

Melina Holder is a second-year Master's student in the Master of Development Practice program at UC Berkeley focused on housing, land, and property rights for migrants, refugees, and internally displaced persons.

## **Housing, Land, and Property Rights for Venezuelan Migrants in Perú**

### **Summary**

International Human Rights Law recognizes the right to adequate housing as outlined in the 1948 Universal Declaration of Human Rights and the 1966 International Covenant on Economic, Social, and Cultural Rights.<sup>1</sup> Adequate housing is broadly defined as the right to live somewhere in security, peace, and dignity and with protection against forced evictions.<sup>2</sup> As the world urbanizes, protracted displacement situations increases, and global migration and displacement continues to evolve, humanitarians are increasingly confronted with housing, land, and property (HLP) rights and tenure security issues in urban contexts. This research, conducted in partnership with the International Organization for Migration (IOM) in Lima and the Amazon region of Madre de Dios, Perú, aims to assess the HLP context for Venezuelan migrants and refugees in Perú to understand the greatest challenges they face in accessing adequate housing and identify how these challenges can be addressed.

### **Background**

Due to severe economic hardship, food insecurity, and civil unrest, people are fleeing Venezuela in droves, resulting in the second-largest external displacement crisis in the world.<sup>3</sup> With over 1 million Venezuelan migrants and refugees setting in Perú, Perú has received the second greatest influx of migrants in Latin America.<sup>4</sup> According to a survey conducted by IOM, 84% of respondents indicated that they intended to permanently settle in Perú, making Perú the primary final destination for Venezuelan migrants and refugees.<sup>5</sup> Furthermore, the results of the IOM survey revealed that there are more women than men traveling alone to Perú.<sup>6</sup> Therefore, there is a need to develop long-term and gender-specific solutions to HLP and tenure security issues.

### **Methodology**

To initiate the HLP assessment I travelled to two different regions of Perú: Lima to understand the context in Perú's most densely populated urban area, and the amazon region of Madre De Dios on the borders of Bolivia and Brazil to understand the border context. I visited three urban shelters in Lima and talked with shelter staff about what they have heard from the migrants and refugees they

---

<sup>1</sup> UN Habitat. *The Right to Adequate Housing Factsheet*, 2009.

<sup>2</sup> UN Habitat. *The Right to Adequate Housing Factsheet*, 2009.

<sup>3</sup> United Nations High Commissioner for Refugees. (n.d.). *Venezuela situation*. UNHCR. Retrieved August 23, 2022, from <https://www.unhcr.org/en-us/venezuela-emergency.html>

<sup>4</sup> Council on Foreign Relations. (n.d.). *The Venezuelan Exodus*. Council on Foreign Relations. Retrieved April 26, 2022, from <https://www.cfr.org/in-brief/venezuelan-exodus>

<sup>5</sup> The UN Migration Agency (IOM). (2018). *Analysis of Flow Monitoring Surveys Conducted with Venezuelan Nationals in South America*.

<sup>6</sup> The UN Migration Agency (IOM). (2018). *Analysis of Flow Monitoring Surveys Conducted with Venezuelan Nationals in South America*.

work with related to challenges in renting a place to stay, obtaining documentation of their rental agreements, experiencing risk or threats of eviction. Furthermore, the discussions with shelter staff included the services they provide to Venezuelan migrants and refugees, the needs of the shelter to better respond to people's needs, and any plans to assist people after they leave the shelters. I also met with one of IOM's local partner organization, Caritas, who pilots a rental assistance program for Venezuelan migrants and refugees. The discussions with Caritas staff focused on understanding the challenges they face in providing rental assistance, including literacy with renters and landlords, selecting eligible families, needs for rental contracts, and what they have learned about the experience of finding a secure place to rent from the families they assisted.

In Madre de Dios, I visited a shelter in Iñapari on the Brazilian side of the Brazil/Peru border that shelters Venezuelan migrants and refugees before they enter Perú or after if they are unable to access a place in Perú. This visit included a discussion with the shelter staff to understand the different challenges in finding a secure place to stay Venezuelan migrants and refugees have expressed to the shelter staff in Brazil as compared to Perú. I also met with staff and lawyers from Caritas Madre de Dios in the city of Puerto Maldonado in Perú closer to the border of Bolivia.

### **Key Takeaways and Next Steps**

Greatest HLP and Tenure security Challenges:

- Lack of documentation of rental agreements and/or receipts of rental payment
- Landlord discrimination against renting to people from Venezuela, renting to people with children, and pregnant women.
- Knowledge of tenant rights/pathways for resolution for HLP rights violations

Greatest Needs:

- Contract Templates
- Training/Capacity Building on using contracts
- Community Sensitization Campaigns

I am currently working with IOM Perú to conduct a field mission to Tumbes, Perú to understand the HLP context in Perú's northern border. I will also be applying for an IRB approval to conduct interviews with Venezuelan migrants and refugees.

