

PERÚ / BRIEF NOTE

FINDINGS AND RECOMENDATIONS FROM PROTECTION MONITORING EXERCISE October 2020 – February 2021

Introduction

From October 2020 to February 2021, as part of its integrated protection response, the **Danish Refugee Council (DRC)** and **Encuentros Servicio Jesuita a Migrantes** (hereinafter Encuentros) have conducted a total of 429 household protection monitoring interviews with Venezuelan displaced population living in the districts of San Juan de Lurigancho and San Juan de Miraflores of Metropolitan Lima. With a total of 1,384 assessed displaced persons, the results of this monitoring have especially reinforced the Individualised Protection Assistance (IPA) and referral components of the protection intervention and it has allowed to identify risk patterns across the population to inform the next phase of the project and the overall humanitarian response in Lima. The results and findings of the protection monitoring are presented below. Main findings of the protection monitoring exercise can be visualised at [this link](#).

In anticipation of upcoming challenges, it is important to remember that Peru ranks as the second-largest recipient of Venezuelan displaced population after Colombia, and the largest host of Venezuelan asylum seekers worldwide¹. Predictions by UNHCR and IOM project the total displaced population in the country will reach 1.17 million by the end of 2021².

01 A young population and high presence single-parent households

The data presented in this brief note originates from the population belonging to first waves of the Venezuelan exodus, as the surveyed individuals have been in Peru for an **average of 27 months** and family reunification was not reported as a relevant factor in their decision to migrate. The effects of tighter migration policies become evident with the increase of irregular entrances during the last year and a half.

The profile of the surveyed population is significantly young, as four out of ten individuals are below 18 years old, and as much as 20.7% of the population are children between 0 to 5 years old. Including women, 75.5% of the overall population belongs to a group **exposed to protection risks**. One third of the surveyed households are **female-headed single parent households**, representing the most negatively impacted population group, as they earn less income, share their housing with more people and report facing multiple barriers to access healthcare. In many cases, the care burden of the households is aggravated by the presence of **people with specific needs**. Indeed, more than 60% of the surveyed population indicated that at least one member of their family has some degree of disability. From that total DRC and Encuentros have estimated that 43% are eligible to receive IPA³ intervention because of the special risk of their situation.

Recommendations:

- Reinforcing the monitoring of protection risks and needs associated with single-parent households.
- Reinforcing the monitoring of people with specific needs and serious medical conditions that remain untreated.

¹ UNHCR, 2021.

² Refugees and Migrants from Venezuela Response Plan 2021. Link: [rmp_2021_3.pdf](#)

³ Those categories are: woman at risk, child or adolescent at risk, single-parent caregiver, violence and/or torture survivor, serious medical condition, people with disabilities, elders at risk, and people in need of physical or legal protection.

02 No intentions of return and lack of documentation

The **triggers** for this massive displacement in the region were associated by the interviewed People of Concern (PoC) to their **incapacity to meet essential needs** and **lack of access to basic services** in Venezuela, while **insecurity** was the main displacement factor approximately 25% of the surveyed population. Looking at potential durable solutions, surveyed population has shown a clear **willingness to settle in Peru** at both short (less than 3 years from the date of interview) and medium-long terms (3 years and onwards). The link between the political and economic situation in the country of origin and the willingness of turning displacement into a permanent status is pointed out by the low rate of “intention to return” upon improvement of the situation in Venezuela. Certainly, the deepening economic crisis in Venezuela exacerbated by the pandemic during 2020 and the refugees and migrants’ lack of confidence in the country political institutions are additional key factors which make the option “to return home” not currently viable.

Thus, foreseeing a long-term stay of refugees and migrants in Peru, obtaining migratory permits, or even residence status, becomes a critical aspect of the humanitarian response as the lack of documentation leads to exclusion and greater exposure to risks. Indeed, **documentation** is referred as the main cross-cutting barrier to access health, education, and formal jobs. Accessing regular residence documentation has also been reported as the main priority for households that have irregularly entered in Peru. Overall, more than half of the refugee and migrant population does not have a regular migratory status allowing them to access stable and formal livelihoods, and only four out of ten PoC are entitled to access health and education services.

More importantly, the modality of entrance has proven to be a determining factor for the legal situation of the population. Those that entered irregularly in Peru show significantly higher rates of total lack of permits (30% above average) and higher tendency to opt for asylum application mechanisms (8% above the average). This data shows that irregular entrance perpetuates PoC exclusion from the residence regularization system which has a direct impact on access to basic rights and services.

Recommendations:

- Exploring and effectively implementing regulatory alternatives that simplify the documentation standards required to access regular migration status in the country.
- Expanding legal counselling/assistance services to provide orientation and accompaniment in the process of regularizing residence and obtaining work permits.

03 Misinformation about refugee status and asylum procedures

The surveyed PoC showed a limited interest in the option of **asylum** as they do not associate the international protection framework as a mean to grant their stay in the country and access services. More than 60% of the interviewed population did not apply for the refugee status yet, and most of them do not even consider it as a viable option⁴.

Nonetheless, **misinformation** has been detected as a relevant barrier to apply for international protection. Half of the families that expressed their intention to apply for the refugee status – but have not launched the process yet – mentioned the lack of knowledge about the process as the main reason for the delay. Moreover, half of the PoC that are not interested in pursuing the application base their decision on the lack of knowledge concerning the procedure and the unfamiliarity with the concepts and frameworks of the refugee status itself. The displaced population legal illiteracy about the Peruvian asylum system is the main barrier for accessing international protection, as many PoC consider that holding a temporary residence permit (PTP for its Spanish

⁴ The refugee system has been closed since February 2020. To date, it is not possible to submit new applications through the official channel of the Special Commission for Refugees, which may reinforce the image that the population of concern has of a refugee system.

acronym) prevents them from applying for the refugee status. As a result, the misinformation about the asylum mechanism hints a lack of support by the Peruvian relevant authorities or even a negative perception of the refugee condition.

Recommendations:

- Strengthening information campaigns about international protection processes and entitlements in Peru.
- Strengthening awareness-raising about human and refugee rights for border control authorities in Peru.
- Restart the refugee system while ensuring the follow-up of pending situations

04 Relation with the host community. Keeping the integration as an asset

All in all, the Venezuelan population has shown high rates of **social integration**, at least in terms of self-perception, with every 4 out of 5 households considering themselves as part of the community they live in. The displaced population reports good awareness of the existence of healthcare services, police stations and town council offices within the community. Although only one third of the respondents reported having received support from national institutions/authorities, this does not negatively impact on their perception of the Peruvian host communities, which could suggest that having a peaceful coexistence with neighbours is currently considered more important than accessing the assistance/services provided by institutions.

Certainly, considering the increased migration flows from Venezuela, it will be paramount for local authorities and humanitarian agencies to invest in and contribute to **social cohesion** between host and refugee and migrant communities as an asset for developing tailored humanitarian response.

Recommendations:

- Reinforcing the **social cohesion** components within the response provided by local authorities and non-governmental actors as it has an intersectoral dimension. As discrimination and social exclusion raise, the situation of displaced population will deteriorate in terms of security, shelter conditions and job opportunities.

05 The risk of a forgotten generation

Giving further attention to upcoming challenges, national and international actors will have to face a **new generation born in the exile**. In this sense, it is important to highlight that Peru applies the *ius soli* principle to grant nationality⁵, which determines that children born in Peru from Venezuelan parents are Peruvian citizens while their parents are not. Currently, one in every ten persons of the surveyed population does not hold a Venezuelan nationality.

This condition is supposed to grant certain rights to children, such as access to free public education and healthcare⁶. However, it also poses a significant degree of uncertainty over the administrative situation of families with mixed nationalities and over their access to services and jobs. This situation is clearly exacerbating the challenges related to social and economic integration. In practical terms, Peruvian children born from Venezuelan parents face a discriminatory administrative condition, as the Migration Law (Reglamento de Ley de Migración) and TUPA⁷ (unified administrative law, for its Spanish acronym) dictates that any request before the migratory authorities in the name of minors requires, in the first place, the regularised migratory status of the parents.

⁶ Also recognized in the Peruvian Constitution.

⁷ Texto Único de Procedimientos Administrativos – TUPA (link: www.minjus.gob.pe/tupa-formato/).

Despite the above-mentioned problems have grave repercussions on children's access to rights, the surveyed head of households pointed out that the main risks for children (with girls more prone than boys to become victims) are found in the community and the prevalent criminal activities. Indeed, the families are mainly concerned about the **exposure of children to sexual and physical violence, and discrimination in all its forms**. PoC reported that the worst forms of child abuse (including child labour, sexual exploitation and trafficking) are quite common in the community they live in, and the risks can be exacerbated by the loss of household's income. The most at-risk children are those depending on an especially vulnerable caregiver, such as a single-parent with serious medical conditions or GBV survivor.

Finally, school enrollment is another important challenge for refugee and migrant children, as more than 30% of them are out-of-school. This rate is particularly high for children aged 3 to 5 years old, and close to 100% for children of this age group belonging to families who entered Peru irregularly. When DRC asked the parents about the reasons for this very low rate of school attendance, no clear answers were provided. However clearer explanations were provided for children aged 6 to 17 and they refer to "lack of quotas in the school".

Recommendations:

- Promoting school enrolment for children between 3 and 5 years old among displaced families.
- Revise the Migration Law and the TUPA to ensure that administrative applications of children born in Peru are received and processed regardless of the migratory status of the parents.

06 Pattern of violence and abuse against women and girls

In terms of gender-based violence (GBV), the displaced population faces a hostile environment, as the statistics referring to GBV Peruvian nationals are high and have been source of alarm for international human rights bodies. According to a national survey conducted in 2018⁸, 68.2% of Peruvian women had suffered some kind of violence by their intimate partner throughout their life. Moreover, Amnesty International remarks in its latest report that, during 2020, calls to GBV hotlines⁹ have increased by 94.15% in comparison to 2019. More specifically, the Inter-American Commission on Human Rights (CIDH) specialized report¹⁰ on "Violence and Discrimination against Women, girls and adolescents" estimated that 1 out of 5 girls below 15 years old has suffered sexual assault. Recent data collected by UNODC¹¹ in Peru shows that 87% of the human trafficking victims are women, and 55% are girls or adolescents. Though most of the victims are Peruvian, Venezuelan nationals constitute the second most affected group and its number has increased to almost 10% in 2020.

The Protection monitoring of displaced population in Metropolitan Lima confirms this worrisome scenario. Though this data aims to identify perceptions and social trends rather than actual cases and incidents, it singles out that the **displacement condition** seems to have operated as **contributing factors** to an increase of GBV among the displaced population. 42.2% of the monitored persons report that the peak of abuse was suffered **after arriving to the country** with a prevalence of psychological and physical violence. The family circle, that comprises as perpetrators both the intimate partner and family members of the survivor, stands as the main context of violence exercised against women and girls in 55.7% of the cases, with the 'Community' ranked as third most dangerous space (22.1%).

If the reports of 'daily' and 'weekly' cases of GBV are counted together, 56% of the surveyed population is at risk of suffering more than 4 episodes of violence per month. Regarding the incidence of 'sexual violence', 30% of the surveyed population reported that it happens at least once per week.

⁸ Encuesta Demográfica y de Salud Familiar (ENDES).

⁹ Amnesty International Report 2020/21 (Link: www.amnesty.org/download/Documents/pdf)

¹⁰ Comisión Interamericana de Derechos Humanos, 'Violencia y Discriminación contra mujeres, niñas y adolescentes'. Paragraph 232 (link: www.oas.org/cidh/ViolenciaMujeresNNA.pdf)

¹¹ Situation Report on the Crime of Trafficking in Persons through the TRACK4TIP initiative in the context of mixed migratory flows in Peru. (link: www.unodc.org/unodc/en/human-trafficking/)

GBV survivors seem to remain **unaware of the available services** or are reluctant to trust the existing GBV response system, as 60.4% of the respondents ignored the possible alternatives they could resort to in their situation. Finally, it is important to point out that the data suggests that the interviewed population might be underreporting the real dimension of the problem as the responses to Encuentros and DRC's monitoring show a high degree of tolerance towards "private/intimate violence", and in some communities there are no safe spaces for the survivors to even explore the dimension of the abuse.

Recommendations:

- Ensure efficient GBV response within the country (including women's shelters) and include referral channels to medical and psychosocial support services.
- Strengthen awareness about available services and reinforce capacities to respond to violence.
- Effectively implement human-trafficking prevention and response protocols and reinforce protective presence at arrival points.

07 Overcrowding and burdensome cost of rent

The housing conditions of the majority of the displaced families constitute an additional source of protection risks. The most frequent dwelling alternative is renting rooms in **shared accommodations** in residential buildings. Protection monitoring data confirms that the material of construction and kind of housing do not significantly affect the price of the rent, nor the safety of the households. The degree of vulnerability stems from a complex interaction of rent prices, type of dwelling, number of strangers the family shares the house with, and proportion of income spent on house rent.

Average monthly rent prices vary from 300 to 600 PEN in 64% of the cases, and from 0 to 300 PEN for 24% of the families monitored. DRC data shows that there is a high volatility in the housing market as both 'rooms' and 'houses' can be found from 0 to 300 PEN up to more than 1,000 PEN. The constant distribution of population across levels of expenditure and types of housing without significant differences between the district of residence, suggests the inception of a lease economic bubble and that families are exposed to abusive rent conditions by landlords. Families face an uneven housing rent market and volatile conditions from landlords that could lead to unilateral changes of the agreement or even eviction.

Rent expenditures represent a high burden over the household economy as 83.5% of respondents reported spending **at least half of their monthly income** in paying rent. This figure raises alarming concerns as 85% of these families pay rents up to 600 PEN, while their monthly income is in average 336 PEN.

Recommendations:

- Promoting joint efforts between Basic Needs (including shelter programming) and Protection working groups partners within the Working Group for Refugees and Migrants (GTRM for its Spanish acronym) to assess the vulnerability of households in relation to their housing situation and scale up/adapt the response.

08 Insufficient health services for all and the cost of the health

The healthcare services have been widely granted, as just 12.2% of the monitored population reported denied access to medical care. However, reported reasons for the denial of the health services suggest the system is overstretched, as the main barriers identified were: the costs for medical assistance, the effects of the pandemic, and lack of documentation/insurance. Indeed, access to health care has been affected by the health emergency, mainly through the temporary closure of several primary health care services and/or the reduction of opening hours.

More than half of the people that had to pay for medical services at hospitals or clinics attended the 'Emergency Room' but their cases did not fall under the typologies of free care¹². Indeed, the lack of medical insurance coverage causes that PoC have to reimburse to the hospitals the provision of health care services¹³.

Moreover, the lack of legal documentation and thereby formal employment results in a significative proportion PoC who are **not entitled to access free medical care**. DRC and Encuentros data show that due to lack of economic resources, 62% of the PoC with chronic diseases resort to primary healthcare and emergency rooms services instead of seeking specialised medical services.

Finally, several protection monitoring indicators show that PoC have growing needs for **mental health** assistance. The collected data revealed a general perception among PoC suggesting that GBV incidence often increases following a few months after arrival in the host country, as well as alarming rates of anxiety across the population. In conclusion, the importance of access to healthcare during a pandemic, the impact of mental health across protection indicators, and the increasing context of violence particularly affecting women's and girls' lives, ought to make the access to health rights and services (including mental health) a top priority within the agenda of institutions and organizations, including humanitarian actors.

Recommendations:

- Enable protection alternatives to cover the costs of emergency health care of families that cannot afford the service.
- Expand and mainstream mental health psychosocial support (MHPSS) components in the humanitarian response.
- Expand administrative exceptions to grant access to national health system (*Sistema Integral de Salud-SIS*) to those with incapacitating disabilities.

09 Insufficient income to cover household needs

In urban displacement contexts, family's income becomes especially relevant in relation with the safety of its members. The data collected by DRC/Encuentros through protection monitoring draws an alarming picture of the economy of the displaced population in Metropolitan Lima which aggravates as the number of household members increases. According to the protection monitoring data the average income among refugee and migrant households is 336 PEN/month. This amount falls short to cover families' food and safe shelter needs. For instance, the minimum food expenditure basket is estimated at 860,19 PEN/month¹⁴ (around 280 PEN/month/person); thus, much higher than the average household income detected by DRC and Encuentros' data. This analysis is confirmed by the estimations of the Consultive Poverty Commission of the National Institute of Statistics and Informatics (INEI for its Spanish Acronym), which reported that the majority of the Venezuelan refugee and migrant population lives under the extreme poverty line fixed at 561 PEN/month¹⁵.

Although 43.5% of the head of households confirmed having stable job which can guarantee a certain income level, most of them reported working long hours and in most cases under exploitative or informal conditions. The 62% of the surveyed population had to work at least 8 hours a day to earn as much as possible. In practical terms, 70% of the population resorts to informal jobs, such as 'street selling' and 'daily occasional work' and the main barriers to access sustainable livelihoods opportunities are the lack of documentation, diverse forms of discrimination and the burden of childcare, reported mostly by female parents.

The data collected also shows that the main differences across groups of PoC concerning livelihoods opportunities and access to income are related to regular or irregular entrance to the country: only 36% of

¹² In this scheme, asylum-seekers only have access to the health services in case of emergency and have to pay for the care received.

Exceptions are granted for pregnant women (extended for a period of 45 days after the delivery), for children below 5 years old, people with diagnosed HIV, and, due to the COVID-19 pandemic, those with a positive diagnostic of the virus for the period of infection.

¹³ Defensoría del Pueblo, *Guía para personas refugiadas, solicitantes de la condición de refugiado y migrantes en el Perú*, December 2020.

¹⁴ <https://pqs.pe/actualidad/economia/canasta-basica-peruana-representa-el-34-8-del-sueldo-minimo/>.

¹⁵ INEI, Informe técnico Perú: Estimación de la Vulnerabilidad Económica a la Pobreza Monetaria Metodología de cálculo y perfil sociodemográfico (Link: [Estimación de la Vulnerabilidad Económica](#)).

the head of households that entered the country irregularly have a job, and for 77% of them it is an informal one.

Recommendations:

- Advocating for the integration of the refugee and migrant population from Venezuela (especially those most at risk) into the Ministry of Development and Social Inclusion (MIDIS for its Spanish acronym) state-run food supplementation programmes (such as community kitchens and '*vasos de leche service*') to ensure access to nutritionally adequate food to mitigate the risk of worsening pre-existing serious medical conditions and reduce the use of food and non-food negative coping and crisis mechanisms.
- Expanding employability, vocational training, financial literacy and micro-finance services.

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