic development, and provides an annual analysis that compares growth, advancement, and amelioration.⁸⁴ This in turn has allowed the city to compare data and indicators year-by-year, enabling it to better gauge “whether current legislation relating to or having an impact on gender equity is effective and whether more needs to be done in any area.”⁸⁵

Since 2013, there have been several forms of adoption of human rights by more than a dozen cities, including resolutions and proclamations in support of CEDAW. While in some instances these are non-binding, they signal that women’s human rights are a local priority and affirm that human rights provide a valuable framework to foster gender equity and offer a “comprehensive framework for governments to

examine their policies and practices in relation” to gender.⁸⁶ Local governments have also used resolutions to commit to specific steps to advance gender equity. For example, the Daly City, California, resolution affirms that it is the City’s goal to “support public information and education programs to change traditional attitudes concerning the roles and status of women and men.”⁸⁷ In its resolution, the City of Long Beach, California, “included a call for the City Commission to perform a gender analysis in partnership with a local university.”⁸⁸

Initiatives of this nature do not require countries to be signatories to a specific human rights treaty; however, it will help governments, both local and national, commit unofficially to human rights principles that may help engender future support for ratification of official human rights treaties. The U.S. is one of seven countries in the world that has not ratified the CEDAW. In the absence of federal ratification, a number of local governments bring local law in line with CEDAW principles.⁸⁹ Through this initiative, over a dozen jurisdictions have integrated principles from the CEDAW into local law and policy.⁹⁰ Many local governments are on the forefront to enhance decision-making through human rights, explicitly using these principles to guide policy and governance.

II. CONCLUSION

We covered examples native to the Americas, where governments responded in different ways to specific human right challenges by building from human rights body of law. These examples have shown that immigrants can have right to an identity regardless of their immigrant status, and that this measure was helpful in removing legal and practical barriers to facilitate services and integration. For example, in Colombia and the U.S., mayors, state and local agencies, and local legislatures adopted human rights principles for guidance, governance and policy. The U.S. example of local CEDAW implementation illustrates how different agencies, political, and administrative bodies all play key roles in advancing gender equity through human rights, demonstrating that human rights implementation can be as detailed and tailored to a specific setting and rules.

Incorporating human rights principles into local administrative and legal frameworks across jurisdictions is possible through resolutions, proclamations, ordinances, and executive directives to promote and protect human rights, and to establish institutional frameworks and infrastructure for their subsequent implementation. These might look different and vary from place to place, requiring gradual incorporation and implementation of human rights locally, in accordance with each unique institutional, legal and political context.

Local governments can adopt international human rights frameworks to acknowledge the status of migrants, shape local policies and practices through a migration lens, and proactively foster the participation of migrants in local communities and affairs towards comprehensive integration. The growing movement of migrants across the world and within borders requires locally led measures that directly reflect reality and protect human rights while advancing political and economic equality for migrants and host communities. Locally driven solutions based on international human rights will enhance the capacity and efforts of local actors, including state, county, and city, and improve the human rights of migrants, with local advocacy capacities.⁹¹ The case studies highlight solutions for migrant integration and assistance that branch from international law. These solutions are unique, they stand apart from more traditional and “hostile approaches” to migration, where authorities tend to focus on exercising sovereign powers, immigration status, and their permanence within a jurisdiction. Solutions to immigration challenges are not restricted uniquely to originate from national or federal government, they can be sourced locally with a more accurate grasp of local dynamics.

Building local human rights understanding and practice gives local governments the ability to provide accurate and immigrant-oriented/friendly services. A local and targeted ability to assist migrants that recognizes human rights will empower local officials, authorities, and communities. Local actors will be better suited to advocate for the needs of their communities with the necessary tools for this. Local authorities are positioned to take the first

steps in assisting migrants and to bring them out of the shadows into safety.

When human rights initiatives are implemented at the local level, it can foster informed debate and advocacy on incorporating enforcing human rights standards; in turn, these debates can reduce ideological differences between stakeholders (i.e., local, state, or national authorities), and develop more consistent and informed perceptions and discussions between authorities at different levels, regarding international human rights of migrants and in general immigration. This can in turn strengthen the role of local governments and actors to advise and influence decisions regarding immigration policies at different government and regulatory levels.

Traditional international human rights instruments can help strengthen local advocacy and protection of the human rights of migrants in their communities. Stronger local capacities and administrative autonomy through the adoption of these instruments, in turn, can boost decentralization and self-governance of community affairs.

Nevertheless, migration challenges will continue to be unique and will undeniably affect our countries,

communities, migrants, and families in very different and unpredictable ways.⁹² Towards this purpose, the Global Compact for Migration,⁹³ as the first-ever UN global agreement, presents a cooperative framework and common approach to international migration in all its dimensions. It recognizes that migration has been part of the human experience and it is a source of prosperity, innovation and sustainable development in today's world. It serves as a contemporary human rights instrument for guidance and frameworks.

Governments and stakeholders should strive to improve local migration governance to optimize the positive impacts of global migrations. The Global Compact is available to address migration challenges with a contemporary lens, that reflects current values, understanding and concepts around migration, practices and standards. The Global Compact stands as a more contemporary and integrated framework based on traditional and contemporary values that reflect current challenges such as state sovereignty, responsibility-sharing, non-discrimination, and human rights. With this, authorities and stakeholders have access to a variety of traditional and more contemporary frameworks to adopt when it comes to improving local governance for the human rights of migrants.

ENDNOTES

² Andrew Selee & Jessica Bolter, *An Uneven Welcome, Latin American and Caribbean Responses to Venezuelan and Nicaraguan Migration*, MIGRATION POL'Y INST. 3 (2020), <https://reliefweb.int/sites/reliefweb.int/files/resource/s/Venezuela-Nicaragua-Migration2020-EN-Final.pdf>.

³ Human rights movements and frameworks are premised on the principle that nations have obligations to respect human rights, while other nations and the international community have a right and *responsibility* to protest if states do not adhere to this obligation. Richard B. Bilder, *An Overview of International Human Rights Law*, in GUIDE TO INTERNATIONAL HUMAN RIGHTS. PRACTICE 3 (Hurst Hannum ed., 1992).

⁴ *Id.*

⁵ *Id.* at 3–4.

⁶ Universal Declaration of Human Rights, G.A. Res. 217 (III) A, U.N. Doc. A/RES/217(III), art. 2 (Dec. 10, 1948) [hereinafter UNDHHR].

⁷ See *infra* notes 3–6 and accompanying text.

⁸ Hum. Rts. Council, *Role of Local Government in the Promotion and Protection of Human Rights – Final Report of the Human Rights Council Advisory Committee*, ¶¶ 21–30, U.N. Doc. A/HRC/30/49 (Aug. 7, 2015).

⁹ *Id.*, ¶ 21.

¹⁰ *Id.*

¹¹ *Id.*, ¶ 8.

¹² *Glossary of Statistical Terms: Local Government*, ORG. FOR ECON. COOPERATION & DEVELOPMENT (last updated Nov. 14, 2001),

<https://stats.oecd.org/glossary/detail.asp?ID=1550>.

¹³ *State and Local Government*, WHITE HOUSE, <https://www.whitehouse.gov/about-the-white-house/our-government/state-local-government/> (last visited Oct. 31, 2022).

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ *Id.*

¹⁷ See, e.g., Joan H. Krause, *Federal-State Conflicts in Healthcare*, 3 HOUS. J. HEALTH L. & POL'Y 151, 151–52 (2003).

¹⁸ See generally Krista M. Pereira et al., *Barriers to Immigrants Access to Health and Human Services Programs*, U.S. Dep't Health & Human Services (2012),

<https://aspe.hhs.gov/sites/default/files/private/pdf/76471/rb.pdf>.

¹⁹ See generally, UN Human Rights Council, *Birth Registration and the Right of Everyone to Recognition Everywhere as a Person Before the Law : Report of the Office of the United Nations High Commissioner for Human Rights*, U.N. Doc. A/HRC/27/22 (2014),

<https://www.refworld.org/docid/53ff324e4.html>.

²⁰ Nicky Parker, *Why We Have The Right to An Identity*, AMNESTY INT'L UK (Oct. 23, 2014, 1:15PM),

<https://www.amnesty.org.uk/blogs/stories-and-rights/why-we-have-right-identity>.

²¹ *Birth Registration for Every Child by 2030: Are we on track?*, UNICEF 6 (2019)

<https://data.unicef.org/resources/birth-registration-for-every-child-by-2030/>.

²² Convention on the Rights of the Child, Nov. 20, 1989, 1577 U.N.T.S. 3, art. 8.

²³ *Id.* at 6.; Theodore McCombs & Jackie Shull González, *Right to Identity*, INT'L HUM. RTS. L. CLINIC, U. CAL. BERKELEY SCH. L. 17–19 (2007), <http://scm.oas.org/pdfs/2007/CP19277.PDF>.

²⁴ Joe Parkin Daniels, *In Colombia Border Town, Desperate Venezuelans Sell Hair to Survive*, N.Y. TIMES (Feb. 17, 2018),

<https://www.nytimes.com/2018/02/17/world/americas/venezuela-crisis-colombia-migration.html>.

²⁵ Alice Driver, *What the Arkansas Meat Plant Workers I Met Want You to Know*, CNN (May 19, 2022, 5:08 PM),

<https://www.cnn.com/2020/05/19/opinions/keep-meat-plant-and-farm-workers-safe-from-covid-19-driver/index.html>.

²⁶ Megan Janetsky, *Venezuela Migrants: 'Legal Status Changes Everything'*, BBC NEWS (Feb. 10, 2021), <https://www.bbc.com/news/world-latin-america-56009342>.

²⁷ *Combating Violence Against Migrants*, UNITED NATIONS OFF. ON DRUGS & CRIME & INT'L FED'N RED CROSS & RED CRESCENT SOC'YS 1 (2015), https://www.unodc.org/documents/justice-and-prison-reform/UNODC_Combating_Violence_against_Migrants.pdf.

²⁸ Cora Engelbrecht, *Fewer Immigrants Are Reporting Domestic Abuse. Police Blame Fear of Deportation*, N.Y. TIMES (June 3, 2018).

²⁹ See e.g., G.A. Res. 45/158, International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Dec. 18, 1990).

³⁰ See *infra* Section I–E. Several instances in North and South America have adopted international human rights frameworks into local rules or regulations. The United States has illustrative examples of explicit adoption of human rights locally, providing reference of concrete regulatory and normative actions by local governments towards this purpose.

³¹ See *Human Rights-Based Approach*, UN SUSTAINABLE DEV. GRP., <https://unsdg.un.org/2030-agenda/universal-values/human-rights-based-approach> (last accessed Oct. 31, 2022).

³² *Migrant Rights*, MIGRATION DATA PORTAL, <https://www.migrationdataportal.org/themes/migrant-rights> (last updated May 5, 2022).

³³ UNDHR, *supra* note 6, at art. 6 (“Everyone has the right to recognition everywhere as a person before the law.”).

³⁴ *SDG Indicators: Goal 16*, United Nations Statistics Division (last updated Sept. 2022).

³⁵ *Id.* (quoting target goal 16 and, in particular, 16.9).

³⁶ See generally Convention on the Rights of the Child, *supra* note 21 at arts. 7–8; Hum. Rts. Council, *Birth Registration and the Right of Everyone to Recognition Everywhere as a Person Before the Law*, ¶ 3, U.N. Doc. A/HRC/27/22 (June 17, 2014).

³⁷ For the purpose of this article, irregular migration is when an individual is in a country without legal status.

³⁸ Dasha Afanasieva et al., *More Russians, Ukrainians Seek Asylum at U.S.-Mexico Border*, REUTERS (Mar. 4, 2022, 4:14 PM), <https://www.reuters.com/world/more-russians-ukrainians-seek-asylum-us-mexico-border-2022-03-04/>.

³⁹ *Venezuela situation*, UNHCR, <https://www.unhcr.org/en-us/venezuela-emergency.html> (last visited Oct. 29, 2022).

⁴⁰ *Temporary Protected Status Designated Country: Venezuela*, U.S. CITIZENSHIP & IMMIGRATION SERVICES, <https://www.uscis.gov/humanitarian/temporary-protected-status/temporary-protected-status-designated-country-venezuela>.

⁴¹ In the U.S. there is increasing adjudication of immigration issues which directly relate to the nationality, status, and identification of migrants in specific circumstances, relating particularly to situations of statelessness. For example, the Department of Homeland Security announced “its commitment to adopt a definition of statelessness for immigration purposes and enhance protections for stateless individuals living in the United States. Through the adoption of a standardized definition of statelessness, the Department will ensure it can recognize unique barriers encountered by stateless persons and better identify and protect such individuals.” *DHS Announces Commitment to Enhance Protections for Stateless Individuals in the United States*, U.S. DEP’T HOMELAND SEC. (Dec. 15, 2021), <https://www.dhs.gov/news/2021/12/15/dhs->

[announces-commitment-enhance-protections-stateless-individuals-united-states](https://www.dhs.gov/news/2021/12/15/dhs-announces-commitment-enhance-protections-stateless-individuals-united-states). These are concrete steps taken by the federal government to acknowledge individuals in situation of statelessness in the U.S.; these steps can be expanded upon in other migration fields and important lessons can be learned from them.

⁴² *Temporary Protected Status Designated Country: Ukraine*, USCIS, <https://www.uscis.gov/humanitarian/temporary-protected-status/TPS-Ukraine> (last visited Oct. 29, 2022).

⁴³ *About IDNYC*, NYC.GOV, <https://www1.nyc.gov/site/idnyc/about/about.page>.

⁴⁴ *Faithaction ID Program and Network*, FAITH ACTION INT’L HOUSE, <https://faithaction.org/faithaction-id-program-and-network/>.

⁴⁵ *Id.*

⁴⁶ Laura Thompson, *Protection of Migrants’ Rights and State Sovereignty*, UN CHRON. (Apr. 12, 2022, 9:58 PM),

<https://www.un.org/en/chronicle/article/protection-migrants-rights-and-state-sovereignty>.

⁴⁷ Philip Kretsedem, *Immigration Enforcement and the Complication of National Sovereignty: Understanding Local Enforcement as an Exercise in Neoliberal Governance*, 60 AM. Q. 553, 555 (2008).

⁴⁸ See, e.g., *Lawsuit Challenges Systemic USCIS and ICE FOIA Delays*, AM. IMMIGR. COUNCIL, <https://www.americanimmigrationcouncil.org/litigation/lawsuit-challenges-systemic-uscis-and-ice-foia-delays> (last visited Oct. 31, 2022).

⁴⁹ Joseph H. Carens, *The Rights of Irregular Migrants*, 22 ETHICS & INT’L AFFAIRS 163, 163 (2008).

⁵⁰ *Id.*

⁵¹ Examples include the grant of licenses or access to certain public or private infrastructure and services.

⁵² BETH A. SIMMONS, *MOBILIZING FOR HUMAN RIGHTS: INTERNATIONAL LAW IN DOMESTIC POLITICS* 4 (2009).

⁵³ Harold Bauder, *Sanctuary Cities – Solidarity Through Defiance*, MIXED MIGRATION CTR. (Dec.

15, 2020), <https://mixedmigration.org/articles/sanctuary-cities-solidarity-through-defiance/>.

⁵⁴ See *Cristina Vélez Valencia Discusses Social Programs for Venezuelan Refugees*, YALE L. SCH. (Nov. 14, 2009), <https://law.yale.edu/yls-today/news/cristina-velez-valencia-discusses-social-programs-venezuelan-refugees>.

⁵⁵ See generally, Andreas Osiander, *Sovereignty, International Relations, and the Westphalian Myth*, 55 INT'L ORG. 251 (2001).

⁵⁶ Common examples include certificates of residency, which are often issued autonomously by local authorities.

⁵⁷ Examples include the purchase of financial or phone services and the filing of taxes.

⁵⁸ *A los venezolanos se les dificulta acceder a servicios básicos en Colombia* [It is hard for Venezuelans to access basic services in Colombia], PROYECTO MIGRACIÓN VENEZ. (Mar. 30, 2021), <https://migravenezuela.com/web/articulo/a-los-venezolanos-se-les-dificulta-acceder-a-servicios-basicos-en-colombia/2574>.

⁵⁹ Laura van Waas & Sangita Jaghai, *All Citizens Are Created Equal, But Some Are More Equal Than Others*, 65 NETH. INT'L L. REV. 413, 424 (2018).

⁶⁰ *Id.*

⁶¹ *Gender Equity Through Human Rights: Local Efforts to Advance the Status of Women and Girls in the United States*, COLUM. L. SCHOOL HUM. RTS. INST. 4 (2017),

https://web.law.columbia.edu/sites/default/files/microsites/human-rights-institute/gender_equity_through_human_rights_for_publication.pdf.

⁶² *Id.*

⁶³ Oriana Van Praag, *Understanding the Venezuelan Refugee Crisis*, WILSON CTR. (Sept. 13, 2019), <https://www.wilsoncenter.org/article/understanding-the-venezuelan-refugee-crisis>. Despite the extraordinary efforts made by countries in the region to welcome and regularize the status of Venezuelan migrants, many remain undocumented or are at risk of becoming so soon. In Venezuela it is extremely difficult to obtain the documents required for some visa and residence permits.

Documents that should be easily accessible to any citizen, such as passports and criminal records, can cost large sums of money and take years to be processed, if available at all. The costs of visa and permit applications are also prohibitive for many Venezuelans. As a result, new legal requirements that are intended to organize and formalize the flows of Venezuelans to countries in the region function in practice as restrictions. *Id.*

⁶⁴ *Id.* (“[A] recent report by Human Rights Watch and the Johns Hopkins Bloomberg School of Public Health called on the United Nations to recognize what is happening in Venezuela as a complex humanitarian emergency: ‘a humanitarian crisis in a country, region or society where there is total or considerable breakdown of authority resulting from internal or external conflict and which requires an international response that goes beyond the mandate or capacity of any single agency and/or the ongoing UN country program.’”).

⁶⁵ See *infra* Section E.

⁶⁶ *Cristina Vélez Valencia Discusses Social Programs for Venezuelan Refugees*, *supra* note 51.

⁶⁷ MINISTERIO DE SALUD DE COLOMBIA [COLOMBIA'S MINISTRY OF HEALTH], <https://www.minsalud.gov.co/Regiones/Paginas/Vacunación,-orientación-y-atención-de-urgencias-habrindado-Bogotá-a-los-migrantes-venezolanos.aspx>.

⁶⁸ The city of Bogotá, through the office of the mayor, enacted city orders creating a specialized city manager for issues and services regarding Venezuelan migrants; it also assigned special responsibilities to each city bureau or division to provide and cater specific services for migrants. This made Bogotá the first city in the country to adopt specific measures based on human rights, though local rulemaking and adoption. See Felipe Jaramillo & César Niño, *Respuestas a la migración venezolana en Bogotá: una aproximación subnacional al fenómeno* [Response to Venezuelan Migration in Bogota: a Subnational Approach to the Phenomenon], REVISTA DE ESTUDIOS SOCIOJURÍDICOS 403, 405 (2021).

⁶⁹ *Cristina Vélez Valencia Discusses Social Programs for Venezuelan Refugees*, *supra* note 51.

⁷⁰ *Id.*

⁷¹ *Id.*

⁷² *Id.*

⁷³ Jaramillo & Niño, *supra* note 63.

⁷⁴ See Cristina Vélez Valencia *Discusses Social Programs for Venezuelan Refugees*, *supra* note 54.

⁷⁵ Rachel Treisman, *Colombia Offers Temporary Legal Status To Nearly 1 Million Venezuelan Migrant*, NPR (Feb. 9, 2021, 1:11 PM), <https://www.npr.org/2021/02/09/965853031/colombia-offers-temporary-legal-status-to-nearly-1-million-venezuelan-migrants>.

⁷⁶ @Refugees, TWITTER (Feb. 8, 2021, 4:23 PM), <https://twitter.com/refugees/status/1358889128578973703>.

⁷⁷ Carlos Felipe Jaramillo, *A Future of Opportunities for Colombia and its Migrants*, WORLD BANK BLOGS (Nov. 24, 2021), <https://blogs.worldbank.org/latinamerica/future-opportunities-colombia-and-its-migrants>.

⁷⁸ *Id.*

⁷⁹ See *What Are Sanctuary Cities and Why Do They Exist?* LUTHERAN IMMIGRATION AND REFUGEE SERVS. (July 12, 2021), <https://www.lirs.org/what-are-sanctuary-cities-why-do-they-exist/>.

⁸⁰ See Blanca Garcés Mascareñas, *Sanctuary Cities: A Global Perspective*, BARCELONA CTR. FOR INT’L AFFS. (June 2019), https://www.cidob.org/en/articulos/anuario_internacional_cidob/2019/sanctuary_cities_a_global_perspective.

⁸¹ *Gender Equity Through Human Rights*, *supra* note 57. The project description in the report refers to “develop[ing] the capacity of U.S. lawyers, policymakers, and advocates to advance social justice in the United States through a human rights framework.” *Id.* The project also builds networks, facilitates trainings, conducts educational outreach, and promotes coordination among progressive public policy and advocacy groups. *Id.* The project “directly contributes to the development of legal theories and positive precedents based on

international law through work on select litigation before U.S. courts, in international and regional fora, and through other research and advocacy projects.” *Id.*

⁸² *Id.* at 4.

⁸³ *Id.* at 6.

⁸⁴ *Commission on Human Rights*, MIAMI-DADE CNTY, <https://www.miamidade.gov/global/humanresources/fair-employment/commission-on-human-rights-board.page> (last visited Nov. 4, 2022).

⁸⁵ *Gender Equity Through Human Rights*, *supra* note 57, at 11.

⁸⁶ *Id.* at 12.

⁸⁷ *Id.*

⁸⁸ *Id.*

⁸⁹ *Id.*

⁹⁰ *Id.*

⁹¹ *Id.* Data on migrant integration has some limitations. For instance, international studies on migrant integration are largely based on national surveys, which do not always reflect the characteristics of small immigrant communities. *Migration and Vulnerability*, MIGRATION DATA PORTAL (Apr. 13, 2022, 10:09 AM), <https://www.migrationdataportal.org/themes/migrant-integration>. In addition, available data on integration only cover a limited number of countries. Moreover, “[a]s with all international comparisons, concepts and definitions are not always standardised across countries. For example, countries may have different concepts of who counts as a migrant. . . . [t]he idea of what “successful” integration means also varies from country to country.” *Id.*

⁹² Intergovernmental Conference to Adopt the Global Compact for Safe, Orderly and Regular Migration, ¶ 8, U.N. Doc. A/CONF.231/3 (Dec. 11, 2018)

⁹³ Int’l Org. for Migration, *Global Compact for Safe, Orderly and Regular Migration*, U.N. Doc A/Res/73/195 (July 13, 2018).