

## AMNESTY INTERNATIONAL – PUBLIC STATEMENT

24 January 2020

AMR 46/1710/2020

# REFUGEES IN PERU: VENEZUELAN MUST BE PROTECTED

**While millions are fleeing human rights violations in Venezuela, countries across the Americas have the obligation to offer safety and protection. The Peruvian government's announcement of the creation of a public security unit to specifically target Venezuelans in Peru is a discriminatory measure that contravenes the state's obligations under international human rights law. Instead of demonizing people in need, Peruvian authorities must guarantee their rights to due process and to seek international protection.**

The Peruvian government's announcement that it plans to create a brigade to combat crime committed by foreigners, is discriminatory and in violation of international human rights law. While framed as having a focus on foreigners, which would in any case be discriminatory, this measure clearly intends to target Venezuelans. With over 800,000 nationals, Venezuelans account for the majority of foreigners in the country, followed by 96,000 Ecuadorians and 74,000 Chileans according to government statistics. In recent months, high-ranking officials have sought to blame Venezuelans for crime in Peru, in a gross negation of their responsibility towards a population in urgent need of protection.

According to the Minister of Interior's announcement, the special brigade will form part of the Criminal Investigation Unit of the National Police of Peru, reporting to the Ministry of the Interior, and would incorporate investigators from various divisions, including murder, robbery and kidnapping. The creation of a brigade to focus on a particular group, in this case on Venezuelans, is an overt act of discrimination by the Peruvian government. Peru is obliged to refrain from taking actions that discriminate against a particular group, including in the development of legislation, regulations and practices.

Furthermore, frequent public statements made by authorities, which conflate Venezuelans with criminality, are irresponsible and dangerous. Peruvian authorities have the duty to avoid statements that stigmatize Venezuelans, which only serves to incite fear of a population who came to Peru in search of safety and could put them in danger of xenophobic attacks.

Law enforcement must be done in a way that upholds Peru's domestic and international legal obligations, including those to refugees and asylum seekers. Any Venezuelans who are accused of having committed crimes in Peru should be held accountable through fair trials, as would any Peruvian citizen accused of crimes. Only in rare and extreme cases, such as crimes against humanity, can people be excluded from international protection.

The international principle of *non-refoulement* prohibits governments from transferring any person, in any manner whatsoever, to a place where they would be at real risk of serious violations of human rights. Any deportation proceedings must uphold due process guarantees, including objective examinations of individuals' circumstances and the risks they would face upon return, as well as access to legal representation, and the right to remedy.

The United Nations High Commissioner for Refugees and the Inter-American Commission on Human Rights have called on host governments in the region to take steps to prevent xenophobia and discrimination against Venezuelans seeking safety. Furthermore, the Peruvian government, along with other governments of host countries, has committed to prevent discrimination and xenophobia against Venezuelans as part of the Quito Process.