

**Regional Protection Sector CONFIDENTIAL contributions**  
**to the Special Rapporteur on violence against women, its causes, and consequences.**  
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## Background

The Interagency Coordination platform for the response to refugees and migrants from Venezuela was activated in 2018 by request of the Secretary General under the leadership of UNHCR and IOM to guarantee effective and organized response to the Venezuelan crisis in Latin-America and the Caribbean through nine regional thematic sectors led by UN Agencies and NGOs. The Regional Protection Sector, led by UNHCR and HIAS, gathers 109 organizations in 17 countries of the region aiming to address existing protection gaps and guarantee effective access of refugees and migrants to national protection mechanisms.

In 2020 the regional sector identified most affected populations in the context of the COVID-19; Venezuelan indigenous from were identified as one of the groups absorbing disproportionate impacts linked to discrimination, language barriers, lack of technical capacity, visibility, etc.

By 2021 and in coordination with national protection sectors and working groups, the presence of this population group was confirmed in Guyana and Trinidad and Tobago (Caribbean subregion), Colombia and Brazil. 4 regional consultations with Venezuelan indigenous in these countries were conducted and lead to the identification of 8 common protection areas of impact: i) access to land and housing, ii) regularization, documentation, and international protection, iii) double affectation and organized crime, iv) gender-based violence, v) persons at higher risk and from specific groups, vi) livelihoods and education, vii) durable solutions, viii) xenophobia and discrimination.

As agreed with the indigenous representatives and by the end of 2021 the Sector conducted 9 national thematic sessions in the 4 countries to identify concrete impacts and proposals in each of the 8 common areas identified at the regional level. Proposals made by 135 delegates that participated in these sessions were presented to Special Rapporteurs of the IACHR and the UNSRs in a high-level forum conducted in November 30/2021.

This contribution gathers concrete protection impacts and gaps identified by Venezuelan indigenous during the national sessions, more specifically linked to gender-based violence, double affectation and organized crime, xenophobia, and discrimination.

## Preliminary observations

1. There are no official/updated or disaggregated records on Venezuelan indigenous in the region. National sectors have gathered estimated figures in coordination with community leaders and traditional authorities: 1459 individuals in Guyana<sup>1</sup>, 200

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<sup>1</sup> Estimated figures gathered from the field by UNHCR in Region 1: Barima Waininni, close to the border with Venezuela.

individuals in Trinidad and Tobago<sup>2</sup>, 6.400 individuals in Brazil<sup>3</sup>, 23.481 individuals in Colombia<sup>4</sup>.

2. Indigenous Women and girls from Venezuela face a disproportionate risk of experiencing gender-based violence during the migration route, transit and in host countries. Irregular access to host countries exposes them to sexual harassment, sexual assault and rape perpetrated by the Military forces as well as illegal armed groups and organized crime networks.
3. Women travelling by themselves and with children reported situations of kidnapping, sexual violence, and torture at the hands of human traffickers. Some mentioned similar experiences in their country of origin with illegal armed groups and military forces.
4. Lack of access to regularization processes and to the recognition of the refugee's status, linked to language barriers, absence of specific regularization routes for indigenous populations, costs, and lack of information increases exposure to risks of labor exploitation, including sexual exploitation some of which also includes sexual violence. Women-headed households and widows have faced particular challenges in registering the births of their children, either in the host country or the country of origin leaving their children deprived of basic and specialized medical services and presenting a further risk of statelessness.
5. Survivors of GBV face challenges in accessing multisectoral services and protection mechanisms. State actors or humanitarian GBV responders have not made available key lifesaving services such as: health care to treat injuries, clinical management of rape, sexual and reproductive health, case management, psychosocial support, shelters.
6. Existing services have been drastically reduced in remote areas and the existing ones are not culturally specific nor tailored to the needs of indigenous women and girls. There are no official reports of these acts of violence due to a fear of deportation and possible retaliations; and the rejection they could face by their families and communities if their situation is known.
7. Presence of illegal armed groups in host countries is linked to illegal economies that include crops of illegal use, illegal mining, wood felling, micro traffic networks, among others. Venezuelan indigenous women and girls have been forcibly recruited in these activities; absence of protection networks/environments and alternative care arrangements have also increased risks for their children left with neighbors or by themselves.
8. Indigenous women and girls have faced overlapping impacts that include gender-based violence, persecution, threats and forced displacement in their country of origin by armed groups aiming to control the territory and, particularly, gold mines located in their ancestral territory. This situation reported since 2015 has also caused family separation, disappearance of traditional authorities and community leaders; reducing their capacity and their resilience to navigate challenges in host countries with no adequate and culturally sensitive service provision to address complex convergent needs.
9. Most survivors of sexual violence, labor exploitation, human trafficking and smuggling who have reported their cases have faced discrimination, lack of support/services provision and have had no feedback from competent authorities. Committees expressed that some of these organized crime networks have ties to government

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<sup>2</sup> Estimated figures gathered from the field by UNHCR.

<sup>3</sup> Individuals registered in UNHCR's ProGress in Brazil by October 2021

<sup>4</sup> Official Migration Colombia figures from the Administrative Registry of Venezuelan Migrants- RAMV by August 2018

officials, service providers and other officials thus undermining the possibility of accessing justice.

10. Lack of access to documentation, adequate livelihoods, institutional support and discrimination has reduced indigenous peoples access to adequate housing. Locations assigned by some governments lack minimum services (water, electricity), are overcrowded, do not have systems in place (waste disposal, baggage, latrines, septic wells, etc), increasing the risks of contagion not only of the COVID-19, but also of STDs, TBCs and other vectors. Most indigenous peoples have been in informal settings in high-risk areas (due to security related issues and/or natural disasters), with no official characterization, disaggregation of needs or services provision of medical, psychosocial or clinic response.
11. Absence of assistance, service provision and security together with a lack of GBV protocols have increased the level of exposure particularly for women and girls living in isolated areas (settlements above water). Lack of operational capacity as well as technical knowledge to address the work with indigenous communities and women and girls, have affected their capacity to access justice, to provide minimum rights for their children as well as to mitigate risks of evictions by the authorities in breach of their international obligations.
12. Absence of compliance with the 169 agreement, particularly regarding previous consultation has deepened indigenous exposure to protection impacts and has further weakened already compromised social and organizational structures. High levels of dispersion in host countries have also affected indigenous communities' self-determination and governance capacity.

### Main challenges faced by Venezuelan indigenous women and girls

13. In **Guyana**, women expressed:
  - Sexual harassment and violence in informal settings with overcrowded living conditions, absence of security protocols, presence of non-indigenous families and individuals, absence of electricity and constant harassment from men surrounding these places at night. This risk is higher for women-headed households with children and no family networks to support them.
  - Recruitment processes led by Guyanese and Venezuelan men in host communities, offering jobs as cooks in gold mines/coconut productions have resulted in situations of labor and sexual exploitation especially of adolescent women. Communities mentioned that some of these women are exploited with long shifts of cooking and cleaning, some are forced to work in bars and are sexually exploited; illegal armed civilians control the mining territory; women who have been able to return to their communities do not denounce the situation out of fear of retaliation, repercussions, and rejection from their families.
  - Pregnant and lactating women expressed an impact on their mental health linked to their inability to guarantee food security for their children, absence of support and assistance (networks, alternative care arrangements, fishing-cropping kits), lack of income and housing. Some of them expressed having witnessed cases of depression and suicide attempts with no service provision or support from governmental institutions or any other actor.
  - Indigenous women and girls are disproportionately affected by violence and discrimination due to their intersecting identities that make them more vulnerable than other groups. Women mentioned that, in their case, discrimination was linked to their ethnicity but also to their gender and nationality. In more urban areas, indigenous women have been offered jobs cleaning houses but, in some cases, women did not receive payment from their work.

14. In **Trinidad and Tobago**, women expressed:

- Women and adolescents recruited by trafficking networks in country of origin are forced to work in bars, facing sexual/labor exploitation, living under threat of being reported to authorities, or even of harm being done to their relatives back in Venezuela.
- Traffickers placed across the migration route “identify and select” indigenous women travelling on boats, kidnap them, and sell them to owners of local bars and prostitution houses. Participants also expressed that member of their communities have become part of these trafficking networks increasing the level of exposure and risk.
- The presence of gangs in shelters was also reported as a key risk for adolescents and women linked to sexual abuse as well as the exposure to substance abuse considering the legality of consumption of marijuana<sup>5</sup> in the Island. Members of these gangs (non-indigenous Venezuelans linked to *Sindicatos*) share the same shelters with the indigenous.
- Women fear for their own security, as well as that of their children. Threats and intimidation cases have been reported inside Venezuelan shelters particularly against children of Venezuelan indigenous.
- Traditional authorities expressed their concern about the increasing number of adolescents (both girls and boys) brought to Trinidad and Tobago with false job offers and on their own to be sexually and commercially exploited. There have also been cases of illegal adoption mentioned but not verified.
- Communities in country of origin have reported that recruiters have been placed in schools to identify adolescent women to be sent to bars in Trinidad and Tobago.

15. In **Colombia** women expressed:

- Female adolescents and children have been recruited by armed groups to work in crops for illicit use and gold mining as well as additional activities within these camps; confrontations between illegal armed groups to control these territories have caused forced displacement, confinement, threats and repercussions against indigenous communities. Victims of these actions do not have access to humanitarian assistance or specific protection mechanisms considered in national legal frameworks such as the Victims Law.
- Indigenous communities, particularly women and girls in informal settings in different parts of the country face risks of eviction in absence of compliance with existing jurisprudence developed by the constitutional court and linked to the Sentence 025/2004. If forcibly evicted, these communities, and particularly women-headed households will become homeless and exposed to significant risks of physical and cultural extinction.
- Risks of forced recruitment by armed groups as well as forced displacement have forced families to stay in urban areas exposing their children to additional risks; traditional authorities and leaders, particularly women, expressed having faced persecution and threats by armed groups when confronting them for risks to their children and communities.
- Indigenous women and girls have endured acts of sexual violence particularly from illegal armed groups, the police and the military forces, in the context of armed conflict. These cases, despite having been reported, have not been prioritized or investigated by competent authorities.

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<sup>5</sup> Limitations to quantities of possession/cultivation are in place and reduced to small quantities.

- To survive, indigenous women and children are begging on the streets facing discrimination, institutional negligence, structural violence, forced separation from their children, detention and sexual aggression, harassment, and violence. They have also resorted to sexual exploitation as a coping mechanism. Several cases of institutionalization of children were mentioned; communities mentioned that some of these children had been illegally adopted.
- Despite concrete positive developments of the ETPV for children (temporality, access); procedures have not been adjusted to their indigenous cosmogony, language, and traditions maintained the access to indigenous documentation as a significant protection challenge.
- Women and children seeking water in urban informal settings have been involved in traffic accidents; daily activities to guarantee water provision and meals have increased their exposure to additional risks.
- In some regions of the country, particularly in informal settlements cases of disappearances of children have been mentioned by community leaders; however, these cases have not been officially reported/investigated; communities expressed that these cases could be linked to organ trafficking; apparently children left alone while their parents are working could be targeted for this action.
- Absence of humanitarian transportation for separated and/unaccompanied children have led to high-risk alternatives under the control of illegal armed groups and organized crime networks in the search to guarantee family reunification. Some cases of disappearances, torture, forced recruitment were reported.
- Women have faced increased intimate partner violence linked to the drastic changes of roles; women expressed that their profiles/skills didn't meet job alternatives in urban contexts, therefore, women have become much more dependent on income received by their husbands. This economic dependency has brought tension, confrontations, worsened wellbeing and mental health issues and triggered perpetrators to resort to violence which in turn has had an impact on women and children.
- Human trafficking networks with indigenous women were reported, with coverage and transfers to different cities in the country and the region.

16. In **Brazil**, women expressed:

- Intimate partner violence has increased with displacement and COVID-19; access to services to address physical and mental health are not in place or have not been adjusted/translated to their needs/cultural context and language. Women expressed not being aware of services or entities to approach when in need. Consumption of alcohol and drugs has increased the severity and the prevalence of incidents of violence against women and children.
- Women and children face greater challenges with language barriers because access to information, guidance, services, and assistance depends on men from their community who speak Portuguese. In consequence, survivors of violence are not able to access services without disclosing incidents and relying on men, some of whom could be the perpetrators of the incidents.
- Indigenous women obtained their income, among others, from the selling of their handcrafts, particularly their hammocks (*chinchorros*); Access to raw material is difficult in host countries and, in turn, women have lost their livelihood. The lack of self-sufficiency poses heightened vulnerabilities to labor and sexual exploitation and increased dependency on abusive partners.
- Women in Brazil are responsible for the "*colecta*" (begging) on the streets to guarantee access of food for their children as well as basic needs (diapers); exposing themselves to increased risks linked to common delinquency, absence of

- knowledge and comprehension of urban codes and rules (traffic lights, pedestrian passages, etc).
- Children in shelters/*abrigos* remain, in many of the cases, outside the education system. Many of them stay to support domestic labor, others are brought to the streets to raise money for their families. Both situations represent protection risks, have led them becoming part of micro trafficking networks in the surroundings of the shelters and making them vulnerable to sexual harassment and other forms of gender-based violence.
  - Women expressed the need to be consulted on relocation alternatives that could contribute to family/community reunification. The need to define concrete measures to ensure consultation processes was also mentioned regarding the transfer of 4 shelters in Boa Vista to a new site.
  - Leadership of women has not been completely accepted inside communities; they experience mistreatment, pressure, and lack of respect, particularly from the older men that lead to verbal and emotional violence.
  - Impacts from concrete violence situations (massacres) in the country of origin and particularly for the Pemon community have not been addressed/treated. These mental and emotional affectations have reduced their capacities to integrate, in the case of children to enroll positively in the school. Clinical management of trauma for children is required.
  - In addition to the risks associated with possible situations of sexual exploitation or sexual violence for girls and adolescents who are studying, as the schools are far from the shelters in Boa Vista, mothers have received warnings of possible people from outside the community who, on the way to school, offer benefit to the girls and adolescents in exchange for going with these people in vehicles.
  - Indigenous women don't have access to subsidies provided to the government female-headed households, vulnerable women pregnant women, missing an opportunity to avoid high-risk income alternatives.

### Recommendations to States and others

17. Overlapping of impacts linked to situations faced in the country of origin, on the migration route and in host communities need to be understood and characterized to adjust existing services and to design the provision of them in areas where response is not in place. Mental health and access to adequate protocols for survivors of GBV must be at the center of any institutional response with effective access in terms of intercultural approach, language, channels, and contents.
18. Considering the heightened risks faced by indigenous women in their country of origin due to historic marginalization, poverty, racism combined with dangers faced in the migration route and threats to their safety and unmet needs faced in host countries, it is necessary for state actors to prioritize the establishment of a culturally sensitive survivor centered GBV response. Therefore, it is of paramount importance for GBV responders to provide services in areas where they are not in place and adjust existing services to be more accessible for survivors considering communities specific linguistic, spiritual, healing dimensions linked to their world view.
19. Develop the capacities of institutions and government staff through consultations with indigenous women, informative sessions on cultural notions of justice and healing , exchanges between indigenous community women organizations and government staff and skill based training methodologies ) to deliver tailored mental health and psychosocial support provide indigenous women, girls, children and other individuals affected by violence mental health and psychosocial support services with an intercultural approach to give them tools to cope with stressors and improve wellbeing.

20. Consultation processes derived from the obligations established in the 169 agreement and other international instruments, tailored for indigenous communities outside their territory, must be implemented in host countries, guaranteeing effective participation of women and children.
21. Appoint Institutional focal points in host countries to address GBV cases (including receiving reports, supporting women who disclose incidents, handled in key entities responsible for providing legal services, medical, assistance and protection services to indigenous women and children. Invest financial and human resources to scale up tailored case management services that take into consideration traditions, culture and structural elements to guarantee safe access to survivor centered care
22. Protective environments such as women safe spaces, children and youth friendly spaces, community centers should be installed in high-risk areas under the leadership of competent authorities and the international community, to support indigenous women with specific needs such as women headed households, widows, pregnant and separated women who need to work and need to rely on networks and alternative care mechanisms.
23. To guarantee effective protection impact of policies and programs the characterization of population in informal settings and shelters needs to be addressed in interinstitutional brigades that allow the identification of specific needs, risks and contribute to joint design of protection/assistance strategies to mitigate the exposure of women and children.
24. Women and children facing human rights abuses linked to illegal armed groups and organized crime networks should be prioritized to access existing programs/projects linked to national legal frameworks. Identification, referral, and access of these cases to international protection should be one of the priorities.
25. Technical capacity to work with indigenous communities should be improved through i) concrete and periodic trainings, ii) interinstitutional dialogues with indigenous authorities and representatives, iii) consultation processes, iv) joint development of strategies to mitigate existing risks.
26. Promote frequent exchange of good practices, strategies, and tools to address Gender Based Violence against indigenous women, recognizing community lead initiatives that have been successful and can be replicated and incorporated in public policy.
27. Relevant authorities should develop specific protocols/routes to guarantee access to indigenous communities in key processes such as documentation, regularization, and access to international protection. Communication pieces should be disseminated in different languages, support from translators should be available with support of community leaders and indigenous teachers.
28. Exchanges between Venezuelan indigenous and national indigenous authorities should be promoted and supported as an alternative to i) reduce risks of confrontation, ii) articulate Venezuelan indigenous to existing/consultation processes (when feasible, particularly in the case of Colombia), iii) discuss the possibility of access to land, iv) promote training sessions led by national indigenous authorities on indigenous legislation, rights, land related issues and economy.
29. Develop, roll out and apply Standard Operating Procedures for survivors of Gender Based Violence (with a special focus on sexual violence and exploitation) These need to be implemented with the involvement of /trained bilingual focal points to facilitate a survivor's safe access to health, psychosocial and legal services as well as translation support if needed.
30. Hot lines for emergencies linked to GBV for indigenous in their own language and supported by indigenous women could increase reports of incidents and violations and guarantee access to services in a confidential manner.

31. Leadership training for Venezuelan indigenous women and adolescents in the region to strengthen their new roles inside and outside their communities, promote equal participation, reinforce existing efforts to address GBV and reduce risks of retaliation and violence.
32. Shelters in the region need to include entry and exit strategies with specific developments for women households, separated families, orphan children, pregnant and lactating women, widowers, and other women more exposed to protection risks.
33. Public ministries should monitor situations of institutionalization/adoption of indigenous children separated from their parents during detentions linked to “street begging” or other situations. Separation should never occur, alternatives to address the situation should be linked to access to livelihoods and alternative care arrangements.
34. Trafficking cases should be reported to competent authorities within protocols designed for indigenous women and children that consider their culture and traditions and guarantee that survivors won't be exposed to additional risks. Judges and magistrates in cases of trafficking should be trained and sensitized on indigenous matters, obligations and protection alternatives linked to their own traditions and culture.
35. Specific risks faced by boys and adolescent men have not been identified/characterized or addressed. Institutional efforts to typify these risks must be installed to avoid concentration or exposure and risk on this population group.
36. Identified cases, particularly in Colombia, of women and girls and within armed conflict should be included in the monitoring mechanism of the 1612 and 1820 UN resolutions.