

# URGENT ACTION

## REFUGEE CHILDREN AT RISK

Thousands of children and adolescents asylum seekers in Peru face increased risks because authorities are denying them humanitarian immigration status, a type of temporary legal residency which they are entitled to under the Peruvian law and that allows them to get an identification card. Without this, they cannot access basic rights, such as education and health. Call on the Peruvian State to grant children and adolescents asylum seekers with humanitarian immigration status with no further delay.

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

**Oscar Maúrtua De Romaña**  
**Minister of Foreign Affairs**

Jr. Lampa 545  
Cercado de Lima, Lima  
Perú

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Dear Minister Oscar Maúrtua De Romaña:

I am writing to express my concern about the situation of thousands of children and adolescents seeking asylum in Peru. According to the information received, while adults have been granted humanitarian immigration status (a type of temporary legal residency that gives people access to an immigration document during the asylum claim proceedings) in recent months, asylum seekers and refugee children and adolescents were denied this same right.

Civil society organizations have registered at least 20 cases of children and adolescents who were denied the aforementioned humanitarian immigration status, without there being any justification in the current regulations for such a decision. Despite several meetings between the Ministry of Foreign Affairs and civil society organizations held in September and October of this year to deal with that serious and pressing issue, there is no institutional response from the Peruvian authorities.

The failure to consider children and adolescents for a migratory condition they are entitled to, and to deliver them immigration documentation is discriminatory and puts thousands of them at risk, as it prevents them from accessing basic human rights, such as access to health and education.

I urge the Ministry of Foreign Affairs of Peru to adopt without further delay measures to broaden its criteria for issuing humanitarian immigration status to children and adolescents asylum seekers, in order to guarantee they can enjoy all their human rights without any discrimination.

Yours sincerely,

## ADDITIONAL INFORMATION

The Venezuelan refugee crisis currently unfolding in the Americas is the second largest in the world, and Peru tops the list of countries that host Venezuelans fleeing their homes in search of international protection.

According to UNHCR, at the end of 2020, Peru was hosting more than 500,000 asylum seekers on its territory. Obtaining documentation that allows them to access and effectively exercise their fundamental rights (such as the right to health, work and education) are among the main challenges they face.

In June 2021, the Ministry of Foreign Affairs established new guidelines for the granting and extension of the Humanitarian Immigration Statute (Ministerial Resolution No. 207-2021-RE), a figure that allows asylum seekers to regularize their stay in Peru and obtain the immigration card (document that identifies foreigners residing in Peru) while they await a final response to their refugee claim.

However, with the passage of time, some difficulties were identified within the process of evaluation and granting of the Humanitarian Migration status. The main one is not related to a procedural or informative issue; but it is, in reality, related to the arbitrary decision NOT TO CONSIDER children and adolescents as possible beneficiaries of the Humanitarian Migratory status. It should be noted that this migratory category is being granted to adults, who in many cases are also fathers and mothers, but the most vulnerable group of refugee applicants, which are children and adolescents, is being denied, it is necessary to emphasize that there is no legal limitation for the issuance of humanitarian immigration status.

According to civil society organizations, there is no impediment or justification in the current regulations so that children and adolescents cannot be beneficiaries of the Humanitarian Migration status.

Likewise, according to the National Institute of Statistics and Informatics, INEI, around 59% of Venezuelans fled to Peru with their sons or daughters. Likewise, the group of boys, girls and adolescents represents 22.6% of the Venezuelan population in Peruvian territory. It is, therefore, a considerable population group, which due to its particular situation requires special attention. It is the duty of the authorities to ensure the protection of children and adolescents within their territory, paying special attention to the best interests of the child. To do this, they must take the necessary measures to satisfy their basic needs, as well as ensure access to and exercise of their fundamental rights; also allowing to facilitate the transition and integration processes typical of the migration process.

**PREFERRED LANGUAGE TO ADDRESS TARGET:** Spanish

You can also write in your own language.

**PLEASE TAKE ACTION AS SOON AS POSSIBLE UNTIL:** [3 January 2021]

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

**NAME AND PRONOUN:** The Refugee child matter (they/them/their)

**LINK TO PREVIOUS UA:** n/a