



OPEN LETTER TO THE HEADS OF STATE ATTENDING THE NINTH SUMMIT OF THE AMERICAS

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The Government of the United States of America, as host, has decided that the Summit will focus on “Building a sustainable, resilient and equitable future”. Amnesty International believes that this sustainable, resilient and equitable future cannot overlook human rights and in particular the millions of people who have experienced human rights violations and communities and groups who have historically been marginalized.

In the most unequal region in the world, and despite the fact that the Covid-19 pandemic continues to further exacerbate inequalities, states in the Americas have not focused on a just recovery. On the contrary, they have engaged in efforts to undermine human rights, repress peaceful protest, intimidate human rights defenders and journalists, and jeopardize judicial independence, in an attempt to silence dissident voices.

Against this backdrop, the region continues to see some of the world’s largest cross-border movement of people. Given the US government initiative to pursue a regional [Migration Pact](#) at this Summit of the Americas, the organization stresses that most of these movements of people are the result of multiple human rights crises. These include the prolonged crisis in Venezuela, which has caused more than 6 million people to flee the country seeking international protection; the persecution of people for political reasons in Nicaragua and Cuba; the humanitarian situation in Haiti, which has led to thousands of people being on the move throughout the region; and the situation of generalized violence, to which have been added natural disasters associated with climate change, in Central America that have caused tens of thousands of people from El Salvador, Honduras and Guatemala to set out on their journey to the North of the continent.

The organization regrets that, in view of the urgent need for protection, the authorities of several states in the region are responding with restrictive and often inhumane policies, detaining migrants and refugees in precarious conditions, while others carry out forced returns without due consideration of people’s asylum applications or the impossibility of return, as is the case of Haiti. In several countries in the region, the militarization of borders has also become permanent, creating a context conducive to human rights violations not only against those seeking protection, but also against the host communities.

In order to put into context the pressing situation, Amnesty International recalls that only last year, according to the International Organization for Migration (IOM), at least 650 people lost their lives trying to cross the border between Mexico and the United States of America, the highest number since 2014. In addition, also in 2021, using the pretext of public health regulations, the United States Border Patrol, in collaboration with the Mexican authorities, carried out the summary, unnecessary and unlawful return of almost 1.5 million refugees and migrants, including thousands of unaccompanied minors.

The Mexican authorities detaining at least 252,526 people in immigration detention centres. These facilities failed to offer basic hygiene measures and at least 101,571 people, mostly from Central America, including thousands of unaccompanied minors, were deported.



In the specific case of Venezuela, the organization considers that the exodus of more than 6 million people is one of the clearest and most compelling manifestations of the profound human rights crisis that the country is experiencing. Massive human rights violations have led to 20% of the country's population seeking protection in other countries, most of them in Latin America and the Caribbean.

It should be noted that those in need of international protection find themselves in a dire situation in many of the host countries. In terms of militarization, in January 2021 the Peruvian government deployed the military on the country's border with Ecuador to restrict the entry of migrants and asylum seekers and to disperse people at the border, at times with the use of firearms. In Trinidad and Tobago, the picture has been no different: the security forces even shot and killed a baby who, with his mother, was among a group of Venezuelans trying to enter the country irregularly by boat, because it was impossible for them to enter the country by legal means.

The criminalization of irregular migration and the lack of asylum legislation in many countries in the region put migrants and people in need of international protection at serious risk of being forcibly returned to their country and exposed to human rights violations.

In Chile, for example, the new migration law does not provide guarantees for the regularization of Venezuelan nationals because it does not allow a person who is already in Chile to change category. This law could constitute a setback since it increases the powers of the administration to carry out expulsions and immediate returns to the border, with a resulting high risk of violations of the principle of "non-refoulement" in the case of asylum seekers. In short, the law does not recognize that a migrant may be in a situation of great risk that requires the special consideration and protection of the state, even more so if they could access their right to seek asylum. And this law is not an isolated case, in several countries laws and policies have been put in place that severely restrict the human rights of migrants.

It is imperative that the response of states in the region focus on ensuring the protection of human rights; the Migration Pact mentioned above should be a tool for collaboration and regional coordination capable of providing effective and lasting solutions over time. Failure to do so would be to ignore the lived reality of millions of people seeking international protection, which for many is the only way to guarantee minimum conditions of dignity and access to fundamental rights, such as health, food and security.

Amnesty International urgently calls on the Heads of State in the Americas to adopt coordinated measures to provide protection to migrants and refugees in the countries in the region, taking into consideration differentiated approaches to address the specific needs of at-risk groups, such as unaccompanied migrant children, women and girls, and LGBTI people, among others. Likewise, the organization urges the authorities of states in the region to put in place and strengthen infrastructure and response capacities to address these cross-border migratory flows in order to have a coordinated, interconnected and sustained regional response over time. This would represent a comprehensive response to the needs of thousands of people seeking international protection and a significant commitment to human rights.