

URGENT ACTION

REFUGEES IN PERU RISK MASS EXPULSIONS

Venezuelan nationals in Peru no longer can apply for temporary protection, which allowed refugees to have a regular migratory status. On 14 November, the Peruvian government issued the legislative decree 1582 dictating the expulsion of all foreigners with an irregular migratory status, putting countless Venezuelans who were unable to apply for temporary protection before the 10 November deadline at risk. The 24-hour process established for carrying out expulsions is incompatible with due process guarantees, the prohibition of non-refoulement, and international obligations of protection of Venezuelan nationals. We call on the Peruvian government to immediately repeal this decree.

TAKE ACTION: WRITE AN APPEAL IN YOUR OWN WORDS OR USE THIS MODEL LETTER

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Dear Mr Alberto Otárola Peñaranda,

I am deeply concerned by the recent decree issued by the Peruvian government that puts Venezuelan refugees in Peru at grave risk. The recent deadline to apply for temporary protection was too tight for many Venezuelans to apply for regular migratory status and now they are left totally unprotected and facing unlawful expulsions.

Amnesty International has repeatedly acknowledged the challenges implied in welcoming unprecedented numbers of people seeking protection. However, Peruvian authorities cannot use this as an excuse to ignore its [obligations under international refugee and human rights law](#) to protect those fleeing massive human rights violations in Venezuela. Peru must guarantee the right to request recognition of refugee status for all Venezuelans; implement complementary and temporary protection measures that are fully accessible and that protect basic rights; and crucially, ensure strict compliance with the principle of non-refoulement.

In our recent report, [Regulatization and Protection](#), we reminded Peruvian authorities of its international obligations regarding non-refoulement: "The principle of non-refoulement, which has become a standard of customary law prohibits states from expelling or returning a person to any territory where their life or freedom could be threatened, or where they could be at risk of persecution. This principle of non-refoulement covers interception, rejection at a border, or indirect return. It is non-derogable and must be upheld at all times by states."

Legislative Decree num. 1582 goes against these obligations under international law, including ensuring the right to due process guarantees as a crucial barrier to protect refugees from refoulement. This decree seems to establish unlawful expulsions as a rule. We call on you to immediately repeal Decree 1582 and to fully comply with Peru's international obligations to protect Venezuelan nationals in the country.

Yours sincerely,

ADDITIONAL INFORMATION

By August 2023, over [25% of the population of Venezuela](#) (more than 7.71 million Venezuelans) have fled massive human rights violations. That's one in every four people in the country. Numbers are still rising: since May 2022, there has been a 1.4 million increase. More than 80% of these people are in Latin America and the Caribbean. Specifically, 70% are in Colombia (2.9 million), Peru (1.5 million), Ecuador (475,000), and Chile (444,000). Outside of Latin America and the Caribbean, the top 10 host countries include the United States, which ranks third, with 545,000 Venezuelan nationals in its territory (September 2021 figure). This figure is considered to be grossly outdated, with the population increasing daily as Venezuelans continue to be one of the top nationalities arriving to the US through the border and parole programs.

Amnesty International believes that Venezuelan nationals fleeing the country are in need of [international protection](#) and should be formally recognised as refugees, given the threat to their lives, their safety and their freedom as a result of massive human rights violations committed in Venezuela. Consequently, they cannot be returned to Venezuela or to places where their lives and human rights are at risk. However, a growing number of countries, including the US, have resumed [deportation flights](#) to Venezuela in contravention of international human rights and refugee law.

This crisis has impacted Venezuelan women and girls disproportionately. In 2022, Amnesty International published [Unprotected: Gender-based violence against Venezuelan refugee women in Colombia and Peru](#), revealing how the lack of access to international protection and migratory regularization, and obstacles in accessing health and justice services and shelters, showed that Peru, Ecuador and Colombia breached their obligations to prevent and remedy gender-based violence against Venezuelan refugee women.

In a September 2023 report, [Regularization and protection: International obligations for the protection of Venezuelan nationals](#), Amnesty International concluded that neither Colombia, Ecuador, Peru or Chile comply with their obligation to offer international protection or complementary protection to Venezuelans. The number of Venezuelan nationals recognized as refugees is extremely low in all four countries, and challenges accessing basic human rights compound the vulnerability Venezuelans face.

In the face of ineffective asylum systems, countries have implemented alternative measures to offer migratory regularisation, like in Peru. However, none of them comply with international standards for complementary protection and all fall short of asylum-equivalence. Access to these measures are often restricted by means of temporary limits to entry into the country or date of application, or monetary cost. They also fail to provide effective protection against refoulement or other basic rights.

The Peruvian state has repeatedly taken actions that put Venezuelan refugees at risk. In 2020, Amnesty International issued an urgent action given the risk of [forced evictions](#) Venezuelan nationals and others faced during the Covid pandemic, at a time when many Venezuelan refugees were in a situation of heightened vulnerability. In November 2021, Amnesty International issued another urgent action to demand Peruvian authorities grant emergency humanitarian status to [Venezuelan children](#) in Peru, after Peruvian authorities unduly denied them such status. Both actions were eventually [successful](#). In 2023, Amnesty International issued an [open letter to the presidents of Peru and Chile](#) to express its deep concern for the critical situation faced by people in need of international protection at the border between Chile and Peru, as a result of the measures implemented by their respective governments, including the deployment of military forces and the declaration of a state of emergency.

PREFERRED LANGUAGE TO ADDRESS TARGET: Spanish

You can also write in your own language.

PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL: 9 January 2024

Please check with the Amnesty office in your country if you wish to send appeals after the deadline.

NAME AND PREFERRED PRONOUN: Venezuelan refugees (they/them)

LINK TO PREVIOUS UA: <https://www.amnesty.org/en/documents/amr46/7377/2023/en/>