



Bottleneck of the Americas: Crime and Migration in the Darién Gap

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Principal Findings

What's new? Each year, hundreds of thousands of migrants cross the Darién Gap, a strip of jungle between Central and South America, on their way to the U.S. With little state presence in the area, Colombia's Gaitanista drug syndicate is overseeing human smuggling rackets while gangs in Panama perpetrate assaults on migrants.

Why does it matter? Illicit profits are soaring as the flow of migrants swells, with much of the money going to organised crime. Efforts by Colombia and Panama to impede the movement of people or weaken the criminal groups' hold have so far failed to curb murder, rape and other attacks on migrants.

What should be done? The days when the Darién Gap was a meaningful barrier to mass migration are over. Enhanced law enforcement, redoubled efforts to quell crises in the main countries of departure and reinforced humanitarian assistance in the Darién could form part of regional efforts to manage irregular migration and protect the vulnerable.

Executive Summary

Migrants from far and wide are heading to the Darién Gap, the strip of land connecting Central and South America. No paved road traverses this isthmus, which has tormented explorers and resisted the reach of states for centuries. But, as displacement surges worldwide, people are crossing the Darién's jungles in huge numbers. Locals have abandoned traditional livelihoods to service the migrants. Behind them lurks Colombia's largest criminal group, the Gaitanistas, which dominates drug trafficking and other rackets in the area. But while the Darién's mud and thickets no longer deter mass migration, regional responses are struggling to catch up just as rising migrant numbers are triggering calls for extreme action, above all in the U.S. Balancing the clamour for border control with the safety and well-being of migrants poses immense challenges. But steps to reinforce law enforcement, assist the countries from which most migrants depart and share the burden of reception, while providing more extensive humanitarian aid and security to those traversing the Darién, would help take policy in the right direction.

Previous spikes in migration through the Darién are dwarfed by the human traffic now crossing the area. Over 400,000 people have made their way through the Darién in 2023 to date, and though many have been displaced from nearby lands enduring severe economic and security shocks – above all Venezuela, Ecuador and Haiti – their countries of origin span the world. Families are an increasingly common sight, with 22 per cent of the total flow made up of children and teenagers. For these primarily U.S.-bound migrants, many of them lacking passports, the Darién affords possibilities that other, more traditional routes do not: its borders are porous and controls are poorly enforced. A multitude of locals are ready to barter their services as guides and hosts. Once migrants are through the Gap, buses run by private companies are on hand to deliver them at a price to the border with Costa Rica, the next stage in their onward journey.

But the transit of hundreds of thousands through a largely stateless zone in an inhospitable tropical habitat creates terrible problems at both the human and policy levels. Migrants pay smugglers large sums for trips by land or sea. Their ability to move depends on how much cash they have in their pockets, driving many penniless women into sex work. On treks lasting days through the jungle, migrants face heat, exhaustion and the threat of disease. Above all, they run the risk of assault. Routes along the Colombian side are safer, but only because they are under the Gaitanistas' coercive supervision. The Gaitanistas run a prolific cocaine supply line along the Pacific. Entrenched in the Darién thanks to the jobs and services it offers, the group ensures compliance by imposing discipline; while seizing a share of profits from the migrant business, it says it does not tolerate violence against migrants.

The presence of organised crime is much lesser on Panama's side of the border, but the immediate physical dangers are higher. Gangs seemingly formed by local youths harass and attack migrants who fall into their snares. They are believed to be responsible for an unknown number of murders as well as many cases of rape and other sexual violence: close to 200 incidents of sexual violence were reported by aid bodies in Panama's Darién in the first half of 2023. Even in state-run migrant reception cen-

tres, border officials have allegedly abused vulnerable women. In neither Panama nor Colombia is it easy to report such crimes to judicial authorities. Nor would many migrants dare to do so. As a result, corrupt state officials and violent groups in the area operate with near total impunity: a recent survey found that 97 per cent of migrants heading to the U.S. reported that the Darién was the most dangerous part of the trip. Local communities, for their part, fear irreversible damage to the environment from new and illicit extractive businesses following in the migrants' wake.

Handling mass migration is a matter of extreme political sensitivity in many countries, greatly complicating responses to the Darién exodus. Calls to help migrants circumvent or more safely transit the Gap on their way to the U.S. border all sound a dissonant note in Washington, which desires above all else to put a lid on irregular migration – an issue that inflames enormous passions, particularly among former President (and now candidate) Donald Trump's political base. Instead, the U.S. government has called for efforts to slow the flow through the isthmus. In early 2023, it backed a short-term operation alongside Colombia and Panama to boost the police and military presence in the region as a way to dissuade migrants from heading north and weaken the sway of human smugglers, while also creating new pathways for migrants to apply for admittance to the U.S. as refugees. None of these steps reduced the numbers, however, with more people than ever crossing the Darién in September.

There is no single or sweeping solution to the problems compelling people to flee their homes. Nor is there any straightforward way to balance the loud and divergent demands being made of migration policy – whether toughening up border controls or safeguarding migrants in ways that respect existing treaties and commitments. Even so, it is imperative that states and international bodies begin to draw up a coordinated approach to regional migration that takes into account the Darién's porosity and the dangers migrants face. Redoubled investment in border security will doubtless stand at the core of this response, though progress will depend on U.S. financial backing and greatly improved cooperation between Panama and Colombia.

In itself, however, the effort to deter migration by shows of force is unlikely to succeed without measures to address security and economic crises in the three countries currently accounting for 85 per cent of migrants. The 17 October deal between government and opposition, which the US has rewarded with a temporary lifting of sanctions, may be fragile, but with sustained foreign support it could point the way to competitive elections and a return to stability. At the same time, reinforced legal pathways to migration in the U.S. and investment in alternative destinations in Latin America could also help reduce the flows through the Darién.

Should migrant numbers start to fall, humanitarian organisations argue that states and regional bodies could begin to contemplate the creation of a controlled migrant route through the Darién by land or sea. The concept is more aspirational than practicable at present, due largely to worries on the part of affected governments that such a corridor would be a magnet for even more migrants, whom they would be ill equipped to handle. At present, these concerns remain unaddressed. But in its ideal version, the corridor would balance these considerations, allowing a restricted number of migrants to cross each day through the cooperation of Colombian and Panamanian authorities and under close humanitarian supervision, potentially including the assistance of local communities.

The Darién offers a natural but not impregnable barrier to those intent on reaching the U.S., becoming a bottleneck in the grip of organised crime. Stopping individual migrants, however many of them, will not stop migration; but a policy geared exclusively toward protecting them could backfire by driving flows ever higher. The daunting task for governments is to achieve a balanced and far-sighted response that could enable people to stay safe in their homelands, protect those en route, and help undermine the power of groups exploiting human desperation and an absent state for their own ends.

Bogotá/Washington/Brussels, 3 November 2023

Bottleneck of the Americas: Crime and Migration in the Darién Gap

I. Introduction

Crossing the Darién Gap, a strip of inhospitable swamp and jungle between Colombia and Panama, is an ordeal for hundreds of thousands of migrants heading north to the U.S. from Latin America and beyond.¹ The two countries, which separated acrimoniously in 1903 after Panama declared independence, have never reconnected themselves.² There is no paved road running through the Darién, making it the only interruption along the Pan-American Highway's 30,000km route from Argentina to Alaska. The area's remoteness has helped preserve wildlife habitats in the jungle. But it has curbed economic growth, fostered illicit activity and now – with so many migrants risking life and limb to trek through it – created one of the region's major geopolitical challenges.

Neither the Colombian nor the Panamanian state has much influence in the Darién, where armed and criminal groups, many of them connected to the drug trade, have exercised the closest thing to authority. Colombian guerrillas long used Panama as a place to regroup. The largest of these insurgencies, the Revolutionary Armed Forces of Colombia (FARC), maintained camps in the region until 2015, when Panamanian security forces dismantled them ahead of the peace agreement signed by the rebels and the Colombian state the next year.³ More recently, the Gaitanista Self-Defence Forces, Colombia's largest drug trafficking outfit (also referred to as the Gulf Clan), as well as gangs formed by members of Indigenous communities, have laid claim to stretches of territory where they exert control over local populations and migrants, often through intimidation.

The power of these criminal groups has hugely complicated the two states' efforts to manage the dizzying rise in the number of migrants and refugees trudging through the Darién. Close to 250,000 people crossed in 2022, while numbers in 2023 could easily climb above half a million.⁴ In the first nine months of 2023, around 53 per cent

¹ The exact boundaries of the region called the Darién have been delimited in different ways. This report refers to the part of the easternmost Isthmus of Panama that extends into north-western Colombia, around the Gulf of Urabá (part of the Gulf of Darién).

² A series of plans to build a road fizzled – due largely to lack of political will and fears of negative environmental consequences. See “Report to Secretary, Department of Agriculture; by Henry Eschwege”, Community and Economic Development Division, U.S. General Accounting Office, 15 August 1977; and Luis Fernando González Escobar, “Entre el Darién y Urabá Las dinámicas en la frontera colombo-panameña”, *Revista UNAL*, November 2022. On Panama's separation from Colombia, see Félix Chiru Barrios, “Panamá entre las independencias de 1821 y 1903: Una aproximación a la conmemoración del I Centenario de la República”, *Revista de Historia de América*, no. 145 (2011).

³ “Policía panameña desmanteló campamento de las Farc en el Darién”, Noticias RCN, 18 January 2015.

⁴ The UN reported that over 330,000 people had crossed the Darién in 2023 as of the start of September. By comparison, 248,000 crossed in 2022 and nearly 133,000 in 2021. In 2020, the total stood at 8,500 and in 2019, 24,000. “Darién Gap Migrants”, UN High Commissioner for Human

of the migrants were men and 25 per cent women, while minors made up 22 per cent of the total.⁵ Traversing a tropical expanse that is home to armed groups, and where natural obstacles and endemic disease have over the centuries halted the progress of Spanish conquistadors, Scottish settlers, missionaries and biologists, has become the toughest test for most migrants on their way to the U.S. border.⁶ An extraordinary 97 per cent of migrants indicated that the Darién was the most hazardous part of their journey.⁷ But if that danger was once sufficient to deter major traffic along the isthmus, those days are past.

The challenges of handling this huge migrant flow have fuelled tensions between Colombia and Panama, even as the two states scramble for ways to cooperate with each other and with the U.S.⁸ Panama, for instance, has criticised the lack of migrant screening by Colombia, which has made it difficult for Panamanian authorities to determine how many incoming migrants to expect and whether they pose a security risk.⁹ But representatives of Colombia and Panama have also agreed to enhance intelligence and information sharing among prosecutors.¹⁰ In April, the three countries announced a two-month initiative aimed at tackling migration through the Darién, including a law enforcement campaign “focused on disrupting criminal networks that facilitate the illicit movement of people and increasing state presence in the jungle”.¹¹ Diplomats nevertheless voice concern that neither Colombia nor Panama seems disposed to strengthen the collaboration.¹²

As the numbers of migrants and refugees making the crossing climb, the risks they face from lawlessness in the jungle and from the influence of the Gaitanistas and other groups over communities are growing more conspicuous. This report explores these security threats, as well as how criminal groups operate in the Darién and how crime

Rights, 5 September 2023; and “Se duplicó la cifra de migrantes transitando por el Tapón del Darién”, *El Nuevo Herald*, 19 January 2023.

⁵ Statistics consulted on the website of Panama’s migratory authorities.

⁶ In the early 16th century, Spanish conquistadors arrived in the Isthmus of Panama but failed to colonise the jungle depths. In 1698, Scottish settlers, sponsored by the state treasury and via public subscription, founded a trading colony called Caledonia. But some 2,000 Scots from two expeditions succumbed to diseases such as yellow fever and malaria or were killed by Spanish conquistadors shortly after they arrived, wiping out one quarter of Scotland’s liquid assets and leading to economic turbulence back home. England agreed to cover the losses from the failed Darién venture in the 1707 Treaty of Union between the two countries, which marked an end to Scottish independence. See “‘The Key of the Universe’: Scotland and Darien, 1695-1707”, National Library of Scotland.

⁷ “Safety Risks in the Darién Gap and Assistance Needed among Refugees and Migrants”, Mixed Migration Centre, 14 October 2022.

⁸ Colombia and Panama are signatories of the 1984 Cartagena Convention on refugee protection and the 2022 Los Angeles Declaration on Migration and Protection, which aim to promote a coordinated, humane approach to migration.

⁹ Crisis Group interview, Panamanian government official, 31 October 2022.

¹⁰ Ismael Gordón Guerrel, “Panamá y Colombia acuerdan mayor presencia militar en el Darién”, *La Estrella de Panamá*, 14 February 2023.

¹¹ “U.S. Government announces sweeping new actions to manage regional migration”, press release, U.S. State Department, 27 April 2023. U.S. spokespeople highlight that criminal networks dedicated to drug trafficking also exploit migrants in the Darién. “Telephonic press conference with Katie Tobin, Special Assistant to President Biden and Senior Director for Transborder at the National Security Council”, press release, U.S. State Department, 14 April 2023.

¹² Crisis Group interviews, foreign officials and diplomats, Colombia and Panama, 2022-2023.

and migration have affected local society and the natural environment. The report offers recommendations as to how states can best work together to address these problems while serving the goal of safe, orderly migration in an increasingly hostile political atmosphere. The research is based on fieldwork on both the Pacific and Caribbean sides of the Darién, in Colombia and Panama, including nearly 100 interviews with migrants, humanitarian workers, state officials, Gaitanista members and community representatives. Roughly equal numbers of interviews were conducted with men and women, although most of those involved in migrant smuggling were men, while most of the women were migrants or representatives of state bodies or humanitarian organisations.

II. Communities, Crime and Environment in the Darién

The surge of migrants passing through the Darién Gap has transformed an area where non-state armed groups have long been potent and law enforcement weak. Residents of the Darién have reaped rich rewards from guiding the multitudes in transit, as well as selling them goods and services. But they have also suffered as criminal outfits tighten their grip. Though, as various authorities point out, some locals are contributing to the Darién's troubles, many are increasingly anxious about the long-term implications of organised crime's entrenchment and mass migration for their way of life and the vast rainforest itself.

A. *Communities on the Migrant Trail*

Indigenous communities in the Darién – some of whose ancestral domains straddle the Colombian-Panamanian border – are markedly ambivalent toward the migrants crossing their lands.¹³ The major Indigenous groups are the Emberá, Wounaan and Gunadule. Many Afro-Colombians living in the area are also now involved in the migrant economy. All have grown accustomed over the decades to guiding travellers through the jungle, albeit in small numbers. Anyone trying to cross the Darién without their help is likely to be doomed. As migrant numbers have soared, so have the earnings made by residents selling their familiarity with the wilderness. “Some have improved their homes”, observed an Emberá leader. Others have bought new cars, boats or outboard motors.¹⁴

Not everyone is appreciative of mass migration's effects, however. “We're the first to receive the blow, to feel the impact”, said an Emberá community head, adding that people smuggling threatens to supplant traditional livelihoods. “Before, people used to rely more on plantain, rice, but now they're devoted more to transporting migrants”.¹⁵ It is easy to understand why: a day of farm labour pays about \$15, while working with migrants can mean quickly earning \$50. But as fewer Emberá are cultivating crops, the community has had to resort to purchasing food from outside. This change in the historical relationship to the land has meant that the Emberá are less self-sufficient and more dependent on income from the migration business.¹⁶ Many young people have also dropped out of school to work with migrants.¹⁷

The Gunadule, based in the western Darién and on Panamanian islands in the Caribbean, also have grievances. Leaders said it is hard to cope with the influx of migrants – up to a thousand a day are coming through – in villages of only about 300 inhabitants. They complain of contaminated rivers and stolen coconuts. To alleviate

¹³ The Colombian constitution as well as various national laws and regulations acknowledge the right of Indigenous peoples and Afro-Colombians to significant autonomy in their ancestral territories, including self-governance, their own justice systems, the prerogative of cultural preservation and participation in important decisions about land use. Afro-Colombian autonomy is limited in comparison to that of Indigenous people.

¹⁴ Crisis Group interviews, Emberá community leaders, Panama, 26 January 2023.

¹⁵ Ibid.

¹⁶ Ibid. Indigenous women tend not to guide migrants through the Darién but increasingly are working in small stores and other commercial ventures serving those en route.

¹⁷ Crisis Group interviews, locals and *coyotes*, Chocó, April 2023.

these problems, the Gunadule have begun to “guide” migrants through their lands, asking for pay.¹⁸ Now, they find themselves accused of human trafficking and in trouble with Panamanian security forces.¹⁹

All these issues for the Indigenous are greatly complicated by the Darién’s infiltration by criminal outfits, in particular the powerful Gaitanistas. The rise of organised crime in the region is linked primarily to the narcotics trade but also to the burgeoning numbers of people on the migrant trail.

B. *The Gaitanistas*

Porous borders and scant state authority have long made the Darién a haven for armed groups, whether rebels or criminals. For years, the FARC’s 57th Front fought both the Colombian army and the paramilitary United Self-Defence Forces of Colombia on fronts near the Darién.²⁰ It used the jungle depths as a place to rest its fighters and tend to the wounded. After the FARC demobilised in 2017, the National Liberation Army (ELN) has tried to extend its footprint across the Darién region, but by 2020, the Gaitanistas had fought them off, attaining a monopoly on violence on the Darién’s Colombian side.²¹

The Gaitanistas have subsequently kept growing stronger. After the late 2021 arrest of their top commander Dairo Antonio Úsuga, alias “Otoniel”, the group set about extending its territorial reach and boosting its headcount.²² Its stronghold is now Colombia’s north west, including not just the Darién but also most of the Caribbe-

¹⁸ The Gunadule say they guide groups of migrants to the boundaries of their territory, after which the migrants go on by themselves. Crisis Group interviews, Gunadule authorities, Panama City, 24 January 2023.

¹⁹ Ibid. Panamanian authorities have lodged similar allegations against the Tule, a small community residing in the Colombian departments of Chocó and Antioquia, with territory overlapping the border with Panama. In early 2023, the Panamanian National Border Service (Senafront) attacked a group of Tule whom it accused of guiding migrants through the jungle. The Tule deny the charge. They had previously reported that Senafront burnt down an ancestral hut of theirs on the migrant trail. Crisis Group interviews, Gunadule leaders, Chocó, 18 February 2023.

²⁰ The Panamanian side was not a site of hostilities, but people living on the Colombian side, mostly Afro-Colombians as well as the Emberá, Wounaan and Gunadule, were caught up in clashes between insurgents and paramilitaries or state forces. Escobar, op. cit. About 60 per cent of the inhabitants of Colombian municipalities bordering Panama are officially registered as conflict victims. “La Frontera del Clan”, Fundación Ideas para la Paz / Global Initiative Against Transnational Organized Crime, November 2022.

²¹ Several sources, including a member of the group, said the Gaitanistas also operate in Panama. Others, including a Gaitanista leader, denied it. Crisis Group got no response to multiple inquiries with Panamanian security authorities regarding this issue. A Colombian army officer said some of the Gaitanistas who have recently surrendered to authorities are Panamanian citizens. Crisis Group interviews, law enforcement official, Chocó, November 2022; Gaitanista member, 2023.

²² Crisis Group interview, state official, Chocó, November 2022. In 2022, Otoniel was extradited to the U.S., where he pleaded guilty to charges of “running a continuing criminal enterprise” and drug trafficking. As part of the plea agreement, he agreed to hand over \$216 million in drug proceeds. See Vanessa Buschschlüter, “Colombian drug lord Otoniel pleads guilty in US court”, BBC, 26 January 2023. In August, Otoniel was sentenced to 45 years in prison. Karen Zraick, “45-year sentence for Otoniel, who ran a Colombian drug cartel”, *The New York Times*, 8 August 2023.

an coast, the Urabá region and Chocó, in the Pacific.²³ The group is believed to have at least 9,000 members and to be operating in no fewer than 24 of Colombia's 32 departments.²⁴

1. Criminal rackets

In the Darién, the Gaitanistas have acquired considerable influence over local society, politics and business, primarily of the illicit variety.²⁵ They inherited both criminal rackets and personnel from the United Self-Defence Forces, which demobilised between 2003 and 2006 under former President Álvaro Uribe.²⁶ The Gaitanistas now have a big hand in moving cocaine along one of the world's most important trafficking routes, which passes through the Darién's secluded corners, as well as in the maritime lanes off its Pacific and Caribbean coasts.²⁷

The group's involvement in drug trafficking is well documented. Its leaders admit only to taxing traffickers who pass through areas under its control, but its role in the narcotics supply chain is much larger. The Gaitanistas purchase the coca paste and other materials used to refine cocaine; coordinate production; and provide security for approved traffickers and international buyers.²⁸ They retain a firm grip on all the trafficking corridors in north-western Colombia, with some of these routes passing through the Darién jungles while others primarily cross adjacent maritime corridors. The amounts of cocaine being transported are huge. So many packages are left floating at sea by traffickers who had boat accidents or threw the drugs overboard to evade detection that "white fishing" – pulling the parcels out of the water – has become a favoured practice among locals along the Pacific coast. Fisherfolk told Crisis Group that

²³ Though hard evidence is lacking, authorities believe that the Gaitanistas dominate the drug trafficking routes running through Panama, whether via local cells or franchised crime rings. Crisis Group interviews, law enforcement officials, 2022-2023.

²⁴ Samantha Schmidt, "Inside Colombia's most powerful drug trafficking group and its case for peace", *Washington Post*, 3 April 2023; "Clan del Golfo pasó de estar en 12 departamentos a 20 en seis meses, según la Defensoría", Caracol Radio, 23 March 2023; and tweet by Colombia's Human Rights Ombudsman, @DefensoriaCol, 8:09pm, 23 May 2023.

²⁵ "La Frontera del Clan", op. cit.

²⁶ The United Self-Defence Forces of Colombia was a right-wing paramilitary group in Colombia that emerged in the 1990s. According to the National Centre for Historical Memory, the paramilitary perpetrated over 47 per cent of all killings in the Colombian conflict, including many massacres. They were responsible for numerous other human rights violations, including forced displacement, and were heavily involved in drug trafficking. The group demobilised as part of a peace process with the Colombian government. "Paramilitarismo. Balance de la contribución del CNMH al esclarecimiento histórico", National Centre for Historical Memory, 2018.

²⁷ In the late 1970s and early 1980s, drug traffickers, including the Medellín cartel led by Pablo Escobar, began to use the Darién as a corridor. One of Escobar's largest laboratories was located along the region's Pacific coast, and he also built a luxury hotel in Bahía Solano. Yamile Salinas Abdala, César Molineros Dueñas and Ricardo Cruz, *Macrocriminalidad con licencia legal Urabá-Darién, 1980-2014* (Bogotá, 2020). According to the U.S. Drug Enforcement Agency, most Colombian cocaine headed for the U.S. travels over the Pacific. "National Drug Threat Assessment", U.S. Drug Enforcement Agency, March 2021.

²⁸ Schmidt, op. cit.; and "Former leader of the violent 'Clan del Golfo' drug trafficking organization pleads guilty to engaging in a continuing criminal enterprise and other related charges", press release, U.S. Attorney's Office, Eastern District of New York, 25 January 2023.

the Gaitanistas insist on buying all the recovered cocaine at a fixed price, in an attempt to attain complete control of the market.²⁹

Aside from the drug trade, the Gaitanistas' most prominent economic activity on the Colombian side of the Darién is to "tax" other enterprises, including illicit ones but also legitimate businesses. In Bahía Solano, a town on the Pacific coast, 500 Colombian pesos (around \$0.10) from each gallon of fuel gas stations sell goes to the Gaitanistas; the proprietors have hiked the price per gallon to cover the fee.³⁰ Urabá's banana companies, for their part, are allegedly forced to pay a contribution per crate.³¹ "Some transnationals, some contractors pay us a tax for contracts, for mining, for things like that", Jerónimo, the organisation's political leader, told Crisis Group.³² Even small tourism operations and environmental conservation funds get shaken down.

But migration through the Darién has also become highly profitable for the Gaitanistas. In total, the migrant economy generates millions of dollars per week, according to calculations made by Crisis Group.³³ Most often, the group is not directly involved in moving migrants.³⁴ Instead, it takes a percentage of the income earned by *coyotes* – as people smugglers are known throughout Latin America – and other service providers, such as transport companies and hotels. It allegedly earns between \$50 and \$80 per migrant crossing the Darién.³⁵ The Gaitanistas also dictate which precise route migrants can use on a given day, a power they use to keep migrants away from cocaine shipments.³⁶

2. Hearts and minds

Over time, people living in the Darién have established various modes of co-existence with criminal outfits. These groups engage in predatory behaviour, including extortion, but are also an economic lifeline for many locals.³⁷ The illegal organisations

²⁹ Crisis Group interviews, fisherfolk and state law enforcement officials, Chocó, 2022.

³⁰ Crisis Group interviews, state officials and community leaders, Chocó, November 2022.

³¹ Crisis Group interview, prosecutor, May 2020.

³² Crisis Group interview, Gaitanista leader, Antioquia, April 2023.

³³ Calculations are based on the number of migrants and information from state officials and people involved in the migrant trade. Crisis Group interviews, state officials and law enforcement officials, community representatives, Chocó, Antioquia and Bogotá, 2022-2023.

³⁴ There are exceptions. For example, the Gaitanistas have been known to take migrants by boat from Colombia to Caledonia, Panama, a trip that costs each migrant \$1,000. Crisis Group interview, senior humanitarian organisation representative, Bogotá, 23 September 2022.

³⁵ Julie Turkewitz, "A ticket to Disney"? Politicians charge millions to send migrants to U.S.", *The New York Times*; and José Guarnizo, "Los bebés del Darién", *Vorágine*, 3 September 2023.

³⁶ Crisis Group interview, humanitarian official, October 2022. The group exercises this power both on land and at sea. A community leader in Acandí, a town on the Caribbean coast, was killed when he proposed a migration route that was different from the one the Gaitanistas preferred. In December 2021, a boat sank in the Pacific, drowning at least ten migrants. The Colombian coast guard subsequently received additional resources to step up its patrols, angering the Gaitanistas, who were using the same waters for cocaine trafficking. The group first barred *coyotes* from these waters but later allowed them back, charging a "tax" per migrant. Crisis Group interviews, Colombian state official, Chocó, 24 November 2022; humanitarian worker, Chocó, 27 November 2022.

³⁷ Daan van Uhm, "The Diversification of Organized Crime into Gold Mining: Domination, Crime Convergence and Ecocide in Darién, Colombia", in Yuliya Zabyelina and Daan van Uhm (eds.), *Illegal Mining: Organized Crime, Corruption and Ecocide in a Resource-Scarce World* (London and New

exploit the locals' knowledge of the jungle to smuggle drugs and migrants, often relying on residents to accompany them through treacherous terrain, carry shipments or cut timber. Criminals pay for or expect locals to cooperate in providing shelter, fuel and food, which is sold willingly or granted under duress. Residents have learned to stay neutral in the groups' rivalries with governments and one another. "We are not enemies of anyone", said a Gunadule Indigenous leader. "What we do is dialogue".³⁸ His binational tribe maintains communication with security forces from both Colombia and Panama, as well as with the Gaitanistas.

The Gaitanistas try to win community sympathies, though they are not afraid to use other means to achieve their goals. Across the Darién, they pay teacher salaries and install small-scale electricity grids. Residents told Crisis Group that the group has funded community kitchens and purchased Christmas gifts for children. Deeds such as these not only help secure popular support but also serve as a way to launder ill-gotten gains.³⁹ At the same time, state officials affirm that the Gaitanistas often bribe prosecutors, judges and law enforcement officials, and place representatives in local governments, community councils and other bodies, particularly those serving communities that enjoy self-rule under the Colombian constitution.⁴⁰

Yet the Gaitanistas regularly resort to violence to strengthen their hold on the Darién. Since they consolidated control of the area a few years ago, no cases of forced mass displacement or massacres have been reported, even though these are common in other conflict-affected parts of Colombia. Killings, intimidation of community leaders and sexual violence, on the other hand, remain frequent.⁴¹ But the group's primary means of enforcing its will involves setting down rules for behaviour, establishing fines for contravening orders and communicating these edicts to locals in a printed manual; these methods have become increasingly widespread in areas under Gaitanista influence since the 2016 peace deal with the FARC.⁴² Many members of the Gaitanistas, including both leaders and fighters, are former guerrillas with experience in similar insurgent tactics.

Rules and penalties are strict, with fines ranging from 500,000 to 1,000,000 Colombian pesos (about \$110 to \$220) for offences such as brawls and celebratory gunfire. A fine is imposed for letting a cow graze in the street instead of a field, and waste management companies failing to collect garbage are also threatened.⁴³ There

York, 2020). The relationship between the Gaitanistas and Darién communities can be overtly predatory. In Bahia Solano, the Gaitanistas expelled a local criminal band known as Los Chacales in 2022, displacing many of the members' relatives. Gaitanistas seized the families' houses and started living there. Crisis Group interview, Colombian state official, Chocó, 24 November 2022.

³⁸ Crisis Group interview, Chocó, 18 February 2023.

³⁹ Crisis Group interview, state official, Chocó, February 2023.

⁴⁰ Crisis Group interviews, Gaitanista leader, Antioquia, April 2023; Colombian state officials and community leaders, Chocó and Antioquia, 2022-2023.

⁴¹ Crisis Group interviews, community representatives, Chocó, 2022-2023. See also "Colombia y Panamá. Alerta Temprana Binacional No. 014-23 para Colombia / Alerta Temprana No. 001-23 para Panamá", Human Rights Ombudsman of Colombia and Panama, 12 April 2023; and "La Frontera del Clan", *op. cit.*

⁴² Crisis Group interview, priest, Chocó, October 2022. See also "Estatutos de Constitución & Régimen Disciplinario de las AGC", Autodefensas Gaitanistas de Colombia, 2018.

⁴³ Crisis Group interview, Colombian state official, Chocó, November 2022.

are rules against behaviour such as spreading gossip or starting fights, and these are interpreted to target women in particular. The Gaitanistas punish these supposed infractions by forcing the alleged miscreants to clean the streets carrying a sign saying, “For being a troublemaker”.⁴⁴

The Gaitanistas have deepened their influence in the Darién by recruiting young men from the area, who are primarily Afro-Colombian and Indigenous, incorporating others in the businesses under their control and enlisting those involved in traditional livelihoods, like fishing, in their work (such as the “white fishing” described above).⁴⁵ That said, security officials report that many recent recruits have deserted due to low pay and abuse at the hands of superiors. The recruits reportedly include minors as young as fourteen, who receive monthly payments around \$300, just above the legal minimum wage.⁴⁶

3. Criminal order

Firm territorial control and enforcement of rules about behaviour ensure that the Gaitanistas can run their businesses smoothly. Although backed up with the threat of violence, these rules also reportedly provide a degree of order and even security for those involved in people smuggling, as well as migrants themselves. “The [Gaitanistas] have warned us as that whoever touches a migrant is a military objective”, said an Afro-Colombian involved in the migrant industry in the Darién.⁴⁷ The Gaitanistas, for their part, say they seek to curb abuse of migrants: “We control drug traffickers who cross, we control tourists, we control anyone who passes through any of these corridors in our territory”, said Jerónimo, a Gaitanista leader. “We make sure that life is respected”. Humanitarian workers and Colombian state officials say the group safeguards migrants as a means of protecting the revenue that migration generates.⁴⁸ The group may even impose the death penalty on *coyotes* who maltreat migrants, depending on the severity of the crime.⁴⁹

As part of Colombian President Gustavo Petro’s ambitious plan to sit down for talks with all armed and criminal groups, known as “total peace”, the Gaitanistas have expressed interest in discussions with the government.⁵⁰ Dialogue with the government is nevertheless on hold after a ceasefire collapsed in March.⁵¹ If the conversations

⁴⁴ Crisis Group interviews, Colombian state official and community leader, Chocó, November 2022. According to another community leader on the Colombian Pacific, the Gaitanistas are responsible for displacing Indigenous communities and committing homicides, including of a mentally disabled adolescent. Crisis Group interview, community leader, Chocó, November 2022.

⁴⁵ Crisis Group interviews, state official and fishermen, Chocó, October 2022.

⁴⁶ Crisis Group interview, Colombian state official, Chocó, 24 November 2022.

⁴⁷ Crisis Group interview, Chocó, April 2023.

⁴⁸ Crisis Group interviews, state official, Chocó, November 2022; humanitarian worker, Antioquia, February 2023.

⁴⁹ “Colombia y Panamá. Alerta Temprana Binacional No. 014-23 para Colombia / Alerta Temprana No. 001-23 para Panamá”, *op. cit.*

⁵⁰ For more on “total peace”, see Crisis Group Latin America Report N°98, *Protecting Colombia’s Most Vulnerable on the Road to “Total Peace”*, 24 February 2023.

⁵¹ In March, the Colombian government suspended a ceasefire with the Gaitanistas that had been announced on 31 December 2022 as part of “total peace” efforts. President Petro attributed the deci-

resume, the Gaitanistas are likely to press (with low odds of success) to be considered a political group, which under Colombian law would allow them to negotiate over a much broader range of issues than if they remained classified simply as a criminal outfit.⁵² “We characterise ourselves as a political-military organisation that has a political and ideological platform,” Jerónimo told Crisis Group. “Instead of harming society, as some may try to portray us as doing to the population, we are trying to do what the state is unable to do in these territories”.⁵³ While the Gaitanistas’ model of criminal control does bring a semblance of order to the areas under their thumb, this stability is underwritten by threats and can become violent at a moment’s notice.

C. Local Gangs

Whereas the Gaitanistas control most of the illicit business on the Darién’s Colombian side, conditions are quite different on Panamanian territory. There, gangs, mostly formed by members of local Indigenous communities, pose a threat to the thousands of migrants passing through. A number of migrants have suffered assault, rape and robbery on this leg of the journey. *Coyotes*, humanitarian organisation representatives and migrants lay the blame on the gangs that operate on the Panamanian side, which accounts for the biggest stretch of the Darién jungle. “No one has their hands clean”, said a humanitarian worker, referring to the role of local bands in abusing migrants.⁵⁴

Humanitarian representatives insist that Indigenous people and Afro-Colombians in the Darién – much as migration has transformed their lives – should not be seen as passive victims overrun by migrants. Cases have been reported by humanitarian officials of Emberá seeking out migrants outside their ancestral lands, whom they attack or force to take detours through the jungle to ensure profits for their community.⁵⁵ Allegedly, the Emberá have made a pact with the Gunadule to route migrants through both their respective territories, with an eye to ending the competition for revenue generated by smuggling rackets and sharing profits.⁵⁶

Violence in these areas can be extreme, with many accounts of homicide, torture and gang rape.⁵⁷ Crisis Group has seen several videos depicting dead bodies scattered

sion to alleged ceasefire violations by the group, citing attacks on an aqueduct and incitement of protests among illegal gold miners.

⁵² Colombian law allows peace negotiations with insurgencies, but it limits the engagement the state can have with criminal groups that look only to profit from illicit activities. The Petro government is attempting to establish dialogue with all armed groups, but it differentiates between those with political agendas (mainly the ELN and FARC dissident factions that never joined the Havana peace process) and criminal groups with no political ambitions, which it hopes will simply surrender. Crisis Group Report, *Protecting Colombia’s Most Vulnerable on the Road to “Total Peace”*, op. cit. See also Jean Carlo Mejía, “Leyes para la Paz Total: ¿sometimiento, desmantelamiento o negociación?”, *Razón Pública*, 26 March 2023.

⁵³ Crisis Group interview, Antioquia, April 2023.

⁵⁴ Crisis Group interview, humanitarian worker, Panama, January 2023.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Emberá leaders responded to accusations that members of their community have committed sexual and other crimes by saying these cases mostly involve minors whom it is difficult to control. They admitted that youth gangs are robbing migrants. “Boys do crazy things”, one leader said. Crisis Group interviews, Panama, 26 January 2023.

in the jungle, and migrants speak of corpses being thrown into ravines or burnt.⁵⁸ Communities along the Turquesa and Membrillo rivers have watched the dead being carried away by the currents. The rivers are “contaminated by the migrants who have died on the way”, an Emberá leader said.⁵⁹ The gangs, which have upgraded their arms from machetes to guns and use walkie-talkies to coordinate, are believed to be responsible for many of the attacks.⁶⁰ There are also allegations that locals who work as migrant guides through the jungle collaborate with gangs and drug traffickers. In certain instances, migrants who are unable to afford the cost of crossing are permitted to do so if they carry cocaine concealed in their belongings, including diapers.⁶¹

D. *Destruction of the Rainforest*

Still another major concern for the communities of the Darién is the deleterious environmental effects of criminal activity and mass migration. The area’s unruly jungle is not only their cherished home but also the source of much of their traditional livelihood.

Illicit business has long taken a toll on the Darién’s natural environment. The area is known for its biodiversity, and both countries have tried to protect it, with Colombia establishing Los Katíos National Park in 1973 and Panama creating Darién National Park in 1980.⁶² As noted above, the jungle has long been a clandestine route funneling drugs from Colombia to Panama, and easy access to both the Pacific and Caribbean coasts means that speedboats, submarines and semi-submersible vessels can move tonnes of cocaine a month through the area.⁶³

The environmental impact of the drug trade is conspicuous. Deforestation has shot up since 2016 in municipalities such as Riosucio and Unguía, on the Colombian side, where land is cleared for coca plantations and cattle ranches, often with financial backing from drug traffickers.⁶⁴ Gaitanista leaders say they have taken remedial measures, for instance restricting damaging activities like commercial logging and

⁵⁸ “Colombia y Panamá. Alerta Temprana Binacional No. 014-23 para Colombia / Alerta Temprana No. 001-23 para Panamá”, op. cit.

⁵⁹ Crisis Group interview, Emberá leaders, Panama, 26 January 2023.

⁶⁰ Crisis Group interviews, humanitarian workers and *coyotes*, Colombia and Panama, 2022-2023. See also “Colombia y Panamá. Alerta Temprana Binacional No. 014-23 para Colombia / Alerta Temprana No. 001-23 para Panamá”, op. cit.

⁶¹ Crisis Group interviews, humanitarian officials, Panama and Colombia, 2022 and 2023; academic, September 2022. See also “Denuncian que obligan a migrantes a transportar drogas desde Acandí a Panamá”, *Chocó 7 días*, 7 October 2023.

⁶² The Los Katíos National Park was declared a World Natural Heritage Site by UNESCO in 1994 and Panama’s Darién National Park a UNESCO Biosphere Reserve in 1983.

⁶³ Crisis Group interviews, state official, Chocó, November 2022; law enforcement official, Chocó, November 2022.

⁶⁴ Crisis Group Latin America Report N°91, *A Broken Canopy: Deforestation and Conflict in Colombia*, 4 November 2021. Migrants have also engaged in the drug business by picking coca leaves in towns such as Belén de Bajirá. Crisis Group telephone interviews, international cooperation representatives in Urabá, 19 September 2022.

hunting or fishing with dynamite or chemicals. In 2022, they added, they ordered a halt to the expansion of coca plantations.⁶⁵

Prospecting for previously untapped deposits of gold and other precious metals also serves to open up the jungle to profit seekers, with some of the money ending up in Gaitanista hands.⁶⁶ Artisanal and small-scale miners pan for gold in the Colombian municipality of Acandí, but backhoes, which ravage the jungle habitat, have also started operating there.⁶⁷ Illegal gold mining takes place on the Panamanian side of the Darién as well. Two young Colombian miners were reportedly killed in 2018 when border police officers entered a mine on the Panamanian side and started shooting while they were working.⁶⁸ In September, Panama's public security minister, Juan Pino, briefed the media on a crackdown on illegal gold miners in the Darién. "And who were the majority of them? Colombian miners from the Gulf Clan who were harming our territory and protected areas", he said.⁶⁹

Loggers have illegally chopped down tropical hardwood trees on the Colombian side, though people in Acandí left this business once working with migrants became more lucrative.⁷⁰ On the Panamanian side, Gunadule leaders have raised concerns about land invasions, deforestation for cattle ranching and alleged land grabs for tourist sites. "We will not ask for permission to confront them", they warned. "We will defend our territories".⁷¹

These environmental threats are now compounded by mass migration. Garbage left along migration routes pollutes the Darién. According to the Panamanian government, over 60,000 tonnes of litter have been collected from area rivers.⁷² Thousands of migrants defecating near water sources have contaminated these same rivers, and the corpses of migrants who died in the Darién often end up in the waters in which Indigenous people bathe and wash their clothes. Aid officials have issued warnings about sanitary conditions in Bajo Chiquito, an Indigenous village that most migrants leaving the jungle pass through. The concerns extend to "enormous" risks of diseases such as cholera, both for the locals and for migrants.⁷³ Panama's environment ministry has also sounded the alarm about increased hunting of wildlife by migrants.⁷⁴

Darién communities worry that mass migration will be followed by still more unchecked extractive activities, causing irrevocable damage to their connection with the forest ecosystem. "The Darién, for us, is the spiritual way of life", said a Colombian Gun-

⁶⁵ Crisis Group interview, Gaitanista leader, Antioquia, April 2023. See also "Estatutos de Constitución & Régimen Disciplinario de las AGC", Autodefensas Gaitanistas de Colombia, 2018.

⁶⁶ Van Uhm, *op. cit.*

⁶⁷ *Ibid.*

⁶⁸ Crisis Group interview, local politician, Urabá region, February 2023.

⁶⁹ "Panamá golpea actividad del Clan del Golfo en el Darién y el Caribe", RCN Radio, 24 September 2023.

⁷⁰ Crisis Group interview, local politician, Urabá region, February 2023. See also Van Uhm, *op. cit.*

⁷¹ Crisis Group interviews, Gunadule authorities, Panama City, 24 January 2023.

⁷² "Panamá lanza campaña 'Darién no es una ruta, es una jungla'", press release, Panamanian Ministry of Foreign Affairs, 24 August 2023.

⁷³ Crisis Group interviews, humanitarian organization representative, Bogotá, July 2023.

⁷⁴ "Contaminación y cacería ilegal: efectos de la migración en el Parque Nacional Darién", press release, Panamanian Ministry of Environment, 29 October 2022.

adult leader.⁷⁵ Indigenous groups in Panama fear that the rough tracks trodden through the jungle by migrants will open the forest up to loggers, timber traffickers and cattle ranchers, adding to the damage already caused by the drug trade and gold mining.⁷⁶

⁷⁵ Crisis Group interviews, Gunadule leaders, Chocó, 18 February 2023.

⁷⁶ Crisis Group interview, Gunadule authorities, Panama City, 24 January 2023.

III. The Migration Ordeal

Migration through the Darién Gap is a yardstick for the scale of the global displacement crisis. Despite the manifest risks, the number of migrants making the crossing is soaring. In the first seven months of 2023, migrants of an estimated 97 different nationalities made their way through the jungle.⁷⁷ Once considered virtually impenetrable, the area is now traversed by trails and tracks that form part of an informal infrastructure used by hundreds of local *coyotes* who brand themselves “humanitarian guides”. Often under the control of organised crime, these crossings enable migrants and refugees from all over the world to hike north, trying to reach the U.S.

A. Soaring Numbers

People have been passing through the Darién for decades. Historically, hundreds of migrants, including Colombians displaced by conflict, made the journey each year. Before 2019, however, annual crossings stood at under 10,000, except for a two-year spike in 2015 and 2016.⁷⁸ In 2021, an unprecedented number of migrants trekked through the Darién as Haitians fled the unrest triggered by the assassination of President Jovenel Moïse and the earthquake soon thereafter. Tens of thousands of Venezuelans made the trip the next year under the influence of social media rumours that the U.S. would not deport them.⁷⁹

There were other pressures at work, too. New visa requirements established in 2022 by Belize, Costa Rica and Mexico made it far harder for Venezuelans to fly to these countries.⁸⁰ With other nations having already shut their doors, migrants were left with no choice but to brave the Darién Gap, resorting to illegal border crossings on their journey to the U.S. after departing from Colombia.

Despite warnings to the contrary from U.S. officials, and new measures aimed at deterring migration, the number of Venezuelans crossing the Darién continued to rise rapidly in 2023.⁸¹ In January, approximately 75 Venezuelans went through each day.

⁷⁷ Internal document of Panamanian state agency, September 2023. On file with Crisis Group.

⁷⁸ A humanitarian organisation employee related one theory for the jump in 2015-2016: Haitians who had settled in Brazil or Chile began travelling to the U.S. Those in Brazil had gone there due to job opportunities generated by the 2016 Summer Olympics. Once the games concluded, the jobs disappeared, and the Haitians left. Crisis Group telephone interview, 6 June 2023.

⁷⁹ Julie Turkewitz, “In record numbers, Venezuelans risk a deadly trek to reach the U.S. border”, *The New York Times*, 7 October 2022; and Christina Noriega, “The asylum seekers using TikTok to share perils of Darién Gap”, *Al Jazeera*, 28 September 2022.

⁸⁰ “México/América Central: Nuevos Visados Hacen Sufrir a Venezolanos”, Human Rights Watch, 5 July 2022.

⁸¹ Early in the pandemic, the U.S. Centers for Disease Control and Prevention issued a public health policy, known as Title 42, that aimed to prevent further spread of COVID-19 by authorising border agents to immediately expel migrants entering the U.S. through Canada or Mexico, either to their country of origin or their last country of transit. Title 42 remained in place until 11 May, at which point it was replaced by other measures and policies intended to restrict the migrant flows. Migration authorities frequently sent messages letting migrants know that, without proper documents, they would be turned away. Catherine Shoichet, “What is Title 42, why is it ending and what’s happening now at the border?”, *CNN*, 11 May 2023. For an analysis of the impact of Title 42, see Adam Isacson, “10 Things to Know about the End of Title 42”, *WOLA*, 9 May 2023.

By late April, this figure had surged to around 850, and by August, it had risen again to about 2,000.⁸²

Venezuelans have been joined by other migrants, from Latin America and farther afield. Venezuelans, Haitians and Ecuadorians (the last group fleeing extreme insecurity and poverty) accounted for 85 per cent of the more than 400,000 who crossed during the first nine months of 2023.⁸³ More than half of the migrants are adult men and over one fifth are minors.⁸⁴ Many, but still a minority, of those who opt to traverse the Darién Gap are part of secondary migration flows, having fled their homelands years ago only to face economic hardship and xenophobia in their new countries of residence; as a result, they have decided to head for the U.S.⁸⁵

Migrants from other continents, meanwhile, have generally flown to countries such as Ecuador or Brazil, which do not require visas for most nationalities, and started their trip from there. Many are Afghans, who land in Brazil after having made the perilous journey to Europe.⁸⁶ Chinese migrants encountered by Crisis Group in Necoclí, on the Colombian Atlantic coast, said they had left their homeland and travelled to Ecuador because strict pandemic-related restrictions had devastated their businesses.⁸⁷

The number of unaccompanied minors passing through the Darién Gap is also climbing. Of around 413,000 people who entered Panama through the Darién in the four years before 2023, nearly 80,000 were children and adolescents. Nearly half of the minors who crossed between January and August 2022 were under the age of five.⁸⁸ “We are talking about a migratory flow of babies”, said a humanitarian worker.⁸⁹ Just in the first half of 2023, the number of minors crossing the Darién reached another 40,000.⁹⁰ Eight to ten unaccompanied or separated minors have been arriving each day at migrant reception centres so far in 2023.⁹¹

B. *The Route and Its Costs*

Most migrants start their crossings of the Darién from Necoclí, a small town reachable by bus on the Colombian side of the Gulf of Urabá. The next stage involves getting to Capurganá or Acandí, towns across the Gulf but still in Colombia. In late

⁸² The number is an average based on the monthly count of crossings.

⁸³ Statistics consulted on the website of Panama’s migratory authorities.

⁸⁴ Ibid.

⁸⁵ Crisis Group interviews, migration expert, Chocó, 7 October 2022; senior humanitarian organisation representative working on the Darién, Bogotá, 12 October 2023. Surveys with Venezuelan adults who migrated with children or adolescents in their care, conducted in Honduras by the Danish Refugee Council, indicated that only 29 per cent of Venezuelan caregivers had previously attempted to settle in another country. Statistics consulted on the website of the Mixed Migration Centre.

⁸⁶ Julie Turkewitz, “The U.S. left them behind. They crossed a jungle to get here anyway”, *The New York Times*, 21 May 2023.

⁸⁷ Crisis Group interviews, 20 February 2023.

⁸⁸ “Informe Defensorial sobre la Situación de Derechos Humanos de la Niñez y Adolescencia en movilidad humana y en Zonas de Frontera en Panamá”, Panama’s Human Rights Ombudsman, March 2023.

⁸⁹ Crisis Group telephone interview, humanitarian worker, 17 January 2023.

⁹⁰ “El Rostro Cambiante de la Niñez Migrante en América Latina y el Caribe”, UNICEF, September 2023.

⁹¹ Elida Moreno, “Child migrants crossing Darien Gap surge eightfold, UNICEF says”, Reuters, 30 May 2023.

2022, boat companies created a system of wristbands, akin to those of resorts offering all-inclusive holiday packages. The wristbands, priced at around \$250, covered expenses such as lodging in Necoclí, meals and the boat trip. Boat owners in Necoclí charge migrants double for the trip across the Gulf, on the understanding that migrants will not pay for a return ticket. Those who could not afford the trip had to sleep on the beach and find a way to earn the money for a seat on a departing vessel. By the following April, however, the wristband experiment was discontinued and migrants began to get charged on the other side of the Gulf of Urabá. There, in Capurganá or Acaandí, migrants stay in shelters run by Afro-Colombian Community Councils, where they can remain until they start the walk through the jungle, accompanied by locals who work as guides.⁹²

The trip from the shelters to the Panama border costs about \$160, and after a day or two, migrants are handed over to Panamanian guides, who are often Emberá or Gunadule. The trek through the jungle starts there, and takes between five and fifteen days, depending on the migrant's physical condition and the chosen route. It is in this part of the journey that most violence against migrants takes place. Most groups aim to proceed on foot to the Indigenous town of Bajo Chiquito, where state and humanitarian agencies have offices. There, each migrant must pay \$25 to take a motorised dugout canoe, called a *piragua*, to the Migrant Reception Stations (known by the Spanish acronym of ERM) in the towns of Lajas Blancas or San Vicente. These camps are run by the Panamanian border guard, Senafront.⁹³

Once registered at the reception centre, migrants have until recently paid \$40 for a seat on a private bus that will carry them the length of Panama to another centre at Los Planes Gualaca, near the Costa Rican border, from which they continue on the journey north.⁹⁴ (The price rose to \$60 in October, and now migrants are dropped off across the border in Costa Rica.)⁹⁵ Migrants try to move north from the Darién as quickly as possible, but they sometimes get stuck for long periods if they cannot pay for the bus ride.

Finances largely determine how much hardship migrants must endure on the journey. Chinese travellers told Crisis Group that they had been able to afford a faster

⁹² Community Councils administer the territories of the Black, Afro-Colombian, Raizal and Palenquero communities. They are recognised by both national authorities and international bodies. “Los Derechos al Territorio, a la Identidad Cultural y a la Restitución de las Comunidades Negras, Afrocolombianas, Raizales y Palenqueras”, UN High Commissioner for Refugees, December 2016. The guides are area residents; in Capurganá they are usually Afro-Colombians, while in Acaandí they are either Afro-Colombians or Indigenous.

⁹³ Senafront is a component of Panama's armed forces that polices the borders. It coordinates the ERMs and works alongside the National Migration Service to manage arrivals. It verifies documents, does background checks and organises transport across the country.

⁹⁴ There are variations to this route. Early in 2023, an increasing number of migrants departed from Turbo, a small town south of Necoclí, while others started the trip toward Capurganá by land from Unguía, in the department of Chocó. Others have started to take boats along the Pacific coast, starting in the Colombian towns of Buenaventura, Nuquí or Bahía Solano and landing in Juradó, near the border with Panama. From there, smugglers take them to Jaqué, in Panama, either continuing by sea or hiking up rivers.

⁹⁵ “Panamá y Costa Rica activan ‘corredor humanitario’ para traslado directo de migrantes”, W Radio, 10 October 2023. The price hike led to protests at the reception centres. Crisis Group interview, senior humanitarian organisation representative working on the Darién, Bogotá, 12 October 2023.

journey via a different Darién route, involving a boat trip and a day on horseback, which cost \$1,000 for adults and \$400 for children.⁹⁶ Those without cash often get stranded in Necoclí, spending weeks camping on the beach, unable to afford the boat trip across the Gulf of Urabá.⁹⁷ Some women resort to sex work to pay for food or passage.⁹⁸ Others, frequently Venezuelans, are sexually exploited in brothels, known as *chongos*. The Gaitanistas allegedly own some of these establishments, moving women from place to place.⁹⁹

C. *Troubles on the Migrant Trail*

The Darién Gap confronts migrants with various threats. People are exposed to the hazards of the jungle, including snake bites, as they scramble down slippery paths along cliffs and wild rivers. One waterway, called “the death river”, has taken the lives of many migrants who attempted to cross it. Panamanian villagers living nearby often notify authorities of corpses floating down the river.¹⁰⁰

1. Exploitation by guides and smugglers

The trip across the Darién would be more treacherous still without the help of locals who know the terrain. While they describe themselves as “humanitarian guides”, their work resembles that of human smugglers or *coyotes*.¹⁰¹ Migrants are often forced to hand over their passports to the guides so that they cannot hire anyone else or escape.¹⁰² Contrary to what the guides claim, migrants who do not pay for their services are blocked, in effect, from crossing the Gap on their own. Crisis Group spoke to Venezuelans who were turned back by unknown armed men when they tried to hike through the jungle by themselves. They were put on a boat to return to Necoclí.¹⁰³ Disoriented families often lack information about the steps on the migrant trail – including whether they need to take a boat or walk on given stretches – and frequently lack the money to contract the services of a guide.

The guides cannot, or will not, protect migrants from coercion and fraud; in fact, at times they perpetrate these crimes themselves. At various stages along the trail, migrants face restrictions on movement. Migrants passing through Capurganá have

⁹⁶ Crisis Group interviews, Chinese migrants, Necoclí, 20 February 2023. See also Echo Wang and Mica Rosenberg, “Migrants find tips on Chinese version of TikTok for long trek to U.S.-Mexico border”, Reuters, 28 April 2023.

⁹⁷ “Análisis de Capacidades y Brechas – Refugiados y Migrantes en Tránsito en Necoclí (Antioquia)”, GIFMM Colombia, 27 July 2022.

⁹⁸ Crisis Group interviews, humanitarian workers, Antioquia, February 2023.

⁹⁹ Crisis Group interview, priest, Chocó, 5 October 2022.

¹⁰⁰ Crisis Group interviews, Emberá leaders, Panama, January 2023. John Otis, “He left Cuba for the U.S., and wound up trekking through 60 miles of dangerous jungle”, NPR, 14 October 2021.

¹⁰¹ Human trafficking and migrant smuggling are both criminal activities that entail the transport of individuals across borders, but they differ in their objectives and methods. Human trafficking involves coercion, with the trafficked people often facing exploitation at the destination, while migrant smuggling involves transporting willing migrants with the aim of generating profit. Both of these crimes occur in the Darién. Crisis Group interview, humanitarian worker, 2023.

¹⁰² Crisis Group interview, humanitarian aid worker, February 2023.

¹⁰³ Crisis Group interviews, *coyotes* and migrants, Chocó, April 2023.

no choice but to pay \$100 to a community-managed reception centre; those who cannot pay are, in effect, locked up.¹⁰⁴ “Everyone gets kidnapped there”, a Venezuelan migrant said. Some people who could not pay were asked to hand over their mobile phones instead.¹⁰⁵ Even when they pay guides, migrants can be forced to fend for themselves. Migrants travelling by boat on the Pacific side of the Darién have been dropped off on abandoned beaches, having been duped by *coyotes* who promised to deliver them safely to Panama.¹⁰⁶ At least two migrants died after having been abandoned by human smugglers, according to Panama’s authorities.¹⁰⁷

Controlling migration is a highly profitable venture for human smuggling networks and local businesspeople, some with political aspirations.¹⁰⁸ About two thousand migrants are funnelled through Acandí each day in recent months, each paying around \$160, thus generating over a million dollars per week. In Acandí alone there are 300 guides and 900 bag carriers, who work on rotating shifts. Typically, a guide makes two trips through the Darién each month and earns a total of two million Colombian pesos (around \$450), nearly twice the minimum wage.¹⁰⁹ The Gaitanistas deny involvement in human smuggling. But, according to law enforcement officials and government representatives interviewed by Crisis Group, the Gaitanistas reap a percentage of the revenue.¹¹⁰ A joint report by the Colombian and Panamanian state-run human rights ombudsmen highlighted a variety of ways in which the Gaitanistas profit from migration, including levying taxes on services used by migrants, such as hotels and *coyotes*, and exercising dominion over land belonging to ethnic groups through which migrants pass.¹¹¹

The guides argue that the state is almost completely absent in the areas where they operate, adding that they are alone in helping migrants overcome obstacles or gain access to basic services.¹¹² “The government has not wanted to take control, or it has turned a blind eye”, said the coordinator of a guides’ association.¹¹³ Approximately 2,500 families in Acandí and Capurguná rely on the migration economy, which has

¹⁰⁴ Crisis Group interview, humanitarian worker, Necoclí, 20 February 2023.

¹⁰⁵ Crisis Group interviews, Venezuelan migrants, Panama, January 2023.

¹⁰⁶ Crisis Group interview, humanitarian worker, 2023.

¹⁰⁷ “Panamá golpea actividad del Clan del Golfo en el Darién y el Caribe”, op.cit.

¹⁰⁸ Turkewitz, “A ticket to Disney”? Politicians charge millions to send migrants to U.S.”, op. cit.; Guarnizo, “Los bebés del Darién”, op. cit.; and José Guarnizo, “La campaña política que se lucra con la plata que les cobran a los migrantes en el Darién”, *Vorágine*, 1 October 2023.

¹⁰⁹ As noted earlier, guiding migrants through the jungle is a job carried out by men, while women play an active role in the migrant economy by taking care of accommodations, providing food and selling various goods.

¹¹⁰ Crisis Group interviews, law enforcement officials, government representatives and humanitarian workers, Colombia, 2022-2023.

¹¹¹ “Colombia y Panamá. Alerta Temprana Binacional No. 014-23 para Colombia / Alerta Temprana No. 001-23 para Panamá”, op. cit.

¹¹² “This is not a problem that we created”, said a *coyote* network coordinator. “We did not ask for this. It occurs only because we are at the doorstep of the Darién. When the problem appeared, we provided a solution”. Crisis Group interview, Chocó, April 2023.

¹¹³ Crisis Group interview, Chocó, April 2023.

replaced tourism as the main source of income; some argue that visitors have stopped coming due to the large number of migrants passing through the region.¹¹⁴

2. Violence en route

Humanitarian workers and migrants told Crisis Group that the most flagrant crimes against migrants, including killings and sexual violence, occur after Colombian guides hand migrants over to their Panamanian counterparts, who are in charge of the longer, more gruelling part of the journey. Despite a general lack of state protection and exposure to exploitation and fraud on the Colombian side of the Darién, the Gaitanistas are seemingly able to keep violent crime in check.¹¹⁵ But the weakness of law enforcement in Panama and the absence of alternative governance, of the sort imposed by the Gaitanistas, has given free rein to predators. A survey found that over half the victims who suffered abuse in the Darién said members of local communities were the perpetrators. But few arrests have been made.¹¹⁶

Sexual violence is common, ranging from intimate body searches to gang rape.¹¹⁷ Aid agencies documented 174 cases of sexual violence against migrant women in the first seven months of 2023 on the Darién's Panamanian side, surpassing the total for 2022.¹¹⁸ In mid-October, within just six days, a humanitarian NGO registered 59 cases of sexual abuse against women and several girls.¹¹⁹ During a Crisis Group visit to the area, three girls aged 15 and 16 were raped near Bajo Chiquito, the Indigenous village that serves as a way-station. The girls belonged to a group of unaccompanied minors making the crossing, and they allegedly negotiated with the rapists so that two younger girls were not attacked. Horror stories such as these abound. A woman

¹¹⁴ Poverty in and around the Darién is extreme. Crisis Group spoke with a couple in Juradó with six children who earn about \$115 a month. Their five-year-old child has had malaria twice, and they often need to boil contaminated water to make it potable. Access to food is a major concern for many households; sometimes there is not enough food, so parents only feed the smaller children and limit meals to two a day. Crisis Group interviews, residents, Juradó, 27 November 2022. People in Colombia's Pacific Darién are so far from the nearest state outposts that they would rather visit the Colombian consulate in Panama, just across the border, to request or extend a passport. Crisis Group interviews, Colombian state official, Chocó, 28 November 2022; U.S. state official, May 2023.

¹¹⁵ Crisis Group telephone interviews, humanitarian workers in Urabá, 19 September 2022.

¹¹⁶ Crisis Group interviews, migrants, humanitarian officials and *coyotes*, Colombia and Panama, 2022-2023. For the survey results, see "Safety Risks in the Darién Gap and Assistance Needed among Refugees and Migrants", op. cit.

¹¹⁷ Crisis Group interview, senior humanitarian organisation representative, Bogotá, 23 September 2022. According to Doctors Without Borders, there were close to 400 cases of sexual violence between April 2021 and June 2022. A number of UN special rapporteurs, including the special rapporteur on the human rights of migrants, have pointed to widespread sexual violence along the Darién's migrant routes. "Report by the Special Rapporteur on the Human Rights of Migrants", UN Office of the High Commissioner for Human Rights, 9 December 2022. See also "La Frontera del Clan", op. cit.

¹¹⁸ The rates of sexual violence are likely higher than known, since these crimes are chronically underreported. Daniela Díaz, "Crecen los casos de migrantes víctimas de violencia sexual en la selva del Darién", *El País*, 21 July 2023.

¹¹⁹ Crisis Group telephone interview, senior humanitarian official, October 2023.

was raped in front of her four-year-old child, who was then allegedly killed because he cried too loudly while the assault was under way.¹²⁰

Migrants, Colombian state officials and NGO employees point to local gangs as the culprits in most of the sexual violence: “The violations that occur in the Darién are by Indigenous people, by host communities”, said a senior humanitarian worker.¹²¹ There are also reports that Senafront officials working in migrant centres are responsible (see Section III.C.3 below).

Locals also exploit migrants’ vulnerability by demanding money for everything: they charge the travellers a fee to pitch a tent, to cross a river by canoe and to pass through ancestral lands on foot. “If you don’t pay you can’t get out”, one migrant said.¹²² A young Venezuelan said he ran into armed men wearing black uniforms and boots. The men forced each member of his group of migrants to pay \$10.¹²³

The difficulties in reporting rape and other crimes to Panamanian prosecutors are acute, according to a joint study by the human rights ombudsmen’s offices of Colombia and Panama. The Panamanian prosecution service has posted notices in several languages in Bajo Chiquito with instructions on how to inform authorities of offences. But migrants depend on the support of Senafront to report abuses in the Darién, which they may see as complicit in the violent acts against them. Strengthening complaint, investigation and enforcement mechanisms in Panama is crucial for preventing violations of migrant rights.¹²⁴

3. Exiting the jungle

Getting across the Darién does not end migrants’ troubles. Once in Bajo Chiquito, migrants must make their way to the Migration Reception Station run by Senafront and the national migration service, where relief agencies and several NGOs provide aid. In order to be transported from there, with the goal of reaching the reception centre of Las Lajas Blancas, migrants are required to pay \$25 to local Indigenous boat owners. Those who do not have the money are reportedly coerced into surrendering their phones or doing odd jobs.¹²⁵

The migrant centres’ facilities are not inviting. The Panamanian Human Rights Ombudsman, the UN and NGO personnel have reported dreadful hygiene and safety conditions. Showers are frequently not working, and portable restrooms are often filled with human excrement.¹²⁶ Those who could not afford the \$40 charged to board buses going to migrant centres on the Costa Rican border were usually kept captive until some kind of solution was found, which could include forced labour.¹²⁷ The UN

¹²⁰ Crisis Group interview, humanitarian official, Panama, January 2023. Rape victims also include men and LGBTQI+ people.

¹²¹ Crisis Group telephone interview, senior humanitarian organisation representative, 13 January 2023.

¹²² Crisis Group interviews, Venezuelan migrants, Panama City, 24 January 2023.

¹²³ Ibid.

¹²⁴ “Colombia y Panamá. Alerta Temprana Binacional No. 014-23 para Colombia / Alerta Temprana No. 001-23 para Panamá”, op. cit.

¹²⁵ Crisis Group interviews, humanitarian workers and Venezuelan migrants, 2023.

¹²⁶ Crisis Group interview, senior humanitarian organisation representative, Panama, January 2023.

¹²⁷ “Report by the Special Rapporteur on the Human Rights of Migrants”, op. cit. On 15 February, 40 migrants died when one of these buses crashed. “Colombia y Panamá. Alerta Temprana Binacional No. 014-23 para Colombia / Alerta Temprana No. 001-23 para Panamá”, op. cit.

special envoy for migrant rights has warned that many people in transit suffer a “de facto deprivation of freedom”, noting that some families have reportedly been kept in a reception centre for up to three months.¹²⁸ Several senior NGO representatives observe that Panama’s humanitarian response is largely dependent on private companies, from which the government leases land for housing migrants, and which also provide food and transport.¹²⁹

We know that this is a business from the moment we step into the jungle until we reach the border with Costa Rica. We are talking about Panama, but this also happens in other countries that are also profiting from the migrants. They cannot say that this is assistance when we have to pay for everything.¹³⁰

Migrants complain of an array of abuses. At certain reception centres, locals hang around outside the fenced areas where the migrants must remain and offer to retrieve money sent by family or friends via Western Union or other services. In exchange, they take a commission of 15-30 per cent on top of the fees charged by the platforms.¹³¹ Humanitarian organisation representatives also say migrants are subjected to ill treatment by Panamanian border guards and migration officers. In one extortionist scheme, some migrants have been coerced into signing a document when entering Panama that obliges them to pay a fine if they do not leave the country within 24 hours, although there is no such regulation in place.¹³²

Sexual violence is also a recurrent threat to women at the migrant stations. The UN special rapporteur on the human rights of migrants alleges that Senafront personnel solicit sexual acts in exchange for favours, such as allowing migrants onto the buses heading north.¹³³ Humanitarian officials echo these accusations.¹³⁴ A Venezuelan woman told Crisis Group that her friend was pressured into a sexual encounter with a border guard officer in her presence, in exchange for the opportunity to charge her mobile phone.¹³⁵

¹²⁸ “Report by the Special Rapporteur on the Human Rights of Migrants”, op. cit.

¹²⁹ Crisis Group telephone interviews, humanitarian organisation representatives, Colombia and Panama, 2022-2023.

¹³⁰ Crisis Group telephone interview, Venezuelan migrant, February 2023.

¹³¹ A migrant reported that he received only \$140 of the \$200 he was wired. Crisis Group interviews, Venezuelan migrants, Panama City, 24 January 2023.

¹³² Crisis Group interview, aid agency representative, Chocó, November 2022.

¹³³ “Report by the Special Rapporteur on the Human Rights of Migrants”, op. cit.

¹³⁴ Crisis Group interviews, humanitarian organisation representatives, 2022 and 2023.

¹³⁵ Crisis Group telephone interview, Venezuelan migrant, January 2023.

IV. State Responses

Reeling from COVID-19, Colombia and Panama were caught off guard by the sheer number of migrants crossing the Darién amid the pandemic, which grew by nearly 2,000 per cent in 2021 relative to the year before and another 86 per cent in 2022. In both Colombia and Panama, international law and the constitution require the state to uphold migrants' rights, including by providing access to asylum procedures, security and basic necessities such as food, water and health care.¹³⁶ Even so, most of the initial humanitarian support for migrants came from municipalities and NGOs, which were unprepared for the influx.¹³⁷ Lacking resources, Colombian municipalities, such as Juradó, have had to improvise, such as by arranging temporary accommodations for migrants by placing mattresses overnight in the lobby of a government building.¹³⁸ On occasion, officials have tried to shirk the responsibilities of handling the migrant flow: in December 2021, a boat capsized along the Pacific coast, drowning ten migrants. The bodies lay on the beach for over a week as two local governments squabbled over whose job it was to retrieve them.¹³⁹

Civil society organisations supporting the humanitarian response also worry about the limited time they have to tend to migrants, which makes it harder to detect and treat cases of sexual violence, handle asylum requests and evaluate the need for protection. Some international NGOs have faced delays in acquiring permits from the Panamanian government to operate in key areas of the Darién, impeding the delivery of essential aid. Humanitarian workers also voice concern about the management of reception camps and the alleged failure of state officials to consult with the UN and relief organisations.¹⁴⁰ In response to the increasing migrant flows, Panama's top migration official, Samira Gozaine, accused aid agencies of spurring rising migration through the Darién. "For me, the main actor is the international organisations, which are to blame, because they continue to talk about this as human mobility and a human right [to migrate] and what we are witnessing is not a human right", she told national media.¹⁴¹

In the face of the huge challenges posed by mass migration, diplomatic relations between Colombia and Panama have come under increasing strain. Panamanian authorities have accused Colombia of inadequate controls at the Venezuelan, Ecuadorian and Peruvian borders, which, they argue, hinder their ability to obtain accurate

¹³⁶ Colombia and Panama have both established legal frameworks for recognising asylum seekers and stateless individuals. In Colombia, the provisions for political asylum are outlined in the Decree 2840 of 2013, while Executive Decree No. 5 of 2018 delineates the rights and obligations of refugees in Panama. Additionally, Executive Decree No. 10 of 2019 established a procedure for recognising statelessness in Panama. The Colombian Constitutional Court has also emphasised the equal importance of rights for both nationals and foreigners.

¹³⁷ Necoclí, for example, has no migration authority office and no budget for tending to people in need.

¹³⁸ Crisis Group interview, Colombian state official, Chocó, 28 November 2022.

¹³⁹ Crisis Group interviews, priest, Chocó, 5 October 2022. Crisis Group telephone interview, state official, 14 May 2023.

¹⁴⁰ Crisis Group telephone interviews, humanitarian experts, 30 August 2023.

¹⁴¹ "Panamá culpa a entes internacionales de la avalancha migratoria en el Darién", *El Heraldo*, 29 August 2023; and "Samira Gozaine: 'No hay nada humanitario en seguir permitiendo esta migración'", TVN, 28 August 2023.

information as to the number of migrants intent on crossing the Darién.¹⁴² The two countries have aired other recriminations.¹⁴³ In response to criticism of Panama's response, a Panamanian official said the government had at least established migrant reception centres for those leaving the Darién, whereas migrants on the Colombian side receive no state aid and are kept in camps run by organised crime.¹⁴⁴ Rebutting Panama's claims that Colombia is not trying hard enough to reduce the number of migrants passing through the Darién, Fernando García, director of the Colombian migration authority, stated that Bogotá is "strictly complying" with the information exchange agreement outlined in a Memorandum of Understanding signed in April 2021.¹⁴⁵

Despite these divergences, the prolonged and rising migration flows in 2023 have pushed Colombia and Panama toward greater collaboration. The neighbours' first joint early warning – a report identifying human rights risks, including recommendations for a series of state agencies – has been issued by the human rights ombudsmen of both countries.¹⁴⁶ In a rare meeting, Colombian President Gustavo Petro and his Panamanian counterpart Laurentino Cortizo discussed bilateral relations and safe, orderly migration on the sidelines of the 2023 UN General Assembly in New York.¹⁴⁷

The U.S., the planned destination of most of the migrants crossing the Darién, also has a vested interest in encouraging Colombia and Panama to take decisive joint action. In April, the two countries, with U.S. backing, announced a three-pronged campaign to halt illicit flows of goods and people, provide alternative legal pathways for migration, and reduce poverty and create jobs in border communities.¹⁴⁸ U.S. Homeland Security Advisor Liz Sherwood-Randall visited both the Panamanian and Colombian sides of the Darién in September. She urged both governments to enhance measures to discourage irregular migration while expanding safe and legal routes for migrants.¹⁴⁹

Progress toward improving social and economic conditions, meanwhile, has been limited, and further efforts are likely to run up against persistent impediments. In

¹⁴² Crisis Group interview, Panamanian government official, 31 October 2022.

¹⁴³ Diplomatic relations between the two countries have not been helped by what Panamanian officials perceive to be condescending treatment by Bogotá. Panama's invitation to the international conference on Venezuela in April, hosted by Colombia, was withdrawn shortly before the event. In April, Colombia's Foreign Minister Álvaro Leyva jokingly referred to Panama as a "province" of Colombia; he later had to issue a letter of apology. "La verdad detrás de la tensa relación diplomática entre Colombia y Panamá", *Cambio*, 11 May 2023. "Con carta, canciller Leyva ofrece disculpas a Panamá por 'mal chiste'", W Radio, 29 April 2023.

¹⁴⁴ Crisis Group telephone interview, Panamanian official, 31 August 2023. Panamanian resentments are also fed by perceptions of unfair treatment, especially by foreign donors. Most of the international funding for humanitarian operations, for instance, is directed to Colombia. Crisis Group interview, Panamanian official, 2023.

¹⁴⁵ Daniela Gallo, "Cuántos muertos y desaparecidos hay en el Tapón del Darién: por qué Migración Colombia asegura que no conoce las cifras", Infobae, 6 October 2023.

¹⁴⁶ "Colombia y Panamá. Alerta Temprana Binacional No. 014-23 para Colombia / Alerta Temprana No. 001-23 para Panamá", op. cit.

¹⁴⁷ "Presidente Cortizo Cohen y su homólogo Gustavo Petro tratan sobre migración irregular para un flujo ordenado y seguro", press release, Presidency of Panama, 19 September 2023.

¹⁴⁸ "Trilateral Joint Statement", U.S. Department of Homeland Security, 11 April 2023.

¹⁴⁹ "Readout of Homeland Security Advisor Dr. Liz Sherwood-Randall's visit to Panama and Colombia", press release, White House, 8 September 2023.

particular, it is unlikely that traditional subsistence economies will ever be able to compete with the income generated from the migrant economy or by illicit enterprises run by organised crime. “It has generated so much money”, noted a Panama-based diplomat. “Each community wants its migrants”.¹⁵⁰

The U.S. has taken other steps as well with possible consequences for the Darién, in that they speak to the fate of those who reach the other side. The Biden administration has resumed deporting undocumented Venezuelan migrants, who accounted for one in four of the 200,000 migrants apprehended at the southern U.S. border in September.¹⁵¹ This move triggered fierce criticism from human rights organisations, citing the legal right to asylum and the perils of the humanitarian crisis in Venezuela for deportees.¹⁵² At the same time, the Biden administration has extended temporary protection status for Venezuelans for eighteen months; in total, the U.S. has granted humanitarian protections to some 500,000 Venezuelans who arrived in the period from March 2021 to 31 July 2023.¹⁵³

¹⁵⁰ Crisis Group interview, diplomat, Panama, January 2023.

¹⁵¹ Eileen Sullivan and Zolan Kanno-Youngs, “U.S. to begin deporting Venezuelans in effort to cut down border numbers”, *The New York Times*, 5 October 2023.

¹⁵² “Weekly U.S.-Mexico Border Update: border wall, Venezuela deportations, September migration, Mexico migration, Darién Gap”, Washington Office on Latin America, 6 October 2023.

¹⁵³ Nicholas Fandos, “U.S. will allow nearly 500,000 Venezuelan migrants to work legally”, *The New York Times*, 20 September 2023.

V. Policy Recommendations

Approaches to the humanitarian and security crises in the Darién are heavily influenced by the ways various countries perceive and treat migrants. Anxieties surrounding migration stand in the centre of U.S. politics as the 2024 elections approach, with the opposition Republicans portraying the Biden administration as weak on border security, and the president's Democratic party divided between a progressive base focused on defending humanitarian values and others alarmed by the prospect of worsening chaos at the border.¹⁵⁴ Panama is also electing a new president in 2024, and migration is expected to be a contentious topic: several candidates have proposed sealing off the Darién border with Colombia.¹⁵⁵ Meanwhile, Colombia has espoused more compassionate treatment of migrants since the onset of Venezuelan exodus after 2013. Yet the government of President Petro, which took office in 2022, has reversed a number of these policies, while his primary focus remains an ambitious peace plan that hinges on talks aimed at the eventual demobilisation of armed and criminal groups, including the Gaitanistas.¹⁵⁶

The public clamour to stiffen border controls, at times fostered and exploited by hardline nationalist forces, and the sheer scale of human displacement across the Americas and other regions make any effort to create a humane, sustainable policy toward migration with broad international backing agonisingly hard. Mass movement across the Darién has become at one and the same time a humanitarian emergency, a criminal racket and a high-stakes political battleground, above all in the U.S.

A lack of easy choices that take into account these overlapping realities means those states most affected by migration across the Darién should look to embrace an approach that is as balanced as possible in the goals it serves. Rapidly reducing migrant flows may be their immediate political priority, but as a sole objective it is destined to be both incompatible with humanitarian values and ineffective in practice.¹⁵⁷ But, if deterrence polices are introduced in combination with efforts to share the burden of migrant reception, and provide better targeted humanitarian support, governments in the Americas might begin to craft a responsible policy toward a problem that is likely to beset them for years to come.

¹⁵⁴ Lisa Lerer and Trip Gabriel, "Influx of migrants exposes Democrats' division on immigration", *The New York Times*, 22 September 2023; and Hans Nichols and Stef Kight, "Democratic divide over immigration spills out among Hispanic lawmakers", *Axios*, 12 October 2023.

¹⁵⁵ Crisis Group interviews, U.S. state official and Panamanian official, 2023.

¹⁵⁶ On 28 May, Colombia terminated its offer of temporary protected status for Venezuelan migrants. Additionally, the office of border czar, intended to strengthen coordination among ministries and state agencies handling migrant flows, was shifted from the presidency to the foreign ministry. See Crisis Group Latin America Report N°94, *Hard Times in a Safe Haven: Protecting Venezuelan Migrants in Colombia*, 9 August 2022. On total peace, see Crisis Group Report, *Protecting Colombia's Most Vulnerable on the Road to "Total Peace"*, op. cit.

¹⁵⁷ According to one senior humanitarian organisation representative working on the Darién, "migration is unstoppable". Crisis Group interview, Bogotá, 12 October 2023.

A. *Reducing the Flow*

1. Tackling the causes

To bring down the volume of migration, foreign powers should endeavour to temper the humanitarian and security emergencies in the countries that have become the main sources of migrants – above all Venezuela, Haiti and Ecuador, which together are the origin of 85 per cent of the total number of people crossing the Darién. Pressing for a negotiated settlement in Venezuela that would culminate in free elections, building on the accord signed on 17 October in Barbados, could staunch the flow of Venezuelans heading north.¹⁵⁸ Already, the U.S has taken a welcome step, lifting a raft of economic sanctions after the Barbados deal. U.S. officials long said there is no clear link between sanctions and the exodus from Venezuela, which began years before Washington applied general economic restrictions on the country.¹⁵⁹ Colombian President Petro countered that the solution to the Darién crisis lies in “economically unblocking Venezuela”. The proof will be in the pudding: the lifting of U.S. sanctions should boost the ailing Venezuelan economy, and thus wages, dampening the desire to migrate.

But more work is needed. The U.S. may restore sanctions if it does not see continued progress toward competitive elections, meaning that foreign powers should keep up pressure on the Venezuelan government and opposition to resolve their remaining differences.¹⁶⁰ Any gains in curbing migration could be reversed if the Barbados deal falls apart.

Targeted assistance should also enable the two other countries from which the lion’s share of migrants through the Darién come to quell some of their troubles. Approval by the UN Security Council in October of a multinational security mission aimed at curbing Haiti’s rampant gang violence could help bring greater security to the country once deployed. But its success is likely to depend on steps toward resolving the country’s political divides, rebuilding state institutions and addressing sky-high poverty levels.¹⁶¹ Deployment will also depend on overcoming legal obstacles to Kenya’s planned provision of a thousand police officers to the mission.¹⁶²

Ecuador’s soaring violence and stagnating economy appear to be driving the sharp rise in migrants from that country. Its new government, due to take power in November, should strive to introduce police and judicial reforms with broad political support

¹⁵⁸ Crisis Group Statement, “Barbados Deal Sets Venezuela on a Rocky Path to Competitive Polls”, 20 October 2023. On crucial steps that need to be taken to resolve Venezuela’s dispute, see Crisis Group Latin America Report N°101, *Navigating Venezuela’s Political Deadlock: The Road to Elections*, 16 August 2023.

¹⁵⁹ Crisis Group interviews, senior U.S. officials, 5 October 2023. “Petro pide desbloquear económicamente a Venezuela para frenar éxodo por el Darién”, *El Espectador*, 7 September 2023.

¹⁶⁰ Crisis Group Statement, “Barbados Deal Sets Venezuela on a Rocky Path to Competitive Polls”, op. cit.

¹⁶¹ “Security Council authorizes ‘historic’ support mission in Haiti”, UN News, 2 October 2023. On Haiti, see Crisis Group Latin America and Caribbean Briefing N°48, *Haiti’s Last Resort: Gangs and the Prospect of Foreign Intervention*, 14 December 2022.

¹⁶² “Court blocks Kenya from deploying police officers to Haiti to fight gangs”, *The Guardian*, 9 October 2023.

and foreign backing that could loosen the violent control of prisons, communities and drug trafficking routes exerted by gangs.¹⁶³

The crises in each of these countries remain entrenched, with major financial, political and diplomatic obstacles standing in the way of resolving them, but advances are possible nonetheless. Achieving improvements in each case would make a huge contribution to reducing migrant flows, even if it is beyond the ken of any foreign government to deal with the vast array of reasons compelling people from nearly 100 different nations to attempt the journey.¹⁶⁴

2. Law enforcement

Reducing migration through the Darién will also depend on a role for law enforcement. Alarmed by the magnitude of migrant flows, the Colombian, Panamanian and U.S. governments have edged closer to a tighter security response in the Darién. U.S. President Joe Biden's administration has said it aims to tackle the underlying causes of migration. But, aware of the difficulties of achieving rapid progress in this direction, Washington has for now focused on attempting to "slow down the flow" of migrants to the southern U.S. border through the use of deterrence strategies.¹⁶⁵ In April, as noted above, the U.S. announced a two-month joint campaign with Colombia and Panama that aimed, among other things, to "end the illicit movement of people and goods through the Darién by both land and maritime corridor".¹⁶⁶

Colombia, for its part, unveiled its Operation Darién initiative in May, which sent an estimated 3,000 security personnel to regain territory on the border, in the hope of weakening the businesses operating under Gaitanista control and targeting the

¹⁶³ Ivan Briscoe and Glaeldys González, "Ecuador's Descent into Chaos", *Foreign Affairs*, 4 October 2023.

¹⁶⁴ Migrants have cited interstate conflicts, civil strife, natural disasters and economic collapse as reasons to flee their homes. Experts also note that climate change is a pressing concern. In 2022, nearly 33 million people were displaced by extreme weather events, often driven by climate change, a number that could reach a total of 1.2 billion people by 2050. Sascha O. Becker and Andreas Ferrara. "Consequences of Forced Migration: A Survey of Recent Findings", *Labour Economics*, vol. 59 (2019). "Global Internal Displacement Database", International Displacement Monitoring Centre, 2023; Jon Henley, "Climate crisis could displace 1.2bn people by 2050, report warns", *The Guardian*, 9 September 2020.

¹⁶⁵ The U.S. announced "an aggressive anti-smuggling campaign targeting criminal networks in the Darién", urging migrants to wait and "avail themselves of safe, orderly lawful pathways" – which does not include irregular crossings through the Darién. "U.S. Government Announces Sweeping New Actions to Manage Regional Migration", op. cit. U.S. spokespersons highlighted that criminal networks dedicated to drug trafficking also exploit migrants in the Darién. There are reports suggesting that senior U.S. officials have lobbied President Biden to consider sending troops to the Darién. "Senior Biden officials are pushing to send U.S. troops to South American jungle to help curb human smuggling", NBC, 23 May 2023.

¹⁶⁶ "Trilateral Joint Statement", op. cit. Observers in Washington say this announcement, timed to placate fears raised by the end of Title 42, was dismissed by Pentagon officers, who noted the impossibility of ending illicit migration because the push factors are so strong. Crisis Group interview, policy analyst, 30 August 2023.

group's leaders for arrest.¹⁶⁷ In June, Panama announced a new military effort involving 1,200 soldiers, codenamed Operation Chocó, to rein in organised crime networks dedicated to drug trafficking and migrant smuggling in the area.¹⁶⁸ But none of these campaigns could prevent illegal migration through the Darién from reaching historical highs in August and September.¹⁶⁹ Policymakers in the U.S., meanwhile, privately acknowledge that a military response is unlikely to succeed in curbing these flows.¹⁷⁰

There is no shortage of challenges in reinforcing border and migration controls across the Darién. Collaboration between Colombia and Panama, as mentioned above, is hampered by mutual mistrust, with cooperation between law enforcement agencies in the Darién largely restricted to matters of security and crime.¹⁷¹ Other obstacles would lie in wait for a reinforced law enforcement strategy to staunch the migrant flow. Unless accompanied by effective measures to dampen the motivation of people to reach the Darién and proceed north, coercive measures or physical barriers aimed at reducing migration could also backfire, creating new humanitarian emergencies as rising numbers of people find themselves stranded or confined close to the border. An example of what could transpire came in 2021, when about 19,000 migrants were stuck in Necoclí, causing huge pressure on the residents.¹⁷² Observers and *coyotes* warn that if governments were to take such measures, human smugglers would seek out more clandestine routes, both through the jungle and at sea, which would likely be more dangerous as well.¹⁷³

Likewise, authorities will have to gauge with care the merits of a campaign to weaken and dismantle armed groups operating in the Darién. Although this approach would in principle help thwart the outfits coordinating migrant smuggling rackets, law enforcement operations in the area are bound by legal constraints, since a large part of Colombia's Darién is made up of collectively owned lands where Afro-Colombian and Indigenous groups wield authority. Military intervention aimed at weakening armed groups would hinge on these communities' consent, but they could well resist

¹⁶⁷ Crisis Group interview, Colombian military officer, 1 September 2023. The operation was intended to be somewhat larger, but it has only reached its first stage. It has since been renamed Operation Hephaestus (Hefesto in Spanish).

¹⁶⁸ "Panamá refuerza la seguridad en el Darién para combatir a criminales que asaltan a los migrantes", EFE, 2 June 2023; "Operación Darién: la ofensiva del gobierno contra el Clan del Golfo", *La Silla Vacía*, 12 May 2023; José David Rodríguez, "Operación Darién: Clan del Golfo rechaza anuncio del Comandante del Ejército", W Radio, 20 May 2023; Roberto López Dubois, "Panamá diseña la operación 'Chocó' para combatir a traficantes de migrantes", *La Estrella de Panamá*, 2 June 2023. A security expert in Panamá told Crisis Group that the Senafront operation managed to reduce crimes against migrants in the area for several weeks, only for them to tick back up once officers left the migrant trail. Crisis Group interview, August 2023.

¹⁶⁹ "Estadísticas", Migración Panamá, 2023. In response to the rising migrant numbers, Panama on 24 August launched a campaign called "[the] Darién is not a route, it's a jungle", aimed at halting "irregular migration" and referring to migration as a national security threat. "Panamá lanza campaña 'Darién no es una ruta, es una jungla'", press release, Panamanian Ministry of Foreign Affairs, 24 August 2023.

¹⁷⁰ Crisis Group interviews, senior U.S. officials, 5 October 2023; former senior U.S. official, Washington, 27 June 2023.

¹⁷¹ Crisis Group interviews, senior U.S. officials, 5 October 2023.

¹⁷² "They won't stop me": Haitians stuck in Colombia keep sights on US", France 24, 25 September 2021.

¹⁷³ Crisis Group interviews, humanitarian aid experts and *coyotes*, 2023.

such a campaign, given that many profit directly from the migrant business in complicity with the Gaitanistas.¹⁷⁴

That said, certain law enforcement approaches could be considered better suited to deterring undocumented migration. Diplomats have suggested creating a specialised border force similar to those in other Latin American countries as a means for Colombia to police its Darién frontier more effectively.¹⁷⁵ Even without such a border force, closer cooperation at the operational level between the police and military of Colombia and Panama, including strengthening communication between them, sharing intelligence and stationing more officers along migrant routes, could form part of an effort to slow migrant flows, protect human rights and weaken armed groups.

Any enforcement operation should also avoid relying exclusively on the deterrence provided by a military presence, but instead draw in other specialised civilian state agencies to lend expertise and exercise oversight. In the case of Colombia, migration authorities should be on hand to help inform migrants of their rights and guide them to legal migration pathways, as well as the prosecution service to help ensure that those who have suffered criminal violence are able to gain access to the criminal justice system.¹⁷⁶ In the case of Panama, humanitarian workers suggest that stronger accountability measures would be needed to prevent representatives of law enforcement bodies from perpetrating sexual violence and other abuses of migrants. They also suggest that Panama should undertake a campaign aimed at providing safe access to sexual and reproductive health services for survivors of sexual violence at the hands of law enforcement officials and others.¹⁷⁷

Indeed, aside from seeking to block migrants from passing or exclusively targeting criminal networks, authorities should aim to create a comprehensive law enforcement presence on both sides of the border that could help ensure that those who have committed crimes against migrants are brought to justice. This deployment should include public prosecutors to handle cases involving violent attacks on migrants.¹⁷⁸ Humanitarian workers, for their part, note that an important step toward preventing abuses by law enforcement officers would be to deploy more women in the security forces operating in the Darién.¹⁷⁹

¹⁷⁴ “The military and police forces would not confront weapons, but rather communities protected by the law, who assert that they are providing a humanitarian service to migrants and safeguarding them from the perils of the jungle”. Crisis Group telephone interview, Colombian official, 11 August 2023.

¹⁷⁵ Crisis Group interviews, diplomats, October 2023.

¹⁷⁶ Crisis Group correspondence, military expert, 1 September 2023.

¹⁷⁷ Crisis Group interview, humanitarian official, Bogotá, July 2023.

¹⁷⁸ The Colombian and Panamanian coast guards do collaborate, but residents on the Colombian side have reported numerous problems. Local fisherfolk have protested what they see as the Panamanian coast guard’s abuses of power, which have allegedly included seizing small fishing boats and demanding payments ranging from \$1,000 to \$1,500 for their release. “There are a number of boats over there”, complained a Colombian fisherman who had his boat confiscated in 2021. Crisis Group interviews, fisherfolk and Colombian state official, Chocó, November 2022.

¹⁷⁹ Crisis Group interview, senior humanitarian organisation representative, Bogotá, 16 May 2023.

B. *Absorbing the Migrants*

1. Legal pathways to the U.S.

Strengthening opportunities for legal migration by creating pathways for eligible asylum seekers could help prevent some migrants from pursuing the Darién route.¹⁸⁰ Washington has already moved to provide support to those entitled to asylum in the U.S., establishing Secure Mobility centres in Colombia.¹⁸¹ A six-month pilot period has been announced for migrants from Cuba, Haiti and Venezuela, with the goal of handling approximately 6,000 requests for refugee status per month at centres in Soacha (a suburb of Bogotá), Medellín and Cali.¹⁸² Problems persist, however. Just one day after the Safe Mobility Office in Colombia started accepting applications, the website temporarily closed to new registrants due to the large volume of requests received.¹⁸³ The slow bureaucratic procedures can be disheartening for migrants who prefer not to break the law.¹⁸⁴

Easier access to different pathways to asylum will in theory benefit people from the countries hardest hit by crisis and conflict, as well as refugees and families with young children. But these centres will not help economic migrants, who represent the majority of people crossing the Darién, and who have shown themselves willing to bear high costs and face lethal risks in search of a better life.¹⁸⁵ Their readiness to tolerate harm as part of this journey includes assimilating the physical and psychological cost of sexual violence. A senior humanitarian representative in Panama said some women who were sexually assaulted in the Darién jungle had already gauged the likelihood of facing attacks before embarking on the migrant trail.¹⁸⁶

2. Burden sharing

If the U.S. aims to slow the influx of migrants across its southern border, then it will need to make far greater efforts to encourage and fund Latin American nations to host them instead. The Los Angeles Declaration on Migration and Protection, endorsed in 2022 by 21 countries across the Americas, including Colombia and Panama, recognises that migration is a shared hemispheric challenge. Its signatories vowed to

¹⁸⁰ Experts foresee that migration from Latin American countries such as Ecuador, Haiti, Venezuela and Colombia will continue to increase in the wake of rising fuel and food prices. In 2022, the number of people facing acute food insecurity globally rose for the fourth year in a row, surpassing a quarter of a billion. Crisis Group interview. U.S. state official, May 2023. Crisis Group telephone interview, senior humanitarian organisation representative, 13 January 2023.

¹⁸¹ In return, Bogotá already achieved family reunification for Colombian citizens in the U.S. and is negotiating for delayed enforced departures. Other Secure Mobility centres have been set up in Guatemala and Costa Rica. As of 17 August, around 23,500 individuals have registered in the three countries. “EEUU: Unas 23.500 personas ya se han registrado en centros de procesamiento de Colombia, Guatemala y Costa Rica”, *Voz de América*, 17 August 2023.

¹⁸² “EE. UU. crea centros para migrantes en Soacha, Medellín y Cali”, *Portafolio*, 3 August 2023.

¹⁸³ Caitlyn Yates and Juan Pappier, “How the Treacherous Darien Gap Became a Migration Crossroads of the Americas”, Migration Policy Institute, 20 September 2023.

¹⁸⁴ Julie Turkewitz, “She heeded Biden’s warning to migrants. Will she regret it?”, *The New York Times*, 24 October 2023.

¹⁸⁵ Crisis Group interview, U.S. state official, May 2023. “Sobreviviendo al Darién: La travesía de refugiados y migrantes por la selva”, UN High Commissioner for Refugees, April 2023.

¹⁸⁶ Crisis Group interview, senior humanitarian organisation representative, May 2023.

cooperate in ensuring safe, orderly migration, offering assistance to recipient countries, and protecting migrants by enabling their entry to the job market and access to essential services. It also noted that handling the challenges of migration should be a “shared responsibility among States”.¹⁸⁷

In this spirit, several Latin American countries – above all Colombia, Peru and Chile – have welcomed numerous Venezuelan migrants in recent years, often without having the wherewithal to ensure that their needs can be met. Colombia made a huge effort, until recently, to extend temporary residency to Venezuelans currently on its soil, estimated to number 2.89 million.¹⁸⁸ While U.S. assistance for integration of migrants in Latin American nations is substantial, it is only a palliative for a major burden. In 2022, the U.S. allocated \$656.3 million to help countries address the Venezuelan humanitarian and migrant crisis, with Colombia, Peru, Ecuador and Brazil the main beneficiaries.¹⁸⁹ Nevertheless, the Inter-Agency Coordination Platform for Refugees and Migrants from Venezuela reports that financing for 2023 stands at only 17 per cent of what is required.¹⁹⁰ According to Colombia’s migration authorities, the funds raised at a donor conference hosted by the EU, Canada and UN agencies to address the needs of Venezuelan migrants cover only one month of spending.¹⁹¹ More money is desperately needed to enable these states to provide alternative destinations for those considering making the journey north.

The need for support may well increase. Migrants now appear to have even fewer reasons to halt their journeys to the U.S. As of 28 May, Venezuelans entering Colombia are no longer eligible to apply for temporary protected status, meaning that many new migrants will have no reason not to continue northward. The U.S. will have to consider providing substantial financial assistance if Colombia is to begin accepting even more Venezuelan migrants as legal residents. Meanwhile, Panama has a limited history of granting asylum, with only six people, most of them Ukrainian, receiving it in 2022. In exchange for cooperation on border control, the U.S. government could encourage Panama to grant more asylum to eligible migrants.¹⁹² In any case, support for these and other countries in the region that are receiving and hosting migrants will remain essential so long as the U.S. wishes to relieve the pressure on its own borders.

3. Controlled migration and safe routes

Mitigating the risks faced by migrants in the Darién has become an imperative for humanitarian organisations. The UN and civil society groups have proposed various ways to do so, including improving opportunities for migrants to remain in countries

¹⁸⁷ See “Los Angeles Declaration on Migration and Protection”, White House, 10 June 2022.

¹⁸⁸ Crisis Group Report, *Hard Times in a Safe Haven: Protecting Venezuelan Migrants in Colombia*, op. cit. For latest figures on Venezuelan migration in the region, see “América Latina y el Caribe, Refugiados y Migrantes Venezolanos en la Región”, R4V, August 2023.

¹⁸⁹ “Venezuela Regional Crisis Fact Sheet #4”, USAID, 26 September 2022.

¹⁹⁰ “Regional Refugee and Migrants Response Plan 2023”, R4V, 5 October 2023.

¹⁹¹ “Hablamos con, Fernando García Manosalva”, Fundación Carolina, 18 May 2023.

¹⁹² In 2019, an agreement was signed between the U.S. Department of Homeland Security and Panama’s Ministry of Public Security to address irregular migration by enhancing border security. The U.S. provided Senafront with devices to collect biometric data from migrants exiting the Darién, while the U.S. State Department’s Bureau of International Narcotics and Law Enforcement Affairs provided Panama with helicopters and trained Senafront officials.

typically used as transit points, combating the dissemination of fake news and ensuring the widespread availability of reliable information, particularly on social media.¹⁹³ These initiatives could help dissuade individuals from opting for the most perilous parts of the migrant trail and offer them safer alternatives, although their eventual route may still depend on the choice of migrant smugglers.

Some humanitarian organisations and regional governments have put forward an even bolder solution. Their idea is to create a controlled migration corridor – ie, a secure, supervised overland route where migrants would have access to medical care, shelter, food and clean water. The idea of such a humanitarian corridor, connecting Colombia with Panama or Costa Rica either by land or sea, was aired by Colombia in 2022, but got little support from either Panama or the U.S.¹⁹⁴

Actively assisting migrants in safely crossing or bypassing the Darién is a politically unpopular strategy. In the absence of other policies for reducing the numbers of migrants making the journey north, weakening the influence of human smugglers and distributing the burden of migrant reception among countries across the Americas, it would risk serving as an incentive for people to make the journey to the U.S. border. Possible consequences would include the propagation of hazardous new routes under criminal control farther north and the clustering of migrants along other borders, where they might face discrimination and abuse. In the words of one U.S. state official, the creation of a corridor “would be a rough thing to explain to people in Texas”.¹⁹⁵

Humanitarian advocates argue that a tended pathway through the jungle or via sea to Panama’s migrant reception centres would curb the risks of attack migrants face.¹⁹⁶ They add that under the joint management of Colombian and Panamanian authorities, with support from UN agencies and humanitarian NGOs, a more closely controlled route would in principle enable both countries and international bodies to regulate the number of migrants allowed to cross each day, as well as to share information about those moving across the border without compromising their safety. Panamanian authorities have long insisted that they require more information about the health conditions of migrants heading to the country, the number of minors and potential security threats. Furthermore, Panama already transports migrants in a controlled manner across its northern border with Costa Rica, setting daily maximum limits and allowing private bus companies to charge fees for transport.¹⁹⁷

For now, however, the idea of controlled and safe migration routes through the Darién with a daily cap is best seen as aspirational, both for political reasons and because other obstacles would need to be surmounted if the safe route is to work. Foremost among them is the importance of ensuring that the number of migrants approaching the Darién does not greatly exceed the quota allowed to pass over the

¹⁹³ Turkewitz, “In record numbers, Venezuelans risk a deadly trek to reach the U.S. border”, op. cit.; Christina Noriega, “The asylum seekers using TikTok to share perils of Darién Gap”, Al Jazeera, 28 September 2022; “Sobreviviendo al Darién: La travesía de refugiados y migrantes por la selva”, op. cit.

¹⁹⁴ “Corredores humanitarios, entre las propuestas para crisis migratoria en el Darién”, *El Espectador*, 2 November 2022.

¹⁹⁵ Crisis Group interview, U.S. state official, 2023.

¹⁹⁶ Crisis Group interview, senior humanitarian organisation representative, Bogotá, 12 October 2023.

¹⁹⁷ “Panamá y Costa Rica activan un ‘corredor humanitario’ para el traslado directo de migrantes”, Infobae, 10 October 2023.

border each day – to avoid the “pull factor” effect that countries north of the gap are concerned about.

There are other hurdles, too. Panama would need to overcome its reticence regarding the operations of international NGOs in parts of the Darién.¹⁹⁸ A bid to sever the exploitative links that have developed between local communities and migrants could engender resistance that might also threaten the endeavour.¹⁹⁹ An ideal solution would be for communities to be involved in the formal humanitarian response and the creation of safe, custodied migration routes, with locals allowed to receive income from their work while being encouraged to break ties with criminal groups engaged in migrant transit. Local communities could also benefit from the humanitarian surge through greater access to education, health care and economic development, strengthening their trust in the state. But making this idea work in practice poses challenges.

Convincing communities to join in a safe corridor would depend on the right incentives – which would require generous donor funding – as well as steps to undermine the grip of migrant smugglers and their criminal patrons. At least in theory, future negotiations between the Colombian state and the Gaitanistas could seek to harness the group’s consent to such a route, on the understanding that it will not interfere with migrants nor seek to profit from them. Steps in this direction would nevertheless depend on concrete progress toward talks, as well as a narrowing of the differences between the government’s view of the Gaitanistas as a criminal group and their own claim to be a political organisation.

The different elements that need to come together may seem out of reach for the present, and some almost certainly are. Despite these practical and political impediments, the safe corridor ideal is a useful and important approach, not least because it puts protection of the of migrants first and could help save lives.

¹⁹⁸ Some international NGOs have waited for over a year to receive permission to start projects. Crisis Group interviews, senior humanitarian organisation representatives, Panama, January 2023.

¹⁹⁹ Detaching local communities from the informal migrant industry would benefit humanitarian operations given the difficulties at present in working with local “guides” or *coyotes*, for example by giving security training or human rights inductions. Training along these lines may at present be regarded as an incentive to engage in migrant smuggling. Crisis Group interview, migration expert, Chocó, 7 October 2022.

VI. Conclusion

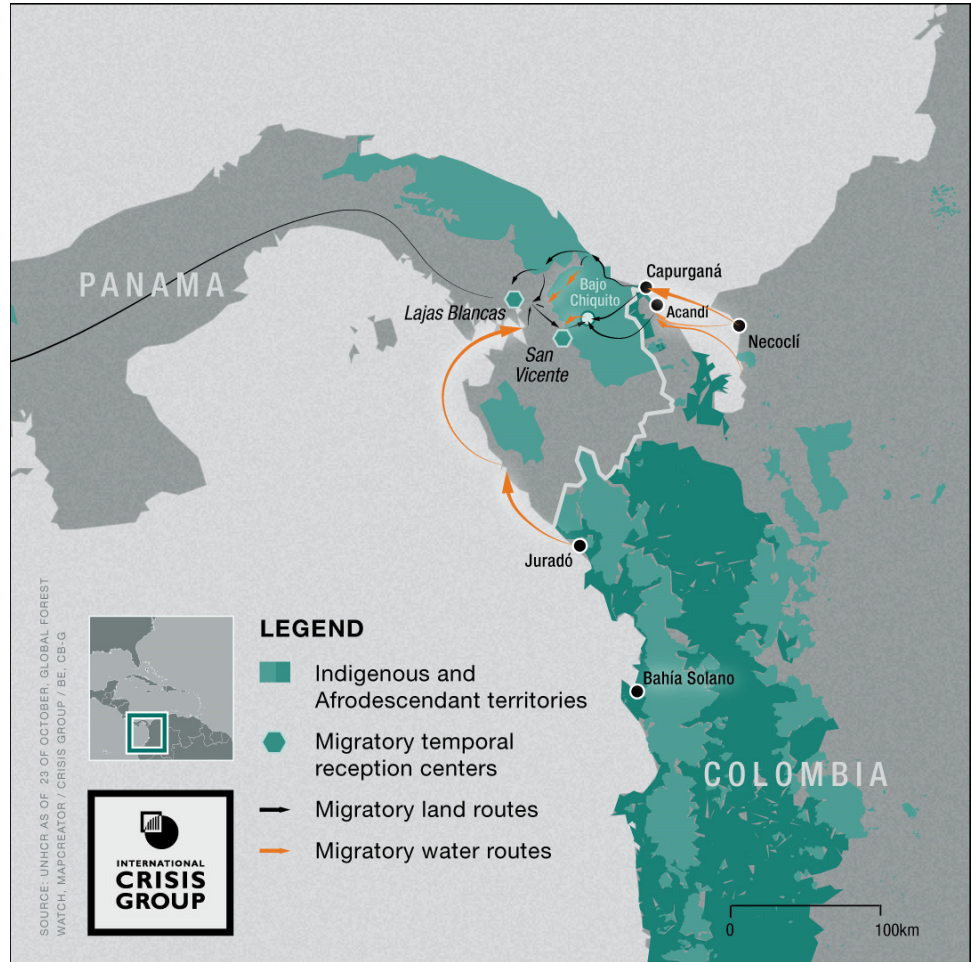
The doors through the Darién Gap have been thrown wide open. Informal pathways and sea routes are bringing thousands of migrants a week one step closer to the U.S. border, in the process filling the coffers of one of the world's largest drug trafficking groups as well as local communities that oversee the migrant smuggling racket. While it is far-fetched to expect that the U.S. will overhaul its border controls to welcome more newcomers and grant them the right to reside on its national territory, there are still useful ways in which Washington, Bogotá and Panama City can develop a more responsible and humane approach to this enormous challenge.

Despite the frictions between them, and a chronic lack of resources, Colombia and Panama are together at the forefront of efforts to control the border and address the hardships in their shared isthmus. As a first step, they should seek with U.S. backing to build on their tentative cooperation. Closer collaboration between security forces and judicial bodies is essential both to reinforcing border controls, managing migration flows and to safeguarding migrants from violence, although the record suggests that proposals to deploy more troops to the zone alone are unlikely to produce the desired results. Greater humanitarian support is urgently required along the migrant trail. Washington should also take concrete steps to improve legal pathways to migration in the U.S., as well as strengthen the capacity of other Latin American states to absorb migrants. Resolving conflicts and turmoil in Venezuela, Ecuador and Haiti, the main current sources of migration, would certainly help relieve the over-crowding in the jungle, although progress to this end can appear grindingly slow.

A broad regional effort is vital to finding a way through the minefield of competing demands on migration policy. Tough border security or humanitarian relief on their own could generate serious repercussions elsewhere, and there is little immediate prospect of change in the conditions pushing migrants to set forth. For now, a serious good-faith attempt to improve cross-border coordination between Colombia and Panama, push further donor resources to where they are needed and address surging migration in a balanced way – one that recognises the complex constraints on policy but never loses sight of the struggling humans who are at its heart – should be the goal of all governments with a stake in the Darién Gap.

Bogotá/Washington/Brussels, 3 November 2023

Appendix A: Map of Main Migration Routes in the Darién



Appendix B: About the International Crisis Group

The International Crisis Group (Crisis Group) is an independent, non-profit, non-governmental organisation, with some 120 staff members on five continents, working through field-based analysis and high-level advocacy to prevent and resolve deadly conflict.

Crisis Group's approach is grounded in field research. Teams of political analysts are located within or close by countries or regions at risk of outbreak, escalation or recurrence of violent conflict. Based on information and assessments from the field, it produces analytical reports containing practical recommendations targeted at key international, regional and national decision-takers. Crisis Group also publishes *CrisisWatch*, a monthly early-warning bulletin, providing a succinct regular update on the state of play in up to 80 situations of conflict or potential conflict around the world.

Crisis Group's reports are distributed widely by email and made available simultaneously on its website, www.crisisgroup.org. Crisis Group works closely with governments and those who influence them, including the media, to highlight its crisis analyses and to generate support for its policy prescriptions.

The Crisis Group Board of Trustees – which includes prominent figures from the fields of politics, diplomacy, business and the media – is directly involved in helping to bring the reports and recommendations to the attention of senior policymakers around the world. Crisis Group is co-chaired by President & CEO of the Fiore Group and Founder of the Radcliffe Foundation, Frank Giustra, as well as by former Foreign Minister of Argentina and Chef de Cabinet to the United Nations Secretary-General, Susana Malcorra.

Comfort Ero was appointed Crisis Group's President & CEO in December 2021. She first joined Crisis Group as West Africa Project Director in 2001 and later rose to become Africa Program Director in 2011 and then Interim Vice President. In between her two tenures at Crisis Group, she worked for the International Centre for Transitional Justice and the Special Representative of the UN Secretary-General in Liberia.

Crisis Group's international headquarters is in Brussels, and the organisation has offices in seven other locations: Bogotá, Dakar, Istanbul, Nairobi, London, New York, and Washington, DC. It has presences in the following locations: Abuja, Addis Ababa, Bahrain, Baku, Bangkok, Beirut, Caracas, Gaza City, Guatemala City, Jerusalem, Johannesburg, Juba, Kabul, Kyiv, Manila, Mexico City, Moscow, Seoul, Tbilisi, Toronto, Tripoli, Tunis, and Yangon.

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Jonas Grossman	Thomas R. Pickering	Bonis Woodyer
Russell Hardy	Kerry Propper	Young Family Foundation
Houssian Foundation	Quiet Cove Foundation	
	Ahmed Rashid	

AMBASSADOR COUNCIL

Young leaders who bring their skills and experiences from diverse backgrounds to support a shared mission: preventing war and shaping peace.

Khazer Almajali	Joe Hill	Gillian Morris
Christina Bache	Ajla Hotic	Duncan Picard
James Blake	Lauren Hurst	Lorenzo Piras
Iris Bouma	Reid Jacoby	Sofie Roehrig
Damien Bruckard	Jennifer Kanyamibwa	Perfecto Sanchez
Pierre Jean Dahaene	Andrea Karlsson	Christine Savino
Brieuc Debontridde	Meera Kotak	Rahul Sharma Sen
Darina Dvornichenko	Gillian Lawie	Alexandra van Nievelt
Sabrina Edelman	David Litwak	Grant Webster
A.J. Fuentes	Madison Malloch-Brown	Sherman Williams
Andrei Goldis	Federico Firmian Manfredi	Yasin Yaqubie

CRISIS GROUP EMERITII

Mort Abramowitz Founder and Trustee Emeritus	George Mitchell Chairman Emeritus	Gareth Evans President Emeritus
Lord (Mark) Malloch-Brown Founder and Chairman Emeritus	Thomas R. Pickering Chairman Emeritus	