**Government of Guyana response to**

**Call for inputs: UN Special Rapporteur on the Human Rights of Migrants,** February 15, 2023

“How to expand and diversify regularization mechanisms and programs to enhance the protection of the human rights of migrants”

**Introduction:**

The largest number of migrants at this time entering Guyana is those migrants fleeing Venezuela. Despite the border issue between Guyana and Venezuela and the case before the International Court of Justice which Guyana has brought on the issue, the Government of Guyana has taken a policy decision to offer humanitarian assistance to migrants fleeing from Venezuela.

At this time, it is estimated that the number of these migrants are approximately 40,000[[1]](#footnote-1) comprised of Venezuelan nationals, Guyanese Venezuelans who have lived there over several decades and their descendants, as well as nationals from other countries who have been residing in Venezuela.

The Official immigration records report the presence of over 20,000 migrants from Venezuela. The difference in the two figures refers to those who were born in Guyana but lived in Venezuela for a long time and who have returned to Guyana with their families, these are not recorded as migrants.

Noteworthy is that a significant number are the Warraus, one of the indigenous groups from Venezuela whose sister group of Warraus live in Guyana in Administrative Region # 1, near the Venezuelan border. This latter group is nomadic and very poor, with very few resources and have had access to no immunization and health services and education in their homeland. This group poses the greatest concern from a health and socio-economic perspective.

Guyana continues to undertake substantial efforts to protect migrants from Venezuela who continue to arrive in Guyana, and to provide them with necessities such as access to health and education services, as well as regularizing their status in the country.

The current border management measure in place is for immigration authorities to register migrants from Venezuela, and grant extensions of stay to those migrants who do not wish to

return to their respective countries due to, political and economic challenges or fear of returning for any other reason/s.

On arrival at legal ports of entries, migrants from Venezuela are interviewed by authorities and if they are suspected of being involved in criminal activities, such as the ‘Sindicatos’ and other armed Venezuelan based criminal groups or guerrilla groups, they are refused entry.

Those who have entered via illegal crossing are encouraged to go to the nearest immigration point of entry/office to become regularized. Registration is made easy through the implementation of “roaming immigration officers” who traverse the areas usually populated by migrants and offer registration and extension of stay services remotely.

This process is focused on regularization and prevention or reduction of these migrants being vulnerable to trafficking, sexual and labour exploitation.

Guyana has also created a large shelter with water, and other facilities and land for farming over 200 migrants from Venezuela near the border with Venezuela.

During the Covid pandemic from 2020- present, migrants from Venezuela and other migrants, have accessed all forms of food and sanitization relief hampers distributed throughout the country to every household.

**Questions**

1. ***Please indicate how can regularization processes facilitate the enjoyment of human rights by migrants as well as their cultural, social, economic integration into the host communities….***

**Employment**

The majority of migrants from Venezuela are documented as the process is easy and not accusatory nor threatening. They are encouraged to get registered even though entering the country through its porous largely unmanned borders and some sparsely populated territory in the interior.

Guyana recognises that in the absence of regularization, migrants who remain undocumented are often subject to fewer work opportunities and will likely earn lower wages than documented workers.

A recent ILO Study on the Guyanese labour market found a pronounced gap between labour demand and the availability of skilled workers within the new oil and gas value chain. The report estimates that the labour demand driven by the oil and gas value chain is in the range of 260,000 workers, while the potential labour force in Guyana, i.e., people of working age who are not currently participating in the labour force, is only 39,342. Thus, the labour available from migrant workers can be tapped in to fill the existing gap.

Discussions on this have already started, with the convening of a workshop in September 2022 between the Ministry of Labour, the International Organization on Migration, the Pan-American Development Fund, and private sector organizations to discuss the existing and needed mechanisms to hire foreign nationals (migrants) to work locally, based on the demands of the labour market. The workshop also engaged the key stakeholders on important issues related to safe and ethical recruitment of migrant workers; challenges and solutions on migration procedures when hiring migrants to work in Guyana; and national labour policies and regulations on the rights of migrant workers and their families.

**Education**

Guyana recognises that irregular migration and the associated vulnerabilities pose a threat to the realization of the rights of children articulated in the Convention of the Rights of the Child, and the signatory states are required to uphold its implementation. On the other hand, regular migration status goes a long way in strengthening the protection of children by guaranteeing their access to education and supporting services.

In Guyana, all children of migrants, legal and illegal, from Venezuela and other countries are allowed full access to be enrolled in the public school system within the host communities, and benefit from government-funded support programmes including school feeding programmes, school uniform vouchers, and the ‘Because we care’ cash grants given to all students enrolled in both public and private schools throughout Guyana to support education related expenses of families. In some communities, near the border with Venezuela, Spanish interpreters have been trained to help the teachers in the schools.

1. ***Please share examples of national and regional solutions to legalize the stay for migrants in irregular situations and indicate whether your country has adopted any bilateral, sub-regional, regional, international mechanism, agreements, frameworks or programs, including in the context of labour migration.***
2. **National**

***Multi-agency Coordinating Committee on the Influx of Migrants from Venezuela***

The Government of Guyana established a Multi-Agency Coordinating Committee on the Influx of Migrants from Venezuela in March 2021 which includes key focal points from relevant ministries ( health, Education, Human Services, Amerindian Affairs, Home Affairs including TIPs Unit and Immigration Services, the Guyana Defence Force, the Civil Defence Commission and all relevant UN agencies in Guyana (IOM, UNHCR, UNFPA, UNICEF and PAHO). The Committee has been meeting and is co-chaired by the Minister of Foreign Affairs and International Cooperation and the Minister of Parliamentary Affairs and Governance.

Through this mechanism, the Government is leading and coordinating efforts by the various agencies to ensure that there is no duplication and there is high-level coordination between international partners and the government. Policy recommendations which may impact on its territorial sovereignty and security are taken to Cabinet for consideration. The GoG remains committed to ensuring that all migrants from Venezuela are properly registered and can access available essential services.

1. **Regional**

* ***South American Conference on Migration***

Guyana is a signatory to the South American Conference on Migration (SACM). The SACM is a regional consultative process developed in 2000 by South American Countries desirous of creating a space for dialogue and consensus, and is aimed at comprehensively addressing migration issues. The Conference, also known as the Lima Process, provides a platform for consultations for South American countries in the primary areas of development, rights of migrants, migration statistics, climate change, counter-trafficking and counter-smuggling. The Conference is currently chaired by Peru, and is provided with technical cooperation and administrative support by the International Office on Migration. The member states of the Conference condemn all acts of xenophobia, discrimination and racism, and the utilitarian treatment of migrants regardless of their migration status, rejecting any attempts to criminalise irregular migration. Since 2021, the South American has designed and implemented a mechanism of six networks, in line with its guiding principles, namely[[2]](#footnote-2):

1. Network on border management
2. Network on human trafficking and smuggling of migrants
3. Network on migrant children and adolescents
4. Network on environment, climate change, disasters and migration
5. Network on gender and migration
6. Network on social and labour integration: work and education

* ***The Los Angeles Declaration on Migration and Protection***

The LA Declaration was signed on June 10, 2022 by 21 governments across the Americas, including the Cooperative Republic of Guyana. The Declaration aims to mobilize the region to take bold actions to transform the approach to migration in the Americas. Countries that have signed the Agreement affirm their commitment to protecting the safety and dignity of all migrants, and to respect the principle of non-refoulment.

At a Lima Ministerial Meeting in October 2022 to discuss the LA Declaration, Guyana was identified as the co-lead on the refugee resettlement committee with Canada[[3]](#footnote-3). This committee was established under pillar two of the Declaration, which addresses ‘legal pathways for migration and international protection’. Other members of the committee include Mexico, Uruguay, and the USA.

1. ***Please share examples of promising practices, including ad-hoc programs and permanent regularization mechanisms that your country or region has developed to promote a human rights-based approach to migration.***

See information provided in the **Introduction**. Guyana’s model of humanitarian support within available resources to migrants fleeing Venezuela has proven to be a good model of regularization and human rights approach to migration. The Government of Guyana remains committed to ensuring that all migrants are properly registered and can access available essential services.

Further, the Government through the Ministry of Health makes every effort to ensure that migrants, especially children, are fully immunized with vaccines required by the Ministries of Health and Education. The GoG has extended its commitment to the migrants from Venezuela by making all COVID-19 vaccines and boosters available in the country to all and any migrants free of charge. All other health services provided by public health institutions can be accessed by migrants free of cost. No questions are asked as to whether they are legally in the country or not. All non-nationals canaccess the health servicesat these facilities free of cost.

1. ***Kindly highlight any contributions of migrants, including migrant workers, to the economy of the society and of the host communities.***

Migrants from Venezuela, in particular are employed in the retail sector, food sector, private security service as well as in the mining sector. 50 small cottage businesses were established in the food and clothing sector with a project funded by USAID and Voicesgy, an NGO working with migrants from Venezuela.

A number have been hired as teachers and interpreters in the government services.

1. ***Engagement with civil society organizations, national human rights institutions, and other stakeholders:….***

Civil Society Organizations have been working with the Government and international development partners to provide additional support services to migrant groups. Two examples of Civil Society Organizations working in this area are provided below:

* **HIAS Guyana**

HIAS Guyana, an international organization assists vulnerable Venezuelan migrants and refugees, Guyanese returnees, a small percentage of migrants of other nationalities, as well as host communities. HIAS Guyana focuses on protection, GBV, mental health and psychosocial support (MHPSS), and economic inclusion. Operational since 2020, HIAS Guyana reported that it has served 5,700 refugees with this comprehensive programming. HIAS Guyana works closely with UNCHR and its partners in multiple sectoral working groups led by UNHCR and the R4V platforms, including the GBV working group and the trafficking in persons (TIP) sub-working group[[4]](#footnote-4).

* **Blossom Inc**

Blossom Inc., a local NGO, has also been working closely with the United Nations High Commissioner on Refugees (UNHCR) to address issues related to Child Sexual Abuse (CSA) and Sexual and Gender- Based violence (SGBV) in Region One, where a large population of migrants from Venezuela currently reside.

With support from its partners, Blossom Inc. conducts outreaches in to bring psychosocial services to migrants, and to engage host communities in education and awareness programs.

Some humanitarian assistance in the form of food and sanitation hampers is also provided with the support of the Pan American Development Fund.

Other services provided to migrants include immigration assistance, document translation, sexual and reproductive health services, and therapy sessions offered by NGOs and government agencies.

1. **Please provide information on any specific or additional legislative and policy measures …..**

The influx of migrants from Venezuela to Guyana increased substantially during the COVID-19 pandemic. Throughout the pandemic and beyond, Guyana continues to undertake policy measures to protect migrants, particularly those from Venezuela who continue to arrive in Guyana, and to provide them with necessities within its available means, as well as regularizing their status in the country.

Migrants affected by the widespread floods in Guyana in 2021 and in 2022 were also included in all flood relief efforts implemented by the Government of Guyana through the Civil Defence Commission.

1. **Please include any other information relating to the regularization of migrants in an irregular situation.**

There are 4 constitutional rights commission (Ethnic Relations, Women and Gender, Indigenous Peoples and Children’s Rights) which any migrant, legal or illegal, can approach to make a complaint and to seek redress.

The same applies to the other statutory agencies such as the Police Complaints Authority.

The Ministry of Housing and Water have been visiting new squatting areas which have emerged with migrants near river banks and it is seeking solutions to these issues and relocation to safer areas.

Through the Multi-agency Coordinating Committee on the Influx of Migrants from Venezuela the Government expects and seeks sharing of information by international partners operating in this area to rectify problems being encountered.

1. This represents an increase in Guyana’s population of 747,000 ( 2012 census) by over 5%. [↑](#footnote-ref-1)
2. <https://migrationnetwork.un.org/system/files/docs/South%20American%20Conference%20on%20Migration%20%28SACM%29%20-%20Special%20Statement%20to%20the%20IMRF%20%28English%29_0.pdf> [↑](#footnote-ref-2)
3. <https://sv.usembassy.gov/lima-ministerial-meeting-on-the-los-angeles-declaration-on-migration-and-protection/> [↑](#footnote-ref-3)
4. <https://hias.org/wp-content/uploads/HIAS-Guyana-Strategic-Overview-2022-2023-ENG.pdf> [↑](#footnote-ref-4)